



MENDOCINO COUNTY BOARD OF SUPERVISORS

ACTION MINUTES – MARCH 27, 2012

MENDOCINO
COUNTY
BOARD OF
SUPERVISORS

CARRE BROWN
FIRST DISTRICT

JOHN McCOWEN
SECOND DISTRICT
CHAIR

JOHN PINCHES
THIRD DISTRICT

KENDALL SMITH
FOURTH DISTRICT

DAN HAMBURG
FIFTH DISTRICT
VICE-CHAIR

CARMEL J. ANGELO
CHIEF EXECUTIVE
OFFICER/
CLERK OF THE
BOARD

JEANINE B. NADEL
COUNTY COUNSEL

BOARD RESOURCE
INFORMATION:

OFFICE: (707) 463-4221
FAX: (707) 463-7237

EMAIL THE BOARD:
BOS@CO.MENDOCINO.CA.US

WEBSITE:
WWW.CO.MENDOCINO.CA.US/BOS

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BOARD
ACTION MINUTES
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BEFORE THE BOARD OF SUPERVISORS COUNTY OF MENDOCINO • STATE OF CALIFORNIA FAIR STATEMENT OF PROCEEDINGS (PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)

☒ REGULAR MEETING ☐ SPECIAL SESSION ☐ PLANNING MATTERS

AGENDA ITEM No. 1 – OPEN SESSION (ROLL CALL AND PLEDGE OF ALLEGIANCE – 9:03 A.M.)

Present: Supervisors Carre Brown, John McCowen, John Pinches, Kendall Smith, and Dan Hamburg. Chair McCowen presiding.

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer/Clerk of the Board; Ms. Jeanine B. Nadel, County Counsel; and Mr. Tim Mitchell, Deputy Clerk of the Board.

Pledge of Allegiance: Mr. Paul Clark.

AGENDA ITEM No. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Robert Jones and Ms. Jesse Martin.

Board Action: No action taken.

AGENDA ITEM No. 4 – CONSENT CALENDAR

Presenter/s: Chair McCowen and fellow Supervisors.

Board Directive: Consent Calendar items 4(q) removed for separate consideration.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Smith, and carried unanimously; IT IS ORDERED that Consent Calendar items 4(a-p, r, and s) are approved as follows:

- (a) Minutes of the March 12, 2012, Regular Board Meeting -- Approved;
- (b) Minutes of the March 13, 2012, Regular Board Meeting -- Approved;
- (c) Approval of Certification of the March 6, 2012, Special All Mail Election in the City of Fort Bragg -- Assessor/Clerk-Recorder -- Approved;
- (d) Approval of a Letter to Interior Secretary Ken Salazar Requesting Support for Permanent Protection of the Stornetta Public Lands – Supervisors Hamburg and McCowen -- Approved and the Chair is authorized to sign same;
- (e) Approval of Letter of Support of AB 1863 (Chesbro) Mutual Aid Reimbursement – Executive Office -- Approved and the Chair is authorized to sign same;
- (f) Approval of Letter of Support of AB 2474 (Chesbro) Seeking Fair and Equitable Implementation of State Responsibility Area (SRA) Fire Prevention Fees – Executive Office -- Approved and the Chair is authorized to sign same;

- (g) Adoption of Resolution Regarding Employee Layoffs in Accordance with Civil Service Rule 6 and Applicable Provisions of the Labor Agreements with the Affected Bargaining Units – Health and Human Services Agency -- Adopted and the Chair is authorized to sign same --

RESOLUTION NO. 12-052

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING THE RECOMMENDED ELIMINATION IN WORK FORCE THROUGH LAYOFFS AND DIRECTION TO STAFF TO PROVIDE THE NECESSARY NOTICES TO AFFECTED EMPLOYEES IN ACCORDANCE WITH CIVIL SERVICE RULE 6 AND APPLICABLE PROVISIONS OF THE LABOR AGREEMENTS WITH THE AFFECTED BARGAINING UNITS.

- (h) BOS No. 12-029 Approval of Agreement with Mendocino County Youth Project in the Amount of \$76,000 to Provide Education Related Mental Health Services and Therapy Services for Uninsured Youth Exhibiting Early Signs of Serious Mental Illness in Fiscal Year 2011/2012 – Health and Human Services Agency -- Approved and the Chair is authorized to sign same;
- (i) BOS No. 12-030 Approval of Agreement with Redwood Children's Services (RCS) in the Amount of \$76,000 to Provide Education Related Mental Health Services and Therapy Services for Uninsured Youth Exhibiting Early Signs of Serious Mental Illness in Fiscal Year 2011/2012 – Health and Human Services Agency -- Approved and the Chair is authorized to sign same;
- (j) BOS No. 12-031 Approval of Agreement with Tapestry Family Services in the Amount of \$76,000 to Provide Education Related Mental Health Services and Therapy Services for Uninsured Youth Exhibiting Early Signs of Serious Mental Illness in Fiscal Year 2011/2012 – Health and Human Services Agency -- Approved and the Chair is authorized to sign same;
- (k) Approval of Letter to Commissioner of Department of Motor Vehicles (DMV) Requesting Exemption of Title 13 (Vehicle Code) Section 12527(d)(2) for Anderson Valley Ambulance Service (AVAS) – Health and Human Services Agency -- Approved and the Chair is authorized to sign same;
- (l) BOS No. 12-032 Approval of Revenue Agreement with the California Department of Public Health to Provide Beach Water Quality Monitoring and Public Notification Services in the Amount of \$25,000; Approval of Form CCC-307 Certification to Enter into Agreement with the State of California; and Adoption of Resolution Authorizing the Health and Human Services Agency Director to Sign Any Future Renewal Applications Including Any and All Documents, and/or Subsequent Amendments Associated with Beach Water Quality Monitoring and Public Notifications Services – Health and Human Services Agency -- Adopted and the Chair is authorized to sign same --

RESOLUTION NO. 12-053

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO AUTHORIZE THE HEALTH AND HUMAN SERVICES AGENCY DIRECTOR TO SIGN FUTURE CALIFORNIA DEPARTMENT OF PUBLIC HEALTH, BEACH WATER QUALITY MONITORING AND PUBLIC NOTIFICATION SERVICES GRANT #11-10782 RENEWAL APPLICATIONS INCLUDING ANY AND ALL DOCUMENTS, AND/OR SUBSEQUENT AMENDMENTS.

- (m) Adoption of Private Road Name Petition No. RN 1-2012 - Bella Vista Lane, Willits – Planning and Building Services -- Approved;
- (n) Approval of Addition of UVAP Area No. 22 (APN 170-060-01) to Properties Eligible for County Initiated Rezoning Within the UVAP to Satisfy Partial Requirements of the Housing Settlement Agreement – Planning and Building Services -- Approved;
- (o) BOS No. 12-033 Approval of AB 109 Community Corrections Funded Contract for Adult Day Reporting Center Services with B.I. Incorporated – Probation -- Approved and the Chair is authorized to sign same;

- (p) Approval of a Comprehensive Budget Adjustment for the Emergency Services Budget Unit No. 2830, Including Fixed Assets, and Add the Requested Fixed Assets to the County's Approved List of Fixed Assets – Sheriff's Office -- Approved;
- (r) BOS No. 12-034 Adoption of Resolution Approving Department of Transportation Agreement No. 110118, Professional Services Agreement with GHD Inc., for the Replacement of the Mill Creek Bridge on Hill Road (Covelo Area) – Transportation -- Adopted and the Chair is authorized to sign same --

RESOLUTION NO. 12-054

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DOT AGREEMENT NO. 110118, PROFESSIONAL SERVICES AGREEMENT WITH GHD INC., FOR THE REPLACEMENT OF THE MILL CREEK BRIDGE ON HILL ROAD (COVELO AREA)

- (s) Authorization for the Air Quality Management District to Accept State Carl Moyer Program Rural Year 12 Pass-Through Funds in the Amount of \$4,564 to be Applied Toward an Existing Year 12 Project Already Under Contract with the District – Mendocino County Air Quality Management District – Approved.

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

- (q) Adoption of Resolution Approving Bylaws for the Little River Airport Advisory Committee (Little River Area) – Transportation

Presenter/s: Supervisor Brown.

Public Comment: Mr. Paul Clark, Little River Airport Pilot's Association.

Board Directive: GENERAL CONSENSUS OF THE BOARD directs staff to continue this item to the May 15, 2012, off-site meeting of the Board of Supervisors. Relevant parties are to be notified so that they may be present for discussion.

Board Action: No action taken.

AGENDA ITEM NO. 5E – APPROVAL OF REVENUE AGREEMENT WITH PUBLIC HEALTH INSTITUTE IN THE AMOUNT OF \$1,185,000 TO IMPLEMENT THE COMMUNITY TRANSFORMATION INITIATIVE IN FISCAL YEARS 2011 THROUGH 2016 – SPONSORING DEPARTMENT: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Stacey Cryer, Health and Human Services Agency Director.

Board Action: Upon motion by Supervisor Smith, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that the Board of Supervisors approves and authorizes the Board Chair to sign the Revenue Agreement (BOS No. 12-035) with Public Health Institute in the amount of \$1,185,000 for a five year term in Fiscal Years 2011 through 2016; and authorizes the HHSA Director to sign any future amendments to the agreement that do not increase the annual maximum amount.

T1-900

AGENDA ITEM NO. 5C – NOTICE PUBLIC HEARING - ADOPTION OF RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR \$1,000,000; AUTHORIZATION FOR THE CEO TO SIGN THE APPLICATION AND ANY GRANT-RELATED – SPONSORING DEPARTMENT: EXECUTIVE OFFICE

Presenter/s: Mr. Steve Dunncliff, Deputy Chief Executive Officer and Mr. Craig Schlatter, Community Development Manager, Community Development Commission (CDC).

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts the Resolution authorizing submittal of an application to the CDBG Program totaling \$1,000,000, further authorizing the CEO to sign the application and any grant-related documents.

RESOLUTION NO. 12-055

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AN APPLICATION AND CONTRACT EXECUTION FOR FUNDING FROM THE COMMUNITY DEVELOPMENT AND ECONOMIC DEVELOPMENT ALLOCATIONS OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT.

T1-1370

AGENDA ITEM NO. 5A – CHIEF EXECUTIVE OFFICER’S REPORT

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer and Ms. Kristi Furman, Deputy Chief Executive Officer.

Board Action: No action taken.

T1-2300

AGENDA ITEM NO. 5B – DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM – SPONSORING DEPARTMENT: EXECUTIVE OFFICE

Presenter/s: None.

Board Action: No action taken.

T1-2308

AGENDA ITEM NO. 5F – NOTICED PUBLIC HEARING - DRAFT ENVIRONMENTAL IMPACT REPORT ON SINGLE-USE CARRYOUT SHOPPING BAG ORDINANCE – SPONSORING DEPARTMENT: SOLID WASTE MANAGEMENT AUTHORITY

Presenter/s: Mr. Mike Sweeney, Mendocino County Solid Waste Director/Mendocino Solid Waste Management Authority General Manager.

Public Comment: Ms. Mary Anne Landis, Mayor, City of Ukiah; Ms. Mary Misseldine; and Ms. Lindsay Maurer, President, Ukiah High School Environmental Club.

Board Action: No action taken.

T2-511

AGENDA ITEM NO. 5G – DIRECTOR’S REPORT – DEPARTMENT OF TRANSPORTATION

Presenter/s: Chair McCowen and fellow Supervisors referenced the written report previously transmitted by Mr. Howard Dashiell, Transportation Director.

Board Directive: GENERAL CONSENSUS OF THE BOARD directs staff to agendize an update on road department issues, including a discussion regarding the pavement condition index, for a future meeting.

Board Action: No action taken.

RECESS: 11:00 – 11:10 A.M.

T2-957

AGENDA ITEM NO. 6A – SUPERVISORS’ REPORTS

Presenter/s: Board members.

Board Action: No action taken.

LUNCH RECESS: 11:35 A.M. – 1:32 P.M.

~~AGENDA ITEM NO. 9A – PURSUANT TO GOVERNMENT CODE SECTION 54957.6 – CONFERENCE WITH LABOR NEGOTIATOR – AGENCY NEGOTIATORS: CARMEL J. ANGELO, PAT MEEK, AND RICK HAEG; EMPLOYEE ORGANIZATION(S): ALL CANCELED~~

T2-1859

AGENDA ITEM NO. 5D – DISCUSSION AND POSSIBLE ACTION RELATED TO BROOKTRAILS DELINQUENCIES AND THE CONSEQUENT EFFECT ON TEETER DEBT WITH FURTHER DISCUSSION AND POSSIBLE ACTION ON DEBT MITIGATION ACTIVITIES THROUGH THE DISCONTINUANCE OF TEETER PRIVILEGES FOR THE BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT – SPONSORS: EXECUTIVE OFFICE AND DEBT COMMITTEE

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer; Mr. Kyle Knopp, Deputy Chief Executive Officer; Ms. Shari Schapmire, Treasurer-Tax Collector; Ms. Meredith Ford, Auditor-Controller; and Ms. Sue Ranochak, Assessor/Clerk-Recorder.

Public Comment: Mr. Mike Chapman, General Manager, Brooktrails and Ms. Ginger Pohlson.

Board Action: Motion by Supervisor Pinches, seconded by Supervisor Hamburg, to schedule a public hearing for August 15, 2012, or as soon thereafter as practical.

(Motion and second subsequently withdrawn)

Board Action: Upon motion by Supervisor Pinches, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the Board of Supervisors directs staff to schedule a public hearing no sooner than Tuesday, May 22, 2012, to discuss discontinuing the alternative procedure of property tax distribution known as the "Teeter Plan" for the Brooktrails Township Community Services District; and that all affected parties be notified.

RECESS: 3:00 – 3:11 P.M.

THE BOARD OF SUPERVISORS WILL NOW CONVENE AS THE MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

T3-1880

AGENDA ITEM NO. 7A – PRESENTATION BY THE CALIFORNIA AIR RESOURCES BOARD REGARDING THE STATE ON-ROAD AND OFF-ROAD DIESEL REGULATIONS – SPONSORING DEPARTMENT: AIR QUALITY MANAGEMENT DISTRICT

Presenter/s: Mr. Chris Brown, Mendocino County Air Quality Management District Director and Ms. Beth White, On-Road Compliance Assistance Section Manager, California Air Resources Board.

Public Comment: Mr. Ernie Wipf; Ms. April Simmons; Ms. Devon Jones, Mendocino County Farm Bureau; Mr. Myles Anderson; Mr. Bill Daniel; Mr. Devin Daniel; Mr. Richard Hay; Mr. William Hay Jr.; Ms. Ruth Valenzuela, Field Representative, Assemblymember Wesley Chesbro; and Mr. Jeff Tyrrell, Field Representative, Senator Noreen Evans.

Board Action: No action taken.

RECESS: 5:31 – 5:41 P.M.

THE BOARD OF SUPERVISORS WILL NOW RECONVENE AS THE BOARD OF SUPERVISORS

T5-565

AGENDA ITEM NO. 6B – CONSIDER PUBLIC AND STAFF INPUT AND DISCUSS OPTIONS THE COUNTY MAY TAKE REGARDING THE FORECLOSURE CRISIS – SPONSORS: CHAIR MCCOWEN AND SUPERVISOR HAMBURG

Presenter/s: Chair McCowen and Supervisor Hamburg.

Public Comment: Ms. Susan Nutter; Ms. Agnes Woolsey; Mr. Eric Stone; Mr. Thomas Ray; Ms. Jessie Lee Van Sant; Ms. Sheila Blanc; Ms. CJ Holmes; Mr. Tim Hemlock; and Ms. Sue Ranochak, Assessor/Clerk-Recorder.

Board Action: No action taken.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 6:57 P.M.

(Tape End T5-3932)

Attest: TIM MITCHELL
Deputy Clerk of the Board

JOHN MCCOWEN, Chair

Draft

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 through Mendocino Access Television: www.mendocinoaccess.org Requires Windows Media Player (Version 9+). If technical assistance is needed, please contact Mendocino Access Television at (707) 357-0624
- 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.co.mendocino.ca.us/bos
- 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.co.mendocino.ca.us/bos

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