

**GLENN MCGOURTY**  
1st District  
Supervisor

**MAUREEN  
MULHEREN**  
2nd District  
Supervisor

**JOHN HASCHAK**  
3rd District  
Supervisor

**DAN GJERDE**  
4th District  
Supervisor  
Chair

**TED WILLIAMS**  
5th District  
Supervisor  
Vice-Chair



**COUNTY ADMINISTRATION CENTER**  
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**MENDOCINO COUNTY**  
**BOARD OF SUPERVISORS**  
**BOARD OF SUPERVISORS AGENDA**  
**REGULAR MEETING**  
**August 31, 2021 - 9:00 AM**  
**BOARD CHAMBERS, ROOM 1070**  
**COUNTY ADMINISTRATION CENTER**

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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 online on the Mendocino County YouTube page, at <https://www.youtube.com/MendocinoCountyVideo> or by toll-free, telephonic live stream at 888-544-8306.

The public may participate digitally in meetings in lieu of personal attendance. Comment may be made in any of the following ways: via written comment to [bos@mendocinocounty.org](mailto:bos@mendocinocounty.org), through our online eComment platform at <https://mendocino.legistar.com/Calendar.aspx>, through voicemail messaging by calling 707-234-6333, or by telephone via telecomment. For details and a complete list of 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, telephone, Zoom, or via voicemail message. For information on each of these methods, call Mendocino County Clerk of the Board at (707) 463-4441 or visit <https://www.mendocinocounty.org/government/board-of-supervisors/public-engagement>.*

*All correspondence will be attached to the item and made available online at:  
<https://mendocino.legistar.com/Calendar.aspx>.*

**3a) Public Expression**

**Attachments:**    08-30-21 Davis 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); and Provide Possible Direction Regarding Essential Services in Mendocino County, Operational Preparation and Response, and Associated Countywide Economic Impacts  
(Sponsor: Public Health)**

Recommended Action:

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

**Attachments:**     [COVID BOS 8 31 21](#)

- 5b) Discussion and Possible Action including Approval of Mutual Aid Agreement Providing for Emergency Assistance Among the County of Mendocino, City of Ukiah, City of Fort Bragg and Other Signatory Cities or Special Districts (County Wide)  
(Sponsor: Water Agency)**

Recommended Action:

*Approve Mutual Aid Agreement providing for emergency assistance among the County of Mendocino, City of Ukiah, City of Fort Bragg and other signatory Cities or Special Districts (County Wide); and authorize Chair to sign same.*

**Attachments:**     [Agreement 21-163](#)  
                              [08-31-21 2021 Mutual Aid Agreement Mendo County-Cities - Final](#)  
                              [2021 Draft Mutual Aid Agreement Mendo County-Cities - Final 8.21](#)  
                              [Department Head Signed 2021 Mutual Aid Agreement Mendo Cou](#)

- 5c) Discussion and Possible Action Including Acceptance of the Presentation of the Introduction of the Mendocino County Parks Needs Assessment Phase II by Blue Point Planning and Provide Direction to Consultant for Completion of Assessment  
(Sponsors: General Services Agency)**

Recommended Action:

*Accept presentation of the Introduction of the Mendocino County Parks Needs Assessment Phase II by Blue Point Planning and provide direction to consultant for completion of assessment.*

**Attachments:**     [Powerpoint rev](#)

**5d) Discussion and Possible Action Including Adoption of Resolution Appointing Assistant Auditor-Controller Chamise Cubbison as Mendocino County Auditor-Controller to Fill the Unexpired Term of Office Pursuant to California Government Code §25304 and Resolutions 17-189  
(Sponsor: Auditor-Controller)**

Recommended Action:

*Adopt Resolution appointing Assistant Auditor-Controller Chamise Cubbison as Mendocino County Auditor-Controller, effective September 5, 2021, authorize Chair to sign same.*

**Attachments:**

Resolution

Lloyd Weer letter

Chamise Cubbison letter

Resolution 17-189 linking to DH MOU

08-28-21 Wood Correspondence

08-30-21 Barra Correspondence

08-30-21 Froneberger Correspondence

08-30-21 Greenaway Correspondence

08-30-21 Brucker Correspondence

08-31-21 Cubbison re CLE Mandates

08-31-21 DA Accounting of Rejected Travel Claims

08-31-21 LCW Opinion Letter re DA and Auditor

08-31-21 Memo Cavness to Eyster re Auditor and Victim Witness

08-31-21 Legal Issues - Auditors Retirement

**5e) Discussion and Possible Action Including Approval of Extra Help Appointment of Lloyd Weer to Fulfill Critically Needed Duties After His Retirement, Pursuant to California Government Code Section 7522.56  
(Sponsor: Auditor-Controller)**

Recommended Action:

*Approve the Extra Help appointment of Lloyd Weer to fulfill critically needed duties after his retirement, pursuant to California Government Code Section 7522.56.*

**5f) Discussion and Possible Action Including Direction that Human Resources Submit a Resolution for Adoption by the Board Amending the Position Allocation Table as Directed  
(Sponsor: Human Resources)**

Recommended Action:

*Direct Human Resources to submit a Resolution for adoption by the Board amending the Position Allocation Table as directed.*

- 5g) Discussion and Possible Action Regarding Presentation to the Board of Supervisors from Behavioral Health and Recovery Services to Allocate and Approve Funding in an amount up to Five Hundred Fifty Thousand Dollars (\$550,000) for Mental Health Transportation and Alternate Site COVID-19 Pandemic Support Services  
(Sponsor: Behavioral Health)**

Recommended Action:

*Accept presentation, allocate and approve funding for Behavioral Health and Recovery Services in an amount up to Five Hundred Fifty Thousand Dollars (\$550,000) for Mental Health Transportation and Alternate Site COVID-19 Pandemic Support Services.*

- 5h) Discussion and Possible Action Regarding Approval of Funding Request for up to \$1,000,000 for Additional Mental Health Crisis Responders to Respond to Mental Health Crisis Calls for Services; and Possible Recommendation of the Appropriate Budget Unit and Line Item that Funds will be Received From if Request is Approved  
(Sponsor: Behavioral Health)**

Recommended Action:

*Allocate and approve funding request for up to \$1,000,000 for additional mental health crisis responders to respond to mental health crisis calls for services; and recommend the appropriate budget unit and line item that funds will be received from if request is approved.*

**Attachments:**    [08-30-21 Van Patten Correspondence](#)

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

Recommended Action:

*Accept the Chief Executive Officer's report.*

- 5j) 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 Acceptance of Update from the Drought Task Force Ad Hoc Committee  
(Sponsor: Drought Task Force Ad Hoc Committee of Supervisors Haschak and McGourty)**

**Recommended Action:**

*Accept update from the Drought Task Force Ad Hoc Committee; and provide direction to staff as appropriate.*

**Attachments:**    [08-27-21 Coben Correspondence](#)  
[083121-BOS-Drought-Regular-Meeting-Ad-Hoc-Update-SlideDeck](#)  
[Fiscal Hauled Water Presentation for 08.31.21](#)

- 6b) Discussion and Possible Action Including Direction to Staff to Draft an Urgency Ordinance Regarding the Prohibition of Water Hauling from One Source to Another Except for Health and Human Safety or Permitted Businesses  
(Sponsor: The Drought Task Force Ad Hoc Committee of Supervisors McGourty and Haschak)**

**Recommended Action:**

*Direct staff to draft an urgency ordinance regarding the prohibition of water hauling from one source to another except for personal health and human safety or permitted businesses, and return to full Board for approval at a later date.*

**Attachments:**    [08-30-21 Bradford Correspondence](#)  
[08-30-21 Mendocino County Farm Bureau Correspondence](#)

- 6c) Discussion and Possible Action Including Direction to Staff to Take Appropriate Steps to Transfer Animal Control Services from the Sheriff's Office to Animal Care  
(Sponsor: Supervisor Haschak)**

**Recommended Action:**

*Direct staff to take appropriate steps including hiring, transfer of assets and responsibilities, and development of policies and procedures for the transition of Animal Control Services currently under the Sheriff's Office to Animal Care.*

**Attachments:**    [Proposed Animal Control-ANIMAL CARE Budget](#)

- 6d) Discussion and Possible Action Stating the Board's Intent to Address Government Code Section 29121 through the Budget Process and Mitigate Unnecessary Concern that Impedes a Department Head, Appointed or Elected Official's Ability to Perform their Duties  
(Sponsor: Supervisor Mulheren)**

Recommended Action:

*Provide direction to Department Heads and Elected Officials that it is not and has not been the policy of the Mendocino County Board of Supervisors to hold officials personally liable for budget overages that result from duly authorized expenditures, variations between actual and projected revenue, and other issues routinely addressed through quarterly budget adjustments.*

- 6e) 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 54957.6 - Conference with Labor Negotiator - Agency Negotiators: Carmel J. Angelo, Cherie Johnson and William Schurtz; Employee Organization(s): All**
- 9b) Pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiator - Property: APN 002-080-39; Physical Address - 195 Low Gap Road, Ukiah CA 95482. Agency Negotiators: Carmel J. Angelo, Janelle Rau, and Darcie Antle. Under negotiation: Property Acquisition, Price and Terms**
- 9c) Pursuant to Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: One Case - Mendocino County Sheriff Matthew Kendall v. Mendocino County Board of Supervisors - Case No. 21-cv00561**
- 9d) Pursuant to Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: One Case - Willits Environmental Center v. The Board of Supervisors of County of Mendocino, et al. - Case No. 21CV00474**

- 9e) Pursuant to Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: One Case - Harinder Grewal v. Mendocino County - Case No. SCU-K-CVPO-2020-73798**

**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, Office of Energy Projects - Division of Dam Safety and Inspections - 2020 Emergency Action Plan Annual Status Report. For more information, call (415)369-3300
- 10b) Federal Energy Regulatory Commission, Office of Energy Projects - Division of Dam Safety and Inspections - 2021 Dam Safety Inspection Follow Up. For more information, call (415)369-3300
- 10c) Federal Energy Regulatory Commission - Order Approving Extension of Temporary Variance of Flow Requirements Under License Article 52. For more information, call (202)502-8990

**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:

**MINUTES**

**4a) Approval of Minutes of August 17, 2021 Regular Meeting**

Recommended Action:

*Approve minutes of the August 17, 2021 regular meeting.*

**Attachments:**     [08-17-21 Minutes](#)

**4b) Approval of Minutes of August 24, 2021 Special Meeting**

Recommended Action:

*Approve minutes of the August 24, 2021 special meeting.*

**Attachments:**     [08-24-2021 Minutes](#)

**BOARD OF SUPERVISORS**



- 4c) Adoption of Resolution Pursuant to Caltrans/California Highway Patrol's Joint Policy Guidelines for Special Events on State Conventional Highways in Order to Obtain a Permit from Caltrans for the California Indian Days Parade in Covelo, California, on Saturday, September 25, 2021 (Sponsor: Supervisor Haschak)**

Recommended Action:

*Adopt the Resolution as presented, authorizing the Chair to sign same; and further, direct the Clerk of the Board to forward copies of the Resolution to the Caltrans District Permit Coordinator (Eureka), the California Highway Patrol, and the Round Valley Tribal Council; and authorize Chair to sign same.*

**Attachments:**     [Resolution 21-124](#)  
                              [Resolution-RV Parade 9.2021](#)

- 4d) Authorization of Allocation of Four Thousand Dollars (\$4,000) to the Ukiah Valley Basin Groundwater Sustainability Agency to Conduct Groundwater Elevation Monitoring in Fall 2021 to Analyze the Impacts of the Current Drought Emergency on Groundwater Elevation in the Ukiah Valley Basin (Ukiah Area) (Sponsors: Water Agency and Supervisor McGourty)**

Recommended Action:

*Authorize the allocation of four thousand dollars (\$4,000) to the Ukiah Valley Basin Groundwater Sustainability Agency to conduct groundwater elevation monitoring in Fall 2021 to analyze the impacts of the current drought emergency on groundwater elevation in the Ukiah Valley Basin (Ukiah Area)*

**ASSESSOR/CLERK-RECORDER**

- 4e) Approval of Agreement with Tritex for \$295,482.65 for the Purchase of a Tritex "Correct Elect" Vote By Mail Sorter and Addition to the County Fixed Asset List**

Recommended Action:

*Approve Agreement with Tritex for new "Correct Elect" Vote By Mail Sorter in the amount of \$295,482.65, approve addition to the county fixed asset list; and authorize Chair to sign same.*

**Attachments:**     Agreement 21-157  
                              Mendocino County, CA Proposal.pdf

**BEHAVIORAL HEALTH AND RECOVERY SERVICES**

- 4f) Adoption of Resolution Approving Retroactive Performance Agreement No. 21-10093 with the California Department of Health Care Services in the Amount of \$0 for the County to Provide and Arrange for Specialty Mental Health Services and Substance Abuse Block Grant Services, Effective July 1, 2021 through June 30, 2024**

Recommended Action:

*Adopt resolution approving retroactive Performance Agreement No. 21-10093 with the California Department of Health Care Services in the amount of \$0 for the County to provide and arrange for Specialty Mental Health Services and Substance Abuse Block Grant Services, effective July 1, 2021 through June 30, 2024; authorize the Behavioral Health Director or designee to sign the Agreement and any amendments that do not increase the annual maximum amount; and authorize Chair to sign same.*

**Attachments:**    [Resolution 21-125](#)  
                              [Interim Agreement \\*21-158](#)  
                              [Resolution - Department of Health Care Services. Performance Cc](#)

- 4g) Approval of Agreement with National Alliance on Mental Illness Mendocino in the Amount of \$700,000 to Work with the Community, Including Law Enforcement, Physicians, Community Leaders, and Community Members, to Reduce Mental Health Discrimination through Advocacy, Education, and Outreach Efforts to Change Public Perception and Stigma Associated with Mental Illness and Further to Help Encourage and Normalize Help-Seeking Behavior Related to Mental Health, Effective September 1, 2021 through August 31, 2023**

Recommended Action:

*Approve Agreement with National Alliance on Mental Illness Mendocino in the amount of \$700,000 to work with the community, including law enforcement, physicians, community leaders, and community members, to reduce mental health discrimination through advocacy, education, and outreach efforts to change public perception and stigma associated with mental illness and further to help encourage and normalize help-seeking behavior related to mental health; authorize the Behavioral Health and Recovery 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:**    [Agreement 21-159](#)

## HUMAN RESOURCES

- 4h) Adoption of Resolution Adopting the Classification and Establishing the Salary of Cannabis Program Director, Salary No. 5244 - \$109,075.20 - \$132,579.20 (approximately \$184,337 - \$224,059 including the cost of benefits), and Amending Position Allocation Table as Follows: Budget Unit 2810 - Add 1.0 FTE Cannabis Program Director**

*Recommended Action:*

*Adopt Resolution adopting the classification and establishing salary of Cannabis Program Director, Salary No. 5244 - \$109,075.20 - \$132,579.20 (approximately \$184,337 - \$224,059 including the cost of benefits), and amending Position Allocation Table as follows: Budget Unit 2810 - Add 1.0 FTE Cannabis Program Director; and authorize Chair to sign same.*

**Attachments:**

[Resolution 21-126](#)

[#21-0951 HR Adopt Cannabis Director Amend PAT BU RESO.doc](#)

[Cannabis Program Director Class Spec 7.21-Proposed.pdf](#)

**PUBLIC HEALTH**

- 4i) Approval of Retroactive Agreement with Datatude, Inc. in the Amount of \$30,256 for Subscription to Database and Related Services to Help Implement, Track and Perform Quality Assurance/Quality Improvement and Meet Requirements for Healthy Families America Accreditation for Public Health, Maternal, Child, and Adolescent Health Program, Effective August 1, 2020 through June 30, 2023**

Recommended Action:

*Approve retroactive Agreement with Datatude, Inc. in the amount of \$30,256 for subscription to database and related services to help implement, track and perform quality assurance/quality improvement and meet requirements for Healthy Families America accreditation for Public Health, Maternal, Child, and Adolescent Health program, effective August 1, 2020 through June 30, 2023; authorize the Public Health 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:**    [Agreement 21-160](#)

- 4j) Ratification of Submission of Grant Application and Approval of Retroactive Revenue Agreement with National Association of County and City Health Officers in the Amount of \$35,000 for Building Rural Workforce Capacity Training and Technical Assistance, Effective February 5, 2021 through July 31, 2021**

Recommended Action:

*Ratify submission of grant application and approve retroactive revenue agreement with National Association of County and City Health Officers in the amount of \$35,000 for building rural workforce capacity training and technical assistance, effective February 5, 2021 through July 31, 2021; authorize Health and Human Services Agency Assistant Director/ Public Health Director to sign any future amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.*

**Attachments:**    [Agreement 21-161](#)  
                              [Grant Application - -COVID-Workforce-Application-11.18.20-BE](#)

**SHERIFF-CORONER**

- 4k) Approval of Retroactive Purchase of Two Units of Lifesize Icon 600 Videoconferencing Equipment for the Mendocino County Jail in the Amount of \$20,768.47; and Addition of the Item to the County List of Fixed Assets**

Recommended Action:

*Approve of Retroactive Purchase of two units of Lifesize Icon 600 videoconferencing equipment for the Mendocino County Jail in the amount of \$20,768.47; and add the item to the County List of Fixed Assets; and authorize Chair to sign same.*

**Attachments:**    [Appropriation Form -Final](#)  
[Polycoms FA Appropriation Packet - Signed.pdf](#)

**SOCIAL SERVICES**

- 4l) Approval of Retroactive Agreement with Redwood Community Services, Inc. in the Amount of \$240,144, to Provide Emergency Support Services for Children Detained by Family and Children's Services, Effective July 1, 2021 through June 30, 2022**

Recommended Action:

*Approve retroactive Agreement with Redwood Community Services, Inc. in the amount of \$240,144, to provide Emergency Support Services for children detained by Family and Children's Services, effective July 1, 2021 through June 30, 2022; authorize the Health and Human Services Agency Assistant Director/ Social Services Director to sign any future amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.*

**Attachments:**    [Agreement 21-162](#)  
[Redwood Community Services \(ESS\). \\$240.144. 21-22. SS FCS -](#)

**TREASURER-TAX COLLECTOR**

- 4m) Acceptance of the Mendocino County Annual Investment Report, Including Report of Pooled Investments at June 30, 2021**

Recommended Action:

*Accept the Mendocino County Annual Investment Report, including Report of Pooled Investments at June 30, 2021.*

**Attachments:**    [STAFF REPORT - ANNUAL INVESTMENTS 2020-21](#)  
[REPORTS - JUNE 2021 - ANNUAL](#)  
[TREASURY POOL COSTS - 2019-20 - 2020-21](#)

**ADJOURNMENT****Additional Meeting Information for Interested Parties**

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*Clerk of the Board staff remains dedicated to finding new and innovative civic engagement methods during this challenging time. For a complete list of the latest available options by which to engage with agenda items, please visit <https://www.mendocinocounty.org/government/board-of-supervisors/agendas-and-minutes>*

*All public comment 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](http://www.mendocinocounty.org/bos).*

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