



MENDOCINO COUNTY BOARD OF SUPERVISORS
ACTION MINUTES – MARCH 1, 2011

MENDOCINO COUNTY BOARD OF SUPERVISORS

CARRE BROWN
FIRST DISTRICT

JOHN McCOWEN
SECOND DISTRICT
VICE-CHAIR

JOHN PINCHES
THIRD DISTRICT

KENDALL SMITH
FOURTH DISTRICT
CHAIR

DAN HAMBURG
FIFTH DISTRICT

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
(SEE LAST PAGE FOR MORE INFORMATION)

NEXT MEETING
(AGENDAS ARE POSTED ON THURSDAY)
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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 NOS. 1 & 2 – OPEN SESSION, ROLL CALL, AND PLEDGE OF ALLEGIANCE (9:03 A.M.)

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

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

Pledge of Allegiance: Ms. Jacqueline Caravallo.

T1-30

PUBLIC EXPRESSION

Presenter/s: Mr. Terry Wilcox; Mr. Luke Gardner; Mr. Dallas Watson; Mr. Leif Farr; Mr. Bob Canclini; Mr. Don Huhn; Mr. John Walker; Mr. Phil Dow, representing the Veterans of Foreign Wars Post 1900; Mr. Derek Shawk, Senior Vice Commander, Veterans of Foreign Wars Post 1900; Mr. Arthur Sands; and Ms. Janice Marcell.

Board Action: No action taken.

T1-840

AGENDA ITEM NO. 4 – CONSENT CALENDAR – REGULAR

Presenter/s: Consent Calendar items 4(11) removed for separate consideration.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that Consent Calendar items 4(1-10 and 12-16) are approved as follows:

- (1) Adoption of Proclamation Recognizing Tsunami Awareness Week as March 20, through March 26, 2011 in an Effort to Increase Public Awareness of the Threat Tsunami's Present to the Mendocino County Coastal Communities – Sheriff/Office of Emergency Services -- Adopted and the Chair is authorized to sign same --
- (2) BOS 11-020A Approval of Amended Memorandum of Understanding Between the Mendocino County Health and Human Services Agency, Mental Health Branch, Mendocino County Sheriff's Office, and California Forensic Medical Group to Cooperatively Provide Mental Health Services to Incarcerated Persons – Sheriff/Health and Human Services Agency -- Approved and the Chair is authorized to sign same;
- (3) Approval of Participation in an Upcoming Tsunami Warning Exercise (Live Code Test) in March of 2011 – Sheriff/Office of Emergency Services -- Approved;
- (4) Acceptance of Report from the Mendocino County Superintendent of Schools on the Status of Decile 1–3 Schools in Mendocino County Pursuant to the Williams Legislation – Executive Office -- Approved;

- (5) Approval of Waiver of Board Policy Regarding Registered Voter Status/Residency in Mendocino County for Appointee to the FIRST 5 Mendocino Commission and Affirmation of Appointment of Ms. Rebecca Wilson to the FIRST 5 Mendocino Commission – Executive Office -- Approved;
- (6) Adoption of Resolution of the Termination of the Earthquake Recovery Indemnity Authority (ERIA) – General Services Agency/Risk Management -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-027

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TERMINATING THE EARTHQUAKE RECOVERY INDEMNITY AUTHORITY (ERIA) JOINT POWERS AGREEMENT

- (7) Adoption of Resolution Authorizing Annual Submittal of Waste Tire Grant Applications for the Next Five years by the Health and Human Services Agency (HHSA) Community Health Services (CHS) Division of Environmental Health (DEH) – Health and Human Services Agency -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-028

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS, AUTHORIZING THE MENDOCINO COUNTY ENVIRONMENTAL HEALTH DIVISION (LOCAL ENFORCEMENT AGENCY) TO APPLY FOR WASTE TIRE ENFORCEMENT GRANTS ANNUALLY FOR THE NEXT FIVE YEARS

- (8) BOS 11-021 Approval of Agreement with Victor Treatment Centers, Inc. (Chico, CA) in the Amount of \$337,500 to Provide Mental Health Treatment to Children of Mendocino County in Fiscal-Year 2010/2011 – Health and Human Services Agency/Mental Health -- Approved and the Chair is authorized to sign same;
- (9) Approval of Letters of Support to the Honorable Doug La Malfa and Honorable Wesley Chesbro, Urging Them to Support FIRST 5 Mendocino County Against Drastic Budget Cuts Proposed in Governor Brown's Budget, and Authorize the Board Chair to Sign Same – Health and Human Services Agency -- Approved;
- (12) BOS 11-022 Adoption of Resolution to Acknowledge Receipt of Proposals and Take Action as Appropriate, Department of Transportation Agreement No. 100021, Preparation of Feasibility Study for Mitchell Creek Area Second Connection (Fort Bragg Area) – Transportation -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-029

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO ACKNOWLEDGE RECEIPT OF PROPOSALS AND TAKE ACTION AS APPROPRIATE, DEPARTMENT OF TRANSPORTATION AGREEMENT NO. 100021, PREPARATION OF FEASIBILITY STUDY FOR MITCHELL CREEK AREA SECOND CONNECTION (FORT BRAGG AREA)

- (13) Adoption of Resolution Approving the Application for Grant Funds for Environmental Field Investigations to Support Airport Layout Plan and Airspace Plan Updates for Little River Airport (Little River Area) – Transportation -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-030

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE APPLICATION FOR GRANT FUNDS FOR ENVIRONMENTAL FIELD INVESTIGATIONS TO SUPPORT AIRPORT LAYOUT PLAN AND AIRSPACE PLAN UPDATES FOR LITTLE RIVER AIRPORT (LITTLE RIVER AREA)

- (14) Approval of Notice of Completion for Department of Transportation Contract No. 080030 Airport Improvements, MIRL System Installation, PAPI System and Electrical Vault Building at Little River Airport (Little River Area) – Transportation -- Approved;
- (15) Adoption of Proclamation Recognizing March, 2011, as Women’s History Month in Mendocino County – Supervisors Brown and Smith -- Adopted and the Chair is authorized to sign same –
- (16) Adoption of Resolution Recognizing and Supporting the Establishment of a Mendocino County Food Policy Council – Supervisors Brown and Hamburg -- Adopted and the Chair is authorized to sign same.

RESOLUTION NO. 11-031

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO RECOGNIZE AND SUPPORT THE ESTABLISHMENT OF A MENDOCINO COUNTY FOOD POLICY COUNCIL

T1-1317

AGENDA ITEM NO. 3 – APPROVAL OF MINUTES

Presenter/s: Chair Smith.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the minutes of the February 15, 2011, meeting are approved as presented.

T1-1345

AGENDA ITEM NO. 7A – SUPERVISORS REPORTS – ASSIGNED BOARDS, COUNCILS & COMMISSIONS / OTHER MEETINGS ATTENDED

AGENDA ITEM NO. 7B – SUPERVISORS REPORTS – STANDING COMMITTEES – CHAIR REPORTS

AGENDA ITEM NO. 7C – SUPERVISORS REPORTS – AD-HOC COMMITTEE REPORTS

Presenter/s: Chair Smith and Fellow Board members.

Board Action: No action taken.

Public Expression: Mr. Louis Bigfoot.

T1-2101

AGENDA ITEM NO. 6B – REPORT TO THE BOARD OF SUPERVISORS ON THE STATUS OF THE FAMILY PLANNING PROGRAM AT MENDOCINO COUNTY HEALTH AND HUMAN SERVICES AGENCY, COMMUNITY HEALTH SERVICES – SPONSORING DEPARTMENT: HEALTH AND HUMAN SERVICES AGENCY

Presenter/s: Ms. Stacey Cryer, Health and Human Services Director and Ms. Patty Bruder, Chair, Health and Human Services Agency Advisory Board.

Public Comment: Ms. Paula Cohen, Executive Director, Mendocino Coast Clinics; Ms. Val Muchowski, President, National Women’s Political Caucus; Ms. Cathy Frey, Alliance Rural Community Health, and Health and Human Services Agency Board; Ms. Jill Damian, Program Manager, Mendocino Community Health Clinic; Ms. Jacqueline Carvallo, SEIU; and Ms. Wendy Walsh, Family Planning Center.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Pinches, and carried unanimously; IT IS ORDERED that the Board of Supervisors accepts the presentational only report on the status of the Family Planning Program at Mendocino County Health and Human Services Agency Community Health Services.

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

- (11) Approval to Schedule a Publicly Noticed Beilenson Hearing for Suspension of Family Planning Services and Treatment for Sexually Transmitted Infection Services at the Ukiah and Willits Clinics Provided through Community Health Services – Health and Human Services Agency – Approved.

Presenter/s: Supervisor Smith.

Board Action: Foregoing introduced by Supervisor Pinches, seconded by Supervisor McCowen, and carried unanimously.

T2-1192

Board Directive: BY ORDER OF THE CHAIR the Board will take a five minute recess and then adjourn to Closed Session followed immediately by lunch recess and will reconvene in Open Session at 1:30 p.m. in Conference Room C.

RECESS: 11:10 – 11:15 A.M.

ADJOURNED TO CLOSED SESSION: 11:15 A.M.

AGENDA ITEM NO. 11A – SITTING AS THE IHSS PUBLIC AUTHORITY GOVERNING BOARD: PURSUANT TO GOVERNMENT CODE SECTION 54957.6 – CONFERENCE WITH LABOR NEGOTIATOR – AGENCY NEGOTIATORS: CARMEL J. ANGELO, TERESIA HAASE, STACEY CRYER, MARYLOU LEONARD, SUSAN ERA, AND FRAN BUCHANAN; EMPLOYEE ORGANIZATION(S): IHSS PROVIDERS

AGENDA ITEM NO. 11B – PURSUANT TO GOVERNMENT CODE SECTION 54957.6 – CONFERENCE WITH LABOR NEGOTIATOR – AGENCY NEGOTIATORS: CARMEL J. ANGELO, TERESIA HAASE, MEREDITH FORD, AND RICK HAEG; EMPLOYEE ORGANIZATION(S): ALL

AGENDA ITEM NO. 11C – PURSUANT TO GOVERNMENT CODE SECTION 54956.9B – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – ONE CASE

AGENDA ITEM NO. 11D – PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – AGRICULTURAL COMMISSIONER (CONTINUED FROM JANUARY 25, 2011)

AGENDA ITEM NO. 11E – PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – PLANNING AND BUILDING SERVICES DIRECTOR (CONTINUED FROM FEBRUARY 1, 2011)

RECONVENED IN OPEN SESSION: 1:37 P.M.

AGENDA ITEM NO. 11 – REPORT OUT OF CLOSED SESSION

Presenter: County Counsel reported that the Board approved a tentative agreement with the Mendocino County Probation Employees Association, which includes a 12.5% permanent reduction in salary. The term of the agreement will be from the final approval date of the tentative agreement, through June 30, 2012. There were other minor agreements reached through negotiations. Motion by Supervisor Brown, seconded by Supervisor McCowen, approved unanimously.

Board Directive: BY ORDER OF THE CHAIR the Board of Supervisors will now convene the joint meeting with the Mendocino County Museum Board of Advisors.

AGENDA ITEM NO. 8A – TIMED ITEM – 1:30 P.M.: JOINT MEETING OF THE MENDOCINO COUNTY MUSEUM BOARD OF ADVISORS AND THE MUSEUM BOARD OF TRUSTEES/MENDOCINO COUNTY BOARD OF SUPERVISORS – SPONSOR: MENDOCINO COUNTY MUSEUM

Presenter/s: Ms. Alison Glassey, Interim Museum Director and fellow Museum Advisory Board members.

Public Comment: Ms. Ruth Sparks, Mendocino Study Club, Heritage Days of Mendocino County; Ms. Verle Anderson, Native American History Project; Ms. Jane Person; Mr. Hal Wagenet, Chair, Visit Mendocino County, Inc.; Ms. Sherrie Smith-Ferri, Director, Grace Hudson Museum - Sun House; Ms. Lois Lockart.

Board Action: No action taken.

RECESS: 3:22 – 3:30 P.M.

T2-1192

AGENDA ITEM NO. 8B – INFORMATIONAL REPORT ON MENDOCINO TRANSIT AUTHORITY’S (MTA) VOLUNTEER DRIVER PROGRAM: E-RIDE – SPONSOR: SUPERVISOR PINCHES

Presenter/s: Supervisor Pinches; Ms. Glenna Blake, Planning and Marketing Manager, Mendocino Transit Authority; and Ms. Debra Doering, Mobility Management Coordinator, Mendocino Transit Authority.

Board Action: No action taken.

T2-1550

AGENDA ITEM NO. 5C – TIMED ITEM – 3:15 P.M.: PRESENTATION, DISCUSSION, AND APPROVAL OF THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT (BID) ANNUAL REPORT; ADOPTION OF RESOLUTION DECLARING THE INTENTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO LEVY AND COLLECT AN ASSESSMENT FROM LODGING BUSINESSES IN THE BID (WITHIN THE BOUNDARIES OF THE UNINCORPORATED PORTION OF THE COUNTY OF MENDOCINO AND THE INCORPORATED AREA OF THE CITY OF FORT BRAGG, THE CITY OF POINT ARENA, THE CITY OF UKIAH, AND THE CITY OF WILLITS); FIXING THE DATE, TIME, AND PLACE OF A PUBLIC HEARING TO BE HELD IN FRONT OF THE BOARD TO LEVY THE PROPOSED ASSESSMENT FOR FISCAL YEAR 2011-2012

Presenter/s: Mr. Steve Dunncliff, Economic Development Coordinator; Mr. Scott Schneider, President and CEO, Visit Mendocino County; and Mr. Jason Hurst, President, Mendocino County Lodging Association.

Public Comment: Mr. Stanley Anderson, Chair, Mendocino County Republican Central Committee; Ms. Nancy Kleiber, representing Mendocino County Music Festival; Ms. Alyssum Wier, Interim Executive Director, Mendocino County Arts Council; Mr. Jeff Stanford; Ms. Ruth Sparks, representing Heritage Days of Mendocino County; Mr. Hal Wagenet; Ms. Jo Bradley; Ms. Glenna Blake, Chair, Mendocino County Promotional Alliance; Mr. Tim Thornhill; Ms. Marianne McGee, Resource Development Director, Mendocino Coast Clinics; Ms. Heidi Cusick Dickerson; and Ms. Jennifer Seward, Board member, MCPA.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors approves the Mendocino County Lodging Business Improvement District (BID) Annual Report; adopts Resolution declaring the intention of the Mendocino County Board of Supervisors to levy and collect an assessment from lodging businesses in the Business Improvement District (within the boundaries of the unincorporated portion of the County of Mendocino and the incorporated area of the City of Fort Bragg, the City of Point Arena, the City of Ukiah, and the City of Willits); fixing the date, time, and place of a public hearing to be held in front of the Board to levy the proposed assessment for Fiscal Year 2011-2012.

RESOLUTION NO. 11-032

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DECLARING ITS INTENTION TO LEVY AND COLLECT AN ANNUAL ASSESSMENT FROM BUSINESSES IN THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT WITHIN THE BOUNDARIES OF THE UNINCORPORATED PORTION OF THE COUNTY OF MENDOCINO AND THE INCORPORATED AREA OF THE CITY OF FORT BRAGG, THE CITY OF POINT ARENA, THE CITY OF UKIAH, AND THE CITY OF WILLITS FROM SPECIFIED HOTEL BUSINESSES AND FIXING THE DATE, TIME AND PLACE OF A PUBLIC HEARING TO BE HELD BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MENDOCINO TO LEVY THE PROPOSED ASSESSMENT FOR FISCAL YEAR 2011-2012

RECESS: 5:05 – 5:20 P.M.

T3-1438

AGENDA ITEM NO. 8C – DISCUSSION AND POSSIBLE ACTION REGARDING UPDATE ON STATE MANDATED PROCESS OF DEVELOPING A FINAL PLAN TO ADJUST SUPERVISORIAL DISTRICT BOUNDARIES FOR THE COUNTY OF MENDOCINO – SPONSORING DEPARTMENTS: COUNTY COUNSEL, EXECUTIVE OFFICE, ASSESSOR/CLERK-RECORDER, PLANNING AND BUILDING SERVICES, AND GENERAL SERVICES AGENCY/INFORMATION SERVICES

Presenter/s: Ms. Jeanine B. Nadel, County Counsel and Ms. Sue Ranochak, Assessor/Clerk-Recorder.

Public Comment: Ms. Jane Person, President, League of Women Voters; Mr. Lee Howard; and Ms. Barbara Matheson.

Board Action: Upon motion by Supervisor Pinches, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that the Board of Supervisors authorizes the establishment of the Citizen Advisory Committee consisting of ten members, who must be registered voters, two drawn from all five supervisorial districts at random; authorizes the direction and time line as stated on the agenda summary; and directs staff to make copies of the Minute Order and agenda summary to all people recommended for this Committee.

T4-50

AGENDA ITEM NO. 6A – DEPARTMENT OF TRANSPORTATION – DIRECTOR’S REPORT

Presenter/s: Chair Smith referenced the written report previously transmitted by Mr. Howard Dashiell, Transportation Director.

Board Action: No action taken.

T4-60

AGENDA ITEM NO. 5A – CHIEF EXECUTIVE OFFICER REPORTS

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer.

Board Action: No action taken.

T4-600

AGENDA ITEM NO. 7A – SUPERVISORS REPORTS – ASSIGNED BOARDS, COUNCILS & COMMISSIONS / OTHER MEETINGS ATTENDED – CONTINUED

AGENDA ITEM NO. 7B – SUPERVISORS REPORTS – STANDING COMMITTEES – CHAIR REPORTS – CONTINUED

AGENDA ITEM NO. 7C – SUPERVISORS REPORTS – AD-HOC COMMITTEE REPORTS – CONTINUED

Presenter/s: Chair Smith and Fellow Board members.

Board Action: No action taken.

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

Presenter/s: No report Presented

Board Action: No action taken.

AGENDA ITEM NO. 10 – APPOINTMENTS TO BOARDS AND COMMISSIONS

Board Action: Upon motion by Supervisor Pinches, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors makes the following appointments as recommended.

Board or Commission	Appointee	Category
Workforce Investment Board (WIB)	Cathy Frey	Business Representative
Mendocino County Museum Advisory Board	Holly Madrigal	City of Willits Representative
Community Development Commission	Linda Moore	3 rd District Representative
Gualala Municipal Advisory Council	Robert Juengling	Member Representative
Cemetery District of Russian River	Jofrid Lolonis	Long Term Member
Cemetery District of Russian River	Thomas Reidenbach	Long Term Member
FIRST 5 Mendocino	Diane B. Pauli	General Representative
FIRST 5 Mendocino	Tammy A. Scott	General Representative
Law Library Board of Trustees	Charlotte Scott	Trustee Representative
Cemetery District of Covelo	Pauline Brumley	Member Representative
Cemetery District of Covelo	Roberta A. Hurt	Director Representative
Cemetery District of Covelo	Karen Vann	Member Representative

AGENDA ITEM NO. 12 – COUNTY COUNSEL

Presenter/s: No report presented.

Board Action: No action taken.

Board Directive: BY ORDER OF THE CHAIR the Board of Supervisors will adjourn to continue Closed Session.

ADJOURNED TO CONTINUE CLOSED SESSION: 6:44 P.M.

RECONVENED IN OPEN SESSION: 7:20 P.M.

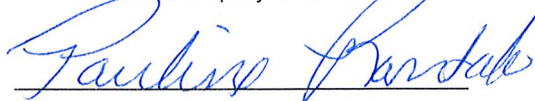
AGENDA ITEM NO. 11 – REPORT OUT OF CLOSED SESSION – CONTINUED

Presenter: Chair Smith reported that no action was taken in Closed Session.

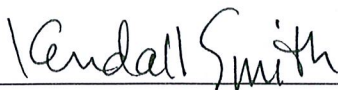
Board Action: No action taken.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 7:22 P.M.

Attest: PAULINE RANTALA
Senior Deputy Clerk of the Board



Attest: TIM MITCHELL
Deputy Clerk of the Board Trainee

KENDALL SMITH, 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 through Ukiah Valley Community Television: www.uvctv.org (Requires Windows Media Player (Version 9+). If technical assistance is needed, please contact Ukiah Valley Community 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 Clerk of the Board at (707) 463-4221
- 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