

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

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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES –May 3, 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: Supervisor Haschak.

AGENDA ITEM NO. 2 – PUBLIC EXPRESSION

Presenter/s: Randy Dorn; Jez Anderson; Mark Donegan; Carrie Shattuck; Judy; Debra Rogers; Ruth; Henry Mayer; Michael Katz; Ron Edwards; and Susan Tibbon.

AGENDA ITEM NO. 3 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:**3Z) APPROVAL OF AGREEMENT WITH WEST BUSINESS DEVELOPMENT CENTER IN THE AMOUNT OF \$175,000 TO SERVE AS THE ECONOMIC DEVELOPMENT COORDINATOR FOR MENDOCINO COUNTY, FOR THE PERIOD BEGINNING MAY 3, 2022 THROUGH JUNE 30, 2023 - SPONSOR: PLANNING AND BUILDING SERVICES**

Presenter/s: Julia Krog, Director, Planning and Building Services.

Public Comment: Susan Tibbon; Corinne Powell; and Michael Katz.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors approves Agreement with West Business Development Center in the amount of \$175,000 to serve as the Economic Development Coordinator for Mendocino County, for the period beginning May 3, 2022 through June 30, 2023, with amended language regarding direction to staff to provide monthly progress reports within the CEO Report; and authorizes the Chair to sign same.

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

No: 0 – None

Absent: 0 – None

Enactment No: Agreement 22-097

AGENDA ITEM NO. 3 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Williams.

Public Comment: Henry Mayer; Michael Katz; Jenine Miller; and Christian Curtis.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Haschak, IT IS ORDERED that Consent Calendar items 3a) – 3y), and 3aa) – 3am), 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) APPROVAL OF MINUTES OF MARCH 15, 2022 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE

Approved;

3B) APPROVAL OF MINUTES OF MARCH 21, 2022 SPECIAL MEETING - SPONSOR: EXECUTIVE OFFICE

Approved;

3C) APPROVAL OF MINUTES OF MARCH 28, 2022 SPECIAL MEETING - SPONSOR: EXECUTIVE OFFICE

Approved;

3D) ADOPTION OF PROCLAMATION HONORING DR. MARK JUSTIN APFEL FOR HIS YEARS OF SERVICE TO THE RESIDENTS OF ANDERSON VALLEY AND MENDOCINO COUNTY - SPONSOR: SUPERVISOR WILLIAMS

Adopted;

3E) AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ESTABLISH AN EMERGENCY CAPITAL IMPROVEMENT PROJECT TO REMEDIATE HAZARDOUS TREES AT BOWER PARK, 38040 OLD STATE ROAD, GUALALA, IN THE AMOUNT OF \$175,000 TO BE ALLOCATED FROM THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDING, AND AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ACT AS PROJECT MANAGER TO ENTER CONTRACTS AND APPROVE CHANGE ORDERS FOR THE PROJECTS, PURSUANT TO PUBLIC CONTRACT CODE SECTION 20142; AND APPROVAL OF CORRESPONDING APPROPRIATION TRANSFER OF FUNDS FROM FUND 1225, ORG CODE DR, ACCOUNT STRING 865802 PROJECT DR400 TO FUND 1201, ORG CODE CI, ACCOUNT STRING 864360 - SPONSOR: SUPERVISOR WILLIAMS AND GENERAL SERVICES - FACILITIES AND FLEET

Approved;

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- SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-095

RESOLUTION 22-095

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS 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

3G) 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 - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-096

RESOLUTION 22-096

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE HOPKINS FIRE AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES AND REAFFIRMING THE EXISTENCE OF A LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER

3H) 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 - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-097

RESOLUTION 22-097

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO SEPTEMBER 2020 FIRES AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES AND REAFFIRMING THE EXISTENCE OF A LOCAL HEALTH EMERGENCY AS PROCLAIMED BY THE HEALTH OFFICER

- 3I) APPROVAL OF AGREEMENT WITH LITTLE LAKE 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 22-093

- 3J) APPROVAL OF RETROACTIVE THIRD AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT NO. 17-060 WITH KEENAN & ASSOCIATES IN THE AMOUNT OF \$76,656 FOR A NEW AGREEMENT TOTAL OF \$330,825 FOR CONTINUED MEMBERSHIP IN THE KEENAN PHARMACY PURCHASING COALITION (KPPC), REVISE THE PER MEMBER PER MONTH MEMBERSHIP FEE EFFECTIVE JANUARY 1, 2022, THROUGH A NEW TERMINATION DATE OF DECEMBER 31, 2023 - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 17-060-A3

- 3K) ADOPTION OF RESOLUTION APPROVING ADOPTION OF THE PUBLIC AGENCIES POST-EMPLOYMENT BENEFITS TRUST ADMINISTERED BY PUBLIC AGENCY RETIREMENT SERVICES (PARS) AND APPOINTING THE CHIEF EXECUTIVE OFFICER OR DESIGNEE AS THE PLAN ADMINISTRATOR - SPONSOR: EXECUTIVE OFFICE**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-098

RESOLUTION 22-098

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE ADOPTION OF THE PUBLIC AGENCIES POST-EMPLOYMENT BENEFITS TRUST ADMINISTERED BY PUBLIC AGENCY RETIREMENT SERVICES (PARS)

- 3L) APPROVAL OF AGREEMENT WITH COASTAL HEADWATERS ASSOCIATION, THE NON-PROFIT PARENT ENTITY OF WHALE GULCH VOLUNTEER FIRE COMPANY, IN THE AMOUNT OF \$20,000 FROM ONE-TIME PACIFIC GAS AND ELECTRIC (PG&E) DISASTER SETTLEMENT FUNDS TO PURCHASE 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 22-094

- 3M) APPROVAL OF RETROACTIVE AGREEMENT WITH CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA) IN THE AMOUNT OF \$16,472.59 FOR THE REIMBURSEMENT OF PHYTOPHTHORA RAMORUM - QUARANTINE (SOD) PROGRAM ACTIVITIES FOR TERM DATES OF JULY 1, 2021 THROUGH JUNE 30, 2022 - SPONSOR: AGRICULTURE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-095

- 3N) APPROVAL OF RETROACTIVE FIRST AMENDMENT TO BOS AGREEMENT NO. 20-021, IN THE AMOUNT OF \$0, REGARDING THE AGRICULTURAL LAND CONSERVATION PLANNING GRANT FROM THE SUSTAINABLE AGRICULTURAL LANDS CONSERVATION (SALC) PROGRAM, AND EXTEND THE TERM END DATE FROM MARCH 15, 2022 TO JUNE 30, 2022; RETROACTIVE APPROVAL OF FIRST AMENDMENT TO BOS AGREEMENT NO. 20-022, IN THE AMOUNT OF \$0, WITH THE MENDOCINO COUNTY RESOURCE CONSERVATION DISTRICT (MCRCD), FOR IMPLEMENTATION OF THIS GRANT, AND EXTENSION OF THE TERM END DATE FROM MARCH 14, 2022 TO JUNE 30, 2022 - SPONSOR: AGRICULTURE**

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *20-021-A1; and Agreement 20-022-A1

3O) APPROVAL OF AMENDMENT TO AGREEMENT NO. BOS 21-088 WITH VISTA PACIFICA CENTER, IN THE AMOUNT OF \$50,000 FOR A NEW AGREEMENT TOTAL OF \$200,000, 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 21-088-A1

3P) APPROVAL OF RETROACTIVE SECOND AMENDMENT TO BOS AGREEMENT NO. 21-086 WITH COLANTUONO, HIGHSMITH & WHATLEY, PC, INCREASING THE TOTAL COMPENSATION BY \$200,000 FOR A NEW TOTAL OF \$500,000 FOR LEGAL SERVICES AND EXTEND TERMINATION DATE TO JUNE 30, 2023 - SPONSOR: COUNTY COUNSEL

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-086-A2

3Q) APPROVAL OF FIRST AMENDMENT TO BOS AGREEMENT NO. 21-027 WITH KRONICK, MOSKOVITZ, TIEDMANN & GIRARD IN THE AMOUNT OF \$100,000 FOR A NEW TOTAL OF \$150,000 AND EXTENDING TERMINATION DATE THROUGH JUNE 30, 2023 - SPONSOR: COUNTY COUNSEL

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-027-A1

3R) APPROVAL OF SECOND AMENDMENT TO AGREEMENT 21-005 WITH ABBOTT & KINDERMANN, INC., INCREASING THE AMOUNT BY \$10,000 FOR A NEW TOTAL OF \$60,000 AND EXTENDING THE TERMINATION DATE FROM JUNE 30, 2022 TO JUNE 30, 2023 - SPONSOR: COUNTY COUNSEL

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-005-A2

3S) ADOPTION OF RESOLUTION DESIGNATING THE MENDOCINO COUNTY CANNABIS DEPARTMENT AS THE DEPARTMENT TO ADMINISTER CHAPTER 10A.17 OF THE MENDOCINO COUNTY CODE, THE MENDOCINO CANNABIS CULTIVATION ORDINANCE - SPONSOR: COUNTY COUNSEL

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-099

RESOLUTION 22-099

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DESIGNATING THE MENDOCINO COUNTY CANNABIS DEPARTMENT AS THE DEPARTMENT TO ADMINISTER CHAPTER 10A.17 OF THE MENDOCINO COUNTY CODE, THE MENDOCINO CANNABIS CULTIVATION ORDINANCE

3T) APPROVAL OF AGREEMENT WITH AECOM TECHNICAL SERVICES, INC. IN THE AMOUNT OF \$1,377,948.00 FOR CONSTRUCTION MANAGEMENT SERVICES TO COMPLETE MEASURE B PSYCHIATRIC HEALTH FACILITY AT 131 WHITMORE LANE IN UKIAH FOR THE PERIOD FROM THE DATE OF EXECUTION THROUGH DECEMBER 31, 2025 - SPONSOR: GENERAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-096

3U) APPROVAL OF PACIFIC GAS AND ELECTRIC (PG&E) NOTICE OF TREE WORK AT THE COUNTY'S FAULKNER PARK, LOCATED IN BOONVILLE, CALIFORNIA, IN ORDER FOR PG&E TO PERFORM ROUTINE VEGETATION MANAGEMENT, INCLUDING PRUNING, REMOVAL OR TREATMENT OF TREES THAT MAY IMPACT HIGH VOLTAGE LINES AS IDENTIFIED IN THE ATTACHED NOTICE OF TREE WORK - SPONSOR: GENERAL SERVICES AGENCY

Approved;

3V) APPROVAL OF CITY OF POINT ARENA COASTAL DEVELOPMENT PERMIT NO. CDP 5-2021 TO PERMIT PACIFIC GAS & ELECTRIC (PG&E) TO REMOVE TREES AND BRUSH ON COUNTY OWNED PROPERTY AT THE TRANSPORTATION DEPARTMENT ROAD YARD IN POINT ARENA; GRANT PERMISSION TO PG&E TO REMOVE TREES AND BRUSH IN ORDER TO CREATE DEFENSIBLE SPACE AROUND THE PG&E SUBSTATION ADJACENT TO THE POINT ARENA TRANSPORTATION ROAD YARD AT 43401 EUREKA HILL ROAD IN POINT ARENA - SPONSOR: GENERAL SERVICES AGENCY

Approved;

3W) ADOPTION OF PROCLAMATION RECOGNIZING MAY 1-7, 2022 AS PUBLIC SERVICE RECOGNITION WEEK IN MENDOCINO COUNTY - SPONSOR: HUMAN RESOURCES

Adopted;

3X) ACCEPTANCE OF INFORMATIONAL REPORT REGARDING THE ISSUANCE OF EMERGENCY COASTAL DEVELOPMENT PERMIT EM_2021-0007 (HERITAGE HOUSE) TO REPLACE SEPTIC TANKS, LOCATED AT 5200 NORTH HIGHWAY 1, LITTLE RIVER, APN: 121-130-13 - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

3Y) ADOPTION OF RESOLUTION AUTHORIZING THE PROCESSING OF A CONSOLIDATED COASTAL DEVELOPMENT PERMIT LCP_2022-0002 (RES) BY THE CALIFORNIA COASTAL COMMISSION FOR RESOURCE ENVIRONMENTAL SOLUTIONS (RES) TO PERFORM HABITAT IMPROVEMENT AND FISH & WILDLIFE MANAGEMENT ON PARCELS LOCATED ALONG THE TEN MILE RIVER, BRUSH CREEK, AND GARCIA RIVER - SPONSOR: PLANNING AND BUILDING SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-100

RESOLUTION 22-100

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE PROCESSING OF A CONSOLIDATED COASTAL DEVELOPMENT PERMIT BY THE CALIFORNIA COASTAL COMMISSION FOR RESOURCE ENVIRONMENTAL SOLUTIONS TO PERFORM HABITAT IMPROVEMENT AND FISH & WILDLIFE MANAGEMENT ON PARCELS LOCATED ALONG THE TEN MILE RIVER, BRUSH CREEK, AND GARCIA RIVER IN MENDOCINO COUNTY

3AA) ADOPTION OF RESOLUTION AUTHORIZING THE PUBLIC DEFENDER, JEFFREY AARON, TO SIGN AND ACCEPT THE GRANT AGREEMENT IN THE AMOUNT OF \$110,811.82 OF \$86,107.36 DESIGNATED FOR THE PUBLIC DEFENDER AND \$24,704.46 FOR THE ALTERNATE DEFENDER, FOR THE PERIOD OF MARCH 1, 2022 TO MARCH 1, 2025, PURSUANT TO THE PUBLIC DEFENSE PILOT PROGRAM FUNDED THROUGH AND ADMINISTERED BY THE BOARD OF COMMUNITY CORRECTIONS (BSCC) - SPONSOR: PUBLIC DEFENDER

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-101

RESOLUTION 22-101

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE PUBLIC DEFENDER TO SIGN THE PUBLIC DEFENSE PILOT PROGRAM AGREEMENT ON BEHALF OF MENDOCINO COUNTY

3AB) ADOPTION OF RESOLUTION FINDING THAT STATE AND LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING IN CONNECTION WITH PUBLIC MEETINGS - SPONSOR: PUBLIC HEALTH

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-102

RESOLUTION 22-102

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO FINDING THAT STATE OR LOCAL OFFICIALS CONTINUE TO RECOMMEND MEASURES TO PROMOTE SOCIAL DISTANCING IN CONNECTION WITH PUBLIC MEETINGS

3AC) ADOPTION OF ORDINANCE AMENDING CHAPTER 6.20 OF THE MENDOCINO COUNTY CODE REGARDING LICENSURE OF TOBACCO RETAILERS - SPONSOR: PUBLIC HEALTH

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4505

ORDINANCE 4505

AN ORDINANCE AMENDING CHAPTER 6.20 OF THE MENDOCINO COUNTY CODE REGARDING LICENSURE OF TOBACCO RETAILERS

3AD) RATIFICATION OF SUBMISSION OF GRANT APPLICATION FOR \$835,130 OF FUNDS AVAILABLE THROUGH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, ORAL HEALTH PROGRAM, FOR THE MOVING CALIFORNIA ORAL HEALTH FORWARD 2022-2027 FUNDING FOR RESIDENTS OF MENDOCINO COUNTY, FOR THE PERIOD OF JULY 1, 2022 THROUGH JUNE 30, 2027; AND ADOPTION OF RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF FUNDS - SPONSOR: PUBLIC HEALTH

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-103

RESOLUTION 22-103

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING APPLICATION FOR AND ACCEPTANCE OF THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH ORAL HEALTH PROGRAM FUNDS

3AE) ADOPTION OF PROCLAMATION RECOGNIZING MAY 1-7, 2022 AS NATIONAL CORRECTIONAL OFFICERS WEEK IN MENDOCINO COUNTY - SPONSOR: SHERIFF-CORONER

Adopted and Chair is authorized to sign same;

3AF) ADOPTION OF PROCLAMATION RECOGNIZING MAY 15, 2022 AS NATIONAL PEACE OFFICERS MEMORIAL DAY AND MAY 15-21, 2022 AS NATIONAL POLICE WEEK IN MENDOCINO COUNTY - SPONSOR: SHERIFF-CORONER

Adopted and Chair is authorized to sign same;

3AG) APPROVAL OF AMENDMENT TO AGREEMENT BOS 10-207 WITH TYLER TECHNOLOGIES, INC. (TYLER) IN THE AMOUNT OF \$17,600 FOR ADDITIONAL IMPLEMENTATION OF A CUSTOM SOFTWARE INTERFACE FROM THE SHERIFF (AEGIS SOFTWARE) TO THE DISTRICT ATTORNEY (KARPEL SOFTWARE) AS A ONE-TIME DEVELOPMENT FEE- SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 10-207-A4

3AH) ADOPTION OF PROCLAMATION RECOGNIZING MAY 2022 AS CHILD CARE PROVIDER APPRECIATION MONTH IN MENDOCINO COUNTY - SPONSOR: SOCIAL SERVICES

Adopted and Chair is authorized to sign same;

3AI) APPROVAL OF AGREEMENT WITH MENDOCINO COAST HOSPITALITY CENTER IN THE AMOUNT OF \$139,697 TO PROVIDE EMERGENCY SHELTER AND RESOURCE SERVICES IN MENDOCINO COUNTY EFFECTIVE JULY 1, 2022, THROUGH JUNE 30, 2023 - SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-098

3AJ) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 210066 WITH SHN CONSULTING ENGINEERS AND GEOLOGISTS, INC., IN THE AMOUNT OF \$235,000 FOR PROFESSIONAL ON-CALL BIOLOGICAL SERVICES ON VARIOUS COUNTY PROJECTS, FOR THE 2022 QUADRENNIAL ENVIRONMENTAL SERVICE BIOLOGICAL INVESTIGATIONS AGREEMENT - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-104; Agreement 22-100

RESOLUTION 22-104

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 210066 WITH SHN CONSULTING ENGINEERS AND GEOLOGISTS, INC., IN THE AMOUNT OF \$235,000 FOR PROFESSIONAL ON-CALL BIOLOGICAL SERVICES ON VARIOUS COUNTY PROJECTS, FOR THE 2022 QUADRENNIAL ENVIRONMENTAL SERVICE BIOLOGICAL INVESTIGATIONS AGREEMENT, AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN ANY AND ALL AMENDMENTS TO THE AGREEMENT NOT TO EXCEED \$23,500 (COUNTY-WIDE)

3AK) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 210067 WITH ECorp CONSULTING, INC., IN THE AMOUNT OF \$250,000 FOR PROFESSIONAL ON-CALL ARCHAEOLOGICAL SERVICES ON VARIOUS COUNTY PROJECTS, FOR THE 2022 QUADRENNIAL ENVIRONMENTAL SERVICE ARCHAEOLOGICAL INVESTIGATIONS AGREEMENT - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-105; Agreement 22-101

RESOLUTION 22-105

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 210067 WITH ECorp CONSULTING, INC., IN THE AMOUNT OF \$250,000 FOR PROFESSIONAL ON-CALL ARCHAEOLOGICAL SERVICES ON VARIOUS COUNTY PROJECTS, FOR THE 2022 QUADRENNIAL ENVIRONMENTAL SERVICE ARCHAEOLOGICAL INVESTIGATIONS AGREEMENT, AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN ANY AND ALL AMENDMENTS TO THE AGREEMENT NOT TO EXCEED \$25,000, (COUNTY-WIDE)

3AL) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 210070 WITH BENDER ROSENTHAL, INC., IN THE AMOUNT OF \$260,000 FOR PROFESSIONAL ON-CALL APPRAISAL AND RIGHT-OF-WAY SERVICES ON VARIOUS COUNTY PROJECTS, FOR THE 2022 QUADRENNIAL RIGHT-OF-WAY SERVICES AGREEMENT - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 22-106; Agreement 22-102

RESOLUTION 22-106

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 210070 WITH BENDER ROSENTHAL, INC., IN THE AMOUNT OF \$260,000 FOR PROFESSIONAL ON-CALL APPRAISAL AND RIGHT-OF-WAY SERVICES ON VARIOUS COUNTY PROJECTS, FOR THE 2022 QUADRENNIAL RIGHT-OF-WAY SERVICES AGREEMENT, AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO SIGN ANY AND ALL AMENDMENTS TO THE

AGREEMENT NOT TO EXCEED \$26,000 (COUNTY-WIDE)

3AM) APPROVAL OF AGREEMENT WITH THE DATA CENTER LLC FOR PRINT AND MAIL SERVICES FOR MENDOCINO COUNTY TAX BILLS, STATEMENTS, AND/OR NOTICES, IN THE AMOUNT NOT TO EXCEED \$120,000, EFFECTIVE MAY 1, 2022 THROUGH JUNE 30, 2025 - SPONSOR: TREASURER-TAX COLLECTOR

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-099

4A) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF THE FISCAL YEAR (FY) 2021-22 3RD QUARTER BUDGET REPORT ON THE STATUS OF COUNTY DEPARTMENTAL SPENDING AND REVENUES FOR FY 2021-22 AND EXECUTIVE OFFICE RECOMMENDATIONS; AND ADOPTION OF RESOLUTION AMENDING THE FY 2021-22 ADOPTED BUDGET - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Darcie Antle, Acting Chief Executive Officer; Tim Hallman, Acting Deputy Chief Executive Officer; and Sara Pierce, Acting Deputy Chief Executive Officer.

Public Comment: Sarah Reith; Susan Tibbon; Ron Edwards; and Michael Katz.

Board Action: Upon motion by Supervisor McGourty, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors accepts the FY 2021-22 3rd Quarter Budget Report on the status of departmental spending and revenues for FY 2021-22; approves Executive Office recommendations; approve the addition of any funded fixed assets on Attachment C, entitled, "Fiscal Year 2021-22 3rd Quarter Vehicle/Fixed Asset Request"; adopts Resolution amending the FY 2021-22 Adopted Budget; 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 22-107

RESOLUTION 22-107

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

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, Acting Chief Executive Officer; Tim Hallman, Acting Deputy Chief Executive Officer; and Sara Pierce, Acting Deputy Chief Executive Officer.

Public Comment: Ron Edwards; and Terry Matson.

Board Action: Upon motion by Supervisor McGourty, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors directs staff to continue to work with the Ad Hoc on the preliminary fiscal year 2022-23 budget, incorporating today's Board of Supervisors input, and return on June 7th and 8th with more information regarding possible reductions. 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

BOARD RECESS: 11:45 P.M. – 12:00 P.M.

4C) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF THE RECOMMENDED COMMUNITY CORRECTIONS PARTNERSHIP (CCP) BUDGET FOR FISCAL YEAR (FY) 2022-23 IN THE AMOUNT OF \$5,265,734, EXCLUDING GROWTH FUNDS; AUTHORIZATION FOR THE CHIEF PROBATION OFFICER TO UPDATE THE APPROVED BUDGET BY THE AMOUNT OF GROWTH FUNDS RECEIVED, IF ANY, LESS MANDATED ALLOCATION TO THE LOCAL INNOVATION SUBACCOUNT, BY DESIGNATING THE FUNDS AS CONTINGENCY OR RESERVE; AND AUTHORIZATION FOR THE CHIEF PROBATION OFFICER TO IMPLEMENT THE CCP BUDGET - SPONSOR: PROBATION

Presenter/s: Izen Locatelli, Chief Probation Officer.

Public Comment: None.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors approves the recommended Community Corrections Partnership (CCP) Budget for Fiscal Year (FY) 2022-23 in the amount of \$5,265,734, excluding Growth Funds; authorizes the Chief Probation Officer to update the approved budget by the amount of Growth Funds received, if any, less mandated allocation to the Local Innovation Subaccount, by designating the funds as Contingency or Reserve; and authorizes the Chief Probation Officer to implement the CCP Budget. 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

4D) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF THE MENDOCINO COUNTY JUVENILE JUSTICE PLAN (MCJJP) DATED APRIL 2022, REPRESENTING MENDOCINO COUNTY'S COMPREHENSIVE MULTI-AGENCY JUVENILE JUSTICE PLAN (CMJJP); APPROVAL OF THE JUVENILE JUSTICE CRIME PREVENTION ACT (JJCPA) BUDGET FOR FISCAL YEAR 2022-23; AND AUTHORIZATION FOR THE CHIEF PROBATION OFFICER TO IMPLEMENT THE JJCPA BUDGET- SPONSOR: PROBATION

Presenter/s: Izen Locatelli, Chief Probation Officer.

Public Comment: None.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors accepts the Mendocino County Juvenile Justice Plan (MCJJP) dated April 2022 which represents Mendocino County's Comprehensive Multi-Agency Juvenile Justice Plan (CMJJP); approves the Juvenile Justice Crime Prevention Act (JJCPA) budget for Fiscal Year 2022-23; and authorizes the Chief Probation Officer to implement the JJCPA budget. 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

4E) DISCUSSION AND POSSIBLE ACTION INCLUDING PRESENTATION AND APPROVAL OF THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT (BID) ANNUAL REPORT; ADOPTION OF RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING ITS INTENTION TO LEVY AND COLLECT AN ANNUAL ASSESSMENT FROM BUSINESSES IN THE BID WITHIN THE BOUNDARIES OF THE UNINCORPORATED PORTION OF THE COUNTY OF MENDOCINO AND THE INCORPORATED AREAS OF THE CITY OF FORT BRAGG, THE CITY OF POINT ARENA, THE CITY OF UKIAH, AND THE CITY OF WILLITS FROM SPECIFIED LODGING BUSINESSES AND FIXING THE DATE, TIME, AND PLACE OF A PUBLIC HEARING TO BE HELD BY THE BOARD TO LEVY THE PROPOSED ASSESSMENT FOR FISCAL YEAR 2022/2023 - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Adrienne Thompson, Administrative Services Manager, Planning and Building Services; Marcus Magdaleno, Chair, Mendocino County Business Improvement District; and Travis Scott, Executive Director, Mendocino County Tourism Commission.

Public Comment: None.

Board Directive: FORMATION OF AN AD HOC COMMITTEE comprised of Supervisors Gjerde and McGourty to meet with the lodging industry and the cities.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves the BID Annual Report; adopts Resolution of the Mendocino County Board of Supervisors declaring its intention to levy and collect an annual assessment from lodging businesses in the BID (within the boundaries of the unincorporated portion of the County of Mendocino and the incorporated area of the City of Fort Bragg, the City of Point Arena, the City of Ukiah, and the City of Willits); sets a public hearing to be held in front of the Board at a regular meeting on May 17, 2022 at or about 9:00 A.M. or as soon thereafter as the matter can be heard, to levy the proposed assessment for Fiscal Year 2022/2023; 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 22-108

RESOLUTION 22-108

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING ITS INTENTION TO LEVY AND COLLECT AN ANNUAL ASSESSMENT FROM BUSINESSES IN THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT WITHIN THE BOUNDARIES OF THE UNINCORPORATED PORTION OF THE COUNTY OF MENDOCINO AND THE INCORPORATED AREAS OF THE CITY OF FORT BRAGG, THE CITY OF POINT ARENA, THE CITY OF UKIAH, AND THE CITY OF WILLITS FROM SPECIFIED LODGING BUSINESSES AND FIXING THE DATE, TIME AND PLACE OF A PUBLIC HEARING TO BE HELD BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO TO LEVY THE PROPOSED ASSESSMENT FOR FISCAL YEAR 2022/2023

4F) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE READING OF ORDINANCE REPEALING AND REPLACING IN ITS ENTIRETY MENDOCINO COUNTY CODE TITLE 9A - SOLID WASTE, AND AMENDING MENDOCINO COUNTY CODE CHAPTER 18.25 - REGULATIONS FOR COLLECTING AND LOADING RECYCLABLE MATERIALS IN DEVELOPMENT PROJECTS, AND CHAPTER 18.35 - CONSTRUCTION AND DEMOLITION RECYCLING AND REUSE (COUNTYWIDE) - SPONSOR: SOLID WASTE

Presenter/s: Howard Dashiell, Director, Department of Transportation; and Amber Fisette, Deputy Director, Department of Transportation.

Public Comment: None.

Board Directive: Direct Solid Waste to provide direction to each department to add a compost or food waste bin to their breakroom and that paper towel receptacles be converted to mixed waste organics receptacles.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors introduces and waives reading of ordinance repealing and replacing in its entirety Mendocino County Code Title 9A - Solid Waste and amending Mendocino County Code Chapter 18.25 - Regulations for Collecting and Loading Recyclable Materials in Development Projects, and Chapter 18.35 - Construction and Demolition Recycling and Reuse (Countywide). 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 APPROVAL OF AMENDMENT TO MENDOCINO COUNTY POLICY NUMBER 44 - SUSTAINABLE PRACTICES POLICY, TO INCORPORATE SENATE BILL 1383 REQUIREMENTS FOR PROCUREMENT OF RECOVERED ORGANIC WASTE PRODUCTS AND RECYCLED-CONTENT PAPER (COUNTYWIDE) - SPONSOR: SOLID WASTE AND GENERAL SERVICES

Presenter/s: Amber Fisette, Deputy Director, Department of Transportation.

Public Comment: None.

Board Action: Upon motion by Supervisor Mulheren, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves amendment to Mendocino County Policy Number 44 - Sustainable Practices Policy, to incorporate Senate Bill 1383 requirements for procurement of recovered organic waste products and recycled-content paper (Countywide). 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 COMMERCIAL AGRICULTURAL BUSINESS VERIFICATION FOR MENDOCINO COUNTY RESTRICTED AREA ACCESS PROGRAM (AG PASS PROGRAM) - SPONSOR: SUPERVISOR HASCHAK AND SUPERVISOR MCGOURTY

Presenter/s: Supervisor Haschak; and Supervisor McGourty.

Public Comment: None.

Board Directive: Direct County Counsel to work with the Ad Hoc on the item and bring it back at a future meeting.

Board Action: No Action Taken.

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

Presenter/s: No Action Taken

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

Board Action: No Action Taken.

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

Board Action: No Action Taken.

BOARD RECESS: 1:04 P.M. – 1:20 P.M.

ADJOURNED TO CLOSED SESSION: 1:20 P.M.

7A) PURSUANT TO GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - AGENCY NEGOTIATORS: DARCI ANGLE, 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 54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - PUBLIC DEFENDER****7D) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - COUNTY COUNSEL****7E) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - PUBLIC HEALTH****7F) 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))**

RECONVENED IN OPEN SESSION: 5:30 P.M.

AGENDA ITEM NO. 7 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Williams.

Public Comment: None.

Board Action: With respect to agenda items 7a) – 7f), no reportable action was taken.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:30 P.M.



TED WILLIAMS, Chair

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



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