

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor

JOHN HASCHAK
3rd District
Supervisor
Chair

DAN GJERDE
4th District
Supervisor
Vice-Chair

TED WILLIAMS
5th District
Supervisor



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MENDOCINO COUNTY
BOARD OF SUPERVISORS
BOARD OF SUPERVISORS AGENDA

REGULAR MEETING
March 10, 2020 - 9:00 AM
BOARD CHAMBERS, ROOM 1070
COUNTY ADMINISTRATION CENTER

TIMED ITEMS

Please note that all times provided are considered approximate

1:30 P.M. - Discussion and Possible Action Including: 1) Direction to the Mendocino County Director of Health and Human Services to Request Aggregate Patient Outcome Data from Redwood Quality Management (RQMC) and Subcontractors Disseminate with Trends Analysis; 2) Direction to the Chief Executive Officer to Return with Options Regarding a Request for Proposal Process for Adult Mental Health Services; and 3) Direction to the Chief Executive Officer to Return with Estimate of Mental Health Funds Available for Repurpose to Meet Measure B Promises
(Refer to Agenda item 6a)

Following the posting of the Agenda, all agenda item supporting documentation, including any material submitted to the Clerk after distribution of the Agenda packet, is available for public review through the Executive Office, 501 Low Gap Road, Room 1010, Ukiah, CA 95482 during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday.

Persons wishing to file documentation on any agenda item for the official record must submit three (3) copies of each document to the Executive Office, or submit via email to bos@mendocinocounty.org.

Members of the public are advised that all cell phones or electronic devices are to be silenced upon entering the Board Chambers.

1. OPEN SESSION (9:00 A.M.)

1a) Roll Call

1b) Pledge of Allegiance

2. PROCLAMATIONS

Items in this section are automatically adopted unless specifically pulled by a Supervisor. Proclamations may be presented or commented on as needed.

2a) Adoption of Proclamation Recognizing the 2020 Redwood Region Logging Conference (Sponsors: Supervisors Brown and McCowen)

Recommended Action:

Adopt Proclamation recognizing the 2020 Redwood Region Logging Conference; and authorize Chair to sign same.

Attachments: [Proclamation](#)

2b) Adoption of Proclamation Recognizing Mennonite Disaster Services for Exceptional Community Service to Redwood Complex Fire Survivors in Mendocino County (Sponsors: Supervisors McCowen and Brown)

Recommended Action:

Adopt Proclamation recognizing Mennonite Disaster Services for exceptional community service to Redwood Complex fire survivors in Mendocino County; and authorize Chair to sign same.

Attachments: [Proclamation](#)

**2c) Adoption of a Proclamation Recognizing Val Muchowski During Women's History Month in Mendocino County
(Sponsor: Supervisors Brown and McCowen)**

Recommended Action:

Adopt Proclamation recognizing Val Muchowski during Women's History Month in Mendocino County; and authorize Chair to sign same.

Attachments: [PROCLAMATION Honoring Val Muchowski](#)

3. PUBLIC EXPRESSION

Members of the public are welcome to address the Board on items not listed on the agenda, but within the jurisdiction of the Board of Supervisors. The Board is prohibited by law from taking action on matters not on the agenda, but may ask questions to clarify the speaker's comment. The Board limits testimony on matters not on the agenda to 3 minutes per person and not more than 10 minutes for a particular subject at the discretion of the Chair of the Board.

Individuals wishing to address the Board under Public Expression are welcome to do so throughout the meeting. To best facilitate these items, please review and complete the public comment/speaker form available at the back of the Boardroom and present to the Clerk. If you wish to submit written comments, please provide 10 copies to the Executive Office staff, located in the County Administration Center, Room 1010. All meetings are tape-recorded, so speakers are reminded to announce their names as they approach the podium.

Public Expression

4. CONSENT CALENDAR

The Consent Calendar is considered routine and non-controversial and will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed from the Consent Calendar for individual consideration.

See section at the end of this document for the full listing of Consent items.

5. COUNTY EXECUTIVE OFFICE AND DEPARTMENTAL MATTERS

- 5a) Discussion and Possible Action Including Adoption of Resolution Ratifying the Local Emergency Related to 2019 Novel Coronavirus (COVID-19) 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 and Health and Human Services Agency)**

Recommended Action:

Adopt Resolution ratifying the Local Emergency related to 2019 Novel Coronavirus (COVID-19) 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; and authorize Chair to sign same.

- Attachments:** [Resolution 20-024](#)
[Local Health Emergency Declaration COVID-19](#)
[Board Resolution- Ratifying Local Emergency and Local Health En](#)
[Local Emergency Proclamation COVID19](#)

- 5b) Discussion and Possible Action Regarding Presentation of the Fiscal Year (FY) 2019-20 Second Quarter/Mid-Year Budget on the Status of County Departmental Spending and Revenues For FY 2019-20 and Executive Office Recommendations; and Adoption of Resolution Amending the FY 2019-20 Adopted Budget (Sponsor: Executive Office)**

Recommended Action:

Accept the FY 2019-20 Second Quarter/Mid-Year Budget report on the status of departmental spending and revenues for FY 2019-20; and approve Executive Office recommendations; adopt Resolution amending the FY 2019-20 Adopted Budget; and authorize Chair to sign same.

- Attachments:** [Resolution 20-025](#)
[FY 19-20 Mid Year Report](#)
[Exhibit B - FY 2019-20 Mid-Year Adjustment Resolution](#)
[Exhibit A - BU 1000 Non-Departmental Revenue Forecast](#)
[Exhibit C - FY 2019-20 Mid-Year IT Master Plan Update](#)
[Attachment A - FY 2019-20 2nd Quarter Budget Net Zero Adjustm](#)
[Attachment B - FY 2019-20 2nd Quarter Funding Needs](#)
[Attachment C - FY 2019-20 2nd Quarter Fix Asset Request](#)
[FY 2019-20 Mid-Year Budget Presentation](#)

5c) Discussion and Possible Direction to Staff Regarding the Preparation of Mendocino County's Fiscal Year (FY) 2020-21 Budget (Sponsor: Executive Office)

Recommended Action:

Provide direction to staff regarding the priorities and preparation of Mendocino County's FY 2020-21 Budget.

Attachments: [FY 2020-21 Budget Workshop Presentation](#)

5d) Discussion and Possible Action Regarding Salary Disparity Issues within the Health & Human Services Agency (HHS) Due to 2017 and 2018 Salary Adjustments, Including Adoption of Resolution Authorizing Salary Adjustments as Follows: Adoption of Deputy Director Social Services - Children's, Senior Program Manager - Children's; Salary Adjustments of Deputy Director Public Health Nursing, Chief Operations Officer - HHS, Assistant Health & Human Services Agency Director; Moving Assistant HHS Director Classification from Department Head Association to Management Association Bargaining Unit; and Title Change and Salary Adjustment of Affected Incumbents (Sponsor: Human Resources)

Recommended Action:

Adopt resolution authorizing salary adjustments as follows: adopt Deputy Director Social Services - Children's, Senior Program Manager - Children's; salary adjustment of Deputy Director Public Health Nursing, Chief Operations Officer - HHS, and Assistant Health & Human Services Agency Director; move Assistant HHS Director classification from Department Head Association to Management Association bargaining unit; title change and salary adjustments of affected incumbents; and authorize chair to sign same.

Attachments: [Resolution 20-026](#)
[Attachment A](#)

5e) Discussion and Possible Action Including Approval of Retroactive Agreement with Manzanita Services, Inc. in the Amount of \$260,000 to Provide Housing Support Services for Individuals with Serious Mental Illness at the Wellness Centers in Ukiah and Willits, Effective July 1, 2019 through June 30, 2021 (Sponsor: Health and Human Services Agency)

Recommended Action:

Approve retroactive Agreement with Manzanita Services, Inc. in the amount of \$260,000 to provide housing support services for individuals with Serious Mental Illness at the Wellness Centers in Ukiah and Willits, effective July 1, 2019 through June 30, 2021; authorize the Health and Human Services Agency Director or designee to sign any amendments to the Agreement that do not increase the maximum amount; and authorize Chair to sign same.

Attachments: [Agreement 20-019](#)

- 5f) Discussion and Possible Action Regarding an Update to the Board of Supervisors from the Mental Health Treatment Act Citizen's Oversight Committee on Progress Since the February 4, 2020 Update
(Sponsor: Mental Health Treatment Act Citizen's Oversight Committee)**

Recommended Action:

Accept update from the Mental Health Treatment Act Citizen's Oversight Committee; and provide direction as appropriate.

- 5g) Discussion and Possible Action Including Authorization for Additional Funding in the Amount of \$257,258 for Capital Project CA001 for Improvements to the Regional Behavioral Health Training Facility Located at 8207 East Road, Redwood Valley, and Authorization for the Facilities and Fleet Division Manager to Act as Project Manager to Enter Contracts and Approve Change Orders for the Project, Pursuant to Public Contract Code Section 20142
(Sponsor: Executive Office)**

Recommended Action:

Authorize funding in the amount of \$257,258 for Capital Project CA001 for improvements to the Regional Behavioral Health Training Facility located at 8207 East Road, Redwood Valley, and authorization for the Facilities and Fleet Division Manager to act as Project Manager to enter contracts and approve change orders for the Project, pursuant to Public Contract Code Section 20142.

Attachments: [Training Facility Budget Estimate Phase 2](#)
 [Training Facility Budget Estimate Phase I](#)

- 5h) Discussion and Possible Action Including Acceptance of Update from County Counsel Regarding Legal Framework for Potential Uses of County Service Area 3
(Sponsor: County Counsel)**

Recommended Action:

Accept update from County Counsel regarding the legal framework for potential uses of County Service Area 3.

- 5i) Discussion and Possible Action Including Approval of Agreement with Raghianti Freitas LLP In the Amount of \$125,000, to Provide Legal Services Related to Litigation Brought Pursuant to the California Environmental Quality Act (CEQA) Effective Upon Execution by All Parties Through June 30, 2021
(Sponsor: County Counsel)**

Recommended Action:

Approve Agreement with Raghianti Freitas LLP in the amount of \$125,000, to provide legal services related to litigation brought pursuant to the California Environmental Quality Act (CEQA) effective upon execution by all parties through June 30, 2021; and authorize Chair to sign same.

Attachments: [Agreement 20-020](#)

**5j) Chief Executive Officer's Report
(Sponsor: Executive Office)**

Recommended Action:

Accept the Chief Executive Officer's report.

**5k) Discussion and Possible Action Including Review, Adoption, Amendment,
Consideration or Ratification of Legislation Pursuant to the Adopted Legislative
Platform**

(Sponsor: Executive Office)

Recommended Action:

Provide direction to staff on matters of legislation.

6. BOARD OF SUPERVISORS AND MISCELLANEOUS

- 6a) Discussion and Possible Action Including: 1) Direction to the Mendocino County Director of Health and Human Services to Request Aggregate Patient Outcome Data from Redwood Quality Management (RQMC) and Subcontractors Disseminate with Trends Analysis; 2) Direction to the Chief Executive Officer to Return with Options Regarding a Request for Proposal Process for Adult Mental Health Services; and 3) Direction to the Chief Executive Officer to Return with Estimate of Mental Health Funds Available for Repurpose to Meet Measure B Promises**

**(Continued from the February 25, 2020, Board of Supervisors Meeting)
(Sponsor: Supervisor Williams)**

Recommended Action:

1) Direct Mendocino County Director of Health and Human Services to request aggregate patient outcome data from Redwood Quality Management Company and subcontractors, disseminate with trends analysis; 2) Direct CEO to return with options for request for proposal process for Adult Mental Health Services; and 3) direct CEO to return with estimate of Mental Health funds available for repurpose to meet Measure B promises.

Attachments: [RQMC Adult Mental Health Services Contract Summary](#)
[03-10-20 Burtis Correspondence](#)

- 6b) Discussion and Possible Action Including Acceptance of Recommendations from Secondary Access Ad Hoc Committee
(Sponsor/s: Secondary Access Ad Hoc Committee (Supervisors Gjerde and Haschak))**

Recommended Action:

Accept recommendations from Secondary Access Ad Hoc Committee.

- 6c) Supervisors' Reports Regarding Board Special Assignments, Standing and Ad Hoc Committee Meetings, and Other Items of General Interest**

Attachments: [03-10-20 1st District Supervisor Mental Health Article](#)
[03-10-20 3rd District Supervisor Report](#)

7. BOARD OF DIRECTORS MATTERS

The Mendocino County Board of Supervisors meets concurrently as the Board of Directors of the: In-Home Supportive Services Public Authority Governing Board; Mendocino County Air Quality Management District; Mendocino County Public Facilities Corporation; and the Mendocino County Water Agency.

8. MODIFICATIONS TO AGENDA

Items added to the agenda subsequent to agenda publication, up to 72 hours in advance of the meeting, pursuant to Government Code section 54954.

9. CLOSED SESSION

Any public reports of action taken in the closed session will be made in accordance with Government Code sections 54957.1.

- 9a) Pursuant to Government Code Section 54956.9c – Conference with Legal Counsel – Initiation of Litigation: One Case
- 9b) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: PG&E Corporation v. County of Mendocino. Mendocino County Superior Court Case No. 19-30088 (DM)
- 9c) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Ward, Margaret et al. v. County of Mendocino. Mendocino County Superior Court Case No. 4:17-cv-00911-PJH
- 9d) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Project Coyote and Mendocino Nonlethal Wildlife Alliance v. County of Mendocino. Mendocino County Superior Court Case No. SCUk-CVG-20-73782
- 9e) Pursuant to Government Code Section 54956.9(a) – Conference with Legal Counsel – Existing Litigation: Brandy Moulton v. Dan Gjerde. Mendocino County Superior Court Case No. SCTM-CVPT-20-73959

10. COMMUNICATIONS RECEIVED AND FILED

Communications received and filed are retained by the Clerk throughout the Board proceedings. To review items described in this section, please contact the Executive Office staff in Room 1010.

- 10a) Federal Energy Regulatory Commission - Potter Valley Penstock and Tunnel Dewatering Notification. For more information, please refer to www.ferc.gov/industries/hydropower.asp, or contact via telephone at 415-369-3300
- 10b) Fish and Game Commission - Notice of Proposed Emergency Action - 2020 Recreational Purple Sea Urchin Emergency Rule. For more information, please call (916) 653 4899, email fgc@fgc.ca.gov, or refer to www.fgc.ca.gov
- 10c) Fish and Game Commission - 90 Day Extension of Emergency Regulations - Special Order Regarding the Take of Chinook Salmon in Anadromous Waters of the Klamath River Basin Downstream of Iron Gate and Lewiston Dams. For more information, please call (916) 653 4899, email fgc@fgc.ca.gov, or refer to www.fgc.ca.gov
- 10d) Federal Energy Regulatory Commission - Order Approving Temporary Variance of Flow Requirement Under License Article 52 - For more information, please refer to www.ferc.gov/industries/hydropower.asp, or contact via telephone at 415-369-3300

4. CONSENT CALENDAR - CONTINUED

The Consent Calendar is considered routine and non-controversial and will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed from the Consent Calendar for individual consideration.

ITEMS RECOMMENDED FOR APPROVAL:

APPOINTMENTS**4a) Approval of Recommended Appointments/Reappointments****Recommended Action:**

1. Ms. Lois Lockart, Alternate Member, Archaeological Commission of Mendocino County;
2. Ms. Allison Scott, Native American Representative, Archaeological Commission of Mendocino County;
3. Mr. Randall Vann, Member At Large, Mendocino County Fish and Game Commission;
4. Ms. Paula Cohen, Public Representative, County Commission on Medical Care/Partnership Health Plan of California

COUNTY COUNSEL**4b) Authorization for County Counsel to Share With the Mental Health Treatment Act Citizens Oversight Committee a Legal Memorandum Responding to the Questions in the December 24, 2019 Memo From the Measure B Project Manager to the Board of Supervisors****Recommended Action:**

Authorize County Counsel to share with the Mental Health Treatment Act Citizens Oversight Committee a legal memorandum responding to the questions in the December 24, 2019 memo from the Measure B Project Manager to the Board of Supervisors.

DISTRICT ATTORNEY

- 4c) Approval of Retroactive Agreement with Round Valley Indian Tribes Native American Domestic Violence and Sexual Assault Program in the Amount of \$70,870 to Provide Victim Advocacy Services for North Inland Mendocino for the Term of January 1, 2020 through December 31, 2020**

Recommended Action:

Approve retroactive Agreement with Round Valley Indian Tribes Native American Domestic Violence and Sexual Assault Program in the amount of \$70,870 to provide Victim Advocacy Services for North Inland Mendocino for the term of January 1, 2020 through December 31, 2020; and authorize Chair to sign same.

Attachments: [Agreement 20-018](#)

HEALTH AND HUMAN SERVICES AGENCY

- 4d) Adoption of Resolution Approving Second Amendment to Grant Agreement 17-94140 with the California Department of Health Care Services in the Amount of \$9,910, for a New Amount of \$2,702,836 to Provide Substance Use Disorder Services Effective July 1, 2017 through June 30, 2020; and Authorization for the Health and Human Services Agency, Behavioral Health and Recovery Services Director or Designee to Sign Amendment and any Renewals or Amendments that do not Exceed the Maximum Amount**

Recommended Action:

Adopt Resolution approving second Amendment to grant Agreement 17-94140 with the California Department of Health Care Services in the amount of \$9,910, for a new amount of \$2,702,836 to provide Substance Use Disorder Services effective July 1, 2017 through June 30, 2020; authorize the Health and Human Services Agency, Behavioral Health and Recovery Services Director or designee to sign second Amendment and any renewals or amendments that do not exceed the maximum amount; and authorize Chair to sign same.

Attachments: [Resolution 20-021](#)
 [Agreement](#)

HUMAN RESOURCES

- 4e) Adoption of Resolution Amending Board of Supervisors Resolution No. 18-053 Setting Compensation for Assistant County Counsel, Chief Deputy County Counsel and Deputy County Counsel I - IV and Establishing that the County will Maintain the Salary of the Unrepresented Chief Deputy County Counsel and Deputy County Counsel I - IV at Five Percent (5%) Above Any Current and Future Negotiated Salaries of Equivalent Attorney Classifications Represented by the Mendocino County Public Attorneys' Association (MCPAA)**

Recommended Action:

Adopt Resolution amending Board of Supervisors Resolution No. 18-053 setting compensation for Assistant County Counsel, Chief Deputy County Counsel and Deputy County Counsel I - IV and establishing that the County will maintain the salary of the Unrepresented Chief Deputy County Counsel and Deputy County Counsel I - IV at five percent (5%) above any current and future negotiated salaries of equivalent attorney classifications represented by the Mendocino County Public Attorneys' Association (MCPAA); and authorize Chair to sign same.

Attachments: [Resolution](#)

- 4f) Adoption of Resolution Amending Resolution No. 10-006 Implementing the Terms and Conditions of Employment for Unrepresented Management Employees and Exempt Elected Officials to Designate Chief Operations Officer - Health and Human Services Agency as Unrepresented and, as Administrative Clean up, Include Previously Adopted Unrepresented Classifications Not Currently Reflected in the Resolution Including: Administrative Project Manager - Measure B, Sheriff's Business Services Officer and County Health Officer, and the title change of Risk Analyst to Senior Risk Analyst**

Recommended Action:

Adopt Resolution amending Resolution No. 10-006 Implementing the Terms and Conditions of Employment for Unrepresented Management Employees and Exempt Elected Officials to designate Chief Operations Officer - Health and Human Services Agency as Unrepresented and, as administrative clean up, include previously adopted Unrepresented classifications not currently reflected in the Resolution including: Administrative Project Manager - Measure B, Sheriff's Business Services Officer and County Health Officer, and the title change of Risk Analyst to Senior Risk Analyst; and authorize Chair to sign same.

Attachments: [Resolution](#)

PLANNING AND BUILDING SERVICES

- 4g) Authorization of the Issuance of Coastal Development Permit No. CDP_2018-0009 (Levy-Tongate), to Construct a Single Family Residence with Attached Garage, Guest Cottage, Temporary Occupancy of a Travel Trailer, Deck, Gravel Driveway, Septic System, and Utilities, located at 44924 Zettler Road, Point Arena (APN: 027-361-25)**

Recommended Action:

Authorize the issuance of Coastal Development Permit No. CDP_2018-0009 (Levy-Tongate), to construct a single family residence with attached garage, guest cottage, temporary occupancy of a travel trailer, deck, gravel driveway, septic system, and utilities, located at 44924 Zettler Road, Point Arena (APN: 027-361-25).

- Attachments:** [01. CDP 18-09 \(Levy-Tongate\) Staff Report](#)
 [02. CDP 2018-0009 \(Levy - Tongate\) Combined Maps](#)

TRANSPORTATION

- 4h) Adoption of Resolution Authorizing the Department of Transportation to Advertise for Bids and Award Department of Transportation Contract Number 200001 for Construction of the Redwood Valley Water Infrastructure Retrofit Project, at an Estimated Cost of \$6,200,000 (Redwood Valley Area)**
End

Recommended Action/Motion:**Recommended Action:**

Adopt Resolution authorizing the Department of Transportation to advertise for bids and award Department of Transportation Contract Number 200001 for construction of the Redwood Valley Water Infrastructure Retrofit Project on mostly private roads, at an estimated cost of \$6,200,000 (Redwood Valley Area); and authorize Chair to sign same.

- Attachments:** [Resolution 20-022](#)
 [Letter](#)

- 4i) **Adoption of Resolution Authorizing the Department of Transportation to Advertise for Bids and Award Department of Transportation Contract Number 200012 in the Estimated Amount of \$606,505 for the Runway Pavement and Shoulder Rehabilitation at Round Valley Airport, and Authorizing the Director of Transportation to Act as the Airport Sponsor's Official Representative and to Execute the Airport Improvement Program Grant Agreement and Sign Other Necessary Related Documents on Behalf of Mendocino County (Covelo Area)..End**

Recommended Action/Motion:

Recommended Action:

Adopt Resolution authorizing the Department of Transportation to advertise for bids and award Department of Transportation Contract Number 200012 in the estimated amount of \$606,505 for the runway pavement and shoulder rehabilitation at Round Valley Airport, and authorizing the Director of Transportation to act as the airport sponsor's official representative and to execute the Airport Improvement Program grant agreement and sign other necessary related documents on behalf of Mendocino County (Covelo Area); and authorize the Chair to sign same.

Attachments: [Resolution 20-023](#)
 [Letter](#)

ADJOURNMENT

Additional Meeting Information for Interested Parties

The Board of Supervisors complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Executive Office by calling (707) 463-4441 at least five days prior to the meeting.

If you wish to address the Board on any matter on the agenda, please review and complete the public comment/speaker form available at the back of the Board Chambers. If you wish to submit documentation, please email your documentation to bos@mendocinocounty.org; or submit a hard copy to the Executive Office at least 5 business days in advance of the meeting.

A copy of the Agenda Packet is available for public review in the Executive Office, Room 1010. Proposed actions and supporting documents are considered draft until acted upon by the Board.

Additional information on specific agenda items may be obtained by contacting the sponsoring departments. Contact information for County departments may be obtained at www.mendocinocounty.org/departments.htm.

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LIVE WEB STREAMING OF BOARD MEETINGS: <https://mendocino.legistar.com>, or visit the County YouTube channel. For technical assistance, please contact the Clerk of the Board at (707) 463-4441.

Please reference the departmental website to obtain additional resource information for the Board of Supervisors: www.mendocinocounty.org/bos.

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