

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



DARCIE ANTLE
Interim Chief Executive Officer/
Interim Clerk of the Board

CHRISTIAN M. CURTIS
County Counsel

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

ACTION MINUTES –April 19, 2022

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF MENDOCINO - STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)

AGENDA ITEM NO. 1 – OPEN SESSION (PLEDGE OF ALLEGIANCE AND ROLL CALL 9:00 A.M.)

Present: Supervisor Glenn McGourty, Supervisor Maureen Mulheren, Supervisor John Haschak, Supervisor Dan Gjerde, and Supervisor Ted Williams. Chair Williams presiding.

Staff Present: Darcie Antle, Interim Chief Executive Officer; Christian M. Curtis, County Counsel; Atlas M.A. Pearson, Deputy Clerk of the Board; Kristie Watson, Deputy Clerk of the Board; and Anthony Baroza, Staff Assistant.

The Pledge of Allegiance was led by: Sheriff Kendall.

AGENDA ITEM NO. 2 – PUBLIC EXPRESSION

Presenter/s: John Rarick; Angle Slater; Carrie Shattuck; Paul Scandenberg; Jade; Judy; Tracy Tarriot; Bren Martin; Ron Edwards; Anna Stockel; Michael Katz; Hannah Nelson; Henry Mayer; Paul Hansbury; Corinne Powell; Geronimo Christoforatos; and Dan Turbyfill.

CHAIR WILLIAMS PASSED THE GAVEL TO VICE-CHAIR MCGOURTY

5B) DISCUSSION AND POSSIBLE ACTION INCLUDING PRESENTATION REGARDING JACKSON STATE DEMONSTRATION FOREST AND STATE RESPONSE TO THE BOARD OF SUPERVISORS RESOLUTION REQUESTING SCIENTIFIC REVIEW - SPONSOR: SUPERVISOR WILLIAMS AND SUPERVISOR GJERDE

Presenter/s: Supervisor Williams; Supervisor Gjerde; Jessica Morse, California Natural Resources Agency; Luke Kendall, CAL-Fire; and Kevin Conway.

Public Comment: Marie Jones; Anna Stockel; Peter McNamee; Wade Leschyn; Ravel Gauthier; Anna Marie; Jary Stavely; Wendy; Corinne Powell; David Martinez; and William Lemos.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors accepts Presentation regarding Jackson State Demonstration Forest and State response to the Board of Supervisors Resolution requesting scientific review; and requests a formal position on the Jackson Advisory Group.

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

VICE-CHAIR MCGOURTY PASSED THE GAVEL BACK TO CHAIR WILLIAMS

AGENDA ITEM NO. 3 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Williams.

Public Comment: Yvette Magdalone.

Board Action: Upon motion by Supervisor McGourty, seconded by Supervisor Mulheren, IT IS ORDERED that Consent Calendar items 3a) – 3s), and 3u), are hereby approved as follows. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

3A) RECOGNITION OF THE COMMUNITY WILDFIRE PROTECTION PLAN DEVELOPED FOR THE HOPLAND AREA - SPONSOR: SUPERVISOR MCGOURTY

Approved;

3B) ADOPTION OF PROCLAMATION RECOGNIZING MAY 2022 AS MENTAL HEALTH AWARENESS MONTH IN MENDOCINO COUNTY - SPONSOR: SUPERVISOR MULHEREN AND BEHAVIORAL HEALTH

Adopted;

3C) APPROVAL OF REQUEST BY FORT BRAGG FIRE PROTECTION AUTHORITY TO REALLOCATE A PORTION OF THE \$90,909.10 OF ONE-TIME PACIFIC GAS AND ELECTRIC DISASTER SETTLEMENT FUNDS, PREVIOUSLY APPROVED BY THE BOARD OF SUPERVISORS FOR PURCHASE OF STRUCTURAL AND WILDLAND GEAR AND EQUIPMENT, TO INCLUDE PURCHASE OF NEW PORTABLE RADIOS - SPONSOR: EXECUTIVE OFFICE

Approved;

3D) APPROVAL OF AGREEMENT WITH CLOVERDALE HEALTH CARE DISTRICT IN THE AMOUNT OF \$25,000 FROM ONE-TIME PACIFIC GAS AND ELECTRIC (PG&E) DISASTER SETTLEMENT FUNDS TO PURCHASE TRANSPORT EMERGENCY MEDICAL SERVICES EQUIPMENT AND SUPPLIES, EFFECTIVE UPON FULL EXECUTION THROUGH DECEMBER 31, 2022 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-086

3E) APPROVAL OF AGREEMENT WITH SOUTH COAST FIRE PROTECTION DISTRICT IN THE AMOUNT OF \$45,454.55 FROM ONE-TIME PACIFIC GAS AND ELECTRIC DISASTER SETTLEMENT FUNDS FOR PURCHASE OF EQUIPMENT AND SUPPLIES, EFFECTIVE UPON FULL EXECUTION THROUGH DECEMBER 31, 2022 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-087

3F) APPROVAL OF AGREEMENT WITH UKIAH VALLEY FIRE AUTHORITY IN THE AMOUNT OF \$90,909.10 FROM ONE-TIME PACIFIC GAS AND ELECTRIC DISASTER SETTLEMENT FUNDS FOR PURCHASE OF EQUIPMENT AND SUPPLIES, EFFECTIVE UPON FULL EXECUTION THROUGH DECEMBER 31, 2022 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-088

3G) APPROVAL OF THIRD AMENDMENT TO BOS AGREEMENT No. 06-124 WITH TYLER TECHNOLOGIES INC., RELATED TO THE INFORMATION TECHNOLOGY MASTER PLAN INITIATIVE #13 - FINANCE SYSTEM IMPROVEMENTS - PAYROLL/TIMEKEEPING IMPROVEMENTS, IN THE AMOUNT OF \$48,690, FOR A NEW TOTAL CONTRACT AMOUNT OF \$718,070, EFFECTIVE UPON FULL EXECUTION THROUGH JANUARY 31, 2023 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 06-124-A3

3H) APPROVAL OF AMENDMENT TO MID-YEAR BUDGET REPORT ATTACHMENT B FUNDING REQUESTS FY 2021-22, WHICH REMOVES PREVIOUSLY APPROPRIATED FUNDS OF \$450,000 FOR JUSTWARE SOFTWARE; DIRECTION TO STAFF TO ADD TRANSFER OF \$9,127 FROM DISASTER RECOVERY FUND BALANCE TO GENERAL FUND IN ORDER TO BALANCE APPROPRIATIONS WITH REDUCTIONS IN REVENUE; AND ADOPTION OF RESOLUTION AMENDING EXHIBIT B THE FY 2021-22 ADOPTED BUDGET WHICH REPLACES RESOLUTION 22-070 - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-088

RESOLUTION 22-088

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE FY 2021-22 ADOPTED BUDGET OF THE BOARD OF SUPERVISORS BY ADJUSTING REVENUES AND APPROPRIATIONS

- 3I) APPROVAL OF AMENDMENT TO BOS AGREEMENT NO. 21-112 WITH LACO ASSOCIATES TO PROVIDE DISASTER PREVENTION, RECOVERY, RESILIENCY, AND MITIGATION GRANT RESEARCH AND GRANT WRITING SERVICES, INCREASING THE AGREEMENT FROM \$100,000 TO \$150,000 EFFECTIVE UPON EXECUTION THROUGH JUNE 30, 2022 - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-112-A1

- 3J) APPROVAL OF RETROACTIVE SECOND AMENDMENT TO AGREEMENT NO. BOS-21-141 WITH THE COMMUNITY FOUNDATION OF MENDOCINO COUNTY FOR COVID-19 FOOD RELIEF SERVICES, INCREASING THE AMOUNT FROM \$473,000 TO \$539,000, FOR THE TERM JUNE 1, 2021 THROUGH MARCH 31, 2022 - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-141-A2

- 3K) APPROVAL OF RETROACTIVE AGREEMENT WITH BARTOLOMEI SCALES IN THE AMOUNT OF \$25,000 FOR THE SERVICES NEEDED TO PERFORM SCALE TESTING IN MENDOCINO COUNTY FOR TERM DATES OF AUGUST 1, 2021 TO JUNE 30, 2022; AND AUTHORIZATION FOR THE AG COMMISSIONER OR THE ASSISTANT AG COMMISSIONER TO SIGN ANY AMENDMENTS THAT DO NOT INCREASE THE MAXIMUM TOTAL AMOUNT OF THE AGREEMENT AND PROVIDE ANY ASSURANCES OR CERTIFICATIONS REQUIRED TO ENTER INTO THE AGREEMENT - SPONSOR: AGRICULTURE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-089

- 3L) APPROVAL OF AGREEMENT (AMENDMENT TO AGREEMENT NO. MH-21-004) WITH CALIFORNIA PSYCHIATRIC TRANSITIONS, INC. IN THE AMOUNT OF \$73,000, FOR A NEW AGREEMENT TOTAL OF \$98,000, TO PROVIDE RESIDENTIAL CARE TO MENDOCINO COUNTY LANTERMAN-PETRIS-SHORT CLIENTS, EFFECTIVE JULY 1, 2021 THROUGH JUNE 30, 2022 - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-090

- 3M) APPROVAL OF FIRST AMENDMENT TO AGREEMENT NO. BOS 21-075 (FOURTH AMENDMENT TO AGREEMENT NO. CO-03) WITH ABBOTT & KINDERMANN, INC. EXTENDING TERMINATION DATE FROM JUNE 30, 2022 TO DECEMBER 31, 2022 - SPONSOR: COUNTY COUNSEL**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-075-A1

- 3N) ADOPTION OF PROCLAMATION RECOGNIZING THE WEEK OF APRIL 24-30, 2022 AS CRIME VICTIMS/ RIGHTS WEEK IN MENDOCINO COUNTY - SPONSOR: DISTRICT ATTORNEY**

Adopted;

- 3O) APPROVAL OF PURCHASE OF ONE (1) TIRE BALANCER IN THE AMOUNT NOT TO EXCEED \$13,500 FOR THE GENERAL SERVICES AGENCY, FACILITIES AND FLEET DIVISION; AND ADDITION OF THE PURCHASED TIRE BALANCER TO THE COUNTY'S LIST OF FIXED ASSETS UNDER BUDGET UNIT (BU) 1620 - SPONSOR: GENERAL SERVICES AGENCY**

Approved;

3P) APPROVAL OF EQUITY LEASE AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND ENTERPRISE FLEET MANAGEMENT, INC. AND RELATED SELF INSURANCE ADDENDA, ASSIGNMENT AGREEMENT TO SELL, CONSIGNMENT AUCTION AGREEMENT FOR SALE BETWEEN THE COUNTY OF MENDOCINO AND ENTERPRISE FLEET MANAGEMENT, INC.; AND AUTHORIZATION FOR THE CHIEF EXECUTIVE OFFICER OR HER DESIGNEE TO EXECUTE ALL SUBSEQUENT RELATED TRANSACTIONS - SPONSOR: GENERAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-091

3Q) ADOPTION OF RESOLUTION AMENDING THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 6210 - ADD 1.0 FTE STAFF ASSISTANT III, (\$36,233.60 - \$44,033.60); DELETE 1.0 FTE STAFF ASSISTANT II (\$32,843.20 - \$39,915.20) - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-089

RESOLUTION 22-089

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

3R) ADOPTION OF RESOLUTION APPROVING NEW CLASSIFICATION OF ACCOUNTANT-AUDITOR I/II SERIES, AND ADD SENIOR DEPARTMENT ANALYST: PAY RANGE OF ACCOUNTANT-AUDITOR I \$28.77 - \$34.98/HOUR, ACCOUNTANT-AUDITOR II \$32.70 - \$39.75/HOUR, SENIOR DEPARTMENT ANALYST \$33.99 - \$41.31/HOUR; AND AMENDING THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 1110, ADD 4.0 FTE ACCOUNTANT-AUDITOR I/II; ADD 1 FTE SENIOR DEPARTMENT ANALYST; DELETE 3.0 FTE ACCOUNTANT, POSITION No. 0058, 3939, 4400 AND DELETE 2.0 FTE AUDITOR, POSITION No. 1922, 4001; AND AUTHORIZE THE RECLASSIFICATION OF INCUMBENTS - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-090

RESOLUTION 22-090

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

3S) ADOPTION OF PROCLAMATION RECOGNIZING APRIL 17 - 23, 2022, AS VOLUNTEER APPRECIATION WEEK IN MENDOCINO COUNTY - SPONSOR: HUMAN RESOURCES

Adopted;

3T) ACCEPTANCE OF INFORMATIONAL REPORT REGARDING THE ISSUANCE OF EMERGENCY COASTAL DEVELOPMENT PERMIT EM_2021-0007 (MARTIN) TO REPLACE SEPTIC TANK, LOCATED AT 18725 N HIGHWAY 1, FORT BRAGG, APN: 017-140-13 - SPONSOR: PLANNING AND BUILDING SERVICES

Withdrawn;

3U) APPROVAL OF RETROACTIVE AGREEMENT WITH APPLIED SURVEY RESEARCH, IN THE AMOUNT OF \$49,700, FOR EVALUATION AND CONSULTATION SERVICES RELATED TO THE CALIFORNIA HOME VISITING PROGRAM GRANT, EFFECTIVE FEBRUARY 1, 2022 THROUGH JUNE 30, 2023 - SPONSOR: PUBLIC HEALTH

Approved and Chair is authorized to sign same.

Enactment No: Agreement 22-092

BOARD RECESS: 10:52 A.M. – 11:05 A.M.

6A) ADOPTION OF RESOLUTION AUTHORIZING THE SUBMITTAL OF A REVISED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION TO HOUSING AND COMMUNITY DEVELOPMENT (HCD) TO 1.) REDUCE THE BUDGET TO \$500,000 WITH MATCHING SCOPE OF WORK FOR THE COVELO CLEANUP AND BLIGHT REMOVAL PROJECT, AND 2.) UPDATE THE SIGNING AUTHORITY FOR THE MICROENTERPRISE TECHNICAL ASSISTANCE AND PLANNING TECHNICAL ASSISTANCE REQUESTS - SPONSOR: PLANNING AND BUILDING SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-094

RESOLUTION 22-094

A RESOLUTION APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2020-2021 FUNDING YEAR OF THE STATE CDBG PROGRAM

4A) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION AMENDING THE EXHIBIT X - MASTER FEE SCHEDULE EFFECTIVE JANUARY 13, 2022 UNLESS CODE OR POLICY REQUIRE LONGER, INCLUDING BUT NOT LIMITED TO, CULTURAL SERVICES AGENCY, GENERAL SERVICES AGENCY-PARKS, PROBATION, ASSESSOR-CLERK-RECORDER, COURT COLLECTIONS, AGRICULTURE, AND ANIMAL CARE; AND PROVIDE DIRECTION TO STAFF REGARDING POLICY 47, THE MASTER FEE SCHEDULE POLICY - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Darcie Antle, Interim Chief Executive Officer; Tim Hallman, Acting Deputy Chief Executive Officer; and Izen Locatelli, Chief Probation Officer.

Public Comment: Wendy.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors adopts Resolution amending Exhibit X - Master Fee Schedule effective January 13, 2022, unless code or policy require longer, including but not limited to, the Cultural Services Agency, General Services Agency-Parks, Probation, Assessor-Clerk-Recorder, Court Collections, Agriculture, and Animal Care; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Resolution 22-091

RESOLUTION 22-091

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS, SUPERSEDING RESOLUTION NO. 21-194 ADOPTED ON DECEMBER 14, 2021 MODIFYING THE MASTER FEE SCHEDULE (EXHIBIT X)

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors provides direction to staff regarding Policy 47, the Master Fee Schedule policy. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4B) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING THE PRESENTATION OF MENDOCINO COUNTY'S PRELIMINARY FISCAL YEAR (FY) 2022-23 BUDGET - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Darcie Antle, Interim Chief Executive Officer; Tim Hallman, Acting Deputy Chief Executive Officer; Cherie Johnson, Deputy Chief Executive Officer; Sara Pierce, Acting Deputy Chief Executive Officer; and Janelle Rau, Director, General Services Agency.

Public Comment: Patrick Hickey; Wendy; Paul Hansbury; Michael Katz; Peter McNamee; Henry Mayer; Corinne Powell; Erica Wetterstorm; Eileen Mitro; and Carrie Shattuck.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors provides direction to staff regarding the priorities and preparation of Mendocino County's FY 2022-23 budget; directs departments to review all positions; directs staff focus on revenue sources like Transient OT and Property taxes; and addition of the Boards climate initiatives to the Board Goals (Exhibit A). The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

5A) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION REGARDING NEXT STEPS OF THE MENDOCINO COUNTY STRATEGIC PLAN - SPONSOR: STRATEGIC PLAN AD HOC OF SUPERVISORS HASCHAK AND MCGOURTY

Presenter/s: Anne Molgaard, Director, Public Health.

Public Comment: Michael Katz.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors accepts the presentation regarding next steps of the Mendocino County Strategic Plan; and approves formation of working groups. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

ADJOURNED TO CLOSED SESSION: 12:34 P.M.

7A) PURSUANT TO GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - AGENCY NEGOTIATORS: DARCIE ANTLE, CHERIE JOHNSON, AND JON HOLTZMAN; EMPLOYEE ORGANIZATION(S): ALL**7B) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - ANIMAL CARE****7C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: ANN MARIE BORGES & CHRIS GURR V. COUNTY OF MENDOCINO, ET AL. UNITED STATES DISTRICT COURT-NORTHERN DISTRICT CASE NO. 3:20-CV-04537-SI**

- 7D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION IN THE OPINION OF THE BOARD OF SUPERVISORS ON THE ADVICE OF LEGAL COUNSEL, BASED ON: *THE RECEIPT OF A CLAIM PURSUANT TO THE GOVERNMENT CLAIMS ACT OR SOME OTHER WRITTEN COMMUNICATION FROM A POTENTIAL PLAINTIFF THREATENING LITIGATION, WHICH NON-EXEMPT CLAIM OR COMMUNICATION IS AVAILABLE FOR PUBLIC INSPECTION. (GOVERNMENT CODE § 54956.9 (E)(3))**
- 7E) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: ONE CASE - KEEP THE CODE V. COUNTY OF MENDOCINO CASE NO. SCUK-CVPT-20-73755**
- 7F) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION: ONE CASE**
- 7G) PURSUANT TO GOVERNMENT CODE SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR- PROPERTY: APN 003-130-46 AND PHYSICAL ADDRESS: 1101 S. DORA STREET, UKIAH, CA. AGENCY NEGOTIATORS: DARCI ANTE, JANELLE RAU, IZEN LOCATELLI, AND BEKKIE EMERY. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS**
- 7H) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION: ONE CASE**

RECONVENED IN OPEN SESSION: 2:22 P.M.

AGENDA ITEM NO. 7 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Williams.

Public Comment: Ron Edwards.

Board Action: With respect to agenda items 7a) – 7b), and 7d) – 7h), no reportable action was taken. With respect to agenda item 7c), Chair Williams announced that the County had won.

4C) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION DENYING REZONE R_2019-0012 (MOULTON - JADE COURT/SHANE DRIVE) TO CREATE A CANNABIS ACCOMMODATION COMBINING DISTRICT OVER SIXTEEN PARCELS IN THE MITCHELL CREEK AREA OF FORT BRAGG - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Julia Krog, Director, Planning and Building Services; Gina Austin, Austin Legal Group; Brandy Moulton, Applicant.

Public Comment: Michael Katz; Carol Beam; Michelle Harry; Jacob Patterson; Monique Ramirez; Tyla Clark Miller; Ron Edwards; Simeon Evans; John McCowen; Paul Hansbury; Josh Morsel; and Lia Morsel.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors adopts a Resolution denying Rezone R_2019-0012 (Moulton - Jade Court/Shane Drive) to create a Cannabis Accommodation Combining District over sixteen parcels in the Mitchell Creek area of Fort Bragg; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 4 – Supervisor McGourty, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 1 – Supervisor Mulheren

Absent: 0 – None

Enactment No: Resolution 22-092

RESOLUTION 22-092

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DENYING REZONE R_2019-0012 (MOULTON – JADE COURT/SHANE DRIVE) TO CREATE A CANNABIS ACCOMMODATION COMBINING DISTRICT OVER SIXTEEN PARCELS IN THE MITCHELL CREEK AREA OF FORT BRAGG

BOARD RECESS: 4:01 P.M. – 4:10 P.M.

4D) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION DENYING REZONE R_2019-0013 (MOULTON - FRANKLIN ROAD) TO CREATE A CANNABIS ACCOMMODATION COMBINING DISTRICT OVER TEN PARCELS IN THE MITCHELL CREEK AREA OF FORT BRAGG - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Julia Krog, Director, Planning and Building Services; Gina Austin, Austin Legal Group; Brandy Moulton, Applicant.

Public Comment: Michael Katz; Ron Edwards; Paul Hansbury; and Monique Ramirez.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors adopts a Resolution denying Rezone R_2019-0013 (Moulton - Franklin Road) to create a Cannabis Accommodation Combining District over ten parcels in the Mitchell Creek area of Fort Bragg; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 4 – Supervisor McGourty, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 1 – Supervisor Mulheren

Absent: 0 – None

Enactment No: Resolution 22-093

RESOLUTION 22-093

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DENYING REZONE R_2019-0013 (MOULTON – FRANKLIN ROAD) TO CREATE A CANNABIS ACCOMMODATION COMBINING DISTRICT OVER TEN PARCELS IN THE MITCHELL CREEK AREA OF FORT BRAGG

CHAIR WILLIAMS ANNOUNCED THAT ITEMS 5c AND 4e WOULD BE HEARD SIMULTANEOUSLY

5C) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF DIRECTION TO STAFF TO RETURN WITH ACTION TO REDUCE CANNABIS BUSINESS TAX COLLECTION, INCLUDING THE MINIMUM BUSINESS TAX, BY 50% FOR TWO YEARS STARTING IN TAX YEAR 2022-23 AND REQUIRE TAX COMPLIANCE FOR CANNABIS PERMIT RENEWAL - SPONSOR: SUPERVISOR WILLIAMS

4E) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF UPDATE FROM COUNTY COUNSEL'S OFFICE REGARDING STATUS OF UPDATES TO MENDOCINO COUNTY CODE CHAPTER 10A.17 CREATING AN APPEALS PROCESS FOR CANNABIS CULTIVATION PERMIT APPLICATION DENIALS AND CHAPTER 6.32 CREATING A FOLLOWING PROGRAM AND RELIEF FROM THE MINIMUM COMMERCIAL CANNABIS BUSINESS TAX FOR CULTIVATION - SPONSOR: COUNTY COUNSEL

Presenter/s: Chair Williams; Julie Forrester, Acting Treasurer-Tax Collector; Christian M. Curtis, County Counsel; and Matthew Kiedrowski, Deputy County Counsel.

Public Comment: John McCowen; Michael Katz; Hannah Nelson; Ron Edwards; and Paul Hansbury.

Board Action: Upon motion by Supervisor McGourty, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors requires tax compliance for Cannabis Permit Renewal; directs staff to return to the Board with options for implementation of a payment plan; and directs the Executive Office to return with numbers regarding options for the tax rate. The motion carried by the following vote:

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4G) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Supervisor Haschak.

Public Comment: Michael Katz; Paul Hansbury; and Ron Edwards.

Board Action: No Action Taken.

4F) CHIEF EXECUTIVE OFFICER'S REPORT - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Darcie Antle, Interim Chief Executive Officer; and Kristin Nevedal, Director, Cannabis Department.

Public Comment: Monique Ramirez; Michael Katz; Hannah Nelson; Brandy Moulton; and Ron Edwards.

Board Action: No Action Taken.

5D) SUPERVISORS' REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST

Presenter/s: Darcie Antle, Interim Chief Executive Officer; and Kristin Nevedal, Director, Cannabis Department.

Public Comment: Michael Katz; and Paul Hansbury.

Board Directive: GENERAL CONSENSUS OF THE BOARD to direct the Cannabis Program Director to submit in writing, the second meeting of each month, an update on cannabis program statistics, in a format to be decided by the Cannabis Program Director and Cannabis Ad Hoc.

Board Action: No Action Taken.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 6:33 P.M.

Attest: ATLAS M.A. PEARSON
Deputy Clerk of the Board

TED WILLIAMS, Chair

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS

- Effective March 1, 2009, Board of Supervisors minutes will be produced in "action only" format. As an alternative service, public access to recorded Board proceedings will be available on the Board of Supervisors' website in indexed audio format
- LIVE WEB STREAMING OF BOARD MEETINGS is now available via the County's YouTube Channel. If technical assistance is needed, please contact The Mendocino County Executive Office at (707) 463-4441.
- Minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors' action minutes are also posted on the County of Mendocino website at: www.mendocinocounty.org/government/board-of-supervisors
- To request an official record of a meeting of the Mendocino County Board of Supervisors, please contact the Executive Office at (707) 463-4441
- Please reference the departmental website to obtain additional resource information for the Board of Supervisors and Clerk of the Board: www.mendocinocounty.org/government/board-of-supervisors

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