

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
501 Low Gap Road, Room 1070
Ukiah, CA 95482
(707) 463-4441 (t)
(707) 463-5649 (f)
cob@mendocinocounty.org

MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES – March 9, 2021

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 9:06 A.M.)

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

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Janelle Rau, Deputy Chief Executive Officer; Mr. Christian M. Curtis, County Counsel; Mr. Atlas M.A. Pearson, Deputy Clerk of the Board; Ms. Lindsey Daugherty, Deputy Clerk of the Board; and Ms. Deena Gera, Deputy Clerk of the Board.

The Pledge of Allegiance was led by: Supervisor McGourty.

AGENDA ITEM NO. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Michael Katz; and Ms. Anna Stockel.

AGENDA ITEM NO. 4 – APPROVAL OF CONSENT CALENDAR

Presenter/s: Chair Gjerde.

Public Comment: Ms. Anna Stockel; Ms. Lynn Zimmermann; Mr. Ron Edwards; and Ms. Kaitlyn Morgan.

Board Directive: Consent Calendar items 4g) and 4j) removed for separate consideration.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor McGourty, IT IS ORDERED that Consent Calendar items 4a) – 4f), 4h) – 4i), and 4k) – 4w) 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 MINUTES OF FEBRUARY 23, 2021 REGULAR MEETING

Approved;

4B) APPROVAL OF RECOMMENDED APPOINTMENTS/REAPPOINTMENTS

Approved;

1. Ms. Julie Golden, Member, Hopland Municipal Advisory Council;
2. Ms. Tiffany Gibson, Member, Hopland Municipal Advisory Council;
3. Ms. Christa Roderick, Member, Hopland Municipal Advisory Council; and
4. Mr. Jim Shields, Member, Laytonville Municipal Advisory Council.

4C) ADOPTION OF PROCLAMATION RECOGNIZING MARCH 2021 AS WOMEN'S HISTORY MONTH IN MENDOCINO COUNTY (SPONSOR: SUPERVISOR MULHEREN)

Adopted;

4D) APPROVAL OF TRANSMISSION OF LETTER OF SUPPORT TO ENCOURAGE CALTRANS TO PROVIDE ACCESS TO EEL RIVER WITH NEW CONSTRUCTION PLANNED FOR THE 8 MILE BRIDGE OF HIGHWAY 162 (SPONSOR: SUPERVISOR HASCHAK)

Approved;

4E) DIRECT AUDITOR TO DISTRIBUTE TRANSIENT OCCUPANCY TAX COLLECTED FROM VISITORS STAYING IN PRIVATE CAMPGROUNDS AND RECREATIONAL VEHICLE PARKS AS AN EVEN SPLIT TO RECOGNIZED LOCAL FIRE AGENCIES (SPONSOR: SUPERVISOR WILLIAMS)

Approved;

4F) ADOPTION OF RESOLUTION AUTHORIZING THE CULTURAL SERVICES AGENCY DIRECTOR TO FILE AN APPLICATION FOR A CALIFORNIA STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FOR BOWER PARK IMPROVEMENTS – SPONSOR: CULTURAL SERVICES AGENCY

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 21-025

RESOLUTION NO. 21-025

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS

4H) ADOPTION OF RESOLUTION AUTHORIZING SUBMITTAL OF A 2021 GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE FOR A BUREAU OF JUSTICE ASSISTANCE FISCAL YEAR (FY) 2021 SMART PROSECUTION - INNOVATIVE PROSECUTION SOLUTIONS GRANT; AND AUTHORIZING THE DISTRICT ATTORNEY TO SIGN THE GRANT APPLICATION ON BEHALF OF THE COUNTY – SPONSOR: DISTRICT ATTORNEY

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 21-026

RESOLUTION NO. 21-026

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS SMART PROSECUTION – INNOVATIVE PROSECUTION SOLUTIONS PROJECT

4I) ADOPTION OF RESOLUTION APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION AND DELIVERY OF A GROUND LEASE AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING OF THE SB 844 (NEW JAIL) PROJECT AND OTHER ACTIONS AND MATTERS RELATING THERETO - SPONSOR: EXECUTIVE OFFICE

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 21-027

RESOLUTION NO. 21-027

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION AND DELIVERY OF A GROUND LEASE AND RELATED DOCUMENTS IN CONNECTION WITH THE FINANCING OF THE SB 844 PROJECT AND OTHER ACTIONS AND MATTERS RELATING THERETO

4K) APPROVAL OF AMENDMENT TO BOS AGREEMENT NO. 20-009 WITH ATLAS PLANNING SOLUTIONS IN THE AMOUNT OF \$289,828 FOR HAZARD MITIGATION PLAN AND GENERAL PLAN SAFETY ELEMENT CONSULTING SERVICES, EXTENDING THE END DATE FROM MARCH 31, 2021 TO JUNE 30, 2021 - SPONSOR: EXECUTIVE OFFICE

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-009-A1

4L) APPROVAL OF RETROACTIVE AGREEMENT WITH REDWOOD COMMUNITY SERVICES IN THE AMOUNT OF \$14,250 TO PROVIDE SPACE AND STAFF SUPPORT FOR THE HEALTH AND HUMAN SERVICES AGENCY, FAMILY AND CHILDREN'S SERVICES, INDEPENDENT LIVING SKILLS PROGRAM AT THE ARBOR YOUTH RESOURCE CENTER, EFFECTIVE SEPTEMBER 15, 2020 THROUGH JUNE 30, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-035

4M) APPROVAL OF AMENDMENT TO AGREEMENT NO. BOS-20-045 WITH PSYNERGY PROGRAMS, INC. IN THE AMOUNT OF \$150,000, FOR A NEW TOTAL OF \$420,000, TO PROVIDE RESIDENTIAL CARE TO MENDOCINO COUNTY LANTERMAN-PETRIS-SHORT CLIENTS, EFFECTIVE WHEN AGREEMENT BECOMES FULLY EXECUTED THROUGH JUNE 30, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-045-A1

4N) APPROVAL OF AMENDMENT TO BOS AGREEMENT NO. 20-069 WITH TELECARE CORPORATION IN THE AMOUNT OF \$64,000, FOR A NEW TOTAL OF \$164,000, TO PROVIDE RESIDENTIAL CARE TO MENDOCINO COUNTY LANTERMAN-PETRIS-SHORT CLIENTS, EFFECTIVE WHEN AGREEMENT BECOMES FULLY EXECUTED THROUGH JUNE 30, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-069-A1

4O) APPROVAL OF AMENDMENT TO AGREEMENT NO. BOS 20-072 WITH WILLOW GLEN CARE CENTER IN THE AMOUNT OF \$360,000, FOR A NEW TOTAL OF \$710,000, TO PROVIDE RESIDENTIAL CARE TO MENDOCINO COUNTY LANTERMAN-PETRIS-SHORT CLIENTS, EFFECTIVE WHEN AGREEMENT BECOMES FULLY EXECUTED THROUGH JUNE 30, 2021 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Approved and Chair is authorized to sign same;

Enactment No: Agreement 20-072-A1

4P) APPROVAL OF RETROACTIVE AGREEMENT WITH MENDOCINO COAST HOSPITALITY CENTER IN THE AMOUNT OF \$139,697 TO PROVIDE EMERGENCY SHELTER AND RESOURCE SERVICES IN MENDOCINO COUNTY, 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 21-036

4Q) APPROVAL OF RECOMMENDATION BY THE POLICY COUNCIL ON CHILDREN AND YOUTH/CHILD ABUSE PREVENTION COMMISSION TO DISTRIBUTE \$13,600 (\$6,800 PER FISCAL YEAR) FROM THE COUNTY CHILDREN'S TRUST FUND FOR CHILD ABUSE PREVENTION ACTIVITIES IN FISCAL YEARS 2020-22; AND APPROVAL OF RETROACTIVE AGREEMENT WITH THE MENDOCINO COAST CHILD ABUSE PREVENTION COORDINATION COUNCIL, IN THE AMOUNT OF \$13,600 TO FACILITATE THE POLICY COUNCIL ON CHILDREN AND YOUTH/CHILD ABUSE PREVENTION COUNCIL'S COASTAL SUBCOMMITTEE FOR CHILD ABUSE PREVENTION 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 21-037

4R) APPROVAL OF RECOMMENDATION BY THE POLICY COUNCIL ON CHILDREN AND YOUTH/CHILD ABUSE PREVENTION COMMISSION TO DISTRIBUTE \$26,400 (\$13,200 PER FISCAL YEAR) FROM THE COUNTY CHILDREN'S TRUST FUND FOR CHILD ABUSE PREVENTION ACTIVITIES IN FISCAL YEARS 2020-22; AND APPROVAL OF RETROACTIVE AGREEMENT WITH COURT APPOINTED SPECIAL ADVOCATES OF MENDOCINO COUNTY IN THE AMOUNT OF \$26,400 TO FACILITATE THE POLICY COUNCIL ON CHILDREN AND YOUTH/CHILD ABUSE PREVENTION COUNCIL'S SUBCOMMITTEE, CHILDHOOD TRAUMA ACTION TEAM, AND TO FACILITATE THE ANNUAL EDUCATION, TRAINING AND CHILD ABUSE PREVENTION ACTIVITY OR PROGRAM AS RECOMMENDED BY THE POLICY COUNCIL ON CHILDREN AND YOUTH/CHILD ABUSE PREVENTION COUNCIL, 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 21-038

4S) APPROVAL OF AMENDMENT TO STANDARD SERVICES AGREEMENT NO. PA 20-136 WITH LIEBERT CASSIDY WHITMORE IN THE AMOUNT OF \$30,000 TO CONTINUE TO PROVIDE PROFESSIONAL INVESTIGATION SERVICES THROUGH JUNE 30, 2021 FOR A TOTAL AGREEMENT AMOUNT OF \$77,500 - SPONSOR: HUMAN RESOURCES

Approved and Chair is authorized to sign same;

Enactment No: Agreement 21-039

4T) ADOPTION OF RESOLUTION ADOPTING NEW CLASSIFICATIONS OF PRINCIPAL ADMINISTRATIVE ANALYST, SALARY NO. 4191; DISASTER RECOVERY FIELD OPERATIONS COORDINATOR, SALARY NO. 3539; DISASTER RECOVERY UNIT NURSE MANAGER, SALARY NO. 4890, AND AMENDING POSITION ALLOCATION TABLE AS APPROVED FOR BUDGET UNIT 2910, PROPOSED MID-YEAR BUDGET ALLOCATION ADJUSTMENTS - SPONSOR: HUMAN RESOURCES

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 21-028

RESOLUTION NO. 21-028

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

4U) AUTHORIZATION OF THE ISSUANCE OF ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT (CDP 2020-0016) FOR A REMODEL OF SECOND RESIDENTIAL UNIT BY 80± SQUARE FEET, A MULTI-STORY GARAGE (576 SQ. FT.) 'GAME ROOM' LOCATED AT 17750 FREITAS LN FORT BRAGG APN 017-172-14- SPONSOR: PLANNING AND BUILDING SERVICES

Approved;

4V) ADOPTION OF RESOLUTION APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 210014 SOLID WASTE SITE USE AGREEMENT REGARDING SOLID WASTE FRANCHISE COLLECTION AREA NUMBER TWO INLAND RATE ZONE AGREEMENT TO DIRECT WASTE STREAM TO SOLID WASTE SYSTEMS, INC. TRANSFER STATION AT 3151 TAYLOR DRIVE, UKIAH, CA (UKIAH AREA) - SPONSOR: TRANSPORTATION

Adopted and Chair is authorized to sign same;

Enactment No: Resolution 21-029

Enactment No: Agreement 21-041

RESOLUTION NO. 21-029

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 210014, SITE USE AGREEMENT FOR TAYLOR DRIVE SOLID WASTE TRANSFER STATION BETWEEN SOLID WASTE SYSTEMS, INC. AND COUNTY OF MENDOCINO, TO DIRECT WASTE STREAM FROM SOLID WASTE FRANCHISE COLLECTION AREA NUMBER TWO INLAND RATE ZONE TO THE SOLID WASTE TRANSFER STATION AT 3151 TAYLOR DRIVE, UKIAH, CALIFORNIA (UKIAH AREA)

4W) RETROACTIVE APPROVAL OF EMERGENCY PURCHASE OF TWO TELEDYNE API MODEL T400 OZONE AIR MONITORS TO REPLACE THE AIR DISTRICT'S FAILING OZONE MONITORING NETWORK, TRANSFER OF DISTRICT FUNDS IN THE AMOUNT OF \$21,894.43 TO BUDGET UNIT 0327, LINE ITEM AQ 86-4370, FIXED ASSETS; AUTHORIZATION FOR THE AUDITOR TO PAY FOR THESE FIXED ASSETS, AND ADDITION OF THE INSTRUMENTS TO THE DISTRICT'S LIST OF FIXED ASSETS - SPONSOR: AIR QUALITY MANAGEMENT DISTRICT

Approved;

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

4G) APPROVAL OF AGREEMENT WITH 4FRONT PARTNERS IN AN AMOUNT NOT TO EXCEED \$211,565 FOR CANNABIS EQUITY GRANT ADMINISTRATIVE SERVICES, WITH A CONTRACT TERM EFFECTIVE UPON DATE OF EXECUTION THROUGH AUGUST 21, 2021 - SPONSOR: PLANNING AND BUILDING SERVICES

Referred Back to Department;

ADJOURNED TO CLOSED SESSION: 9:27 A.M.

8A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(2) - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION: ONE CASE

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

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

Board Action: With respect to Agenda Item 8a) the Board received information.

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: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Dr. Andrew Coren, Mendocino County Public Health Officer; and Mr. John Burkes, Code Enforcement Supervisor.

Public Comment: None.

Board Action: No Action Taken.

5D) DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF THE FISCAL YEAR (FY) 2020-21 MID-YEAR BUDGET REPORT ON THE STATUS OF COUNTY DEPARTMENTAL SPENDING AND REVENUES FOR FY 2020-21 AND EXECUTIVE OFFICE RECOMMENDATIONS; AND ADOPTION OF RESOLUTION AMENDING THE FY 2020-21 ADOPTED BUDGET - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Darcie Antle, Deputy Chief Executive Officer; Mr. Lloyd Weer, Auditor-Controller; Mr. William Schurtz, Human Resources Director; Ms. Amanda Wolter, Executive Coordinator; Dr. Jenine Miller, Behavioral Health Director; Mr. Cody Snider, Information Services Division Manager; Ms. Janelle Rau, Deputy Chief Executive Officer; Mr. Doug Anderson, Assistant Facilities Manager; Mr. Tim Hallman, Senior Administrative Analyst; Ms. Xuyen Ung, Senior Administrative Analyst; and Mr. Nash Gonzalez, Interim Planning and Building Services Director.

Public Comment: None.

Board Directive: GENERAL CONSENSUS OF THE BOARD direct the Executive Office, Planning and Building Services, and Auditor's Office to work together to clarify projections of the cannabis tax revenue based on the Planning Departments estimate of how many of these farms will make it to annual license stage.

Board Directive: GENERAL CONSENSUS OF THE BOARD direct staff to provide analysis of how much the county is collecting from different entities, in order to determine how many of the cannabis tax payers are paying the minimum versus how many are paying a percentage of revenue.

Board Directive: GENERAL CONSENSUS OF THE BOARD to provide funding in the amount of \$250,000 for implementation of Cloud Based Office 365 for County email and direction to staff to proceed as quickly as possible with implementing the program.

Board Directive: GENERAL CONSENSUS OF THE BOARD direct staff to bring back cost estimates for generator installation at publicly used county facilities for use during future PSPS events and to analyze internet installation options, including Starlink, at such facilities.

Board Directive: GENERAL CONSENSUS OF THE BOARD direct staff to bring back informational reports showing their actual relative to budget, showing which departments have maintained their budget, which have run over, and by how much.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors accepts the FY 2020-21 Mid-Year Budget Report on the status of departmental spending and revenues for FY 2020-21; and approves Executive Office recommendations; adopts Resolution amending the FY 2020-21 Adopted Budget; 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 21-030

RESOLUTION NO. 21-030

RESOLUTION AMENDING THE FY 2020-21 ADOPTED BUDGET OF THE BOARD OF SUPERVISORS BY ADJUSTING REVENUES AND APPROPRIATIONS

BOARD RECESS: 12:48 P.M. – 1:00 P.M.

ADJOURNED TO CLOSED SESSION: 1:00 P.M.

- 9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SEIU LOCAL 1021 AND HENRY FRAHM V. COUNTY OF MENDOCINO - NORTHERN DISTRICT OF CALIFORNIA COURT CASE NO. 1:20-CV-5423**
- 9B) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: CALIFORNIA PUBLIC UTILITIES COMMISSION ADJUDICATORY PROCEEDING RULEMAKING 18-12-005 - DE-ENERGIZATION OF POWER LINES TO PREVENT WILDFIRES**
- 9C) PURSUANT TO GOVERNMENT CODE SECTION 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATOR - PROPERTY: APNs 152-090-05, 152-120-09, 152-150-03, 152-150-05, 152-150-08, 152-180-05, 152-180-09, 167-120-15, 167-120-17, 167-160-03, 167-160-06, 152-150-02, 152-270-01, 152-270-05, 157-200-01, 157-240-01, 169-010-01, 152-100-01; PHYSICAL ADDRESS. 537 PARDUCCI ROAD, UKIAH CA 95482. AGENCY NEGOTIATORS: CARMEL J. ANGELO, JANELLE RAU, AND DARCI ANTE. UNDER NEGOTIATION: PROPERTY ACQUISITION, PRICE AND TERMS**
- 9D) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION: ONE CASE**

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

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

Board Action: With respect to Agenda Items 9b) – 9c) the Board received information. Items 8b), 9a), and 9c) were continued until the end of the day.

5E) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING STRATEGICALLY INVESTING ONE-TIME PACIFIC GAS & ELECTRIC (PG&E) DISASTER SETTLEMENT FUNDS - SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Ms. Darcie Antle, Deputy Chief Executive Officer; Mr. Nash Gonzalez, Interim Planning and Building Services Director; and Mr. Howard Dashiell, Department of Transportation Director.

Public Comment: Mr. Scott Cratty; Mr. Michael Katz; Mr. Patrick Hickey; and Mr. Casey O'Neill.

Board Directive: BY ORDER OF THE CHAIR direct staff to bring the item back at the April 6, 2021 Board of Supervisors Meeting, including the Fire Safe Council, Sheriff's Office, Department of Planning and Building Services, and an EMS presentation.

Board Action: No Action Taken.

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

No: 0 – None

Absent: 0 – None

6A) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING SOLID WASTE COLLECTION FOR AREA #2; EITHER CONTINUE WITH ONGOING PROPOSAL SOLICITATION OR DIRECT POSSIBLE CONTRACT EXTENSION TO MATCH 1-YEAR CONTRACT EXTENSION APPROVED BY THE CITY OF FORT BRAGG (AREA #2 SERVES THE UNINCORPORATED AREAS NEAR FORT BRAGG AND UKIAH) - SPONSORS: SUPERVISOR GJERDE AND TRANSPORTATION

Presenter/s: Mr. Howard Dashiell, Director, Department of Transportation; Mr. Brad Cea, Waste Management; and Mr. Steve Shamblin, Waste Management.

Public Comment: Mr. Bruce McCracken.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Haschak, IT IS ORDERED that the Board of Supervisors directs the Department of Transportation (MCDOT) to negotiate a 1-Year Contract Extension with Empire Waste Management (WM) for Area #2 Curbside Solid Waste Collection Franchise Agreement Expiring June 30, 2021 (unincorporated Coastal areas near Fort Bragg and inland areas near Ukiah); if WM is unwilling to sign a 1-Year extension then MCDOT is to proceed with the ongoing proposal solicitation. 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

5B) DISCUSSION AND POSSIBLE ACTION INCLUDING APPROVAL OF PROPERTY MANAGEMENT AGREEMENT WITH RURAL COMMUNITIES HOUSING DEVELOPMENT CORPORATION (RCHDC) FOR PROFESSIONAL SERVICES AT THE LIVE OAK APARTMENT COMPLEX (HOMEKEY PROJECT) AT 555 SOUTH ORCHARD (UKIAH) EFFECTIVE UPON EXECUTION THROUGH JUNE 30, 2024 AND APPROVAL OF OPERATING BUDGETS THROUGH JUNE 30, 2022 - SPONSOR: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Megan Van Sant, Senior Program Manager, Employment and Family Assistance Services; Mr. Steve Dunncliff, Deputy CEO.

Public Comment: None.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors approves the property management agreement with RCHDC for professional services at the Live Oak Apartment Complex (Homekey Project) at 555 South Orchard (Ukiah) effective upon execution through June 30, 2024; approves operating budgets through June 30, 2022; 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

5F) DISCUSSION AND POSSIBLE ACTION INCLUDING DIRECTION TO STAFF REGARDING THE OAK TREE AND OAK WOODLAND PROTECTION ORDINANCE - SPONSOR: PLANNING & BUILDING SERVICES

Presenter/s: Mr. Samuel Vandewater, Senior Planner, Planning and Building Services; Ms. Julia Acker, Assistant Director, Planning and Building Services; Mr. Michael Jones, Forest Advisor, UC Cooperative Extension; and Mr. Matthew Kiedrowski, Deputy County Counsel.

Public Comment: Mr. Richard Selzer; Ms. Sarah Bodnar; Ms. Lisa Badenfort; Ms. Devon Jones; and Mr. Peter Bradford.

Board Action: Upon motion by Supervisor Williams, seconded by Supervisor Mulheren, IT IS ORDERED that the Board of Supervisors appoints an ad hoc of Supervisors McGourty and Haschak to work with staff on the Oak Woodlands Ordinance; and decouple the Oak Woodlands Ordinance from Cannabis Phase 3. 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

5C) DISCUSSION AND POSSIBLE ACTION INCLUDING ACCEPTANCE OF THE 2019 MENDOCINO COUNTY CROP REPORT PRESENTATION FROM THE AGRICULTURAL COMMISSIONER - SPONSOR: AGRICULTURE

Presenter/s: Mr. Jim Donnelly, Commissioner, Agriculture.

Public Comment: Mr. Ron Edwards; Mr. Michael Katz; and Ms. Devon Jones.

Board Directive: GENERAL CONSENSUS OF THE BOARD to include cannabis in the Crop Report going forward, and request an addendum regarding 2019 cannabis data to be reviewed by Supervisor McGourty and included on an upcoming Consent Calendar.

Board Action: No Action Taken.

5G) CHIEF EXECUTIVE OFFICER'S REPORT – SPONSOR: EXECUTIVE OFFICE**6B) SUPERVISOR'S REPORTS****5H) DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM - SPONSOR: EXECUTIVE OFFICE**

Withdrawn.

AGENDA ITEM NO. 4 – CONSENT CALENDAR – REMOVED FOR SEPARATE CONSIDERATION:**4J) AUTHORIZATION FOR THE FACILITIES AND FLEET DIVISION MANAGER TO ESTABLISH A CAPITAL IMPROVEMENT PROJECT TO REPAIR AND UPGRADE THE FACILITY AT 131 WHITMORE LANE IN UKIAH CONSISTENT WITH LONG TERM COUNTY USE WITH INITIAL FUNDING IN THE AMOUNT OF \$2,800,000 FOR EMERGENCY ROOF REPLACEMENT 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;

ADJOURNED TO CLOSED SESSION: 4:39 P.M.

8B) PURSUANT TO GOVERNMENT CODE SECTION 54957 - PUBLIC EMPLOYEE APPOINTMENT - CANNABIS PROGRAM MANAGER

9A) PURSUANT TO GOVERNMENT CODE SECTION 54956.9(D)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SEIU LOCAL 1021 AND HENRY FRAHM V. COUNTY OF MENDOCINO - NORTHERN DISTRICT OF CALIFORNIA COURT CASE NO. 1:20-CV-5423

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

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

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

Board Action: With respect to Agenda Items 9a) and 9d) direction was given to staff. With respect to item 8b) Kristin Nevedal was appointed as the Cannabis Program Manager.

AGENDA ITEM NO. 10 – COMMUNICATIONS

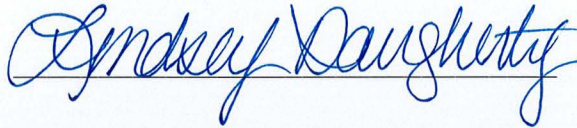
- 10(a)** Federal Energy Regulatory Commission, Office of Energy Projects, Division of Dam Safety and Inspections - Scott Dam Site Specific Probable Maximum Precipitation/Probable Maximum Flood Study. For more information, please contact Federal Energy Regulatory Commission, San Francisco Regional Office at (415) 369-3300.
- 10(b)** Federal Energy Regulatory Commission, Office of Energy Projects, Division of Dam Safety and Inspections - Status Updates for Overdue Items for PG&E Projects. For more information, please contact Federal Energy Regulatory Commission, San Francisco Regional Office at (415) 369-3300.
- 10(c)** California Fish and Game Commission - Notice of Findings - Milo Baker's Lupine. For more information, please contact California Department of Fish and Wildlife, P.O. Box 944209, Sacramento, CA 94244-2090.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 6:49 P.M.

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



Attest: LINDSEY DAUGHTERY
Senior Deputy Clerk of the Board


DAN GJERDE, 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