

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 – September 22, 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 9:05 A.M.)

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

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

The Pledge of Allegiance was led by: Chair Haschak.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Ms. Barbara Schora; Mr. Matthew Finnegan; Ms. Carol Myer; Mr. Richard Selzer; Mr. Lee Kraemer; and Ms. Jan McGourty.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Haschak.

Public Comment: None.

Board Directive: Consent Calendar items 4g), 4p), 4q) 4r), 4s), and 4t) removed for separate consideration.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Gjerde, IT IS ORDERED that Consent Calendar items 4a) – 4f), 4h) – 4o), 4u) – 4z), and 8a) 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. Mr. Gary Mirata, Trustee, Russian River River Cemetery District;
2. Mr. Todd Crabtree, Community Representative, Health and Human Services Agency Advisory Board;
3. Ms. Roseanne Ibarra, Community Representative, Health and Human Services Agency Advisory Board;
4. Ms. Carmel Angelo, Mendocino County OES Representative, Emergency Medical Care Committee;
5. Ms. Lily Caravello, Parent/Consumer Representative, Child Care Planning Council; and
6. Ms. Kimberly Vallee, Member, Hopland Municipal Advisory Council.

4B) ADOPTION OF A PROCLAMATION RECOGNIZING SEPTEMBER 15 THROUGH OCTOBER 15, 2020 AS LATINO HERITAGE MONTH IN MENDOCINO COUNTY - SPONSOR: SUPERVISORS BROWN AND MCCOWEN

Adopted and Chair is authorized to sign same;

4C) AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ESTABLISH CAPITAL IMPROVEMENT PROJECTS TO REPLACE HVAC UNIT 18 ON THE PUBLIC HEALTH BUILDING IN THE AMOUNT OF \$18,000 AND TO REPAIR THE PERIMETER FENCE EAST GATE AT THE JAIL IN THE AMOUNT OF \$6,000 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 FIRST CHANGE ORDER AMENDMENT TO BOS AGREEMENT 20 062 WITH FORT BRAGG ELECTRIC IN THE AMOUNT OF 32,225.91, FOR A REVISED TOTAL AGREEMENT AMOUNT OF 282,151.91 TO ADD COOLING EQUIPMENT FOR THE DATA ROOM AT THE TERMINATION OF THE SHERIFF'S OFFICE UNDERGROUND FIBER PROJECT - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-062-A1

4E) APPROVAL OF AGREEMENT WITH LACO ASSOCIATES IN THE AMOUNT OF \$72,600 FOR THE MONITORING AND REPORTING OF UNDERGROUND STORAGE TANKS AT THE FORT BRAGG AND WILLITS ROAD YARD SITES UPON EXECUTION OF THE AGREEMENT THROUGH JUNE 30, 2021; AND AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ACT AS PROJECT MANAGER TO APPROVE CHANGE ORDERS FOR THE PROJECT, PURSUANT TO PUBLIC CONTRACT CODE SECTION 20142 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-134

4F) RATIFICATION OF PURCHASE AGREEMENT FOR THE PURCHASE OF REAL PROPERTY IN THE AMOUNT OF \$2,205,056 LOCATED AT 131 WHITMORE LANE, UKIAH; AND AUTHORIZATION FOR THE PURCHASING AGENT OR DESIGNEE TO SIGN AND EXECUTE ANY AND ALL AGREEMENTS, AMENDMENTS, AND OTHER DOCUMENTS RELATED TO THE PURCHASE OF REAL PROPERTY AT 131 WHITMORE LANE, UKIAH (APN No. 184-044-10-00) - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-133

4H) 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 20-121

RESOLUTION 20-121

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

4I) APPROVAL OF AMENDMENT TO BOS AGREEMENT 06-124 WITH TYLER TECHNOLOGIES, INC., EFFECTIVE SEPTEMBER 22, 2020, INCREASING THE TOTAL COMPENSATION BY \$42,365 (FROM \$559,675, FOR A NEW AGREEMENT TOTAL OF \$602,040) FOR EXECUTIME HUMAN CAPITAL MANAGEMENT SERVICES - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 06-124-A1

4J) APPROVAL OF PURCHASE OF AN OMATION 210 ENVELOPENER IN THE AMOUNT OF \$7,770.35; ADD TO THE COUNTY LIST OF FIXED ASSETS - SPONSOR: ASSESSOR/CLERK-RECORDER

Approved;

4K) APPROVAL OF FIRST AMENDMENT TO BOS AGREEMENT 19-146 WITH HART INTERCIVIC IN THE AMOUNT OF \$60,354.86 FOR A NEW AGREEMENT TOTAL OF \$365,701.86 TO PURCHASE ADDITIONAL ELECTION EQUIPMENT LISTED IN EXHIBIT F; APPROVAL OF APPROPRIATION FORM INCREASING BU 1410 825670 (FEDERAL OTHER) \$60,354.86, TRANSFERRING \$31,854.86 TO BU 1410 864370 (EQUIPMENT) AND \$28,500 TO BU 1410 862189 (PROFESSIONAL & SPECIAL SERVICES); AND ADDITION OF THE ITEMS TO THE COUNTY FIXED ASSET LIST - SPONSOR: ASSESSOR/CLERK-RECORDER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 19-146-A1

4L) 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, 2021 THROUGH DECEMBER 31, 2021 - SPONSOR: DISTRICT ATTORNEY

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-122

RESOLUTION 20-122

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS UNSERVED/UNDERSERVED ADVOCACY AND OUTREACH PROGRAM 2021 RFA

4M) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD TOXICOLOGY LABORATORY, INC. IN THE AMOUNT OF \$23,900 TO PROVIDE DRUG TESTING SUPPLIES AND LABORATORY SERVICES FOR BEHAVIORAL HEALTH AND RECOVERY SERVICES, SUBSTANCE USE DISORDER TREATMENT SERVICES CLIENTS, 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 20-135

4N) APPROVAL OF SUBMISSION OF REQUEST FOR SUPPLEMENTAL INFORMATION FROM CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, MATERNAL, CHILD AND ADOLESCENT HEALTH DIVISION, FOR UP TO \$500,000 OF FUNDS AVAILABLE FOR THE CALIFORNIA HOME VISITING PROGRAM, WITH A GRANT EFFECTIVE DATE OF UPON EXECUTION THROUGH JUNE 30, 2023; 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 MAXIMUM AMOUNT - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved;

4O) ADOPTION OF RESOLUTION ACCEPTING A MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED MENDOCINO COUNTY CRISIS RESIDENTIAL TREATMENT FACILITY PROJECT AT 631 SOUTH ORCHARD AVENUE, UKIAH, IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THE STATE AND COUNTY CEQA GUIDELINES - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-123

RESOLUTION 20-123

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE PROPOSED MENDOCINO COUNTY CRISIS RESIDENTIAL TREATMENT FACILITY PROJECT AT 631 SOUTH ORCHARD AVENUE, UKIAH

4U) ADOPTION OF RESOLUTION AUTHORIZING ADOPTION OF THE CLASSIFICATIONS AND SALARY ASSIGNMENT OF STOREKEEPER/MAIL TECHNICIAN I, SALARY NO. 1664 AND STOREKEEPER/MAIL TECHNICIAN II, SALARY NO. 1667; ABOLISHMENT OF THE CLASSIFICATIONS OF MAIL TECHNICIAN I, SALARY NO. 1392 AND MAIL TECHNICIAN II, SALARY NO. 1576; RECLASSIFICATION OF AFFECTED INCUMBENT INCLUDING ASSOCIATED SALARY ADJUSTMENT; CHANGES TO THE POSITION ALLOCATION TABLE AS FOLLOWS: BUDGET UNIT 1160, ADD ONE (1.0) FTE STOREKEEPER/MAIL TECHNICIAN II; DELETE ONE (1.0) MAIL TECHNICIAN II - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-124

RESOLUTION 20-124

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

4V) ACCEPTANCE OF INFORMATIONAL REPORT REGARDING THE ISSUANCE OF EMERGENCY COASTAL DEVELOPMENT PERMIT EM_2020-0001 (BALLINGER) TO RE ROOF THE EXISTING RESIDENCE AND ASSOCIATED REPAIRS LOCATED AT 9600 N HIGHWAY 1 MENDOCINO (APN 119-320-01) - SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4W) ADOPTION OF A RESOLUTION DECLARING 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, CLASSIFYING HOTEL FOR SUCH PURPOSES, DESCRIBING THE BOUNDARIES OF THE PROPOSED AREA TO BE INCLUDED, THE AUTHORIZED USES TO WHICH THE PROPOSED REVENUES SHALL BE PUT, THE RATE OF SUCH ASSESSMENTS, FIXING THE DATE, TIME AND PLACE OF THE HEARING TO BE HELD BY THE COUNTY BOARD OF SUPERVISORS TO CONSIDER THE MODIFICATION OF THE BOUNDARIES OF SUCH DISTRICT, AND DIRECTING THE GIVING OF NOTICE OF SUCH HEARING - SPONSOR: PLANNING AND BUILDING SERVICES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 20-125

RESOLUTION 20-125

A RESOLUTION OF THE COUNTY OF MENDOCINO DECLARING ITS 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, CLASSIFYING HOTEL FOR SUCH PURPOSES, DESCRIBING THE BOUNDARIES OF THE PROPOSED AREA TO BE INCLUDED, THE AUTHORIZED USES TO WHICH THE PROPOSED REVENUES SHALL BE PUT, THE RATE OF SUCH ASSESSMENTS, FIXING THE DATE, TIME AND PLACE OF A HEARING TO BE HELD BY THE COUNTY BOARD OF SUPERVISORS TO CONSIDER THE MODIFICATION OF THE BOUNDARIES OF SUCH DISTRICT, AND DIRECTING THE GIVING OF NOTICE OF SUCH HEARING

4X) APPROVAL OF SECOND AMENDMENT TO BOARD OF SUPERVISORS (BOS) AGREEMENT #JA J19-012 AND #20-078 WITH IN CUSTODY TRANSPORTATION INC. IN THE AMOUNT OF \$50,000 FOR A NEW CONTRACT TOTAL OF \$150,000 TO PROVIDE PRISONER TRANSPORTATION SERVICES FOR THE MENDOCINO COUNTY JAIL EFFECTIVE UPON EXECUTION THROUGH JUNE 30, 2021 - SPONSOR: SHERIFF-CORONER

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-078-A2

4Y) APPROVAL OF RETROACTIVE AGREEMENT WITH LEXIPOL LLC IN THE AMOUNT OF \$6,605.00 TO PAY ANNUAL SUBSCRIPTION FEES FOR LAW ENFORCEMENT POLICY UPDATES FOR THE TERM OF SEPTEMBER 1, 2020 THROUGH AUGUST 31, 2021, 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 20-136

4Z) ADOPTION OF ORDINANCE AMENDING SECTION 15.04.030 OF THE MENDOCINO COUNTY CODE - SPEED ZONING ON COUNTY ROADS, ESTABLISHING A THIRTY FIVE MILES PER HOUR PRIMA FACIE SPEED LIMIT ON BOICE LANE, COUNTY ROAD 413, FROM MILEPOST 0.00 TO MILEPOST 0.40, AND ON PEARL DRIVE, COUNTY ROAD 412A, FROM MILEPOST 0.00 TO MILEPOST 0.56; ESTABLISHING A FORTY MILES PER HOUR PRIMA FACIE SPEED LIMIT ON FORT BRAGG SHERWOOD ROAD, COUNTY ROAD 419, FROM MILEPOST 0.00 TO MILEPOST 1.75, AND ESTABLISHING A FORTY FIVE MILES PER HOUR SPEED LIMIT ON BOICE LANE, COUNTY ROAD 413, FROM MILEPOST 0.40 TO MILEPOST 1.26 (FORT BRAGG AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Ordinance 4469

ORDINANCE 4469

ORDINANCE AMENDING SECTION 15.04.030 OF THE MENDOCINO COUNTY CODE - SPEED ZONING ON COUNTY ROADS, ESTABLISHING A THIRTY-FIVE MILES PER HOUR PRIMA FACIE SPEED LIMIT ON BOICE LANE, COUNTY ROAD 413, FROM MILEPOST (MP) 0.00 TO MP 0.40, AND ON PEARL DRIVE, COUNTY ROAD 412A, FROM MP 0.00 TO MP 0.56; ESTABLISHING A FORTY MILES PER HOUR PRIMA FACIE SPEED LIMIT ON FORT BRAGG SHERWOOD ROAD, COUNTY ROAD 419, FROM MP 0.00 TO MP 1.75, AND ESTABLISHING A FORTY-FIVE MILES PER HOUR SPEED LIMIT ON BOICE LANE, COUNTY ROAD 413, FROM MP 0.40 TO MP 1.26 (FORT BRAGG AREA)

8A) APPROVAL OF RETROACTIVE AGREEMENT WITH NORTH COAST OPPORTUNITIES IN THE AMOUNT OF \$500,000 FOR DIRECT FINANCIAL SERVICES, EFFECTIVE SEPTEMBER 1, 2020 THROUGH DECEMBER 31, 2020 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same.

Enactment No: Agreement 20-137

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 COUNTY WIDE ECONOMIC IMPACTS - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Janelle Rau, Deputy Chief Executive Officer; Mr. Andrew Coren, County Health Officer; Ms. Bekkie Emery, Assistant Director, Health and Human Services Agency; Ms. Darcie Antle, Deputy Chief Executive Officer; Mr. Matt Kendall, Sheriff Coroner; Mr. John Martire, Chief Investigator, Special Investigations Unit; Mr. John Burkes, Manager, Code Enforcement; Mr. Trey Strickland, Director, Environmental Health; and Mr. Howard Dashiell, Director, Transportation.

Public Comment: Ms. Hannah Nelson.

Board Directive: GENERAL CONSENSUS OF THE BOARD to maintain current road signs through November, and direct Transportation Director to explore less costly, permanent sign options.

Board Directive: GENERAL CONSENSUS OF THE BOARD to request Supervisors having COVID related questions to call the Call Center rather than the Department Operations Center.

Board Action: No action taken.

BOARD RECESS: 10:52 A.M. – 11:12 A.M.

5B) DISCUSSION AND POSSIBLE ACTION REGARDING THE RECEIVING AND FILING OF THE WILDFIRE VULNERABILITY ASSESSMENT AND PUBLIC OUTREACH PLAN FOR MENDOCINO COUNTY; ADOPTION OF THE EMERGENCY EVACUATION PLAN AS ANNEX A TO THE EXISTING COUNTY EMERGENCY OPERATIONS PLAN - SPONSOR: SHERIFF-CORONER

Presenter/s: Mr. Brentt Blaser, Emergency Services Coordinator, Office of Emergency Services; and Robert Neumann, Consultant, Category Five Professional Consultants.

Public Comment: Ms. Nephele Barrett, Mendocino Council of Governments; and Ms. Devon Jones, Mendocino County Farm Bureau.

Board Directive: GENERAL CONSENSUS OF THE BOARD to authorize Supervisors McCowen and Williams to work with staff to bring forward Ordinance changes necessary to implement the “Road Naming Issues Proposal.”

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McCowen, IT IS ORDERED that the Board of Supervisors receives and files the Wildfire Vulnerability Assessment and Public Outreach Plan for Mendocino County; adopts the Emergency Evacuation Plan as Annex A to the existing County Emergency Operations Plan, and directs Office of Emergency Services to return with implementation timeline of milestones and associated budget needs. 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

ADJOURNED TO CLOSED SESSION: 12:11 A.M.

- 9A) 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 ANGLE. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS
- 9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: COUNTY OF MENDOCINO, ET AL. V. AMERISOURCEBERGEN DRUG CORPORATION, ET AL. UNITED STATES DISTRICT COURT CASE NO. 18-CV-02712-RMI
- 9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: CALIFORNIA PUBLIC UTILITIES COMMISSION ADJUDICATORY PROCEEDINGS; COMMUNITY RESILIENCY/MICROGRIDS. UNITED STATES DISTRICT COURT CASE NO. R. 19-09-009
- 9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: CALIFORNIA PUBLIC UTILITIES COMMISSION ADJUDICATORY PROCEEDINGS; PROCEEDINGS TO EXAMINE ELECTRIC UTILITY DE ENERGIZATION OF POWER LINES IN DANGEROUS CONDITIONS. UNITED STATES DISTRICT COURT CASE NO. R.18-12-005
- 9E) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) – CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION: CALIFORNIA PUBLIC UTILITIES COMMISSION ADJUDICATORY PROCEEDINGS; 3 LARGE UTILITIES 2019 DE ENERGIZATION EVENTS. UNITED STATES DISTRICT COURT CASE NO. I. 19-11-013
- 9F) PURSUANT TO GOVERNMENT CODE SECTION 54956.9D(2) – CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION ONE CASE
- 9G) PURSUANT TO GOVERNMENT CODE SECTION 54956.9C – CONFERENCE WITH LEGAL COUNSEL INITIATION OF LITIGATION: THREE CASES
- 9H) ~~PURSUANT TO GOVERNMENT CODE SECTION 54957.6 – CONFERENCE WITH LABOR NEGOTIATOR AGENCY NEGOTIATORS: CARMEL J. ANGELO, CHERIE JOHNSON AND DONNA WILLIAMSON; EMPLOYEE ORGANIZATION(S): ALL~~

RECONVENED IN OPEN SESSION: 2:12 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Haschak.

Board Action: With respect to Closed Session Agenda Item 9a), the Board of Supervisors authorized the purchase of real property located at 555 South Orchard Street for \$10, 650,000, and direction was given to staff regarding escrow. With respect to Closed Session Agenda Items 9b) – 9f), direction was given to staff. With respect to Closed Session Agenda Item 9g), authority was given to initiate action. Closed Session Agenda Item 9h) was pulled at the request of the submitting department.

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

- 4G) ADOPTION OF RESOLUTION AUTHORIZING APPLICATION TO THE HOMEKEY PROGRAM (ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)) - SPONSOR: EXECUTIVE OFFICE

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

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors adopts Resolution authorizing application to the Homekey Program (administered by the California Department of Housing and Community Development (HCD)); 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: o – None

Absent: o – None

Enactment No: Resolution 20-120

RESOLUTION 20-120

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING APPLICATION TO THE HOMEKEY PROGRAM

4P) APPROVAL OF RETROACTIVE FOURTH AMENDMENT TO AGREEMENT NO. PH 19-080, PA No. 20-126 WITH CUCINA VERONA IN THE AMOUNT OF \$185,000 FOR A NEW TOTAL OF \$919,500 TO PROVIDE MEALS TO HOMEBOUND SENIORS IN FORT BRAGG AND SURROUNDING AREAS DUE TO THE COVID-19 PANDEMIC THROUGH THE GREAT PLATES DELIVERED PROGRAM EFFECTIVE MAY 12, 2020 THROUGH A NEW END DATE OF DECEMBER 31, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Darcie Antle, Deputy Chief Executive Officer; Ms. Megan Van Sant, Senior Program Manager, Employment & Family Assistance Services; and Mr. Christian M. Curtis, County Counsel.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves retroactive third amendment to Agreement No. PH 19-081, PA No. 20-128 with Wild Fish Restaurant in the amount of \$140,000 for a new total of \$454,500 to provide meals to homebound seniors in the coastal areas of Mendocino County and the Anderson Valley area due to the COVID-19 pandemic through the Great Plates Delivered program effective May 12, 2020 through a new end date of December 31, 2020; authorizes the Health and Human Services Agency Director or designee to sign any future amendments to the Agreement that do not increase the maximum amount; and authorizes the Chair to sign the same. The motion carried by the following vote:

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

No: o – None

Absent: o – None

Enactment No: Agreement 20-075-A3

4Q) APPROVAL OF RETROACTIVE THIRD AMENDMENT TO AGREEMENT NO. PH 19-083, PA No. 20-129 WITH EGGHEAD'S, INC. IN THE AMOUNT OF \$55,000 FOR A NEW TOTAL OF \$230,500 TO PROVIDE MEALS TO HOMEBOUND SENIORS IN THE FORT BRAGG AREA DUE TO THE COVID-19 PANDEMIC THROUGH THE GREAT PLATES DELIVERED PROGRAM EFFECTIVE MAY 21, 2020 THROUGH A NEW END DATE OF DECEMBER 31, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Darcie Antle, Deputy Chief Executive Officer; Ms. Megan Van Sant, Senior Program Manager, Employment & Family Assistance Services; and Mr. Christian M. Curtis, County Counsel.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves retroactive third amendment to Agreement No. PH 19-081, PA No. 20-128 with Wild Fish Restaurant in the amount of \$140,000 for a new total of \$454,500 to provide meals to homebound seniors in the coastal areas of Mendocino County and the Anderson Valley area due to the COVID-19 pandemic through the Great Plates Delivered program effective May 12, 2020 through a new end date of December 31, 2020; authorizes the Health and Human Services Agency Director or designee to sign any future amendments to the Agreement that do not increase the maximum amount; and authorizes the Chair to sign the 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 20-106-A2

4R) APPROVAL OF RETROACTIVE FOURTH AMENDMENT TO AGREEMENT NO. PH 19-078, PA No. 20-125 WITH MENDOCINO CAFE IN THE AMOUNT OF \$110,000 FOR A NEW TOTAL OF \$499,500 TO PROVIDE MEALS TO HOMEBOUND SENIORS IN THE TOWN OF MENDOCINO AND THE SURROUNDING AREAS DUE TO THE COVID-19 PANDEMIC THROUGH THE GREAT PLATES DELIVERED PROGRAM EFFECTIVE MAY 12, 2020 THROUGH A NEW END DATE OF DECEMBER 31, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Darcie Antle, Deputy Chief Executive Officer; Ms. Megan Van Sant, Senior Program Manager, Employment & Family Assistance Services; and Mr. Christian M. Curtis, County Counsel.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves retroactive third amendment to Agreement No. PH 19-081, PA No. 20-128 with Wild Fish Restaurant in the amount of \$140,000 for a new total of \$454,500 to provide meals to homebound seniors in the coastal areas of Mendocino County and the Anderson Valley area due to the COVID-19 pandemic through the Great Plates Delivered program effective May 12, 2020 through a new end date of December 31, 2020; authorizes the Health and Human Services Agency Director or designee to sign any future amendments to the Agreement that do not increase the maximum amount; and authorizes the Chair to sign the 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 20-074-A3

4S) APPROVAL OF RETROACTIVE FOURTH AMENDMENT TO AGREEMENT NO. PH 19-079, PA No. 20-124, WITH UKIAH BREWING COMPANY IN THE AMOUNT OF \$185,000 FOR A NEW TOTAL OF \$809,500 TO PROVIDE MEALS TO HOMEBOUND SENIORS IN THE UKIAH AND WILLITS AREA DUE TO THE COVID-19 PANDEMIC THROUGH THE GREAT PLATES DELIVERED PROGRAM EFFECTIVE MAY 12, 2020 THROUGH A NEW END DATE OF DECEMBER 31, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Darcie Antle, Deputy Chief Executive Officer; Ms. Megan Van Sant, Senior Program Manager, Employment & Family Assistance Services; and Mr. Christian M. Curtis, County Counsel.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves retroactive third amendment to Agreement No. PH 19-081, PA No. 20-128 with Wild Fish Restaurant in the amount of \$140,000 for a new total of \$454,500 to provide meals to homebound seniors in the coastal areas of Mendocino County and the Anderson Valley area due to the COVID-19 pandemic through the Great Plates Delivered program effective May 12, 2020 through a new end date of December 31, 2020; authorizes the Health and Human Services Agency Director or designee to sign any future amendments to the Agreement that do not increase the maximum amount; and authorizes the Chair to sign the 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 20-073-A3

4T) APPROVAL OF RETROACTIVE THIRD AMENDMENT TO AGREEMENT NO. PH 19-081, PA No. 20-128 WITH WILD FISH RESTAURANT IN THE AMOUNT OF \$140,000 FOR A NEW TOTAL OF \$454,500 TO PROVIDE MEALS TO HOMEBOUND 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 EFFECTIVE MAY 12, 2020 THROUGH A NEW END DATE OF DECEMBER 31, 2020 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Darcie Antle, Deputy Chief Executive Officer; Ms. Megan Van Sant, Senior Program Manager, Employment & Family Assistance Services; and Mr. Christian M. Curtis, County Counsel.

Public Comment: None.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors approves retroactive third amendment to Agreement No. PH 19-081, PA No. 20-128 with Wild Fish Restaurant in the amount of \$140,000 for a new total of \$454,500 to provide meals to homebound seniors in the coastal areas of Mendocino County and the Anderson Valley area due to the COVID-19 pandemic through the Great Plates Delivered program effective May 12, 2020 through a new end date of December 31, 2020; authorizes the Health and Human Services Agency Director or designee to sign any future amendments to the Agreement that do not increase the maximum amount; and authorizes the Chair to sign the 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 20-107-A2

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

Presenter/s: Supervisor Brown.

Public Comment: None.

Board Action: Direction given to staff.

5C) DISCUSSION AND POSSIBLE ACTION REGARDING MATTERS OF SOLID WASTE COLLECTION IN THE TOWN OF MENDOCINO (TOWN OF MENDOCINO AREA) - SPONSOR: TRANSPORTATION

Presenter/s: Mr. Howard Dashiell, Director, Transportation; and Ms. Amber Fisette, Deputy Director, Transportation.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Gjerde, IT IS ORDERED that the Board of Supervisors directs Department of Transportation to install proposed locks and ensure collection remains at 3 days per week, using funds from Transient Occupancy Tax to execute, and coordinate with the Sheriff's Office with regard to enforcement. The motion carried by the following vote:

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

No: 0 – None

Absent: 0 – None

5D) 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: Ms. Julia Acker Krog, Chief Planner, Planning and Building Services.

Public Comment: None.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors continues this hearing to October 20, 2020. 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 DIRECTION TO STAFF ON CANNABIS CULTIVATION PERMITTING PRIORITIES INCLUDING, BUT NOT LIMITED TO: COUNTY COUNSEL ANALYSIS OF STATE CEQA REQUEST, DIGITAL PORTAL, COST RECOVERY FOR WORK OUTSIDE OF APPLICATION SCOPE, INTERAGENCY BIOLOGIST AGREEMENT, PUBLICATION OF CANNABIS CULTIVATION GUIDE, PLAN FOR STAFFING INCREASE OR CONSULTANT REQUEST FOR PROPOSAL (RFP), EQUITY GRANT PROGRAM UPDATE, NOTICES TO CORRECT APPLICATIONS, REQUEST PROVISIONAL LICENSE EXTENSION FROM CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE, AND SCHEDULE SPECIAL BOARD OF SUPERVISORS MEETING FOR CANNABIS CULTIVATION PHASE 3 ZONING TABLE AND PERMITTING MODEL - SPONSOR: CANNABIS AD HOC COMMITTEE (SUPERVISORS HASCHAK AND WILLIAMS)

The gavel was passed to Vice-Chair Gjerde at 3:18 P.M.

Presenter/s: Supervisor Williams; Supervisor Haschak; and Mr. Christian M. Curtis, County Counsel.

Public Comment: Mr. Dennia Slota; Ms. Hannah Nelson; Ms. Sarah Bodnar; and Mr. Ron Edwards.

Board Directive: BY ORDER OF THE CHAIR direct addition of a special meeting on October 13, 2020 to discuss Cannabis Cultivation Phase 3 Zoning Table and Permitting Model.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors directs County Counsel to opine on whether County has already met the requirements of CEQA in regards to Cannabis Cultivation permitting And whether State's demand for "Appendix G" is a legally supported county obligation and report back within 30 days; 2) directs the Executive Office and Planning and Building Services to engage with Information Technology consultant to develop a fully digital submission portal capable of instantaneously generating accurate status reports for staff, applicants and the public; 3) directs Planning and Building Services to implement cost recovery for staff time allocated to cannabis cultivation development discussions beyond existing application scope; 4) directs Planning and Building Services to engage in an interagency agreement with California Department of Fish and Wildlife for a biologist to assist with Sensitive Species and Habitat Review; 5) directs Planning and Building to publish and maintain a Cannabis Cultivation Guide, including flow chart, on website; 6) directs Planning and Building Services to develop a staffing plan to complete processing of Cannabis Cultivation applications within six months or an RFP for outside contractor if county lacks feasibility to perform; 7) directs Cannabis Program Manager to prepare Equity Grant Program plan presentation; 8) directs Planning and Building to generate Notices of Correction and establish processing priorities; 9) directs Executive Office to add Provisional License extension to legislative platform and directs ad hoc to engage with RCRC, Assemblymember Wood and Senator McGuire for support; and 10) directs staff to schedule Special Board of Supervisors Meeting for Cannabis Cultivation Phase 3 Zoning Table and Permitting Model. 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

Gavel returned to Chair Haschak at 4:06 P.M.

BOARD RECESS: 4:06 P.M. – 4:22 P.M.

5E) DISCUSSION AND POSSIBLE ACTION REGARDING A STATUS REPORT ON FY 2019-20 BOARD GOALS, DIRECTIVES AND PRIORITIES FOR PLANNING & BUILDING SERVICES (PBS), APPROVAL OF FY 2020-21 PROPOSED GOALS, DIRECTIVES, AND PRIORITIES FOR PBS, AND APPROVAL OF GOALS, PRIORITIES AND DIRECTIVES THAT WOULD REMAIN ON HOLD IN FISCAL YEAR 2020-21 - SPONSOR: PLANNING AND BUILDING SERVICES

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

Public Comment: Ms. Hannah Nelson.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, IT IS ORDERED that the Board of Supervisors accepts presentation regarding the status report on FY 2019-20 goals, directives and priorities for PBS, approves FY 2020-21 goals, directives and priorities for PBS, and recognition of goals, directives and priorities that would remain on hold in FY 2020-21. 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

6C) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF THE PROPOSED UKIAH SENIOR COMMUNITY CENTER - SPONSOR: SUPERVISORS BROWN AND MCCOWEN

Presenter/s: Supervisor Brown; Supervisor McCowen; Ms. Rachael McDavid, Executive Director, Ukiah Senior Center; and Ms. Diana Clark, Project Manager, Ukiah Senior Center.

Public Comment: None.

Board Action: Upon motion by Supervisor Gjerde, seconded by Supervisor Williams, IT IS ORDERED that the Board of Supervisors receives presentation and authorizes staff to support efforts to secure Community Development Block Grant funds or other available State or Federal grant or loan funding. The motion carried by the following vote:

Aye: 4 – Supervisor McCowen, Supervisor Haschak, Supervisor Gjerde and Supervisor Williams

No: 0 – None

Absent: 0 – None

Recused: 1 – Supervisor Brown

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.

6D) 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 5:48 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