

CARRE BROWN
1st District
Supervisor

JOHN MCCOWEN
2nd District
Supervisor

JOHN HASCHAK
3rd District
Supervisor
Chair

DAN GJERDE
4th District
Supervisor
Vice-Chair

TED WILLIAMS
5th District
Supervisor



CARMEL J. ANGELO
Chief Executive Officer/
Clerk of the Board

CHRISTIAN M. CURTIS
County Counsel

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MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES –July 21, 2020

**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 9:02 A.M.)

Present: Supervisor Carre Brown, Supervisor John McCowen, Supervisor John Haschak, Supervisor Dan Gjerde, and Supervisor Ted Williams. Chair Haschak presiding.

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer; Mr. Christian M. Curtis, Acting County Counsel; and Ms. Lindsey Dunham, Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Chair Haschak.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Ms. Karen Oslund; Ms. Abbie Colbert; Ms. Emily Goldstein; and Mr. Larry Olson.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Haschak.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that Consent Calendar items 4a) – 4i) are hereby approved as follows. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

4A) ADOPTION OF RESOLUTION ON DECLARATION OF CLIMATE EMERGENCY - SPONSOR: SUPERVISORS WILLIAMS AND GJERDE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-093

RESOLUTION 20-093

RESOLUTION OF THE COUNTY OF MENDOCINO ENDORSING THE DECLARATION OF A CLIMATE EMERGENCY

4B) DISBAND THE CLIMATE ACTION AD HOC COMMITTEE COMPRISED OF SUPERVISORS WILLIAMS AND MCCOWEN, FORMED ON APRIL 16, 2019 - SPONSOR: SUPERVISOR MCCOWEN

Approved;

4C) ADOPTION OF RESOLUTION DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO THE OCTOBER WIND EVENTS AND CORRESPONDING PACIFIC GAS AND ELECTRIC PUBLIC SAFETY POWER SHUTOFF EVENTS ON OCTOBER 23, 2019, OCTOBER 26, 2019 AND OCTOBER 29, 2019, IN MENDOCINO COUNTY AS PROCLAIMED BY THE CHIEF EXECUTIVE OFFICER/DIRECTOR OF EMERGENCY SERVICES - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-094

RESOLUTION 20-094

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS RATIFYING THE DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO THE OCTOBER 2019 WIND EVENTS

4D) AUTHORIZATION OF BLANKET DECLARATION OF SURPLUS PROPERTY AND AUTHORIZATION FOR PURCHASING AGENT TO DISPOSE OF SAID SURPLUS PROPERTY THROUGHOUT FISCAL YEAR (FY) 2020-21 - SPONSOR: EXECUTIVE OFFICE

Approved;

4E) APPROVAL OF SECOND RETROACTIVE AMENDMENT TO BOARD OF SUPERVISORS AGREEMENT NO. 19-240 WITH THOMAS LAW GROUP IN THE AMOUNT OF \$280,000, FOR A NEW AGREEMENT AMOUNT OF \$365,000, TO PROVIDE LEGAL SERVICES RELATED TO KEEP THE CODE, INC., V. COUNTY OF MENDOCINO (MENDOCINO SUPERIOR COURT CASE NO. SCUK-CVPT-12-60196), EFFECTIVE MARCH 1, 2020, THROUGH JUNE 30, 2021; AND APPROVAL OF CORRESPONDING REQUEST FOR APPROPRIATION REVISION OF FUNDS TO INCREASE PLANNING SPECIAL PROJECTS, BUDGET UNIT 2852, ORG CODE PS 826184 IN THE AMOUNT OF \$85,000 AND PS 862239 IN THE AMOUNT OF \$85,000 - SPONSOR: COUNTY COUNSEL

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-240-A2

4F) APPROVAL OF USE OF MEASURE B CAPITAL FACILITIES FUNDS IN THE AMOUNT OF \$430 FOR SONOMA SWEEPER'S, INC. TO PROVIDE ONE TIME LANDSCAPING MAINTENANCE AT THE PROPOSED LOCATION OF THE MEASURE B CRISIS RESIDENTIAL TREATMENT FACILITY LOCATED AT 632 SOUTH ORCHARD AVENUE, UKIAH, AS RECOMMENDED BY THE MENTAL HEALTH TREATMENT ACT CITIZEN'S OVERSIGHT COMMITTEE - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

4G) APPROVAL OF RETROACTIVE REVENUE AGREEMENT NO. 20-10099, A FEE FOR SERVICE AGREEMENT, WITH CALIFORNIA DEPARTMENT OF PUBLIC HEALTH FOR ADMINISTRATION OF THE AIDS DRUG ASSISTANCE PROGRAM IN MENDOCINO COUNTY, EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2023; AND ADOPTION OF RESOLUTION AUTHORIZING HEALTH AND HUMAN SERVICES AGENCY DIRECTOR OR DESIGNEE TO SIGN AGREEMENT AND ANY AMENDMENTS AS AN AGENT ON BEHALF OF MENDOCINO COUNTY - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign same;

Enactment No: Agreement *20-111; Resolution 20-095

RESOLUTION 20-095

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE MENDOCINO COUNTY HEALTH AND HUMAN SERVICES AGENCY DIRECTOR OR DESIGNEE TO SIGN AGREEMENT NUMBER 20-10099 AS AN AGENT ON BEHALF OF THE COUNTY OF MENDOCINO FOR THE AIDS DRUG ASSISTANCE PROGRAM WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH

4H) APPROVAL OF RETROACTIVE SECOND AMENDMENT TO BOS AGREEMENT NO. 19-204 WITH DAVIS GUEST HOME IN THE AMOUNT OF \$1,430 FOR A NEW AGREEMENT TOTAL OF \$158,930 TO PROVIDE RESIDENTIAL CARE TO MENDOCINO COUNTY LANTERMAN PETRIS SHORT CLIENTS, EFFECTIVE JULY 1, 2019 THROUGH JUNE 30, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-204-A2

4I) APPROVAL OF FIRST AMENDMENT TO STANDARD SERVICES AGREEMENT NO. PA-18-219 WITH QCERA, INC., IN THE AMOUNT OF \$15,100 FOR A NEW AGREEMENT TOTAL OF \$65,100 FOR CLOUD BASED SOFTWARE SUBSCRIPTION SERVICES FOR EMPLOYEE LEAVE MANAGEMENT, EXTENDING THE TERMINATION DATE FROM OCTOBER 2, 2020 TO OCTOBER 2, 2021 - SPONSOR: HUMAN RESOURCES

Approved and Chair is authorized to sign same.

Enactment No: Agreement 20-112

5A) DISCUSSION AND POSSIBLE ACTION INCLUDING AN UPDATE ASSOCIATED WITH THE NOVEL CORONAVIRUS (COVID-19), INCLUDING POSSIBLE DIRECTION REGARDING ESSENTIAL SERVICES IN MENDOCINO COUNTY, OPERATIONAL PREPARATION AND RESPONSE, AND ASSOCIATED COUNTY WIDE ECONOMIC IMPACTS - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo; Mr. Jason Wells, President, Adventist Health Ukiah Valley and Adventist Health Howard Memorial; Ms. Bekkie Emery, Assistant Director, Health and Human Services Agency; Mr. Matt Kendall, Sheriff Coroner; Mr. John Martire, Special Investigator, Health and Human Services Agency; Mr. John Burkes, Acting Supervisor, Code Enforcement; Mr. Christian Curtis, County Counsel; and Ms. Noemi Doohan, County Health Officer.

Public Comment: Mr. Charles Brandenburg; and Mr. Ron Stark

Board Directive: GENERAL CONSENSUS OF THE BOARD to limit the amount of staff time requested by any individual Board member, to one hour per week, cumulative for all Countywide staff that are functioning in their role as disaster service workers, or in direct response to a state of emergency

Board Action: No action taken.

BOARD RECESS: 11:13 A.M. – 11:31 A.M.

5B) CHIEF EXECUTIVE OFFICER'S REPORT

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer.

Public Comment: Mr. Buck Tergis; Mr. Cory Miller; Ms. Hannah Nelson; Ms. Judy Tergis; Mr. Robbie Wyre; Mr. David Drell; Ms. Paula Fugman; Ms. Ellen Drell; Mr. Richard Wilson; Mr. Ron Stark; Mr. Serge Scherbatskoy; and Ms. Marilyn Magoffin.

Board Action: No action taken.

ADJOURNED TO CLOSED SESSION: 12:02 P.M.

9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: KEEP THE CODE, INC. V. COUNTY OF MENDOCINO. MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUK-CVPT-2020-73755**9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR PROPERTY: APN 184-044-10-00, AND PHYSICAL ADDRESS. 131 WHITMORE LANE, UKIAH CA. AGENCY NEGOTIATORS: CARMEL J. ANGELO, JANELLE RAU, AND DARCIE ANTLE. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS****9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: ANN MARIE BORGES AND CHRIS GURR DBA GOOSE HEAD VALLEY FARMS V. COUNTY OF MENDOCINO, ET AL. MENDOCINO COUNTY SUPERIOR COURT CASE No. 3:20-CV-04537-SI****9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) – CONFERENCE WITH LEGAL COUNSEL INITIATION OF LITIGATION: ONE CASE****9E) PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE APPOINTMENT – COUNTY HEALTH OFFICER**

RECONVENED IN OPEN SESSION: 2:09 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Haschak.

Board Action: With regard to Agenda Items 9a) through 9e), direction was given to staff.

THE BOARD OF SUPERVISORS JOINTLY CONVENED AS THE MENDOCINO AIR QUALITY MANAGEMENT DISTRICT IN CONSIDERATION OF AGENDA ITEM 5C)

5C) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF AMENDMENT TO LEGAL SERVICES AGREEMENT NO. 19-182 WITH CHRISTIANA DARLINGTON, DBA CLERE INC., IN AN AMOUNT NOT TO EXCEED \$40,500, FOR SEPARATE LEGAL REPRESENTATION FOR THE AIR QUALITY MANAGEMENT DISTRICT EFFECTIVE WHEN AGREEMENT BECOMES FULLY EXECUTED THROUGH JUNE 30, 2021 - SPONSOR: AIR QUALITY MANAGEMENT DISTRICT

Presenter/s: Ms. Barbara Moed, Air Pollution Control Officer, Air Quality Management District.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors approves Amendment to Legal Services Agreement No. 19-182 with Christiana Darlington, dba CLERE Inc., in an amount not to exceed \$40,500, for separate legal representation for the Air Quality Management District effective when the Agreement becomes fully executed through June 30, 2021; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Agreement 19-182-A1

6C) DISCUSSION AND POSSIBLE ACTION REGARDING THE IMPACTS OF COVID-19 ON RACIAL AND ETHNIC MINORITY GROUPS; CURRENT NATIONAL, STATE AND LOCAL DATA ABOUT COVID-19 AND THE IMPORTANCE OF ADDRESSING HEALTH DISPARITIES; AND, PROPOSED INTERVENTIONS AND RECOMMENDATIONS FROM THE MENDOCINO COUNTY LATINX ALLIANCE AND THE HEALTH AND HUMAN SERVICES AGENCY - SPONSOR: SUPERVISOR HASCHAK AND THE HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Dr. Noemi Doohan, Public Health Officer; Dr. Sergio Aguilar Gaviola, Founding Director, Center for Reducing Health Disparities at UC Davis; Ms. Roseanne Ibarra, Co Founder, LatinX Alliance; Ms. Loreto Rojas, Community Voice; Mr. Javier Chavez, Community Liaison RCMS Healthcare; Ms. Maria Avalos, Community Voice; Ms. Keily Becerra, Community Voice; Ms. Brenda Moreno Sanchez, Community Voice; and Ms. Miranda Ramos, Community Voice.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors directs staff to move forward with the creation of an equity, diversity, and inclusion task force, initially focused on the requests made throughout the workshop, requesting that the Chair work with Staff to implement as many suggestions as possible presented in the Joint Latinx Letter to the Board of Supervisors. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

BOARD RECESS: 3:20 P.M. – 3:31 P.M.

6B) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF TO AUTHOR A HAZARDOUS VEGETATION AND RUBBISH ABATEMENT ORDINANCE - SPONSOR: SUPERVISOR BROWN

Presenter/s: Supervisor Brown.

Public Comment: None.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors authorizes Supervisor Brown to work with Mendocino Fire Safe Council and County staff to bring back Ordinance options. The motion carried by the following vote:

Aye: 5 – Supervisor Brown, Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

5D) DISCUSSION AND POSSIBLE ACTION INCLUDING POSSIBLE APPOINTMENT OF AN AD HOC COMMITTEE REGARDING RESPONSES TO THE 2019-2020 GRAND JURY REPORTS - SPONSOR: COUNTY COUNSEL

Presenter/s: Mr. Christian M. Curtis, County Counsel.

Public Comment: None.

Board Directive: BY ORDER OF THE CHAIR Appointment of an Ad Hoc with Supervisor McCowen and Supervisor Brown to respond to the Grand Jury reports, with Supervisor Gjerde and Supervisor Williams responding to the communications report.

Board Action: No action taken.

5E) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING CHAPTER 2.14 OF THE MENDOCINO COUNTY CODE ENTITLED "COMPENSATION AND MILEAGE FOR GRAND JURORS AND PETIT JURORS" - SPONSORS: COUNTY COUNSEL AND EXECUTIVE OFFICE

Presenter/s: Mr. Christian M. Curtis, County Counsel.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors introduces and waives first reading of an Ordinance amending Chapter 2.14 of the Mendocino County Code entitled "Compensation and Mileage for Grand Jurors and Petit Jurors". The motion carried by the following vote:

6A) SUPERVISORS' REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST

5F) ~~DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM - SPONSOR: EXECUTIVE OFFICE~~

Withdrawn.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 6:27 P.M.

Attest: LINDSEY DUNHAM
Deputy Clerk of the Board

JOHN HASCHAK, 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