

GLENN MCGOURTY  
1st District  
Supervisor  
Chair

MAUREEN MULHEREN  
2nd District  
Supervisor  
Vice-Chair

JOHN HASCHAK  
3rd District  
Supervisor

DAN GJERDE  
4th District  
Supervisor

TED WILLIAMS  
5th District  
Supervisor



DARCIE ANTLE  
Chief Executive Officer/  
Clerk of the Board

CHRISTIAN M. CURTIS  
County Counsel

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## **MENDOCINO COUNTY BOARD OF SUPERVISORS**

### **ACTION MINUTES – January 24, 2023**

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

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#### **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.

**Staff Present:** Darcie Antle, Chief Executive Officer; Christian M. Curtis, County Counsel; Atlas M.A. Pearson, Senior Deputy Clerk of the Board; Kim Saylor, Deputy Clerk of the Board; and Lillian Bearden, Deputy Clerk of the Board.

**The Pledge of Allegiance was led by:** Supervisor Mulheren.

**AGENDA ITEM NO. 2 – PUBLIC EXPRESSION**

**Presenter/s:** Chris Brandt; Mark Donegan; Robert Marde; Richard Morrison; Theresa Thurman; Carrie Shattuck; Ronald Herold; Vicky Richardson; Dan Malliard;and Danilla Sands.

**AGENDA ITEM NO. 3 – APPROVAL OF CONSENT CALENDAR**

**Presenter/s:** Chair McGourty.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that Consent Calendar items 3a) – 3v) 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 JANUARY 10, 2023 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

**3B) APPROVAL OF MINUTES OF JANUARY 11, 2023 REGULAR CLOSED SESSION MEETING - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

**3C) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS - SPONSOR: EXECUTIVE OFFICE**

Approved;

1. Martin Martinez, Fifth District Representative, Behavioral Health Advisory Board;
2. Gary Mirata, First District Representative, Community Development Commission;
3. Dawn Deetz, Second District Representative, Community Development Commission;
4. Richard Willoughby, Third District Representative, Community Development Commission;
5. Kathy Brigham, Fifth District Representative, Community Development Commission;
6. Linda Mechling, Trustee, Mendocino - Little River Cemetery District;
7. James Eddie, First District Representative, Museum Advisory Board;
8. Brent E. Walker, Third District Representative, Museum Advisory Board;
9. Laura Betts, Third District Representative, Public Safety Advisory Board;
10. Lee Finney, Fifth District Representative, Public Safety Advisory Board;
11. Gary Quinton, Member, Westport Municipal Advisory Council;
12. Robert Keiffer, Trustee, Hopland Cemetery District;
13. Michael Carter, Public Appointee, Mendocino Council of Governments;
14. Bruce Richard, County B Representative, Mendocino Transit Authority;
15. Jim Tarbell, County A Representative, Mendocino Transit Authority;
16. David Shpak, Member, Gualala Municipal Advisory Council;
17. Bernadette Byrne, Alternate Member, Hopland Municipal Advisory Council;
18. Jane Cupples, Member, Hopland Municipal Advisory Council; and
19. Ellen Drell, Third District Representative, Mendocino County Climate Action Advisory Committee.

**3D) ADOPTION OF RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS IN THE AMOUNT OF \$20,741.28 FROM THE WILLIAM J. AND MELVINA K. TONEY REVOCABLE TRUST TO THE HISTORICAL SOCIETY OF MENDOCINO COUNTY TO COVER CAPITAL EXPENSES RELATED TO THE SOCIETY’S PROPERTY - SPONSOR: SUPERVISOR MCGOURTY**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-017

RESOLUTION 23-017

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE TRANSFER OF FUNDS FROM THE WILLIAM J. AND MELVINA K. TONEY REVOCABLE TRUST DEPOSITED INTO THE MENDOCINO COUNTY MUSEUM ENDOWMENT FUND TO THE HISTORICAL SOCIETY OF MENDOCINO COUNTY

**3E) ADOPTION OF PROCLAMATION RECOGNIZING AND HONORING Ms. EDITH RECAGNO KENNAN CECCARELLI UPON HER 115TH BIRTHDAY ON FEBRUARY 5, 2023 - SPONSOR: SUPERVISOR HASCHAK**

Adopted and Chair is authorized to sign same;

**3F) APPROVAL OF APPOINTMENT OF SUPERVISOR HASCHAK AS AN ALTERNATE REPRESENTATIVE TO THE LOCAL AGENCY FORMATION COMMISSION (LAFCo); AND ADOPTION OF REVISED 2023 SPECIAL ASSIGNMENTS ROSTER REFLECTING THE ADDITION - SPONSOR: EXECUTIVE OFFICE**

Approved;

**3G) APPROVAL OF RETROACTIVE AGREEMENT WITH WYLATTI RESOURCE MANAGEMENT, INC., IN THE AMOUNT OF \$250,000 TO PROVIDE TEMPORARY SHORT-TERM INGRESS AND EGRESS AT CREEKSIDE CABINS AND RV RESORT ON STATE HIGHWAY 101 IN MENDOCINO COUNTY, EFFECTIVE JANUARY 16, 2023, THROUGH JUNE 30, 2023; AND APPROVAL OF APPROPRIATION TRANSFER OF FUNDS IN FUND 1100, ORG CODE PB, INCREASING APPROPRIATIONS TO LINE ITEM PB-823300 (FORFEITURE & PENALTY) BY \$500,000.00, INCREASING LINE ITEM PB-862189 (PROFESSIONAL SERVICES) BY \$500,000.00, FUNDED BY THE NUISANCE ABATEMENT LINE ITEM 2110-760791, TO SUPPORT THE EMERGENCY CROSSING RESPONSE AT THE CREEKSIDE CABINS NORTH OF WILLITS - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-014

**3H) APPROVAL OF AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT No. 22-019 (SECOND AMENDMENT OVERALL) WITH REDWOOD VALLEY CALPELLA FIRE DISTRICT IN THE AMOUNT OF \$0 FOR A TOTAL OF \$1,000,000 FROM ONE-TIME PACIFIC GAS AND ELECTRIC (PG&E) DISASTER SETTLEMENT FUNDS TO PURCHASE A TYPE 1 PUMPER WATER TRUCK, A TYPE 6 WILDLAND BRUSH TRUCK, A PATROL ENGINE AND SUPPLIES/EQUIPMENT TO OUTFIT THE TRUCKS, EFFECTIVE UPON FULL EXECUTION THROUGH JUNE 30, 2023 - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-019-A1

**3I) APPROVAL OF AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT No. 22-045 (SECOND AMENDMENT OVERALL) WITH POTTER VALLEY COMMUNITY PARKS AND RECREATION IN THE AMOUNT OF \$0 FOR A TOTAL OF \$9,000 FROM ONE-TIME PACIFIC GAS AND ELECTRIC (PG&E) DISASTER SETTLEMENT FUNDS FOR PURCHASE OF SUPPLIES FOR LIVESTOCK EVACUATIONS DURING EMERGENCIES, EFFECTIVE UPON FULL EXECUTION THROUGH JUNE 30, 2023- SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-045-A1

**3J) APPROVAL OF RETROACTIVE AMENDMENT TO BOS AGREEMENT NO. 22-062, WITH ECONOMIC DEVELOPMENT AND FINANCING CORPORATION (EDFC) IN THE AMOUNT OF \$700 FOR A NEW TOTAL OF \$105,950, FOR CALIFORNIA MICROBUSINESS COVID-19 RELIEF GRANT PROGRAM SERVICES, EFFECTIVE JANUARY 25, 2022 THROUGH A NEW END DATE OF JUNE 30, 2023 (ORIGINAL END DATE: DECEMBER 30, 2022)- SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-062-A1

**3K) AUTHORIZATION FOR BEHAVIORAL HEALTH AND RECOVERY SERVICES TO SUBMIT A GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF HEALTH CARE SERVICES FOR THE BEHAVIORAL HEALTH CONTINUUM INFRASTRUCTURE PROGRAM - ROUND 5 CRISIS AND BEHAVIORAL HEALTH CONTINUUM PROGRAM; AND APPROVAL OF TRANSMISSION OF LETTER OF SUPPORT REGARDING MENDOCINO COUNTY’S APPLICATION - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES**

Approved and Chair is authorized to sign same;

**3L) APPROVAL OF THE COUNTY OF MENDOCINO CANNABIS DEPARTMENT UPDATE FROM DECEMBER 2022 - SPONSOR: CANNABIS**

Approved;

**3M) ADOPTION OF RESOLUTION APPROVING THE APPLICATION FOR SPECIFIED GRANT FUNDS FROM THE STATE OF CALIFORNIA BUDGET ACT 2022/23 (SEC 19.56 (A) (8) A(BG) IN THE AMOUNT OF \$2,200,000 FOR BOWER PARK RESTORATION PROJECT AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER OR DESIGNEE TO SIGN ANY AND ALL NECESSARY GRANT RELATED DOCUMENTS - SPONSOR: GENERAL SERVICES AGENCY**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-018

RESOLUTION 23-018

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING APPLICATION FOR SPECIFIED GRANT FUNDS FROM BUDGET ACT 2022/23 (SEC 19.56 (A) (8) A(BG) \$2,200,000 TO THE COUNTY OF MENDOCINO FOR THE BOWER PARK RESTORATION PROJECT)

**3N) APPROVAL OF RENEWAL OF THE FINDING MADE IN RESOLUTION No. 22-247 THAT THE DETERIORATING CONDITION OF THE ADMINISTRATION CENTER SERVER ROOM COOLING SYSTEM CONSTITUTES AN EMERGENCY THAT REQUIRES IMMEDIATE ACTION TO PREVENT OR MITIGATE THE LOSS OR IMPAIRMENT OF COUNTY PROPERTY AND ABILITY TO PROVIDE ESSENTIAL PUBLIC SERVICES AND DETERMINING THERE IS A NEED TO CONTINUE WITH THE CONTRACT TO RESOLVE THE EMERGENCY - SPONSOR: GENERAL SERVICES AGENCY**

Approved;

**3O) ADOPTION OF RESOLUTION AMENDING THE POSITION ALLOCATION TABLE AS FOLLOWS: SHERIFF’S CORONER BUDGET UNIT 2310; ADD 1.0 FTE CORONER INVESTIGATIVE TECHNICIAN, \$58,156.80 - \$70,699.20/ANNUALLY AND APPROVE RECLASSIFICATION OF INCUMBENT - SPONSOR: HUMAN RESOURCES**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-019

RESOLUTION 23-019

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

**3P) ADOPTION OF RESOLUTION AUTHORIZING ADOPTION OF DIRECTOR OF PUBLIC HEALTH SALARY \$138,881.60 - \$168,833.60 - SPONSOR: HUMAN RESOURCES**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-020

RESOLUTION 23-020

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

**3q) APPROVAL OF SIXTH AMENDMENT TO AGREEMENT 15-056 WITH THOMSON REUTERS/AUMENTUM IN THE AMOUNT OF \$250,000, FOR A NEW TOTAL CONTRACT AMOUNT OF \$2,914,533, RELATED TO THE ACQUISITION OF COUNTY-WIDE PROPERTY TAX SOFTWARE SYSTEM, AUTHORIZING THE ADDITION OF PROFESSIONAL CONSULTING SERVICES AND TRAVEL - SPONSOR: INFORMATION TECHNOLOGY**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 15-056-A6

**3R) AUTHORIZATION FOR THE MENDOCINO COUNTY DEPARTMENT OF PUBLIC HEALTH DIRECTOR, OR DESIGNEE, TO ACCEPT AND EXECUTE THE BINDING ALLOCATION LETTER FOR \$723,894 OF “FUTURE OF PUBLIC HEALTH” (FOPH) FUNDS AVAILABLE THROUGH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, TO SUPPORT LOCAL HEALTH JURISDICTIONS AND STRENGTHEN LOCAL INFRASTRUCTURE FOR THE PERIOD OF JULY 1, 2022, THROUGH JUNE 30, 2023; AND APPROVAL OF APPROPRIATION TRANSFER OF FUNDS CREATING A NEW ORGANIZATION CODE IN BUDGET UNIT 4010 PH TO BE NAMED “PHFOPH” FOR THE FOPH FUNDING ALLOCATION, AND TRANSFERRING FOPH FUNDS FROM 82-5490 ACCORDING TO THE FOLLOWING: \$3,000 TO 86-2060 FOR COMMUNICATIONS, \$36,759 TO 86-2170 FOR OFFICE SUPPLIES, \$6,000 TO 86-2230 FOR INFORMATION TECH EQUIPMENT, AND \$678,135 TO 86-2239 FOR SPECIAL DEPARTMENT EXPENSES - SPONSOR: PUBLIC HEALTH**

Approved (as revised) and Chair is authorized to sign same;

**3S) APPROVAL OF AGREEMENT WITH SUMMIT FOOD SERVICE, LLC IN THE AMOUNT OF \$2,616,000 FOR KITCHEN AND LAUNDRY SERVICES AT THE MENDOCINO COUNTY JAIL FOR A THREE-YEAR CONTRACT TERM OF FEBRUARY 1, 2023 THROUGH JANUARY 30, 2026, WITH THE OPTION TO EXTEND THE AGREEMENT FOR TWO ADDITIONAL ONE-YEAR PERIODS - SPONSOR: SHERIFF-CORONER**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-015

**3T) APPROVAL OF RETROACTIVE FIRST AMENDMENT TO AGREEMENT NO. BOS 21-083 WITH PROJECT SANCTUARY IN THE AMOUNT OF \$549,409, FOR A NEW TOTAL OF \$1,006,277, TO CONTINUE PROVIDING NON-CONGREGATE SHELTER (I.E. MOTEL VOUCHERS) AND HOUSING NAVIGATION SERVICES NEEDED TO PREVENT, PREPARE FOR AND RESPOND TO CORONAVIRUS AMONG INDIVIDUALS AND FAMILIES WHO ARE EXPERIENCING HOMELESSNESS IN MENDOCINO COUNTY, USING GRANT FUNDS AVAILABLE THROUGH CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE EMERGENCY SOLUTIONS GRANT, AS FUNDED BY THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT, EFFECTIVE JANUARY 1, 2021 THROUGH A NEW END DATE OF SEPTEMBER 30, 2023 (ORIGINAL END DATE: JUNE 30, 2022) - SPONSOR: SOCIAL SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-083-A1

**3U) APPROVAL OF AGREEMENT (RETROACTIVE FIRST AMENDMENT TO PURCHASING AGENT AGREEMENT No. PA 21-157/SS 20-083) WITH REDWOOD COMMUNITY SERVICES IN THE AMOUNT OF \$268,536, FOR A NEW TOTAL OF \$318,536 TO CONTINUE PROVIDING RAPID REHOUSING SERVICES TO INDIVIDUAL YOUTH AND YOUTH-LED FAMILIES WITH CHILDREN WHO ARE EXPERIENCING HOMELESSNESS IN MENDOCINO COUNTY, EFFECTIVE MAY 10, 2021 THROUGH A NEW END DATE OF SEPTEMBER 30, 2023 (ORIGINAL END DATE: JUNE 30, 2022) - SPONSOR: SOCIAL SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-016

**3V) ADOPTION OF RESOLUTION APPOINTING SUPERVISOR GLENN MCGOURTY AS DIRECTOR AND SUPERVISOR MAUREEN MULHEREN AS ALTERNATE DIRECTOR TO SERVE ON THE UKIAH VALLEY BASIN GROUNDWATER SUSTAINABILITY AGENCY BOARD OF DIRECTORS FOR THE TERM BEGINNING JANUARY 1, 2023 (UKIAH AREA) - SPONSOR: WATER AGENCY**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-021

RESOLUTION 23-021

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPOINTING SUPERVISOR GLENN MCGOURTY AS DIRECTOR AND SUPERVISOR MAUREEN MULHEREN AS ALTERNATE DIRECTOR TO SERVE ON THE UKIAH VALLEY BASIN GROUNDWATER SUSTAINABILITY AGENCY BOARD OF DIRECTORS FOR THE TERM BEGINNING JANUARY 1, 2023 (UKIAH AREA)

**AGENDA ITEM NO. 4 – REGULAR CALENDAR**

**5A) OFF-AGENDA ITEM: PURSUANT TO GOVERNMENT CODE SECTION 54954.2 - DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION RATIFYING THE LOCAL HEALTH EMERGENCY PROCLAIMED BY THE PUBLIC HEALTH OFFICER RELATED TO THE RELEASE OF WASTE AT CREEKSIDE CABINS AND RV RESORT - SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Christian M. Curtis, County Counsel; Dr. Andy Coren, Public Health Officer; and Darcie Antle, Chief Executive Officer.

**Public Comment:** Theresa Thurman.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors will hear the off-agenda item pursuant to Government Code 54954.2 and moves that it be added to the agenda as item 5a). 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 Action:** Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors adopts Resolution ratifying the Local Health Emergency Proclaimed by The Public Health Officer related to the release of waste at Creekside Cabins and RV Resort; 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 23-022

RESOLUTION 23-022

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS RATIFYING THE LOCAL HEALTH EMERGENCY PROCLAIMED BY THE COUNTY HEALTH OFFICER RELATED TO THE RELEASE OF WASTE AT CREEKSIDE CABINS AND RV RESORT

**4A) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF DECEMBER 2022-JANUARY 2023 WINTER STORMS UPDATE; AND DIRECTION TO STAFF - SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** None.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Gjerde, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors accepts update regarding December 2022-January 2023 Winter Storms. 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) CHIEF EXECUTIVE OFFICER’S REPORT - SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Darcie Antle, Chief Executive Officer.

**Public Comment:** Andrew Smith, Interim Agricultural Commissioner; and Hannah Nelson.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors accepts the Chief Executive Officer’s report. 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

**4C) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF PRESENTATION ON THE DECEMBER 31, 2022 MENDOCINO COUNTY POOLED INVESTMENTS REPORT; AND APPROVAL OF MENDOCINO COUNTY INVESTMENT POLICY FOR CALENDAR YEAR 2023 - SPONSOR: AUDITOR-CONTROLLER TREASURER-TAX COLLECTOR**

**Presenter/s:** Chamise Cubbison, Auditor-Controller Treasurer/Tax-Collector; and Carlos M. Oblites, Senior Portfolio Strategist, Chandler Asset Management.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors accepts the December 31, 2022 Mendocino County Pooled Investments Report; and approves the Mendocino County Investment Policy for Calendar Year 2023. 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 INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE DELEGATING AUTHORITY TO INVEST OR REINVEST THE FUNDS OF THE COUNTY AND ITS OTHER DEPOSITORS IN THE COUNTY TREASURY TO THE TREASURER FOR CALENDAR YEAR 2023 – SPONSOR: AUDITOR-CONTROLLER TREASURER-TAX COLLECTOR**

**Presenter/s:** Chamise Cubbison, Auditor-Controller Treasurer/Tax-Collector.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors introduces and waives first reading of an Ordinance delegating authority to invest or reinvest the funds of the County and its other depositors in the County Treasury to the Treasurer for the calendar year 2023. 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) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL TO ESTABLISH SHORTER WILLIAMSON ACT CONTRACTS, EFFECTIVE IN CALENDAR YEAR 2023, PURSUANT TO STATE STATUTE, MAKING THE REQUISITE FINDING PURSUANT TO GOVERNMENT CODE 16142.1(D) – SPONSORS: ASSESSOR/CLERK-RECORDER AND AGRICULTURE**

**Presenter/s:** Katrina Bartolomie, Assessor/Clerk-Recorder/Registrar of Voters.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors approves the establishment of shorter Williamson Act Contracts, effective in Calendar Year 2023, pursuant to State Statute, making the requisite finding pursuant to Government Code Section 16142.1(d), and directs staff to notify all affected landowners of final decision and the right to prevent the reduction in term by serving notice of non-renewal. 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: 10:23 A.M. – 10:34 A.M.*



**4F) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MENDOCINO AND THE MENDOCINO COUNTY PUBLIC ATTORNEYS ASSOCIATION -TEAMSTERS LOCAL 856 FOR THE TERM OF JULY 1, 2022 THROUGH JUNE 30, 2023 – SPONSORS: EXECUTIVE OFFICE AND HUMAN RESOURCES**

**Presenter/s:** Cherie Johnson, Deputy Chief Executive Officer.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors adopts Resolution and approves Memorandum of Understanding Between the County of Mendocino and the Mendocino County Public Attorneys Association -Teamsters Local 856 for the Term of July 1, 2022 through June 30, 2023; and authorize 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 23-023; Agreement 23-017

RESOLUTION 23-023

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE MEMORANDUM OF UNDERSTANDING WITH MENDOCINO COUNTY PUBLIC ATTORNEYS ASSOCIATION – TEAMSTERS LOCAL 856

**4G) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MENDOCINO AND THE MENDOCINO COUNTY DEPARTMENT HEAD ASSOCIATION FOR THE TERM OF SEPTEMBER 1, 2022 THROUGH AUGUST 31, 2023 – SPONSORS: EXECUTIVE OFFICE AND HUMAN RESOURCES**

**Presenter/s:** Cherie Johnson, Deputy Chief Executive Officer.

**Public Comment:** None.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors adopts Resolution and approves Memorandum of Understanding between the County of Mendocino and the Mendocino County Department Head Association for the term of September 1, 2022, through August 31, 2023; and authorize 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 23-024; Agreement 23-018

RESOLUTION 23-024

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE MEMORANDUM OF UNDERSTANDING WITH MENDOCINO COUNTY DEPARTMENT HEAD ASSOCIATION

**4H) DISCUSSION AND POSSIBLE DIRECTION TO STAFF REGARDING THE PRESENTATION OF MENDOCINO COUNTY'S FISCAL YEAR (FY) 2022-23 BUDGET STATUS - SPONSORS: EXECUTIVE OFFICE**

**Presenter/s:** Darcie Antle, Chief Executive Officer; Chamise Cubbison, Auditor-Controller Treasurer/Tax-Collector; Tim Hallman, Acting Deputy Chief Executive Officer; Sara Pierce, Deputy Chief Executive Officer; Stella Bratsis, Senior Administrative Analyst; Cherie Johnson, Deputy Chief Executive Officer; Tony Rakes, Division Manager, Information Technology; Janelle Rau, Director, General Services Agency; and Matthew Kendall, Sheriff-Coroner.

**Public Comment:** Carrie Shattuck; Peter McNamee; Hannah Nelson; and Monique Ramirez.

**Board Action:** Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors directs the Chair to write to the state Assemblymember and Senator expressing need for greater state funding for the jail expansion/compliance; and directs the Chair to write to US Representatives and Senators regarding FEMA funding and the need for full FEMA funding for the Roomkey Program. 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 Action:** Upon motion by Supervisor Gjerde, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors directs that as the Executive Office brings forward proposals to balance the budget, they should first look at options that do not target PG&E funds for the carbon reduction plan or the drought. 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: 12:26 P.M.*

**6A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION: ONE CASE****6B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION: ONE CASE**

*RECONVENED IN OPEN SESSION: 2:05 P.M.*

**AGENDA ITEM NO. 6 – REPORT OUT OF CLOSED SESSION**

**Presenter:** Chair McGourty.

**Public Comment:** None.

**Board Action:** With respect to agenda item 6a), the Board voted unanimously to direct County Counsel to file litigation against Houser Holdings LLC and Theresa Thurman to address conditions at the Creekside Cabins property. With respect to agenda item 6b), no reportable action was taken.

**4i) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO COUNTY STAFF TO CONTINUE WORK ON NECESSARY STEPS TO IMPLEMENT THE COUNTY SERVICE AREA 3 BENEFIT ZONE PILOT PROGRAM FOR THE SHERWOOD ROAD AREA, DETERMINE APPROPRIATE MENDOCINO COUNTY POLICY AS THE IMPLEMENTING “AGENCY TO EFFECTIVELY AND EFFICIENTLY DELIVER ADEQUATE, RELIABLE, AND SUSTAINABLE SERVICES” - LICENSE VS EASEMENT; APPROVE AND AUTHORIZE EXPENDITURE OF ANY SURPLUS FUNDS IN THE LAND IMPROVEMENT BUDGET UNIT 1910 FOR CONTRACTING UP TO \$105,000 AND ACKNOWLEDGE LAND IMPROVEMENT BUDGET UNIT 1910 HAS EXPENDED \$60,000 IN STAFF EFFORT TO DATE AND ANTICIPATES THAT AN ADDITIONAL \$95,000 TO \$105,000 IN STAFF & CONSULTANT EFFORT MIGHT BE REQUIRED TO COMPLETE THIS PROCESS FOR A TOTAL ESTIMATED, PAST & FUTURE COST OF \$165,000 (SHERWOOD ROAD AREA)- SPONSOR: TRANSPORTATION**

**Presenter/s:** Howard Dashiell, Director, Transportation.

**Public Comment:** Keith Rutledge.

**Board Action:** Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors accepts revocable license as appropriate for this project; direct the Director of Transportation, Howard Dashiell, to return to LAFCo; and directs staff to proceed with the 50% protest election vote. 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

**4j) DISCUSSION AND POSSIBLE ACTION INCLUDING AN INFORMATIONAL UPDATE ON THE STATUS OF PLANNING AND DEVELOPMENT OF A WILDLIFE EXCLUSIONARY PROGRAM - SPONSORS: SUPERVISOR HASCHAK, AGRICULTURE, AND ANIMAL CARE SERVICES**

**Presenter/s:** Supervisor Haschak; and Andrew Smith, Interim Agricultural Commissioner.

**Public Comment:** Chris Brandt.

**Board Action:** Upon motion by Supervisor Haschak, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors accepts informational update on the status of planning and development of a wildlife exclusionary program and staff recommendations on next steps. 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: 3:19 P.M. – 3:30 P.M.*

**4K) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF A PRESENTATION FROM THE MENDOCINO COUNTY FISH AND GAME COMMISSION AND CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE REGARDING THE NEED TO ESTABLISH RIPARIAN, STREAM, AND WETLAND PROTECTIONS FOR THE INLAND AREA OF MENDOCINO COUNTY; AND DIRECTION TO STAFF - SPONSOR: SUPERVISOR HASCHAK**

*CHAIR MCGOURTY RECUSED HIMSELF DUE TO A CONFLICT OF INTEREST REGARDING HIS OWNERSHIP OF RIPARIAN PROPERTY AND PASSED THE GAVEL TO VICE-CHAIR MULHEREN.*

**Presenter/s:** Supervisor Haschak; Angela Liebenberg, California Department of Fish and Wildlife; Jennifer Garrison, California Department of Fish and Wildlife; and Nash Gonzalez, Interim Assistant Director, Planning and Building Services.

**Public Comment:** Ellen Drell; Glenn McGourty; and Peter McNamee.

**Board Action:** Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors directs that Supervisor McGourty work with the Fish and Game Commission and any other pertinent agencies to determine what mapping currently exists in the county. 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

*CHAIR MCGOURTY RETURNED TO THE DAIS AND RETRIEVED THE GAVEL FROM VICE-CHAIR MULHEREN.*

**4L) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING DEAD AND/OR HAZARDOUS VEGETATION REMOVAL IN THE COASTAL ZONE - SPONSOR: PLANNING AND BUILDING SERVICES**

**Presenter/s:** Nash Gonzalez, Interim Assistant Director, Planning and Building Services; John Burkes, Code Enforcement Manager; and Gretchen McLaughlin, Supervising Code Enforcement Officer.

**Public Comment:** Matthew Barker.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors direct County Counsel to work with Planning and Building Services on an urgency ordinance that would exempt certain dead, diseased, or hazardous trees within the strike area of the an inhabited structure or its parking area from permit requirements, as a stopgap measure until a local coastal plan amendment can be put in place; direct the department to bring back available options regarding an expedited process beyond the inhabited building and parking spaces; and direct the department to work with CAL-Fire to see if they have any recommendations. 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

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

Withdrawn.

**4N) SUPERVISORS’ REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST**

**Presenter/s:** Supervisor Gjerde; Supervisor Williams; Supervisor Mulheren; Supervisor Haschak; and Chair McGourty.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 5:17 P.M.

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

\_\_\_\_\_  
GLENN MCGOURTY, 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](http://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](http://www.mendocinocounty.org/government/board-of-supervisors)

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