

**NOTICE AND AGENDA OF A SPECIAL MEETING  
OF THE BOARD OF DIRECTORS  
MENDOCINO COAST HEALTH CARE DISTRICT**

Mendocino Coast Health Care District is inviting you to a scheduled Zoom meeting.

Topic: Mendocino Coast Health Care District Special Board Meeting

Time: July 11, 2022 6:00 PM Open Session

Join Zoom Meeting

<https://us06web.zoom.us/j/3453214116>

Meeting ID: 345 321 4116

One tap mobile

+16694449171,,3453214116# US

+12532158782,,3453214116# US (Tacoma)

Dial by your location

+1 669 444 9171 US

+1 253 215 8782 US (Tacoma)

+1 646 931 3860 US

Meeting ID: 345 321 4116

Find your local number: <https://us06web.zoom.us/j/3453214116>

PLEASE TAKE NOTICE a Special Board of Directors meeting has been called for Monday July 11, 2022 at 6:00 pm. **This meeting will be held via Zoom Conference only in order to reduce the risk of spreading coronavirus (COVID-19) and pursuant to the Governor’s Executive Orders N-25-20 and N-29-20.**

**1. 6:00 P.M. OPEN SESSION CALL TO ORDER AND ROLL CALL**

1.1 Call to order and roll call

**2. PUBLIC COMMENTS**

This portion of the meeting is reserved for persons desiring to address the Board of Directors on non-agenda issues. Please state your name for the record. A three-minute limit is set for each speaker on all items. The total time for public input on each item is limited to 20 minutes (Government Code 54952). The Brown Act does not permit the Board to take action on any item that is not on the agenda.

**3. INFORMATION/DISCUSSION/POSSIBLE ACTION ITEMS**

3.1 Relocation of Ambulance Crew to new location on hospital campus.

3.2 District Response to Use Permit Application                      TAB 1

**4. BOARD COMMENTS**

**5. ADJOURNMENT**

Dated: July 9, 2022

STATE OF CALIFORNIA  
COUNTY OF MENDOCINO

I declare under penalty of perjury that I hold the position of Secretary of the Mendocino Coast Health Care District Board of Directors; and that I caused this agenda to be posted on the District's notice board at the entrance to the District's Offices at 755 River Drive, Fort Bragg, California on July 9, 2022.

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Norman De Vall, Secretary of the MCHCD BOD

All disabled persons requesting disability - related modifications or accommodations, including auxiliary aids or service may make such request in order to participate in a public meeting to Norman De Vall, Secretary of the Board of Director at [ndevall@mcdh.org](mailto:ndevall@mcdh.org) or 755 River Drive, Fort Bragg, CA 95437 no later than 1 working day prior to the special meeting that such matter be included on the agenda.

## TAB 1

**DRAFT RESPONSE LETTER****ALEXANDER HENSON, SB#53741**

P.O. Box 1381, Carmel Valley, CA 93924 | 831 659-4100 | Email: [zancan@aol.com](mailto:zancan@aol.com)

July 7, 2022  
City of Fort Bragg  
416 N. Franklin Street  
Fort Bragg, CA 95437

**Re: Project Number CDP 8-22 UP 4-22**

Dear Sirs

I am writing on behalf of the MENDOCINO COAST HEALTHCARE DISTRICT in opposition to the project referenced above. This project proposes to create an ambulance dispatch with sleeping quarters. The District opposes this plan as it would remove the current dispatch from the hospital premises leased by the District to the applicant Adventist Health Mendocino Coast. Such a move diminishes the comprehensive utility of the current premises. When the applicant agreed to lease the hospital premises from the district, it agreed “Tenant shall use the Premises for the operation of a general acute care hospital (the “Mandated Use”), including outpatient services, rural health clinics, ambulance services, and any other lawful purpose...Additionally, Tenant shall maintain the existing number of acute care beds required to maintain critical access hospital designation, and provide existing standby emergency services and existing ambulance services during the Mandated Use Period.” (Emphasis added.)

The ambulance service existing when the lease was signed, and currently, was and still is on the leased premises at the hospital. The District would oppose any dilution or scattering of the services the hospital currently provides. The District’s position would be the same for example were the hospital tenant proposing to move the radiology laboratory offsite.

It should be noted this opposition is also based upon the practicalities involved. From a service or community perspective, there is no advantage to using a property in town owned by the city’s

mayor for ambulance dispatch over the current hospital site. If additional building is needed to accommodate the ambulance service, it should be built on the current hospital premises per the lease agreement. The District is committed to minimizing healthcare costs. Off-site and duplicative facilities are contra-indicated.

This application should be denied.

Sincerely,

ALEXANDER HENSON, SB#53741

CC: CLIENT

Print Form

**CITY OF FORT BRAGG**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
 416 North Franklin Street  
 Fort Bragg, CA 95437  
 Tel: (707) 961-2827  
 Fax: (707) 961-2802  
 http://city.fortbragg.com



Case No(s)	CDP 4.22 UP 4.22
Date Filed	6/3/2022
Fee	JDA
Receipt No.	
Received by	JR

Office Use Only - December 2011

**PLANNING APPLICATION FORM**

Please complete this application thoroughly and accurately, and attach the required exhibits as indicated in the applicable brochure available from the Community Development Department. An incomplete application will not be accepted for processing. Please note that administrative permits may require additional fees if an interested party requests a public hearing. Public hearing expenses are borne by the applicant, owner, or agent.

**APPLICANT**

Name:

Mailing Address:  Phone:

City:  State:  Zip Code:  Email:

**PROPERTY OWNER**

Name:

Mailing Address:  Phone:

City:  State:  Zip Code:  Email:

**AGENT**

Name:

Mailing Address:  Phone:

City:  State:  Zip Code:  Email:

**STREET ADDRESS OF PROJECT**

**ASSESSOR'S PARCEL NUMBER(S)**

**PROPERTY SIZE**  Square Feet or  Acres

**TYPE OF APPLICATION** (Check all applicable boxes)


- |                                                                            |                                                                               |
|----------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <input type="checkbox"/> Design Review/Site & Architectural Review         | <input type="checkbox"/> Certificate of Compliance                            |
| <input checked="" type="checkbox"/> Use Permit/Minor Use Permit            | <input type="checkbox"/> General Plan Amendment                               |
| <input type="checkbox"/> Coastal Development Permit                        | <input type="checkbox"/> Local Coastal Program Amendment                      |
| <input type="checkbox"/> Variance/Administrative Variance                  | <input type="checkbox"/> Rezoning                                             |
| <input type="checkbox"/> Lot Line Adjustment                               | <input type="checkbox"/> Annexation                                           |
| <input type="checkbox"/> Subdivision (no. of parcels) <input type="text"/> | <input type="checkbox"/> Preapplication Conference                            |
| <input type="checkbox"/> Certificate of Appropriateness (COA)              | <input type="checkbox"/> Limited Term Permit                                  |
| <input type="checkbox"/> Planned Development Permit                        | <input type="checkbox"/> Permit Amendment (list permits) <input type="text"/> |

**PROJECT DESCRIPTION** (Briefly describe project as shown on proposed plans.)

Adventist Health Mendocino Coast is seeking a Use Permit to relocate Ambulance Dispatch & Sleeping Quarters from 516 E. Cypress to 301 No Harbor. This project will require no construction of the building. Primary Communication Radios for the Ambulance Dispatch will remain within the hospital at 700 River Drive. Ambulance Service will maintain existing practice of only activating sirens on Main Street, Hwy 1.

**CERTIFICATION**

I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application and all attachments is complete and accurate. I understand that failure to provide requested information or misstatements submitted in support of the application shall be grounds for either refusing to accept the application, for denying the permit, for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the City.



Signature of Applicant/Agent      Date      Signature of Property Owner      Date

**INDEMNIFICATION AND HOLD HARMLESS AGREEMENT**

ORDINANCE No. 771, adopted by the Fort Bragg City Council on September 26, 1994, requires applicants for discretionary land use approvals to sign the following Indemnification Agreement. Failure to sign this agreement will result in the application being considered incomplete and withheld from further processing.

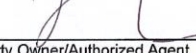
As part of this application, the applicant agrees to defend, indemnify, release and hold harmless the City of Fort Bragg, its agents, officers, attorneys, employees, boards and commissions, as more particularly set forth in Fort Bragg Municipal Code Chapter 18.77, from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attach, set aside, void or annul the approval of this application or adoption of the environmental document which accompanies it. The indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent, passive or active negligence on the part of the City, its agents, officers, attorneys, employees, boards and commissions.



Signature of Applicant      Date

**SITE VIEW AUTHORIZATION**

I hereby grant permission for City staff and hearing bodies to enter upon and site view the premises for which this application is made in order to obtain information necessary for the preparation of required reports and render its decision.



Property Owner/Authorized Agent      Date

NOTE: If signed by agent, owner must sign "Authorization of Agent" below.

**DECLARATION OF POSTING**

At the time the application is submitted for filing, the applicant must complete and post the "Notice of Pending Permit" form at a conspicuous place, easily read by the public and as close as possible to the project site. If the applicant fails to post the completed notice form and sign the Declaration of Posting, the Community Development Department cannot process the application.

I hereby certify that I or my authorized representative posted the "Notice of Pending Permit" form in a conspicuous place, easily seen by the public and as close as possible to the project site for:

(Describe location where notice is posted)



Property Owner/Authorized Agent      Date

NOTE: If signed by agent, owner must sign "Authorization of Agent" below.

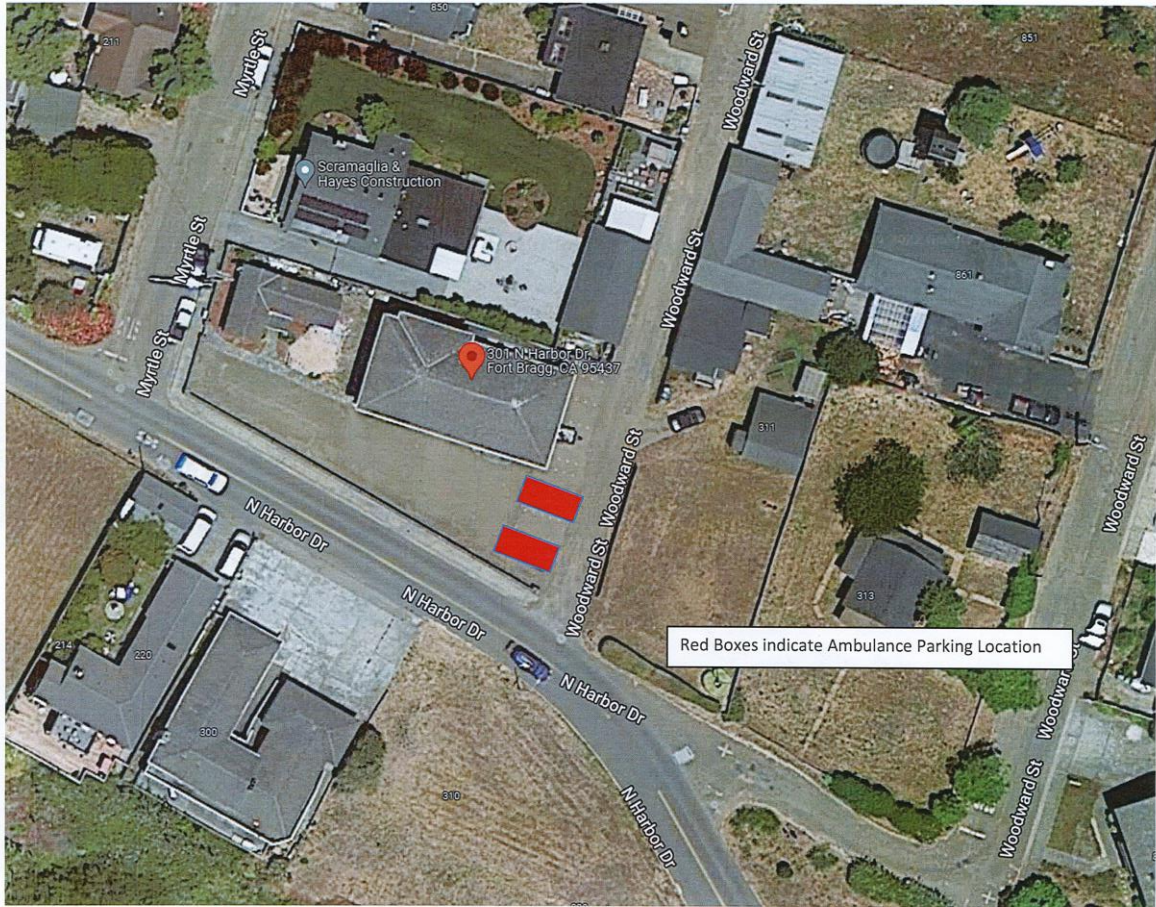
**AUTHORIZATION OF AGENT**

I hereby authorize  to act as my representative and to bind me in all matters concerning this application.



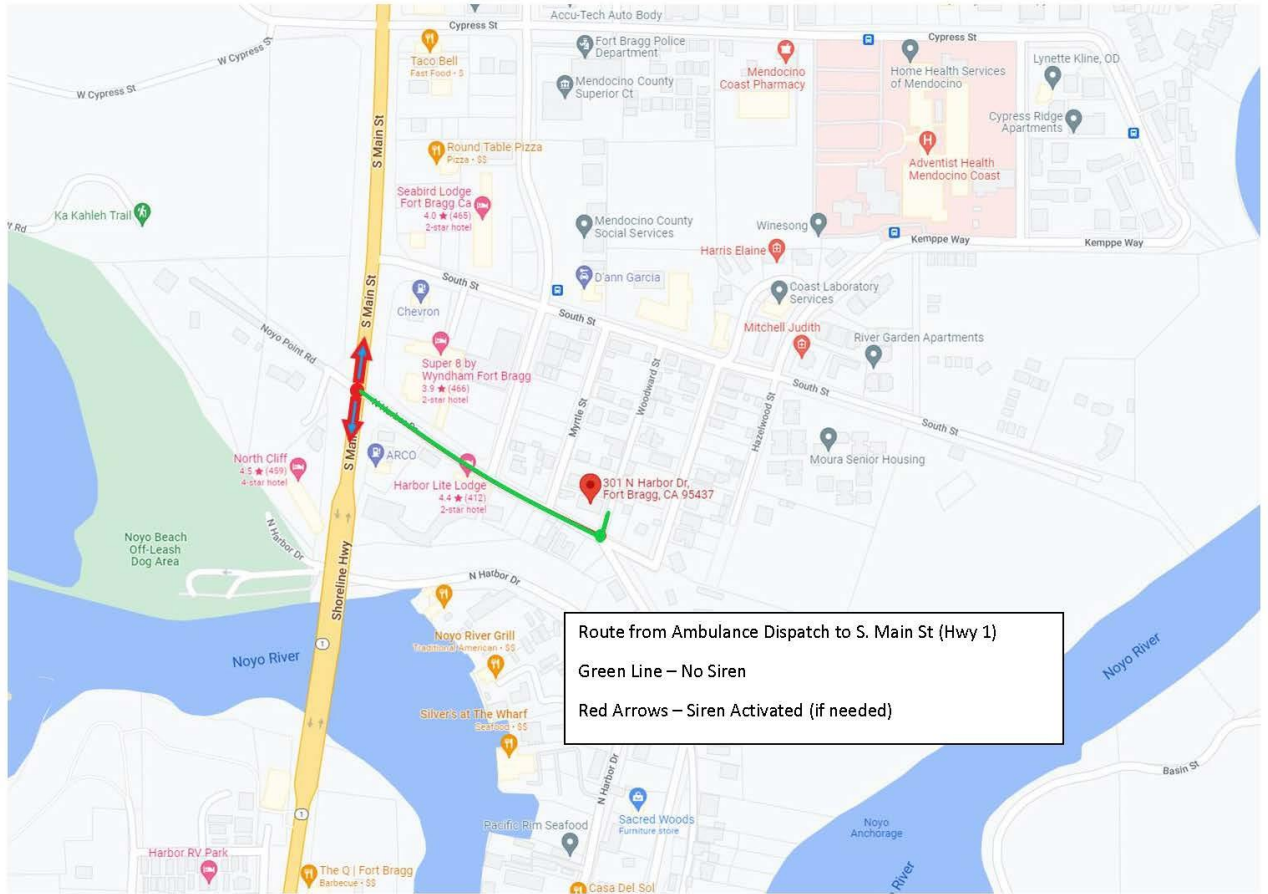
Property Owner      Date













**CITY OF FORT BRAGG**

*Incorporated August 5, 1889*  
416 N. Franklin Street  
Fort Bragg, California 95437  
tel. 707.961.2823  
fax. 707.961.2802  
city.fortbragg.com

**Date:** June 23, 2022

**To:** City of Fort Bragg – Public Works  
City of Fort Bragg – Police Department  
Fort Bragg Volunteer Fire Department  
Coastal Valleys EMS Agency  
California Department of Fish and Wildlife  
Sherwood Valley Band of Pomo  
California Coastal Commission  
Caltrans District 1  
Mendocino Coast Healthcare District

**Project Number:** CDP 8-22 UP 4-22  
**Applicant:** Adventist Health Mendocino Coast  
**Owner:** Bernie and Michelle Norvell  
**Project Description:** Operate ambulance dispatch for two ambulances plus sleeping quarters  
**Address:** 301 N. Harbor Dr.  
**APN:** 018-210-09

The above-referenced project is submitted to your agency for review and comment. Copies of materials describing the project are attached to provide additional information. Any comments you provide regarding the above-mentioned project will be incorporated by City Staff into the review of the project and eventual public hearing packet to be presented before the Fort Bragg Planning Commission. Please return this sheet with any comments or recommendations from your agency and provide the name of a contact person in your agency. Thank you in advance for your time and effort in reviewing this project.

**Response Due Date: July 8, 2022**

If no response is received by this date, we will assume no recommendations or comments are forthcoming.

Sincerely,



Associate Planner  
707-961-2827 ext. 118



[www.jones-mayer.com](http://www.jones-mayer.com)

July 8, 2022

Jessica Grinberg, Chair Board of Directors  
Mendocino Coast Healthcare District

Re: Potential Conflict Disclosure - City of Fort Bragg

Dear Mrs. Grinberg,

As attorneys we are governed by specific rules relating to our representation of multiple clients. Rule 1.7(b) of the Rules of Professional Conduct of the State Bar of California (“Rules of Professional Conduct”) provides that:

“A lawyer shall not, without informed written consent from each affected client and compliance with paragraph (d), represent a client if there is a significant risk the lawyer’s representation of the client will be materially limited by the lawyer’s responsibilities to or relationships with another client, a former client or a third person, or by the lawyer’s own interests.”

Subsection (c) further provides that:

“Even when a significant risk requiring a lawyer to comply with paragraph (b) is not present, a lawyer shall not represent a client without written disclosure of the relationship to the client and compliance with paragraph (d)[.]”

Finally, subsection (d) requires that the lawyer reasonably believe he/she can provide competent and diligent representation to each affected client, that the representation is not prohibited by law, and that the representation does not involve the assertion of a claim by one client against another.

Jones Mayer serves as the City Attorney for the City of Fort Bragg, which has a jurisdiction that is contained within the Mendocino Coast Healthcare District. For this reason, there is the potential that the interests of the District and the City may at some point conflict. We are required to disclose this potential conflict. However, because the City and District both have such different interests, purposes, and authority, we believe that the potential for conflict is minimal. For this reason, we believe there is no significant risk that our representation of the City of Fort Bragg will be materially limited by our firm’s responsibilities to the Mendocino Coast Healthcare District. We believe that we can ethically and fully represent both agencies so long as we provide this written disclosure as required by Rule 1.7(c).

Northern California  
6349 Auburn Blvd.  
Citrus Heights, CA 95621  
(916) 771-0635

Southern California  
3777 N. Harbor Blvd.  
Fullerton, CA 92835  
(714) 446-1400




Board of Directors  
Mendocino Coast Healthcare District  
March 14, 2022  
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We believe there is no significant risk that our representation of the Mendocino Coast Healthcare District will be materially limited by our firm's responsibilities to the City of Fort Bragg because these agencies desire to continue to provide municipal and healthcare services in their separate spheres. Our office believes that we can represent the City as it provides municipal services and the District as it provides healthcare services to the same residents without any material limitation. However, please note that if for any reason the interests of these agencies conflict, our office would be disqualified from representing either agency in the matter and we would need to withdraw representation from each agency in that matter. Such a withdrawal could result in increased fees and legal costs for the District as outside counsel may need to be retained.

Having said that, our office will not be able to represent the District in the current matter involving the City of Fort Bragg's planning commission item that impacts the location of its ambulance storage. Our office has not represented the City of Fort Bragg in this matter and because there is the potential for conflict, our office cannot represent the District with respect to this matter. We will continue to represent you in other matters where we do not have a potential conflict.

To continue representing the District, the Rules of Professional Conduct require us to provide this written disclosure. If you have any concerns with our continued representation in this matter, please let us know immediately.

Very truly yours,



Chelsea Avent,  
General Counsel

Jones Mayer