

GLENN MCGOURTY
1st District
Supervisor
Vice-Chair

**MAUREEN
MULHEREN**
2nd District
Supervisor

JOHN HASCHAK
3rd District
Supervisor

DAN GJERDE
4th District
Supervisor

TED WILLIAMS
5th District
Supervisor
Chair



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MENDOCINO COUNTY
BOARD OF SUPERVISORS AGENDA
REGULAR MEETING
February 01, 2022 - 9:00 AM

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 Government Code section 54953(e)(1)(A)). 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. 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>.*

2a) Public Expression**3. 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.

4. COUNTY EXECUTIVE OFFICE AND DEPARTMENTAL MATTERS**4a) Discussion and Possible Action Including Acceptance of Update from Information Technology Staff Regarding the Criminal Justice Software System Replacement Project; and Direction to Executive Office Fiscal Unit to Source the \$450,000 of Additional Funding Needed to Complete this Project (Sponsor: Information Technology)****Recommended Action:**

Accept update from Information Technology Staff regarding the Criminal Justice Software System Replacement project; and direct Executive Office Fiscal Unit to source funding during FY 21/22 mid-year related to the \$450,000 of additional funding needed to complete this project.

Attachments: [02-01-22 BOS Agenda - Staff Memo Criminal Justice Software Sv Justware Project Costs 2021-12-09](#)

- 4b) Discussion and Possible Action to Waive Mendocino County Boards and Commissions Residency and Voter Registration Requirement and Appoint Jaison Chand as EMS Aircraft Provider Representative to the Emergency Medical Care Committee
(Sponsor: Executive Office)**

Recommended Action:

Waive Mendocino County Boards and Commissions residency and voter requirement and appoint Jaison Chand as EMS Aircraft Provider Representative to the Emergency Medical Care Committee.

Attachments: [Chand Application](#)

- 4c) Discussion and Possible Action Including Acceptance of an Informational Presentation by the Department of Planning and Building Services (PBS) on Current Metrics and Proposed 2022 Work Plan
(Sponsor: Planning and Building Services)**

Recommended Action:

Accept the informational presentation by the Department of Planning and Building Services (PBS) on current Metrics and proposed 2022 Work Plan.

Attachments: [PBS Work Plan](#)

- 4d) Discussion and Possible Action Including Acceptance of the 2020 Mendocino County Crop Report Presentation from the Assistant Agriculture Commissioner
(Sponsor: Agriculture)**

Recommended Action:

Accept the 2020 Mendocino County Crop Report presentation from the Assistant Agriculture Commissioner.

Attachments: [2020 Crop Report Final-print](#)
 [Cannabis Report 2020](#)
 [2020 Crop Report BOS Final](#)
 [01-31-22 MCA Correspondence](#)
 [01-31-22 Covelo Cannabis Advocacy Group Correspondence](#)

4e) Discussion and Possible Action Including Adoption of an Ordinance Terminating the Urgency Moratorium on Commencement of Phase Three Cannabis Cultivation Permitting under Mendocino County Code Chapters 10A.17 and 20.242

(Sponsors: County Counsel, Planning and Building Services and Cannabis)

Recommended Action:

Adopt an ordinance terminating the urgency moratorium on commencement of Phase Three cannabis cultivation permitting under Mendocino County Code Chapters 10A.17 and 20.242; and authorize Chair to sign same.

Attachments: [Phase 3 Moratorium Termination - Staff Memorandum](#)
 [Att. A - Ordinance 4488](#)
 [Att. B - Ordinance 4490](#)
 [Att. C - Ordinance 4492](#)
 [Att. D - Clerks Certificate to Referendum Petition](#)
 [Att. E - 9.14.21 BOS Minutes](#)
 [Att. F - Phase 3 Moratorium Termination - Ordinance](#)
 [Att. G - Phase 3 Moratorium Termination - Ordinance Summary](#)
 [01-31-22 MCA Correspondence](#)
 [01-31-22 Covelo Cannabis Advocacy Group Correspondence](#)

4f) Discussion and Possible Action Including Acceptance of an Update from the County of Mendocino Cannabis Program (Sponsor: Cannabis)

Recommended Action:

Accept the update from the County of Mendocino Cannabis Program.

Attachments:

Executed LJAGP Agreement
MCP Update 20220201
01-31-22 Brown Correspondence
01-31-22 Cummings Correspondence
01-31-22 Marie Correspondence
01-31-22 MCA Correspondence
01-31-22 Nelson and MCA Addendum Correspondence
01-31-22 Nelson and MCA Correspondence
01-31-22 Turri Correspondence
01-31-22 Vargas de Gauder Correspondence
01-30-22 Davis Correspondence
01-30-22 Nelson Correspondence
01-30-22 Nelson Correspondence 2
01-31-22 Harris Correspondence
01-31-22 Harwood Correspondence
01-31-22 Waxman Correspondence
01-31-22 Clein Correspondence
01-31-22 Rodriques Correspondence
01-31-22 Martin Correspondence
01-31-22 Munn Correspondence
01-31-22 Silverstone Correspondence
02-01-22 Hansbury Correspondence
02-01-22 Ramirez Correspondence
02-01-22 Sunbriht Gardens Correspondence
01-31-22 Covelo Cannabis Advocacy Group Correspondence
01-31-22 Harwood Correspondence
01-31-22 Lockhart Correspondence
01-31-22 Maahs Correspondence
02-01-22 MCA Correspondence
02-01-22 AuClair Correspondence
02-01-22 Dowdney Correspondence
2-01-22 Dowdney Correspondence
02-01-22 Perrin Correspondence
02-01-22 Abrams Correspondence

**4g) Chief Executive Officer's Report
(Sponsor: Executive Office)**

Recommended Action:

Accept the Chief Executive Officer's report.

**4h) 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.

Attachments: [01-31-22 Covelo Cannabis Advocacy Group Correspondence](#)

5. BOARD OF SUPERVISORS AND 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.

5a) Discussion and Possible Action Including Acceptance of Update Regarding the Strategic Planning Process

(Sponsor: Strategic Plan Ad Hoc of Supervisors McGourty and Haschak)

Recommended Action:

Accept update and provide input regarding the Strategic Planning document, strategic priorities, and goals.

Attachments: [Mendo Cntv Strat Plan Draft objectives.1.23.22](#)

[Mendo Strat Plan 2.1.22 BOS update](#)

[Public input TH&FG MS 01.06.2022](#)

[01-31-22 Tippet Correspondence](#)

[01-31-22 Turner Correspondence](#)

[01-31-22 Aronow Correspondence](#)

[02-01-22 Backup Correspondence](#)

5b) Discussion and Possible Action Including Authorization of Allocation of Fifty Thousand Dollars (\$50,000) to the Mendocino County Inland Water and Power Commission (MCIWPC) to Continue the work for the Potential Licensing of the Potter Valley Project and Other Related Costs

(Sponsors: Supervisors McGourty and Mulheren)

Recommended Action:

Authorize the allocation of fifty thousand dollars (\$50,000) to the Mendocino County Inland Water and Power Commission (MCIWPC) to continue the work of the Potential Licensing Proposal for the Potter Valley Project and other related costs.

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

Attachments: [Supervisor Mulheren January 2022 Report](#)

6. 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.

7. CLOSED SESSION

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

7a) Pursuant to Government Code Section 54957 - Public Employee Appointment - Child Support Director

- 7b) Pursuant to Government Code Section 54957 - Public Employee Performance Evaluation - Cannabis Program Director**
- 7c) Pursuant to Government Code Section 54956.9(d)(4) - Conference with Legal Counsel - Initiation of Litigation: One Case**

3. 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:

BOARD OF SUPERVISORS

- 3a) Adoption of Proclamation Recognizing and Honoring Ms. Edith Recagno Keenan Ceccarelli upon Her 114th Birthday on February 5, 2022
(Sponsor: Supervisor Haschak)**

Recommended Action:

Adopt Proclamation recognizing and honoring Ms. Edith Recagno Keenan Ceccarelli upon her 114th birthday on February 5, 2022; and authorize Chair to sign same.

Attachments: [Proclamation](#)

- 3b) Acceptance of Informational Report from the Golden Gate Bridge, Highway & Transportation District (GGBHTD)
(Sponsor: Supervisor Gjerde)**

Recommended Action:

Accept informational report from the Golden Gate Bridge, Highway and Transportation District.

Attachments: [2022 Letter to BOS](#)
 [2021 GGBHTD Final Report](#)
 [Presentation](#)

EXECUTIVE OFFICE

- 3c) 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](#)

- 3d) Adoption of Resolution Declaring the Continuation of a Local Emergency Related to the Hopkins Fire as Proclaimed by the Chief Executive Officer/Director of Emergency Services and Ratifying the Existence of a Local Health Emergency as Proclaimed by the Health Officer**

Recommended Action:

Adopt Resolution declaring the continuation of a Local Emergency related to the Hopkins Fire as proclaimed by the Chief Executive Officer/Director of Emergency Services and ratifying the existence of a Local Health Emergency as proclaimed by the Health Officer; and authorize Chair to sign same.

Attachments: [Hopkins Fire Resolution - Continuation](#)

- 3e) 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 \(Clean\)](#)

- 3f) Adoption of Resolution Renewing its Declaration of a Local Emergency and Extending the Existence of a Local Emergency Due to Drought Conditions and Imminent Threat of Disaster in Mendocino County**

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](#)

COUNTY COUNSEL

- 3g) Adoption of an Ordinance Repealing Ordinance No. 4491, Which Amended Chapter 6.36 - Cannabis Facilities Businesses and Chapter 20.243 - Cannabis Facilities**

Recommended Action:

Adopt Ordinance repealing Ordinance No. 4491, which amended Chapter 6.36 - Cannabis Facilities Businesses and Chapter 20.243 - Cannabis Facilities; and authorize Chair to sign same.

Attachments: [Ordinance - Ord 4491 Repeal](#)
 [Summary - Ord 4491 Repeal](#)
 [2021-11-30 - ENTRY OF JUDGMENT and ORDER](#)
 [2021-11-30 - Peremptory Writ of Mandamus](#)

PUBLIC HEALTH

- 3h) Adoption of Resolution Finding That State and Local Officials Continue to Recommend Measures to Promote Social Distancing In Connection With Public Meetings**

Recommended Action:

Adopt Resolution finding that State and local officials continue to recommend measures to promote social distancing in connection with public meetings; authorize Chair to sign same.

Attachments: [Resolution AB-361](#)
 [Resolution AB-361](#)

SHERIFF-CORONER

- 3i) Approval of Retroactive Sixth Amendment to BOS Agreement 17-131 with NaphCare Inc. in the Amount of \$158,000 for a New Agreement Total of \$19,263,009.38 to Add One Licensed Mental Health Provider (LMHP) Full-Time Employee (FTE) for the Period of January 1, 2022 through December 31, 2022**

Recommended Action:

Approve Retroactive Sixth Amendment to BOS Agreement 17-131 with NaphCare Inc. in the amount of \$158,000 for a new agreement total of \$19,263,009.38 to add one LMHP FTE for the period of January 1, 2022 through 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: [b NaphCare FY 21-23 Amend 6 \\$158.000 LMHP dept-vend sigs.p](#)

- 3j) Adoption of Resolution Authorizing the Director of Emergency Services, Assistant Director of Emergency Services, and/or Undersheriff to Execute for, and on Behalf of, Mendocino County Any Actions Necessary for Administration of the Fiscal Year (FY) 2021 Emergency Management Performance Grant - American Rescue Plan Act (EMPG - ARPA)**

Recommended Action:

Adopt Resolution authorizing the Director of Emergency Services, Assistant Director of Emergency Services and/or Undersheriff to execute for, and on behalf of Mendocino County any actions necessary for the administration of the FY 2021 EMPG - ARPA; and authorize Chair to sign same.

Attachments: [EMPG ARPA GRB Resolution 2022.docx](#)
 [EMPG ARPA Signed Award Letter - Mendocino.pdf](#)

- 3k) Approval of Retroactive Award Agreement with the U.S. Department of Justice (DOJ) under the Funding Opportunity Entitled 2021 BJA FY 21 Rural Violent Crime Reduction Initiative for Law Enforcement Agencies in the Amount of \$150,000 for the Project Period of November 1, 2021, through October 31, 2024**

Recommended Action:

Approve Retroactive Award Agreement with the U.S. DOJ under the funding opportunity entitled 2021 FY BJA FY 21 Rural Violent Crime Reduction Initiative for Law Enforcement Agencies in the amount of \$150,000 for the project period of November 1, 2021, through October 31, 2024; authorize the Sheriff to sign any future amendments that do not affect the contract total; and authorize Chair to sign same.

Attachments: [FY 21 BJA JAG Rural Violent Crime Reduction Initiative Award Ag](#)

- 3l) Approval of Retroactive Revenue Agreement No. 2022-27 with the U.S. Department of Justice Drug Enforcement Administration (DOJ DEA) in the Amount of \$185,000 for the Eradication and Suppression of Illicit Cannabis on Federal Lands for the Term of October 1, 2021 to September 30, 2022**

Recommended Action:

Approve retroactive Revenue Agreement 2022-27 with the U.S. DOJ DEA in the amount of \$185,000 for the eradication and suppression of illicit cannabis on federal lands for the term of October 1, 2021 to September 30, 2022; and authorize the Sheriff to sign any future amendments that do not affect the annual maximum Agreement total; and authorize Chair to sign same.

Attachments: [b Interim DECSP 2022-27 Mendocino County Sheriffs Office Agree](#)

AIR QUALITY MANAGEMENT DISTRICT

The Mendocino County Board of Supervisors meets concurrently as the Board of Directors of the Mendocino County Air Quality Management District

3m) Approval of Memorandum of Understanding (MOU) with Lake County Air Quality Management District, for Interim Air Pollution Control Officer Services, with a Term from February 1, 2022 through April 30, 2022, and Authorization for the Chief Executive Officer or Designee to Approve Up to Three Additional One Month Extensions, with a Monthly Cost of Up to \$4,400, for a Total Cost of up to \$26,400

Recommended Action:

Approve the Memorandum of Understanding (MOU) with Lake County Air Quality Management District, for Interim Air Pollution Control Officer Services, with a Term from February 1, 2022 through April 30, 2022, and authorization for the Chief Executive Officer or designee to approve up to three additional one month extensions, with a monthly cost of up to \$4,400, for a total cost of up to \$26,400; and authorize Chair to sign same.

Attachments: [Mendocino and Lake MOU. FINAL](#)

ADJOURNMENT**Additional Meeting Information for Interested Parties**

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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.