

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 – August 4, 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 9:07 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: Supervisor Brown.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Ms. Monique Ramirez; Mr. Ron Moorhead; and Mr. David Gurney.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Haschak.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Gjerde, IT IS ORDERED that Consent Calendar items 4a) – 4o) 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) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS

Approved;

1. Ms. Madelin Holtkamp, Planning Commission Representative, Airport Land Use Commission;
2. Ms. Joann Bradley, Fifth District Representative, Behavioral Health Advisory Board;
3. Ms. Darcie Antle, Director, County Commission on Medical Care / Partnership Health Plan of California;
4. Ms. Elisha Hardy, Third District Representative, Mendocino County Climate Action Advisory Committee; &
5. Mr. Redhawk Pallesen, First District Representative, Mendocino County Fish and Game Commission

4B) APPROVAL OF MINUTES OF JUNE 9, 2020 REGULAR MEETING

Approved;

4C) AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ESTABLISH A CAPITAL IMPROVEMENT PROJECT TO COMPLETE INTERVIEW ROOM SAFETY BARRIERS AT SOCIAL SERVICES LOCATIONS THROUGHOUT THE COUNTY IN THE AMOUNT OF \$32,000 AND AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ACT AS PROJECT MANAGER TO ENTER CONTRACTS AND APPROVE CHANGE ORDERS FOR THE PROJECT, PURSUANT TO PUBLIC CONTRACT CODE SECTION 20142 - SPONSOR: EXECUTIVE OFFICE

Approved;

4D) APPROVAL OF RETROACTIVE AGREEMENT WITH NORTH COAST OPPORTUNITIES IN THE AMOUNT OF \$153,337 FOR COVID-19 AWARENESS AND EDUCATION CAMPAIGN SERVICES DURING COVID-19 PANDEMIC, EFFECTIVE AUGUST 1, 2020 THROUGH JUNE 30, 2021 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-113

4E) RATIFICATION OF SUBMISSION OF MENDOCINO COUNTY'S GRANT APPLICATION FOR THE PEDESTRIAN AND BICYCLE SAFETY PROGRAM ADMINISTERED BY THE CALIFORNIA OFFICE OF TRAFFIC SAFETY IN AN AMOUNT NOT TO EXCEED \$100,000 WITH AN ANTICIPATED EFFECTIVE DATE OF OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021; AND AUTHORIZATION FOR THE HEALTH AND HUMAN SERVICES AGENCY DIRECTOR OR DESIGNEE TO SIGN AGREEMENT IF AWARDED AND ANY AMENDMENTS THAT DO NOT EXCEED THE ANNUAL MAXIMUM AMOUNT - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

4F) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC. IN THE AMOUNT OF \$186,150 TO PROVIDE SPECIALTY MENTAL HEALTH SERVICES AT HAVEN HOUSE OR OTHER REDWOOD COMMUNITY SERVICES SUPPORTIVE HOUSING UNIT, EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-114

4G) APPROVAL OF RETROACTIVE AGREEMENT WITH FRIENDS OF THE ROUND VALLEY PUBLIC LIBRARY IN THE AMOUNT OF \$1,952 FOR USE OF THE COMMUNITY ROOM BY THE PUBLIC HEALTH, WOMEN, INFANTS AND CHILDREN PROGRAM, EFFECTIVE JULY 1, 2019 THROUGH SEPTEMBER 30, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-115

4H) APPROVAL OF RETROACTIVE SECOND AMENDMENT TO AGREEMENT NO. SS 19-063, PA No. 18-351 WITH WELLSKY CORPORATION IN THE AMOUNT OF \$66,087.50 FOR A NEW TOTAL OF \$114,522.50 TO PROVIDE SUBSCRIPTION SERVICES FOR THE HOMELESS MANAGEMENT INFORMATION SYSTEM (HMIS), EFFECTIVE JULY 1, 2019 THROUGH A NEW END DATE OF JUNE 30, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-116

4I) APPROVAL OF RETROACTIVE AMENDMENT TO AGREEMENT NO. SS 19-076, PURCHASING AGENT NO. 20-51 WITH EVERSOLE MORTUARY, INC. IN THE AMOUNT OF \$17,000 FOR A NEW TOTAL OF \$67,000 TO PROVIDE THE HANDLING AND DISPOSITION OF LAST REMAINS OF DECEDENTS OF MENDOCINO COUNTY WHO HAVE NO RELATIVES OR OTHER PERSON LEGALLY EMPOWERED TO AUTHORIZE CREMATION AND DISPOSITION, 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 20-117

4J) APPROVAL OF AGREEMENT WITH AMERICAN GUARD SERVICES, INC. IN THE AMOUNT OF \$174,720 TO PROVIDE ARMED SECURITY GUARD SERVICES FOR PERSONS PLACED IN QUARANTINE DUE TO THE COVID-19 PANDEMIC, EFFECTIVE UPON FULL EXECUTION OF AGREEMENT THROUGH AUGUST 1, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-118

4K) APPROVAL OF AMENDMENT TO AGREEMENT NO. BOS 19-206 WITH LACO ASSOCIATES, INCREASING THE AMOUNT BY \$50,000, FOR A NEW TOTAL AGREEMENT AMOUNT NOT TO EXCEED \$104,400, AND EXTENDING THE TERM OF THE AGREEMENT BY 18 MONTHS, TO EXPIRE ON DECEMBER 31, 2021, FOR CONTINUED SERVICES RELATED TO THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PROGRAM, NPDES, (COMMONLY KNOWN AS STORMWATER), INCLUDING, BUT NOT LIMITED TO COMPLIANCE WITH LOW IMPACT DEVELOPMENT (LID) STANDARDS, CREATION AND UPDATE OF THE LID MANUAL, STAFF TRAINING, STORMWATER MANAGEMENT MEETINGS, ILLICIT DISCHARGE DETECTION, AND STATE PERMIT REQUIREMENTS - SPONSOR: PLANNING AND BUILDING SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-206-A1

4L) APPROVAL OF RETROACTIVE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (CESF) PROGRAM GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE (DOJ) IN THE AMOUNT OF \$69,733 FOR PREVENTION, PREPARATION, AND RESPONSE TO THE COVID-19 PANDEMIC DURING THE PROJECT PERIOD OF JANUARY 20, 2020, THROUGH JANUARY 31, 2022 - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-119

4M) RATIFICATION OF SUBMISSION OF 2020 APPLICATION FOR U.S. DEPARTMENT OF JUSTICE (DOJ) CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (CESF) PROGRAM GRANT SOLICITATION IN THE AMOUNT OF \$69,733; AND APPROVAL TO ACCEPT FUNDS - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-120

4N) APPROVAL OF RETROACTIVE AGREEMENT WITH BI INC. (A WHOLLY OWNED SUBSIDIARY OF THE GEO GROUP, INC.) IN THE AMOUNT OF \$1,000,000 TO PROVIDE HOME DETENTION TRACKING SERVICES FOR COUNTY INMATES FOR THE TERM OF AUGUST 1, 2020 THROUGH JUNE 30, 2025, WITH THE OPTION TO EXTEND THE AGREEMENT FOR UP TO THREE ADDITIONAL ONE YEAR PERIODS - SPONSOR:

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-121

4O) APPROVAL TO DISCHARGE FROM ACCOUNTABILITY THE ATTACHED LIST OF CASES COMPRISED OF DELINQUENT FINES, PENALTIES, FEES, AND ASSESSMENTS DETERMINED TO BE NON COLLECTIBLE DUE TO AGE OF DEBT, DEBTOR INABILITY TO PAY, OR LACK OF INFORMATION AVAILABLE TO LOCATE DEBTOR AND WHERE THE COST OF RECOVERY EXCEEDS THAT OF COLLECTION - SPONSOR: TREASURER-TAX COLLECTOR

Approved.

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, Chief Executive Officer; Ms. Bekkie Emery, Assistant Director, Health and Human Services Agency; Mr. Trey Strickland, Director, Environmental Health; Mr. Matthew Kendall, Sheriff Coroner; Mr. John Martire, Special Investigator, Health and Human Services Agency; Mr. John Burkes, Acting Supervising Officer, Code Enforcement; and Mr. Christian M. Curtis, Chief County Counsel.

Public Comment: None.

Board Action: No action taken.

BOARD RECESS: 10:47 A.M. – 11:03 A.M.

5B) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING THE POTENTIAL RE DIRECTION OF THE CANNABIS CULTIVATION PERMITTING PROGRAM TO A LAND USE ORDINANCE AND DIRECTION TO STAFF REGARDING PRIORITIZING PHASE 1 AND 2 EXISTING PERMIT HOLDERS WHO REQUIRE A CEQA CHECKLIST WITH A COST RECOVERY SYSTEM IDENTIFIED IN RESPONSE TO BOARD DIRECTION RECEIVED ON JUNE 16, 2020 - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Brent Schultz, Director, Planning and Building Services; and Ms. Julia Acker, Chief Planner, Planning and Building Services.

CHAIR HASCHAK ANNOUNCED THE BOARD WILL RETURN TO THIS ITEM AFTER CLOSED SESSION, UPON RECONVENING IN OPEN SESSION

ADJOURNED TO CLOSED SESSION: 12:01 P.M.

- 9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: ANN MARIE BORGES & CHRIS GURR V. COUNTY OF MENDOCINO, ET AL. UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA CASE No. 3:20-CV-04537-SI**
- 9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR PROPERTY: APN 002-340-3900, AND PHYSICAL ADDRESS. 555 SOUTH ORCHARD AVENUE, UKIAH CA. AGENCY NEGOTIATORS: CARMEL J. ANGELO, JANELLE RAU, AND DARCI ANTLE. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS**
- 9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR PROPERTY: APN 003-540-40, AND PHYSICAL ADDRESS. 1208 SOUTH STATE STREET, UKIAH CA. AGENCY NEGOTIATORS: CARMEL J. ANGELO, JANELLE RAU, AND DARCI ANTLE. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS**
- 9D) 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 DARCI ANTLE. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS**
- 9E) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) – CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION**
- 9F) PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR PROPERTY: 1340 NORTH STATE STREET, UKIAH CA. AGENCY NEGOTIATORS: CARMEL J. ANGELO, JANELLE RAU, AND DARCI ANTLE. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS**

RECONVENED IN OPEN SESSION: 2:02 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Haschak.

Board Action: With respect to Closed Session Agenda Items 9a) through 9f), direction was given to staff.

5B) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING THE POTENTIAL RE DIRECTION OF THE CANNABIS CULTIVATION PERMITTING PROGRAM TO A LAND USE ORDINANCE AND DIRECTION TO STAFF REGARDING PRIORITIZING PHASE 1 AND 2 EXISTING PERMIT HOLDERS WHO REQUIRE A CEQA CHECKLIST WITH A COST RECOVERY SYSTEM IDENTIFIED IN RESPONSE TO BOARD DIRECTION RECEIVED ON JUNE 16, 2020 - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Brent Schultz, Director, Planning and Building Services; Ms. Julia Acker, Chief Planner, Planning and Building Services; and Mr. Jesse Davis, Senior Planner, Planning and Building Services.

Public Comment: Ms. Sheila Jenkins; Ms. Hannah Nelson; Mr. Dennis Slota; Mr. David Drell; Mr. Michael Wheeler; Ms. Ellen Drell; Ms. Monique Ramirez; Ms. Shawna Jeavons; Mr. Charles Sargenti; Ms. Jenn Procacci; Mr. Ron Edwards; Ms. Corine Powell; Ms. Heidi Wordhouse; Ms. Blair AuClaire; Ms. Traci Pellar; Ms. Kate Marianchild; Ms. Devon Jones; and Mr. Serge Scherbatskoy.

Board Directive: BY ORDER OF THE CHAIR appointment of an Ad Hoc Committee consisting of Supervisor Williams and Supervisor Haschak to work with staff and outside agencies on a pathway for cannabis cultivators to get their annual licenses.

Board Directive: GENERAL CONSENSUS OF THE BOARD to request Supervisor McCowen work with staff on Use Permits.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors directs staff to initiate the steps needed to create a land use ordinance for commercial cannabis discretionary permits and continue working with existing cultivation applicants to complete Appendix G CEQA checksheets and coordinate with the ad hoc on next steps. 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

5E) NOTICED PUBLIC HEARING – DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF AN ORDINANCE REZONING (R_2019-0014 – THE FRACCHIA ROAD AND BISBY AVENUE NEIGHBORHOODS) TWENTY NINE (29) LEGAL PARCELS, TOTALING 129.64± ACRES, ADDING A COMMERCIAL CANNABIS PROHIBITION (CP) COMBINING DISTRICT TO THE CURRENT ZONING DESIGNATIONS OF RURAL RESIDENTIAL (RR), AGRICULTURAL (AG) AND RANGELAND (RL) - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Ms. Julia Acker Krog, Chief Planner, Planning and Building Services; and Ms. Chevon Holmes, Staff Planner, Planning and Building Services.

Public Comment: Ms. Colleen Mack.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors adopt an Ordinance rezoning (R_2019-0014 – the Fracchia Road and Bisby Avenue Neighborhoods) twenty nine (29) legal parcels, totaling 129.64± acres, to add a Commercial Cannabis Prohibition (CP) Combining District to parcels currently zoned RR, AG and RL; and authorize 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: Ordinance 4465

ORDINANCE 4465

AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY

BOARD RECESS: 4:22 P.M. – 4:38 P.M.

5C) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF A PRESENTATION REGARDING UPDATES TO THE CORONAVIRUS RELIEF FUND - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; and Ms. Darcie Antle, Deputy Chief Executive Officer.

Public Comment: None.

Board Action: No action taken.

5D) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING PROJECT HOMEKEY - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; and Ms. Darcie Antle, Deputy Chief Executive Officer.

Public Comment: None.

Board Directive: GENERAL CONSENSUS OF THE BOARD Creation of an Ad Hoc Committee including Supervisors Williams and Gjerde to work with the City of Fort Bragg on housing issues.

Board Action: No action taken.

6A) SUPERVISORS' REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST**5F) ~~CHIEF EXECUTIVE OFFICER'S REPORT~~**

Withdrawn.

5G) ~~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 5:57 P.M.

Attest: LINDSEY DAUGHERTY
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