

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

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# MENDOCINO COUNTY BOARD OF SUPERVISORS

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## AGENDA

### JUNE 7, 2011 – 9:00 A.M.

#### REGULAR MEETING & BOARD WORKSHOP

THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETS CONCURRENTLY AS THE BOARD OF DIRECTORS OF THE: MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT, MENDOCINO COUNTY PUBLIC FACILITIES CORPORATION, MENDOCINO COUNTY WATER AGENCY, MENDOCINO COUNTY LIBRARY DISTRICT, REDEVELOPMENT AGENCY OF THE COUNTY OF MENDOCINO, AND THE IHSS PUBLIC AUTHORITY GOVERNING BOARD

#### MEETING HIGHLIGHTS

**Open Session**  
(9:00 a.m.)

**Public Expression**  
(Approximately 9:05 a.m. - See Page No. 5)

**Noticed Public Hearing:**  
**Public Hearing and Adoption of Resolution Authorizing  
Submittal of a \$150,000 Grant Application to the  
State Disaster Recovery Initiative (DRI) Program**  
(Approximately 9:15 a.m. - See Item No. 8a)

**Mendocino County Water Agency Workshop and  
Status of Existing Projects/Commitments**  
(Approximately 9:30 a.m. - See Item No. 6c)

**Presentation of Employee Service Awards for  
15-35 Years of Service - Followed by a Reception  
with the Board of Supervisors**  
(Approximately 11:00 a.m. - See Item No. 8b)

**Adjourn to Lunch Recess**  
(Approximately 12:00 Noon)

**Reconvene for Afternoon Session**  
(Approximately 1:30 p.m.)

**Presentation and Approval of 2011-12 CEO Budget  
Recommendation(s); With Related Approval of Layoff List  
and/or Position Elimination List; Further Approval of  
Related Resolution(s); and to Further Provide Direction on  
Final Budget Implementation**  
(Approximately 1:30 p.m. - See Item No. 5c)

**Adjourn to Closed Session**  
(Approximately 4:30 p.m.)

**Reconvene & Report Out from Closed Session**  
(Approximately 5:00 p.m.)

Order of Agenda:  
Open Session,  
Roll Call &  
Pledge of Allegiance

Public Expression

Adoption of  
Consent Calendar

Regular  
Agenda Items

Closed Session

Selected items have  
been assigned an  
appointed time for  
the convenience  
of the Board and  
the Public

Online Information  
& Web Streaming  
(See Page No. 5)

Televised  
Board Meetings  
(See Page No. 5)

Welcome to the  
meeting of the  
Mendocino County  
Board of  
Supervisors

Agenda items  
generally occur  
sequentially,  
however, when  
circumstances  
warrant, the order  
of items may be  
changed at the  
discretion of the  
Chair

Please see the end of  
the agenda for  
additional meeting  
information  
including ADA  
accommodations  
and public  
expression



## ORDER OF AGENDA

### ITEM NO. 1 – OPEN SESSION AND ROLL CALL (9:00 A.M.)

- Roll Call will be conducted at the beginning of Open Session

### ITEM NO. 2 – PLEDGE OF ALLEGIANCE

- The Pledge of Allegiance will be recited at the beginning of Open Session

### ITEM NO. 3 – APPROVAL OF MINUTES

- Approval of Minutes of May 17, 2011, Board Meeting
- Approval of Minutes of May 23, 2011, Special Board Meeting
- Approval of Minutes of May 24, 2011, Board Meeting
- Approval of Minutes of May 27, 2011, Special Board Meeting

### ITEM NO. 4 – CONSENT CALENDAR

- Regular Consent Calendar (*See Attached*)

*The Consent Calendar (Agenda) is considered routine and non-controversial and will be acted upon by the Board at one time without discussion. The Consent Calendar is adopted as the first order of business upon the start of the Open Session portion of the meeting. Any Board member may request that any item be removed from the Consent Calendar for individual consideration. Please consult with the Clerk of the Board for additional information.*

### ITEM NO. 5 – COUNTY EXECUTIVE OFFICE MATTERS

- (a) Chief Executive Officer Reports
- (b) Discussion and Possible Action Including Review, Adoption, Amendment, Consideration or Ratification of Legislation Pursuant to the Adopted Legislative Platform
- (c) *Timed Item – 1:30 p.m.:* Presentation and Approval of 2011-12 CEO Budget Recommendation(s); With Related Approval of Layoff List and/or Position Elimination List; Further Approval of Related Resolution(s); and to Further Provide Direction on Final Budget Implementation

### ITEM NO. 6 – DEPARTMENTAL MATTERS AND REPORTS

- (a) Department of Transportation – Director's Report
- (b) Discussion and Possible Action Regarding Adoption of Resolution Authorizing Issuance of 2011-12 Tax and Revenue Anticipation Notes (TRANS) and Authorization to Execute Contract of Purchase for Issuance of Same – Sponsoring Department: Treasurer-Tax Collector
- (c) *Timed Item – 9:30 a.m.:* Mendocino County Water Agency Workshop and Status of Existing Projects/Commitments – Sponsoring Department: Planning and Building Services

### ITEM NO. 7 – COMMITTEE REPORTS/SUPERVISORS REPORTS

- (a) Supervisors Reports – Assigned Boards, Councils & Commissions / Other Meetings Attended
- (b) Standing Committees – Chair Reports
- (c) Ad-Hoc Committee Reports

### ITEM NO. 8 – MISCELLANEOUS

- (a) *Noticed Public Hearing – 9:15 a.m.:* Public Hearing and Adoption of Resolution Authorizing Submittal of a \$150,000 Grant Application to the State Disaster Recovery Initiative (DRI) Program – Sponsoring Department: Executive Office
- (b) *Timed Item – 11:00 a.m.:* Presentation of Employee Service Awards for 15-35 Years of Service – Followed by a Reception with the Board of Supervisors – Sponsoring Department: Human Resources  
*(Adjourn to Conference Room A for Reception Immediately Following Award Presentation)*



**ITEM NO. 9 – MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT, MENDOCINO COUNTY PUBLIC FACILITIES CORPORATION, MENDOCINO COUNTY WATER AGENCY, MENDOCINO COUNTY LIBRARY DISTRICT, REDEVELOPMENT AGENCY OF THE COUNTY OF MENDOCINO, AND THE IHSS PUBLIC AUTHORITY GOVERNING BOARD**

**ITEM NO. 10 – APPOINTMENTS TO BOARDS AND COMMISSIONS**

*The Board of Supervisors is actively seeking qualified candidates to fill various vacancies. Please consult with the Clerk of the Board for information on specific categorical areas and District vacancies, or visit our website at: [www.co.mendocino.ca.us/bos](http://www.co.mendocino.ca.us/bos)*

- (a) Air Quality Management District Hearing Board (Various) (8)
- (b) Alcohol and Drug Abuse Advisory Board (Member) (1)
- (c) Building Appeals Board (Various) (7)
- (d) Cemetery District of Fish Rock (Directors) (3)
- (e) Cemetery District of Hopland (Director) (1)
- (f) Cemetery District of Westport-Ten Mile (Director) (1)
- (g) Child Care Planning Council (Parent/Consumer Representative) (6)
- (h) Commission on the Status of Women (Under Review) (12)
- (i) County Commission on Medical Care (County Representative) (2)
- (j) Grievance Appeals Committee (Various) (3)
- (k) Gualala Municipal Advisory Council (Alternate) (1)
- (l) Health and Human Services Agency Advisory Board (Education and Community) (3)
- (m) Indian Gaming Local Community Benefit Committee (Under Review) (3)
- (n) In-Home Supportive Services (IHSS) Advisory Committee (Current/Former HHSR Recipient) (7)
- (o) Laytonville Area Municipal Advisory Council (Members and Alternate) (4)
- (p) Little River Airport (Pilot) (1)
- (q) Mendocino County Archaeological Commission (Native American and Alternates) (3)
- (r) Mendocino County Fish and Game Commission (Member at Large (Inland)) (1)
- (s) Mendocino County Forest Council (Public Members) (4)
- (t) Mendocino County Museum Advisory Board (3rd and 5th Districts) (2)
- (u) Mental Health Board (1st,2nd,3rd,5th District Consumers) (4)
- (v) Policy Council on Children and Youth (Various) (15)
- (w) Workforce Investment Board (Various) (8)

**ITEM NO. 11 – CLOSED SESSION (TIMED ITEM: 4:30 P.M.)**

- (a) 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
- (b) 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
- (c) Pursuant to Government Code Section 54956.9b – Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation – One Case

**ITEM NO. 12 – COUNTY COUNSEL**



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

*Communications received and filed are retained by the Clerk of the Board throughout the Board proceedings. To review items described in this section, please contact the Clerk of the Board staff in Room 1010.*

- (a) State Water Resources Control Board: Notice of Adoption Hearing and Notice of Availability of Documents Regarding the Proposed Russian River Frost Protection Regulation; The Public Hearing will be Held at a Water Resources Control Board Meeting on September 20, 2011, Starting at 9:00 a.m., Coastal Hearing Room, Joe Serna, Jr./Cal-EPA Building, 1001 I Street, Second Floor, Sacramento, CA 95814; Written Comments, Evidence, and Other Material may be Submitted No Later than Noon on July 5, 2011, and may be Submitted by Email to [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov) (if Less than 15 Megabytes in Total Size) or by Fax at (916) 341-5620; Please Indicate in the Subject Line: "Comment Letter – Proposed Russian River Frost Regulation"; Written Comments may also be Delivered to: Jeanine Townsend, Clerk to the Board, State Water Resources Control Board, P.O. Box 100, Sacramento, CA 95812-2000 (by Mail) or 1001 I Street, 24<sup>th</sup> Floor, Sacramento, CA 95814 (by Hand Delivery)
- (b) State of California Fish and Game Commission: Notice of Proposed Changes in Regulations Regarding Waterfowl Hunting; Any Person Interested may Present Statements, Orally or in Writing, on All Options Relevant to this Action at a Hearing to be Held at the Lexington Plaza Waterfront Hotel, 110 West Fremont Street, Stockton, CA, on Thursday, June 30, 2011, at 8:30 a.m., or as Soon Thereafter as the Matter may be Heard; Additionally, Any Person Interested may Present Statements, Orally or in Writing, on All Actions Relevant to this Action at a Hearing to be Held at the State of California, Resources Agency Building Auditorium, 1416 Ninth Street, Sacramento, CA, on Thursday, August 4, 2011, at 8:30 a.m., or as Soon Thereafter as the Matter may be Heard; Written Comments may be Submitted to Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, CA 94244-2090, or by Fax at (916) 653-5040, or by Email to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov); Written Comments Mailed, Faxed, or Emailed to the Commission Office Must be Received Before 5:00 p.m. on August 1, 2011; All Comments Must be Received No Later than August 4, 2011, at the Hearing in Sacramento; Information is on File and Available for Public Review from the Agency Representative, Jon K. Fischer, Acting Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, CA 94244-2090, Phone (916) 653-4899 (Please Direct Requests for the Documents and Inquiries Concerning the Regulatory Process to Sheri Tiemann at the Preceding Address or Phone Number); The Notice of Proposed Action Shall be Posted on the Fish and Game Commission Website at <http://www.fgc.ca.gov>
- (c) State of California Fish and Game Commission: Notice of Proposed Changes in Regulations Regarding Upland Game Hunting; Any Person Interested may Present Statements, Orally or in Writing, on All Options Relevant to this Action at a Hearing to be Held at the Lexington Plaza Waterfront Hotel, 110 West Fremont Street, Stockton, CA, on Thursday, June 30, 2011, at 8:30 a.m., or as Soon Thereafter as the Matter may be Heard; Additionally, Any Person Interested may Present Statements, Orally or in Writing, on All Actions Relevant to this Action at a Hearing to be Held at the State of California, Resources Agency Building Auditorium, 1416 Ninth Street, Sacramento, CA, on Thursday, August 4, 2011, at 8:30 a.m., or as Soon Thereafter as the Matter may be Heard; Written Comments may be Submitted to Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, CA 94244-2090, or by Fax at (916) 653-5040, or by Email to [FGC@fgc.ca.gov](mailto:FGC@fgc.ca.gov); Written Comments Mailed, Faxed, or Emailed to the Commission Office Must be Received Before 5:00 p.m. on August 1, 2011; All Comments Must be Received No Later than August 4, 2011, at the Hearing in Sacramento; Information is on File and Available for Public Review from the Agency Representative, Jon K. Fischer, Acting Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, CA 94244-2090, Phone (916) 653-4899 (Please Direct Requests for the Documents and Inquiries Concerning the Regulatory Process to Sheri Tiemann at the Preceding Address or Phone Number); The Notice of Proposed Action Shall be Posted on the Fish and Game Commission Website at <http://www.fgc.ca.gov>



**PUBLIC EXPRESSION: (PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA)**

- Members of the public are welcome to address the Board on items not listed on the agenda and within the jurisdiction of the Board of Supervisors. The Board is prohibited by law from taking action on matters not on the agenda, but may ask questions to clarify the speaker's comment and/or briefly answer questions. The Board limits testimony on matters not on the agenda to 3 minutes per person and not more than 10 minutes for a particular subject at the discretion of the Chair of the Board.
- Individuals wishing to address the Board under Public Expression are welcome to do so throughout the meeting day. To best facilitate these items, please review and complete the public comment/speaker form available at the back of the Boardroom and present to the Clerk of the Board, the Chair of the Board, or your respective District Supervisor. If you wish to submit written comments, please provide 9 copies to the Clerk of the Board staff, located in the Administration Center, Room 1010. All meetings are tape-recorded and speakers are reminded to announce their names as they approach the podium.

**AMERICANS WITH DISABILITIES ACT (ADA) COMPLIANCE**

- The Board of Supervisors complies with ADA requirements and upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Clerk of the Board's Office by calling (707) 463-4221 at least five days prior to the meeting.

**ADDITIONAL MEETING INFORMATION FOR INTERESTED PARTIES**

- If you wish to address the Board on any matter on the agenda, please review and complete the public comment/speaker form available at the back of the Boardroom. If you wish to submit written comments, please provide 9 copies to the Clerk of the Board staff, located in the Administration Center, Room 1010
- The Board of Supervisors' agenda is posted on the County of Mendocino website at: [www.co.mendocino.ca.us/bos](http://www.co.mendocino.ca.us/bos)
- A copy of the Agenda Packet is available for public review in the Clerk of the Board's Office, Room 1010. Proposed actions and supporting documents are considered draft until acted upon by the Board
- Additional information on specific agenda items may be obtained by contacting the sponsoring departments. Contact information for County departments may be obtained at [www.co.mendocino.ca.us/ndx.htm](http://www.co.mendocino.ca.us/ndx.htm)
- Board proceedings are broadcast on the local Public Access Channel to accommodate greater public access; tune in at the corresponding Open Session time as posted on the front page of the Agenda
- 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)

**ANNOUNCING EXPANDED ONLINE INFORMATION**

- **LIVE WEB STREAMING OF BOARD MEETINGS:** [www.mendocinoaccess.org](http://www.mendocinoaccess.org) (Requires Windows Media Player Version 9 – for Technical Assistance Please Contact Mendocino Access Television (707) 357-0624
- Board Meeting Agenda Summary reports and supporting documentation are available online. Please Access the Selected Agenda from the Board's Website to View Additional Information: [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*



*The Consent Calendar (Agenda) is considered routine and non-controversial. The Board will adopt the Consent Calendar at one time without discussion. The Consent Calendar is adopted as the first order of business upon the start of the Open Session portion of the meeting. Any Board member may request that any item be removed from the Consent Calendar for individual consideration. Please consult with the Clerk of the Board for additional information.*

The following items are recommended for approval:

**GENERAL GOVERNMENT**

- (1) Adoption of Resolution Approving a Temporary Loan/Advance for Mendocino Coast Recreation and Park District – Auditor-Controller
- (2) Approval of Three-Year Contract with Gallina, LLP for Audit Services – Auditor-Controller
- (3) Adoption of an Ordinance Adding Chapter 5.170 of Title 5 to the Mendocino County Code Imposing a Library Special Transactions (Sales) and Use Tax – County Counsel, Executive Office, and Library
- (4) Adoption of a Resolution Regarding Proposed Ballot Initiative to Impose a One-Eighth Cent (0.125%) Library Special Transactions (Sales) and Use Tax – County Counsel, Executive Office, and Library
- (5) Approval of Amended Bylaws of the Mendocino County Indian Gaming Local Community Benefit Committee – County Counsel and Executive Office
- (6) Adoption of Resolution of the Board of Supervisors of the County of Mendocino, State of California, Authorizing the Fort Bragg Unified School District to Issue Series 2011 Bonds Without Further Action to the County – Treasurer-Tax Collector
- (7) Approval of Application for Outdoor Festival Permit for the Gaia Festival, to be Held at the Black Oak Ranch, Near Laytonville – Treasurer-Tax Collector
- (8) Approval of Application for Outdoor Festival Permit for the Kate Wolf Festival 2011, Located at 50350 Highway 101, Laytonville – Treasurer-Tax Collector
- (9) Approval of Application for Outdoor Festival Permit for the Redwood Run 2011 – Treasurer-Tax Collector

**HEALTH AND HUMAN SERVICES**

- (10) Adoption of Resolution Approving the Memorandum of Understanding (MOU) Between the In-Home Supportive Services (IHSS) Public Authority Governing Board and Service Employees International Union, Local 6434 (SEIU) Regarding In-Home Supportive Services Providers in Mendocino County for the Term of November 1, 2009, Through October 31, 2011, and Signing of Said MOU – Health and Human Services Agency/Social Services
- (11) Approval of Agreement with Yolo County (Woodland, CA) in the Amount of \$194,470 for Medical Consultant Services for the California Children's Services (CCS) Program for FY 2011-12 and FY 2012-13 – Health and Human Services Agency/Community Health Services
- (12) Approval of Appropriation Transfer within Budget Unit 4016, Emergency Medical Services (EMS) totaling \$55,000 – Health and Human Services Agency/Community Health Services
- (13) Approval of Appropriation Transfer within Budget Unit 4080, California Children's Services (CCS) Totaling \$150,000 – Health and Human Services Agency/Community Health Services



**HEALTH AND HUMAN SERVICES – CONTINUED**

- (14) Approval of Revenue Agreement with Ukiah Adventist Hospital dba Ukiah Valley Medical Center (UVMC) in the Amount of \$75,000 Per Year to Provide One Full-Time Eligibility Worker at UVMC for Medi-Cal Eligibility Services to Patients in Fiscal Years 2011-2012 and 2012-2013 – Health and Human Services Agency/Community Health Services
- (15) Ratification of Submission of an Application for the Provision of a Driving Under the Influence Education Program to be Submitted by Round Valley Indian Health Center; Approve Alcohol and Other Drug Programs Administrator Authority for Signing the Application – Health and Human Services Agency/Adult and Older Adult System of Care

**PUBLIC RESOURCES**

- (16) Approval of Letter of Opposition to SB 744 (Wyland) – Agriculture
- (17) Approval of Coastal Development Permit – Planning and Building Services  
CDP No. 38-2010 – Ronelle McMahon(Owner/Applicant)  
LOCATION: In the Coastal Zone, in the Community of Inglenook, on the East Side of Highway 1, Approx. ½ Mile East of Its Intersection with Camp One Ten Mile Rd. (CR No. 427), at 32951 Camp One Ten Mile Rd. (APN: 069-052-15)  
REQUEST: After the Fact Request to Convert Existing ~4,452 Sq. Ft. Barn to Single Family Residence with Attached Garage. Associated Development Includes Septic System and Utility Connections. Subject Parcel is Developed with Existing Hay and Livestock Barns, Driveway, and Spring
- (18) Adoption of Resolution Approving Airport Supervisor Agreement – Department of Transportation Agreement No. 110044 (Little River Area) – Transportation
- (19) Approval of Notice of Completion, Department of Transportation Contract No. 090086, Laytonville Pedestrian Facilities on Willis Avenue, CR 321D, M.P. 0.33 to M.P. 0.53 (Laytonville Area) – Transportation

**SUPERVISORS**

- (20) Adoption of Proclamation Recognizing June 12-18, 2011, as “Gay Pride Awareness Week in Mendocino County” – Supervisors Brown and Smith
- (21) Adoption of Proclamation Recognizing Mendocino County as a “Relay for Life Community,” on Saturday, June 11<sup>th</sup> and Sunday, June 12<sup>th</sup>, 2011 – Supervisors McCowen and Brown
- (22) Adoption of Resolution Granting Permission for the Mendocino County Fair and Apple Show to Hold a Parade in Boonville on Sunday, September 18, 2011 – Supervisor Hamburg