

GLENN MCGOURTY  
1st District  
Supervisor

MAUREEN  
MULHEREN  
2nd District  
Supervisor

JOHN HASCHAK  
3rd District  
Supervisor

DAN GJERDE  
4th District  
Supervisor  
Chair

TED WILLIAMS  
5th District  
Supervisor  
Vice-Chair



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

CHRISTIAN M. CURTIS  
County Counsel

COUNTY ADMINISTRATION CENTER  
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## MENDOCINO COUNTY BOARD OF SUPERVISORS

### ACTION MINUTES – October 26, 2021

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 9:01 A.M.)**

**Present:** Supervisor Glenn McGourty, Supervisor Maureen Mulheren, Supervisor John Haschak, Supervisor Dan Gjerde, and Supervisor Ted Williams. Chair Gjerde presiding.

**Staff Present:** Carmel J. Angelo, Chief Executive Officer; Darcie Antle, Assistant Chief Executive Officer; Christian M. Curtis, County Counsel; Atlas M.A. Pearson, Deputy Clerk of the Board; Deena Gera, Deputy Clerk of the Board; Lindsey Daugherty, Deputy Clerk of the Board; and Anthony Baroza, Staff Assistant.

**The Pledge of Allegiance was led by:** Atlas M.A. Pearson.

**AGENDA ITEM NO. 3 – PUBLIC EXPRESSION**

**Presenter/s:** Carrie Shattuck; Paul Spangenberg; John Rarick; Danielle Brassfield; Kristin Nevedal; Ron Edwards; Michael Katz; Blaire AuClair; Hannah Nelson; and Paul Hansbury.

**AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR**

**Presenter/s:** Chair Gjerde.

**Public Comment:** Ron Edwards.

**Board Action:** Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that Consent Calendar items 4a) – 4l) and 4n) 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

Abstain: 0 – None

**4A) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS**

Approved;

1. Sherrie Ebyam, Third District Representative, Mental Health Treatment Act Citizens Oversight Committee.

**4B) 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 21-152

**RESOLUTION NO. 21-152**

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

**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 21-153

**RESOLUTION NO. 21-153**

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) ADOPTION OF A RESOLUTION RENEWING ITS DECLARATION OF A LOCAL EMERGENCY AND EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO DROUGHT CONDITIONS AND IMMINENT THREAT OF DISASTER IN MENDOCINO COUNTY - SPONSOR: EXECUTIVE OFFICE**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 21-154

**RESOLUTION NO. 21-154**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS RENEWING ITS DECLARATION OF A LOCAL EMERGENCY AND EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO DROUGHT CONDITIONS AND IMMINENT THREAT OF DISASTER IN MENDOCINO COUNTY

**4E) APPROVAL OF AMENDMENT TO PARTIALLY INSURANCE REIMBURSABLE AGREEMENT 20-122 WITH LIEBERT CASSIDY WHITMORE (LCW), EFFECTIVE OCTOBER 26, 2021, INCREASING THE TOTAL COMPENSATION BY \$250,000 (FROM \$350,000, FOR A NEW AGREEMENT TOTAL OF \$600,000) FOR LITIGATION SERVICES FOR GREWAL V COUNTY OF MENDOCINO - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-122-A1

**4F) APPROVAL OF RETROACTIVE AGREEMENT WITH NORTH COAST OPPORTUNITIES FOR COVID-19 DIRECT ASSISTANCE AND FOOD BOXES DISTRIBUTION SERVICES IN THE AMOUNT \$587,560 TERM STARTING SEPTEMBER 15, 2021 TO JUNE 15, 2022 - SPONSOR: EXECUTIVE OFFICE**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-188

**4G) ACCEPTANCE OF MENDOCINO COUNTY'S CERTIFICATION OF THE SEPTEMBER 14TH 2021 CALIFORNIA GUBERNATORIAL RECALL ELECTION - SPONSOR: ASSESSOR/CLERK-RECORDER**

Approved;

**4H) APPROVAL OF AMENDMENT TO BOS AGREEMENT No. 21-126 WITH REDWOOD COMMUNITY CRISIS CENTER (RC3) TO INCREASE THE AMOUNT FROM \$89,172 TO \$100,607 TO PROVIDE EMERGENCY CRISIS SERVICES AND OUTREACH TO CHILDREN AND YOUNG ADULTS IN MENDOCINO COUNTY, EFFECTIVE JULY 1, 2021 THROUGH JUNE 30, 2022 - SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-126-A1

**4I) ADOPTION OF RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION TO CAL OES FOR THE UNSERVED/UNDERSERVED ADVOCACY AND OUTREACH (UV) PROGRAM FOR THE GRANT PERIOD JANUARY 1, 2022 THROUGH DECEMBER 31, 2022 - SPONSOR: DISTRICT ATTORNEY**

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 21-155

**RESOLUTION NO. 21-155**

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS UNSERVED/UNDERSERVED ADVOCACY AND OUTREACH PROGRAM 2022 RFA



**4J) APPROVAL OF RETROACTIVE REVOCABLE LICENSE AGREEMENT WITH SONOMA COUNTY FOR MENDOCINO COUNTY TELECOMMUNICATIONS OPERATIONS AT THE TRANSMISSION SITE KNOWN AS OAK RIDGE LOOK OUT, EFFECTIVE JULY 1, 2019 THROUGH JUNE 30, 2029 – SPONSORS: GENERAL SERVICES AGENCY AND INFORMATION SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement \*21-189

**4K) APPROVAL OF AGREEMENT BETWEEN ABBOTT RAPID Dx NORTH AMERICA, LLC AND COUNTY OF MENDOCINO TO PURCHASE BINAXNOW COVID-19 ANTIGEN SELF-TEST KITS IN THE AMOUNT OF \$94,962, EFFECTIVE UPON DATE OF EXECUTION THROUGH APRIL 19, 2022 – SPONSOR: CULTURAL SERVICES AGENCY**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-190

**4L) APPROVAL OF RETROACTIVE AGREEMENT, BETWEEN NORTH COAST COMMUNITY PLANNING AND MENDOCINO COUNTY, TO INCREASE THE AMOUNT OF AGREEMENT NO. PA# 18-225 AND PA# 18-225A1 BY \$4,999 (FOR A NEW TOTAL NOT TO EXCEED \$49,999.00) AND EXTEND THE TERMINATION DATE OF THE AGREEMENT TO DECEMBER 31, 2021 TO CONTINUE TO PREPARE AND PROCESS AN AMENDMENT TO THE MENDOCINO COUNTY'S CERTIFIED LOCAL COASTAL PROGRAM TO ADDRESS REGULATION OF ACCESSORY DWELLING UNITS – SPONSOR: PLANNING AND BUILDING SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-191

**4N) APPROVAL OF RETROACTIVE AGREEMENT WITH ANDERSON VALLEY COMMUNITY SERVICES DISTRICT IN THE AMOUNT OF \$66,000 TO SUSTAIN AND SUPPORT EXISTING ADVANCED LIFE SUPPORT AND EMERGENCY MEDICAL SERVICES, EFFECTIVE JULY 1, 2021 THROUGH JUNE 30, 2022 – SPONSOR: SOCIAL SERVICES**

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-192

**AGENDA ITEM NO. 4 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:**

**4M) APPROVAL OF FIFTH AMENDMENT TO BOS AGREEMENT 17-131 WITH NAPHCARE INC. IN THE AMOUNT OF \$3,484,847.76 FOR A NEW AGREEMENT TOTAL OF \$19,105,009.38 FOR MEDICAL HEALTH SERVICES FOR THE MENDOCINO COUNTY SHERIFF'S OFFICE (MCSO) JAIL WITH A NEW TERM END DATE OF DECEMBER 31, 2022 – SPONSOR: SHERIFF-CORONER**

**Public Comment:** None.

**Board Directive:** GENERAL CONSENSUS OF THE BOARD to direct that the item come back as a regular item with an informational report regarding a performance evaluation of the contractor, and if they do not have sufficient past performance records, set something up for future performance.

**5A) DISCUSSION AND POSSIBLE ACTION INCLUDING AN UPDATE ASSOCIATED WITH THE NOVEL CORONAVIRUS (COVID-19); AND PROVIDE POSSIBLE DIRECTION REGARDING ESSENTIAL SERVICES IN MENDOCINO COUNTY, OPERATIONAL PREPARATION AND RESPONSE, AND ASSOCIATED COUNTYWIDE ECONOMIC IMPACTS – SPONSOR: PUBLIC HEALTH**

**Presenter/s:** Dr. Andrew Coren, Health Officer.

**Public Comment:** Carrie Shattuck.

**Board Action:** No Action Taken.



**5B) DISCUSSION AND POSSIBLE ACTION INCLUDING CREATION OF AD HOC COMMITTEE FOR RECRUITMENT AND SELECTION OF A HUMAN RESOURCES DIRECTOR – SPONSOR: EXECUTIVE OFFICE**

**Presenter/s:** Darcie Antle, Assistant 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 creates an Ad Hoc Committee comprised of Supervisors Haschak and McGourty for the recruitment and selection of a Human Resources Director. 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

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

**Presenter/s:** Judy Morris, Deputy Chief Executive Officer; and Howard Dashiell, Director, Department of Transportation.

**Public Comment:** Michael Katz.

**Board Action:** No Action Taken.

*BOARD RECESS: 10:23 A.M. – 10:30 A.M.*

*ADJOURNED TO CLOSED SESSION: 10:30 A.M*

**9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: ONE CASE - HARINDER GREWAL V. MENDOCINO COUNTY - CASE No. SCU-KCVPO-2020-73798**

**9B) PURSUANT TO GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - AGENCY NEGOTIATORS: CARMEL J. ANGELO, CHERIE JOHNSON AND WILLIAM SCHURTZ; EMPLOYEE ORGANIZATION(S): ALL**

**9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION: ONE CASE**

**9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: ONE CASE - COUNTY OF MENDOCINO, ET AL. V. AMERISOURCEBERGEN DRUG CORPORATION, ET AL. - CASE No. 1:18-CV-02712**

**9E) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE PERFORMANCE EVALUATION - CHIEF EXECUTIVE OFFICER**

*RECONVENED IN OPEN SESSION: 1:30 P.M.*

**AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION**

**Presenter:** Chair Gjerde.

**Board Action:** With respect to Agenda Items 9a) – 9e), no action was taken.

**5C) DISCUSSION AND POSSIBLE ACTION INCLUDING CONDUCTING A PUBLIC WORKSHOP WITH THE MENDOCINO COUNTY COMMUNITY-BASED ADVISORY REDISTRICTING COMMISSION TO RECEIVE INPUT ON COMMUNITIES OF INTEREST AND POTENTIAL DISTRICT BOUNDARIES – SPONSORS: EXECUTIVE OFFICE AND COUNTY COUNSEL**

**Presenter/s:** Cherie Johnson, Deputy Chief Executive Officer; Charlotte Scott, Assistant County Counsel; Kyle Farmer, Chair, Redistricting Committee; Mary Ziady, Commissioner, Redistricting Committee; Dee Pallesen, Commissioner, Redistricting Committee; Peter McNamee, Commissioner, Redistricting Committee; Paula Cohen, Commissioner, Redistricting Committee; and Leif Farr, GIS Coordinator.

**Public Comment:** Ron Edwards.

**Board Action:** No Action Taken.

**6A) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF A ONE-TIME CONTRIBUTION TO MENDOCINO SOLID WASTE MANAGEMENT AUTHORITY IN THE AMOUNT OF \$107,680, TO COVER THE INCREASE IN HOUSEHOLD HAZARDOUS WASTE DISPOSAL COSTS DUE TO THE COVID-19 PANDEMIC (COUNTYWIDE) – SPONSOR: SUPERVISORS GJERDE AND MULHEREN**

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

**Public Comment:** Madge Strong.

**Board Action:** Upon motion by Supervisor Haschak, seconded by Supervisor McGourty, IT IS ORDERED that the Board of Supervisors approves a one-time contribution to Mendocino Solid Waste Management Authority in the amount of \$107,680, to cover the increase in household hazardous waste disposal costs due to the COVID-19 pandemic (Countywide).

**5D) CHIEF EXECUTIVE OFFICER'S REPORT – SPONSOR: EXECUTIVE OFFICE**

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

**Public Comment:** None.

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

**Board Action:** No Action Taken.

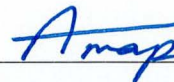


THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 3:01 P.M.



DAN GJERDE, Chair

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



**NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS**

- Effective March 1, 2009, Board of Supervisors minutes will be produced in “action only” format. As an alternative service, public access to recorded Board proceedings will be available on the Board of Supervisors’ website in indexed audio format
- LIVE WEB STREAMING OF BOARD MEETINGS is now available via the County’s YouTube Channel. If technical assistance is needed, please contact The Mendocino County Executive Office at (707) 463-4441.
- Minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors’ action minutes are also posted on the County of Mendocino website at: [www.mendocinocounty.org/government/board-of-supervisors](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*