

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

### JULY 12, 2011 – 9:00 A.M.

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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

#### 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. 4)

Televised  
Board Meetings  
(See Page No. 4)

## MEETING HIGHLIGHTS



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

#### **Public Expression**

(Approximately 9:05 a.m. - See Page No. 4)

#### **Presentation of 2010 Crop Report**

(Approximately 9:45 a.m. - See Item No. 6d)

#### **Adjourn to Lunch Recess**

(Approximately 12:00 Noon)

#### **Reconvene for Afternoon Session**

(Approximately 1:30 p.m.)

**Informational Presentation by the Renewable Energy  
Development Institute (REDI) on the New, Statewide,  
"Energy Upgrade California" Program**

(Approximately 1:30 p.m. - See Item No. 8c)

**Informational Presentation Regarding the Calpella  
Community "Master Plan" Prepared by Design Community  
& Environmental, Inc. (Calpella Area)**

(Approximately 2:00 p.m. - See Item No. 6b)

**Informational Presentation Regarding Ukiah Crossroads  
"Master Planning" in Connection with 2010/2011  
Redevelopment Agency Work Plan (Ukiah Area)**

(Approximately 2:30 p.m. - See Item No. 6c)

#### **Adjourn to Closed Session**

(Approximately 5:00 p.m. - See Item No. 11)

#### **Report Out from Closed Session**

(Approximately 5:30 p.m.)

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 June 14, 2011, Special Board Meeting
- Approval of Minutes of June 21, 2011, 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 Executive Office for additional information.*

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

- (a) Chief Executive Officer's Report
- (b) Discussion and Possible Action Including Review, Adoption, Amendment, Consideration or Ratification of Legislation Pursuant to the Adopted Legislative Platform

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

- (a) Department of Transportation – Director's Report
- (b) Informational Presentation Regarding the Calpella Community "Master Plan" Prepared by Design Community and Environmental, Inc. (Calpella Area) – Sponsoring Department: Transportation
- (c) Informational Presentation Regarding Ukiah Crossroads "Master Planning" in Connection with 2010/2011 Redevelopment Agency Work Plan (Ukiah Area) – Sponsoring Department: Transportation
- (d) Presentation of 2010 Crop Report – Sponsoring Department: Agriculture

### 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) Adoption of Proclamation Recognizing Invasive Weed Awareness Week July 18 - July 22, 2011 – Supervisors Smith and Hamburg
- (b) Discussion and Possible Action on a Report from Greg Giusti, UC Cooperative Extension Forest Advisor, Related to Market Conditions Impacting the County's Planned FY 2011-12 Timber Harvest at the Little River Airport Timberland Tract (LRA) – Sponsoring Department: Executive Office
- (c) Informational Presentation by the Renewable Energy Development Institute (REDI) on the New, Statewide, "Energy Upgrade California" Program – Supervisors Smith and Hamburg



**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 Executive Office 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) (1)
- (h) Community Development Commission (Tenant Commissioner) (1)
- (i) Commission on the Status of Women (Under Review) (12)
- (j) Grievance Appeals Committee (Various) (3)
- (k) Gualala Municipal Advisory Council (Alternate) (1)
- (l) Health and Human Services Agency Advisory Board (Education and Community) (2)
- (m) Indian Gaming Local Community Benefit Committee (Under Review) (7)
- (n) In-Home Supportive Services Advisory Committee (Current or Former HHSA 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 Forest Council (Public Members) (4)
- (s) Mendocino County Museum Advisory Board (3rd and 5th Districts) (2)
- (t) Mendocino Transit Authority (County B Representative) (1)
- (u) Mental Health Board (1st,2nd,3rd,5th District Consumers) (4)
- (v) Policy Council on Children and Youth (Various) (16)
- (w) Potter Valley Cemetery District Board (Director) (1)
- (x) Workforce Investment Board (Various) (9)

**ITEM NO. 11 – CLOSED SESSION (TIMED ITEM: 5:00 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

**ITEM NO. 12 – COUNTY COUNSEL**

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

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

- (a) CalRecycle: Notice of Workshop Regarding Proposed AB 32 Mandatory Commercial Recycling Regulation; Workshop to be Held on Tuesday, July 19, 2011, from 1:30 P.M. Until 4:30 P.M. in the Byron Sher Auditorium Located at CalEPA, 1001 I Street, Sacramento, CA 95814 – Participation Via Webcast will be Available; Information is Available Online at: <http://calrecycle.ca.gov/Climate/Recycling/default.htm>



- (b) State of California Fish and Game Commission: Notice of Proposed Emergency Changes in Regulations; Readopted Section 749.6, Title 14, California Code of Regulations (CCR), Relating to Incidental Take of Mountain Yellow-Legged Frog During Candidacy Period; Contact State of California Fish and Game Commission for More Information: 1416 Ninth Street, Box 944209, Sacramento, CA 94244-2090; Telephone (916) 653-4899; Fax (916) 653-5040; Email: [fgc@fgc.ca.gov](mailto:fgc@fgc.ca.gov)
- (c) State of California Fish and Game Commission: Notice of Correction Regarding May 27, 2011, Notice of Proposed Regulatory Action Relating to Inspection of Facilities for Restricted Species; Updated and Associated Documents May be Found at: [www.fgc.ca.gov/regulations/new/2011/proposedregs11.asp](http://www.fgc.ca.gov/regulations/new/2011/proposedregs11.asp); The Location of the June 30, 2011, Meeting has been Changed to 110 W. Fremont Steet, Stockton, CA; The Proposed Adoption Hearing will be Held in Sacramento, CA; Contacts Regarding the Substance of the Proposed Regulations Include Jon Snellstrom, (916)653-4899 Re: Administrative Procedure Act, Lori Heier, (916)928-4665, Re: License and Permit Process, and Nicole Carion, (530)357-3986, Re: Substance/Funding of the Proposed Regulations

**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 10 copies to the Executive Office, 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 10 copies to the Executive Office, 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 Executive 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*



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The following items are recommended for denial:

- (1) Claims Against the County
  - (a) Claim of Progressive Choice Insurance ASO Linda Lukas
  - (b) Claim of Heidi Dewey-McKeown

The following items are recommended for approval:

**CRIMINAL JUSTICE**

- (2) Adoption of Resolution Authorizing the Victim Witness Assistance Program and Approval of the Grant Application for Grant Period July 1, 2011 - June 30, 2012 – District Attorney
- (3) Approval of “Memorandum of Understanding for Security Services” Between the Superior Court of California, County of Mendocino and the County of Mendocino for the Mendocino County Sheriff’s Office to Provide Bailiff Services and Court Security to the Mendocino County Courthouse; Changing from Sheriff’s Lieutenant in Previous MOU to Sheriff or Sheriff’s Designee – Sheriff

**GENERAL GOVERNMENT**

- (4) Approval of Memorandum of Understanding Between the Superior Court of Mendocino County and the County of Mendocino for Fiscal Year 2011-12 – Auditor-Controller
- (5) Adoption of an Ordinance Repealing Mendocino County Code Sections 5.120.010-5.120.090, Pertaining to Jail Booking Fees on Local Public Agencies – Executive Office
- (6) Approval of Agreement with the Mendocino County Lodging Association for the Services, Activities, and Programs of the Mendocino County Lodging Business Improvement District (BID) – Executive Office
- (7) Approval of Agreement with the Mendocino County Promotional Alliance (MCPA) for the Promotion and Marketing of Mendocino County, in an Amount Estimated at \$300,000 – Executive Office
- (8) Approval of Letter in Opposition of SB 931 (Vargas) Relating to Public Employee Organizations, Which Would Limit Legal Counsel for Public Employers – Executive Office
- (9) Ratification of Letter to Governor Brown in Support of AB 1265 (Nielsen) Reinstating the Williamson Act Alternative Funding Mechanism Previously Implemented by the Mendocino County Board of Supervisors Under the Provisions of SB 863 – Executive Office
- (10) Approval of Amendment to Agreement with Medco Health Solutions, Inc. in the Amount of Approximately \$7,000 (for Total Contract Amount of Approximately \$1,996,803) to Provide Prescription Claims Data to the County’s Health Plan Consultant for the Non-Medicare Eligible Retiree Health Plan as required by HHS for reimbursement through the Early Retiree Reinsurance Program (ERRP) – Human Resources
- (11) Approval of Application for Camping for the Reggae on the River Outdoor Festival to be Held on July 17 and 18, 2011– Treasurer-Tax Collector



**GENERAL GOVERNMENT – CONTINUED**

- (12) Approval of Application for Outdoor Festival Permit for the Art in the Redwoods/Gualala Arts, to be Located at 46501 Old State Highway, Gualala, to be Held on August 18 - 21, 2011 – Treasurer-Tax Collector
- (13) Approval of Application for Outdoor Festival Permit for the Mendocino Music Festival for July 2011, to be Held on July 9 - 23, 2011 – Treasurer-Tax Collector

**PUBLIC RESOURCES**

- (14) Approval of USDA Wildlife Services Annual Work Plan for Fiscal Year 2011-2012 for \$113,292.00 – Agriculture
- (15) Acceptance of Annual Report on the Implementation of the Housing Element of the General Plan in Compliance with Government Code 65400 – Planning and Building Services
- (16) Approval of Corrective Grant Deed, Certificate of Acceptance and Declaration of Restrictions per Coastal Commission Request to Comply with Condition 20 of Appeal No. A-1-MEN-07-028 (Jackson-Grube Family, Inc.) – Planning and Building Services
- (17) Adoption of Resolution Approving Agreements for the Acquisition of Easements for Utilities Needed in Conjunction with Gualala Underground Utility District No. 10, Project No. UG06G01 (Gualala Area) – Transportation
- (18) Adoption of Resolution Approving Department of Transportation Agreement No. 110056, Allowing for Continued Groundwater Investigation and Monitoring Services with Shaw Environmental & Infrastructure, Inc. for Investigation and Remediation Work at the Covelo Corporation Yard, Former Underground Storage Tank (UST) Site (Round Valley Area) – Transportation

**SUPERVISORS**

- (19) Approval of Transmittal of a Letter to Mendocino County's Legislative Representatives Requesting Reconsideration of the Federal Emergency Management Authority's (FEMA) Denial of a Federal Declaration of Disaster Associated with the March 2011 Tsunami Incidents – Supervisor Smith
- (20) Approval of Letter of Support of the Mendocino Land Trust's Grant Application to the California Farmland Conservancy Program to Develop a Mendocino County Farmland Conservation Plan – Supervisor Smith