



**MENDOCINO COUNTY BOARD OF SUPERVISORS
ACTION MINUTES – JUNE 21, 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)**

REGULAR MEETING **SPECIAL SESSION** **PLANNING MATTERS**

AGENDA ITEM NOS. 1 & 2 – OPEN SESSION, ROLL CALL, AND PLEDGE OF ALLEGIANCE (9:19 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. Kristine Lawler, Deputy Clerk of the Board.

Pledge of Allegiance: Captain Tim Pearce.

T1-33

PUBLIC EXPRESSION

Presenter/s: Ms. Alison Talbott, Government Relations, Pacific Gas and Electric Company and Sheriff Tom Allman.

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 June 7, 2011, meeting, are approved with the amendment to delete the first directive listed on page no. 127 at the bottom of item 6c.

AGENDA ITEM NO. 4 – CONSENT CALENDARS – REGULAR AND AIR QUALITY MANAGEMENT DISTRICT

Presenter/s: Consent Calendar item 4(13) removed for separate consideration.

Public Comment: Ms. Pat Meek, Health and Human Services Agency (HHSA) Assistant Director.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that regular Consent Calendar items 4(1-12 and 14-19) are approved/denied as follows:

- (1) Claim Against the County
 - (a) Claim of Jason and Hannah Mayo -- Denied;
- (2) BOS 11-059 Approval of a Four-Year Contract Between the Sheriff's Office and California Forensic Medical Group, and Authorization of the Chair to Sign Same; Further Authorize the Sheriff to Sign the Additional Two One-Year Extensions – Sheriff -- Approved and the Chair is authorized to sign same;

- (3) Approval of the 2011 Edward Byrnes Justice Assistance Grant (JAG) from the U.S. Department of Justice, and Designation of Sheriff Tom Allman as the County’s Authorized Agent for the Grant – Sheriff – Approved;
- (4) Approval of the Purchase of a Western Shelter Systems HO20 Emergency Shelter; Approval of a Budget Transfer of \$8,000 from Asset Forfeiture Funds to Cover the Unanticipated Costs; and Approval of Adding the Emergency Shelter to the County Approved List of Fixed Assets – Sheriff – Approved;
- (5) Approval of Appointments-In-Lieu of Election for the August 30, 2011, Special District Election – Assessor/Clerk-Recorder -- Approved;

District	Appointee	Category
Irish Beach Water District	Kathleen U. Poling	Long-Term Director
Irish Beach Water District	Stephen Whitaker	Long-Term Director
Irish Beach Water District	Judy Anita Murray	Long-Term Director
Mendocino County Waterworks District 2	Eric Anderson	Long-Term Director
Mendocino County Waterworks District 2	Gregory Ford	Long-Term Director
Westport County Water District	Jeffrey H. Whitehouse	Long-Term Director
Westport County Water District	David Brothers	Short-Term Director

- (6) Acceptance of the Board of Supervisors’ Response to the 2010-2011 Grand Jury Report - “Are We Having Fun Yet” – County Counsel -- Approved and the Chair is authorized to sign same;
- (7) Acceptance of the Board of Supervisors’ Response to the 2010-2011 Grand Jury Report - “Are We Talking Yet?” – County Counsel -- Approved and the Chair is authorized to sign same;
- (8) Acceptance of the Board of Supervisors’ Response to the 2010-2011 Grand Jury Report - “Better Than Some Homes” – County Counsel -- Approved and the Chair is authorized to sign same;
- (9) Acceptance of the Board of Supervisors’ Response to the 2010-2011 Grand Jury Report - “Masters Fixing Disasters” – County Counsel -- Approved and the Chair is authorized to sign same;
- (10) Acceptance of the Board of Supervisors’ Response to the 2010-2011 Grand Jury Report - “Ricochet Bullets – No Problem!” – County Counsel -- Approved and the Chair is authorized to sign same;
- (11) Acceptance of the Board of Supervisors’ Response to the 2010-2011 Grand Jury Report - “Won’t You Please Adopt One of Us?” – County Counsel -- Approved and the Chair is authorized to sign same;
- (12) Approval of the 2011-2012 Recommended Budget per the Auditor’s Summary Tabulation Sheet – Executive Office – Approved;
- (14) BOS 11-060 Adoption of Resolution Authorizing the Board Chair to Sign the Workforce Investment Act (WIA) 2011/2013 Title I Master Subgrant Agreement No. K282483 on Behalf of the Workforce Investment Board (WIB) – Health and Human Services Agency/Community Health Services -- Adopted and the Chair is authorized to sign same –

RESOLUTION NO. 11-096

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE CHAIR TO SIGN THE WORKFORCE INVESTMENT ACT (WIA) 2011/2013 TITLE I MASTER SUBGRANT AGREEMENT NO. K282483

- (15) BOS 11-061 Approval of Agreement with Mendocino Coast Hospitality Center, Inc. in the Amount of \$90,693 to Provide Homeless Resource Services in Fiscal Year 2011-2012 – Health and Human Services Agency/Adult and Older Adult System of Care -- Approved and the Chair is authorized to sign same;

- (16) BOS 11-062 Approval of Agreement with TLC Child & Family Services (Sebastopol, CA) in the Amount of \$656,454 to Provide Emergency Shelter Care for Children Placed by Health and Human Services Agency (HSA) – Health and Human Services Agency/Children and Family System of Care -- Approved and the Chair is authorized to sign same;
- (17) Approval of Coastal Development Permit – Planning and Building Services
 CDP No. 10-2010/CDV No. 2-2011 – Robert Sundstrom (Owner) Sundstrom Stagecoach, LLC(Applicant)
 LOCATION: In the Coastal Zone, in the Town of Gualala, on the east side of Highway 1, approximately 500 ft. south of its intersection with Moonrise Dr. (CR No. 514C), at 39301 S. Hwy 1 and 47900 Center St. (CR No. 546) (APN: 145-262-22 and -30) (Parking variance location: 47900 Center St., 145-262-30).
 REQUEST: Grade and pave expanded parking area to serve the Gualala Hotel. Construct ~1,584 ft² rear deck to serve additional seating for restaurant and ~144 ft² gazebo adjacent to the rear deck. Demolition of existing ~541 ft² structure with attached deck. Grading activity for the parking lot occurred without the benefit of permits. Variance to allow off-site parking (11 spaces) on adjacent parcel under same ownership.

 The Board of Supervisors hereby authorizes the issuance of Coastal Development Permit No. 10-2010/CDV No. 2-2011
- (18) BOS 11-063 Approval of Cooperative Agreement with California Department of Food and Agriculture (CDFA) in the Amount of \$100,469.39 for Quarantine Enforcement Activities in Relation to European Grapevine Moth (EGVM) – Agriculture -- Approved and the Chair is authorized to sign same;
- (19) Adoption of Minute Order Approving Department of Transportation’s Request to Purchase a Replacement Printer and Add to the Fixed Asset List for Fiscal Year 2010/2011 – Transportation - - Adopted and the Chair is authorized to sign same.

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

- (13) Approval of Appropriation Transfer in the Amount of \$300,000 from Facilities and Fleet (BG-Budget Unit 1610) to IT Reserve (IT-Budget Unit 0717) to Fund the Acquisition and Purchase of Microsoft Licensing – General Services Agency.

Presenter/s: Supervisor Pinches.

Public Comment: Ms. Kristin McMenomey, General Services Agency Director.

Board Action: Foregoing introduced by Supervisor McCowen, seconded by Supervisor Brown, and carried (4/1, with Supervisor Pinches dissenting); with direction to staff to amend the agenda summary for this item to show that the source of funding is Budget Unit 1610, and the current fiscal year cost is \$300,000.

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

ITEM NO. 4B – AIR QUALITY MANAGEMENT CONSENT CALENDAR

- (1) Approval of Request to Reallocate \$48,397.00 of Carl Moyer Program Year 11 Funds Toward Projects in the North Coast Unified Air Pollution Control District in lieu of Returning the Funds to the State General Fund.

Presenter/s: Chair Smith.

Board Action: Foregoing introduced by Director McCowen, seconded by Director Brown, and carried unanimously to approve recommended action.

THE AIR QUALITY MANAGEMENT DISTRICT BOARD OF DIRECTORS WILL NOW RECONVENE AS THE BOARD OF SUPERVISORS

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 Directive: BY ORDER OF THE CHAIR Supervisor Reports will be continued later in the day.

Board Action: No action taken.

AGENDA ITEM NO. 8A – NOTICED PUBLIC HEARING – CONDUCT PUBLIC HEARING TO CONSIDER ADOPTION OF NEGATIVE DECLARATION FOR THE TEMPORARY WINTER ROAD CLOSURE OF USAL ROAD, CR 431, BETWEEN M.P. 6.26 AND M.P. 24.30, AND IF APPROPRIATE, ADOPT RESOLUTION APPROVING SAID NEGATIVE DECLARATION (WHITETHORN AREA) – SPONSORING DEPARTMENT: TRANSPORTATION

Presenter/s: Mr. Howard Dashiell, Transportation Director.

Public Comment: Ms. Atta P. Stevenson; Mr. Hawk Rosales; Mr. Daniel Rockey, Sr.; Ms. Lois Lockhart; and Mr. Jeffrey Hedin, Piercy Fire Protection District Commissioner.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Pinches, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts by Resolution a Negative Declaration for the project and authorizes and directs the Director of Transportation to file the applicable Notice of Determination.

RESOLUTION NO. 11-097

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADOPTING A NEGATIVE DECLARATION FOR THE TEMPORARY WINTER ROAD CLOSURE OF USAL ROAD, CR 431, BETWEEN M.P. 6.26 AND M.P. 24.30, AND IF APPROPRIATE, ADOPT RESOLUTION APPROVING SAID NEGATIVE DECLARATION (WHITETHORN AREA)

T1-252

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

Presenter/s: Mr. Howard Dashiell, Transportation Director.

Board Directive: GENERAL CONSENSUS OF THE BOARD hereby directs Mr. Howard Dashiell, Mr. Nash Gonzalez, and a community committee to meet with Supervisor Brown to come up with solutions, requirements, and associated costs regarding the short and long term liability issues of the Mill Creek Dams.

Board Action: No action taken.

RECESS: 11:05 – 11:10 A.M.

T1-620

AGENDA ITEM NO. 6B – PRESENTATION AND APPROVAL OF THE SHERIFF’S PLAN TO MEET HIS BUDGET WITH A \$19,500,005 COMBINED NET COUNTY COST FOR THE 2011-12 FISCAL YEAR – SPONSORING DEPARTMENT: SHERIFF

Presenter/s: Sheriff Tom Allman and Mr. Norm Thurston, Mendocino County Sheriff’s Office, Administrative Services Manager.

Public Comment: Mr. J.R. Rose.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the Board of Supervisors accepts and approves the Sheriff’s plan to meet his budget with a \$19,500,005 combined Net County Cost for the 2011-12 fiscal year.

T2-1207

AGENDA ITEM NO. 5A – CHIEF EXECUTIVE OFFICER REPORTS

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

Board Action: No action taken.

T1-1570

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. Kristi Furman, Deputy Chief Executive Officer.

Board Directive: GENERAL CONSENSUS OF THE BOARD hereby directs staff to invite State Representatives to give quarterly legislative updates to the Board.

Board Action: No action taken.

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

ADJOURN TO CLOSED SESSION: 12:16 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, 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 – SITTING AS THE AIR QUALITY MANAGEMENT DISTRICT BOARD OF DIRECTORS: PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – AIR QUALITY CONTROL OFFICER (CONTINUED FROM JUNE 14, 2011)

AGENDA ITEM NO. 11D – PURSUANT TO GOVERNMENT CODE SECTION 54956.9 - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: R.A.I.D. V. COUNTY OF MENDOCINO, MENDOCINO COUNTY SUPERIOR COURT CASE NO. MCVK CVCV 10-16804)

RECONVENED IN OPEN SESSION: 1:35 P.M.

T1-1851

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

Presenter: Chair Smith reported that Closed Session would be continued after the end of Open Session business.

Board Action: No action taken.

T1-1870

AGENDA ITEM NO. 6G – DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF AGREEMENT FOR SERVICES BETWEEN THE COUNTY OF MENDOCINO AND KNN PUBLIC FINANCE FOR FINANCIAL ADVISORY SERVICES RELATED TO 2011-12 TAX AND REVENUE ANTICIPATION NOTES (TRANS) – SPONSORING DEPARTMENTS: EXECUTIVE OFFICE AND TREASURER-TAX COLLECTOR

AGENDA ITEM NO. 6D – DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF AGREEMENT FOR SERVICES BETWEEN THE COUNTY OF MENDOCINO AND HAWKINS DELAFIELD & WOOD, LLP AS BOND COUNSEL FOR 2011-12 TAX AND REVENUE ANTICIPATION NOTES (TRANS) – SPONSORING DEPARTMENTS: EXECUTIVE OFFICE AND TREASURER-TAX COLLECTOR

Presenter/s: Ms. Shari Schapmire, Treasurer-Tax Collector; Mr. Bobby Chueng, KNN Public Finance, Assistant Vice President; and Mr. Arto Becker, Hawkins Delafield & Wood LLP, Partner/Bond Counsel.

Combined Board Action for 6G & 6D Motion: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts the Agreement BOS 11-064 for services between the County of Mendocino and KNN Public Finance for financial advisory services related to 2011-12 Tax and Revenue Anticipation Notes (TRANs); and adopts the Agreement BOS 11-065 for services between the County of Mendocino and Hawkins Delafield & Wood LLP as Bond Counsel for 2011-12 Tax and Revenue Anticipation Notes (TRANs).

T2-2347

AGENDA ITEM NO. 6C – DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF AGREEMENT FOR SERVICES BETWEEN THE COUNTY OF MENDOCINO AND HAWKINS DELAFIELD & WOOD, LLP AS BOND COUNSEL FOR THE 2011 REFUNDING CERTIFICATES OF PARTICIPATION (COPs) – SPONSORING DEPARTMENTS: EXECUTIVE OFFICE AND TREASURER-TAX COLLECTOR

AGENDA ITEM NO. 6E – DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF AGREEMENT FOR SERVICES BETWEEN THE COUNTY OF MENDOCINO AND KNN PUBLIC FINANCE FOR FINANCIAL ADVISORY SERVICES RELATED TO 2011 REFUNDING CERTIFICATES OF PARTICIPATION (COPs) – SPONSORING DEPARTMENTS: EXECUTIVE OFFICE AND TREASURER-TAX COLLECTOR

Presenter/s: Ms. Shari Schapmire, Treasurer-Tax Collector; Mr. Bobby Chueng, KNN Public Finance, Assistant Vice President; and Mr. Arto Becker, Hawkins Delafield & Wood LLP, Partner/Bond Counsel.

Public Comment: Mr. Jack Cox.

Combined Board Action for 6C & 6E Motion: Upon motion by Supervisor McCowen, seconded by Supervisor Pinches, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts the Agreement BOS 11-066 for services between the County of Mendocino and Hawkins Delafield & Wood LLP as Bond Counsel for the 2011 refunding Certificates of Participation (COPs); and adopts the Agreement BOS 11-067 for services between the County of Mendocino and KNN Public Finance for Financial Advisory Services related to 2011 refunding Certificates of Participation (COPs).

AGENDA ITEM NO. 6F – DISCUSSION AND POSSIBLE ACTION REGARDING ADOPTION OF AGREEMENT FOR SERVICES BETWEEN THE COUNTY OF MENDOCINO AND KNN PUBLIC FINANCE FOR MUNICIPAL FINANCE ADVISORY CONSULTING SERVICES – SPONSORING DEPARTMENTS: EXECUTIVE OFFICE AND TREASURER-TAX COLLECTOR

Presenter/s: Ms. Shari Schapmire, Treasurer-Tax Collector; Mr. Bobby Chueng, KNN Public Finance, Assistant Vice President; and Mr. Arto Becker, Hawkins Delafield & Wood LLP, Partner/Bond Counsel.

Board Action: Upon motion by Supervisor Pinches, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts the Agreement BOS 11-068 for services between the County of Mendocino and KNN Public Finance for Municipal Finance Advisory Consulting Services.

T3-320

AGENDA ITEM NO. 8B – NOTICED PUBLIC HEARING: CONTINUED PUBLIC HEARING TO REVIEW AND DISCUSS THE DRAFT 2007 UKIAH VALLEY AREA PLAN (UVAP), AND CONFIRMATION OF A DATE CERTAIN ON AUGUST 2, 2011, TO CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR) AND ADOPT THE UVAP (CONTINUED FROM JUNE 14, 2011) – SPONSORING DEPARTMENT: PLANNING AND BUILDING SERVICES

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

Public Comment: Mr. Jack Cox; Ms. Lisa Hillegas; Mr. J. R. Rose.; Ms. Lois Lochart; Mr. Stephen Scalmanini; and Mr. Tony Shaw.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown and carried unanimously; IT IS ORDERED that the Board of Supervisors hereby approves the land use changes consistent with the preferred project recommendations for items 40 through 41 of the Draft UVAP Section 3, page 20.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg and carried unanimously; IT IS ORDERED that the Board of Supervisors hereby approves zoning of Mixed Use –Two (MU-2) for items 23 through 24 of the draft Ukiah Valley Area Plan Section 3, page 20.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Hamburg and carried (3/2 with Supervisors McCowen and Hamburg dissenting); IT IS ORDERED that the Board of Supervisors hereby approves the conversion of 17 acres of AG 40 south of Lover’s Lane parcels, item 22 of the Draft UVAP Section 3, page 20, to be zoned Suburban Residential (SR).

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Pinches and carried unanimously; IT IS ORDERED that the Board of Supervisors hereby approves the land use changes consistent with the preferred project recommendations for items 10, 11, 13, and 14 of the Draft UVAP Section 3, page 20

RECESS: 3:26 – 3:38 P.M.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Pinches and carried unanimously; IT IS ORDERED that the Board of Supervisors hereby approves the land use changes consistent with the preferred project recommendations for items 7 and lower 9 of the maps submitted to the Board for the June 21, 2011, Board of Supervisor’s meeting.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Pinches and carried (4/1 with Supervisor McCowen dissenting); IT IS ORDERED that the Board of Supervisors hereby approves the land use changes consistent with the preferred project recommendations for items 8 and upper 9 of the maps submitted to the Board for the June 21, 2011, Board of Supervisor’s meeting.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Pinches and carried (4/1 with Supervisor McCowen dissenting); IT IS ORDERED that the Board of Supervisors hereby approves the land use changes consistent with the preferred project recommendations for item 3 of the Draft UVAP Section 3, page 20.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor Pinches and carried (3/2 with Supervisors McCowen and Smith dissenting); IT IS ORDERED that the Board of Supervisors hereby changes a previous consideration (made on June 14, 2011) and approves the land use changes consistent with the preferred project recommendations for item 30 of the Draft UVAP Section 3, page 20. *(After further consideration regarding their previous direction to staff, the Board decided to revisit their direction to staff and Board Action, given at the Board meeting held on June 14, 2011, regarding item #30 of the Draft UVAP Section 3, page 20.)*

RECESS: 4:35 – 4:40 P.M.

Board Directive: GENERAL CONSENSUS OF THE BOARD hereby directs staff to:

1. Incorporate all land use changes made by the Board on June 14, 2011 and June 21, 2011; and revise the land use map contained within the UVAP document to reflect those changes.
2. Accept the Planning Commissions recommended policies and text changes as contained within the staff memorandum of April 29, 2011 for items 1 – 11, with the modification to item 4 to develop a policy framework which provides the strongest possible language utilizing the traffic nexus study and the AB 1600 study, and supporting the concept that a City/County adoption is desirable; and to strike the language at the end of item 9 which reads “until such time as funding is eliminated.”
3. Bring back to the Board on August 2, 2011, the final UVAP document for final action and adoption.

4. Bring back to the Board on August 2, 2011, the final Environmental Impact Report, with approved changes, for certification by the Board of Supervisors.
5. Commence the processing of the rezoning only associated with meeting the County's obligations under the housing lawsuit settlement between the County and Legal Services of Northern California, and for those parcels that include the Grace Hudson School and the Calpella Sewage Treatment Facility; and determine the process for rezoning of all the other remaining sites.
6. Process the mixed-use zoning classification, to be brought back to the Board along with the rezoning classifications at a subsequent meeting in the fall.

PUBLIC HEARING CLOSED AT 6:07 P.M.

7. Incorporate the following items from the June 10, 2011, letter from the Ukiah Valley Smart Growth coalition:
 - a. Page 4, I. Section 2: Vision – Item 2
 - b. Page 5, I. Section 2: Vision – Item 4
 - c. Page 5, II. Section 3: Land Use and Community Development – Item 1, with the exception of using a Mixed Use (MU) category in place of the UR category mentioned.
8. In regards to Impact 3.10-J of the Farm Bureau letter dated March 22, 2011, from Mike Anderson, add more expansive language that would reference the use of waste water for AG, irrigation, and frost protection as well as urban uses.
9. Incorporate the following changes to Section 5: Circulation and Transportation, Table 5.2 – Conceptual Road Extensions:
 - a. Strike the Orr Springs Road to Lovers Lane
 - b. Strike the Oak Knoll to Stipp Lane or Hwy 253, and take off of Figure 5.1 – Existing and Proposed Road Network
 - c. Strike red dot off of Figure 5.1 depicting proposed intersection improvement at Gobbi and Babcock Lane
 - d. Change Figure 5.1 title to read “Existing and Conceptual Proposed Road Network.”

T5-1640

AGENDA ITEM No. (7D) – SUPERVISORS REPORTS – OFF AGENDA ITEM – PURSUANT TO GOVERNMENT CODE SECTION 54954.2 – APPROVAL OF LETTER OF CONCERN REGARDING ONE SINGULAR COASTAL CONGRESSIONAL DISTRICT NORTH OF SAN FRANCISCO – SUPERVISORS BROWN AND SMITH

Presenter/s: Supervisor Smith reported that urgent Board consideration of this matter is necessary due to the late notification she received the night before and the time-sensitive urgency.

Board Action: Upon motion by Supervisor Brown, 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 Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors hereby authorizes approval of a letter of concern regarding one singular coastal congressional district north of San Francisco.

Discussion on Motion: Supervisor Pinches expressed concern with approving a letter that hasn't been drafted.

T5-1804

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

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

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

Presenter/s: Chair Smith and fellow Board members.

AGENDA ITEM No. 12 – COUNTY COUNSEL

Presenter/s: No report presented.

Board Action: No action taken.

AGENDA ITEM No. 13 – COMMUNICATIONS RECEIVED AND FILED

- (a) Office of Historic Preservation, Department of Parks and Recreation, Notice of California Historical Landmark Nomination for Frog Woman Rock (AKA Squaw Rock): Action Scheduled to Take Place at the Next Quarterly Meeting of the State Historical Resources Commission, August 5, 2011, at 9:00 A.M., City Council Chambers, Auburn City Hall, 1225 Lincoln Way, Auburn, CA 95603; Any Interested Party may Address the Commission Regarding the Nomination Prior to the Commission Taking Action on the Nomination; Written Comments may be Submitted to California State Parks, Attn: Office of Historic Preservation, Milford Wayne Donaldson, FAIA, State Historic Preservation Officer, 1725 23rd Street, Suite 100, Sacramento, CA 95816; It is Requested that Comments be Submitted 15 Days Prior to the Meeting; Further Information is Available Online at www.ohp.parks.ca.gov; Please Contact (916) 445-7000 with Any Questions.
- (b) California Air Resources Board (ARB), Notice of Posted Supplement to the AB 32 Scoping Plan Functional Equivalent Document (FED) Prepared in Accordance with ARB's Certified Regulatory Program and the California Environmental Quality Act: The Supplement is Available Online at www.arb.ca.gov/cc/scopingplan/document/scopingplandocument.htm; Information on a Planned Public Workshop to be Held During the 45-Day Comment Period will be Posted on ARB's Website at www.arb.ca.gov/cc/scopingplan/scopingplan.htm; Comments will be Accepted During a 45-Day Comment Period Beginning on June 13, 2011, and Ends on July 28, 2011; A Board Hearing is Presently Scheduled for August 24, 2011, at 9:00 A.M., at the Byron Sher Auditorium, 1001 I Street, Sacramento, CA; Written Comments Must be Received No Later than July 28, 2011, and Must be Addressed to the Following: Clerk of the Board, Air Resources Board, 1001 I Street, Sacramento, CA 95814, or Electronically at www.arb.ca.gov/lispub/comm/bclist.php.

ADJOURNED TO CONTINUED CLOSED SESSION: 6:21 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, 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 – SITTING AS THE AIR QUALITY MANAGEMENT DISTRICT BOARD OF DIRECTORS: PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – AIR QUALITY CONTROL OFFICER (CONTINUED FROM JUNE 14, 2011)

AGENDA ITEM No. 11D – PURSUANT TO GOVERNMENT CODE SECTION 54956.9 - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: R.A.I.D. v. COUNTY OF MENDOCINO, MENDOCINO COUNTY SUPERIOR COURT CASE NO. MCUK CVCV 10-16804)

RECONVENED IN OPEN SESSION AT: 6:38 P.M.

T1-1851

AGENDA ITEM No. 11A – REPORT OUT OF CONTINUED CLOSED SESSION - CONTINUED

Presenter: Chair Smith reported that direction was given to staff regarding labor negotiations.

Board Action: No action taken.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 6:38 P.M.

Attest: KRISTINE LAWLER
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.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