



# Mendocino County

## Legislation Details (With Text)

**File #:** 24-0542      **Version:** 1      **Name:**

**Type:** Approval      **Status:** Consent Agenda

**File created:** 5/6/2024      **In control:** General Services Agency

**On agenda:** 5/21/2024      **Final action:**

**Title:** Approval of Finding that the New Measure B Psychiatric Health Facility (PHF) Project is Categorically Exempt from the California Environmental Quality Act Pursuant to Section 15302 of the CEQA Guidelines; Approval and Authorization Pursuant to Government Code Section 25526.6 of the Granting of an Avigation Easement to the City of Ukiah on the PHF Parcel at 2840 South State Street, Ukiah, Finding that the Conveyance is in the Public Interest and Will Not Substantially Interfere With the Use of the Property; and Approve Plans and Specifications for the PHF Project and Direct the Chief Executive Officer or Designee to Advertise for Bids and Authorize Opening of Bids on or After June 27, 2024

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Avigation Easement, 2. PHF Planning Memo - FINAL

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

**To: BOARD OF SUPERVISORS**

**From:** General Services Agency and Behavioral Health

**Meeting Date:** May 21, 2024

**Department Contact:** Doug Anderson

**Phone:** 707-234-6050

**Department Contact:** Jenine Miller

**Phone:** 707-472-2300

**Item Type:** Consent Agenda

**Time Allocated for Item:** N/A

**Agenda Title:**

Approval of Finding that the New Measure B Psychiatric Health Facility (PHF) Project is Categorically Exempt from the California Environmental Quality Act Pursuant to Section 15302 of the CEQA Guidelines; Approval and Authorization Pursuant to Government Code Section 25526.6 of the Granting of an Avigation Easement to the City of Ukiah on the PHF Parcel at 2840 South State Street, Ukiah, Finding that the Conveyance is in the Public Interest and Will Not Substantially Interfere With the Use of the Property; and Approve Plans and Specifications for the PHF Project and Direct the Chief Executive Officer or Designee to Advertise for Bids and Authorize Opening of Bids on or After June 27, 2024

**Recommended Action/Motion:**

Approval of finding that the new Measure B Psychiatric Health Facility (PHF) project is categorically exempt from the California Environmental Quality Act pursuant to section 15302 of the CEQA Guidelines; approve and authorize pursuant to Government Code section 25526.6 the granting of an Avigation Easement to the City of Ukiah on the PHF Parcel at 2840 South State Street, Ukiah, finding that the conveyance is in the public

interest and will not substantially interfere with the use of the property, and authorize Chair to sign same; approve plans and specifications for the PHF project and direct the Chief Executive Officer or designee to advertise for bids and authorize opening of bids on or after June 27, 2024; and authorize Chair to sign same.

**Previous Board/Board Committee Actions:**

Acceptance of Feasibility Study for the PHF Project on January 25, 2022. Approval of Agreement with Coleman Construction for the Demolition of the former skilled nursing facility on June 20, 2023.

**Summary of Request:**

On January 25, 2022, the Board of Supervisors accepted the feasibility study report for the Psychiatric Health Facility (PHF) and the recommendation that the most cost-effective option was to demolish the former skilled nursing facility at the property that was formerly addressed as 131 Whitmore Lane and construct the new PHF on that site and directed staff to proceed with that option.

The former owner of the PHF parcel applied for and obtained a use permit from the County in 2020 to recommence operation of the skilled nursing facility. One of the conditions of the use permit was the recordation of an avigation easement against the property, which was not done prior to the County's acquisition of the property later in 2020. To comply with this requirement of the use permit, staff have prepared an avigation easement, in the form attached to this agenda item. Pursuant to Government Code Section 25526.6, the Board may grant interests in real property to other public entities upon a finding that the conveyance is in the public interest and the interest conveyed will not substantially conflict or interfere with the use of the property by the County. In this instance, recordation of an avigation easement in favor of the City of Ukiah was required pursuant to the Airport Comprehensive Land Use Plan, which easement includes but is not limited to the right of the public to fly over the parcel, including the creation of any related noise, vibrations or currents, and the right to keep the airspace clear of obstructions. The provisions of the easement will have no impact on the operation of the PHF.

Reconstruction of the PHF on the subject parcel is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15302, which exempts the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The PHF will be a smaller building than the former skilled nursing facility building and will have the same Congregate Care land use.

Additional information regarding the review of the site and the PHF Project by the Department of Planning and Building Services is provided in the attached memorandum.

Approval of plans and specifications by the Board of Supervisors is required pursuant to Public Contract Code Section 22039. In addition, adoption of plans by the Board is one part of establishing design immunity from claims for certain injuries pursuant to Government Code Section 830.6. Copies of the plans and specifications are on file with the Clerk of the Board of Supervisors.

**Alternative Action/Motion:**

Do not make the findings or approve the actions and provide alternate direction to staff.

**Strategic Plan Priority Designation:** A Safe and Healthy County

**Supervisory District:** District 2

**Vote Requirement:** Majority

**Supplemental Information Available Online At:** N/A

**Fiscal Details:**

**source of funding:** Measure B & BHCIP Grant

**current f/y cost:** Minor recording costs and fees.

**budget clarification:** There are limited expenses to Measure B in recording the Easement and issuing bid documents. Project costs will be updated with the item awarding the contract after bids are received.

**annual recurring cost:** N/A

**budgeted in current f/y (if no, please describe):** Yes

**revenue agreement:** N/A

**AGREEMENT/RESOLUTION/ORDINANCE APPROVED BY COUNTY COUNSEL:** N/A

**CEO Liaison:** Tony Rakes, Acting Deputy CEO

**CEO Review:** Yes

**CEO Comments:**

---

**FOR COB USE ONLY**

Executed By: Atlas Pearson, Senior Deputy Clerk

Date: May 21, 2024

Final Status: **Approved**

