



MENDOCINO COUNTY BOARD OF SUPERVISORS
ACTION MINUTES – MARCH 22, 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 THURSDAYS) WWW.CO.MENDOCINO.CA.US/BOS

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

[X] REGULAR MEETING [ ] SPECIAL SESSION [ ] PLANNING MATTERS

AGENDA ITEM NOS. 1 & 2 – OPEN SESSION, ROLL CALL, AND PLEDGE OF ALLEGIANCE (9:05 A.M.)

Present: Supervisors 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: Mr. Bob Parker.

T1-26

PUBLIC EXPRESSION

Presenter/s: Mr. Don Crawford; Ms. Janice H. Marcell; Ms. Louise Gonyo; Ms. Helen Michael; and Ms. Jacqueline Carvallo, SEIU.

Board Action: No action taken.

T1-566

AGENDA ITEM NO. 3 – APPROVAL OF MINUTES

Presenter/s: Chair Smith.

Board Directive: BY ORDER OF THE CHAIR the minutes of the March 15, 2011, meeting and March 15, 2011, workshop, are hereby continued.

Board Action: No action taken.

T1-572

AGENDA ITEM NO. 4 – CONSENT CALENDAR – REGULAR

Presenter/s: Supervisor Smith and fellow Board members.

Public Comment: Ms. Anita Toste and Ms. Cyndi Montesonti.

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

- (1) Adoption of Proclamation Recognizing Victims' Rights Week April 10 – 16, 2011 – District Attorney -- Adopted and the Chair is authorized to sign same --
(2) Authorization of Layoff of One (1) FTE Office Services Supervisor Position from Budget Unit 2310 at the End of the 2010/2011 Fiscal Year (June 30, 2011) – Sheriff -- Approved;

- (3) Authorization of the Mendocino County Sheriff's Office to Submit an Application to the State of California, Department of Parks and Recreation, Off-Highway Vehicle Grant in the Amount of \$79,797 with an Additional \$27,175 (In Kind) from the Mendocino County Sheriff's Office; Authorization of Board Chair to Sign Corresponding Resolution; Authorization of the Sheriff to Sign any Subsequent Agreements, Amendments and/or other Required Documentation; and Authorization of Acceptance of Awarded Amount, and the Designation of Sheriff Allman as the County's Authorized Agent for this Grant – Sheriff -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-039

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING MENDOCINO COUNTY SHERIFF'S OFFICE TO APPLY FOR GRANT FUNDS FOR THE STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE GRANT FUNDS

- (4) Adoption of Resolution Exempting the Mendocino-Little River Cemetery District from the Annual Audit Requirement and Instead Establishing a Biennial Audit Requirement Pursuant to Government Code Section 26909(b) – Auditor-Controller -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-040

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS EXEMPTING THE MENDOCINO-LITTLE RIVER CEMETERY DISTRICT FROM THE ANNUAL AUDIT REQUIREMENT AND ESTABLISHING A BIENNIAL AUDIT REQUIREMENT

- (5) Approval of Letter of Support for AB 384 (Chesbro) – Executive Office -- Approved;
- (6) Approval of Nominations to the California Coastal Commission's North Coast Region Vacancy – Executive Office -- Approved;
- (7) BOS 11-030A Approval of Amendment to Agreement No. PH-10-023 with Mendocino Coast Clinics, Inc., Increasing the Total Contract Amount by \$32,982, from \$37,500 to a Maximum Total of \$70,482 for Case Management and Wraparound Services for AT HOME Clients, and to Receive Reimbursement for Additional Grant Related Mileage – Health and Human Services Agency/Adult and Older Adult System of Care -- Approved and the Chair is authorized to sign same;
- (8) Authorization of Health and Human Services Agency Community Health Services to Accept the Sustainable Communities Planning Grant and Incentive Program Award in the Amount of \$461,340 – Health and Human Services Agency/Community Health Services -- Approved;
- (9) Authorization of Health and Human Services Agency to Submit a Renewal Application for a \$50,000 Grant to Substance Abuse and Mental Health Services Administration (SAMHSA) for the Stop Act Grant – Health and Human Services Agency/Community Health Services -- Approved;
- (10) Authorization of Health and Human Services Agency to Submit a Renewal Application for a \$123,588 Grant to California Office of Traffic Safety – Health and Human Services Agency/Community Health Services -- Approved;
- (11) Authorization for Health and Human Services Agency to Submit a Renewal Application for a \$125,000 Grant to Substance Abuse and Mental Health Services Administration (SAMHSA) – Health and Human Services Agency/Community Health Services -- Approved;

- (12) Approval of Amended Action on Rezone #R 3-2007 (Delamotte) Previously Approved by the Board of Supervisors September 9, 2008, Certified and Amended by the Coastal Commission on February 11, 2010, and Tentatively Accepted the Coastal Commission Action at the June 22, 2010, Meeting by the Board of Supervisors to Rezone Property from Forestland-160 (FL-160) to Timber Production-160 (TP-160), within the Coastal Zone – Planning and Building Services -- Approved;
- (13) Approval of Coastal Development Permit – Planning and Building Services CDP 26-2009 – Richard and JoAnn Parkin (Owners/Applicants) Howard Curtis, AIA (Agent)  
 LOCATION: In the Coastal Zone, Approximately 1.5 Miles North of Gualala, on the Northeast Side of Highway One, Approximately 250 Feet South of its Intersection with Glennen Drive (CR 534) at 37121 Glennen Drive (APN 144-170-08).  
 REQUEST: Construct “Row and Field Crops” Developments Including a 715 Sq. Foot Garden Storage Building and Attached 475 Sq. Foot Atrium and Hot House, for a Total Structure Size of 1190 Sq. Feet. Associated Development Includes a Production Well, 5,000 Gallon Water Storage Tank, Driveway, and Connected to Utilities. The Board of Supervisors hereby authorizes the issuance of Coastal Development Permit No. 26-2009
- (14) Adoption of Resolution Supporting Funding Application for Preparation of a Feasibility Study for Orchard Avenue Extension and Designating the Director of Transportation as County’s Authorized Agent for the Applicable Caltrans Transportation Planning Grant (Ukiah Area) – Transportation -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-041

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS SUPPORTING FUNDING APPLICATION FOR PREPARATION OF A FEASIBILITY STUDY FOR ORCHARD AVENUE EXTENSION AND DESIGNATING THE DIRECTOR OF TRANSPORTATION AS COUNTY’S AUTHORIZED AGENT FOR THE APPLICABLE CALTRANS TRANSPORTATION PLANNING GRANT (UKIAH AREA)

- (15) Approval of Letter to the United States Postal Service Requesting Documentation Supporting the Recommendation to Relocate the Ukiah Main Post Office and to Disclose Plans that May Result in Recommendations to Close, Consolidate or Relocate other Post Offices in Mendocino County – Supervisors Brown and McCowen -- Approved;
- (16) Adoption of Proclamation Recognizing and Honoring Cyndi Montesonti, upon her Retirement, for Thirty-Three Years of Service to Mendocino County – Supervisor Smith -- Adopted and the Chair is authorized to sign same.

T1-1286

**AGENDA ITEM NO. 5C – NOTICED PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF RESOLUTION CONFIRMING THE FISCAL YEAR 2011/2012 ANNUAL REPORT OF THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT (BID) THEREBY LEVYING AN ANNUAL ASSESSMENT FOR THE BID IN FISCAL YEAR 2011/2012**

**Presenter/s:** Mr. Steve Dunicliff, Economic Development Coordinator.

**Public Comment:** Ms. Jo Bradley, Dennen’s Victorian Farmhouse.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the Board of Supervisors holds the public hearing, and adopts the Resolution confirming acceptance of the Fiscal Year 2011-2012 Annual Report of the Mendocino County Lodging Business Improvement District (BID) thereby levying an annual assessment for the BID in Fiscal Year 2011-2012.

RESOLUTION NO. 11-042

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS CONFIRMING ACCEPTANCE OF THE 2011-2012 ANNUAL REPORT OF THE MENDOCINO COUNTY LODGING BUSINESS IMPROVEMENT DISTRICT (BID), THEREBY LEVYING AN ANNUAL ASSESSMENT FOR THE BID IN FISCAL YEAR 2011-2012.

T1-1648

**AGENDA ITEM NO. 5D – NOTICED PUBLIC HEARING: DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR AN ECONOMIC DEVELOPMENT ALLOCATION, CALIFORNIA COMMUNITY ECONOMIC ENTERPRISE FUND, MICROENTERPRISE TECHNICAL ASSISTANCE GRANT OF \$500,000; AUTHORIZATION TO SIGN THE APPLICATION AND ANY GRANT-RELATED DOCUMENTS**

**Presenter/s:** Mr. Steve Dunncliff, Economic Development Coordinator.

**Public Comment:** Ms. Pamela Patterson, CEO, West Company and Mr. John Sakowicz.

**Board Action:** Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors holds the public hearing, and adopts the Resolution authorizing submittal of the application to the State CDBG Program, for an Economic Development Allocation, Enterprise Fund Microenterprise Technical Assistance grant of \$500,000, further providing authorization for the application and grant-related documents to be signed.

RESOLUTION NO. 11-043

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

*RECESS: 10:16 – 10:30 A.M.*

T1-2638

**AGENDA ITEM NO. 8A – PRESENTATION OF RETIREMENT SYSTEM ACTUARIAL STUDY, ACTUARIAL AUDIT FINDINGS AND RECOMMENDATIONS, FUTURE ACTUARIAL SERVICES, AND ADOPTION OF RETIREMENT SYSTEM RATES FOR FISCAL YEAR 2011/12 – RETIREMENT BOARD**

**Presenter/s:** Mr. Jim Andersen, Retirement Administrator and Mr. Graham Schmidt, EFI Actuaries.

**Public Comment:** Mr. Louis Bigfoot and Mr. John Sakowicz.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the Board of Supervisors accepts the actuarial valuation report and adopts the Retirement Board's recommended retirement system contribution rates, therefore, adopting the employer/employee rates as contained in the Buck report.

T2-3422

**AGENDA ITEM NO. 8B – DISCUSSION REGARDING LETTER RECEIVED FROM THE MENDOCINO COUNTY EMPLOYEE'S RETIREMENT ASSOCIATION (MCERA) REGARDING ACTUARIAL DATA AND PENSION LIABILITY – SPONSOR: SUPERVISOR SMITH**

**Presenter/s:** Supervisor Smith.

**Board Action:** No action taken.

**Board Directive:** BY ORDER OF THE CHAIR the Board will adjourn to Closed Session and will reconvene in Open Session at 1:30 p.m.

*ADJOURNED TO CLOSED SESSION: 12:24 P.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 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – MUSEUM DIRECTOR (INTERIM)**

**AGENDA ITEM NO. 11D – PURSUANT TO GOVERNMENT CODE SECTION 54956.9 – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: DEREK WEBB V. COUNTY OF MENDOCINO, ET AL; MENDOCINO COUNTY SUPERIOR COURT CASE NO. SCU-K-CVG-10-56352**

*RECONVENED IN OPEN SESSION: 1:41 P.M.*

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

**Presenter:** Ms. Jeanine B. Nadel, County Counsel, reported that the Board gave direction to staff regarding labor negotiations.

**Board Action:** No action taken.

T3-271

**AGENDA ITEM NO. 6B – PRESENTATION OF REPORT REGARDING APPLICABILITY OF THE “SUNNYVALE MODEL” TO MENDOCINO COUNTY; DISCUSSION AND POSSIBLE ACTION RELATED TO IMPLEMENTATION OF PERMITTING AND CUSTOMER SERVICE PROCESS ENHANCEMENTS IN MENDOCINO COUNTY – SPONSORING DEPARTMENTS: HEALTH AND HUMAN SERVICES AGENCY, PLANNING AND BUILDING SERVICES, AND TRANSPORTATION**

**Presenter/s:** Ms. Carmel J. Angelo, Chief Executive Officer/Clerk of the Board; Mr. Nash Gonzales, Planning and Building Services Director; Ms. Stacey Cryer, Health and Human Services Director; and Mr. Tom Peters, Deputy Director of Transportation.

**Public Comment:** Mr. Roger Mobley, Chief Planner, Planning and Building Services; Mr. Keith Woods, North Coast Builders Exchange; Mr. John Mayfield, representing the Employers Council; Mr. Ross Liberty; Ms. Devon Jones, Mendocino County Farm Bureau; and Ms. Melissa Bastianon, North Bay Association of Realtors.

**Board Action:** Upon motion by Supervisor Brown, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors accepts the staff report regarding the “Sunnyvale Model”, directs staff to implement the identified plan, and return within 90 days for a status report.

T3-3274

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

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

**Public Comment:** Mr. Tom Peters, Deputy Director of Transportation.

**Board Action:** No action taken.

*RECESS: 2:58 – 3:10 P.M.*

T3-3388

**AGENDA ITEM NO. 6D – NOTICED PUBLIC HEARING – 3:00 P.M.: 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 (CHS) – SPONSORING DEPARTMENT: HEALTH AND HUMAN SERVICES AGENCY**

**Presenter/s:** Ms Stacey Cryer, Health and Human Services Director, and Ms. Lynn Hunter, CEO, Mendocino Community Health Clinic; Ms. Heather S. Estes, CEO, Planned Parenthood Shasta Pacific.

**Public Comment:** Mr. Joe Mortz; Ms. Val Muchowski; Ms. Linda Bailey; Ms. Joanie Glover Stevens; Ms. Lynda McClure; Ms. Melissa Wuoltree; Ms. Wendy Walsh; Ms. Carol Anne Cruise, Public Health Nurse; Ms. Anne Molgaard, Executive Director, FIRST 5 Mendocino; Ms. Claudia Prochter; Ms. Cathy Frey, Alliance for Community Rural Health, and Health and Human Services Advisory Board; Mr. Perry Tripp; and Ms. Fabiola Ruiz.

**Board Action:** Upon motion by Supervisor Pinches, seconded by Supervisor McCowen, and carried (4/1, with Supervisor Hamburg dissenting); IT IS ORDERED that the Board of Supervisors suspends the Family Planning Services and Treatment for Sexually Transmitted Infection Services at the Ukiah and Willits Clinics provided through Community Health Services. Designates Community Health Services to provide 24-hour information and to receive and respond to complaints concerning the reduction of services.

T5-320

**AGENDA ITEM NO. 5E – OFF AGENDA ITEM – EXECUTIVE OFFICE PURSUANT TO GOVERNMENT CODE SECTION 54954.2 ADOPTION OF RESOLUTION DECLARING A LOCAL EMERGENCY RELATED TO THE 2011 WINTER STORMS EVENT (COUNTY-WIDE)**

**Presenter/s:** Ms. Carmel J. Angelo, Chief Executive Officer/Clerk of the Board, reported that urgent Board consideration of this matter is necessary due to timeline.

**Public Comment:** Mr. Bob Parker, Department of Transportation.

**Board Action:** Upon motion by Supervisor Brown, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that this matter arose subsequent to the agenda being published pursuant to Government Code Section 54954.2.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED the Board of Supervisors hereby adopts Resolution declaring a local emergency related to severe winter storms which commenced on March 15, 2011, causing widespread safety problems to the County Maintained Road System.

RESOLUTION NO. 11-044

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS FOR DECLARING A LOCAL EMERGENCY RELATED TO THE 2011 WINTER STORMS EVENT (COUNTY-WIDE)

*RECESS: 4:54 – 5:05 P.M.*

T5-425

**AGENDA ITEM NO. 6C – INFORMATIONAL UPDATES FROM THE HEALTH AND HUMAN SERVICES AGENCY DIRECTOR AND THE SHERIFF ON DEFICIT REDUCTION STRATEGIES AS REQUESTED BY THE BOARD OF SUPERVISORS**

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

**Public Comment:** Ms. Susan Era, Interim Assistant Director, Health and Human Services; Mr. Joe Mortz; Ms. Anne Molgaard; and Mr. J. R. Rose.

**Board Action:** No action taken.

T5-1450

**AGENDA ITEM NO. 7D – DISCUSSION AND POSSIBLE ACTION REGARDING THE FORMATION OF AN AD HOC COMMITTEE TO WORK WITH THE MENDOCINO COUNTY SHERIFF AND THE MENDOCINO COUNTY CHIEF EXECUTIVE OFFICER ON SELECTING AND HIRING A CONSULTANT TO REVIEW THE SHERIFF’S OFFICE FOR DEPARTMENT EFFICIENCIES AND EFFECTIVENESS. – SPONSOR: SUPERVISOR BROWN**

**Presenter/s:** Supervisor Brown.

**Public Comment:** Sheriff Tom Allman and Ms. Carmel J. Angelo, Chief Executive Officer/Clerk of the Board.

**Board Action:** Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the Board of Supervisors approves the formation of an ad hoc committee consisting of Supervisors Smith and McCowen to work with the Sheriff and CEO to discuss whether it would be appropriate to select a consultant to investigate the Sherriff’s Office budget and operations for efficiencies. If the committee agrees that hiring a consultant is an appropriate option, then the committee will bring a recommendation back to the Board regarding selection and funding for the consultant services. Staff is directed to bring this item back to the Board before April 29, 2011.

T5-3670

**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:** Mr. Kyle Knopp, Senior Administrative Analyst.

**Board Directive:** GENERAL CONSENSUS OF THE BOARD directs staff to transmit letter of support for Constitutional Amendment SCA X1 (Steinberg) / ACA 2X (Blumenfield), with amendments, to Governor Jerry Brown.

T6-231

**AGENDA ITEM NO. 5A – CHIEF EXECUTIVE OFFICER REPORTS**

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

**Board Action:** No action taken.

T6-494

**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

T6-1060

**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: 6:53 P.M.*

*RECONVENED IN OPEN SESSION: 7:02 P.M.*

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

**Presenter:** Ms. Jeanine B. Nadel, County Counsel, reported that with respect to litigation item, Webb v. the County of Mendocino, the Board of Supervisors has approved a settlement in that matter. The terms and conditions of the settlement will be made available once the document has been prepared and approved by Counsel. Motion by Supervisor Hamburg, seconded by Supervisor McCowen, approved unanimously.

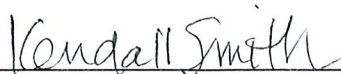
**AGENDA ITEM NO. 13 – COMMUNICATIONS RECEIVED AND FILED**


- (a) United States Department of Agriculture (USDA) Request for Comments Regarding its Request for State Off-Highway Vehicle (OHV) Grant Funding for the Current Grants and Cooperative Agreements Cycle. Proposed Projects for which the USDA is Seeking Input Include: Ground Operations - Funding of Ongoing Facility Maintenance for the Infrastructure Supporting the Mendocino National Forest's World-Class OHV Program, as well as Funding for Trail Maintenance Activities; Restoration - Funding the Close and Repair of Unauthorized Trails within the 8,000 Acre Goat Mountain Area of the Grindstone Ranger District; Planning - Development of Planning Grant for Submittal with this Funding Request. This Grant will Provide Design, Layout, and Environmental Review Associated with Reroute of Trail 44 (Auk Auk Ridge) Away from Private Lands; Law Enforcement - One Year of Law Enforcement Funding Assistance to Supplement Ongoing OHV Management Operations; Preliminary Grant Applications as well as Instructions for Viewing and Commenting on Grant Applications may be Found Online at [www.ohv.parks.ca.gov](http://www.ohv.parks.ca.gov); Questions Regarding the Cooperative Agreement Applications or the Off-Highway Motor Vehicle Recreation Program on the Mendocino National Forest, Please Contact Forest Recreation Officer Tricia Christofferson at (530) 934-1167
- (b) State of California Fish and Game Commission Notice of Receipt of Amended Petition to List the American Pika (*Ochotona Princeps*) as a Threatened Species; Interested Parties may Contact Dr. Eric Loft, Wildlife Branch, Department of Fish and Game, 1812 Ninth Street, Sacramento, CA 95811, or Telephone (916) 445-3555 for Information on the Petition or to Submit Information to the Department Relating to the Petitioned Species

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 7:03 P.M.

(Tape End T6-1085)

Attest: PAULINE RANTALA  
Senior Deputy Clerk of the Board

  
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 Mendocino Access Television: [www.uvctv.org](http://www.uvctv.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](http://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](http://www.co.mendocino.ca.us/bos)

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