

ATTACHMENT B

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Details Reports

File #: 22-0931 **Version:** 1 **Name:**
Type: Approval **Status:** Agenda Ready
File created: 6/28/2022 **In control:** Board of Supervisors
On agenda: 7/12/2022 **Final action:**

Title: Discussion and Possible Action Including Direction to Staff to Conduct Legal Analysis Regarding Regulation of Water Extraction/Mining from Private Wells for Commercial Purposes and Water Hauling (Sponsors: Supervisor Haschak and Supervisor McGourty)

Attachments: 1. [Draft Water Hauling Ordinance](#), 2. [7-11-22 Revised Draft Water Hauling Ordinance](#), 3. [7-11-22 Water Hauling Presentation](#)

History (1) Text

To: Board of Supervisors**From:** Supervisor Haschak and Supervisor McGourty**Meeting Date:** July 12, 2022

Department Contact: Supervisor Haschak
Department Contact: Supervisor McGourty

Phone: 707-463-4221
Phone: 707-463-4221

Item Type: Regular Agenda**Time Allocated for Item:** 1 Hour**Agenda Title:**

Discussion and Possible Action Including Direction to Staff to Conduct Legal Analysis Regarding Regulation of Water Extraction/Mining from Private Wells for Commercial Purposes and Water Hauling (Sponsors: Supervisor Haschak and Supervisor McGourty)

Recommended Action/Motion:

Direct County Counsel to use the proposed ordinance to return to the Board with a legal analysis of a draft ordinance for extraction/mining from private wells for commercial purposes and water hauling.

Previous Board/Board Committee Actions:

Board of Supervisors discussed these issues on March 15, 2022 and directed ad hoc to return to the Board with a more detailed draft of an ordinance.

Summary of Request:

With the drought and increased aridity as ongoing issues in Mendocino County, people are increasingly concerned about wells going dry and aquifers being excessively tapped. This concern is exacerbated by extraction and hauling of water for non-permitted cannabis grows. There are many reports of people with

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wells selling water that is then transported to distant locations for unpermitted usages, which may also be causing damage to roads and bridges that were not intended to handle regular traffic by heavy water trucks.

The purpose of this proposed ordinance is to:

1. Protect the County's groundwater resources
2. Avoid adverse effects to neighboring well owners
3. Limit environmental and social impacts of hauling water from private wells

In order to address the growing concerns about water scarcity, including water diversion for illegal purposes, the recommendation is that the Board of Supervisors direct staff to analyze the proposed ordinance language provided as guidance in drafting an ordinance for first reading to address water extraction and hauling issues in order to protect our county's water resources

Alternative Action/Motion:

Consider other options or take no action.

Does This Item Support the General Plan? Yes

Strategic Plan Priority Designation: A Safe and Healthy County

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At: N/A

Fiscal Details:

source of funding: General Fund

current f/y cost: TBD-hourly rate of CoCo or Contracted Services

annual recurring cost: Unknown

budget clarification: N/A

budgeted in current f/y: No

if no, please describe: Unanticipated Expense

revenue agreement: No

Agreement/Resolution/Ordinance Approved by County Counsel: N/A

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

FOR COB USE ONLY

Executed By: Atlas Pearson, Deputy Clerk II

Date: July 13, 2022

Final Status: Approved with Modification



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BOARD OF SUPERVISORS, MENDOCINO COUNTY, STATE OF CALIFORNIA

ORDINANCE NO. _____

AN ORDINANCE TO REGULATE THE SALE AND TRANSPORT OF GROUNDWATER FROM PRIVATE WELLS

FINAL DRAFT 2022.07.06

The purpose of this Ordinance is to:

- Protect the county's groundwater resources,
- Avoid adverse effects to neighboring well owners, and
- Limit environmental impacts of hauling water from private wells

Whereas drought and increased aridity are ongoing issues in Mendocino County; and

Whereas people are concerned about wells going dry and aquifers being excessively tapped; and

Whereas these concerns are exacerbated by extraction for illegal commercial cannabis operations; and

Whereas unregulated water hauling causes damage to roads and bridges, changes the character of residential neighborhoods, and endangers children, bicyclists, equestrians, and pedestrians.

NOW THEREFORE, the Board of Supervisors of the Mendocino County hereby ordains as follows:

All water sellers must comply with the requirements of this ordinance by [EFFECTIVE DATE].

SECTION ONE: Definitions

- A. ADVERSE EFFECT shall mean a measured or calculated drop in the maximum available water column at a hydrologically contiguous well of more than 10 percent.
- B. COUNTY HYDROLOGIST means a person who is hired or retained by the County, with responsibilities as set forth in the provisions of this ordinance.
- C. DRAWDOWN shall mean the difference between the water level during pumping and the static water level.
- D. FLOW RATE shall mean the instantaneous rate at which water is extracted from a well, typically measured in gallons-per-minute.
- E. HYDROLOGIC WELL TEST shall mean a methodology where a well is flowed at a constant rate for an extended period of time while the water level in the well is monitored and recorded at frequent intervals, for the purpose of determining aquifer transmissivity, storage coefficient, well efficiency, and boundary effects.

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- F. MAXIMUM MONTHLY VOLUME is the quantity of water that the seller may produce from the source well in a calendar month. The maximum monthly volume is established by the County hydrologist by determining a production rate that will not result in an adverse impact.
- G. MONITORING WELL shall mean a well drilled into an aquifer that is hydraulically connected to the source well and used to determine the water level of at a specific point within the aquifer. A monitoring well includes wells specifically drilled as monitoring wells and any other well that is hydrologically connected and has not been pumped for a period of at least 24 hours.
- H. RADIUS OF INFLUENCE is the distance from the well to a point where the drawdown from the well is 0.01 feet, after 180 days of continuous production.
- I. STATIC WATER LEVEL shall mean the distance measured from the top of the casing or other identified reference point, to the water level in the well after (A) the well has not produced for a period of at least 24 hours, or (B) for wells equipped with continuous water level measurement devices, the water level change is less than 0.2 feet per hour.
- J. STORAGE COEFFICIENT shall mean the cubic feet of water that one square-foot of aquifer releases per one foot of drawdown.
- K. SOURCE WELL shall mean the well or wells proposed for use by the water seller.
- L. SPECIFIC CAPACITY shall mean the flow rate of a well divided by the drawdown of the well.
- M. TRANSMISSIVITY shall mean the rate at which ground water can move through geologic material under a given hydraulic gradient. Transmissivity is reported in units of square-feet per day (ft²/day)
- N. WATER SELLER shall mean the legal owner(s) of a private well who sells water from the well to another party.
- O. WELL EFFICIENCY shall mean the ratio between actual specific capacity of the well and theoretical specific capacity.

SECTION TWO: Water Selling Requirements

- A. Any person proposing to become a water seller under this ordinance must obtain:
 - a. A Mendocino County Minor Use Permit.
 - b. A Mendocino County Business License, which must be renewed annually.
- B. An applicant for a Minor Use Permit and Business License under this ordinance shall submit the following:
 - a. An application for a Minor Use Permit filed with the Mendocino County Department of Planning and Building Services pursuant to Section 20.196 of the Mendocino County code.
 - b. The well permit for each proposed source well.
 - c. A well completion report for each proposed source well.

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- d. The well completion reports for each well within the radius of influence, if available.
- e. For each source well, the proposed:
 - i. average flow rate in gallons per minute.
 - ii. hours of operation.
 - iii. total monthly volume produced for each month of the year in gallons.
- f. The results of a hydrologic well test on the source well(s) which shall include aquifer transmissivity, storage coefficient, and well efficiency. Specific requirements for the hydrologic well test and analysis are listed in Attachment I.
- g. The calculated radius of influence using the information determined from the hydrologic well test.
- h. Based on available information, a scale map of all wells within the radius of influence of the source well and the distance between each well and the source well.

C. Static Water Level

- a. An initial static water level of each source well shall be measured and recorded no more than one week before the first pumping of the season. If a source well is operated year-round, the initial static water level shall be measured during the month of April, unless otherwise directed by the County hydrologist.
- b. Static water level in the source well shall be measured and recorded once per month during the pumping season or more frequently depending on drought severity and as determined by the County hydrologist.
- c. If requested by the owner of a well on a neighboring property, the water seller shall measure the static water level of the neighboring well and submit the measurement to the well owner and the County. The measured static water level may be used by the County hydrologist to determine if an adverse impact has occurred.
- d. Static water level measurements shall have an uncertainty of not more than ± 0.1 feet.

D. Maximum monthly volume

The water seller shall not exceed the maximum monthly volume in any calendar month. The Water Agency hydrologist will establish an initial maximum monthly volume based on the initial static water level measurement required in Section 2.C.a of this ordinance, and the aquifer and well properties determined from the hydrologic well test. The County hydrologist may revise the maximum monthly volume based on subsequent static water level measurements as required in Section 2.C.b. and 2.C.c.

E. Metering

The water seller shall install a volume metering device for the purpose of determining the quantity of water pumped from the well. The meter must meet the following requirements:

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- a. The meter shall have a mechanical non-resettable totalizer.
- b. The meter shall have an uncertainty of less than $\pm 2\%$ of the reading.
- c. The meter shall be installed in accordance with manufacturer specifications and recommendations.
- d. There shall be no bypasses around the meter.
- e. The meter shall be located to provide access to the County during normal business hours.

F. Reporting

The well operator shall submit a monthly report to the County hydrologist which must include:

- a. The most recent static water level and the date on which it was measured.
- b. The meter reading, in gallons, on the first of the previous month and the first of the current month.
- c. The total volume of water, in gallons, for the current month.

G. Notwithstanding subsection (H) below, the water seller shall keep a tracking log with the following information:

- a. Name and contact information of the person and business, if applicable, that purchased the water.
- b. Date of the sale.
- c. The quantity of water sold.
- d. The license plate number of the vehicle used to haul the water.
- e. Address of residence to which the water will be delivered.
- f. Signed confirmation of the above information by both the water seller and the water hauler, with one copy to be retained by the seller, one by the hauler, and one submitted to the Water Agency on a regular schedule.
- g. Retention of the records for twelve months from the date of sale.
- h. Immediately provide records to law enforcement or Water Agency Department upon request.

H. The water seller is only required to keep records of the date of sale, the water quantity sold, and the name of the purchaser of the water, for a period of twelve months, and provide records to law enforcement or water agency department, upon request, if the water is:

- a. Sold to a state or local government bulk purchaser.

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- b. Sold to Contractors licensed by the construction Contractors Board.
- c. Sold for livestock watering purposes.

SECTION THREE: Water Transporting Requirements

- A. No person shall transport water to a commercial cannabis operation that does not have a state license or a state provisional license and either a county permit or an application in active review by the county cannabis department.
- B. No person shall transport water from a water supplier to a separate parcel without first obtaining a Mendocino County Business License, to be renewed annually.
- C. Any person transporting water from a water supplier shall keep a tracking log of all purchases and deliveries that shall include:
 - a. Date, location, volume, of the water purchase.
 - b. Date, location, volume, of each water delivery.
 - c. The name and contact information of the person to whom the water will be delivered and the date of delivery.
 - d. The intended use of the water.
 - e. Retention of the above records for twelve months after the water is delivered to the location of use.
 - f. Immediately provide records to law enforcement or Water Agency Department upon request.
- D. All water hauling trucks shall be required to have the following on the outside of their trucks in letters of not less than 2" in height and 1" wide, in a color contrasting to the body color:
 - a. The name of the collector, transporter or company operating the vehicle.
 - b. Business license number.
 - c. Number of vehicles, if more than one (1) is operated by the collector, transporter, or company.
- E. No person shall transport water after 10 pm or before 5 am unless such transport is for road work or logging operations.
- F. Transport of potable water is subject to this ordinance as well as Chapter 9.24 titled the Mendocino County Water Haulers' Ordinance as well as state regulations regarding the transport of potable water.
- G. Any person transporting water for the purpose of emergency fire suppression or other public safety emergencies is exempt from all water transporting requirements of this section.

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SECTION FOUR: Restrictions on Water Sold and Transported for Domestic/Residential Use during a Drought Emergency as declared by the Board of Supervisors

In order to preserve water availability for the essential needs of health and safety during a declared drought emergency, persons may sell or transport water from a private well if:

- A. The residence to which the water is transported is occupied.
- B. The amount of water delivered does not exceed 55 gallons per person per day.
- C. The residence to which the water is transported is not served by a municipal or privately owned community water provider.

SECTION FIVE: Lead Agency and Enforcement

- A. It is the intent of this ordinance that the County Water Agency shall be the lead agency for implementation of this ordinance. Until such time when the County Water Agency is established, the County Department of Environmental Health shall:
 - a. Monitor tracking logs.
 - b. Monitor well use logs.
 - c. Initiate enforcement action.
 - d. Retain a certified hydrologist qualified to:
 - i. review and approve, reject, or require additional tests for hydrological well tests submitted by applicants.
 - ii. make adjustments to pumping rates as needed.
 - e. Coordinate with Environmental Health, Code enforcement, and the Sheriff's office regarding enforcement.
- B. As soon as possible after the effective date of this ordinance, the County shall provide notice of the requirements described herein to all potentially affected and interested parties.
- C. Violation of this ordinance can result in loss of license, a Class A misdemeanor, and a maximum fine of \$25,000.

SECTION SIX: Citizen Enforcement

Any citizen or organization may commence a civil action on his/her/their behalf against any person and/or any governmental instrumentality or agency of Mendocino County who are alleged to be in violation of any part of this Ordinance, including failure to enforce violations of the Ordinance.

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ATTACHMENT I – REQUIREMENTS FOR THE HYDROLOGIC WELL TEST AND ANALYSIS

A. The hydrologic well test shall:

1. Be conducted or approved by a California licensed professional geologist, a certified engineering geologist, or a certified hydrogeologist with expertise in hydrogeology.
2. Not commence until the static water level has been measured.
3. Consist of an 8- hour to 72-hour flowing period, based on geologic information from the well completion report and as recommended by the applicant's consultant.
4. Include monitoring of the well's recovery for a period of not less than 24 hours or until the water level change is less than 0.2 feet per hour.
5. Hold the flow rate to within $\pm 10\%$ of the mean flow rate for the entire flowing period.
6. Include water level data from at least one monitoring well at a location recommended by the applicant's consultant, for the duration of the flowing period and recovery.
7. Include measurements of water levels and flow rates from the source well taken at a rate of at least 10 per log-cycle or once every 10 minutes, whichever is more frequent.
8. Include measurements of water levels taken from the monitoring well(s) taken at a rate of at least 5 per log-cycle or once every 30 minutes, whichever is more frequent.
9. Utilize water level measurement equipment with an uncertainty of no more than ± 0.1 foot.
10. Utilize flow measurement equipment that has an uncertainty of no more than ± 3 percent of flow rate.

B. The hydrologic well test report shall include:

1. All data measured during the test (in a .csv, Excel, text, or other format approved by the County hydrologist).
2. A description of how the test was run including the equipment used and any problems encountered.
3. Graphical representation of the drawdown, recovery, and monitoring well data:
 - a. Drawdown and monitoring well data shall be presented as drawdown vs. the logarithm (base 10) of time.
 - b. Recovery data shall be presented as drawdown vs. the logarithm (base 10) of the time ratio.
 - c. The identification of the straight-line portion of the drawdown and recovery graphs used for the determination of transmissivity.

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4. The calculated values of transmissivity, storage coefficient, and well efficiency, including a detailed description of the calculations and any assumptions made.
 5. The calculated radius of influence of the source well as described in Section 2.B.g
 6. The maximum flow rate of the source well that will avoid adverse impacts to any wells within the radius of influence.
- C. After reviewing the hydrologic well test report, the County hydrologist may approve the test report, require additional testing and analysis, or reject the hydrologic well test report if it does not meet the requirements of this attachment.

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ADDENDUM - SUPPORTING DOCUMENT REGARDING FUNDING

Funding for the implementation and enforcement of this Ordinance may come from the following sources:

- A. Applicant fees to cover the time required to process applications, monitor and reconcile tracking logs of both haulers and sellers, and to periodically monitor and adjust static well water levels;
- B. Fines levied for violations of the Ordinance;
- C. The County General Fund, or other sources designated for funding the new County Water Agency;
- D. State (and federal?) grants available for characterizing, evaluating, monitoring and protecting groundwater resources;
- E. Other? State or federal grants designated to protect state-recognized critical habitat such as wetlands (Little lake Valley); Valley Oak woodlands (Round Valley), salmon and steelhead migration and rearing habitats where groundwater and surface water influence each other;
- F. "Measure W" sales tax initiative passed by the voters to support...

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BOARD OF SUPERVISORS, MENDOCINO COUNTY, STATE OF CALIFORNIA

ORDINANCE NO. _____

AN ORDINANCE TO REGULATE THE SALE AND TRANSPORT OF GROUNDWATER FROM PRIVATE WELLS

FINAL DRAFT 2022.07.06 (REVISED)

The purpose of this Ordinance is to:

- Protect the county's groundwater resources,
- Avoid adverse effects **to source wells and** neighboring well owners, and
- Limit environmental impacts of hauling water from private wells

Whereas drought and increased aridity are ongoing issues in Mendocino County; and

Whereas people are concerned about wells going dry and aquifers being excessively tapped; and

Whereas these concerns are exacerbated by extraction for illegal commercial cannabis operations; and

Whereas unregulated water hauling causes damage to roads and bridges, changes the character of residential neighborhoods, and endangers children, bicyclists, equestrians, and pedestrians.

NOW THEREFORE, the Board of Supervisors of the Mendocino County hereby ordains as follows:

All water sellers must comply with the requirements of this ordinance by [EFFECTIVE DATE].

SECTION ONE: Definitions

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- B. COUNTY HYDROLOGIST means a person who is hired or retained by the County, with responsibilities as set forth in the provisions of this ordinance.
- C. DRAWDOWN shall mean the difference between the water level during pumping and the static water level.
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- H. RADIUS OF INFLUENCE is the distance from the well to a point where the drawdown from the well is 0.01 feet, after 180 days of continuous production.
- I. STATIC WATER LEVEL shall mean the distance measured from the top of the casing or other identified reference point, to the water level in the well after (A) the well has not produced for a period of at least 24 hours, or (B) for wells equipped with continuous water level measurement devices, the water level change is less than 0.2 feet per hour.
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SECTION TWO: Water Selling Requirements

- A. Any person proposing to become a water seller under this ordinance must obtain:
 - a. A Mendocino County Minor Use Permit.
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- B. An applicant for a Minor Use Permit and Business License under this ordinance shall submit the following:
 - a. An application for a Minor Use Permit filed with the Mendocino County Department of Planning and Building Services pursuant to Section 20.196 of the Mendocino County code.
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- f. The results of a hydrologic well test on the source well(s) which shall include aquifer transmissivity, storage coefficient, and well efficiency. Specific requirements for the hydrologic well test and analysis are listed in Attachment I.
- g. The calculated radius of influence using the information determined from the hydrologic well test.
- h. Based on available information, a scale map of all wells within the radius of influence of the source well and the distance between each well and the source well.

C. Static Water Level

- a. An initial static water level of each source well shall be measured and recorded no more than one week before the first pumping of the season. If a source well is operated year-round, the initial static water level shall be measured during the month of April, unless otherwise directed by the County hydrologist.
- b. Static water level in the source well shall be measured and recorded once per month during the pumping season or more frequently depending on drought severity and as determined by the County hydrologist. **The measured static water level may be used by the County hydrologist to determine if an adverse impact has occurred.**
- c. If requested by the owner of a well on a neighboring property, the water seller shall measure the static water level of the neighboring well and submit the measurement to the well owner and the County. The measured static water level may be used by the County hydrologist to determine if an adverse impact has occurred.
- d. Static water level measurements shall have an uncertainty of not more than ± 0.1 feet.

D. Maximum monthly volume

The water seller shall not exceed the maximum monthly volume in any calendar month. The ~~Water Agency~~ **County** hydrologist will establish an initial maximum monthly volume based on the initial static water level measurement required in Section 2.C.a of this ordinance, and the aquifer and well properties determined from the hydrologic well test. The County hydrologist may revise the maximum monthly volume based on subsequent static water level measurements as required in Section 2.C.b. and 2.C.c.

E. Metering

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The water seller shall install a volume metering device for the purpose of determining the quantity of water pumped from the well. The meter must meet the following requirements:

- a. The meter shall have a mechanical non-resettable totalizer.
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- c. The meter shall be installed in accordance with manufacturer specifications and recommendations.
- d. There shall be no bypasses around the meter.
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The well operator shall submit a monthly report to the County hydrologist which must include:

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- b. The meter reading, in gallons, on the first of the previous month and the first of the current month.
- c. The total volume of water, in gallons, for the current month.

G. Notwithstanding subsection (H) below, the water seller shall keep a tracking log with the following information:

- a. Name and contact information of the person and business, if applicable, that purchased the water.
- b. Date of the sale.
- c. The quantity of water sold.
- d. The license plate number of the vehicle used to haul the water.
- e. Address of residence to which the water will be delivered.
- f. Signed confirmation of the above information by both the water seller and the water hauler, with one copy to be retained by the seller, one by the hauler, and one submitted to the Water Agency on a regular schedule.
- g. Retention of the records for twelve months from the date of sale.
- h. Immediately provide records to law enforcement or Water Agency Department upon request.

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- H. The water seller is only required to keep records of the date of sale, the water quantity sold, and the name of the purchaser of the water, for a period of twelve months, and provide records to law enforcement or water agency department, upon request, if the water is:
 - a. Sold to a state or local government bulk purchaser.
 - b. Sold to Contractors licensed by the construction Contractors Board.
 - c. Sold for livestock watering purposes.

SECTION THREE: Water Transporting Requirements

- A. No person shall transport water to a commercial cannabis operation that does not have a state license or a state provisional license and either a county permit or an application in active review by the county cannabis department.
- B. No person shall transport water from a water supplier to a separate parcel without first obtaining a Mendocino County Business License, to be renewed annually.
- C. Any person transporting water from a water supplier shall keep a tracking log of all purchases and deliveries that shall include:
 - a. Date, location, volume, of the water purchase.
 - b. Date, location, volume, of each water delivery.
 - c. The name and contact information of the person to whom the water will be delivered and the date of delivery.
 - d. The intended use of the water.
 - e. Retention of the above records for twelve months after the water is delivered to the location of use.
 - f. Immediately provide records to law enforcement or Water Agency Department upon request.
- D. All water hauling trucks shall be required to have the following on the outside of their trucks in letters of not less than 2" in height and 1" wide, in a color contrasting to the body color:
 - a. The name of the collector, transporter or company operating the vehicle.
 - b. Business license number.
 - c. Number of vehicles, if more than one (1) is operated by the collector, transporter, or company.
- E. No person shall transport water after 10 pm or before 5 am unless such transport is for road work or logging operations.

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- F. Transport of potable water is subject to this ordinance as well as Chapter 9.24 titled the Mendocino County Water Haulers' Ordinance as well as state regulations regarding the transport of potable water.
- G. Any person transporting water for the purpose of emergency fire suppression or other public safety emergencies is exempt from all water transporting requirements of this section.

SECTION FOUR: Restrictions on Water Sold and Transported for Domestic/Residential Use during a Drought Emergency as declared by the Board of Supervisors

In order to preserve water availability for the essential needs of health and safety during a declared drought emergency, persons may sell or transport water from a private well if:

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- C. The residence to which the water is transported is not served by a municipal or privately owned community water provider.

SECTION FIVE: Lead Agency and Enforcement

- A. It is the intent of this ordinance that the County Water Agency shall be the lead agency for implementation of this ordinance. Until such time when the County Water Agency is established, the County Department of Environmental Health or other appropriate County Department(s) shall:
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 - c. Initiate enforcement action.
 - d. Retain a certified hydrologist qualified to:
 - i. review and approve, reject, or require additional tests for hydrological well tests submitted by applicants.
 - ii. make adjustments to pumping rates as needed.
 - e. Coordinate with Environmental Health, Code enforcement, and the Sheriff's office regarding enforcement.
- B. As soon as possible after the effective date of this ordinance, the County shall provide notice of the requirements described herein to all potentially affected and interested parties.
- C. Violation of this ordinance can result in loss of license, a Class A misdemeanor, and a maximum fine of \$25,000.

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SECTION SIX: Citizen Enforcement

Any citizen or organization may commence a civil action on his/her/their behalf against any person and/or any governmental instrumentality or agency of Mendocino County ~~who are~~ alleged to be in violation of any part of this Ordinance, including failure to enforce violations of the Ordinance.

ATTACHMENT I – REQUIREMENTS FOR THE HYDROLOGIC WELL TEST AND ANALYSIS

A. The hydrologic well test shall:

1. Be conducted or approved by a California licensed professional geologist, a certified engineering geologist, or a certified hydrogeologist with expertise in hydrogeology. Such individual will be hired and paid for by the source well owner.
2. Not commence until the static water level has been measured.
3. Consist of an 8- hour to 72-hour flowing period, based on geologic information from the well completion report and as recommended by the applicant's consultant.
4. Include monitoring of the well's recovery for a period of not less than 24 hours or until the water level change is less than 0.2 feet per hour.
5. Hold the flow rate to within $\pm 10\%$ of the mean flow rate for the entire flowing period.
6. Include water level data from at least one monitoring well at a location recommended by the applicant's consultant, for the duration of the flowing period and recovery.
7. Include measurements of water levels and flow rates from the source well taken at a rate of at least 10 per log-cycle or once every 10 minutes, whichever is more frequent.
8. Include measurements of water levels taken from the monitoring well(s) taken at a rate of at least 5 per log-cycle or once every 30 minutes, whichever is more frequent.
9. Utilize water level measurement equipment with an uncertainty of no more than ± 0.1 foot.
10. Utilize flow measurement equipment that has an uncertainty of no more than ± 3 percent of flow rate.

B. The hydrologic well test report shall include:

1. All data measured during the test (in a .csv, Excel, text, or other format approved by the County hydrologist).
2. A description of how the test was run including the equipment used and any problems encountered.
3. Graphical representation of the drawdown, recovery, and monitoring well data:
 - a. Drawdown and monitoring well data shall be presented as drawdown vs. the logarithm (base 10) of time.
 - b. Recovery data shall be presented as drawdown vs. the logarithm (base 10) of the time ratio.

ATTACHMENT B

- c. The identification of the straight-line portion of the drawdown and recovery graphs used for the determination of transmissivity.
 4. The calculated values of transmissivity, storage coefficient, and well efficiency, including a detailed description of the calculations and any assumptions made.
 5. The calculated radius of influence of the source well as described in Section 2.B.g
 6. The maximum flow rate of the source well that will avoid adverse effects impacts to any wells within the radius of influence, including the source well.
- C. After reviewing the hydrologic well test report, the County hydrologist may approve the test report, require additional testing and analysis, or reject the hydrologic well test report if it does not meet the requirements of this attachment.

ATTACHMENT B

ADDENDUM – SUPPORTING DOCUMENT REGARDING FUNDING

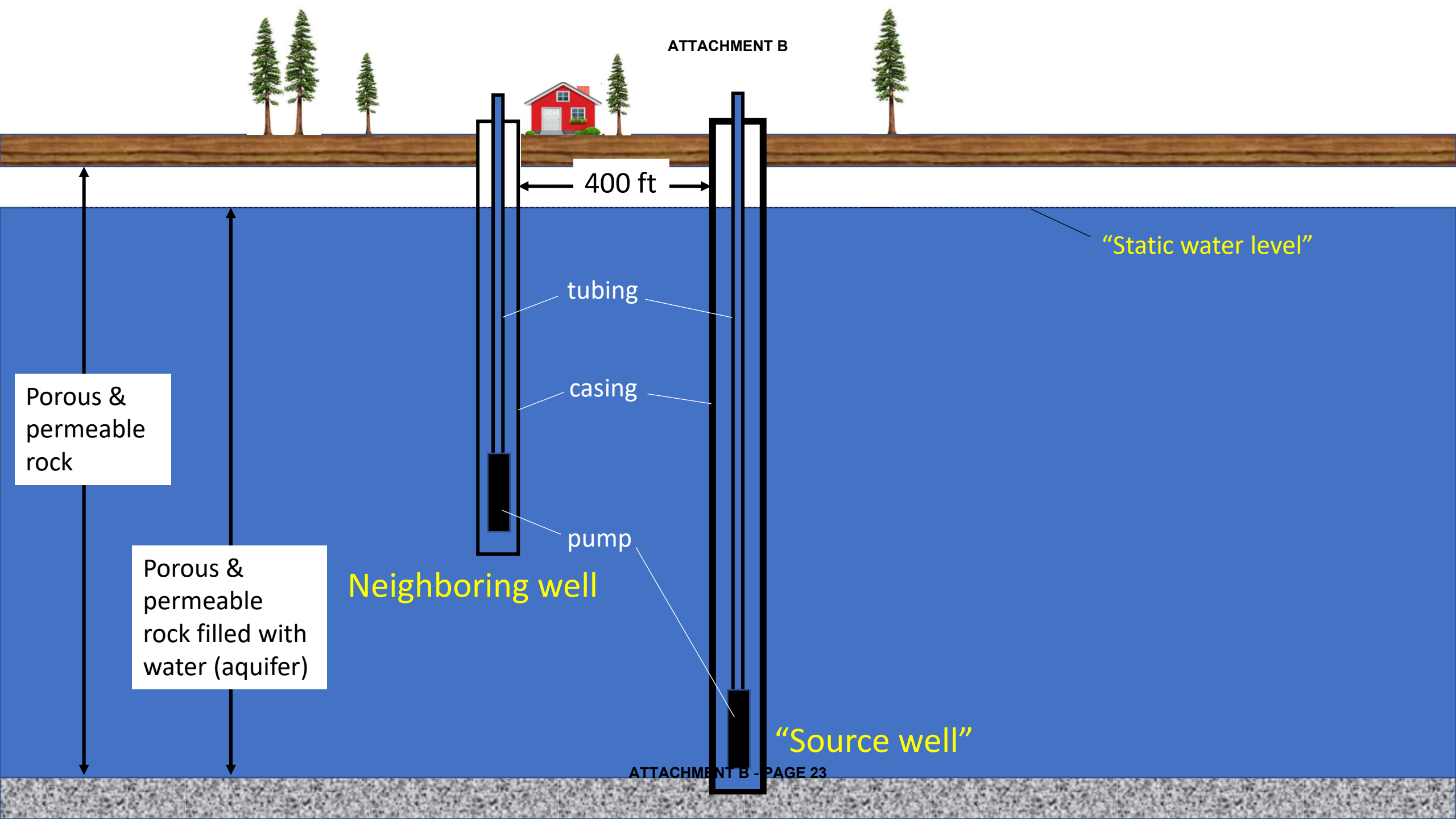
Suggested funding for the implementation and enforcement of this Ordinance may could come from the following sources:

- A. Applicant fees to cover the time required to process applications, monitor and reconcile tracking logs of both haulers and sellers, and to periodically monitor and adjust static well water levels;
- B. Fines levied for violations of the Ordinance;
- C. The County General Fund, or other sources designated for funding the new County Water Agency;
- D. State (and federal?) grants available for characterizing, evaluating, monitoring and protecting groundwater resources;
- E. Other? State or federal grants designated to protect state-recognized critical habitat such as wetlands (Little lake Valley); Valley Oak woodlands (Round Valley), salmon and steelhead migration and rearing habitats where groundwater and surface water influence each other;
- F. ~~“Measure W”~~ A sales tax initiative passed by the voters that is specifically designated to support... a county water agency and the necessary staff needed to carry out the responsibilities set forth in this ordinance.

AN ORDINANCE TO REGULATE THE SALE AND TRANSPORT OF GROUNDWATER FROM PRIVATE WELLS

Section 1: Definitions

Section 2: Water Selling Requirements



400 ft

"Static water level"

tubing

casing

pump

Neighboring well

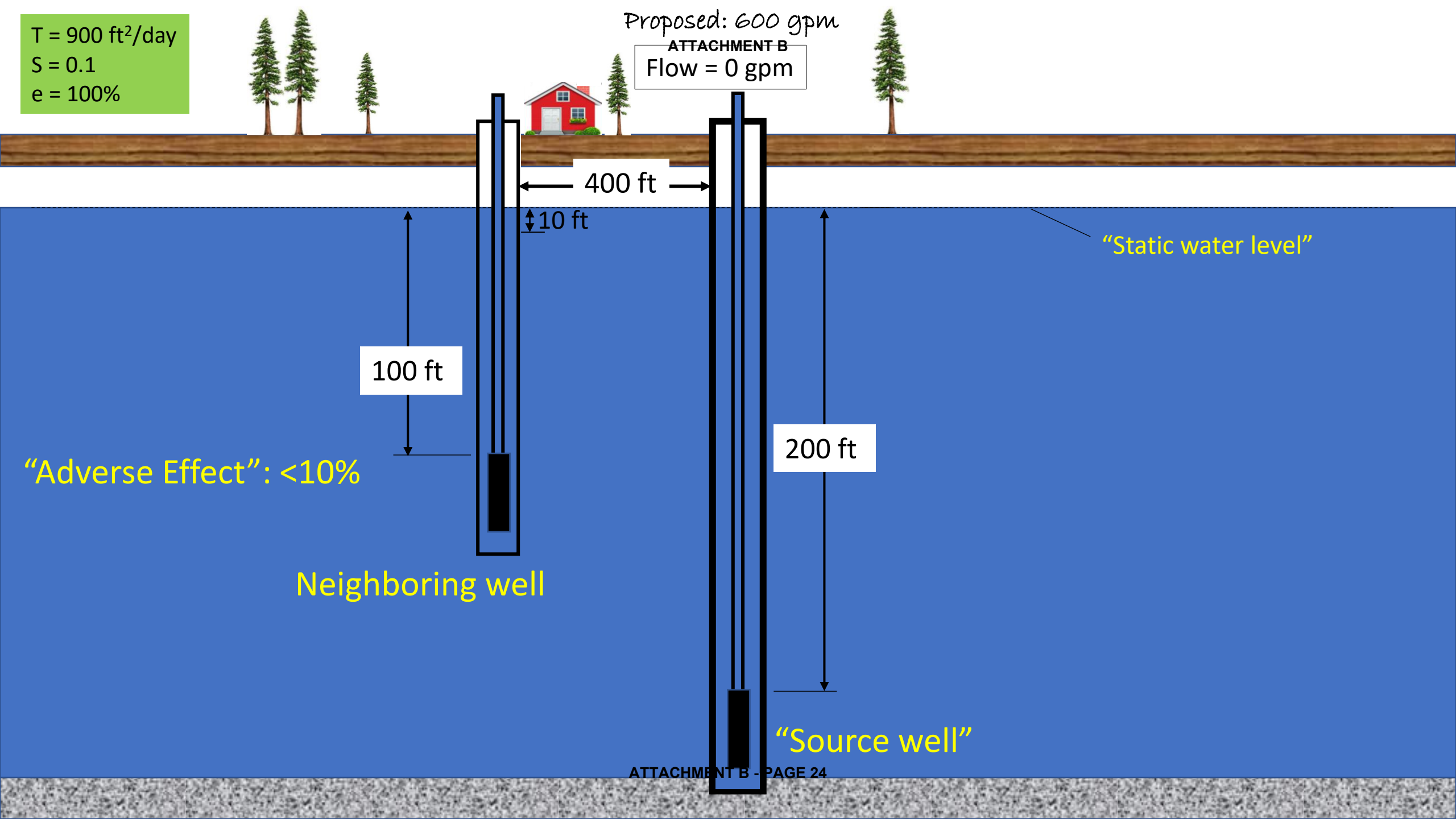
"Source well"

Porous & permeable rock

Porous & permeable rock filled with water (aquifer)

T = 900 ft²/day
S = 0.1
e = 100%

Proposed: 600 gpm
ATTACHMENT B
Flow = 0 gpm



400 ft

10 ft

100 ft

200 ft

"Static water level"

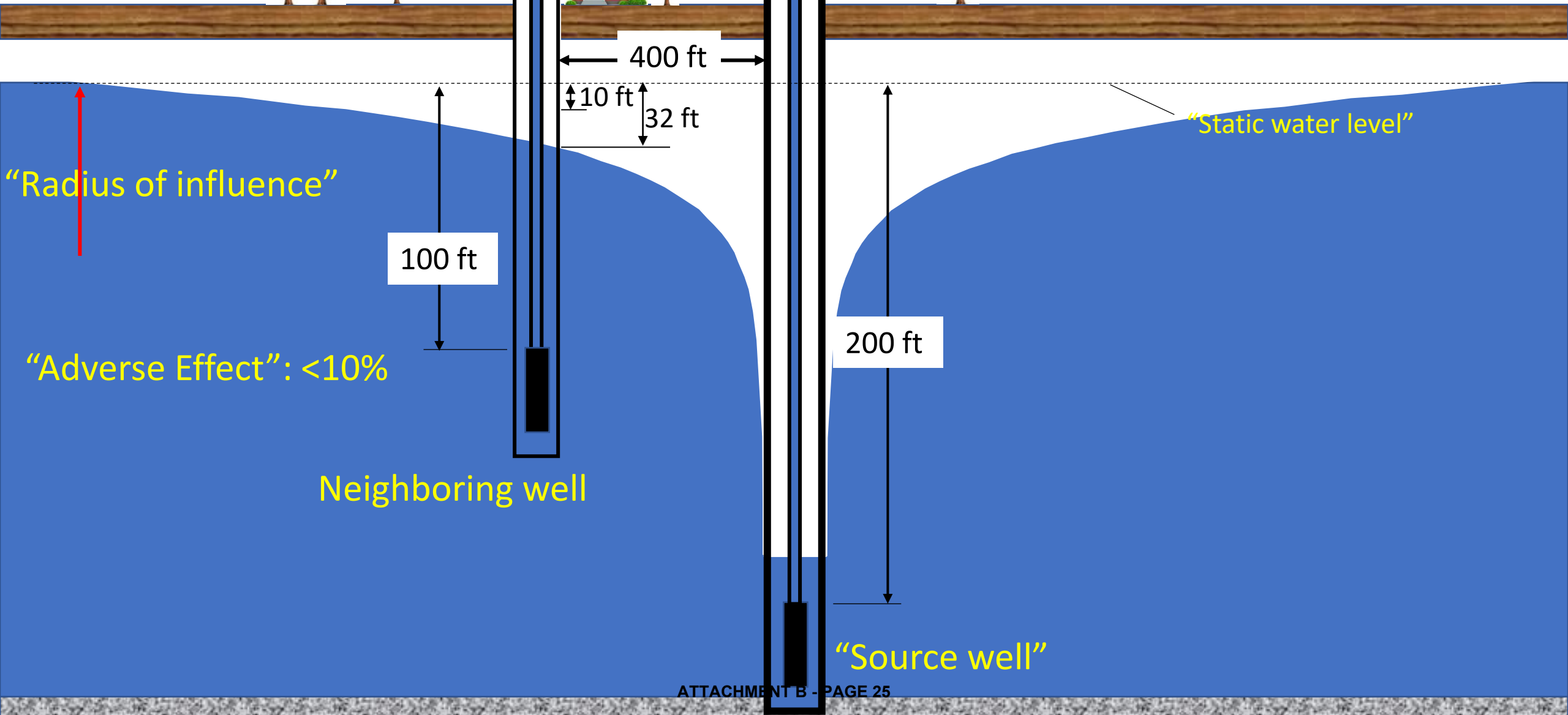
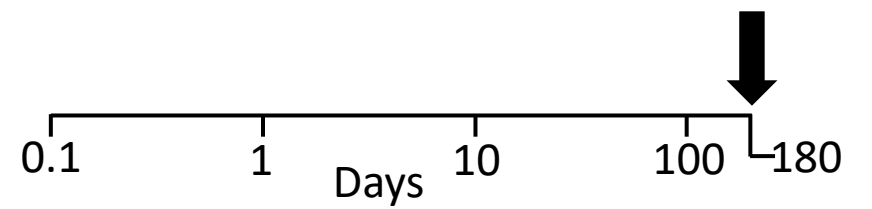
"Adverse Effect": <10%

Neighboring well

"Source well"

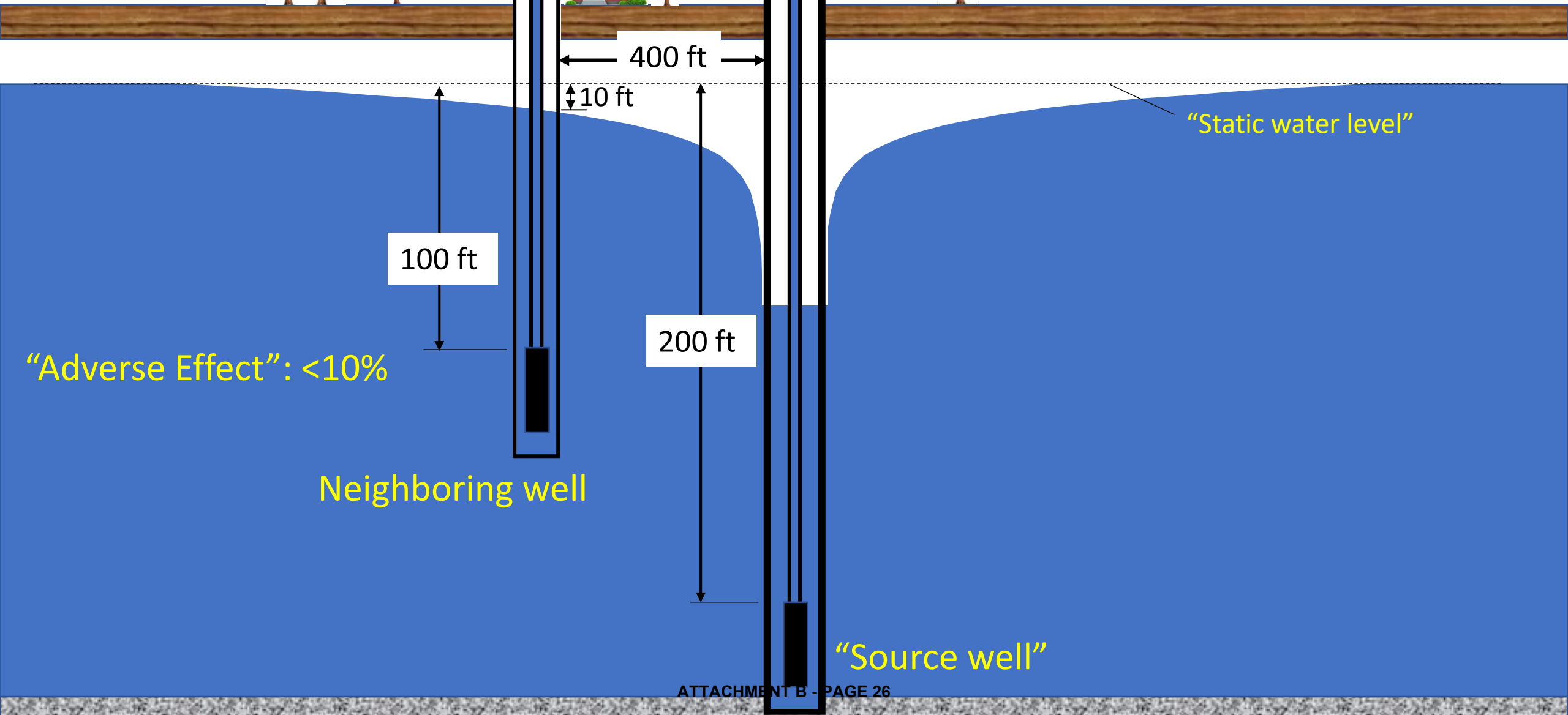
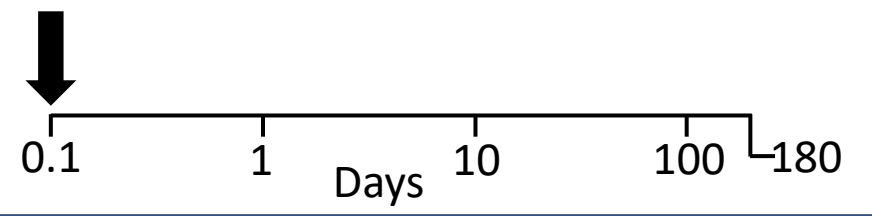
T = 900 ft²/day
S = 0.1
e = 100%

ATTACHMENT B
Flow = 600 gpm



T = 900 ft²/day
S = 0.1
e = 100%

ATTACHMENT B
Flow = 190 gpm



Summary

- County calculates maximum flow rate that will avoid adverse impacts:
 - >10% drawdown in neighboring wells
 - >10% drop in static water level if no neighboring wells
- The calculation uses proven hydrologic techniques along with aquifer and well properties
- Periodic static water level measurements allow adjustments to maximum monthly volume

Summary

- Enforcement:
 - Review of monthly reports
 - Inspect meter required on the source well

ATTACHMENT B

GLENN MCGOURTY
1st District
Supervisor
Vice-Chair

**MAUREEN
MULHEREN**
2nd District
Supervisor

JOHN HASCHAK
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor

TED WILLIAMS
5th District
Supervisor
Chair



DARCIE ANTLE
Chief Executive Officer/
Clerk of the Board

CHRISTIAN M. CURTIS
County Counsel

COUNTY ADMINISTRATION CENTER
501 Low Gap Road, Room 1070
Ukiah, CA 95482
(707) 463-4441 (t)
(707) 463-5649 (f)
cob@mendocinocounty.org

MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES – July 12, 2022

**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. Chair Williams presiding.

Staff Present: Darcie Antle, Interim Chief Executive Officer; Christian M. Curtis, County Counsel; Atlas M.A. Pearson, Deputy Clerk of the Board; Kim Saylor, Deputy Clerk of the Board; and Caruna Gillespie, Work Experience Trainee.

The Pledge of Allegiance was led by: Supervisor Haschak.

AGENDA ITEM NO. 2 – PUBLIC EXPRESSION

Presenter/s: Vince Hawkins; Julie Beardsley; Jacqueline Otis; Heidi Corrado; Mark Donahue; Jason Hanover; Veronica Wilson; Jamie Pritcher; Maria Avalos Cevala; Monique Ramirez; Jude Thilman; Jack Buckhorn; Maddy Hirschfield; and Natalie Higley.

AGENDA ITEM NO. 3 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:**3E) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS - SPONSOR: EXECUTIVE OFFICE**

Presenter/s: Supervisor McGourty.

Public Comment: None.

Board Action: Upon motion by Supervisor McGourty, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors approves the recommended appointments as follows:

1. Elora Babbini, Planning Commission Representative, Airport Land Use Commission;
2. Jade Alrich, Representative of a PCCY/CAPC Coast Child Abuse Prevention Committee, Policy Council on Children and Youth;

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. 3 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Williams.

Public Comment: Michael Katz; Izen Locatelli; Monique Ramirez; and Kate Maxwell.

Board Directive: GENERAL CONSENSUS OF THE BOARD to direct counsel to return with a plan for funding public records research through grants on August 2, 2022.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Haschak, IT IS ORDERED that Consent Calendar items 3a) – 3d) and 3f) – 3at) 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 MAY 17, 2022 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

3B) APPROVAL OF MINUTES OF JUNE 7, 2022 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

3C) APPROVAL OF MINUTES OF JUNE 8, 2022 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

3D) APPROVAL OF MINUTES OF JUNE 21, 2022 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

3F) ADOPTION OF PROCLAMATION RECOGNIZING JULY 17 - 23, 2022 AS PROBATION SERVICES WEEK IN MENDOCINO COUNTY - SPONSORS: PROBATION, SUPERVISOR WILLIAMS, AND SUPERVISOR HASCHAK

Adopted and Chair is authorized to sign same;

3G) ADOPTION OF RESOLUTION IN SUPPORT OF CALIFORNIA SENATE CONSTITUTIONAL AMENDMENT 10 - SPONSOR: SUPERVISOR HASCHAK

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-150

RESOLUTION 22-150

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS IN SUPPPORT OF SENATE CONSTITUTIONAL AMENDMENT 10

3H) APPROVAL OF TRANSMISSION OF LETTER OF SUPPORT FOR CALIFORNIA ADVANCED SERVICES FUND (CASF) CONSORTIA GRANT FOR NORTH BAY/NORTH COAST BROADBAND CONSORTIUM - SPONSOR: SUPERVISOR WILLIAMS

Approved and Chair is authorized to sign same;

3I) APPROVAL OF TRANSMISSION OF LETTER OF SUPPORT TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) REGARDING THE AT&T FIBER TO THE HOME DEPLOYMENT IN COMPTCHE - SPONSOR: SUPERVISOR WILLIAMS

Approved and Chair is authorized to sign same;

3J) ADOPTION OF RESOLUTION RENEWING ITS DECLARATION OF A LOCAL EMERGENCY AND EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO DROUGHT CONDITIONS AND IMMINENT THREAT OF DISASTER IN MENDOCINO COUNTY - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-151

RESOLUTION 22-151

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS RENEWING ITS DECLARATION OF A LOCAL EMERGENCY AND EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO DROUGHT CONDITIONS AND IMMINENT THREAT OF DISASTER IN MENDOCINO COUNTY

3K) ADOPTION OF RESOLUTION DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE HOPKINS FIRE AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES AND RATIFYING THE EXISTENCE OF A LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-152

RESOLUTION 22-152

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE HOPKINS FIRE AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES AND REAFFIRMING THE EXISTENCE OF A LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER

3L) APPROVAL OF AGREEMENT WITH COASTAL HEADWATERS ASSOCIATION, THE NON-PROFIT PARENT ENTITY OF WHALE GULCH VOLUNTEER FIRE COMPANY, IN THE AMOUNT OF \$45,454.55 FROM ONE-TIME PACIFIC GAS AND ELECTRIC DISASTER SETTLEMENT FUNDS FOR PURCHASE OF EQUIPMENT AND SUPPLIES, EFFECTIVE UPON FULL EXECUTION THROUGH DECEMBER 31, 2022 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-168

3M) APPROVAL OF AGREEMENT WITH POTTER VALLEY COMMUNITY PARKS AND RECREATION IN THE AMOUNT OF \$20,000 FROM ONE-TIME PACIFIC GAS AND ELECTRIC (PG&E) DISASTER SETTLEMENT FUNDS FOR THE INSTALLATION OF A NEW WATER WELL, EFFECTIVE UPON FULL EXECUTION THROUGH DECEMBER 31, 2022 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-169

3N) APPROVAL OF AGREEMENT (FIRST AMENDMENT TO PURCHASING AGENT AGREEMENT NO. PA 18-349) WITH OPENGOV INC., INCREASING THE AMOUNT FROM \$45,000 TO \$90,000 AND EXTENDING THE END DATE FROM JULY 16, 2022, TO JULY 16, 2025, FOR CONTINUED USE OF OPENGOV'S MANAGEMENT REPORTING SOFTWARE, EFFECTIVE JULY 17, 2019 THROUGH JULY 16, 2025 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-170

3O) APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) WITH LAKE COUNTY AIR QUALITY MANAGEMENT DISTRICT, FOR INTERIM AIR POLLUTION CONTROL OFFICER SERVICES, WITH A TERM FROM AUGUST 1, 2022, THROUGH JANUARY 31, 2023, AND A TOTAL COST OF UP TO \$27,400 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *22-171

3P) APPROVAL OF RETROACTIVE AGREEMENT (FIRST AMENDMENT TO PA 21-221) WITH BART KRONFELD, ESQ. IN THE AMOUNT OF \$42,400 FOR A NEW AGREEMENT TOTAL OF \$84,800 TO PROVIDE LEGAL SERVICES FOR THE MENDOCINO COUNTY PUBLIC DEFENDER'S OFFICER, EFFECTIVE JUNE 30, 2021 THROUGH NEW END DATE OF JUNE 30, 2023 (ORIGINAL END DATE JUNE 30, 2022) - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-172

3Q) APPROVAL OF MENDOCINO COUNTY'S CERTIFICATION OF THE JUNE 7, 2022 STATEWIDE PRIMARY DIRECT ELECTION - SPONSOR: ASESSOR/CLERK-RECORDER

Approved;

3R) APPROVAL OF RETROACTIVE AGREEMENT WITH ACTION NETWORK IN THE AMOUNT OF \$88,000.00 TO PROVIDE MENTAL HEALTH SERVICES ACT FUNDED PROGRAMS MEETING SERVICE CRITERIA FOR COMMUNITY SERVICES AND SUPPORTS OUTREACH AND ENGAGEMENT AND PARENT PARTNERS, AND PREVENTION AND EARLY INTERVENTION (PEI) PREVENTION SERVICES, EFFECTIVE JULY 1, 2022, TO JUNE 30, 2023 - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-173

3S) ADOPTION OF AN ORDINANCE ADDING CHAPTER 5.190 RELATING TO FEES FOR PUBLIC RECORDS ACT REQUESTS - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4507

ORDINANCE 4507

AN ORDINANCE CREATING MENDOCINO COUNTY CODE CHAPTER 5.190 REGARDING REQUESTS FOR COUNTY RECORDS AND ESTABLISHING FEES FOR PROVIDING COUNTY RECORDS

3T) ADOPTION OF AN ORDINANCE AMENDING CHAPTER 6.32 - CANNABIS BUSINESS TAX TO ADD SECTION 6.32.055 - RELIEF FROM MINIMUM TAX - NOTICE AND AFFIDAVIT OF FOLLOWING - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4508

ORDINANCE 4508

ORDINANCE AMENDING CHAPTER 6.32 – CANNABIS BUSINESS TAX TO ADD SECTION 6.32.055 – RELIEF FROM MINIMUM TAX – NOTICE AND AFFIDAVIT OF FOLLOWING

3U) APPROVAL OF RETROACTIVE AGREEMENT WITH COLANTUONO, HIGHSMITH & WHATLEY, PC, IN THE AMOUNT OF \$85,000 FOR LEGAL SERVICES FOR THE PERIOD OF MAY 1, 2022 THROUGH JUNE 30, 2023 - SPONSOR: COUNTY COUNSEL

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-174

3V) APPROVAL OF RETROACTIVE AGREEMENT WITH COLANTUONO, HIGHSMITH & WHATLEY, PC, IN THE AMOUNT OF \$85,000 FOR LEGAL SERVICES FOR THE PERIOD OF MAY 1, 2022 THROUGH JUNE 30, 2023 - SPONSOR: COUNTY COUNSEL

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-175

3W) AUTHORIZATION FOR THE AGRICULTURE COMMISSIONER TO ESTABLISH A RESTRICTED AREA ACCESS AGRICULTURE PASS PROGRAM AND A LIVESTOCK PASS PROGRAM PURSUANT TO CALIFORNIA FOOD AND AGRICULTURE CODE SECTION 2350 (“AG PASS PROGRAM”) - SPONSOR: COUNTY COUNSEL

Approved;

3X) APPROVAL OF STANDARD SERVICES AGREEMENT WITH ALLIED UNIVERSAL SECURITY SERVICES IN THE AMOUNT OF \$210,444 FOR SECURITY GUARD SERVICES AT THE UKIAH BRANCH LIBRARY FROM JULY 1, 2022, THROUGH JUNE 30, 2025, IN ORDER TO PROVIDE A SAFE ENVIRONMENT AT THE UKIAH BRANCH FOR PATRONS, VISITORS, AND STAFF - SPONSOR: CULTURAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-176

3Y) AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ESTABLISH A CAPITAL IMPROVEMENT PROJECT TO COMPLETE FORT BRAGG VETERANS HALL HVAC AND ELECTRICAL PANEL REPLACEMENT, 360 HARRISON AVENUE, FORT BRAGG, IN THE AMOUNT OF \$90,000 AND APPROVAL TO DEFUND THE BOARD CHAMBERS CHAIR REPLACEMENT PROJECT IN THE AMOUNT OF \$90,000; AND AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ACT AS PROJECT MANAGER TO ENTER CONTRACTS AND APPROVE CHANGE ORDERS FOR THE PROJECTS, PURSUANT TO PUBLIC CONTRACT CODE SECTION 20142 - SPONSOR: GENERAL SERVICES AGENCY

Approved;

3Z) APPROVAL OF APPROPRIATION OF FUNDS IN FUND 1201, ORG CODE CI, INCREASING APPROPRIATIONS TO LINE ITEM CI-862130 (MAINTENANCE OF STRUCTURES & GROUNDS) BY \$175,000.00, INCREASING LINE ITEM CI-862189 (PROFESSIONAL SERVICES) BY \$175,000.00, AND INCREASING LINE ITEM CI-864360 (STRUCTURES AND IMPROVEMENTS) BY \$4,743,377.00 - SPONSOR: GENERAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

3AA) APPROVAL OF APPROPRIATION TRANSFER OF FUNDS FROM FUND 1100, TO FUND 1300, ORG CODE CP, INCREASING LINE ITEM CP-825490 (STATE OTHER REVENUE (SB 844)) BY \$(3,750,000.00), INCREASING LINE ITEM CP-827802 (OTO FUNDS TRANSFER IN) BY \$(3,000,000.00), INCREASING LINE ITEM CP-864365 (CONSTRUCTION IN PROGRESS) BY \$3,115,000.00, AND INCREASING LINE ITEM ND-865802 (OTO FUNDS TRANSFER OUT) BY \$3,000,000.00 - SPONSOR: GENERAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

3AB) APPROVAL OF RETROACTIVE FIRST AMENDMENT TO BOS AGREEMENT NO. 21-053 (SECOND AMENDMENT OVERALL) WITH NORTH COAST OPPORTUNITIES, INC. IN THE AMOUNT OF \$25,000 FOR VOLUNTEER COORDINATION SERVICES AND EXTENDING THE TERMINATION DATE FROM JUNE 30, 2022 TO JUNE 30, 2023, FOR A TOTAL THREE YEAR AGREEMENT AMOUNT OF \$110,000 - SPONSOR: HUMAN RESOURCES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-053-A1

3AC) APPROVAL OF RETROACTIVE THIRD AMENDMENT TO BOS AGREEMENT NO. 16-053 (FIFTH AMENDMENT OVERALL) WITH NEOGOV IN THE AMOUNT OF \$28,649 FOR FISCAL YEAR 22/23 FOR A NEW AGREEMENT AMOUNT OF \$262,236 AND EXTENDING THE AGREEMENT EXPIRATION DATE FROM JUNE 30, 2022 TO JUNE 30, 2023, FOR CONTINUED SUBSCRIPTION TO ONLINE EMPLOYMENT SERVICES SOFTWARE AND LICENSING OF INSIGHT ENTERPRISE EDITION AND PERFORM AND POSITION CONTROL INTEGRATION TO INCLUDE RECRUITMENT, SELECTION, APPLICANT TRACKING, REPORT AND ANALYSIS, HR AUTOMATION SERVICES AND UNLIMITED CUSTOMER SERVICE SUPPORT, POSITION CONTROL INTEGRATION AND SUBSCRIPTION WITH GOVERNMENTJOBS.COM FOR UNLIMITED JOB POSTING AND ADVERTISEMENT - SPONSOR: HUMAN RESOURCES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 16-053-A3

3AD) CERTIFICATION OF THE JUNE 20, 2022 BOARD OF RETIREMENT ELECTION RESULTS ELECTING VINCENT HAWKINS, GENERAL MEMBER, SECOND SEAT, TO A TERM ENDING NOVEMBER 30, 2025 - SPONSOR: MENDOCINO COUNTY EMPLOYEES RETIREMENT ASSOCIATION

Approved;

3AE) AUTHORIZATION OF THE ISSUANCE OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT CDP_2021-0053 (DESROSIERS) TO CONSTRUCT A NEW 1,605 SQUARE FOOT SINGLE-FAMILY RESIDENCE, WITH 443 SQUARE FOOT SECOND RESIDENTIAL UNIT, DECK, GARAGE, SHED, AND ASSOCIATED IMPROVEMENTS, LOCATED AT 10980 PALETTE DRIVE, MENDOCINO (APN: 119-070-22) - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

3AF) AUTHORIZATION OF THE ISSUANCE OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. CDP_2021-0055 (JIN) TO DEVELOP A PROJECT IN TWO PHASES; PHASE 1 INVOLVES CONSTRUCTION OF A SINGLE-FAMILY RESIDENCE AND ACCESSORY STRUCTURES; PHASE 2 INVOLVES CONVERSION OF A PORTION OF THE SINGLE-FAMILY RESIDENCE AND ONE OF THE ACCESSORY STRUCTURES INTO AN ACCESSORY DWELLING UNIT AND JUNIOR ACCESSORY DWELLING UNIT; LOCATED AT 43300 CURLEY LANE, POINT ARENA (APN: 027-291-16) - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

3AG) AUTHORIZATION OF THE ISSUANCE OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. CDP_2021-0020 (BAZZANO), TO CONSTRUCT A SINGLE-FAMILY DWELLING WITH ATTACHED GARAGE, NEW WELL, SEPTIC SYSTEM, AND DRIVEWAY WITH MINIMAL GRADING PROPOSED AND REMOVAL OF ONE (1) FIR TREE, LOCATED AT 46611 IVERSEN LANE, GUALALA (APN 142-010-13) - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

3AH) APPROVAL OF AGREEMENT WITH INTEGRATED SECURITY CONTROLS, INC. IN THE AMOUNT OF \$87,804.23 FOR THE PURCHASE AND INSTALLATION OF VIDEO SURVEILLANCE SYSTEM IN JUVENILE HALL FROM JULY 12, 2022, THROUGH JUNE 30, 2023 - SPONSOR: PROBATION

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-177

3AI) ADOPTION OF RESOLUTION FINDING THAT STATE AND LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING IN CONNECTION WITH PUBLIC MEETINGS - SPONSOR: PUBLIC HEALTH

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-153

RESOLUTION 22-153

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO FINDING THAT STATE OR LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING IN CONNECTION WITH PUBLIC MEETINGS

3AJ) AUTHORIZATION TO AWARD A CONTRACT TO CUPPLES CONSTRUCTION IN THE AMOUNT OF \$900,000 FOR PHASE II OF THE HOMEKEY PROJECT AT 555 S. ORCHARD ST (UKIAH) FOR THE PERIOD OF JULY 12 2022, THROUGH JANUARY 30, 2023; AUTHORIZATION FOR THE PUBLIC HEALTH DEPARTMENT TO ACT AS PROJECT MANAGER TO ENTER CONTRACTS AND APPROVE CHANGE ORDERS FOR THE PROJECT, PURSUANT TO PUBLIC CONTRACT CODE SECTION 20142; AND AUTHORIZATION FOR CEO OR HER DESIGNEE TO NEGOTIATE AND ENTER INTO RIGHT OF ENTRY AGREEMENTS, SHARED USE AGREEMENTS, AND/OR TEMPORARY CONSTRUCTION EASEMENTS AS MAY BE NECESSARY FOR REQUIRED FIRE ACCESS MODIFICATIONS - SPONSOR: PUBLIC HEALTH

Adopted and Chair is authorized to sign same;

Enactment No: Agreement 22-178

3AK) RETROACTIVE APPROVAL OF AN EMERGENCY PURCHASE OF TWO LIVSCAN MACHINES IN THE AMOUNT OF \$13,783.82; AND APPROVAL TO ADD THE LIVSCAN MACHINES TO THE COUNTY’S LIST OF FIXED ASSETS FOR FY21-22 - SPONSOR: SHERIFF-CORONER

Approved;

3AL) RATIFICATION OF SUBMISSION OF GRANT APPLICATION FOR THE CALIFORNIA GOVERNOR’S OFFICE OF EMERGENCY SERVICES (CAL OES) HIGH FREQUENCY COMMUNICATIONS EQUIPMENT PROGRAM IN THE AMOUNT OF \$60,000 FOR THE PURCHASE OF RADIO EQUIPMENT TO FACILITATE COMMUNICATIONS WITH STATE, LOCAL, AND FEDERAL AGENCIES DURING AN EMERGENCY; AUTHORIZATION FOR THE CEO/DIRECTOR OF EMERGENCY SERVICES, SHERIFF/ASSISTANT DIRECTOR OF EMERGENCY SERVICES, OR UNDERSHERIFF TO ACCEPT FUNDS AND SIGN THE RESULTING REVENUE AGREEMENT IF AWARDED BY CAL OES; ADOPTION OF RESOLUTION AUTHORIZING THE CEO/DIRECTOR OF EMERGENCY SERVICES, SHERIFF/ASSISTANT DIRECTOR OF EMERGENCY SERVICES, OR UNDERSHERIFF TO EXECUTE FOR, AND ON BEHALF OF MENDOCINO COUNTY ANY ACTIONS NECESSARY FOR ADMINISTRATION OF THE STATE OF CALIFORNIA OFFICE OF EMERGENCY SERVICES HIGH FREQUENCY COMMUNICATIONS EQUIPMENT PROGRAM; APPROVAL OF APPROPRIATION INCREASE TO MENDOCINO COUNTY OFFICE OF EMERGENCY SERVICES BUDGET UNIT 2830 LINE ITEM 825670 IN THE AMOUNT OF \$60,000, LINE ITEM 864370 IN THE AMOUNT OF \$60,000, FUNDED FROM THE CAL OES HIGH FREQUENCY COMMUNICATIONS EQUIPMENT PROGRAM; AND ADDITION OF FOUR NASPO 3G ENVOY BASE STATIONS, 3G ALE, ENVOY BASE STATION VOICE MESSAGING & DATA COMMUNICATIONS RADIOS TO THE COUNTY’S LIST OF FIXED ASSETS - SPONSOR: SHERIFF-CORONER

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-154

RESOLUTION 22-154

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO AUTHORIZE THE CEO / DIRECTOR OF EMERGENCY SERVICES, SHERIFF-CORONER/ASSISTANT DIRECTOR OF EMERGENCY SERVICES, AND/OR THE UNDERSHERIFF TO EXECUTE FOR, AND ON BEHALF OF, MENDOCINO COUNTY ANY ACTIONS NECESSARY FOR THE ADMINISTRATION OF THE CALOES HIGH FREQUENCY (HF) COMMUNICATIONS EQUIPMENT PROGRAM

3AM) RATIFICATION OF SUBMISSION OF GRANT APPLICATION FOR THE 21 CALFIRE EVACUATION ROUTE PLANNING AND DEVELOPMENT GRANT OF \$200,000 TO ASSIST COUNTIES CONTAINING STATE RESPONSIBILITY AREA (SRA) LAND WITH PLANNING AND CREATING EVACUATION ROUTES; AUTHORIZATION FOR THE CEO/DIRECTOR OF EMERGENCY SERVICES, SHERIFF/ASSISTANT DIRECTOR OF EMERGENCY SERVICES, OR UNDERSHERIFF TO ACCEPT FUNDS AND SIGN THE RESULTING REVENUE AGREEMENT IF AWARDED BY CALFIRE; ADOPTION OF RESOLUTION AUTHORIZING THE CEO/DIRECTOR OF EMERGENCY SERVICES, SHERIFF/ASSISTANT DIRECTOR OF EMERGENCY SERVICES, OR UNDERSHERIFF TO EXECUTE FOR, AND ON BEHALF OF MENDOCINO COUNTY ANY ACTIONS NECESSARY FOR ADMINISTRATION OF THE 21 CALFIRE EVACUATION ROUTE PLANNING AND DEVELOPMENT GRANT PROGRAM; AND APPROVAL OF APPROPRIATION INCREASE TO MENDOCINO COUNTY OFFICE OF EMERGENCY SERVICES BUDGET UNIT 2830 LINE ITEM 825490 IN THE AMOUNT OF \$200,000, LINE ITEM 862230 IN THE AMOUNT OF \$100,00, LINE ITEM 862239 IN THE AMOUNT OF \$50,000, FUNDED FROM THE CALFIRE EVACUATION ROUTE PLANNING AND DEVELOPMENT GRANT PROGRAM - SPONSOR: SHERIFF-CORONER

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-155

RESOLUTION 22-155

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO AUTHORIZE THE CEO / DIRECTOR OF EMERGENCY SERVICES, SHERIFF-CORONER/ASSISTANT DIRECTOR OF EMERGENCY SERVICES, AND/OR THE UNDERSHERIFF TO EXECUTE FOR, AND ON BEHALF OF, MENDOCINO COUNTY ANY ACTIONS NECESSARY FOR THE ADMINISTRATION OF THE 21 CALFIRE EVACUATION ROUTE PLANNING AND DEVELOPMENT GRANT PROGRAM

3AN) APPROVAL OF AGREEMENT WITH CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT IN THE AMOUNT OF \$1,500,000 TO PROVIDE TRAININGS FOR INDIVIDUALS SERVING TITLE IV-E FEDERALLY ELIGIBLE FOSTER CHILDREN INCLUDING RESOURCE PARENTS, SHORT TERM RESIDENTIAL THERAPEUTIC PROGRAM STAFF, COUNTY STAFF AND COMMUNITY BASED AGENCIES, EFFECTIVE JULY 12, 2022, THROUGH JUNE 30, 2023 - SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-179

3AO) APPROVAL OF AGREEMENT (SECOND AMENDMENT TO AGREEMENT NO. SS-21-026, PA NO. 21-187) WITH EVERSOLE MORTUARY IN THE AMOUNT OF \$25,000 FOR A NEW TOTAL OF \$95,000 TO PROVIDE THE HANDLING AND DISPOSITION OF LAST REMAINS OF DECEDENTS OF MENDOCINO COUNTY WHO HAVE NO RELATIVES OR OTHER PERSON LEGALLY EMPOWERED TO AUTHORIZE CREMATION AND DISPOSITION, EFFECTIVE JULY 1, 2022 THROUGH JUNE 30, 2023; AND APPROVAL OF APPROPRIATION TRANSFER OF FUNDS SHIFTING \$31,570 WITHIN FUND 1100, ORG. CODE GR, ACCOUNT STRING 86-3112, AND INCREASING FUNDS IN FUND 1100, ORG CODE GR, ACCOUNT STRING 86-2186 - SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-180

3AP) APPROVAL OF RETROACTIVE AGREEMENT WITH MENDOCINO COUNTY YOUTH PROJECT IN THE AMOUNT OF \$506,356 FOR RAPID RE-HOUSING SERVICES, HOUSING CASE MANAGEMENT SERVICES NECESSARY TO PREVENT, PREPARE FOR AND RESPOND TO CORONAVIRUS AMONG INDIVIDUAL YOUTH AND YOUTH-LED FAMILIES WITH CHILDREN WHO ARE EXPERIENCING HOMELESSNESS IN MENDOCINO COUNTY, EFFECTIVE OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022 - SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-181

3AQ) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC., IN THE AMOUNT OF \$392,423 TO PROVIDE FAMILY URGENT RESPONSE SYSTEM MOBILE RESPONSE SERVICES TO CURRENT AND FORMER FOSTER YOUTH THROUGH AGE 21 FOR DEPARTMENT OF SOCIAL SERVICES, FAMILY AND CHILDREN'S SERVICES, EFFECTIVE JULY 1, 2022 THROUGH JUNE 30, 2023- SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-182

3AR) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC., IN THE AMOUNT OF \$449,748 TO PROVIDE IMMEDIATE PLACEMENT SERVICES FOR HIGH NEEDS CHILDREN PLACED BY THE DEPARTMENT OF SOCIAL SERVICES, FAMILY AND CHILDREN'S SERVICES, EFFECTIVE JULY 1, 2022 THROUGH JUNE 30, 2023 - SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-183

3AS) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 220003, PROFESSIONAL SERVICES AGREEMENT WITH GEO-LOGIC ASSOCIATES, IN THE AMOUNT OF \$605,763 FOR THE TERM BEGINNING UPON EXECUTION OF THE AGREEMENT THROUGH JULY 31, 2027, FOR LANDFILL MONITORING AND REPORTING SERVICES, AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN ANY AND ALL AMENDMENTS TO THE AGREEMENT NOT EXCEEDING \$60,576 (GUALALA, CASPAR AND LAYTONVILLE AREAS) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-156; Agreement 22-184

RESOLUTION 22-156

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 220003, PROFESSIONAL SERVICES AGREEMENT WITH GEO-LOGIC ASSOCIATES, IN THE AMOUNT OF \$605,763 FOR THE TERM BEGINNING UPON EXECUTION OF THE AGREEMENT THROUGH JULY 31, 2027, FOR LANDFILL MONITORING AND REPORTING SERVICES, AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN ANY AND ALL AMENDMENTS TO THE AGREEMENT NOT EXCEEDING \$60,576 (GUALALA, CASPAR AND LAYTONVILLE AREAS)

3AT) APPROVAL OF OUTDOOR FESTIVAL APPLICATION FOR THE NORTHERN NIGHTS 2022 FESTIVAL TO BE HELD JULY 15-17, 2022, IN PIERCY AND AUTHORIZATION FOR THE TREASURER-TAX COLLECTOR TO ISSUE THE OUTDOOR FESTIVAL LICENSE - SPONSOR: TREASURER-TAX COLLECTOR

Approved.

5A) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF EMPLOYMENT AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND DARCIÉ ANTLE TO SERVE AS MENDOCINO COUNTY'S CHIEF EXECUTIVE OFFICER FOR THE TERM OF JULY 12, 2022 THROUGH JULY 11, 2026, WITH NO CHANGE TO EXISTING SALARY THAT WAS PREVIOUSLY APPROVED ON MARCH 15, 2022, BOS AGREEMENT NO. 22-070 FOR THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS (\$200,000), WITH COMPENSATION INCLUDING BENEFITS TOTALING THREE HUNDRED THIRTY-EIGHT THOUSAND DOLLARS (\$338,000)/ANNUALLY - SPONSOR: SUPERVISOR WILLIAMS

Presenter/s: Chair Williams.

Public Comment: None.

Board Action: Upon motion by Supervisor McGourty, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors approves Employment Agreement between the County of Mendocino and Darcie Antle to serve as Mendocino County's Chief Executive Officer for the term of July 12, 2022 through July 11, 2026, with no change to existing salary that was previously approved on March 15, 2022, BOS Agreement No. 22-070 for the amount of Two Hundred Thousand Dollars (\$200,000), with compensation including benefits totaling three hundred thirty-eight thousand dollars (\$338,000)/Annually; 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

DARCIÉ ANTLE WAS SWORN IN AS THE CHIEF EXECUTIVE OFFICER OF MENDOCINO COUNTY

Enactment No: Agreement 22-185

4B) DISCUSSION AND POSSIBLE ACTION INCLUDING (1) ADOPTION OF AN URGENCY ORDINANCE ACCELERATING THE CONSOLIDATION OF THE OFFICES OF AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR; AND (2) ADOPTION OF A RESOLUTION AMENDING THE POSITION ALLOCATION TABLE AND APPOINTING CHAMISE CUBBISON TO THE POSITION OF AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR - SPONSOR: COUNTY COUNSEL

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

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors adopts Urgency Ordinance accelerating the consolidation of the office of the Auditor-Controller/Treasurer-Tax Collector; adopts resolution amending the position allocation table and appointing Chamise Cubbison to the position of Auditor-Controller/Treasurer-Tax Collector; 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

CHAMISE CUBBISON WAS SWORN IN AS AUDITOR- CONTROLLER TREASURER-TAX COLLECTOR OF MENDOCINO COUNTY

Enactment No: Ordinance 4509; Resolution 22-158

ORDINANCE 4509

AN URGENCY ORDINANCE ACCELERATING THE CONSOLIDATION OF THE OFFICES OF AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

RESOLUTION 22-158

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE AND APPOINTING CHAMISE CUBBISON TO THE POSITION OF AUDITOR-CONTROLLER-TREASURER-TAX COLLECTOR

4A) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION ADOPTING REVISED RULES OF ORDER AND PROCEDURE OF THE BOARD OF SUPERVISORS - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Darcie Antle, Chief Executive Officer; and Atlas M.A. Pearson, Deputy Clerk of the Board.

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors adopts Resolution adopting Revised Rules of Order and Procedure of the Board of Supervisors; 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 22-157

RESOLUTION 22-157

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING THE RULES OF ORDER AND PROCEDURE

5B) DISCUSSION AND POSSIBLE ACTION REGARDING BOARD AD HOC COMMITTEES INCLUDING DISBANDING AD HOC COMMITTEES THAT HAVE CONCLUDED BUSINESS PURSUANT TO BOARD OF SUPERVISORS RULES OF PROCEDURE - RULE NO. 31 - SPONSOR: SUPERVISOR WILLIAMS

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

Public Comment: Michael Katz; Jude Thilman, Monique Ramirez; and Hannah Nelson.

Board Directive: FORMATION OF AN AD HOC COMMITTEE comprised of Supervisors Haschak and McGourty regarding the implementation of the Strategic Plan.

Board Directive: FORMATION OF AN AD HOC COMMITTEE comprised of Supervisors Haschak and McGourty to work on transitional Cannabis issues while a more permanent solution is being created.

Board Directive: FORMATION OF AN AD HOC COMMITTEE comprised of Supervisors McGourty and Mulheren regarding drought in Mendocino County in 2022/23.

Board Action: Upon motion by Supervisor McGourty, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors accepts the status reports from ad hoc committee members pertaining to their respective committees, and directs that the referrals have been concluded thereby disbanding the ad hoc committee(s) as listed in Attachment A as amended during the meeting. 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

BOARD RECESS: 10:50 A.M. – 11:05 A.M.

5C) DISCUSSION AND POSSIBLE ACTION REGARDING GENERAL SUPPORT OF A LIVING WAGE ORDINANCE CONCEPT TO HELP LOW WAGE WORKERS EARN AN HOURLY WAGE SUFFICIENT TO LIVE WITH DIGNITY AND TO ACHIEVE ECONOMIC SELF-SUFFICIENCY, AND DIRECTION TO SUPERVISOR WILLIAMS TO INCORPORATE SPECIFIC IDEAS FROM THE DISCUSSION - SPONSOR: SUPERVISOR WILLIAMS

Presenter/s: Chair Williams.

Public Comment: Terry Poplawski; Bekkie Emery; Marty Bennett; Jack Buckhorn; and Hannah Nelson.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors directs Supervisors Williams and Mulheren to continue working with staff on a Living Wage Ordinance, in order to help low wage workers earn an hourly wage sufficient to live with dignity and to achieve economic self-sufficiency, incorporating specific ideas from the discussion; return to the full Board with an informational workshop after working with partners; and commit to not interfering with current labor negotiations and only using a minimal amount of staff time. 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

5D) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF TO CONDUCT LEGAL ANALYSIS REGARDING REGULATION OF WATER EXTRACTION/MINING FROM PRIVATE WELLS FOR COMMERCIAL PURPOSES AND WATER HAULING - SPONSOR: SUPERVISOR HASCHAK AND SUPERVISOR MCGOURTY

Presenter/s: Supervisor Haschak; Supervisor McGourty; Sherrie Ebyam; Richard Estebrook; Christian M. Curtis, County Counsel; and Julia Krog, Director, Planning and Building Services.

Public Comment: Wendy; Ellen Drell; Paula Fugman; Sandra Mullin; Gloria Decater.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors accepts the draft ordinance and forwards to the Planning Commission for review. The motion carried by the following vote:

Aye: 4 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, and Supervisor Gjerde

No: 1 – Supervisor Williams

Absent: 0 – None

ADJOURNED TO CLOSED SESSION: 1:07 P.M.

7B) PURSUANT TO GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - AGENCY NEGOTIATORS: DARCI ANGLE, CHERIE JOHNSON, AND JON HOLTZMAN; EMPLOYEE ORGANIZATION(S): ALL**7C) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE DISCIPLINE/DISSMISSAL/RELEASE**

RECONVENED IN OPEN SESSION: 3:04 P.M.

AGENDA ITEM NO. 7 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Williams.

Public Comment: None.

Board Action: With respect to agenda item 7b), no reportable action was taken. With respect to agenda item 7c, the item was withdrawn.

CHAIR WILLIAMS STATED THAT ITEMS 4C AND 4D WOULD BE HEARD CONCURRENTLY

4C) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE READING OF AN ORDINANCE ADDING CHAPTER 5.200 TO TITLE 5 OF THE MENDOCINO COUNTY CODE IMPOSING A COUNTY ESSENTIAL SERVICES TRANSACTIONS AND USE TAX - SPONSOR: COUNTY COUNSEL

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

Public Comment: Doug Hutchison; Andres Avila; Dave Latoof; Chief Noyer; Emily Tecchio; and Jason Warner.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors introduces and waives reading of an ordinance adding Chapter 5.200 to Title 5 of the Mendocino County Code imposing a county essential services transactions and use tax. 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 RESOLUTION OF INTENT TO SPEND NEW TAX REVENUES ON FIRE PROTECTION AND EMERGENCY SERVICES - SPONSOR: COUNTY COUNSEL

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

Public Comment: Doug Hutchison; Andres Avila; Dave Latoof; Chief Noyer; Emily Tecchio; and Jason Warner.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors adopts Resolution of Intent to Spend New Tax Revenues on Fire Protection and Emergency Services as amended during the meeting; 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 22-159

RESOLUTION 22-159

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS STATING INTENT TO USE NEW SALES TAX REVENUE FOR FIRE PROTECTION AND PREVENTION

5E) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF ATTACHMENTS AND REPORT OUT REGARDING POTENTIAL GRANT OPPORTUNITIES, CURRENTLY FUNDED WATER PROJECTS THROUGH CALIFORNIA DEPARTMENT OF WATER RESOURCES (DWR), WORKSHOP PRESENTATION FROM CALIFORNIA DEPARTMENT OF WATER RESOURCES AND CALIFORNIA WATER BOARDS OUTLINING NEW LEGISLATION SB 552, MEMO FROM SUPERVISOR MULHEREN, AND MEMO FROM SUPERVISOR GJERDE; AND DIRECTION TO STAFF AS DETERMINED - SPONSORS: SUPERVISOR MULHEREN AND SUPERVISOR GJERDE

Presenter/s: Supervisor Mulheren; and Supervisor Gjerde.

Public Comment: Ellen Drell; Peter McNamee; and Jim Shields.

Board Action: No Action Taken.

Board Directive: BY ORDER OF THE CHAIR the Ad Hoc Committee comprised of Supervisors McGourty and Mulheren regarding drought in Mendocino County in 2022/23 (created during item 5b) was disbanded.

4E) CHIEF EXECUTIVE OFFICER'S REPORT – SPONSOR: EXECUTIVE OFFICE

Withdrawn.

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

Withdrawn.

5F) SUPERVISORS' REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST

Presenters: Supervisor Mulheren; and Supervisor Haschak.

Board Action: No Action Taken.

ADJOURNED TO CLOSED SESSION: 4:45 P.M.

7A) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - PLANNING AND BUILDING SERVICES

RECONVENED IN OPEN SESSION: 5:35 P.M.

AGENDA ITEM NO. 7 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Williams.

Public Comment: None.

Board Action: With respect to agenda item 7a), no reportable action was taken.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:35 P.M.

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

TED WILLIAMS, Chair

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

- Effective March 1, 2009, Board of Supervisors minutes will be produced in “action only” format. As an alternative service, public access to recorded Board proceedings will be available on the Board of Supervisors’ website in indexed audio format
- LIVE WEB STREAMING OF BOARD MEETINGS is now available via the County’s YouTube Channel. If technical assistance is needed, please contact The Mendocino County Executive Office at (707) 463-4441.
- 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: www.mendocinocounty.org/government/board-of-supervisors
- To request an official record of a meeting of the Mendocino County Board of Supervisors, please contact the Executive Office at (707) 463-4441
- Please reference the departmental website to obtain additional resource information for the Board of Supervisors and Clerk of the Board: www.mendocinocounty.org/government/board-of-supervisors

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