



**MENDOCINO COUNTY BOARD OF SUPERVISORS
ACTION MINUTES – MAY 17, 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
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**EMAIL THE BOARD:
BOS@CO.MENDOCINO.CA.US**

**WEBSITE:
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**BOARD
ACTION MINUTES
(SEE LAST PAGE
FOR MORE INFORMATION)**

**NEXT MEETING
(AGENDAS ARE POSTED
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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 (9:07 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 Mr. Tim Mitchell, Deputy Clerk of the Board Trainee.

Pledge of Allegiance: Mr. Phil Dow.

PUBLIC EXPRESSION

Presenter/s: Ms. Helen Michael; Ms. Candy Prairie; Ms. Barbie Svendsen; Mr. Louis Bigfoot; and Ms. Jacqueline Carvalho.

Board Action: No action taken.

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 April 26, 2011, meeting and May 3, 2011, off-site meeting, are approved as presented.

AGENDA ITEM NO. 4 – CONSENT CALENDAR – REGULAR

Presenter/s: Consent Calendar items 4(5 and 6) removed for separate consideration.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that Consent Calendar items 4(1-4 and 7-21) are approved as follows:

- (1) BOS *11-037 Approval of Agreement with the U.S. Army Corps of Engineers for the Mendocino County Sheriff's Office to Provide Services in and Around the Lake Mendocino Area – Sheriff -- Approved and the Chair is authorized to sign same;
- (2) BOS *11-038 Authorization of the Sheriff's Office to Enter into a Financial and Operating Plan with the USDA Forest Service, Mendocino National Forest to Support the Operations to Suppress Manufacturing and Trafficking of Controlled Substances and Designation of Sheriff Allman as the County's Authorized Agent for These Necessary Documents – Sheriff -- Approved and the Chair is authorized to sign same;
- (3) Approval of the Consolidation of the City of Point Arena Recall All Mail Election with the August 30, 2011, Special District All Mail Election – Assessor-Clerk Recorder -- Approved;

- (4) Adoption of an Ordinance Amending Mendocino County Code Section 9.31 Medical Marijuana Cultivation Regulation – County Counsel -- Adopted and the Chair is authorized to sign same –

ORDINANCE NO. 4275

ADOPTION OF AN ORDINANCE AMENDING MENDOCINO COUNTY CODE SECTION 9.31 MEDICAL MARIJUANA CULTIVATION REGULATION

- (7) Approval to Submit Applications to the Indian Gaming Local Community Benefit Committee (CBC) for Impacts to Mendocino County as a Result of Indian Gaming; and Authorize Chief Executive Officer to Sign Applications and Any Other Related Documentation – Executive Office -
- Approved;
- (8) Adoption of Proclamation Declaring May as Older Americans’ Month, “Older Americans: Connecting the Community” – Health and Human Service Agency/Social Services -- Adopted and the Chair is authorized to sign same --
- (9) Adoption of Proclamation Recognizing May 2011 as Mental Health Month in Mendocino County – Health and Human Services Agency/Mental Health Services -- Adopted and the Chair is authorized to sign same --
- (10) Adoption of Resolution Authorizing Application for Local Enforcement Agency Grant EA-22 for Solid Waste Facility Permitting and Inspections – Health and Human Services Agency/Community Health Services -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-062

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MENDOCINO COUNTY COMMUNITY HEALTH SERVICES (LOCAL ENFORCEMENT AGENCY) TO APPLY FOR ENFORCEMENT ASSISTANCE GRANT EA - 22

- (11) Adoption of Resolution Authorizing Application for the Certified Unified Program Agency (CUPA) Grant for Electronic Filing of Hazardous Material Regulatory Activities with Cal/EPA – Health and Human Services Agency/Community Health Services -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-063

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING MENDOCINO COUNTY COMMUNITY HEALTH SERVICES, DIVISION OF ENVIRONMENTAL HEALTH, TO APPLY FOR A CERTIFIED UNIFIED PROGRAM AGENCY GRANT

- (12) Adoption of Resolution Rescinding Resolution No. 09-188 and Assigning Signatory Authority to the Health and Human Services Director or Designee in Matters of Administering the Homelessness Prevention and Rapid Re-Housing Grant – Health and Human Services Agency/Social Services -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-064

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS RESCINDING SIGNATORY AUTHORITY TO SUSAN ERA IN RESOLUTION NO. 09-188 AND ASSIGNING SIGNATORY AUTHORITY TO THE HEALTH AND HUMAN SERVICES AGENCY (HHS) DIRECTOR OR DESIGNEE IN MATTERS OF ADMINISTERING THE HOMELESSNESS PREVENTION AND RAPID RE-HOUSING (HPRP) GRANT

- (13) Approval of Action Regarding Family Planning Services Employee Layoffs in Accordance with Civil Service Rule Section 6 and Applicable Provisions of the Labor Agreements with the Affected Bargaining Unit – Health and Human Services Agency/Community Health Services -- Approved;

- (14) Approval of Coastal Development Permits – Planning and Building Services
- (a) CDP No. 21-2010 – Chong Mejias (Owner) Tom Wollman (Agent) Chong and Angelo Mejias (Applicants)
LOCATION: In the Coastal Zone, Approx. 2 Miles South of the City of Fort Bragg, on the East Side of Hwy 1, Approx. 0.4 Mile South of Its Intersection with Hwy 20, at 18661 N. Hwy 1 (APN: 017-140-15).
REQUEST: After the Fact Request to Convert Existing Space in the Coast Inn and Spa to a Restaurant. Construct ~400 Sq. Ft. Covered Deck Attached to Existing Motel. Install 30"x60" Wall Sign, and Add ~2.5'x8' Sign to the Existing Free Standing Sign. Expand Parking Lot to Accommodate Restaurant Capacity.

The Board of Supervisors hereby authorizes the issuance of Coastal Development Permit No. 21-2010

- (b) CDP No. 05-2011 – Van L. Phillips (Owner/Applicant)
LOCATION: In the Coastal Zone, Approx. 0.5 Mile North of Albion, on the East Side of Hwy 1, on the West Side of Albion Little River Road, Approx. 0.8 Mile North of Its Intersection with Hwy 1, at 4560 Albion Little River Road (APN 123-020-22).
REQUEST: Demolition of the Existing 1200± Sq. Ft. Single-Family Residence with an Attached 630± Sq. Ft. Garage. Associated Development Includes Construction of a 615± Sq. Ft. Detached Guest Cottage, Connect to Existing Well, New On-Site Septic Disposal System, Propane Tank, Driveway Development and Associated Grading and Landscaping.

The Board of Supervisors hereby authorizes the issuance of Coastal Development Permit No. 05-2011

- (15) Adoption of an Ordinance Amending Section 15.04.030(E) of the Mendocino County Code – Speed Zones, Establishing Prima Facie Speed Limit on a One Half Mile Portion of Comptche Ukiah Road, CR 223, at Mile Post 5.77 Near Little River Airport Road (Mendocino Area) – Transportation -- Adopted and the Chair is authorized to sign same –

ORDINANCE NO. 4276

ORDINANCE AMENDING SECTION 15.04.030 OF THE MENDOCINO COUNTY CODE – SPEED ZONES; ADDING PARAGRAPH 15.04.030(E)(15) ESTABLISHING REVISED PRIMA FACIE SPEED LIMIT ON COMPTCHE-UKIAH ROAD, CR 223, ONE HALF MILE SOUTHERLY OF INTERSECTION OF LITTLE RIVER AIRPORT ROAD (MILE POST 5.77)

- (16) BOS 11-039 Adoption of Resolution Accepting the Proposal for and Awarding Department of Transportation Contract No. 100040, 2010 AC Overlay on Comptche Ukiah Road, CR 223, in Mendocino County (Comptche Area) – Transportation -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-065

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ACCEPTING THE PROPOSAL FOR AND AWARDED DEPARTMENT OF TRANSPORTATION CONTRACT NO. 100040, 2010 AC OVERLAY ON COMPTCHE UKIAH ROAD, CR 223, IN MENDOCINO COUNTY (COMPTCHE AREA)

- (17) BOS 11-040 Adoption of Resolution Approving Department of Transportation Agreement No. 110037 (Bobby D. Gardner and Jewel R. Gardner) for the Acquisition of Rights of Way Needed for Construction of the Ryan Creek Migration Barrier Removal Project on Ryan Creek Road, CR 310C, M.P. 0.17 (Willits Area) – Transportation -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-066

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NO. 110037 (BOBBY D. GARDNER AND JEWEL R. GARDNER) FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF THE RYAN CREEK MIGRATION BARRIER REMOVAL PROJECT ON RYAN CREEK ROAD, CR 310C, M.P. 0.17 (WILLITS AREA)

- (18) BOS 11-041 Adoption of Resolution Approving Department of Transportation Agreement No. 110038 (Isidro Juarez and Hortencia Juarez) for the Acquisition of Rights of Way Needed for Construction of the Ryan Creek Migration Barrier Removal Project on Ryan Creek Road, CR 310C, M.P. 0.17 (Willits Area) – Transportation -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-067

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NO. 110038 (ISIDRO JUAREZ AND HORTENCIA JUAREZ) FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF THE RYAN CREEK MIGRATION BARRIER REMOVAL PROJECT ON RYAN CREEK ROAD, CR 310C, M.P. 0.17 (WILLITS AREA)

- (19) BOS 11-042 Adoption of Resolution Approving Department of Transportation Agreement No. 110039 (Michael A. Schuette) for the Acquisition of Rights of Way Needed for Construction of the Ryan Creek Migration Barrier Removal Project on Ryan Creek Road, CR 310C, M.P. 0.17 (Willits Area) – Transportation -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-068

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NO. 110039 (MICHAEL A. SCHUETTE) FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF THE RYAN CREEK MIGRATION BARRIER REMOVAL PROJECT ON RYAN CREEK ROAD, CR 310C, M.P. 0.17 (WILLITS AREA)

- (20) BOS 11-043 Adoption of Resolution Approving Department of Transportation Agreement No. 110040 (Seneca B. Garcia and Heidi Garcia) for the Acquisition of Rights of Way Needed for Construction of the Ryan Creek Migration Barrier Removal Project on Ryan Creek Road, CR 310C, M.P. 0.17 (Willits Area) – Transportation -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-069

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DEPARTMENT OF TRANSPORTATION AGREEMENT NO. 110040 (SENECA B. GARCIA AND HEIDI GARCIA) FOR THE ACQUISITION OF RIGHTS OF WAY NEEDED FOR CONSTRUCTION OF THE RYAN CREEK MIGRATION BARRIER REMOVAL PROJECT ON RYAN CREEK ROAD, CR 310C, M.P. 0.17 (WILLITS AREA)

- (21) Adoption of Proclamation Designating the Week of May 20 through May 29, 2011, as National Safe Boating Week in Mendocino County – Supervisors Smith and Hamburg -- Adopted and the Chair is authorized to sign same.

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

- (6) Approval of Modifications to the Board of Supervisor’s 2011 Master Meeting Schedule, Amending Two Board of Equalization Meeting Dates and Adding a Special Session – Executive Office

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer/Clerk of the Board.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors hereby approves modifications to the 2011 Master Meeting Schedule, adding Special Sessions on May 23 and June 28, and changing two of the Board of Equalization meetings as follows: Tuesday, September 20, meeting to Monday, September 19, and the Tuesday, November 8, meeting to Monday, November 14, further directing staff to revise and redistribute the amended schedule.

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

- (5) BOS 11-044 Approval of Extension of the Employment Agreement with Chief Executive Officer Carmel J. Angelo, with the Amended Term Ending March 9, 2015 – County Counsel

Presenter/s: Supervisor Smith.

Public Comment: Mr. Don Crawford.

Board Action: Foregoing introduced by Supervisor Pinches, seconded by Supervisor Brown, and carried (4/1, with Supervisor Smith dissenting); IT IS ORDERED that the Board agrees to the extension of Chief Executive Officer Carmel J. Angelo’s contract and will provide a signed copy to the County Counsel Office, and one to the CEO.

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.

T1-1451

AGENDA ITEM NO. 6B – BOS 11-045 DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF A RESOLUTION TO ACKNOWLEDGE RECEIPT OF PROPOSALS AND TAKE ACTION AS APPROPRIATE, DEPARTMENT OF TRANSPORTATION AGREEMENT NO. 100086, BROOKTRAILS SECOND ACCESS — PRELIMINARY ENGINEERING, PHASE 1 (BROOKTRAILS AREA) – SPONSORING DEPARTMENT: TRANSPORTATION

Presenter/s: Mr. Howard Dashiell, Transportation Director and Mr. Bob Parker, Assistant Director of Transportation.

Public Comment: Mr. Mark Edwards; Mr. Bob Whitney; Mr. Mike Chapman; and Mr. Phil Dow.

Board Action: Upon motion by Supervisor Pinches, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the Board of Supervisors hereby accept the proposal and award DOT Agreement No. 100086, Phase 1 as stipulated in the recommended action/motion, but include feasibility-level development and analysis of Alternate A, in addition to such development and analysis of the FirCo Haul Road route and peer review/further analysis of the alternate routes addressed in the previous feasibility study performed by KOA Corporation.

RESOLUTION NO. 11-070

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO ACKNOWLEDGE RECEIPT OF PROPOSALS AND TAKE ACTION AS APPROPRIATE, DEPARTMENT OF TRANSPORTATION AGREEMENT NO. 100086, BROOKTRAILS SECOND ACCESS — PRELIMINARY ENGINEERING, PHASE 1 (BROOKTRAILS AREA)

AGENDA ITEM NO. 8A – NOTICED PUBLIC HEARING – DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF A RESOLUTION AUTHORIZING SUBMITTAL OF A \$140,000 APPLICATION FOR FUNDING FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PLANNING AND TECHNICAL ASSISTANCE ALLOCATION; FURTHER AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO SIGN APPLICATION AND ANY GRANT-RELATED DOCUMENTS – SPONSORING DEPARTMENT: EXECUTIVE OFFICE

Presenter/s: Mr. Steve Dunncliff, Economic Development Coordinator and Mr. Nash Gonzalez, Planning and Building Services Director.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors hold the public hearing as required, and adopt Resolution authorizing submittal of a \$140,000 application for funding from the Community Development Block Grant (CDBG) Planning & Technical Assistance Allocation; authorizing use of \$5,600 CDBG Program Income for cash match; further directing clerking staff to create a certified copy of said Resolution.

RESOLUTION NO. 11-071

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE PLANNING TECHNICAL ASSISTANCE ALLOCATION OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

RECESS: 10:45 A.M. – 11:02 A.M.

AGENDA ITEM NO. 6C – PLANNING AND BUILDING SERVICES – DIRECTOR’S REPORT

Presenter/s: Mr. Nash Gonzalez, Planning and Building Services Director.

Board Action: No action taken.

Board Directive: BY ORDER OF THE CHAIR staff is hereby directed to provide an update/report to the Board on ADA requirements at a future date and time.

T2-528

AGENDA ITEM NO. 5A – CHIEF EXECUTIVE OFFICER REPORTS

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer/Clerk of the Board.

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: Ms. Carmel J. Angelo, Chief Executive Officer/Clerk of the Board.

Board Action: No action taken.

T2-720

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.

T2-1575

AGENDA ITEM NO. 8B – INTRODUCTION AND WAIVE READING OF AN ORDINANCE ADDING CHAPTER 5.170 OF TITLE 5 TO THE MENDOCINO COUNTY CODE IMPOSING A LIBRARY SPECIAL TRANSACTIONS (SALES) AND USE TAX – SPONSORING DEPARTMENTS: COUNTY COUNSEL, EXECUTIVE OFFICE, AND LIBRARY

Presenter/s: Ms. Jeanine B. Nadel, County Counsel and Ms. Melanie Lightbody, County Librarian.

Public Comment: Mr. Michael Schaeffer, 5th District Representative, Library Advisory Board and Mr. Marc Komer, 3rd District Representative, Library Advisory Board.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors introduce and waive reading of Ordinance adding Chapter 5.170 of Title 5 to the Mendocino Code for an election to present to the voters of the County a proposed ordinance titled "Library Special Transactions (Sales) And Use Tax" and authorize the Board Chair to sign same upon adoption. Send adopted copies to County Counsel, Library Director, and Assessor/Clerk-Recorder.

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

LUNCH RECESS: 11:44 A.M. – 1:33 P.M.

RECONVENED IN OPEN SESSION: 1:33 P.M.

T2-1960

AGENDA ITEM NO. 8C – NOTICED PUBLIC HEARING – PUBLIC HEARING TO REVIEW AND DISCUSS THE DRAFT 2007 UKIAH VALLEY AREA PLAN (UVAP), AND CONFIRMATION OF JUNE 14, 2011, FOR CONSIDERATION AND POSSIBLE ACTION TO CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR) AND ADOPT THE UVAP – SPONSORING DEPARTMENT: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Nash Gonzalez, Planning and Building Director; Mr. Roger Mobley, Chief Planner; and Mr. Leonard Charles, Consultant, Leonard Charles & Associates.

Public Comment: Ms. Madeline Holkamp; Mr. Brian Corzilius; Mr. Jim Houle; Mr. Alan Nicholson; Ms. Judy Pruden; Mr. Joe Mortz; Ms. Estelle Clifton; Ms. Linda Sanders, Friends of Gibson Creek; Mr. Guinness Mcfadden; Mr. John Mayfield; Mr. Jack Cox; Mr. Andrew Nicoll; Mr. Lee Howard; Ms. Lisa Hillegas, Legal Services of Northern California; Ms. Devon Jones, Mendocino County Farm Bureau; Ms. Lisa Yoshida, RCHDC; Ms. Heather Blough, Community Development Commission of Mendocino County; Mr. Steve Scalmanini; and Mr. Richard Shoemaker.

Board Directive: GENERAL CONSENSUS OF THE BOARD that the noticed public hearing be continued to the date of June 14, 2011, at 1:30 p.m., for continued discussion and deliberation.

Board Action: No action taken.

T3-3418

RECESS: 3:35 P.M. – 3:52 P.M.

VICE-CHAIR MCCOWEN PRESIDING

CHAIR SMITH PRESIDING

AGENDA ITEM NO. 8D – TIMED ITEM: PRESENTATION BY THE ADMINISTRATIVE OFFICE OF THE COURTS REGARDING THE PROCESS TO CONSTRUCT A NEW MENDOCINO COUNTY COURTHOUSE – SPONSOR: SUPERVISOR McCOWEN

Presenter/s: Supervisor McCowen; Honorable Richard J. Henderson, Superior Court of Mendocino County; Ms. Rona Rothenberg, Senior Manager, Office of Court Construction and Management; and Mr. Craig Hartman, Design Partner, Skidmore, Owings & Merrill LLP.

Public Comment: Mr. Chuck Vau; Ms. Judy Pruden; Mr. Michael Schaeffer; Ms. Mari Rodin, Ukiah City Council; Ms. Nanette Gauthier-Kilker, Curry's Furniture; Mr. Jack Cox; and Ms. Katherine Elliott.

Board Action: No action taken.

T4-2490

RECESS: 5:02 P.M. – 5:09 P.M.

AGENDA ITEM NO. 8E INFORMATIONAL PRESENTATION OF THE FINAL EMERGENCY MEDICAL SERVICES (EMS) ASSESSMENT PREPARED BY FITCH AND ASSOCIATES; AND REQUEST FOR THE BOARD OF SUPERVISORS TO SUPPORT FUNDING OF THE COUNTY SERVICE AREA (CSA) THROUGH A COUNTYWIDE PARCEL TAX FOR THE UNINCORPORATED AREAS FOR SUPPORT OF EMERGENCY MEDICAL SERVICES FIRST RESPONDERS AND FIRE RESPONSE – SPONSORING DEPARTMENT: HEALTH AND HUMAN SERVICES AGENCY/COMMUNITY HEALTH SERVICES

Presenter/s: Ms. Stacey Cryer, Health and Human Services Agency Director; Mr. Bryan Cleaver, Regional EMS Manager, Coastal Valleys EMS; Mr. Jim Wattenburger, CAL FIRE; Mr. Mike Ragone, Fitch and Associates; Ms. Deb Pardee, North Bay Region Director, CALSTAR; Chief Jim Little, Long Valley Fire Protection District; Dr. Mark Luoto, M.D., EMS Regional Medical Director.

Public Comment: Mr. Leonard Winter, CEO of Ukiah Ambulance and Mr. Peter Bradford, Mendocino County Cattlemen's Association and Mendocino County Farm Bureau.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Pinches, and carried unanimously; IT IS ORDERED that the Board of Supervisors Accept the Final Emergency Medical Services Assessment, and authorize staff to work with the Fire Chiefs Association and other stakeholders to identify and bring back funding options to support the rural fire districts and the Emergency Medical System.

AGENDA ITEM NO. 11D – OFF-AGENDA ITEM – COUNTY COUNSEL PURSUANT TO GOVERNMENT CODE SECTION 54954.2 PURSUANT TO GOVERNMENT CODE SECTION 54956.9B – CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – ONE CASE

Presenter/s: County Counsel reported that urgent Board consideration of this matter is necessary due to time line.

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

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

ADJOURNED TO CLOSED SESSION: 6:30 P.M. – 7:10 P.M.

T5-2324

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, STACEY CRYER, MARYLOU LEONARD, 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, MEREDITH FORD, AND RICK HAEG; EMPLOYEE ORGANIZATION(S): ALL

AGENDA ITEM NO. 11C – PURSUANT TO GOVERNMENT CODE SECTION 54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR; PROPERTY/PHYSICAL ADDRESSES: 825 S. FRANKLIN ST., FORT BRAGG (APN 018-120-36 & 37); 120 W. FIR ST., FORT BRAGG (APN 008-054-12); 790 FRANKLIN ST., FORT BRAGG (APN 018-040-23); PARTIES: COUNTY OF MENDOCINO; AGENCY NEGOTIATORS: CARMEL ANGELO AND KRISTIN MCMENOMEY; UNDER NEGOTIATION: SURPLUS/SALE OF PROPERTY/PURCHASE

RECONVENED IN OPEN SESSION: 7:10 P.M.

AGENDA ITEM NO. 11 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Smith

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

AGENDA ITEM NO. 12 – COUNTY COUNSEL

Presenter/s: No report presented.

Board Action: No action taken.

AGENDA ITEM NO. 13 – COMMUNICATIONS RECEIVED AND FILED

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 7:10 P.M.

(Tape End T5-2335)

Attest: TIM MITCHELL
Deputy Clerk of the Board Trainee


KENDALL SMITH, Chair


TIM MITCHELL

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 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