

GLENN MCGOURTY
1st District
Supervisor
Chair

MAUREEN MULHEREN
2nd District
Supervisor
Vice-Chair

JOHN HASCHAK
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor

TED WILLIAMS
5th District
Supervisor



DARCIE ANTLE
Chief Executive Officer/
Clerk of the Board

CHRISTIAN M. CURTIS
County Counsel

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MENDOCINO COUNTY BOARD OF SUPERVISORS ACTION MINUTES – December 19, 2023

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF MENDOCINO - STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)**

AGENDA ITEM NO. 1 – OPEN SESSION (PLEDGE OF ALLEGIANCE AND ROLL CALL 9:00 A.M.)

Present: Supervisor Glenn McGourty, Supervisor Maureen Mulheren, Supervisor John Haschak, Supervisor Dan Gjerde, and Supervisor Ted Williams.

Staff Present: Darcie Antle, Chief Executive Officer; Christian M. Curtis, County Counsel; Atlas M.A. Pearson, Senior Deputy Clerk of the Board; and Lillian Bearden, Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Christian M. Curtis.

AGENDA ITEM NO. 2 – PUBLIC EXPRESSION

Presenter/s: Beverly; Mark Donegan; and Cezar.

AGENDA ITEM NO. 3 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair McGourty.

Public Comment: David A.; and Steve Amato.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Williams, IT IS ORDERED that Consent Calendar items 3a) – 3ai) are hereby approved as follows. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

3A) APPROVAL OF MINUTES OF DECEMBER 5, 2023 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE

Approved;

3B) APPROVAL OF MINUTES OF DECEMBER 6, 2023 REGULAR CLOSED SESSION MEETING - SPONSOR: EXECUTIVE OFFICE

Approved;

3C) APPROVAL OF APPOINTMENTS/REAPPOINTMENTS - SPONSOR: EXECUTIVE OFFICE

Approved;

1. Julian Lopez, Member, Mendocino Historical Review Board;
2. Alan Saunders, Member, Mendocino Historical Review Board;
3. Sheena Kanownik, Trustee, Covelo Public Cemetery District; and
4. Mellisa Hannum, Ex-Officio - County Librarian, Library Advisory Board

3D) APPROVAL OF TRANSMISSION OF A LETTER OF SUPPORT FOR THE NEW EEL-RUSSIAN FACILITY PROPOSAL IN RESPONSE TO PG&E’S INITIAL DRAFT SURRENDER APPLICATION - SPONSORS: SUPERVISOR MCGOURTY AND SUPERVISOR MULHEREN

Approved;

3E) APPROVAL TO AUTHORIZE CHIEF EXECUTIVE OFFICER TO SIGN AFFIRMING RESPONSIBLE ENTITY FOR CONGRESSMAN HUFFMAN SPONSORED HUD GRANT TO ANDERSON VALLEY HEALTH CENTER - SPONSOR: SUPERVISOR WILLIAMS

Approved;

3F) APPROVAL OF AGREEMENT WITH GENASYS INC. IN THE AMOUNT OF \$95,385.60 FOR MENDOCINO COUNTY TO UTILIZE THE GENASYS PROTECT EVAC SOFTWARE PLATFORM, EFFECTIVE UPON FULL EXECUTION THROUGH FOUR YEARS FROM FULL EXECUTION – SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-205

3G) RATIFICATION OF GRANT AGREEMENT NO. 5GG21107 WITH CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CAL FIRE) IN THE AMOUNT OF \$200,000, FOR EVACUATION PRE-PLANNING AND PREPAREDNESS SUPPORT, EFFECTIVE JUNE 14, 2022 THROUGH MARCH 15, 2024 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *23-206

3H) RATIFICATION OF A LETTER OF OPPOSITION FOR ASSEMBLY BILL 702 - LOCAL GOVERNMENT FINANCING: JUVENILE JUSTICE – Sponsor: Executive Office

Approved;

3I) APPROVAL OF RETROACTIVE COOPERATIVE AGREEMENT WITH CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA) IN THE AMOUNT OF \$173,253.81 FOR REIMBURSEMENT OF DETECTION TRAPPING ACTIVITIES FOR THE TERM OF JULY 1, 2022, THROUGH JUNE 30, 2024 – SPONSOR: AGRICULTURE

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *23-207

3J) APPROVAL OF MENDOCINO COUNTY’S CERTIFICATION OF THE NOVEMBER 7, 2023 CONSOLIDATED DISTRICT ELECTION, MEASURE Q FOR THE CITY OF FORT BRAGG - SPONSOR: ASSESSOR/CLERK RECORDER

Approved;

3K) APPROVAL OF CERTIFICATION OF THE ELECTION RESULTS FOR THE LODGING BUSINESS IMPROVEMENT DISTRICT (LBID) BOARD OF DIRECTORS TO THE MENDOCINO COUNTY TOURISM COMMISSION (MCTC) APPOINTING IAN ROTH TO THE MEDIUM LODGING OPERATOR SEAT, AND ALINA REYES TO THE SMALL LODGING OPERATOR SEAT - SPONSOR: AUDITOR-CONTROLLER/TREASURER TAX-COLLECTOR

Approved;

3L) ADOPTION OF RESOLUTION AUTHORIZING MENDOCINO COUNTY TO DEFER IMPLEMENTATION OF SENATE BILL 43, SPECIFIC TO THE DEFINITION OF “GRAVELY DISABLED” UNDER THE LANTERMAN-PETRIS-SHORT ACT, UNTIL JANUARY 1, 2026 – SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-193

RESOLUTION NO. 23-193

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING MENDOCINO COUNTY TO DEFER IMPLEMENTATION OF SENATE BILL 43, SPECIFIC TO THE EXPANSION OF THE DEFINITION OF “GRAVELY DISABLED” UNDER THE LANTERMAN-PETRIS-SHORT ACT, UNTIL JANUARY 1, 2026

3M) ADOPTION OF RESOLUTION REDUCING COMPOSITION OF THE BEHAVIORAL HEALTH ADVISORY BOARD (BHAB) FROM FIFTEEN (15) TO ELEVEN (11) MEMBERS, ENCOURAGING DUAL PARTICIPATION BY UP TO FIVE (5) QUALIFYING MEMBERS OF MEASURE B OVERSIGHT COMMITTEE, DIRECTING MEETINGS OF EACH ADVISORY BOARD TO BE HELD ON THE SAME DAY, AND DIRECTING REVISIONS TO BHAB BYLAWS - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-194

RESOLUTION NO. 23-194

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS REDUCING COMPOSITION OF THE BEHAVIORAL HEALTH ADVISORY BOARD (BHAB) FROM 15 TO 11 MEMBERS, ENCOURAGING DUAL PARTICIPATION BY UP TO 5 QUALIFYING MEMBERS OF MEASURE B OVERSIGHT COMMITTEE, DIRECTING MEETINGS OF EACH ADVISORY BOARD TO BE HELD ON THE SAME DAY, AND DIRECTING REVISIONS TO BHAB BYLAWS

3N) APPROVAL OF APPROPRIATION TRANSFER OF FUNDS FOR THE FISCAL YEAR 2023-2024, INCREASING AUTHORITY IN THE 2000 SERIES IN SPECIAL DEPARTMENT EXPENSES, AND DECREASING AUTHORITY IN THE 1000 SERIES FOR REGULAR EMPLOYEE SALARIES BY \$80,000 – CANNABIS

Approved and Chair is authorized to sign same;

3o) ADOPTION OF AN ORDINANCE AMENDING CHAPTER 8.69 OF THE MENDOCINO COUNTY CODE REGARDING THE PARTNERSHIP HEALTHPLAN OF CALIFORNIA COMMISSION – SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4529

ORDINANCE NO. 4529

AN ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS REPEALING AND REPLACING MENDOCINO COUNTY CODE SECTION 8.69.040 – MEMBERSHIP OF COMMISSION RELATING TO APPOINTMENTS TO THE PARTNERSHIP HEALTHPLAN OF CALIFORNIA COMMISSION

3P) ADOPTION OF RESOLUTION REQUIRING AN APPLICATION FOR REDUCTION IN ASSESSMENT MADE OUTSIDE OF THE REGULAR ASSESSMENT PERIOD BE FILED NO LATER THAN 60 DAYS AFTER THE DATE OF MAILING PRINTING ON THE TAX BILL OF THE POSTMARK THEREFORE, WHICHEVER IS LATER – SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-195

RESOLUTION NO. 23-195

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS REQUIRING AN APPLICATION FOR REDUCTION IN ASSESSMENT MADE OUTSIDE OF THE REGULAR ASSESSMENT PERIOD BE FILED NO LATER THAN 60 DAYS AFTER THE DATE OF MAILING PRINTED ON THE TAX BILL OR THE POSTMARK THEREFORE, WHICHEVER IS LATER

3q) APPROVAL OF AGREEMENT WITH EVA GREEN POWER, INC. IN THE AMOUNT OF \$70,000 FOR PROFESSIONAL ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES TO COMPLETE THE CALIFORNIA ENERGY COMMISSION CLEAN TRANSPORTATION PROGRAM RURAL ELECTRIC VEHICLE GRANT PROJECT AT 501 LOW GAP ROAD, UKIAH AND 727 SOUTH STATE STREET, UKIAH FOR THE PERIOD FROM THE DATE OF EXECUTION THROUGH DECEMBER 31, 2025 - SPONSOR: GENERAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-208

3R) APPROVAL OF FIRST AMENDMENT TO BOARD OF SUPERVISORS (BOS) AGREEMENT 22-071 WITH AECOM TECHNICAL SERVICES INC., IN THE AMOUNT OF \$12,000, FOR ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES FOR THE 911 COMMUNICATIONS EQUIPMENT FACILITY FOR A NEW AGREEMENT TOTAL OF \$229,306 AND EXTEND THE TERMINATION DATE FROM DECEMBER 30, 2023, TO DECEMBER 30, 2024 - SPONSOR: GENERAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-071-A1

3S) APPROVAL OF RENEWING THE FINDING MADE IN RESOLUTION NO. 23-145 THAT THE DETERIORATED ROOF STRUCTURE OF THE AGRICULTURE AND FARM ADVISOR BUILDING AND THE IMPENDING INCLEMENT WEATHER CONSTITUTES AN EMERGENCY THAT REQUIRES IMMEDIATE ACTION TO MITIGATE ADDITIONAL DAMAGES OF COUNTY PROPERTY AND THAT THIS EMERGENCY WILL NOT PERMIT A DELAY RESULTING FROM COMPETITIVE SOLICITATION FOR BIDS AND IMMEDIATE ACTION IS NECESSARY TO RESPOND TO THE EMERGENCY AND THERE IS A NEED TO CONTINUE WITH THE CONTRACT TO RESOLVE THE EMERGENCY - SPONSOR: GENERAL SERVICES AGENCY

Approved;

3T) ADOPTION OF RESOLUTION AMENDING THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 1120, ADD 2.0 FTE, REAL PROPERTY APPRAISER II, \$64,875.20 - \$78,873.60/ANNUALLY, ADD 1.0 FTE, REAL PROPERTY APPRAISER TECHNICIAN, \$51,064.00 - \$62,067.20/ANNUALLY - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-196

RESOLUTION NO. 23-196

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

3U) ADOPTION OF RESOLUTION AMENDING THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 2910, ADD 1.0 FTE EXECUTIVE DIVISION MANAGER \$110,323.20 - \$134,076.80/ANNUALLY AND DELETE 1.0 FTE PRINCIPAL ADMINISTRATIVE ANALYST, POSITION NUMBER 4382 - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-197

RESOLUTION NO. 23-197

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

3V) ADOPTION OF RESOLUTION APPROVING NEW CLASSIFICATION OF DIRECTOR OF HEALTH SERVICES, \$179,652.60/ANNUALLY - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-198

RESOLUTION NO. 23-198

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

3W) ADOPTION OF RESOLUTION AUTHORIZING REVISION OF THE SALARY RANGE OF THE FOLLOWING CLASSIFICATION: BUDGET UNIT 6110, BOOKMOBILE DRIVER; FROM \$38,563.20-\$46,862.40/ANNUALLY TO \$40,497.60-\$49,212.80/ANNUALLY - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-199

RESOLUTION NO. 23-199

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

3X) APPROVAL OF AGREEMENT WITH NOKIA OF AMERICA CORPORATION IN THE AMOUNT OF \$2,148,697.58 FOR MICROWAVE AND IP/MPLS DEPLOYMENT SERVICES, EFFECTIVE UPON FULL EXECUTION THROUGH DECEMBER 31, 2024, AND FINDING THAT COMPETITIVE BIDDING FOR THE PROJECT WOULD BE UNDESIRABLE, IMPRACTICAL AND NOT PRODUCE AN ADVANTAGE TO THE COUNTY - SPONSOR: INFROMATION TECHNOLOGY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-209

3Y) APPROVAL OF FIRST AMENDMENT TO BOS AGREEMENT No.23-170 (SECOND AMENDMENT TO PA AGREEMENT No.23-72) WITH CLIENTFIRST CONSULTING GROUP, LLC, DBA CLIENTFIRST TECHNOLOGY CONSULTING IN THE AMOUNT OF \$48,850 FOR A NEW TOTAL OF \$108,810 TO PROVIDE ADDITIONAL SERVICES RELATED TO THE INVENTORY AND AUDIT OF TELECOMMUNICATIONS SERVICES, AND EXTENDING THE END DATE FROM DECEMBER 31, 2023, TO JUNE 30, 2024 - SPONSOR: INFROMATION TECHNOLOGY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-170-A1

3Z) ACCEPTANCE OF REPORT OF FINDINGS FOR THE CODE ENFORCEMENT DIVISION’S DIRECTED ENFORCEMENT EFFORTS OF ILLEGAL CANNABIS CULTIVATION IN THE ROCK TREE VALLEY PROPOSED CANNABIS PROHIBITION (CP) COMBINING DISTRICT LOCATED IN THE WILLITS AREA - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

3AA) APPROVAL OF AGREEMENT WITH COUNTY OF SHASTA PROBATION DEPARTMENT IN THE AMOUNT OF \$600,000 WITH A MAXIMUM OF \$200,000 PER FISCAL YEAR, TO PROVIDE DETENTION SERVICES FOR MENDOCINO COUNTY YOUTH PLACED IN THE FACILITY FOR THE REMAINDER OF FISCAL YEAR 2023-24 THROUGH FISCAL YEAR 2025-26 – SPONSOR: PROBATION

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-210

3AB) APPROVAL OF RETROACTIVE CALIFORNIA INTEGRATED VITAL RECORDS SYSTEM DATA PRIVACY AND SECURITY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CDPH), CENTER FOR HEALTH STATISTICS AND INFORMATICS, IN THE AMOUNT OF \$0, TO STREAMLINE AND MANAGE THE EXCHANGE OF BIRTH AND DEATH RECORD DATA WITH CDPH, EFFECTIVE APRIL 26, 2023, THROUGH APRIL 25, 2028 - SPONSOR: PUBLIC HEALTH

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *23-211

3AC) RATIFICATION OF SUBMISSION OF AGREEMENT FUNDING APPLICATION (AFA) TO CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CDPH) FOR MATERNAL, CHILD AND ADOLESCENT HEALTH (MCAH) PROGRAM FUNDING; APPROVAL OF THE RESULTING RETROACTIVE REVENUE AGREEMENT No. 202223 WITH CDPH IN THE AMOUNT OF \$494,769.55 TO SUPPORT THE DELIVERY OF SERVICES AND BENEFITS OF THE MCAH PROGRAM, EFFECTIVE JULY 1, 2022 THROUGH JUNE 30, 2023; AND ADOPTION OF RESOLUTION AUTHORIZING THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO APPROVE MCAH ALLOCATIONS FOR FISCAL YEAR 2022-23, APPROVING SUBMISSION OF THE AFA, AND AUTHORIZING THE MENDOCINO COUNTY PUBLIC HEALTH DIRECTOR OR DESIGNEE TO ACCEPT MCAH ALLOCATIONS AND EXECUTE AFA DOCUMENTS AND ANY FUTURE AMENDMENTS THAT DO NOT INCREASE MAXIMUM AMOUNTS - SPONSOR: PUBLIC HEALTH

Approved and Chair is authorized to sign same;

Enactment No: Resolution 23-200; Interim Agreement *23-212

RESOLUTION NO. 23-200

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING MATERNAL, CHILD AND ADOLESCENT HEALTH (MCAH) ALLOCATIONS FROM CALIFORNIA DEPARTMENT OF PUBLIC HEALTH (CDPH), MCAH DIVISION; AND APPROVING SUBMISSION OF AGREEMENT FUNDING APPLICATION TO CDPH FOR MCAH FUNDING

3AD) APPROVAL OF AMENDMENT TO BOS AGREEMENT No. 10-207 WITH TYLER TECHNOLOGIES, INC. IN THE AMOUNT OF \$4,064 FOR THE IMPLEMENTATION OF A CALIFORNIA RACIAL AND IDENTITY PROFILING ACT (RIPA) STOP DATA REPORTING SOFTWARE AS A SERVICE (SAAS) APPLICATION - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 10-207-A7

3AE) APPROVAL OF RETROACTIVE AGREEMENT NUNC PRO TUNC WITH REDWOOD COMMUNITY SERVICES, INC. IN THE AMOUNT OF \$152,000, TO PROVIDE AN INLAND SHELTER TO INDIVIDUALS IN MENDOCINO COUNTY, EFFECTIVE JULY 1, 2023 THROUGH JUNE 30, 2024 - SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-203

3AF) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 230018 IN THE AMOUNT OF \$1,700.00, WITH AND ACCEPTING THE GRANT DEED CONVEYING REAL PROPERTY FROM MICHELLE M. CORLETTE AND JAMES A. LUTTICKEN, FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF THE ROBINSON CREEK BRIDGE REPLACEMENT ON LAMBERT LANE, COUNTY ROAD 123A, MILEPOST 0.10 (BOONVILLE AREA) - SPONSOR: TRANSPORTATION/SOLID WASTE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-201; Agreement 23-213

RESOLUTION NO. 23-201

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 230018 IN THE AMOUNT OF \$1,700.00, WITH AND ACCEPTING THE GRANT DEED CONVEYING REAL PROPERTY FROM MICHELLE M. CORLETTE AND JAMES A. LUTTICKEN, FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF THE ROBINSON CREEK BRIDGE REPLACEMENT ON LAMBERT LANE, COUNTY ROAD 123A, MILEPOST 0.10 (BOONVILLE AREA)

3AG) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 230040, ASSIGNMENT AND ASSUMPTION AGREEMENT AMONG SOLID WASTES OF WILLITS, INC., REDWOOD WASTE SOLUTIONS, INC., AND COUNTY OF MENDOCINO, ASSIGNING AGREEMENTS TO REDWOOD WASTE SOLUTIONS FOR SOLID WASTE FRANCHISE AREA NUMBERS ONE, THREE AND FOUR, AND ALBION, BOONVILLE, LAYTONVILLE, POTTER VALLEY, SOUTH COAST, COVELO, AND WILLITS TRANSFER STATIONS (VARIOUS AREAS COUNTYWIDE) - SPONSOR: TRANSPORTATION/SOLID WASTE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-202; Agreement 23-214

RESOLUTION NO. 23-202

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 230040, ASSIGNMENT AND ASSUMPTION AGREEMENT AMONG SOLID WASTES OF WILLITS, INC., REDWOOD WASTE SOLUTIONS, INC., AND COUNTY OF MENDOCINO, ASSIGNING AGREEMENTS TO REDWOOD WASTE SOLUTIONS FOR SOLID WASTE FRANCHISE AREA NUMBERS ONE, THREE, AND FOUR, AND ALBION, BOONVILLE, LAYTONVILLE, POTTER VALLEY, SOUTH COAST, COVELO AND WILLITS TRANSFER STATIONS (VARIOUS AREAS COUNTYWIDE)

3AH) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 210016, 2019 STORM DAMAGE REPAIRS ON MOUNTAIN VIEW ROAD, COUNTY ROAD 510, MILEPOST 13.95 (BOONVILLE AREA) - SPONSOR: TRANSPORTATION/SOLID WASTE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-203

RESOLUTION NO. 23-203

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 210016, 2019 STORM DAMAGE REPAIRS ON MOUNTAIN VIEW ROAD, COUNTY ROAD 510, MILEPOST 13.95 (BOONVILLE AREA)

3AI) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 210017, 2019 STORM DAMAGE REPAIRS ON MOUNTAIN VIEW ROAD, COUNTY ROAD 510, MILEPOST 20.00 (BOONVILLE AREA) - SPONSOR: TRANSPORTATION/SOLID WASTE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-204

RESOLUTION NO. 23-204

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 210017, 2019 STORM DAMAGE REPAIRS ON MOUNTAIN VIEW ROAD, COUNTY ROAD 510, MILEPOST 20.00 (BOONVILLE AREA)

AGENDA ITEM NO. 4 – REGULAR CALENDAR

4A) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF AN INFORMATIONAL UPDATE FROM THE ACTING AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR; AND DIRECTION TO STAFF AS NECESSARY – SPONSOR: ACTING AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

Presenter/s: Sara Pierce, Acting Auditor-Controller/Treasurer-Tax Collector.

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors accepts the informational update provided by the acting Auditor-Controller/Treasurer-Tax Collector. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

4B) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF AN INFORMATIONAL UPDATE FROM THE ASSESSOR/CLERK-RECORDER; AND DIRECTION TO STAFF AS NECESSARY - SPONSOR: ASSESSOR/CLERK-RECORDER

Presenter/s: Katrina Bartolomie, Assessor/Clerk-Recorder; and Darcie Antle, Chief Executive Officer.

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors accepts the informational update provided by the Assessor/Clerk-Recorder. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

4C) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL TO ESTABLISH SHORTER WILLIAMSON ACT CONTRACTS, EFFECTIVE IN CALENDAR YEAR 2024, PURSUANT TO STATE STATUTE, MAKING THE REQUISITE FINDING PURSUANT TO GOVERNMENT CODE 16142.1(D); AND DIRECTION TO STAFF TO NOTIFY ALL AFFECTED LANDOWNERS OF THE FINAL DECISION AND THE RIGHT TO PREVENT THE REDUCTION IN TERM BY SERVING NOTICE OF NON-RENEWAL - SPONSORS: ASSESSOR/CLERK-RECORDER AND AGRICULTURE

Presenter/s: Katrina Bartolomie, Assessor/Clerk-Recorder.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors approves the establishment of shorter Williamson Act Contracts, effective in Calendar Year 2024, pursuant to State Statute, making the requisite finding pursuant to Government Code Section 16142.1(d); and directs staff to notify all affected landowners of final decision and the right to prevent the reduction in term by serving notice of non-renewal. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

4D) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MENDOCINO AND THE MENDOCINO COUNTY DEPUTY SHERIFF’S ASSOCIATION FOR THE TERM OF JULY 1, 2023 THROUGH JUNE 30, 2026 - SPONSORS: HUMAN RESOURCES AND EXECUTIVE OFFICE

Presenter/s: Cherie Johnson, Deputy Chief Executive Officer; and Darcie Antle, Chief Executive Officer.

Public Comment: Zohar Zaided.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors adopts the Resolution and approves the Memorandum of Understanding between the County of Mendocino and Mendocino County Deputy Sheriffs' Association for term of July 1, 2023 through June 30, 2026; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Resolution 23-205; Agreement 23-215

RESOLUTION NO. 23-205

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE MEMORANDUM OF UNDERSTANDING WITH THE MENDOCINO COUNTY DEPUTY SHERIFFS’ ASSOCIATION

4E) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW OF BOARD OF SUPERVISOR'S DIRECTIVES REQUIRING FOLLOW THROUGH FROM COUNTY STAFF AND/OR OTHER AGENCIES; AND DELETION OF OUTDATED DIRECTIVES AS DETERMINED BY THE BOARD OF SUPERVISORS - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Darcie Antle, Chief Executive Officer; Christian M. Curtis, County Counsel; Julia Krog, Director, Planning and Building Services; and Tony Rakes, Acting Deputy Chief Executive Officer.

Public Comment: Carrie Shattuck; Peter McNamee; Jim Shields; and David A.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves the updated directives list; directs Director Krog to come back in January with more information regarding the motions and directives for the Planning and Building Services department to allow the Board to make a more informed decision; and directs that the Board will review the Directives quarterly going forward. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

AGENDA ITEM NO. 5 – MODIFICATIONS TO AGENDA

5A) OFF AGENDA ITEM: PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: ONE CASE – CHAMISE CUBBISON V. COUNTY OF MENDOCINO, ET AL. CASE NO. TBD

Presenter/s: Chair McGourty; and Christian M. Curtis, County Counsel.

Public Comment: Carrie Shattuck.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors makes the findings that there is an immediate need to take action, the need arose after the publication of the Agenda, and adds off-agenda item 5b to the agenda. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

AGENDA ITEM NO. 6 – CLOSED SESSION

Presenter: Chair McGourty.

Public Comment: None.

ADJOURNED TO CLOSED SESSION: 12:18 P.M.

5A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: ONE CASE – CHAMISE CUBBISON V. COUNTY OF MENDOCINO, ET AL. CASE No. TBD

6A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) – CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION: ONE CASE

Withdrawn.

6B) PURSUANT TO GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - AGENCY NEGOTIATORS: DARCI ANGLE AND CHERIE JOHNSON; EMPLOYEE ORGANIZATION(S): ALL

RECONVENED IN OPEN SESSION: 2:01 P.M.

AGENDA ITEM NO. 6 – REPORT OUT OF CLOSED SESSION

Presenter: Chair McGourty.

Board Action: With respect to agenda item 5a) and 6b) no reportable action was taken. With respect to agenda item 6a), the item was withdrawn.

AGENDA ITEM NO. 4 – REGULAR CALENDAR

4F) DISCUSSION AND POSSIBLE ACTION REGARDING BOARD OF SUPERVISORS STANDING COMMITTEE(S) INCLUDING 2023 FINAL REPORTS OUT OF COMMITTEE; APPROVAL TO CLEAR REFERRALS FROM COMMITTEE; AND FORMATION OF AN AD HOC COMMITTEE TO FURTHER REVIEW ANY MATTERS PREVIOUSLY REFERRED TO A STANDING COMMITTEE IF NECESSARY - SPONSORS: CLERK OF THE BOARD AND COUNTY COUNSEL

Presenter/s: Christian M. Curtis, County Counsel.

Public Comment: None.

Board Action: No Action Taken.

4G) DISCUSSION AND POSSIBLE ACTION REGARDING BOARD AD HOC COMMITTEES INCLUDING FINAL REPORTS AND DISBANDING OF AD HOC COMMITTEES THAT HAVE CONCLUDED BUSINESS PURSUANT TO BOARD OF SUPERVISORS RULES OF PROCEDURE - RULE NO. 31 - SPONSORS: CLERK OF THE BOARD AND COUNTY COUNSEL

Presenter/s: Christian M. Curtis, County Counsel.

Public Comment: None.

Board Directive: FORMATION OF AN AD HOC COMMITTEE comprised of Supervisor Gjerde and Supervisor Haschak to work with community partners to develop a cost-effective model to sustainably fund the County Museum.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors approves the dissolution of the following Ad Hoc Committees as stated during the meeting: Fire and EMS, Park Needs Assessment Phase II, Fiscal year 22-23 Budget Process, Community Economic Resilience Fund and West Company Agreement, Cultural Services Agency Department/Director Position, Staffing within the Air Quality Management District, and Contract with Ford Street/Measure B Funds/New Jail Wing; and approves the creation of an Ad Hoc for the museum comprised of Supervisor Haschak and Supervisor Gjerde to work with community partners to develop a cost-effective model to sustainably fund the County Museum.

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

4H) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF A PRESENTATION REGARDING THE STATUS OF THE PRETRIAL RELEASE PROGRAM FOR MENDOCINO COUNTY AS OF JUNE 30, 2023; AND POSSIBLE DIRECTION TO STAFF - SPONSOR: PROBATION

Presenter/s: Izen Locatelli; Chief Probation Officer, Probation.

Public Comment: None.

Board Action: No Action Taken.

4I) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF CODE ENFORCEMENT DIVISION'S REPORT AND POSSIBLE DIRECTION TO STAFF ON UPDATED ENFORCEMENT PRIORITIES AND DISCRETION REGARDING ANONYMOUS AND NON-PRIORITY COMPLAINTS - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Julia Krog, Director, Planning and Building Services; and Gretchen McLaughlin, Code Enforcement Manager, Planning and Building Services.

Public Comment: Peter McNamee; and Steve Amato.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors accepts Code Enforcement Division's report. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

4J) DISCUSSION AND POSSIBLE ACTION INCLUDING (1) ADOPTION OF A RESOLUTION PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO CLIMATE CHANGE; (2) ADOPTION OF AN URGENCY ORDINANCE EXEMPTING REPLACEMENT ROOFS AND/OR ROOFMOUNT SOLAR ENERGY SYSTEMS FROM DISCRETIONARY REVIEW IN THE COASTAL ZONE DURING THE LOCAL EMERGENCY RELATED TO CLIMATE CHANGE AND (3) ADOPTION OF AN URGENCY ORDINANCE EXEMPTING THE REMOVAL OF CERTAIN DEAD, DISEASED, OR HAZARDOUS TREES FROM DISCRETIONARY REVIEW IN THE COASTAL ZONE DURING THE LOCAL EMERGENCIES RELATED TO CLIMATE CHANGE AND TREE MORTALITY - SPONSORS: PLANNING AND BUILDING SERVICES AND COUNTY COUNSEL

Presenter/s: Julia Krog, Director, Planning and Building Services.

Public Comment: Morgan Zector; and Don Hess.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors adopts (1) Resolution proclaiming the existence of a local emergency related to Climate Change; (2) an urgency ordinance exempting replacement roofs and/or roof mount solar energy systems from discretionary review in the Coastal Zone during the local emergency related to Climate Change, and (3) adopts an urgency ordinance exempting the removal of certain dead, diseased, or hazardous trees from discretionary review in the Coastal Zone during the local emergencies related to Climate Change and tree mortality; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Ordinance 4530; Ordinance 4531; Resolution 23-206

ORDINANCE NO. 4530

AN URGENCY ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS EXEMPTING REPLACEMENT ROOFS AND/OR ROOFMOUNT SOLAR ENERGY SYSTEMS FROM DISCRETIONARY REVIEW IN THE COASTAL ZONE DURING THE LOCAL EMERGENCY RELATED TO CLIMATE CHANGE

ORDINANCE NO. 4531

AN URGENCY ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS EXEMPTING THE REMOVAL OF CERTAIN DEAD, DISEASED OR HAZARDOUS TREES FROM DISCRETIONARY REVIEW IN THE COASTAL ZONE DURING THE LOCAL EMERGENCIES RELATED TO CLIMATE CHANGE AND TREE MORTALITY

RESOLUTION NO. 23-206

RESOLUTION OF THE COUNTY OF MENDOCINO PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO CLIMATE CHANGE

4K) DISCUSSION AND POSSIBLE ACTION INCLUDING RATIFICATION OF EMPLOYMENT AGREEMENT WITH DORIS L. RENTSCHLER FOR THE POSITION OF EXECUTIVE DIRECTOR, MENDOCINO COUNTY EMPLOYEES RETIREMENT ASSOCIATION (MCERA), FOR THE TERM OF DECEMBER 19, 2023 THROUGH DECEMBER 19, 2026, INCLUDING THE FOLLOWING SALARY INCREASES BASED ON EMPLOYEE’S CURRENT SALARY OF \$173,138.88 (BENEFITS NOT INCLUDED): 5% INCREASE EFFECTIVE THE FIRST FULL PAY PERIOD FOLLOWING RATIFICATION OF THE EMPLOYMENT AGREEMENT BY THE BOARD OF SUPERVISORS, A 3% INCREASE OF THE THEN EXISTING SALARY ON DECEMBER 19, 2024, AND A 2% INCREASE OF THE THEN EXISTING SALARY ON DECEMBER 19, 2025 - SPONSOR: MENDOCINO COUNTY RETIREMENT ASSOCIATION

Presenter/s: Supervisor Gjerde; and Quincy Kromer, Chair, Mendocino County Employees Retirement Association

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors ratifies the employment Agreement with Doris L. Rentschler for the position of Executive Director, MCERA, for the term of December 19, 2023 through December 19, 2026, including the following salary increases based on employee's current salary of \$173,138.88 (benefits not included): 5% increase effective the first full pay period following ratification of the employment Agreement by the Board of Supervisors, a 3% increase of the then existing salary on December 19, 2024, and a 2% increase of the then existing salary on December 19, 2025. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

4L) CHIEF EXECUTIVE OFFICER’S REPORT - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Darcie Antle, Chief Executive Officer; Janelle Rau, Director, General Services Agency; and Cherie Johnson, Deputy Chief Executive Officer.

4M) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Darcie Antle, Chief Executive Officer.

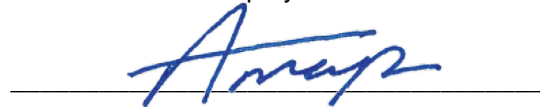
4N) SUPERVISORS’ REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST

Presenter/s: Supervisor Gjerde; Supervisor Williams; Chair McGourty; Supervisor Mulheren; and Supervisor Haschak.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 4:07 P.M.

Attest: ATLAS M.A. PEARSON
Senior Deputy Clerk of the Board


GLENN MCGOURTY, Chair



NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS

- Effective March 1, 2009, Board of Supervisors minutes are produced in “action only” format
- LIVE WEB STREAMING OF BOARD MEETINGS is available via the County’s YouTube Channel, which can be found here: <https://www.youtube.com/@MendocinoCountyVideo>
- Minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors’ action minutes are also posted on the County of Mendocino website at: <https://mendocino.legistar.com/Calendar.aspx>
- For technical assistance or any requests for official meeting records of the Mendocino County Board of Supervisors, please contact the Clerk of the Boards Office at (707) 463-4441
- Additional resource information: <https://www.mendocinocounty.org/government/board-of-supervisors>

Thank you for your interest in the proceedings of the Mendocino County Board of Supervisors