

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 –October 20, 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 9:01 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, County Counsel; and Ms. Lindsey Daugherty, Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Chair Haschak.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Neil Altimari.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Haschak.

Public Comment: None.

Board Directive: Consent Calendar item 4e) removed for separate consideration.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, IT IS ORDERED that Consent Calendar items 4a) – 4q) and 4s) – 4ac) 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) AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ESTABLISH CAPITAL IMPROVEMENT PROJECTS TO REPLACE HVAC UNIT 22 ON THE MENTAL HEALTH BUILDING IN THE AMOUNT OF \$18,000 AND TO REPLACE ONE SECURITY GLASS PANEL AT THE JAIL BUILDING II CONTROL ROOM IN THE AMOUNT OF \$12,000 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;

4B) 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 20-135

RESOLUTION 20-135

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

4C) 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 20-136

RESOLUTION 20-136

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

4D) APPROVAL OF GRANT AGREEMENT WITH THE CENTER FOR TECH AND CIVIC LIFE IN THE AMOUNT OF \$55,611.00 TO PLAN AND OPERATIONALIZE SAFE AND SECURE ELECTION ADMINISTRATION IN MENDOCINO COUNTY IN 2020 FOR THE PERIOD OF JUNE 15, 2020 THROUGH DECEMBER 31, 2020 - SPONSOR: ASSESSOR/CLERK-RECORDER

Approved;

4E) APPROVAL OF APPOINTMENTS IN LIEU OF ELECTION FOR THE NOVEMBER 3, 2020 STATEWIDE GENERAL ELECTION FOR THE ALBION/LITTLE RIVER FIRE PROTECTION DISTRICT, BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT, COAST LIFE SUPPORT DISTRICT, COMPTCHE COMMUNITY SERVICES DISTRICT, COVELO FIRE PROTECTION DISTRICT, ELK COMMUNITY SERVICES DISTRICT, ELK COUNTY WATER DISTRICT, FORT BRAGG RURAL FIRE PROTECTION DISTRICT, GUALALA COMMUNITY SERVICES DISTRICT, LITTLE LAKE FIRE PROTECTION DISTRICT, MENDOCINO COAST HEALTH CARE DISTRICT, MENDOCINO COAST REC & PARK DISTRICT, MENDOCINO COUNTY RUSSIAN RIVER FLOOD CONTROL AND WATER IMPROVEMENT DISTRICT, MENDOCINO FIRE PROTECTION DISTRICT, MILLVIEW COUNTY WATER DISTRICT, PIERCY FIRE PROTECTION DISTRICT, POTTER VALLEY COMMUNITY SERVICES DISTRICT, POTTER VALLEY IRRIGATION DISTRICT, REDWOOD COAST FIRE PROTECTION DISTRICT, REDWOOD VALLEY COUNTY WATER DISTRICT, ROUND VALLEY COUNTY WATER DISTRICT, SOUTH COAST FIRE PROTECTION DISTRICT, UKIAH VALLEY FIRE PROTECTION DISTRICT, AND UKIAH VALLEY SANITATION DISTRICT; AND FURTHER AUTHORIZE ADDITIONAL APPOINTMENTS OF QUALIFIED PERSONS BE MADE FOR THOSE DISTRICTS THAT DID NOT HAVE THE SUFFICIENT NUMBER OF CANDIDATES - SPONSOR: ASSESSOR/CLERK-RECORDER

Approved;

4F) APPROVAL OF PUBLICATION OF MENDOCINO COUNTY LIBRARY 2019-2020 ANNUAL REPORT - SPONSOR: CULTURAL SERVICES AGENCY

Approved;

4G) APPROVAL OF RETROACTIVE AGREEMENT WITH MENDOCINO COUNTY OFFICE OF EDUCATION IN THE AMOUNT OF \$66,000 TO PROVIDE FOSTER YOUTH SERVICES TITLE IV-E FOSTER CARE ADMINISTRATIVE ACTIVITIES, EFFECTIVE JULY 1, 2020 THROUGH JUNE 30, 2022 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-142

4H) APPROVAL OF REVENUE AMENDMENT NO. 19-10160-A01 WITH THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH IN THE AMOUNT OF \$49,950 FOR A NEW TOTAL OF \$2,911,554 FOR WOMEN, INFANTS AND CHILDREN PROGRAM SERVICES, EFFECTIVE OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2022; ADOPTION OF RESOLUTION APPROVING EXECUTION OF THE AMENDMENT, AND AUTHORIZING THE HEALTH AND HUMAN SERVICES AGENCY DIRECTOR OR DESIGNEE TO SIGN FUTURE AMENDMENTS THAT DO NOT EXCEED THE MAXIMUM AMOUNT - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign same;

Enactment Nos: Resolution 20-137; Agreement 19-234-A1

RESOLUTION 20-137

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE REVENUE AMENDMENT NO. 19-10160-A01 BETWEEN THE WOMEN, INFANTS AND CHILDREN DIVISION OF THE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH AND HEALTH AND HUMAN SERVICES AGENCY

4I) APPROVAL OF FOURTH AMENDMENT TO AGREEMENT NO. PH-19-045 WITH COMMUNITY FOUNDATION OF MENDOCINO COUNTY INCREASING THE AMOUNT FROM \$101,850 TO \$111,850 TO PROVIDE OUTREACH ACTIVITIES TO THE HARD TO COUNT POPULATIONS IN MENDOCINO COUNTY FOR THE 2020 DECENNIAL UNITED STATES CENSUS, EFFECTIVE DECEMBER 3, 2019 THROUGH DECEMBER 2, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-024-A1

4J) APPROVAL OF RETROACTIVE FIFTH AMENDMENT TO AGREEMENT NO. PH-19-079, PA No. 20-124, WITH UKIAH BREWING COMPANY IN THE AMOUNT OF \$269,000, FOR A NEW TOTAL OF \$1,078,500, TO PROVIDE MEALS TO HOME BOUND SENIORS IN THE UKIAH AND WILLITS AREA DUE TO THE COVID-19 PANDEMIC THROUGH THE GREAT PLATES DELIVERED PROGRAM FROM MAY 12, 2020 THROUGH DECEMBER 31, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-073-A4

4K) APPROVAL OF RETROACTIVE FIFTH AMENDMENT TO AGREEMENT NO. PH-19-080, PA No. 20-126 WITH CUCINA VERONA IN THE AMOUNT OF \$182,000 FOR A NEW TOTAL OF \$1,101,500 TO PROVIDE MEALS TO HOME BOUND SENIORS IN FORT BRAGG AND SURROUNDING AREAS DUE TO THE COVID-19 PANDEMIC THROUGH THE GREAT PLATES DELIVERED PROGRAM FROM MAY 12, 2020 THROUGH DECEMBER 31, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-075-A4

4L) APPROVAL OF RETROACTIVE FIFTH AMENDMENT TO AGREEMENT NO. PH-19-078, PA No. 20-125 WITH MENDOCINO CAFE IN THE AMOUNT OF \$154,000 FOR A NEW TOTAL OF \$653,500 TO PROVIDE MEALS TO HOME BOUND SENIORS IN THE TOWN OF MENDOCINO AND THE SURROUNDING AREA DUE TO THE COVID-19 PANDEMIC THROUGH THE GREAT PLATES DELIVERED PROGRAM FROM MAY 12, 2020 THROUGH DECEMBER 31, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-074-A4

4M) APPROVAL OF RETROACTIVE FOURTH AMENDMENT TO AGREEMENT No. PH-19-083, PA No. 20-129 WITH EGGHEAD'S, INC. IN THE AMOUNT OF \$51,000 FOR A NEW TOTAL OF \$281,500 TO PROVIDE MEALS TO HOME BOUND SENIORS IN THE FORT BRAGG AREA DUE TO THE COVID-19 PANDEMIC THROUGH THE GREAT PLATES DELIVERED PROGRAM, EFFECTIVE MAY 21, 2020 THROUGH DECEMBER 31, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-106-A3

4N) APPROVAL OF RETROACTIVE FOURTH AMENDMENT TO AGREEMENT No. PH-19-081, PA No. 20-128 WITH WILD FISH RESTAURANT IN THE AMOUNT OF \$188,000 FOR A NEW TOTAL OF \$642,500 TO PROVIDE MEALS TO HOME BOUND SENIORS IN THE COASTAL AREAS IN MENDOCINO COUNTY AND THE ANDERSON VALLEY AREA DUE TO THE COVID-19 PANDEMIC THROUGH THE GREAT PLATES DELIVERED PROGRAM FROM MAY 12, 2020 THROUGH DECEMBER 31, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-107-A3

4O) ADOPTION OF RESOLUTION AUTHORIZING CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 2851 ADD ONE (1.0) FTE ADMINISTRATIVE ASSISTANT; DELETE ONE (1.0) STAFF ASSISTANT III - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-138

RESOLUTION 20-138

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

4P) ADOPTION OF RESOLUTION AUTHORIZING CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: PROBATION DEPARTMENT, BUDGET UNIT 2560 ADD ONE (1.0) FTE ADMINISTRATIVE ASSISTANT; DELETE ONE (1.0) ACCOUNT SPECIALIST III - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-139

RESOLUTION 20-139

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

4Q) ADOPTION OF RESOLUTION AMENDING RESOLUTION NUMBER 95-142 AND AUTHORIZING THE DESTRUCTION OF INACTIVE PERSONNEL FILES AND PAST RECRUITMENT FILES PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 26202 AND MENDOCINO COUNTY CIVIL SERVICE RULES V, SECTION 7 - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-140

RESOLUTION 20-140

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE RETENTION SCHEDULE AND AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS IN THE HUMAN RESOURCES DEPARTMENT

4S) APPROVAL OF REVENUE AGREEMENT WITH INMATE CALLING SOLUTIONS TO PROVIDE INMATE COMMUNICATIONS AT THE COUNTY JAIL IN THE MINIMUM ANNUAL GUARANTEE AMOUNT (MAG) OF \$185,000 PER TERM YEAR EFFECTIVE UPON EXECUTION THROUGH DECEMBER 31, 2025, WITH THE OPTION TO EXTEND THE AGREEMENT FOR UP TO THREE ADDITIONAL ONE YEAR PERIODS - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-143

4T) APPROVAL OF AMENDMENT TO BOS AGREEMENT 10-207 WITH TYLER TECHNOLOGY, INC. (TYLER) IN THE AMOUNT OF \$438,642.73 TO PAY MAINTENANCE AND SUPPORT FEES FOR AEGIS MSP PUBLIC SAFETY SOFTWARE SUITE WITH A NEW TERM DATE OF JANUARY 1, 2021 THROUGH DECEMBER 31, 2023, WITH THE AGREEMENT AUTOMATICALLY EXTENDED ON ITS SAME TERMS AND CONDITIONS FOR 99 ADDITIONAL PERIODS NOT TO EXCEED 1 YEAR EACH UNLESS EITHER CONTRACTOR OR COUNTY SUBMITS WRITTEN CANCELLATION - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 10-207-A2

4U) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 190002, 2019 ASPHALT CONCRETE MAINTENANCE ON VARIOUS MENDOCINO COUNTY MAINTAINED ROADS (FORT BRAGG AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-141

RESOLUTION 20-141

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 190002, 2019 ASPHALT CONCRETE MAINTENANCE ON VARIOUS MENDOCINO COUNTY MAINTAINED ROADS (FORT BRAGG AREA)

4V) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 200007, 2017 STORM DAMAGE REPAIRS ON OLD TOLL ROAD, COUNTY ROAD 108, MILEPOST 3.13 AND MILEPOST 3.31 (HOPLAND AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-142

RESOLUTION 20-142

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 200007, 2017 STORM DAMAGE REPAIRS ON OLD TOLL ROAD, COUNTY ROAD 108, MILEPOSTS 3.13 AND 3.31 (HOPLAND AREA)

4W) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 190004, 2017 STORM DAMAGE REPAIRS ON BLACKHAWK DRIVE, COUNTY ROAD 371, MILEPOST 2.00 (WILLITS AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-143

RESOLUTION 20-143

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 190004, 2017 STORM DAMAGE REPAIRS ON BLACKHAWK DRIVE, COUNTY ROAD 371, MILEPOST 2.00 (WILLITS AREA)

4X) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 180036, 2017 STORM DAMAGE REPAIRS ON EEL RIVER ROAD, COUNTY ROAD 240B, MILEPOSTS 7.85 AND 8.10 (POTTER VALLEY AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-144

RESOLUTION 20-144

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 180036, 2017 STORM DAMAGE REPAIRS ON EEL RIVER ROAD, COUNTY ROAD 240B, MILEPOSTS 7.85 AND 8.10 (POTTER VALLEY AREA)

4Y) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO ACCEPT THE CONTRACT FOR DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 180044, 2016 STORM DAMAGE REPAIRS ON MAIN STREET, COUNTY ROAD 407E, MILEPOST 0.01 (MENDOCINO AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-145

RESOLUTION 20-145

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY AND AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO ACCEPT THE CONTRACT FOR DEPARTMENT OF TRANSPORTATION CONTRACT NO. 180044, 2016 STORM DAMAGE REPAIRS ON MAIN STREET, COUNTY ROAD 407E, MILEPOST 0.01 (MENDOCINO AREA)

4Z) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 180102, 2017 STORM DAMAGE REPAIRS ON LOW GAP ROAD, COUNTY ROAD 212, MILEPOST 19.40 (UKIAH AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-146

RESOLUTION 20-146

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 180102, 2017 STORM DAMAGE REPAIRS ON LOW GAP ROAD, COUNTY ROAD 212, MILEPOST 19.40 (UKIAH AREA)

4AA) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 200004, 2017 STORM DAMAGE REPAIRS ON PINE RIDGE ROAD, COUNTY ROAD 220, MILEPOST 4.52 (UKIAH AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-147

RESOLUTION 20-147

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 200004, 2017 STORM DAMAGE REPAIRS ON PINE RIDGE ROAD, COUNTY ROAD 220, MILEPOST 4.52 (UKIAH AREA)

4AB) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 190092, 2017 FIRE DAMAGE REPAIRS ON TOMKI ROAD, COUNTY ROAD 237D, AND 2017 FIRE DAMAGE REPAIRS ON REDWOOD VALLEY ROADS (REDWOOD VALLEY AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-148

RESOLUTION 20-148

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 190092, 2017 FIRE DAMAGE REPAIRS ON TOMKI ROAD, COUNTY ROAD 237D, AND 2017 FIRE DAMAGE REPAIRS ON REDWOOD VALLEY ROADS (REDWOOD VALLEY AREA)

4AC) ADOPTION OF RESOLUTION APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT AND APPROVING AND ACCEPTING THE FINAL MAP FOR GARDENS GATE SUBDIVISION UNIT ONE, TRACT 261, CREATING FOUR LOTS AND A REMAINDER PARCEL ON THE WEST SIDE OF SOUTH STATE STREET, COUNTY ROAD 104A, ON THE SOUTH SIDE OF OAK KNOLL ROAD, COUNTY ROAD 252, AND ON THE SOUTH SIDE OF OAK COURT ROAD, COUNTY ROAD 252A; ASSESSOR'S PARCEL NUMBERS 184-033-15, 184-120-01 AND 184-110-29 (UKIAH AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same.

Enactment Nos: Resolution 20-149; Agreement 20-144

RESOLUTION 20-149

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT AND APPROVING AND ACCEPTING THE FINAL MAP FOR GARDENS GATE SUBDIVISION UNIT ONE, TRACT 261, CREATING FOUR LOTS AND A REMAINDER PARCEL ON THE WEST SIDE OF SOUTH STATE STREET, COUNTY ROAD 104A, ON THE SOUTH SIDE OF OAK KNOLL ROAD, COUNTY ROAD 252, AND ON THE SOUTH SIDE OF OAK COURT ROAD, COUNTY ROAD 252A; ASSESSOR'S PARCEL NUMBERS 184-033-15, 184-120-01 AND 184-110-29 (UKIAH AREA)

AGENDA ITEM NO. 4 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:**4R) APPROVAL OF AMENDMENT TO AGREEMENT NO. 18-132 WITH COMMUNITY DEVELOPMENT SERVICES (CDS) TO INCREASE THE TOTAL AGREEMENT AMOUNT BY \$250,000, FOR A TOTAL AMOUNT OF \$500,000, AND EXTEND THE TERM BY TWO (2) YEARS WITH AN EXPIRATION DATE OF AUGUST 30, 2022 - SPONSOR: PLANNING AND BUILDING SERVICES**

Presenter/s: Mr. Brent Schultz, Director, Planning and Building Services.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves the amendment to Agreement No. 18-132 with Community Development Services (CDS) to increase the total agreement amount by \$250,000, for a total amount of \$500,000, and extend the term by two (2) years with an expiration date of August 30, 2022; and authorizes Chair to sign same. The motion carried by the following vote:

Aye: 3 – Supervisor Brown, Supervisor Haschak and Supervisor Gjerde

No: 2 – Supervisor McCowen and Supervisor Williams

Absent: 0 – None

Enactment No: Agreement 18-132-A1

5A) DISCUSSION AND POSSIBLE ACTION INCLUDING AN UPDATE ASSOCIATED WITH VARIOUS DISASTERS IN MENDOCINO COUNTY, INCLUDING: THE NOVEL CORONAVIRUS (COVID-19) AND THE AUGUST COMPLEX FIRE AND/OR OTHER FIRE ACTIVITY IN THE COUNTY; AND PROVIDE POSSIBLE DIRECTION REGARDING ESSENTIAL SERVICES IN MENDOCINO COUNTY, OPERATIONAL PREPARATION AND RESPONSE, AND ASSOCIATED COUNTYWIDE ECONOMIC IMPACTS - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Dr. Andrew Coren, County Health Officer; Ms. Darcie Antle, Deputy Chief Executive Officer; Mr. Matthew Kendall, Sheriff-Coroner; Ms. Tammy Moss Chandler, Director, Health and Human Services Agency; and Senator Mike McGuire.

Public Comment: None.

Board Action: No action taken.

6A) DISCUSSION AND POSSIBLE ACTION INCLUDING APPOINTMENT OF AN AD HOC COMMITTEE REGARDING APPOINTMENT OF CHAIR OF THE NOYO HARBOR COMMISSION, CONSISTING OF SUPERVISORS WILLIAMS AND GJERDE - SPONSORS: SUPERVISOR GJERDE AND SUPERVISOR WILLIAMS

Presenter/s: Supervisor Gjerde and Supervisor Williams.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors approves the appointment of an Ad Hoc Committee, consisting of Supervisors Williams and Gjerde, to work with the City of Fort Bragg regarding the appointment of a Chair of the Noyo Harbor Commission. 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

5B) DISCUSSION AND POSSIBLE ACTION REGARDING DISCLOSURE OF COUNTY COUNSEL’S LEGAL ANALYSIS REGARDING THE DURATION OF A SHERIFF’S TERM FOLLOWING APPOINTMENT - SPONSOR: COUNTY COUNSEL

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

Public Comment: Mr. David Ayster.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors directs County Counsel to make public specific legal analysis related to the Sheriff-Coroner appointment, an exception to attorney client privilege, not intended to set precedent regarding the release of legal analysis in the future. 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

6B) DISCUSSION AND POSSIBLE ACTION INCLUDING AN UPDATE FROM THE BOARD OF SUPERVISOR’S EMPLOYEE RELATIONS AD HOC COMMITTEE - SPONSORS: EMPLOYEE RELATIONS AD HOC (SUPERVISORS BROWN AND GJERDE), EXECUTIVE OFFICE AND HUMAN RESOURCES

Presenter/s: Supervisor Brown; Supervisor Gjerde; and Mr. William Schurtz, Director, Human Resources.

Public Comment: None.

Board Action: No action taken.

BOARD RECESS: 10:42 A.M. – 11:01 A.M.

5C) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF ORDINANCE ADDING CHAPTER 10A.18 INDUSTRIAL HEMP CULTIVATION PILOT PROGRAM TO THE MENDOCINO COUNTY CODE - SPONSORS: AGRICULTURE AND COUNTY COUNSEL

Presenter/s: Mr. Jim Donnelly, Commissioner, Agriculture; and Mr. Matthew Kiedrowski, Deputy County Counsel.

Public Comment: Ms. Corinne Powell; Ms. Monique Ramirez; Ms. Sarah Bodnar; Ms. Devon Jones; and Ms. Hannah Nelson.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors adopts Ordinance adding Chapter 10A.18 – Industrial Hemp Cultivation Pilot Program to the Mendocino County Code; directs staff to engage in exploring addressing stakeholder concerns. The motion carried by the following vote:

Aye: 3 – Supervisor Brown, Supervisor McCowen and Supervisor Gjerde

No: 2 – Supervisor Haschak and Supervisor Williams

Enactment No: Ordinance 4471

ORDINANCE 4471

AN ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADDING CHAPTER 10A.18 – INDUSTRIAL HEMP CULTIVATION PILOT PROGRAM TO THE MENDOCINO COUNTY CODE

ADJOURNED TO CLOSED SESSION: 12:48 P.M.

9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: ANDRES RONDON, ET AL. V. COUNTY OF MENDOCINO, ET AL. – UNITED STATES DISTRICT COURT CASE NO. 4:20-CV-07013-DMR

9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) – CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION – TWO CASES

9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – TWO CASES

RECONVENED IN OPEN SESSION: 2:30 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Haschak.

Board Action: With respect to agenda items 9a), 9b) and 9c), direction was given to staff.

5H) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 555 SOUTH ORCHARD AVENUE, UKIAH, CALIFORNIA (APN 002-340-3900), IN THE AMOUNT OF \$10,640,000, APPROVING THE AGREEMENT OF PURCHASE AND SALE FOR THE PROPERTY, AND AUTHORIZING THE PURCHASING AGENT OR DESIGNEE TO SIGN AND EXECUTE ANY AND ALL AGREEMENTS, AMENDMENTS, AND OTHER DOCUMENTS RELATED TO THE PURCHASE OF THE PROPERTY - SPONSOR: EXECUTIVE OFFICE

Presenter/s: : Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Janelle Rau, Deputy Chief Executive Officer; Ms. Darcie Antle, Deputy Chief Executive Officer; and Ms. Megan Van Sant, Senior Program Manager, Employment and Family Services.

Public Comment: Ms. Sharon Marshall; Mr. Robert Aber; Ms. Norma Fortillo; and Ms. Martha Barra.

Board Directive: GENERAL CONSENSUS OF THE BOARD to hold a meeting to address some of the concerns of the community related to the purchase of Real Property Location 555 South Orchard.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors adopts Resolution authorizing the purchase of real property located at 555 South Orchard Avenue, Ukiah, California (APN 002-340-3900), in the amount of \$10,640,000, approving the agreement of purchase and sale for the property, and authorizing the purchasing agent or designee to sign and execute any and all agreements, amendments, and other documents related to the purchase of the property; 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 Nos: Resolution 20-150; Agreement 20-146

RESOLUTION 20-150

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT 555 SOUTH ORCHARD AVENUE, UKIAH, CALIFORNIA (APN 002-340-3900), IN THE AMOUNT OF \$10,640,000, APPROVING THE AGREEMENT OF PURCHASE AND SALE FOR THE PROPERTY, AND AUTHORIZING THE PURCHASING AGENT OR DESIGNEE TO SIGN AND EXECUTE ANY AND ALL AGREEMENTS, AMENDMENTS AND OTHER DOCUMENTS RELATED TO THE PURCHASE OF THE PROPERTY

8A) – OFF-AGENDA ITEM – EXECUTIVE OFFICE – PURSUANT TO GOVERNMENT CODE SECTION 54954.2 - APPROVAL OF RETROACTIVE AGREEMENT WITH BROKAW DESIGN IN THE AMOUNT OF \$52,700 FOR PROJECT HOMEKEY TRANSITIONAL HOUSING RENOVATION DESIGN SERVICES TERM STARTING OCTOBER 7, 2020 TO MARCH 31, 2021

Presenter/s: County Counsel reported that urgent Board consideration of this matter is necessary.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that this matter arose subsequent to the agenda being published pursuant to Government Code Section 54954.2.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors approves Retroactive Agreement with Brokaw Design in the Amount of \$52,700 for Project Homekey Transitional Housing Renovation Design Services Term Starting October 7, 2020 to March 31, 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 20-145

5I) NOTICED PUBLIC HEARING – DISCUSSION AND POSSIBLE ACTION REGARDING AN APPEAL OF PLANNING COMMISSION APPROVAL OF USE PERMIT 2019-0011, FOR A NEW WIRELESS COMMUNICATION FACILITY IN WILLITS - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Brent Schultz, Director, Planning and Building Services; Mr. Mark Cliser, Planner, Planning and Building Services; Ms. Cathy Ortiz, Appellant; Ms. Cynthia Raiser Jeavons, Appellant; Mr. Jared Kearsley, Representative, AT&T; Mr. Nick Tagas, Representative, AT&T; Ms. Ginevra Chandler, Appellant Legal Representation; Ms. Julia Acker Krog, Chief Planner, Planning and Building Services; and Mr. Christian M. Curtis, County Counsel.

Public Comment: Ms. Sonja Bural; Mr. Ted Gellar; Ms. Linda Cardana Gabrielson; Ms. Ellen Drell; Mr. David Drell; Ms. Maya Maki Youngstrom; Ms. Ember Maki Youngstrom; Annemarie Weibel; Mr. Kent Standley; and Ms. Ember Maki Youngstrom

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors denies the appeal and affirms the Mendocino County Planning Commission's approval of the project, with direction to staff to return at a future meeting with appropriate findings to incorporate mitigation measures and a description of the mitigation measures. 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: 4:23 P.M. – 4:41 P.M.

5E) DISCUSSION AND POSSIBLE ADOPTION OF AN URGENCY ORDINANCE FOR TEMPORARY BUSINESS MODIFICATIONS DURING THE COVID-19 PANDEMIC - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Ms. Julia Acker Krog, Chief Planner.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors adopts Urgency Ordinance for Temporary Business Modifications during the COVID-19 Pandemic, incorporating amendments suggested by Supervisor Gjerde; and granting 90 days restoration to the facility after the COVID emergency; 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: Ordinance 4472

ORDINANCE 4472

AN URGENCY ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ALLOWING AND ESTABLISHING REQUIREMENTS FOR TEMPORARY BUSINESS MODIFICATIONS DURING COVID-19 PANDEMIC

5F) DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF URGENCY ORDINANCE AUTHORIZING AN ADMINISTRATIVE PERMIT PROGRAM FOR THE TEMPORARY USE AND OCCUPANCY OF TRAILER COACHES FOR USE AS A SHELTER FOLLOWING THE AUGUST COMPLEX AND OAK FIRES AND EXTENDING THE EFFECTIVENESS OF ORDINANCE NO. 4397 WHICH ADOPTED AN ADMINISTRATIVE PERMIT PROGRAM FOR TEMPORARY USE AND OCCUPANCY OF TRAILER COACHES FOR USE AS A SHELTER FOLLOWING THE REDWOOD VALLEY FIRE IN 2017 - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Nash Gonzalez, Director, Disaster Recovery.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors adopts Urgency Ordinance authorizing an Administrative Permit Program for the temporary use and occupancy of trailer coaches for use as a shelter following the August Complex West Zone and Oak Fires and extending the effectiveness of Ordinance No. 4397 which adopted an Administrative Permit Program for temporary use and occupancy of trailer coaches for use as a shelter following the Redwood Valley Fire in 2017; authorizes Chair to sign same; and directs Planning and Building Services to provide an option to allow applicants to defer the payment of building permit fees to the time of final inspection or certificate of occupancy. 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 4473

ORDINANCE 4473

AN URGENCY ORDINANCE OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING AN ADMINISTRATIVE PERMIT PROGRAM FOR THE TEMPORARY USE AND OCCUPANCY OF TRAILER COACHES FOR USE AS A SHELTER FOLLOWING THE AUGUST COMPLEX FIRE AND OAK FIRE AND EXTENDING THE EFFECTIVENESS OF ORDINANCE NO. 4397 FOR THE ADMINISTRATIVE PERMIT PROGRAM FOR THE REDWOOD VALLEY FIRE

5D) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE READING OF ORDINANCE AMENDING CAMPING AND PARKING REGULATIONS OF THE COUNTY OF MENDOCINO – MENDOCINO COUNTY CODE SECTION 14.32.030 – UNLAWFUL CAMPING, SECTION 15.12.040 – PROHIBITED PARKING, AND SECTION 15.12.041 – LIMITED TIME PARKING (VARIOUS AREAS) – SPONSOR: TRANSPORTATION

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

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors introduces and waives reading of Ordinance Amending Camping and Parking Regulations of the County of Mendocino - Mendocino County Code Section 14.32.030 - Unlawful Camping, Section 15.12.040 - Prohibited Parking, and Section 15.12.041 - Limited Time Parking (Various Areas). 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

5G) DISCUSSION AND POSSIBLE ACTION INCLUDING HOLDING A PUBLIC MEETING RELATED TO THE COUNTY'S INTENTION TO MODIFY THE BOUNDARIES OF THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT TO INCLUDE THE INCORPORATED AREA OF THE CITY OF POINT ARENA TO PROVIDE FOR THE LEVYING OF ASSESSMENTS ON SPECIFIED HOTEL BUSINESSES CONDUCTED WITHIN THE CITY OF POINT ARENA - SPONSORS: PLANNING AND BUILDING SERVICES AND COUNTY COUNSEL

Presenter/s: Ms. Adrienne Thompson, Administrative Services Supervisor, Planning and Building Services.

Public Comment: Mr. Richard Shoemaker.

Board Action: No action taken.

5J) CHIEF EXECUTIVE OFFICER'S REPORT

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

Public Comment: None.

Board Action: No action taken.

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

Withdrawn.

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

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 7:21 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