

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



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MENDOCINO COUNTY
BOARD OF SUPERVISORS
BOARD OF SUPERVISORS AGENDA

REGULAR MEETING

October 26, 2021 - 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 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, 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:** 10-22-21 de Vall Correspondence
10-22-21 Kislak Correspondence
10-24-21 Melrose Correspondence
10-24-21 Wilker Correspondence
10-21-21 L-Lai Correspondence
10-21-21 Ward Correspondence
10-25-21 Countervail Correspondence
10-25-21 Freeman Correspondence
10-25-21 P-Lai Correspondence
10-25-2021 MCA Correspondence
10-25-21 Abrams Correspondence
10-25-21 Alvarado Correspondence
10-25-21 Clayburn Correspondence
10-25-21 Clein Correspondence
10-25-21 Hedlev Correspondence
10-25-21 Kafin Correspondence
10-25-21 Sellers Correspondence
10-25-21 Thilman Correspondence
10-25-21 Birger Correspondence
10-25-21 Bvarlav 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 Acceptance of Update Regarding the Hopkins Fire and Russian River Protection Efforts
(Sponsor: Executive Office)**

Recommended Action:

Accept update regarding the Hopkins Fire and Russian River protection efforts and provide direction to staff.

**5b) Discussion and Possible Action Including Creation of Ad Hoc Committee for Recruitment and Selection of a Human Resources Director
(Sponsor: Executive Office)**

Recommended Action:

Create ad hoc committee for recruitment and selection of a Human Resources Director.

**5c) Discussion and Possible Action Including Conducting a Public Workshop with the Mendocino County Community-Based Advisory Redistricting Commission to Receive Input on Communities of Interest and Potential District Boundaries
(Sponsors: Executive Office and County Counsel)**

Recommended Action:

Conduct public workshop with the Mendocino County community-based Advisory Redistricting Commission to receive input on communities of interest and potential district boundaries.

- Attachments:** [Draft Map & Table 7](#)
 [Draft Map & Table 5](#)
 [ARC Presentation 10.26.21](#)
 [10-24-21 Van Bueren Correspondence](#)
 [10-21-21 Harness Correspondence](#)
 [10-25-21 Draft map 8](#)
 [10-25-21 Pernell Correspondence](#)

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

Recommended Action:

Accept the Chief Executive Officer's report.

- Attachments:** [CEO Report 10-26-21 Edition](#)

6. BOARD OF SUPERVISORS AND MISCELLANEOUS

**6a) Discussion and Possible Action Including Approval of a One-Time Contribution to Mendocino Solid Waste Management Authority in the Amount of \$107,680, to Cover the Increase in Household Hazardous Waste Disposal Costs Due to the COVID-19 Pandemic (Countywide)
(Sponsors: Supervisors Gjerde and Mulheren)**

Recommended Action:

Approve a one-time contribution to Mendocino Solid Waste Management Authority in the amount of \$107,680, to cover the increase in household hazardous waste disposal costs due to the COVID-19 pandemic (Countywide)

- Attachments:** [Funds Recommendation Letter](#)

6b) 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: One Case - Harinder Grewal v. Mendocino County - Case No. SCUK-CVPO-2020-73798**
- 9b) 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**
- 9c) Pursuant to Government Code Section 54956.9(d)(4) - Conference with Legal Counsel - Initiation of Litigation: One Case**
- 9d) Pursuant to Government Code Section 54956.9(d)(1) - Conference with Legal Counsel - Existing Litigation: One Case - County of Mendocino, et al. v. Amerisourcebergen Drug Corporation, et al. - Case No. 1:18-cv-02712**
- 9e) Pursuant to Government Code Section 54957 - Public Employee Performance Evaluation - Chief Executive Officer**

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) Communications Received and Filed

Attachments: [10-14-21 Federal Energy Regulatory Commission](#)
[10-14-21 Federal Energy Regulatory Committee](#)
[10-22-21 US Department of the Interior](#)
[10-25-21 Fish and Game Correspondence](#)
[10-25-21 Fish and Game Correspondence \(2\)](#)

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. Sherrie Ebyam, Third District Representative, Mental Health Treatment Act Citizens Oversight Committee.

Attachments: [Ebyam Application](#)

EXECUTIVE OFFICE**4b) Adoption of Resolution Declaring the Continuation of a Local Emergency Related to the Multiple September 2020 Fires including; August Complex, Oak Fire and Hopkins Fire, as Proclaimed by the Chief Executive Officer/Director of Emergency Services and Declaring the Continuation of a Local Health Emergency as Proclaimed by the Health Officer****Recommended Action:**

Adopt Resolution declaring the continuation of a Local Emergency related to the Multiple September 2020 fires including; August Complex fire, Oak Fire and Hopkins fire as proclaimed by the Chief Executive Officer/Director of Emergency Services and declaring the continuation of a Local Health Emergency as proclaimed by the Health Officer; and authorize Chair to sign same.

Attachments: [Resolution \(Clean\)](#)
[Resolution \(Redline\)](#)

4c) Adoption of Resolution Declaring the Continuation of a Local Emergency Related to the October Wind Events and Corresponding Pacific Gas and Electric Public Safety Power Shutoff Events on October 23, 2019, October 26, 2019 and October 29, 2019, in Mendocino County as Proclaimed by the Chief Executive Officer/Director of Emergency Services**Recommended Action:**

Adopt Resolution declaring the continuation of a Local Emergency related to the October wind events and corresponding Pacific Gas and Electric Public Safety Power Shutoff Events on October 23, 2019, October 26, 2019, and October 29, 2019, in Mendocino County as declared by the Chief Executive Officer/Director of Emergency Services; and authorize Chair to sign same.

Attachments: [Resolution](#)

4d) Adoption of a 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

Recommended Action:

Adopt 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; and authorize Chair to sign same.

Attachments: [Resolution](#)

4e) Approval of Amendment to Partially Insurance Reimbursable Agreement 20-122 with Liebert Cassidy Whitmore (LCW), Effective October 26, 2021, Increasing the Total Compensation by \$250,000 (from \$350,000, for a New Agreement Total of \$600,000) for Litigation Services for Grewal v County of Mendocino

Recommended Action:

Approve Amendment to Partially Insurance Reimbursable Agreement 20-122 with Liebert Cassidy Whitmore (LCW), effective October 26, 2021, increasing the total compensation by \$250,000 (from \$350,000, for a new Agreement total of \$600,000) for litigation services for Grewal v County of Mendocino; and authorize Chair to sign same.

Attachments: [Grewal Amendment 5th Amendment LCW signed complete Agreement 20-122](#)

4f) Approval of Retroactive Agreement with North Coast Opportunities for Covid-19 Direct Assistance and Food Boxes Distribution Services in the Amount \$587,560 Term Starting September 15, 2021 to June 15, 2022

Recommended Action:

Approve retroactive agreement with North Coast Opportunities for Covid-19 Direct Assistance and Food Boxes Distribution Services in the amount \$587,560 term starting September 15, 2021 to June 15, 2022; authorize the Chief Executive Officer to sign any amendments that do not increase the maximum amount; and authorize Chair to sign same.

Attachments: [Agreement](#)
 [NCO Proposal](#)

ASSESSOR/CLERK-RECORDER

4g) Acceptance of Mendocino County's Certification of the September 14th 2021 California Gubernatorial Recall Election

Recommended Action:

Accept Mendocino County's certification of the September 14th 2021 California Gubernatorial Recall Election.

Attachments: [Certificate of County Clerk to Result of Canvass - Signed and Seal](#)
[Machine Count & Hand Tally Form for BOS.pdf](#)
[Final Official Results - Statement of Vote.pdf](#)

BEHAVIORAL HEALTH AND RECOVERY SERVICES

- 4h) Approval of Amendment to BOS Agreement No. 21-126 with Redwood Community Crisis Center (RC3) to Increase the Amount from \$89,172 to \$100,607 to Provide Emergency Crisis Services and Outreach to Children and Young Adults in Mendocino County, Effective July 1, 2021 through June 30, 2022**

Recommended Action:

Approve Amendment to BOS Agreement No. 21-126 with Redwood Community Crisis Center (RC3) to increase the amount from \$89,172 to \$100,607 to provide emergency crisis services and outreach to children and young adults in Mendocino County, Effective July 1, 2021 through June 30, 2022; authorize the Behavioral Health Director to sign any Amendments that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [Redwood Community Services dba RC3 Amendment 1](#)
[Redwood Community Services DBA RC3. Original Agreement](#)

DISTRICT ATTORNEY

- 4i) Adoption of Resolution Authorizing Submittal of Grant Application to Cal OES for the Unserved/Underserved Advocacy and Outreach (UV) Program for the Grant Period January 1, 2022 Through December 31, 2022**

Recommended Action:

Adopt Resolution authorizing submittal of the grant application to Cal OES for the Unserved/Underserved Advocacy and Outreach (UV) Program for the Grant Period January 1, 2022 Through December 31, 2022; and authorize Chair to sign same.

Attachments: [2021-22 Unserved Underserved Victim Advocacy and Outreach \(UV\) Program](#)
[BOS Resoluton Underserved Needs Grant RFA 2022 2](#)

GENERAL SERVICES AGENCY

4j) Approval of Retroactive Revocable License Agreement with Sonoma County for Mendocino County Telecommunications Operations at the Transmission Site Known as Oak Ridge Look Out, Effective July 1, 2019 through June 30, 2029

Recommended Action:

Approve retroactive Revocable License Agreement with Sonoma County for Mendocino County telecommunications operations at the Transmission Site known as Oak Ridge Look Out, effective July 1, 2019 through June 30, 2029; authorize Department Head and/or the Purchasing Agent to sign any future Amendments that do not increase the maximum amount; and authorize Chair to sign same.

Attachments: [County of Sonoma. Oak Ridge Look Out. Lease. \\$0. 19-29. EO IS](#)

HUMAN RESOURCES

- 4k) Approval of Agreement between Abbott Rapid Dx North America, LLC and County of Mendocino to Purchase BinaxNOW COVID-19 Antigen Self-Test Kits in the amount of \$94,962, Effective Upon date of Execution through April 19, 2022**

Recommended Action:

Approve agreement between Abbott Rapid Dx North America, LLC and County of Mendocino to Purchase BinaxNOW COVID-19 Antigen Self-Test Kits in the amount of \$94,962 effective upon date of execution through April 19, 2022; and authorize Chair to sign.

Attachments: [County of Mendocino -BinaxNOW OTC](#)

PLANNING AND BUILDING SERVICES

- 4l) Approval of Retroactive Agreement, Between North Coast Community Planning and Mendocino County, to Increase the Amount of Agreement No. PA# 18-225 and PA# 18-225A1 by \$4,999 (for a New Total Not to Exceed \$49,999.00) and Extend the Termination Date of the Agreement to December 31, 2021 to Continue to Prepare and Process an Amendment to the Mendocino County's Certified Local Coastal Program to Address Regulation of Accessory Dwelling Units**

Recommended Action:

Approve the retroactive Agreement, between North Coast Community Planning and Mendocino County, to increase the amount of Agreement No. PA# 18-225 and PA# 18-225A1 by \$4,999 (for a New Total Not to Exceed \$49,999.00) and extend the termination date of the Agreement to December 31, 2021 to continue to prepare and process an amendment to the Mendocino County's Certified Local Coastal Program to address regulation of accessory dwelling units; and authorize Chair to sign same.

Attachments: [Agreement. Signed](#)

SHERIFF-CORONER

4m) Approval of Fifth Amendment to BOS Agreement 17-131 with NaphCare Inc. in the Amount of \$3,484,847.76 for a New Agreement Total of \$19,105,009.38 for Medical Health Services for the Mendocino County Sheriff's Office (MCSO) Jail with a New Term End Date of December 31, 2022

Recommended Action:

Approve Fifth Amendment to BOS Agreement 17-131 with NaphCare Inc. in the amount of \$3,484,847.76 for a new agreement total of \$19,105,009.38 for medical health services for the Mendocino County Sheriff's Office Jail with a new term end date of December 31, 2022; authorize Sheriff to sign any future amendments that do not affect the maximum Agreement total; and authorize Chair to sign same.

Attachments: [NaphCare FY 21-23 Amend 5 \\$3,484,847.76 dept-vend sias.pdf](#)
 [a Naphcare \\$13,112,990.90 FY 17-21 final signed.pdf](#)
 [09-19-17 Jail Inmate Medical RFP - staff report.pdf](#)
 [2-8-17 RFP Jail Medical Health Care SO FINAL.pdf](#)

SOCIAL SERVICES

- 4n) Approval of Retroactive Agreement with Anderson Valley Community Services District in the Amount of \$66,000 to Sustain and Support Existing Advanced Life Support and Emergency Medical Services, Effective July 1, 2021 through June 30, 2022**

Recommended Action:

Approve retroactive Agreement with Anderson Valley Community Services District in the amount of \$66,000 to sustain and support existing Advanced Life Support and Emergency Medical Services, effective July 1, 2021 through June 30, 2022; authorize the Emergency Medical Services County Liaison to sign any future amendments to the Agreement that do not increase the annual maximum amount; and authorize Chair to sign same.

Attachments: [Anderson Valley Community Services District. \\$66,000. 21-22. PH](#)

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.

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