

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 – December 5, 2023

**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 9:00 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; and Lillian Bearden, Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Supervisor Gjerde

AGENDA ITEM NO. 2 – PUBLIC EXPRESSION

Presenter/s: John Sakowitz; Gizmo; Carrie Shattuck; Katrina Bartolomie; Patrick Hickey; Steve Dunncliff; and Efraim Lopez.

AGENDA ITEM NO. 3 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Xuyen Mallela, Analyst, Executive Office; Christian M. Curtis, County Counsel; and Howard Dashiell, Director, Transportation.

Public Comment: Bernie Whiff; and Michael Katz.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that that Consent Calendar item 3e) is withdrawn; and items 3a) – 3d), and 3f) – 3ah) are hereby approved as follows.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 OCTOBER 31, 2023 REGULAR MEETING - SPONSOR: EXECUTIVE OFFICE

Approved;

3B) APPROVAL OF MINUTES OF NOVEMBER 7, 2023 REGULAR MEETING - SPONSOR: Executive Office

Approved;

3C) APPROVAL OF APPOINTMENTS/REAPPOINTMENTS - SPONSORS: EXECUTIVE OFFICE

Approved;

1. David Wylie, Fifth District Representative, Civil Service Commission;
2. Debra Kubin, Superintendent of a Unified School District Within the County, Policy Council on Children and Youth; and
3. Karina Mcabee, Trustee, Cemetery District of the Redwoods

3D) ACCEPTANCE OF REPORT FROM THE EXECUTIVE OFFICE ECONOMIC DEVELOPMENT DIVISION - SPONSOR: EXECUTIVE OFFICE

Approved;

3E) ADOPTION OF RESOLUTION AUTHORIZING FILING OF AN APPLICATION FOR THE REGIONAL CLIMATE COLLABORATIVE (RCC) PROJECT TO THE CALIFORNIA STRATEGIC GROWTH COUNCIL'S REGIONAL CLIMATE COLLABORATIVES PROGRAM ROUND 2, IN THE AMOUNT NOT TO EXCEED \$1,750,000, AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE THE GRANT AGREEMENT AND SUBMIT ALL DOCUMENTS IF AWARDED - SPONSOR: EXECUTIVE OFFICE

Withdrawn;

3F) ADOPTION OF RESOLUTION RENEWING A DECLARATION OF A LOCAL EMERGENCY RELATED TO TREE MORTALITY – SPONSOR: AUDITOR-CONTROLLER/TREASURER TAX-COLLECTOR

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-181

RESOLUTION NO. 23-181

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING THE CONTINUATION OF A LOCAL EMERGENCY RELATED TO TREE MORTALITY

3G) APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF SONOMA, THE COUNTY OF MARIN, THE COUNTY OF MENDOCINO, AND THE COUNTY OF NAPA AS PART OF THEIR PARTICIPATION IN THE NORTH BAY NORTH COAST BROADBAND CONSORTIUM “NBNCBC” FOR THE TERM OF JANUARY 1, 2024, THROUGH DECEMBER 31, 2027 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *23-194

3H) RATIFICATION OF SUBMISSION OF GRANT AWARD FOR THE COMMUNITY WILDFIRE DEFENSE GRANT (CWDG) PROGRAM GRANT FUNDING OPPORTUNITY FROM THE DEPARTMENT OF AGRICULTURE FOREST SERVICE (USDA) UNITED STATES FOREST SERVICE (USFS) IN THE AMOUNT OF \$9,999,866.51; AND AUTHORIZATION FOR THE CHIEF EXECUTIVE OFFICER TO EXECUTE GRANT AGREEMENT AND SUBMIT ALL DOCUMENTS IF AWARDED – Sponsor: Executive Office

Approved and Chair is authorized to sign same;

3I) ADOPTION OF RESOLUTION RATIFYING THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT (MCAQMD) SUBMITTAL OF THE APPLICATION TO PARTICIPATE IN YEAR 6 OF THE STATE AIR RESOURCES BOARD FARMER GRANT PROGRAM (FISCAL YEAR 2023-24), AUTHORIZING THE AIR POLLUTION CONTROL OFFICER (APCO) TO ACCEPT ALLOCATED STATE PROGRAM FUNDS IN THE AMOUNT OF \$290,300 FOR THE TERM OF NOVEMBER 10, 2023, THROUGH JUNE 30, 2028 AND EXECUTE THE GRANT AGREEMENT ON BEHALF OF THE DISTRICT – SPONSOR: AIR QUALITY MANAGEMENT DISTRICT

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-182

RESOLUTION NO. 23-182

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS SITTING AS THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT BOARD, RATIFYING THE SUBMITTAL OF THE APPLICATION TO PARTICIPATE IN YEAR 6 OF THE STATE FARMER GRANT PROGRAM (FISCAL YEAR 2023-24), AUTHORIZING THE AIR POLLUTION CONTROL OFFICER TO ACCEPT ALLOCATED STATE PROGRAM FUNDS IN THE AMOUNT OF \$290,300, AND EXECUTE THE GRANT AGREEMENT ON BEHALF OF THE DISTRICT

3J) ADOPTION OF RESOLUTION RATIFYING THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT (MCAQMD) SUBMITTAL OF THE APPLICATION TO PARTICIPATE IN YEAR 26 OF THE STATE CARL MOYER PROGRAM FOR THE FISCAL YEAR 2023-24, AUTHORIZING THE AIR POLLUTION CONTROL OFFICER TO ACCEPT ALLOCATED STATE PROGRAM FUNDS IN THE AMOUNT OF \$200,000, AND EXECUTE THE GRANT AGREEMENT ON BEHALF OF THE DISTRICT AND IMPLEMENT AND FOLLOW ALL REQUIREMENTS OF THE PROGRAM - SPONSOR: AIR QUALITY MANAGEMENT DISTRICT

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-183

RESOLUTION NO. 23-183

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS SITTING AS THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT BOARD, RATIFYING THE SUBMITTAL OF THE APPLICATION TO PARTICIPATE IN YEAR 26 OF THE STATE CARL MOYER PROGRAM FOR THE FISCAL YEAR 2023-24, AUTHORIZING THE AIR POLLUTION CONTROL OFFICER TO ACCEPT ALLOCATED STATE PROGRAM FUNDS IN THE AMOUNT OF \$200,000, EXECUTE THE GRANT AGREEMENT ON BEHALF OF THE DISTRICT AND IMPLEMENT AND FOLLOW ALL REQUIREMENTS OF THE PROGRAM

3K) APPROVAL OF AGREEMENT (SECOND AMENDMENT TO AGREEMENT No. PA-23-39) WITH REGIONAL GOVERNMENT SERVICES AUTHORITY, IN THE AMOUNT OF \$120,000, FOR A NEW TOTAL OF \$158,000, FOR FISCAL SYSTEMS REVIEW AND RELATED CONSULTING AND ADVISING SERVICES, EFFECTIVE OCTOBER 7, 2022, THROUGH A NEW END DATE OF JUNE 30, 2024 (PREVIOUS END DATE: DECEMBER 31, 2023) - SPONSOR: AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-195

3L) APPROVAL OF AGREEMENT (FIRST AMENDMENT TO AGREEMENT No. PA-20-150) WITH RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION, IN THE AMOUNT OF \$0, FOR THE DEVELOPMENT AND OPERATION OF PERMANENT RENTAL SUPPORTIVE HOUSING UNDER THE NO PLACE LIKE HOME PROGRAM, EFFECTIVE JUNE 25, 2020 THROUGH A NEW END DATE OF JUNE 24, 2040 (PREVIOUS END DATE NOT SPECIFIED) – SPONSOR: BEHAVIORAL HEALTH AND RECOVERY SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-196

3M) RATIFICATION OF SUBMISSION OF APPLICATION BY THE LIBRARY TO APPLY FOR THE CALIFORNIA STATE LIBRARY’S INSPIRATION GRANT FOR FUNDING IN THE AMOUNT OF \$22,300 FOR “BUILD-A-ROBOT” PROGRAM SUPPLIES FOR MENDOCINO COUNTY YOUTH AT BRANCHES AND OUTREACH SITES - SPONSOR: CULTURAL SERVICES AGENCY

Approved;

3N) RATIFICATION OF SUBMISSION OF APPLICATION BY THE LIBRARY TO APPLY FOR THE CALIFORNIA STATE LIBRARY’S LUNCH AT THE LIBRARY PROGRAM TO PROVIDE EDUCATIONAL ACTIVITIES FOR MENDOCINO COUNTY YOUTH AT FIVE SUMMER LUNCH SITES THROUGHOUT THE COUNTY – CULTURAL SERVICES AGENCY

Approved;

3O) APPROVAL OF FIRST AMENDMENT TO BOS AGREEMENT No. 22-242 WITH MENDOCINO COUNTY FIRE SAFE COUNCIL (MCFSC) FOR ACCESS TO CONDUCT CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) REVIEW PERTAINING TO THE WILDFIRE MITIGATION FUEL REDUCTION PROJECT WITHIN MENDOCINO COUNTY’S FAULKNER PARK, LOCATED IN BOONVILLE, CALIFORNIA, EXTENDING THE TERMINATION DATE FROM DECEMBER 31, 2023 TO JUNE 30, 2024; AND AUTHORIZATION FOR THE GENERAL SERVICES AGENCY DIRECTOR TO EXECUTE FUTURE AMENDMENTS THAT DO NOT ALTER THE SCOPE OF WORK – SPONSOR: GENERAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-242-A1

3P) APPROVAL OF FIRST AMENDMENT TO BOS AGREEMENT No. 22-302 WITH MENDOCINO COUNTY FIRE SAFE COUNCIL (MCFSC) FOR ACCESS TO CONDUCT CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) REVIEW PERTAINING TO THE WILDFIRE MITIGATION FUEL REDUCTION PROJECT WITHIN MENDOCINO COUNTY’S LOW GAP CAMPUS, LOCATED IN UKIAH, CALIFORNIA, EXTENDING THE TERMINATION DATE FROM DECEMBER 31, 2023 TO JUNE 30, 2024, AND AUTHORIZATION FOR THE GENERAL SERVICES AGENCY DIRECTOR TO EXECUTE FUTURE AMENDMENTS THAT DO NOT ALTER THE SCOPE OF WORK – SPONSOR: GENERAL SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 22-302-A1

3Q) APPROVAL OF RENEWING THE FINDING MADE IN RESOLUTION NO. 23-145 THAT THE DETERIORATED ROOF STRUCTURE OF THE AGRICULTURE AND FARM ADVISOR BUILDING AND THE IMPENDING INCLEMENT WEATHER CONSTITUTES AN EMERGENCY THAT REQUIRES IMMEDIATE ACTION TO MITIGATE ADDITIONAL DAMAGES OF COUNTY PROPERTY AND THAT THIS EMERGENCY WILL NOT PERMIT A DELAY RESULTING FROM COMPETITIVE SOLICITATION FOR BIDS AND IMMEDIATE ACTION IS NECESSARY TO RESPOND TO THE EMERGENCY AND THERE IS A NEED TO CONTINUE WITH THE CONTRACT TO RESOLVE THE EMERGENCY - SPONSOR: GENERAL SERVICES AGENCY

Approved;

3R) APPROVAL OF FIRST AMENDMENT TO BOS AGREEMENT NO. 23-026 WITH MAGELLAN HEALTH SERVICES OF CALIFORNIA, INC. - EMPLOYER SERVICES IN THE AMOUNT OF \$50,000 FOR A NEW CONTRACT AMOUNT OF \$122,000 TO CONTINUE TO PROVIDE AN EMPLOYEE ASSISTANCE PROGRAM, EXTENDING THE AGREEMENT EXPIRATION DATE FROM DECEMBER 31, 2023, TO JUNE 30, 2024 - SPONSOR: HUMAN RESOURCES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-026-A1

3S) ADOPTION OF RESOLUTION TO AMEND THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 2070, ADD 1.0 FTE, DISTRICT ATTORNEY INVESTIGATOR, \$81,390.40 - \$98,904.00/ANNUALLY - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-184

RESOLUTION NO. 23-184

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

3T) ADOPTION OF RESOLUTION AMENDING THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 2810, DELETE 1.0 FTE, CHIEF PLANNER POSITION NUMBER 4336; DELETE 6.0 FTE PLANNER II, POSITION NUMBERS 4337, 4339, 4340, 4498, 4500, AND 4502; DELETE 1.0 FTE DIRECTOR CANNABIS PROGRAM, POSITION NUMBER 4454; DELETE 1.0 FTE CARTOGRAPHER PLANNER, POSITION NUMBER 4503; DELETE 1.0 FTE DEPARTMENT ANALYST II, POSITION NUMBER 4504; DELETE 1.0 FTE OFFICE SERVICES SUPERVISOR, POSITION NUMBER 4505; DELETE 2.0 FTE STAFF ASSISTANT III, POSITION NUMBERS 4507 AND 4263; DELETE 1.0 FTE ADMINISTRATIVE ASSISTANT, POSITION NUMBER 4506 AND BUDGET UNIT 2090, DELETE 1.0 FTE, CHIEF CHILD SUPPORT ATTORNEY, POSITION NUMBER 3473; DELETE 1.0 FTE CHILD SUPPORT SPECIALIST II, POSITION NUMBER 3925; DELETE 1.0 FTE ADMINISTRATIVE SECRETARY, POSITION NUMBER 4274; DELETE 1.0 FTE STAFF ASSISTANT III, POSITION NUMBER 4292; DELETE 1.0 FTE ACCOUNT SPECIALIST III, POSITION NUMBER 4410 - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-185

RESOLUTION NO. 23-185

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

3U) APPROVAL OF RETROACTIVE SECOND AMENDMENT TO BOS AGREEMENT No. 21-139 WITH NOKIA OF AMERICA CORPORATION FOR THE ACQUISITION OF SIMULCAST SYSTEM IMPLEMENTATION AND RELATED SERVICES FOR THE COUNTY PUBLIC SAFETY MICROWAVE RADIO COMMUNICATIONS SYSTEM EXTENDING THE END DATE FROM JUNE 30, 2022, TO DECEMBER 31, 2023 - SPONSOR: INFORMATION TECHNOLOGY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-319-A2

3V) APPROVAL OF AGREEMENT WITH COUNTY OF MADERA PROBATION DEPARTMENT IN THE AMOUNT OF \$500,000 WITH A MAXIMUM OF \$250,000 PER YEAR, TO PROVIDE DETENTION SERVICES FOR MENDOCINO COUNTY YOUTH PLACED IN THE FACILITY FOR THE 2-YEAR PERIOD COMMENCING UPON FULL EXECUTION OF THIS AGREEMENT - SPONSOR: PROBATION

Approved and Chair is authorized to sign same;

Enactment No: Interim Agreement *23-197

3W) APPROVAL OF AGREEMENT (FIRST AMENDMENT TO AGREEMENT No. PH-23-009) WITH WILLITS HOSPITAL INC., DBA ADVENTIST HEALTH HOWARD MEMORIAL HOSPITAL, IN THE AMOUNT OF \$0, TO PARTICIPATE IN THE 340B DRUG DISCOUNT PROGRAM, EFFECTIVE AUGUST 9, 2023, THROUGH A NEW INDEFINITE END DATE (ORIGINAL END DATE: JUNE 30, 2024) - SPONSOR: PUBLIC HEALTH

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-198

3X) APPROVAL OF AGREEMENT WITH LONG VALLEY FIRE PROTECTION DISTRICT IN THE AMOUNT OF \$66,000 TO SUPPORT ONGOING ADVANCED LIFE SUPPORT SERVICES IN THE MORE RURAL AREAS OF THE COUNTY, EFFECTIVE UPON SIGNING THROUGH JUNE 30, 2024 - SPONSOR: PUBLIC HEALTH

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-199

3Y) APPROVAL TO PURCHASE ONE (1) PHOTOIONIZATION DETECTION INSTRUMENT, IN THE AMOUNT OF \$6,040.40, TO PROVIDE IDENTIFICATION OF VOLATILE ORGANIC COMPOUNDS AT HAZARDOUS MATERIALS RELEASE INCIDENTS; AND AUTHORIZATION TO ADD ITEM TO THE COUNTY'S FIXED ASSET LIST - SPONSOR: PUBLIC HEALTH

Approved;

3Z) APPROVAL OF RETROACTIVE MEMORANDUM OF UNDERSTANDING BETWEEN MENDOCINO COUNTY PUBLIC HEALTH AND SONOMA STATE UNIVERSITY, IN THE AMOUNT OF \$0, TO DEVELOP A CLINICAL TRAINING PROGRAM TO PROVIDE NURSING STUDENTS WITH PUBLIC HEALTH EXPERIENCE, EFFECTIVE OCTOBER 16, 2023, THROUGH OCTOBER 15, 2028 - SPONSOR: PUBLIC HEALTH

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-200

3AA) APPROVAL OF THREE-YEAR AGREEMENT WITH KEEFE COMMISSARY NETWORK, LLC IN THE AMOUNT OF \$1,050,000 (\$350,000 ANNUALLY) TO PROVIDE COMMISSARY AND BANKING SERVICES FOR INMATES AT THE MENDOCINO COUNTY JAIL FOR THE TERM OF JANUARY 1, 2024 THROUGH DECEMBER 31, 2026 - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-201

3AB) APPROVAL OF AGREEMENT (RETROACTIVE FIRST AMENDMENT TO AGREEMENT No. SS-20-078) WITH MENDOCINO COAST HOSPITALITY CENTER IN THE AMOUNT OF \$0, FOR A NEW TOTAL OF \$50,000, TO CONTINUE PROVIDING RAPID REHOUSING SERVICES TO INDIVIDUALS AND FAMILIES WHO ARE EXPERIENCING HOMELESSNESS IN MENDOCINO COUNTY, EFFECTIVE APRIL 8, 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 23-022

3AC) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD COMMUNITY SERVICES, INC. IN THE AMOUNT OF \$152,000, TO PROVIDE AN INLAND SHELTER TO INDIVIDUALS IN MENDOCINO COUNTY, EFFECTIVE JULY 1, 2023, THROUGH JUNE 30, 2024 - SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-023

3AD) RATIFICATION OF SUBMISSION OF ACCEPTANCE LETTER FOR RETROACTIVE FUNDING FROM CALIFORNIA DEPARTMENT OF SOCIAL SERVICES IN THE AMOUNT OF \$429,171, AND REQUEST FOR ADDITIONAL FUNDING IN THE AMOUNT OF \$500,000, FOR A TOTAL MAXIMUM AMOUNT OF \$929,171, FOR ADMINISTRATION OF CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS, HOUSING SUPPORT PROGRAM, EFFECTIVE JULY 1, 2023, THROUGH JUNE 30, 2024 - SPONSOR: SOCIAL SERVICES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 23-024

3AE) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 230000, 2023 CORRECTIVE/PREVENTATIVE MAINTENANCE ON PHILO GREENWOOD ROAD, COUNTY ROAD 132, MILEPOST 0.00 TO 17.65, AND CAMERON ROAD, COUNTY ROAD 516, MILEPOST 0.00 TO 5.72 (PHILO/ELK AREA) - SPONSOR: TRANSPORTATION/SOLID WASTE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-186

RESOLUTION NO. 23-186

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 230000, 2023 CORRECTIVE/PREVENTATIVE MAINTENANCE ON PHILO GREENWOOD ROAD, CR 132, MILEPOST 0.00 TO 17.65, AND CAMERON ROAD, CR 516, MILEPOST 0.00 TO 5.72 (PHILO/ELK AREA)

3AF) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 230008 TO REMOVE AND REPLACE 450 FEET OF GUARDRAIL ON MOUNTAIN VIEW ROAD, COUNTY ROAD 510, AT MILEPOST 2.70, (POINT ARENA AREA) - SPONSOR: TRANSPORTATION/SOLID WASTE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-187

RESOLUTION NO. 23-187

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 230008, TO REMOVE AND REPLACE 450 FEET OF GUARDRAIL ON MOUNTAIN VIEW ROAD, COUNTY ROAD 510, AT MILEPOST 2.70 (POINT ARENA AREA)

3AG) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 230009 TO REMOVE AND REPLACE 52 FEET OF GUARDRAIL AT THE INTERSECTION OF EAST SIDE CALPELLA ROAD, COUNTY ROAD 227 AND MILANI DRIVE, COUNTY ROAD 227A, (UKIAH AREA) - SPONSOR: TRANSPORTATION/SOLID WASTE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-188

RESOLUTION NO. 23-188

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 230009, TO REMOVE AND REPLACE 52 FEET OF GUARDRAIL AT THE INTERSECTION OF EAST SIDE CALPELLA ROAD, COUNTY ROAD 227, AND MILANI DRIVE, COUNTY ROAD 227A (UKIAH AREA)

3AH) ADOPTION OF RESOLUTION APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 230026, SOUTH COAST LANDFILL MAINTENANCE PROJECT (GUALALA AREA) - SPONSOR: TRANSPORTATION/SOLID WASTE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 23-189

RESOLUTION NO. 23-189

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING NOTICE OF COMPLETION AND RELEASE OF CONTRACT SURETY, DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 230026, SOUTH COAST LANDFILL MAINTENANCE PROJECT (GUALALA AREA)

AGENDA ITEM NO. 4 – REGULAR CALENDAR

4A) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF RESOLUTION AMENDING THE EXHIBIT X - MASTER FEE SCHEDULE EFFECTIVE FEBRUARY 3, 2024 UNLESS CODE OR POLICY REQUIRE LONGER, INCLUDING BUT NOT LIMITED TO, THE COUNTYWIDE INTERNAL FUNDS, AGRICULTURE, ANIMAL CARE SERVICES, ASSESSOR-CLERK-RECORDER, CANNABIS MANAGEMENT UNIT, CLERK OF THE BOARD, COUNTY COUNSEL, CULTURAL SERVICES AGENCY, EXECUTIVE OFFICE, FACILITIES, INFORMATION TECHNOLOGY, ENVIRONMENTAL HEALTH, MENTAL HEALTH, PLANNING & BUILDING SERVICES, PUBLIC DEFENDER, PUBLIC HEALTH, SHERIFF-CORONER, DEPARTMENT OF TRANSPORTATION, AND TREASURER-TAX COLLECTOR – SPONSOR: EXECUTIVE OFFICE

Presenter/s: Darcie Antle, Chief Executive Officer; Tim Hallman, Acting Deputy Chief Executive Officer; Christian M. Curtis, County Counsel; Marlayna Duley, Manager, Environmental Health; and Julia Krog, Director, Planning and Building Services.

Public Comment: Leslie Previa; Patrick Hickey; Wendy; Barb Chapman; Glenn Green; Carrie Shattuck; Michael Katz; Susan Tibbion; and Paul Hansbury.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors adopts resolution amending Exhibit X - Master Fee Schedule, effective February 3, 2024, unless code or policy require longer, including but not limited to, the Countywide Internal Funds, Agriculture, Animal Care Services, Assessor-Clerk-Recorder, Cannabis Management Unit, Clerk of the Board, County Counsel, Cultural Services Agency, Executive Office, Facilities, Information Technology, Environmental Health, Mental Health, Planning & Building Services, Public Defender, Public Health, Sheriff-Coroner, Department of Transportation, and Treasurer-Tax Collector as amended during the meeting to include the following changes: approving 75 percent of the proposed increases for planning and building, eliminating the cottage food permit fee for class A and B, keeping the farmers market fee as is, keeping the airport fees as is, eliminating the business license fee, and confirming that library fees would stay the same; 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 23-190

RESOLUTION NO. 23-190

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS, SUPERSEDING RESOLUTION NO. 23-082 ADOPTED ON April 25, 2023 MODIFYING THE MASTER FEE SCHEDULE (EXHIBIT X)

BOARD RECESS: 11:16 A.M. – 11:33 A.M.

4B) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF AN INFORMATIONAL UPDATE FROM THE ACTING AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR; AND DIRECTION TO STAFF AS NECESSARY - SPONSOR: ACTING AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

Presenter/s: Sara Pierce, Acting Auditor Controller/Treasurer Tax-Collector.

Public Comment: None.

Board Action: No Action Taken.

4c) DISCUSSION AND POSSIBLE ACTION INCLUDING INTRODUCTION AND WAIVE FIRST READING OF AN ORDINANCE AMENDING CHAPTER 8.69 OF THE MENDOCINO COUNTY CODE REGARDING THE PARTNERSHIP HEALTHPLAN OF CALIFORNIA COMMISSION - SPONSOR: COUNTY COUNSEL

Presenter/s: Christian M. Curtis, County Counsel; and Darcie Antle, Chief Executive Officer.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors introduces and waives first reading of an ordinance amending Chapter 8.69 of the Mendocino County Code regarding the Partnership HealthPlan of California Commission. 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 DIRECTION TO STAFF REGARDING THE POSSIBLE ASSIGNMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME (PI) FUNDS FOR FY 2023-2024 AND DEVELOPMENT OF ELIGIBLE PROJECTS FOR THE 2024 NOTICE OF FUNDING AVAILABILITY (NOFA); AND ADOPTION OF RESOLUTION AUTHORIZING THE SUBMITTAL OF AN AMENDMENT TO MENDOCINO COUNTY’S CURRENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME STANDARD AGREEMENT WITH HOUSING AND COMMUNITY DEVELOPMENT (HCD) IN THE AMOUNT OF \$263,278.05 - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Darcie Antle, Chief Executive Officer; Xuyen Mallela, Analyst, Executive Office; and Kelly Hansen, Analyst, Executive Office.

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors directs staff use the remaining funds on the lighting upgrade for the Yokayo Center, if funds are still remaining, use them to supplement an over-the-counter solicitations in January; directs staff to further investigate how Notice of Funding Ability (NOFA) could be responded to by the County with the request for funding for County infrastructure such as ADA and utility improvements regarding the Jail as well as the Planning Grant for the Covelo Water System Project; adopts Resolution authorizing the submittal of an amendment to Mendocino County’s current Community Development Block Grant (CDBG) Program Income Standard Agreement with Housing and Community Development (HCD) in the amount of \$263,278.05; authorizes the Chief Executive Officer or designee to sign and execute the amendment and other documents related to the grant; and authorizes Chair to sign the same.

Aye: 5 – Supervisor McGourty, Supervisor Mulheren, Supervisor Haschak, Supervisor Gjerde, and Supervisor Williams

No: 0 – None

Absent: 0 – None

Enactment No: Resolution 23-191

RESOLUTION NO. 23-191

A RESOLUTION APPROVING AN AMENDMENT TO THE STANDARD AGREEMENT FOR THE 20-CDBG-PI-12010 COMMUNITY DEVELOPMENT BLOCK GRANT, PROGRAM INCOME AWARD

BOARD RECESS: 12:30 P.M. – 1:30 P.M.

4E) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION OF STAFF REGARDING THE REDWOOD COMPLEX IGNITION RESISTANT PROJECT - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Darcie Antle, Chief Executive Officer; Travis Killmer, Disaster Recovery Field Operations Coordinator, Executive Office; Christian M. Curtis, County Counsel; Matthew Kiedrowski, Deputy County Counsel.

Public Comment: Sonya Campbell.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors adopts the following eligibility criteria for the Redwood Complex Ignition Resistant Construction Project: (1) applications must be for a home that is the primary residence of the applicant, (2) no individual grant award shall be made over \$70,000, and (3) program participants only be reimbursed for the cost of roofs that are the most cost-effective roofing option which meet the Class-A Ignition Resistance classification. 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

4F) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION INCLUDING ADOPTION OF A RESOLUTION APPROVING AGRICULTURAL PRESERVE NO. A_2023-0001, AUTHORIZING THE PLACEMENT OF APPROXIMATELY TWO HUNDRED AND FIFTY (250±) ACRES INTO AN AGRICULTURAL PRESERVE AND WILLIAMSON ACT CONTRACT FOR THE LANDS OF PAUL SOUSA, IN THE WILLITS AREA (APNs: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01) - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Steven Switzer, Planner, Planning and Building Services.

Public Comment: None.

Board Action: Upon motion by Supervisor Haschak, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors holds the public hearing and adopts the Resolution approving Agricultural Preserve No. A_2023-0001, authorizing the placement of approximately two hundred and fifty (250±) acres into an Agricultural Preserve and Williamson Act Contract for the lands of Paul Sousa, in the Willits area (APNs: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01); 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 23-192

RESOLUTION NO. 23-192

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING AN AGRICULTURAL PRESERVE AND WILLIAMSON ACT CONTRACT FOR THE LANDS OF PAUL SOUSA (APN's: 108-120-17, -11, 108-150-06, 103-180-08, & 108-181-01), (A_2023-0001)

4G) NOTICED PUBLIC HEARING - DISCUSSION AND POSSIBLE ACTION TO CONSIDER AN APPEAL OF THE ZONING ADMINISTRATOR’S DENIAL OF AN ADMINISTRATIVE PERMIT MODIFICATION (AP_2023-0015) REQUESTING AUTHORIZATION FOR A DRIVE-THROUGH WINDOW FOR AN EXISTING CANNABIS DISPENSARY AND POSSIBLE ADOPTION OF A RESOLUTION RELATED THERETO, LOCATED AT 800 LAKE MENDOCINO DR, UKIAH, APN: 168-224-31 - SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Julia Krog, Director, Planning and Building Services; Rob Fitzsimmons, Planner, Planning and Building Services; Kali Perkins, Attorney for the Applicant ; and Christian M. Curtis, County Counsel.

Public Comment: Leslie Previa; Glenn Green.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors upholds the appeal and remands AP_2023-0015 to the Zoning Administrator to reconsider the project, including for purposes of CEQA, based on the timeline which the business previously operated. 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

~~**4H) CHIEF EXECUTIVE OFFICER'S REPORT - SPONSOR: EXECUTIVE OFFICE**~~

Withdrawn.

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

Withdrawn.

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

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

Public Comment: None.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 2:52 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 are produced in “action only” format
- LIVE WEB STREAMING OF BOARD MEETINGS is available via the County’s YouTube Channel, which can be found here: <https://www.youtube.com/@MendocinoCountyVideo>
- 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: <https://mendocino.legistar.com/Calendar.aspx>
- For technical assistance or any requests for official meeting records of the Mendocino County Board of Supervisors, please contact the Clerk of the Boards Office at (707) 463-4441
- Additional resource information: <https://www.mendocinocounty.org/government/board-of-supervisors>

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