DAN GJERDE 4th District Supervisor Vice-Chair TED WILLIAMS 5th District Supervisor



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 BOARD OF SUPERVISORS AGENDA

REGULAR MEETING

August 04, 2020 - 9:00 AM BOARD CHAMBERS, ROOM 1070 COUNTY ADMINISTRATION CENTER

Effective March 20, 2020, the Mendocino County Board of Supervisors meetings will be conducted virtually and not available for in person public participation (pursuant to State Executive Order N-29-20). Meetings are live streamed and available for viewing on the Mendocino County YouTube page, at https://www.youtube.com/MendocinoCountyVideo.

public digitally in The may participate meetings $\mathbf{b}\mathbf{v}$ sending comments to lieu of personal attendance. All email comment must bos@mendocinocounty.org, in received by 8:00 A.M. the morning of the meeting in order to be published with the agenda. Additionally, the public may speak during public comment via telecomment. Information regarding telecomment participation can be found here:

https://www.mendocinocounty.org/government/board-of-supervisors/agendas-and-minute

Clerk of the Board staff remains dedicated to finding new and innovative civic engagement methods during this challenging time. For the latest available options by which to engage with agenda items, please visit:

https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement

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.

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.

Individuals wishing to address the Board under Public Expression are welcome to do so via email at bos@mendocinocounty.org. All correspondence received by 8:00 A.M. the day of the meeting will be attached to the item and made available online at:

https://mendocino.legistar.com/Calendar.aspx.

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3a) Public Expression

Attachments: 08-02-20 Lewis Correspondence

08-03-20 Miller Correspondence

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 an Update Associated with the Novel Coronavirus (COVID-19), Including Possible Direction Regarding Essential Services in Mendocino County, Operational Preparation and Response, and Associated County-wide Economic Impacts (Sponsor: Executive Office)

Recommended Action:

Receive update regarding COVID-19, discuss and/or provide direction regarding essential services in Mendocino County, operational preparation and response, and associated county-wide economic impacts.

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5b) Discussion and Possible Action Including Direction to Staff Regarding the Potential Re-direction of the Cannabis Cultivation Permitting Program to a Land Use Ordinance and Direction to Staff Regarding Prioritizing Phase 1 and 2 Existing Permit Holders who Require a CEQA Checklist with a Cost Recovery System Identified in Response to Board Direction Received on June 16, 2020

(Sponsor: Planning and Building Services)

Recommended Action:

Direct staff to initiate the steps needed to create a land use ordinance for commercial cannabis discretionary permits including the sunset of portions of 10A.17 and 20.242 within three years of adoption (or other determined date). Direct staff to close Phase 2 and transition Phase 1 and Phase 2 permittees and applicants to the new land use discretionary permitting process. Provide direction to staff on zoning, size and density allowances of cannabis cultivation. Direct Cannabis Program staff to prioritize responsibilities to focus on existing permit holders in Phase 1 and 2 who require an issued CEQA Checklist prior to the January 1, 2022 provisional end date with a cost recovery system identified.

Attachments:

1.PBS Staff Memo Cannabis Update and Land Use ReDirection R
Attachment A Draft Sensitve Species Review Pilot Policy with CDF

Attachment B DRAFT Mendocino County Cannabis 15168 Checkli

Attachment C CEQA Practice Recommendations from CDFA for C

Attachment D Cannabis Cultivation Ad Hoc Legacy and Non-Legacy

07-31-20 Re Correspondence

07-31-20 Mendocino County Tourism Commission Correspondence

07-31-20 Rainbow Aq Correspondence

07-31-20 Whipple Correspondence

07-31-20 Menasian Correspondence

07-31-20 Stephens Correspondence

08-02-20 Rohrbaugh Correspondence

08-02-20 Brodigan Correspondence

08-02-20 MCA Correspondence

08-02-20 Rodrigues Correspondence

08-02-20 Talkovsky Correspondence

08-02-20 Lumpkin Correspondence

08-02-20 Strong Correspondence

08-01-20 Rodrigues Correspondence

08-02-20 Flow Kana Correspondence

08-03-20 Anderson Correspondeche

08-03-20 Card Correspondence

08-03-20 Charnes Correspondence

08-03-20 Glaser Correspondence

08-03-20 Harness Correspondence

08-03-20 Kramer Correspondence

08-03-20 Potter Correspondence

08-03-20 Rodrigues Correspondence

08-03-20 Sizemore Correspondence

08-03-20 Slota Correspondence

08-01-20 Clifton Correspondence

08-01-20 Klein Correspondence

08-01-20 Liberty Correspondence

08-03-20 Scherbatskov Correspondence

08-03-20 Stephens Correspondence

08-03-20 Tergis Correspondence

08-03-20 Waters Correspondence

08-03-20 WEC Correspondence

08-03-20 Wheeler Correspondence
08-03-20 Womack Correspondence
08-03-20 Bowers Correspondence
08-03-20 Brady Correspondence
08-03-20 California Wildlife Foundation Correspondence
08-03-20 CCAG Correspondence
08-03-20 Clein Correspondence
08-03-20 Donham Correspondence
08-03-20 Drell Correspondence
08-03-20 Fugman Correspondence
08-03-20 Gardere Correspondence
08-03-20 Henrys Original Correspondence
08-03-20 Holbrook Correspondence
08-03-20 Ineich Correspondence
08-03-20 JC&A Correspondence
08-03-20 Jenkins Correspondence
08-03-20 Knight Correspondence
08-03-20 Liese Correspondence
08-03-20 Maierle Correspondence
08-03-20 Marianchild Correspondence
08-03-20 Ninaud Correspondence
08-03-20 Olcott Correspondence
08-03-20 Owen Correspondence
08-03-20 Pellar Correspondence
08-03-20 Powell Correspondence
08-03-20 Puetz Correspondence
08-03-20 Riedel Correspondence
08-03-20 Sargenti Correspondence
08-04-20 Blacketer-Dodt Correspondence
08-04-20 Magoffin Correspondence
08-04-20 Herbanology Correspondence
08-04-20 Jeavons Correspondence
08-04-20 Davis Correspondence
08-04-20 AuClair Correspondence
08-04-20 Steffen Correspondence

5c) Discussion and Possible Action Including Acceptance of a Presentation Regarding Updates to the Coronavirus Relief Fund (Sponsor: Executive Office)

Recommended Action:

Accept presentation and provide direction to staff regarding updates to the Coronavirus Relief Fund.

Attachments: Coronavirus Relief Funds Presentation

COVID Projects and Funding

5d) Discussion and Possible Action Including Direction to Staff Regarding Project Homekey (Sponsor: Executive Office)

Recommended Action:

Receive staff report and provide direction to staff on proceeding with the Project Homekey application.

Attachments: 08-04-20 Miller Correspondence

5e) Noticed Public Hearing - Discussion and Possible Action Including Adoption of an Ordinance Rezoning (R 2019-0014 - the Fracchia Road **Neighborhoods**) **Twenty-nine** Avenue (29) Legal Totaling 129.64± Acres, Adding a Commercial Cannabis Prohibition (CP) **Combining** District to the Current **Zoning Designations** Rural Residential (RR), Agricultural (AG) and Rangeland (RL)

(Sponsor: Planning and Building Services)

Recommended Action:

Adopt an Ordinance rezoning ($R_2019-0014$ - the Fracchia Road and Bisby Avenue Neighborhoods) twenty-nine (29) legal parcels, totaling 129.64 \square acres, to add a Commercial Cannabis Prohibition (CP) Combining District to parcels currently zoned RR, AG and RL; and authorize Chair to sign same.

Attachments:

- 00. BOS Notice-Final
- 1. BOS Memo-Final
- 2. R 2019-0014 Att. A Ordinance
- 3. Att. B R 2019-0014 (Mack) PC Packet
- 4. Att. C Resolution Number PC 2020-0003

Proof of Pub R 2019-0014 (Fracchia Road & Bisby Ave Neighbort

07-27-20 Mack Correspondence

07-31-20 Butler Correspondence

08-02-20 Miller Correspondence

08-02-20 Doeding Correspondence

08-03-20 Fracchia Correspondence

08-04-20 Dunn Correspondence

08-04-20 Niderost Correspondence

07-28-20 Brown Correspondence

07-28-20 T. Fracchia Correspondence

07-30-20 Anzilotti Correspondence

08-03-20 Engstrom Correspondence

08-03-20 Jutzy Correspondence

08-03-20 O'Brien Correspondence

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

Recommended Action:

Accept the Chief Executive Officer's report.

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5g) 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) Supervisors' Reports Regarding Board Special Assignments, Standing and Ad Hoc Committee Meetings, and Other Items of General Interest

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 54956.9(d)(1) Conference with Legal Counsel Existing Litigation: Ann Marie Borges & Chris Gurr v. County of Mendocino, et al. United States District Court, Northern District of California Case No. 3:20-cv-04537-SI
- 9b) Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator Property: APN 002-340-3900, and Physical Address. 555 South Orchard Avenue, Ukiah CA. Agency Negotiators: Carmel J. Angelo, Janelle Rau, and Darcie Antle. Under negotiation: Property Acquisition, Price and Terms
- 9c) Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator Property: APN 003-540-40, and Physical Address. 1208 South State Street, Ukiah CA. Agency Negotiators: Carmel J. Angelo, Janelle Rau, and Darcie Antle. Under negotiation: Property Acquisition, Price and Terms

- 9d) Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator Property: APN 184-044-10-00, and Physical Address. 131 Whitmore Lane, Ukiah CA. Agency Negotiators: Carmel J. Angelo, Janelle Rau, and Darcie Antle. Under negotiation: Property Acquisition, Price and Terms
- 9e) Pursuant to Government Code Section 54956.9(d)(2) Conference with Legal Counsel Anticipated Litigation: Significant Exposure to Litigation
- 9f) Pursuant to Government Code Section 54956.8 Conference with Real Property Negotiator Property: 1340 North State Street, Ukiah CA. Agency Negotiators: Carmel J. Angelo, Janelle Rau, and Darcie Antle. Under negotiation: Property Acquisition, Price and Terms

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.

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. Madelin Holtkamp, Planning Commission Representative, Airport Land Use Commission;
- 2. Ms. Joann Bradley, Fifth District Representative, Behavioral Health Advisory Board:
- 3. Ms. Darcie Antle, Director, County Commission on Medical Care / Partnership Health Plan of California;
- 4. Ms. Elisha Hardy, Third District Representative, Mendocino County Climate Action Advisory Committee; and
- 5. Mr. Redhawk Pallesen, First District Representative, Mendocino County Fish and Game Commission;

Attachments: Bradley - BHAB

Antle - CCMCPHPC Hardy - MCCAAC Holtkamp - ALUC Pallesen - FGC

MINUTES

4b) Approval of Minutes of June 9, 2020 Regular Meeting

Recommended Action:

Approve minutes of the June 9, 2020, regular meeting.

Attachments: 06-09-20 Minutes - DRAFT

EXECUTIVE OFFICE

4c) Authorization for the Facilities and Fleet Division Manager to Establish a Capital Improvement Project to Complete Interview Room Safety Barriers at Social Services Locations Throughout the County in the Amount of \$32,000 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

Recommended Action:

Authorize the Facilities and Fleet Division Manager to establish a Capital Improvement project to complete interview room safety barriers at Social Services locations throughout the County in the amount of \$32,000 and authorize 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.

4d) Approval of Retroactive Agreement with North Coast Opportunities in the Amount of \$153,337 for COVID-19 Awareness and Education Campaign Services during COVID-19 Pandemic, Effective August 1, 2020 through June 30, 2021

Recommended Action:

Approve retroactive agreement with North Coast Opportunities in the amount of \$153,337 for COVID-19 Awareness and Education Campaign Services during COVID-19 Pandemic, effective August 1, 2020 through June 30, 2021; and authorize Chair to sign same.

Attachments: NCO Contract

HEALTH AND HUMAN SERVICES AGENCY

4e) Ratification of Submission of Mendocino County's Grant Application for the Pedestrian and Bicycle Safety Program Administered by the California Office of Traffic Safety in an Amount not to Exceed \$100,000 with an Anticipated Effective Date of October 1, 2020 through September 30, 2021; and Authorization for the Health and Human Services Agency Director or Designee to Sign Agreement if Awarded and any Amendments that do not Exceed the Annual Maximum Amount

Recommended Action:

Ratify submission of Mendocino County's grant application for the Pedestrian and Bicycle Safety Program administered by the California Office of Traffic Safety in an amount not to exceed \$100,000 with an anticipated effective date of October 1, 2020 through September 30, 2021; and authorize the Health and Human Services Director or designee to sign agreement if awarded and any amendments that do not exceed the annual maximum amount.

Attachments: OTS Application 20-21

4f) Approval of Retroactive Agreement with Redwood Community Services, Inc. in the Amount of \$186,150 to Provide Specialty Mental Health Services at Haven House or Other Redwood Community Services Supportive Housing Unit, Effective July 1, 2020 through June 30, 2021

Recommended Action:

Approve retroactive Agreement with Redwood Community Services, Inc. in the amount of \$186,150 to provide Specialty Mental Health Services at Haven House or other Redwood Community Services supportive housing unit, effective July 1, 2020 through June 30, 2021; authorize the Health and Human Services Director or designee to sign any future amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: Redwood Community Services Agreement

4g) Approval of Retroactive Agreement with Friends of the Round Valley Public Library in the Amount of \$1,952 for Use of the Community Room by the Public Health, Women, Infants and Children Program, Effective July 1, 2019 Through September 30, 2021

Recommended Action:

Approve retroactive Agreement with Friends of the Round Valley Public Library in the amount of \$1,952 to provide for use of the Community Room by the Public Health, Women, Infants and Children program, effective July 1, 2019 through September 30, 2021; authorize the Health and Human Services Agency Director or designee to sign any future amendments to the Agreement that do not exceed the annual maximum amount; and authorize Chair to sign same.

Attachments: Friends of the Round Valley Library, Agreement

4h) Approval of Retroactive Second Amendment to Agreement No. SS-19-063, PA No. 18-351 with WellSky Corporation in the Amount of \$66,087.50 for a New Total of \$114,522.50 to Provide Subscription Services for the Homeless Management Information System (HMIS), Effective July 1, 2019 through a New End Date of June 30, 2021

Recommended Action:

Approve retroactive second Amendment to Agreement No. SS-19-063, PA No. 18-351 with WellSky Corporation in the amount of \$66,087.50 for a new total of \$114,522.50 to provide subscription services for the Homeless Management Information System (HMIS), effective July 1, 2019 through a new end date June 30, 2021; authorize the Health and Human Services Agency Director or designee to sign any future amendments that do not increase the maximum amount; and authorize Chair to sign same.

Attachments: WellSky Proposed Amendment

Wellsky Corporation Agreement
WellSky Corporation, Amendment 1

4i) Approval of Retroactive Amendment to Agreement No. SS-19-076, Purchasing Agent No. 20-51 with Eversole Mortuary, Inc. in the Amount of \$17,000 for a New Total of \$67,000 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, 2019 through June 30, 2020

Recommended Action:

Approve retroactive Amendment to Agreement No. SS-19-076, Purchasing Agent No. 20-51 with Eversole Mortuary, Inc. in the amount of \$17,000 for a new total of \$67,000 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, 2019 through June 30, 2020; authorize the Health and Human Services Agency Director or designee to sign any future amendments to the Agreement that do not increase the maximum amount; and authorize the Chair to sign the same.

<u>Attachments:</u> Eversole Mortuary, Inc., original agreement Eversole Mortuary Proposed Amendment

4j) Approval of Agreement with American Guard Services, Inc. in the Amount of \$174,720 to Provide Armed Security Guard Services for Persons Placed in Quarantine Due to the COVID-19 Pandemic, Effective Upon Full Execution of Agreement through August 1, 2021

Recommended Action:

Approve Agreement with American Guard Services, Inc. in the amount of \$174,720 to provide armed security guard services for persons placed in quarantine due to the COVID-19 pandemic, effective upon full execution of Agreement through August 1, 2021; authorize the Health and Human Services Agency Director or designee to sign any amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: American Guard Services Agreement

PLANNING AND BUILDING SERVICES

4k) Approval of Amendment to Agreement No. BOS 19-206 with LACO Increasing the Amount by \$50,000, for a New Total Agreement Amount Not to Exceed \$104,400, and Extending the Term of the Agreement by 18 Months, to Expire on December 31, 2021, for Continued Services Related to the **National Pollution** Discharge Elimination System Program, NPDES. (Commonly Known Including, but not Limited to Compliance with Low Stormwater), Impact Development (LID) Standards, Creation and Update of the LID Staff Training, Stormwater Management Meetings, Discharge Detection, and State Permit Requirements

Recommended Action:

Approve the Amendment to Agreement No. BOS 19-206 with LACO Associates, increasing the amount by \$50,000, for a new total agreement amount not to exceed \$104,400, and extending the term of the agreement by 18 months, to expire on December 31, 2021, for continued services related to the National Pollution Discharge Elimination System Program, NPDES, (Commonly known as Stormwater), including, but not limited to compliance with Low Impact Development (LID) Standards, creation and update of the LID Manual, Staff Training, Stormwater Management Meetings, Illicit Discharge Detection, and State Permit Requirements; and authorize Chair to sign same.

Attachments: LACO NPDES Amendment BOS Signature Needed.pdf

SHERIFF-CORONER

41) Approval of Retroactive Coronavirus Emergency Supplemental Funding (CESF) Program Grant Award from the U.S. Department of Justice (DOJ) in the Amount of \$69,733 for Prevention, Preparation, and Response to the COVID-19 Pandemic during the Project Period of January 20, 2020, through January 31, 2022

Recommended Action:

Approve retroactive CESF program grant award from the U.S. DOJ in the amount of \$69,733 for prevention, preparation, and response to the COVID-19 pandemic during the project period of January 20, 2020, through January 31, 2022

Attachments: 01 Letter to CEO to apply for BJA FY 20 COVID-19 funds.pdf

10 BJA CESF FY20 Solicitation.pdf

17 BJA CESF FY20 County Signature.pdf

4m) Ratification of Submission of 2020 Application for U.S. Department of Justice (DOJ) Coronavirus Emergency Supplemental Funding (CESF) Program Grant Solicitation in the Amount of \$69,733; and Approval to Accept Funds

Recommended Action:

Ratify submission of 2020 application for US Department of Justice (DOJ) Coronavirus Emergency Supplemental Funding Program Grant Solicitation in the amount of \$69,733; and approve acceptance of funds.

Attachments: 01 Letter to CEO to apply for BJA FY 20 COVID-19 funds.pdf

10 BJA CESF FY20 Solicitation.pdf

17 BJA CESF FY20 County Signature.pdf

4n) Approval of Retroactive Agreement with BI Inc. (a Wholly Owned Subsidiary of the GEO Group, Inc.) in the Amount of \$1,000,000 to Provide Home Detention Tracking Services for County Inmates for the Term of August 1, 2020 through June 30, 2025, with the Option to Extend the Agreement for up to Three Additional One-Year Periods

Recommended Action:

Approve Retroactive Agreement with BI Inc. (a wholly owned subsidiary of the GEO Group, Inc.) in the amount of \$1,000,000 to provide home detention tracking services for County inmates for the term of August 1, 2020 through June 30, 2023, with the option to extend the Agreement for up to three additional one-year periods; authorize the Sheriff to sign future amendments that do not affect the total amount of the Agreement; and authorize Chair to sign same.

Attachments: d BI Geo Group Inc \$1,000,000 FY20-25 EB FINAL.pdf

b1 BI Geo Group Inc \$1,000,000 FY20-25 dept-vendor signed.pdf

TREASURER-TAX COLLECTOR

40) Approval to Discharge from Accountability the Attached List of Cases Comprised of Delinquent Fines, Penalties, Fees, and Assessments Determined to be Non-Collectible Due to Age of Debt, Debtor Inability to Pay, or Lack of Information Available to Locate Debtor and Where the Cost of Recovery Exceeds That of Collection

Recommended Action:

Approve the discharge of accountability, for the attached list of cases comprised of delinquent fines, fees, penalties, and assessments determined to be non-collectible due to age of debt, debtor inability to pay, or lack of identifying information and/or where the cost of recovery exceeds that of collection.

Attachments: FY 1920 Write Offs Summary

ADJOURNMENT

Additional Meeting Information for Interested Parties

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In order to minimize the risk of exposure during this time of emergency, the public may participate by digitally in meetings by sending comments to bos@mendocinocounty.org in lieu of personal attendance. All public comment received by 8:00 A.M. the day of the meeting will be available to the Supervisors, staff, and the general public, and can be viewed as attachments to this meeting agenda at https://mendocino.legistar.com/Calendar.aspx

LIVE WEB STREAMING OF BOARD MEETINGS is available at https://mendocino.legistar.com or visit the Mendocino County YouTube channel. Meetings are also livestreamed from the Mendocino County Facebook page. 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.