

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

MENDOCINO COUNTY BOARD OF SUPERVISORS

AGENDA AUGUST 23, 2011 – 9:00 A.M.

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. 3)*

*Continued Public Hearing:
Conduct Public Hearing to Discuss
Supervisorial District Boundary Adjustments
(Approximately 9:15 a.m. – See Item No. 8a)*

*Discussion and Possible Direction to Staff Regarding
Revisions to the Stormwater Ordinance,
Chapter 16.30 of the Mendocino County Code
(Approximately 11:00 a.m. – See Item No. 8b)*

*Adjourn to Closed Session
(Approximately 12:00 p.m.)*

*Reconvene for Afternoon Session & Report Out from Closed Session
(Approximately 1:30 p.m.)*

*Noticed Public Hearing:
Discussion and Possible Action on Appeal Made to
Planning Commission Approval of Use Permit and Reclamation Plan
No. U 7-2010 (Grist Creek Aggregates)
(Approximately 1:30 p.m. – See Item No. 8c) **USE PERMIT WITHDRAWN***

*Noticed Public Hearing:
Discussion and Possible Action to Adopt General Plan Amendment
No. GP 3-2006 and Rezone No. R 4-2006 by Ordinance and Resolution,
for Property Located at 10275 and 10501 Old River Road, Hopland
(Approximately 3:00 p.m. – See Item No. 6a)*

*Noticed Public Hearing:
Discussion and Possible Action to Adopt General Plan Amendment
No. GP 4-2010 and Rezone No. R 5-2010 by Ordinance and Resolution,
for Property Located at 3401 and 3501 Taylor Drive, Ukiah
(Approximately 3:00 p.m. – See Item No. 6b)*

Order of Agenda:
Open Session,
Roll Call &
Pledge of Allegiance
Public Expression
Adoption of
Consent Calendars
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)

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 August 16, 2011, Board Meeting

ITEM NO. 4 – CONSENT CALENDARS

- (a) Regular Consent Calendar (*See Attached*)
- (b) Redevelopment Agency of the County of Mendocino 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
- (c) Discussion and Possible Action Regarding Approval of Amendment No. 11 to Franchise Contract with Empire Waste Management for Solid Waste Refuse Area No. 2 Extending Term to 2021 and Making Other Changes
- (d) Discussion and Possible Action Regarding Introduction and Waive Reading of an Ordinance Adding Chapter 11.10 of Title 11 to the Mendocino County Code Providing for the Reinstatement and Continuation of the Powers of the Redevelopment Agency of the County of Mendocino

ITEM NO. 6 – DEPARTMENTAL MATTERS AND REPORTS

- (a) *Noticed Public Hearing – 3:00 p.m.:* Discussion and Possible Action to Adopt General Plan Amendment No. GP 3-2006 and Rezone No. R 4-2006 by Ordinance and Resolution, for Property Located at 10275 and 10501 Old River Road, Hopland – Sponsoring Department: Planning and Building Services
- (b) *Noticed Public Hearing – 3:00 p.m.:* Discussion and Possible Action to Adopt General Plan Amendment No. GP 4-2010 and Rezone No. R 5-2010 by Ordinance and Resolution, for Property Located at 3401 and 3501 Taylor Drive, Ukiah – 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) *Continued Public Hearing – 9:15 a.m.:* Conduct Public Hearing to Discuss Supervisorial District Boundary Adjustments – Sponsoring Department: County Counsel (*Continued from August 16, 2011*)



ITEM NO. 8 – MISCELLANEOUS – CONTINUED

- (b) Discussion and Possible Direction to Staff Regarding Revisions to the Stormwater Ordinance, Chapter 16.30 of the Mendocino County Code
- (c) ~~Noticed Public Hearing – 1:30 p.m.: Discussion and Possible Action on Appeal made to Planning Commission Approval of Use Permit and Reclamation Plan No. U 7-2010 (Grist Creek Aggregates) – Sponsoring Department: Planning and Building Services~~
USE PERMIT WITHDRAWN

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

ITEM NO. 11 – CLOSED SESSION

- (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, Pat Meek, Stacey Cryer, and MaryLou Leonard; Employee Organization(s): IHSS Providers
- (b) Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator – Agency Negotiators: Carmel J. Angelo, Pat Meek, Meredith Ford, and Rick Haeg; Employee Organization(s): All
- (c) Pursuant to Government Code Section 54956.9c – Conference with Legal Counsel – Initiation of Litigation: One Case

ITEM NO. 12 – COUNTY COUNSEL

- (a) Discussion and Possible Action for Appointment to the Ad Hoc Committee to Recommend Draft Medical Marijuana Dispensary Regulations

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.

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
- 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
- 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

ANNOUNCING EXPANDED ONLINE INFORMATION

- **LIVE WEB STREAMING OF BOARD MEETINGS:** 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

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:

CRIMINAL JUSTICE

- (1) Authorization to Hire Paul D. Sequeira as an Extra Help Assistant District Attorney – District Attorney
- (2) Authorization to Purchase and Install a 24' x 24' Storage Building to Store Sheriff's Office Vehicles and Equipment, Add the Building to the County's Approved List of Fixed Assets, and Approve the Attached Budget Transfer – Sheriff

GENERAL GOVERNMENT

- (3) Acceptance of the Board of Supervisors' Response to the 2010-2011 Grand Jury Report - "A Pot Paradox or Bud Bingo" – County Counsel
- (4) Acceptance of the Board of Supervisors' Response to the 2010-2011 Grand Jury Report - "Definitely Not a Five Star Hotel" – County Counsel
- (5) Acceptance of the Board of Supervisors' Response to the 2010-2011 Grand Jury Report - "Success is a Plea Bargain, A Win is a Lesser Charge" – County Counsel

HEALTH AND HUMAN SERVICES

- (6) Adoption of a Proclamation for Linda Nagel's Retirement from the Health and Human Services Agency of Mendocino County After 33 years of Service – Health and Human Services Agency/Community Health Services
- (7) Approval of Agreement with Mendocino Coast Hospitality Center, Inc. in the Amount of \$67,835 to Provide Supportive Housing Program (SHP), Seamless Transition Empowerment Program (STEP) in Fiscal Year 2011/2012 – Health and Human Services Agency/Social Services
- (8) Approval of Agreement with Mendocino County AIDS Volunteer Network (MCAVN) in the Amount of \$60,402 to Continue Provision of HIV Care Program Services to People with HIV and AIDS in Mendocino County in Fiscal Year 2011-2012 – Health and Human Services Agency/Community Health Services
- (9) Approval of Application for Breastfeeding Peer Counseling Program Grant in the Amount of \$101,000 to Provide Breastfeeding Support to Women, Infants and Children (WIC) Program Participants in Federal Fiscal Year 2011-2012 – Health and Human Services Agency/Community Health Services
- (10) Approval of Mendocino County's Mental Health Services Act (MHSA) Fiscal Year 2011/2012 Annual Update for Community Services and Supports, Workforce Education and Training and Prevention and Early Intervention Components – Health and Human Services Agency/Mental Health Services

PUBLIC RESOURCES

- (11) Adoption of Resolution Approving Payment of Two Invoices from the City of Fort Bragg for Leachate Disposal Fees for the Caspar Landfill, One for the Period January 1, 2010 through December 31, 2010 (Fiscal Years 2009/10 and 2010/11) and One for the Period January 1, 2011 through June 30, 2011 (Fiscal Year 2010/11) (Caspar Area) – Transportation



PUBLIC RESOURCES – CONTINUED

- (12) Approval of Notice of Completion, Department of Transportation Contract No. 070123, 2006 Storm Damage Repairs on Orr Springs Road, CR 223, M.P. 33.80, M.P. 34.56 and M.P. 34.60 (Ukiah Area) – Transportation

SUPERVISORS

- (13) Adoption of Resolution Pursuant to CalTrans/California Highway Patrol's Joint Policy Guidelines for Special Events on State Conventional Highways in Order to Obtain a Permit from Caltrans for the California Indian Days Parade in Covelo, California, on September 24, 2011 – Supervisor Pinches
- (14) Adoption of Resolution Supporting the Designation of a Portion of State Highway Route 101 in the County of Mendocino as the Paul C. Jarske Memorial Highway – Supervisor Pinches



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:

- (1) Acceptance of the Redevelopment Agency Board of Director's Response to the 2010-2011 Grand Jury Report - "Breaking News: Big Changes Coming for Redevelopment Agencies" – County Counsel
- (2) Adoption of Resolution to Approve and Adopt the Enforceable Obligation Payment Schedule for the Redevelopment Agency of the County of Mendocino – Executive Office



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(1)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** August 10, 2011

FROM: District Attorney **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: DA David Eyster **PHONE:** 463-4211 Present On Call
Kathryn Cavness **PHONE:** 463-4194

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ AGENDA TITLE: BOS AUTHORIZATION TO HIRE PAUL D. SEQUEIRA AS AN EXTRA HELP ASSISTANT DISTRICT ATTORNEY

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: None

■ SUMMARY OF REQUEST:

The District Attorney’s Office is requesting Board authorization to hire Paul D. Sequeira as an Extra-Help Assistant District Attorney at Step 5 due to extraordinary circumstances and for the purpose of protecting public safety. Mr. Sequeira possesses exceptional qualifications that absolutely justify this action including:

- 1) A 27 year career as an exemplary management level prosecutor for Contra Costa County, including experience as Assistant District Attorney
- 2) A Bachelor of Arts Degree in Political Science from U. C. Berkley 1981
- 3) Juris Doctorate from Willamette University College of Law 1984
- 4) Admitted to the California Bar 1984
- 5) Supervisor of the Homicide Unit
- 6) Instructor for the California District Attorneys’ Association
- 7) Instructor for the Los Medanos Police Academy
- 8) CDAA Victims Rights Committee
- 9) CDAA Capital Litigation Committee

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
BU 2070	\$95,180.80	N/A	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **■ VOTE REQUIREMENT:** Majority 4/5ths

■ RECOMMENDED ACTION/MOTION: Authorize hiring Paul D. Sequeira as an Extra-Help Assistant District Attorney in the interest of public safety.

■ ALTERNATIVES: Do not authorize the hiring of Paul D. Sequeira as Extra-Help Assistant District Attorney, thereby compromising public safety by denying the District Attorney the second in command he needs to run the office.

■ CEO REVIEW (NAME): _____ **PHONE:** _____

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(2)

-Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
 -Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** 08/09/2011

FROM: Sheriff's Office **MEETING DATE:** 08/23/2011

DEPARTMENT RESOURCE/CONTACT: Sheriff Allman **PHONE:** 463-4085 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: 10 min

■ **AGENDA TITLE:** Authorization to Purchase and Install a 24' x 24' Storage Building to Store Sheriff's Office Vehicles and Equipment, Add the Building to the County's Approved List of Fixed Assets, and Approve the Attached Budget Transfer.

■ **PREVIOUS BOARD/BOARD Committee ACTIONS:** The Board Has Approved Similar Requests in the Past for various County departments.

■ **SUMMARY OF REQUEST:** The Sheriff currently has no facility available for out of the elements storage of Vehicles and Equipment. The Sheriff is Requesting Authorization to Purchase and Install a 24' x 24' Metal Building to Store Sheriff's Emergency Response Vehicles and Equipment. These Vehicles include the Citizen Rescue Vehicle "CRV" whose manufacturer recommends storing out of the Sun and Elements to Extend the useful life of the Vehicle. It would also be used to store All Terrain Vehicles "ATVs" and Snowmobiles. The Total Cost for the Purchase and Installation on Existing County Property would be from a PG&E Grant with the remainder coming from the Sheriff's Special Project fund.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:**

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):**

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
PG&E grant/Sheriff's Special Projects Fund	\$6,465	-0-	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

■ **SUPERVISORIAL DISTRICT:** 1 2 3 4 5 All ■ **VOTE REQUIREMENT:** Majority 4/5ths

■ **RECOMMENDED ACTION/MOTION:** Approve the Purchase and Installation of 24' x 24' Storage Building to Store Sheriff's Office Vehicles and Equipment, Add the Building to the County's Approved List of Fixed Assets, and Approve the Attached Budget Transfer.

■ **ALTERNATIVES:** Contact Sheriff's Office and Advise of Problem Area(s).

■ **CEO REVIEW (NAME):** _____ **PHONE:** 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(3)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** July 27, 2011

FROM: County Counsel **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Jeanine B. Nadel **PHONE:** 4446 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ AGENDA TITLE: Acceptance of the Board of Supervisors’ Response to the 2010-2011 Grand Jury Report - “A Pot Paradox or Bud Bingo”

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: Grand Jury Reports routinely require response from the Board of Supervisors. Board responses are formally approved prior to submittal to the Presiding Judge of the Superior Court and the Grand Jury.

■ SUMMARY OF REQUEST: State law requires the Board of Supervisors to respond to Grand Jury findings and recommendations no later than 90 days after issuance of the Report. Elected County Officers or Agency Heads are required to respond directly to the Presiding Judge of the Superior Court within 60 days after issuance of the Report, with an informational copy to the Board of Supervisors. The Board’s response to the 2010-2011 Grand Jury Reported titled “A Pot Paradox or Bud Bingo” is attached.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT: <http://www.co.mendocino.ca.us/grandjury/>

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **■ VOTE REQUIREMENT:** Majority 4/5ths

■ RECOMMENDED ACTION/MOTION: Accept the Board of Supervisors’ response to the 2010-2011 Grand Jury Report- “A Pot Paradox or Bud Bingo”, authorize Chair to sign same, and return original to the County Counsel Office.

■ ALTERNATIVES: Accept the response to the Grand Jury with modifications

■ CEO REVIEW (NAME): _____ **PHONE:** 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(4)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** July 27, 2011

FROM: County Counsel **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Jeanine B. Nadel **PHONE:** 4446 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ AGENDA TITLE: Acceptance of the Board of Supervisors’ Response to the 2010-2011 Grand Jury Report - “Definitely Not a Five Star Hotel”

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: Grand Jury Reports routinely require response from the Board of Supervisors. Board responses are formally approved prior to submittal to the Presiding Judge of the Superior Court and the Grand Jury.

■ SUMMARY OF REQUEST: State law requires the Board of Supervisors to respond to Grand Jury findings and recommendations no later than 90 days after issuance of the Report. Elected County Officers or Agency Heads are required to respond directly to the Presiding Judge of the Superior Court within 60 days after issuance of the Report, with an informational copy to the Board of Supervisors. The Board’s response to the 2010-2011 Grand Jury Reported titled “Definitely Not a Five Star Hotel” is attached.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT: <http://www.co.mendocino.ca.us/grandjury/>

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **■ VOTE REQUIREMENT:** Majority 4/5ths

■ RECOMMENDED ACTION/MOTION: Accept the Board of Supervisors’ response to the 2010-2011 Grand Jury Report- “Definitely Not a Five Star Hotel”, authorize Chair to sign same, and return original to the County Counsel Office.

■ ALTERNATIVES: Accept the response to the Grand Jury with modifications

■ CEO REVIEW (NAME): _____ **PHONE:** 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(5)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** July 27, 2011

FROM: County Counsel **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Jeanine B. Nadel **PHONE:** 4446 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ AGENDA TITLE: Acceptance of the Board of Supervisors’ Response to the 2010-2011 Grand Jury Report - “Success is a Plea Bargain, A Win is a Lesser Charge”

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: Grand Jury Reports routinely require response from the Board of Supervisors. Board responses are formally approved prior to submittal to the Presiding Judge of the Superior Court and the Grand Jury.

■ SUMMARY OF REQUEST: State law requires the Board of Supervisors to respond to Grand Jury findings and recommendations no later than 90 days after issuance of the Report. Elected County Officers or Agency Heads are required to respond directly to the Presiding Judge of the Superior Court within 60 days after issuance of the Report, with an informational copy to the Board of Supervisors. The Board’s response to the 2010-2011 Grand Jury Reported titled “Success is a Plea Bargain, A Win is a Lesser Charge” is attached.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT: <http://www.co.mendocino.ca.us/grandjury/>

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **■ VOTE REQUIREMENT:** Majority 4/5ths

■ RECOMMENDED ACTION/MOTION: Accept the Board of Supervisors’ response to the 2010-2011 Grand Jury Report- “Success is a Plea Bargain, A Win is a Lesser Charge”, authorize Chair to sign same, and return original to the County Counsel Office.

■ ALTERNATIVES: Accept the response to the Grand Jury with modifications

■ CEO REVIEW (NAME): _____ **PHONE:** 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(6)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 10 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** July 28, 2011

FROM: HHSA- Community Health Services **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Stacey Cryer **PHONE:** 463-7774 Present On Call
Secondary Contact: Pat Meek **PHONE:** 463-7902 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ **AGENDA TITLE:** Adoption of a Proclamation for Linda Nagel’s Retirement from the Health & Human Services Agency of Mendocino County After 33 years of Service - Health and Human Services Agency - Community Health Services

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** None

■ **SUMMARY OF REQUEST:** On September 3, 2011, after 33 years of service with the Mendocino County Health and Human Services Agency, Linda Nagel will officially retire. Linda’s staff respectfully request that Linda be honored with a Proclamation honoring her years of service with Mendocino County upon her retirement.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:** N/A

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):**

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
n/a	n/a	n/a	Yes <input type="checkbox"/> No <input type="checkbox"/>

■ **Grant Related:** yes no If yes, is there a County match? yes no Amount: _____
 ■ **SUPERVISORIAL DISTRICT:** 1 2 3 4 5 All **VOTE REQUIREMENT:** Majority 4/5ths

■ **RECOMMENDED ACTION/MOTION:** Approve and present Proclamation for Linda Nagel’s retirement from the Mendocino County Health and Human Services Agency after 33 years of service

■ **ALTERNATIVES:** None

■ **CEO REVIEW (NAME):** _____ **PHONE:** _____

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(7)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 10 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** August 2, 2011

FROM: HHSA- Social Services Branch **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Stacey Cryer **PHONE:** 463-7823 Present On Call
Secondary Contact: Pat Meek **PHONE:** 463-7902 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ **AGENDA TITLE: Approve Agreement with Mendocino Coast Hospitality Center, Inc. in the Amount of \$67,835 to Provide Supportive Housing Program (SHP), Seamless Transition Empowerment Program (STEP) in Fiscal Year 2011/2012 - Health & Human Services Agency (HHSA) - Social Services Branch**

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** None

■ **SUMMARY OF REQUEST:** Since 1995 Social Services has prepared and submitted the Continuum of Care Application for services for the homeless to the U.S. Department of Housing and Urban Development (HUD). Adult and Aging Services serves as the applicant and contract monitor. Ford Street Project, Mendocino Coast Hospitality Center, and Ukiah Community Center are the identified project sponsor organizations for the SHP/STEP and Transitional Housing programs. These agencies work closely with Social Services, each other, and mainstream health and human service providers to integrate services and housing for the homeless into one system, the Continuum of Care.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:**

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):**

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
HUD STEP Grant	\$67,835	\$67,835	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

■ **Grant Related:** yes no **If yes, is there a County match?** yes no **Amount:** \$2,500
SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **VOTE REQUIREMENT:** Majority 4/5ths

■ **RECOMMENDED ACTION/MOTION: Approve and authorize the Board Chair to sign agreement with Mendocino Coast Hospitality Center, Inc. in the amount of \$67,835 to provide Supportive Housing Program (SHP), Seamless Transition Empowerment Program (STEP) in fiscal year 2011/2012; and authorize the HHSA Director to sign any future amendments to the agreement that do not affect the annual maximum amount**

■ **ALTERNATIVES:** Reject \$200,412 in funding from the HUD Grant to save the County \$5,000 match on all STEP contracts

■ **CEO REVIEW (NAME):** _____ **PHONE:** _____

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(8)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 10 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** August 8, 2011

FROM: HHSA- Community Health **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Stacey Cryer **PHONE:** 463-7823 Present On Call
 Secondary Contact: **PHONE:** Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ **AGENDA TITLE: Approve Agreement with Mendocino County AIDS Volunteer Network (MCAVN) in the Amount of \$60,402 to Continue Provision of HIV Care Program Services to People with HIV and AIDS in Mendocino County in Fiscal Year 2011-2012 - Health and Human Services Agency (HHSA) - Community Health Services**

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** BOS #10-170

■ **SUMMARY OF REQUEST:** Mendocino County has been receiving funding through Ryan White/CARE Act now the HIV Care Program since approximately 1990. Funding is released by the State of California to local Departments of Public Health which allows for retention of a maximum of 10% of the total funding for Fiscal Agent services. The remaining 90% is then distributed via subcontract for direct service provision. The attached agreement with MCAVN is for the term July 1, 2011 through June 30, 2012 for a maximum amount payable of \$60,402.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:**

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):**

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
CA Department of Public Health	\$60,402	60,402	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

■ **SUPERVISORIAL DISTRICT:** 1 2 3 4 5 All **VOTE REQUIREMENT:** Majority 4/5ths

■ **RECOMMENDED ACTION/MOTION:** Approve and authorize the Board Chair to sign agreement with MCAVN in the amount of \$60,402 to continue provision of HIV Care Program Services to people with HIV and AIDS in Mendocino County in fiscal year 2011-2012; and authorize the HHSA Director to sign any future amendments to the agreement that do not affect the annual maximum amount

■ **ALTERNATIVES:** Do not approve this agreement and forfeit funding for these services.

■ **CEO REVIEW (NAME):** _____ **PHONE:** _____

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(9)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 10 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** August 2, 2011

FROM: HHSA- Community Health Services **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Stacey Cryer **PHONE:** 472-2336 Present On Call
Secondary Contact: Pat Meek **PHONE:** 463-7902 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: 5 min.

■ AGENDA TITLE: Approve Application for Breastfeeding Peer Counseling Program Grant in the Amount of \$101,000 to Provide Breastfeeding Support to Women, Infants and Children (WIC) Program Participants in Federal Fiscal Year 2011-2012 - Health & Human Services Agency (HHSA) - Community Health Services

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: November 30, 2010 #10-202

■ SUMMARY OF REQUEST: The County of Mendocino Women, Infants and Children (WIC) Program is requesting permission to apply for grant renewal of the Breastfeeding Peer Counseling Program (BPC) in Mendocino County, meeting the requirements of California and the U.S. Department of Agriculture (USDA) Loving Support Model. The Goal of the BPC program is to promote and increase breastfeeding rates among WIC participants. The USDA based this funding initiative on research demonstrating that a combination of breastfeeding peer counselor programs and ongoing WIC breastfeeding efforts are an effective way to increase breastfeeding rates among WIC participants. The California WIC Division intends to provide ongoing funding in future years. No additional staff will be required as a result of the grant (staff will be retained from previous year) and the grant funds will cover the entire cost of the program. See page 2 for additional information

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

<http://www.cdph.ca.gov/programs/wicworks/Pages/WICBFPeerCounselor.aspx>

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
State of California WIC Program	\$101,000	\$101,000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

■ Grant Related: yes no **If yes, is there a County match?** yes no **Amount:** _____

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **VOTE REQUIREMENT:** Majority 4/5ths

■ RECOMMENDED ACTION/MOTION: Approve and authorize the Board Chair to sign application for Breastfeeding Peer Counseling Program Grant in the amount of \$101,000 to provide breastfeeding support to Women, Infants and Children (WIC) program participants in federal fiscal year 2011-2012

■ ALTERNATIVES: Return to staff with directions for alternative handling.

■ CEO REVIEW (NAME): _____ **PHONE:** _____

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(9)

AGENDA DATE: August 23, 2011

AGENDA TITLE: Approve Application for Breastfeeding Peer Counseling Program Grant in the Amount of \$101,000 to Provide Breastfeeding Support to Women, Infants and Children (WIC) Program Participants in Federal Fiscal Year 2011-2012 - Health & Human Services Agency (HHSA) - Community Health Services

II. BRIEF SUMMARY: California WIC’s Breastfeeding Peer Counselor Program grant, funded since 2004 at approximately \$2.3 million, was increased to \$12.5 million for FFY 2010/11. The United States Department of Agriculture (USDA) based the new funding initiative on evidence-based research indicating that a combination of BPC programs and ongoing WIC breastfeeding promotion efforts are an effective way to increase breastfeeding rates among WIC participants. One of the primary goals of the BPC Program is to improve breastfeeding initiation and duration rates among WIC participants. Receipt of the 2011-12 Breastfeeding Peer Counselor Program funds will allow County of Mendocino WIC Program to better serve program participants by further enhancing the worthwhile health goal of breastfeeding throughout our community. These funds will allow our successful Breastfeeding Peer Counselor Program to continue improving the health of county residents.

BOARD ACTION
 Approved _____
 Records Executed _____

Date of Meeting _____
 Referred to _____
 Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(10)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 10 hard-copy sets
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** August 17, 2011

FROM: HHSA- Mental Health Branch **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Stacey Cryer **PHONE:** 463-7823 Present On Call
 Secondary Contact: **PHONE:** Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ **AGENDA TITLE:** Approve Mendocino County’s Mental Health Services Act (MHSA) Fiscal Year 2011/2012 Annual Update for Community Services and Supports, Workforce Education and Training and Prevention and Early Intervention Components - Health & Human Services Agency (HHSA) - Mental Health Branch

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** None

■ **SUMMARY OF REQUEST:** Mendocino County is required by California Welfare and Institutions Code Sections 5847-5848 to complete an Annual Update to its Mental Health Services Act (MHSA) Three Year Program and Expenditure Plan. California Assembly Bill 100 passed in March 2011 shifted the approval of MHSA Annual Updates from the State Department of Mental Health to the governing body at the local county level. The State Controller has been directed to release the County’s MHSA component allocations for Fiscal Year 2011/2012 to the County. Expenditures of MHSA component allocations can occur in accordance with a plan or update approved by the local governing body and pursuant to the MHSA.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:**

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):**

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
Mental Health Services Act	\$3,436,025	\$3,436,025	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

■ **Grant Related:** yes no **If yes, is there a County match?** yes no **Amount:** _____
 ■ **SUPERVISORIAL DISTRICT:** 1 2 3 4 5 All **VOTE REQUIREMENT:** Majority 4/5ths

■ **RECOMMENDED ACTION/MOTION:** Authorize the Board Chair to Approve Mendocino County’s Mental Health Services Act (MHSA) Fiscal Year 2011/2012 Annual Update for Community Services and Supports, Workforce Education and Training, and Prevention and Early Intervention Components

■ **ALTERNATIVES:** Vote not to approve Annual Update

■ **CEO REVIEW (NAME):** _____ **PHONE:** _____

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(11)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors DATE: August 3, 2011

FROM: Department of Transportation MEETING DATE: August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Howard Dashiell PHONE: 463-4363 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: N/A

■ **AGENDA TITLE:** Adoption of Resolution Approving Payment of Two Invoices from the City of Fort Bragg for Leachate Disposal Fees for the Caspar Landfill, One for the Period January 1, 2010 through December 31, 2010 (Fiscal Years 2009/10 and 2010/11) and One for the Period January 1, 2011 through June 30, 2011 (Fiscal Year 2010/11) (Caspar Area)

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** 25 January 2011, Board entered into a revised Joint Powers Agreement (BOS Agreement #11-007) with the City of Fort Bragg regarding the operations of the Caspar Landfill.

■ **SUMMARY OF REQUEST:** City of Fort Bragg submitted two invoices to the Department of Transportation for leachate disposal fees, one for the calendar year 2010 in the amount of \$72,500.00, and upon request from MCDOT, a second invoice for the period January 1, 2011 through June 30, 2011 in the amount of \$74,312.50. MCDOT verified the total gallons processed with the Leachate Truck Log that was prepared by the driver who hauled the leachate to the City of Fort Bragg sewage disposal facility and received corrected invoices from the City of Fort Bragg. After these invoices are paid, MCDOT will include them in the annual billing to the City of Fort Bragg for reimbursement of expenses for the Caspar Landfill.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:** None.

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):**

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
Franchise Fees	\$146,812.50	\$100,000.00	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

■ **SUPERVISORIAL DISTRICT:** 1 2 3 4 5 All ■ **VOTE REQUIREMENT:** Majority 4/5^{ths}

■ **RECOMMENDED ACTION/MOTION:** By Resolution, (1) approve payment of two invoices for leachate disposal fees to the City of Fort Bragg on behalf of Caspar Landfill and (2) authorize/direct the Director of Transportation to submit two invoices for leachate disposal fees to the Auditor/Controller for payment.

■ **ALTERNATIVES:** An alternative (not recommended) would be to not approve payment of two invoices.

■ **CEO REVIEW (NAME):** _____ PHONE: 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(12)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors DATE: 29 July 2011

FROM: Department of Transportation MEETING DATE: 23 August 2011

DEPARTMENT RESOURCE/CONTACT: Howard N. Dashiell PHONE: 463-4363 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item:
Not Applicable

■ **AGENDA TITLE:** **Approve Notice of Completion, DOT Contract No. 070123, 2006 Storm Damage Repairs on Orr Springs Road, CR 223, M.P. 33.80, M.P. 34.56 and M.P. 34.60 (Ukiah Area)**

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** By Resolution No. 10-164 (28 September 2010), Board awarded DOT Contract No. 070123 to Granite Construction Company of Watsonville, California.

■ **SUMMARY OF REQUEST:** DOT Contract No. 070123, 2006 Storm Damage Repairs on Orr Springs Road, CR 223, M.P. 33.80, M.P. 34.56 and M.P. 34.60, was acknowledged as being completed on 15 July 2011. It is now appropriate to file the Notice of Completion to commence the applicable lien periods.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:** None.

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):**

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
Not Applicable	Not Applicable	Not Applicable	Yes <input type="checkbox"/> No <input type="checkbox"/>

■ **SUPERVISORIAL DISTRICT:** 1 2 3 4 5 All **VOTE REQUIREMENT:** Majority 4/5ths

■ **RECOMMENDED ACTION/MOTION:** By Minute Order, authorize the Board Chair to sign the Notice of Completion and direct the Clerk of the Board to file the Notice of Completion for DOT Contract No. 070123 with the County Recorder.

■ **ALTERNATIVES:** Not Applicable.

■ **CEO REVIEW (NAME):** _____ **PHONE:** 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(13)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** July 15, 2011

FROM: Supervisor Pinches **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Executive Office **PHONE:** 463-4441 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ AGENDA TITLE: Adoption of Resolution Pursuant to CalTrans/California Highway Patrol’s Joint Policy Guidelines for Special Events on State Conventional Highways in Order to Obtain a Permit from Caltrans for the California Indian Days Parade in Covelo, California, on September 24, 2011

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: August 31, 2010: Adoption of resolution granting permission for the California Indian Days Parade to be held.

■ SUMMARY OF REQUEST: For the past several years, the Round Valley Indian Tribes have hosted the California Indian Day celebration, which has been held in September each and every year since it became a recognized holiday. The Round Valley Tribal Council wishes to hold a parade in connection with the California Indian Days Celebration. Said parade will be held on September 24, 2011, between 9:00 a.m. and 12:00 Noon, commencing on Main Street and continuing on Highway 162 through the town of Covelo and ending at Hidden Oaks Park off Highway 162.

In order to obtain a permit from CalTrans for the parade, a letter of support is required from the California Highway Patrol and Sheriff, along with a resolution from the Board of Supervisors and a certificate of insurance from the event’s insurance carrier pursuant to CalTrans/California Highway Patrol’s Joint Policy Guidelines for Special Events on State Conventional Highways. Therefore, the Round Valley Tribal Council is requesting permission from the Mendocino County Board of Supervisors to hold the California Indian Days Parade in Covelo, California, on Saturday, September 24, 2011.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **■ VOTE REQUIREMENT:** Majority 4/5ths

■ RECOMMENDED ACTION/MOTION: That the Board of Supervisors adopts the Resolution as presented, authorizing the Chair to sign same; and further, directs the Clerk of the Board to forward copies of the Resolution to the District Permit Coordinator, Caltrans (Eureka), the California Highway Patrol, and the Round Valley Tribal Council.

■ ALTERNATIVES: Do not grant permission for the California Indian Days Parade in Covelo.

■ CEO REVIEW (NAME): _____ **PHONE:** 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4a(14)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** August 15, 2011

FROM: Supervisor Pinches **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Kristi Furman **PHONE:** 463-4441 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: N/A

■ AGENDA TITLE: Adoption of a Resolution Supporting the Designation of a Portion of State Highway Route 101 in the County of Mendocino as the Paul C. Jarske Memorial Highway

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: The Board has taken similar actions in the past; the last occasion was on July 26, 2011.

■ SUMMARY OF REQUEST: Senator Noreen Evans is seeking support of the Mendocino County Board of Supervisors for the proposed designation of a portion of State Highway Route 101 from Branscomb Road, Milepost Marker 69.50, to Milepost Marker 74.50, as the California Highway Patrol Officer Paul C. Jarske Memorial Highway.

Officer Jarske was killed in the line of duty February 24, 1981, when his patrol car veered off the road due to severe weather conditions and plummeted 100 feet before finally coming to rest underwater, he succumbed to his injuries at Howard Memorial Hospital.

It is anticipated that this resolution will be taken up in the State Senate, with Assembly concurrence, prior to the legislature’s adjournment, with a dedication and unveiling ceremony tentatively scheduled for February 2012.

As a tribute to Officer Jarske, it is requested that the Board support Senator Evans’ effort to designate the above-named portion of State Highway Route 101 in the County of Mendocino, as the California Highway Patrol Officer Paul C. Jarske Memorial Highway by adoption of a resolution by the Board of Supervisors.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT: <http://www.leginfo.ca.gov/dayfile.html>

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
N/A			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **■ VOTE REQUIREMENT:** Majority 4/5ths

■ RECOMMENDED ACTION/MOTION: That the Board of Supervisors hereby adopts the resolution as presented, authorizing the Chair to sign same.

■ ALTERNATIVES: To take no action.

■ CEO REVIEW (NAME): _____ **PHONE:** 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4b(1)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Redevelopment Agency Board of Directors **DATE:** July 27, 2011

FROM: County Counsel **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Jeanine B. Nadel **PHONE:** 4446 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ AGENDA TITLE: Acceptance of the Redevelopment Agency Board of Director’s Response to the 2010-2011 Grand Jury Report - “Breaking News: Big Changes Coming for Redevelopment Agencies”

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: Grand Jury Reports routinely require response from the Board of Supervisors/Redevelopment Agency of the County of Mendocino. Board/Agency responses are formally approved prior to submittal to the Presiding Judge of the Superior Court and the Grand Jury.

■ SUMMARY OF REQUEST: State law requires the Board of Supervisors/Redevelopment Agency of the County of Mendocino to respond to Grand Jury findings and recommendations no later than 90 days after issuance of the Report. Elected County Officers or Agency Heads are required to respond directly to the Presiding Judge of the Superior Court within 60 days after issuance of the Report, with an informational copy to the Board of Supervisors. The Redevelopment Agency Board of Director’s response to the 2010-2011 Grand Jury Reported titled “Breaking News: Big Changes Coming for Redevelopment Agencies” is attached.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT: <http://www.co.mendocino.ca.us/grandjury/>

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **■ VOTE REQUIREMENT:** Majority 4/5ths

■ RECOMMENDED ACTION/MOTION: Accept the Redevelopment Agency Board of Director’s response to the 2010-2011 Grand Jury Report- “Breaking News: Big Changes Coming for Redevelopment Agencies”, authorize Chair to sign same, and return original to the County Counsel Office.

■ ALTERNATIVES: Accept the response to the Grand Jury with modifications

■ CEO REVIEW (NAME): _____ **PHONE:** 463-4441

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4b(2)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Redevelopment Agency Board of Directors **DATE: August 18, 2011**

FROM: Executive Office **MEETING DATE: August 23, 2011**

DEPARTMENT RESOURCE/CONTACT: Steve Dunicliff **PHONE: 463-4441** Present On Call
 _____ **PHONE: _____**

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ AGENDA TITLE: Adoption of Resolution to Approve and Adopt the Enforceable Obligation Payment Schedule for the Redevelopment Agency of the County of Mendocino

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: None directly related to this item

■ SUMMARY OF REQUEST: ABx1 26 (the “Elimination Act”) and ABx1 27 (the “Continuation Act”) (together, the “Redevelopment Restructuring Acts”) became effective between June 28 and June 30, 2011. The Elimination Act first immediately suspended all new redevelopment activities and incurrence of indebtedness, and purported to dissolve redevelopment agencies, effective October 1, 2011. The Continuation Act allowed redevelopment agencies to avoid dissolution under the Elimination Act if their sponsoring community opted in to an “alternative voluntary redevelopment program” (the “Voluntary Program”) that requires annual contributions to local schools and special districts. The County of Mendocino has taken steps to enact an ordinance necessary to participate in the Voluntary Program, and exempt the Redevelopment Agency of the County of Mendocino (the “Agency”) from the requirements of the Elimination Act. The League of California Cities, the California Redevelopment Association, and other petitioners challenged the validity and constitutionality of the Redevelopment Restructuring Acts in mid-July 2011. On August 11, 2011, the California Supreme Court agreed to review the matter and stayed the effectiveness of much of the Redevelopment Restructuring Acts pending resolution of this litigation. While much of the Elimination Act has been stayed and redevelopment agencies will not be dissolved on October 1, 2011, unstayed provisions of the Elimination Act arguably require redevelopment agencies to adopt, before August 29, 2011, an enforceable obligation payment schedule that lists all of their financial obligations (the “EOPS”). If the Agency does not timely adopt an EOPS, it may be unable to make payments on its obligations after August 29. Additional information contained in the attached staff report.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **■ VOTE REQUIREMENT:** Majority 4/5^{ths}

■ RECOMMENDED ACTION/MOTION: Adopt the Resolution to approve and adopt the Enforceable Obligation Payment Schedule (EOPS) pursuant to Part 1.8 of the California Community Redevelopment Law, further authorizing the Agency Executive Director to comply with noticing and other requirements associated with the EOPS.

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4b(2)

■ **ALTERNATIVES:** Do not adopt an EOPS before August 29, 2011. This alternative will jeopardize the Agency's ability to honor existing agreements which include \$80,000 for projects to be completed by the County's Department of Transportation.

■ **CEO REVIEW (NAME):** Steve Dunicliff

PHONE: 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION

- Approved _____
- Records Executed _____

Date of Meeting _____

- Referred to _____
- Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA #5(c)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** August 18, 2011

FROM: CEO/Solid Waste Director **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Mike Sweeney **PHONE:** 468-9710 Present On Call
PHONE: _____

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: 15 min

■ AGENDA TITLE: Discussion and Possible Action Regarding Approval of Amendment No. 11 to Franchise Contract with Empire Waste Management for Solid Waste Refuse Area No. 2 Extending Term to 2021 and Making Other Changes.

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: On July 26, 2011, the BOS adopted Resolution 11-109 extending the term of the Empire Waste Management franchise contract to June 30, 2014. The Board's ad-hoc committee on this matter met August 15, 2011 and considered a proposal from the company dated August 8, 2011, and made a counterproposal which the company declined.

■ SUMMARY OF REQUEST: The prolonged negotiations with Empire Waste Management have sought to produce coordinated agreements satisfactory to both the City of Fort Bragg and the County that would extend both jurisdictions' franchise contracts to the same date in return for certain benefits. At the end of July, it appeared to Empire Waste Management that its offer was acceptable to the County but not to Fort Bragg. Accordingly, the company revised its proposal on August 8, 2011 to offer contract renewal payments of \$350,000 to the City and \$500,000 to the County, together with other terms and conditions previously negotiated. The City Council is scheduled to consider the proposal on Monday, August 22, 2011 and the staff recommendation is approval. The Board's ad-hoc committee sought an increase in the payment to the County to at least \$600,000 but the company declined. Therefore the proposal to the County remains unchanged and is set forth in the company's letter dated August 8, 2011. To accept the proposal, the BOS would approve Amendment #11 to the existing franchise contract. A memorandum discussing the various changes in Amendment #11 is attached.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
Company	+\$500,000 income	n/a	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **■ VOTE REQUIREMENT:** Majority 4/5ths

■ RECOMMENDED ACTION/MOTION: Approve Amendment #11 to Franchise Contract with Empire Waste Management for County Solid Waste Refuse Area No. Two

■ ALTERNATIVES: Decline to approve amendment.

■ CEO REVIEW (NAME): _____ **PHONE:** 463-4441

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 5 (d)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** August 17, 2011

FROM: County Executive Office **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Steve Dunicliff **PHONE:** 463-4441 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: 15 min

■ **AGENDA TITLE:** Introduction and Waive Reading of an Ordinance Adding Chapter 11.10 of Title 11 to the Mendocino County Code Providing for the Reinstatement and Continuation of the Powers of the Redevelopment Agency of the County of Mendocino

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** Introduced and waived reading of an Ordinance adding Chapter 11.10 of Title 11 to the Mendocino County Code on August 2, 2011. Withdrawal of second reading occurred on August 16, 2011.

■ **SUMMARY OF REQUEST:** On June 28, 2011, the California State Legislature approved the latest budget proposal (SB 87) and sent it to the Governor with the previously passed trailer bills, ABx1 26 (“Elimination Bill”) and ABx1 27 (“Continuation Bill”). The budget and the trailer bills were subsequently approved and signed by the Governor. The Elimination Bill required the immediate suspension of most new redevelopment activities, and calls for redevelopment agencies to be dissolved on October 1, 2011. The Continuation Bill allows redevelopment agencies to avoid dissolution by opting in to an “alternative voluntary redevelopment program” (the “Voluntary Program”) that requires annual contributions to local schools and special districts. The California Redevelopment Association (“CRA”) and the League of California Cities (“League”) have challenged the validity and constitutionality of these bills in court, and are pursuing a stay on implementation until a decision has been made as to the constitutionality of the laws. In the meantime, the Board of Supervisors must decide whether to dissolve the Redevelopment Agency of the County of Mendocino (County RDA) in accordance with the Elimination Bill, or to authorize payments to the State in accordance with the Continuation Bill. Subsequent to the Board taking action on August 2, 2011, the California Supreme Court issued a stay of the legislation. The Executive Office continues to recommend that the Board authorize participation in the Voluntary Program and continue County RDA operations, with the revision to include language making the ordinance conditional upon the California Supreme Court’s lifting of the Stay.

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:** n/a

■ **ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):**

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ **SUPERVISORIAL DISTRICT:** 1 2 3 4 5 All ■ **VOTE REQUIREMENT:** Majority 4/5ths

■ **RECOMMENDED ACTION/MOTION:** Introduce and waive the reading of Ordinance adding Chapter 11.10 of Title 11 to the Mendocino County Code providing for the reinstatement and continuation of the powers of the Redevelopment Agency of the County of Mendocino and authorize Chair to sign same upon adoption. Send adopted copies to County Counsel and County Executive Office.

■ **ALTERNATIVES:** Do not adopt ordinance

■ **CEO REVIEW (NAME):** Steve Dunicliff **PHONE:** 463-4441

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 6(a)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than noon Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 14 complete sets (original, single-sided+13 copies) – Items must be signed-off by appropriate departments and/or County Counsel
- Transmittal of electronic Agenda Summaries and associated records must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Agenda Transmission Checklist: Agenda Summary Records If applicable, list other online information below
- Executed records will be returned to the department within one week. Arrangements for expedited processing must be made in advance

TO: Board of Supervisors **DATE:** August 12, 2011
FROM: Planning and Building Services **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Roger Mobley **PHONE:** 4281 Present On Call
Mary Lynn Hunt **PHONE:** 4281

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: 30 min

■ AGENDA TITLE: Public Hearing for Discussion and Possible Action to Adopt General Plan Amendment #GP 3-2006 and Rezone #R 4-2006 by Ordinance and Resolution, for Property Located at 10275 and 10501 Old River Road, Hopland.

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: On July 21, 2011, the Planning Commission recommended to the Board of Supervisors approval of the project amending the General Plan Land Use classification from Range Land (RL) to Agricultural Lands (AG) and Rezone from Range Land (RL:160) to Agriculture (AG:40:PD) adding the Planned Development Combining District, with the Rezoning subject to a Contract Rezone (CR) to bring several existing conditions (an Event Center and Farm Employee Housing) into zoning compliance.

■ SUMMARY OF REQUEST: The applicant requests an amendment to the General Plan Land Use classification from Range Land (RL) to Agricultural Lands (AG) and Rezone from Range Land (RL:160) to Agricultural (AG:40:PD). The request would involve land use changes to Assessor's Parcel Numbers AP# 047-310-09, 047-370-11, and 047-380-05 (approximately 257± acres in total).

Surrounding properties are zoned Range Land and Agricultural, and surrounding uses include vineyards and rangeland. Private septic systems currently exist on the property with water provided by on-site wells.

- SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:** www.co.mendocino.ca.us
- ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):**

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
None	None	None	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **VOTE REQUIREMENT:** Majority 4/5^{ths}

■ RECOMMENDED ACTION/MOTION: First the Board of Supervisors adopts General Plan Amendment #GP 3-2006 by resolution amending the General Plan Land Use classification from Range Lands (RL) to Agricultural Lands (AG), and Second the Board adopts Rezone #R 4-2006 by ordinance amending the zoning designation from Range Land (RL:160) to Agriculture (AG:40:PD), making the following findings:

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____
RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 6(a)

1. That an initial study has been prepared resulting in the determination that the project will not have a significant effect on the environmental and it is recommended that a Negative Declaration be adopted.
2. The project is consistent with the applicable goals and policies of the Mendocino County General Plan.

■ **ALTERNATIVES:** The Board of Supervisors denies General Plan Amendment and Rezone #GP 3-2006/R 4-2006 unable to make the finding that the project is consistent with the Mendocino County General Plan.

■ **CEO REVIEW (NAME):** Steve Dunicliff

PHONE: 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION

- Approved _____
- Records Executed _____

Date of Meeting _____

- Referred to _____
- Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 6 (b)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 14 complete sets (original, single-sided+13 copies) – Items must be signed-off by appropriate departments and/or County Counsel
- Transmittal of electronic Agenda Summaries and associated records must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Agenda Transmission Checklist: Agenda Summary Records If applicable, list other online information below
- Executed records will be returned to the department within one week. Arrangements for expedited processing must be made in advance

TO: Board of Supervisors **DATE:** August 12, 2011

FROM: Planning and Building Services **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: Roger Mobley **PHONE:** 4281 Present On Call
John Speka **PHONE:** 4281

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: 30 min

■ AGENDA TITLE: Public Hearing for Discussion and Possible Action to Adopt General Plan Amendment #GP 4-2010 and Rezone #R 5-2010 by Ordinance and Resolution, for Property Located at 3401 and 3501 Taylor Drive, Ukiah.

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: On February 2, 2010, the Board of Supervisors directed the Department of Planning and Building Services to exclude the subject property from discussion as part of the Ukiah Valley Area Plan for more immediate consideration.

On July 21, 2011, the Planning Commission recommended to the Board of Supervisors approval of the project amending the General Plan Land Use classification from Agricultural Lands (AG) to Industrial (I) and Rezone from Agricultural (AG:AZ:FP) to Limited Industrial (I-1:AZ:FP), for inclusion in the 2011 Russian River Watershed General Plan Amendment Group and associated Rezoning subject to a Contract Rezone (CR) to exclude Religious Assembly as a permitted use due to the location in the B-2 Airport Compatibility Zone which is intended to prohibit uses of assembly and/or higher density use.

■ SUMMARY OF REQUEST: The applicant requests an amendment to the General Plan Land Use classification from Agricultural Lands (AG) to Industrial (I) and Rezone from Agricultural (AG:AZ:FP) to Limited Industrial (I-1:AZ:FP). No modifications to the Flood Plain (FP) or Airport Zone (AZ) combining districts are proposed. The request would involve land use changes to Assessor’s Parcel Numbers AP# 184-170-03, -06, -07 and -11 (approximately 15.07± acres in total), formerly known as the Thomas Pear Packing and Got Fruit Facility. Access to the property is provided by County roads and/or easements over neighboring property from a County road.

Surrounding properties are zoned Agricultural, although mixed zonings and uses lie in close proximity to the north and northwest. Land uses in the area include orchards, housing, a municipal waste transfer station, lumber yard, Mendocino Transit Authority (MTA) yard, the County’s Animal Control and hazardous waste recycling facilities. Two septic systems currently exist on the property with water provided by the Willow County Water District.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT: www.co.mendocino.ca.us

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
None	None	None	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 6(b)

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All VOTE REQUIREMENT: Majority 4/5^{ths}

■ **RECOMMENDED ACTION/MOTION:**

First the Board of Supervisors adopts General Plan Amendment #GP 4-2010 by resolution amending the General Plan Land Use classification from Agricultural Lands (AG) to Industrial (I), and
 Second the Board adopts Rezone #R 5-2010 by ordinance amending the zoning designation from Agricultural (AG:AZ:FP) to Limited Industrial (I-1:AZ:FP), making the following findings:

1. That an initial study has been prepared resulting in the determination that the project will not have a significant effect on the environmental and it is recommended that a Negative Declaration be adopted.
2. The project is consistent with the applicable goals and policies of the Mendocino County General Plan.

■ **ALTERNATIVES:** The Board of Supervisors denies General Plan Amendment and Rezone #GP 4-2010/R 5-2010 unable to make the finding that the project is consistent with the Mendocino County General Plan.

■ **CEO REVIEW (NAME):** Steve Dunicliff

PHONE: 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION

- Approved _____
 Records Executed _____

Date of Meeting _____

- Referred to _____
 Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 8(a)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors **DATE:** August 5, 2011

FROM: County Counsel **MEETING DATE:** August 23, 2011

DEPARTMENT RESOURCE/CONTACT: County Counsel **PHONE:** 4449 Present On Call
Jeanine Nadel
County Clerk **PHONE:** 4254
Recorder
Sue Ranochak

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ AGENDA TITLE: Conduct Public Hearing to Discuss Supervisorial District Boundary Adjustments

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: The Board of Supervisors appointed the Redistricting Advisory Committee on April 5, 2011; On May 23, 2011, the Board of Supervisors discussed additional criteria to be used in determining the District boundary adjustments; On July 26, 2011, the Board was presented with recommendations of the Redistricting Citizen’s Advisory Committee and scheduled two public hearings to be held on August 16, 2011, and August 23, 2011.

■ SUMMARY OF REQUEST: On July 26, 2011, the Board of Supervisors scheduled two public hearings to be held on August 16 and 23, 2011, to receive public input regarding options prior to the adoption of any supervisorial district boundary adjustment. Staff was requested to provide for the hearing copies of the proposed maps prepared by the Committee and associated comments, and Option Map A and B that had been previously prepared by staff. Attached to this summary are:

- Copies of the maps with insets
- Copies of the comments made by Ms. Anderson and Ms. Elliott at the July 26, 2011, meeting
- Current supervisorial districts with insets of each district
- A memorandum from Counsel
- The power point presentation that Counsel prepared for the Committee

And finally, also attached to this summary is Map “Option A Modified” which is a revised Staff A map that was prepared by Supervisor Smith and is hereby submitted by her for discussion.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT: n/a

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
N/A			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **■ VOTE REQUIREMENT:** Majority 4/5ths

■ RECOMMENDED ACTION/MOTION: Review the Supervisorial District Boundary Adjustments and receive public comment. The second scheduled public hearing will be held on August 23, 2011, at the regular meeting of the Board of Supervisors.

■ ALTERNATIVES: None.

■ CEO REVIEW (NAME): _____ **PHONE:** 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 8 (b)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 1 complete original single-sided set and 1 photocopy set – Items must be signed-off by appropriate departments and/or Co. Co.
Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 7 hard-copy sets)
- Transmittal of electronic Agenda Summaries, records, and supporting documentation must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Transmission Checklist: Agenda Summary Records Supp. Doc. If applicable, list other online information below
- Executed records will be returned to the department within one week. *Arrangements for expedited processing must be made in advance*

TO: Board of Supervisors DATE: August 11, 2011

FROM: County Executive Office/County Counsel
/Planning and Building MEETING DATE: August 23, 2011

DEPARTMENT RESOURCE/CONTACT:	<u>Carmel J. Angelo</u>	PHONE: <u>x4441</u>	Present	<input checked="" type="checkbox"/>	On Call	<input type="checkbox"/>
	<u>Jeanine B. Nadel</u>	PHONE: <u>x4446</u>	Present	<input checked="" type="checkbox"/>	On Call	<input type="checkbox"/>
	<u>Nash Gonzalez</u>	PHONE: <u>x4281</u>	Present	<input checked="" type="checkbox"/>	On Call	<input type="checkbox"/>

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: _____

■ AGENDA TITLE: Discussion and Possible Direction to Staff Regarding Revisions to the Stormwater Ordinance, Chapter 16.30 of the Mendocino County Code

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: January 4, 2011, the Board of Supervisors adopted the Stormwater Runoff Pollution Prevention Procedure Ordinance Chapter 16.30 of the Mendocino County Code.

■ SUMMARY OF REQUEST: In 1972, the Clean Water Act was amended to provide that the discharge of pollutants to waters of the United States from any point source is unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The NPDES program regulates storm water discharges from three potential sources: municipal separate storm sewer systems, construction activities, and industrial activities.

Under the Act, any unauthorized discharge of any pollutant into the waters of the United States by any person, is unlawful. "Pollutant" is a statutorily defined term that includes, but is not limited to, "dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological and radioactive materials, wrecked or discarded equipment, rock and sand, commercial and industrial, municipal and agricultural wastes discharged into water". This definition *excludes*: landscape irrigation, diverted stream flow, water line flushing, rising ground waters, uncontaminated ground water infiltration, uncontaminated pumped ground water, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, flows from riparian habitats and wetlands, street wash. The United States Supreme Court has held that this list is not exhaustive and that the term "pollutant" must be interpreted broadly to effect the purposes of the Act.

The EPA designated the State of California as its agent to monitor and to enforce the NPDES Storm Water Program and permits in California, which is accomplished through the State Water Board and its nine regional boards. Federal regulations which implement the NPDES program, clearly place responsibility on municipalities to control polluted storm water runoff from third party activities and land uses.

In 2003, based on population density in the unincorporated areas surrounding Ukiah and Fort Bragg and discharges into sensitive water bodies, the Water Board designated Mendocino County as a Municipal Separate Storm Sewer Systems Operator ("MS4"). This designation required the County to obtain an NPDES permit, to prepare a Storm Water Management Program and to implement practices to control polluted storm water runoff

BOARD ACTION	Date of Meeting _____
<input type="checkbox"/> Approved _____	<input type="checkbox"/> Referred to _____
<input type="checkbox"/> Records Executed _____	<input type="checkbox"/> Other _____



from entering into watercourses. When it obtained the permit in 2005, the County committed itself to certain actions to address illegal discharges, to protect water quality and to comply with the Federal and State law. The establishment of guidelines for construction sites, development of erosion, sediment and pollution control standards, development of plan review, inspection and enforcement procedures, developer assistance on new technology and practices, are other best management measures the County committed to as part of its Storm Water Management Program. The ordinance is also one of the programs the County committed to doing within the 5-year permit term. Pursuant to the Code of Federal Regulations¹, each permit application must also demonstrate adequate legal authority to monitor and prohibit discharges and dumping of materials other than storm water into the County system. The stormwater ordinance therefore is part of the County's Storm Water Management Program mandated by the foregoing regulatory framework. The ordinance gives the County legal authority to educate the public, to detect and to eliminate prohibited illegal discharges into the County's storm water system as required by its NPDES permit.

Subsequent to the adoption of the Stormwater Runoff Pollution Prevention Ordinance it was brought to the attention of staff that the Board of Supervisors may not have been sufficiently advised of the terms and conditions of the Stormwater Management Plan. Specifically, the Board may have not been advised that the Stormwater Management Plan defines the areas subject to the NPDES Phase II requirement as those areas in the Ukiah Valley and adjacent to the City of Fort Bragg. (See attached map). The ordinance currently in place defines the area subject to the enforcement provisions of the ordinance as all unincorporated areas of the County. The current ordinance as written is legally enforceable despite the fact it encompasses all unincorporated territory as opposed to the limited defined area set forth in the Stormwater Management Plan. The Board however, has the option to either limit enforcement to only those areas in the Ukiah Valley and adjacent to the City of Fort Bragg or enforce the provisions of the ordinance in all unincorporated territory of the County. It is this option that staff feels was not clear to the Board at the time it adopted the ordinance.

On July 21, 2011, the Regional Water Quality Control Board sent a letter to the Office of County Counsel advising that it would be their preference for the County to maintain the ordinance currently in place. A copy of the letter is attached to this summary.

Given the clarity with respect to options for an ordinance, staff is requesting direction from the Board as to whether the Board would like staff to prepare an amended ordinance limiting enforcement to only those areas listed in the Stormwater Management Plan.

- SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT: n/a
- ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
			Yes <input type="checkbox"/> No <input type="checkbox"/>

- SUPERVISORIAL DISTRICT: 1 2 3 4 5 All ■ VOTE REQUIREMENT: Majority 4/5ths

■ RECOMMENDED ACTION/MOTION: Provide direction to staff regarding the Stormwater Ordinance, Chapter 16.30 of the Mendocino County Code.

- ALTERNATIVES: Take no action
- CEO REVIEW (NAME): _____ PHONE: 463-4441
- RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

¹ 40 CFR 122.26(d)(2)(i)(B, C, E, and F) require the applicant to demonstrate adequate legal authority to prohibit and control by "statute, ordinance or series of contracts" illicit discharges into the storm sewer system.

BOARD ACTION

Approved _____

Records Executed _____

Date of Meeting _____

Referred to _____

Other _____

GEORGE C. RAU, P.E.
PRESIDENT
JAVIER J. RAU
VICE PRESIDENT
ROGER VINCENT, P.E.
CATHY A. McKEON, P.E.

RAU AND ASSOCIATES INC.
CIVIL ENGINEERS • LAND SURVEYORS

August 19, 2011

RECEIVED
AUG 19 2011

Mr. John Speka
Mendocino County Department of Planning and
Building Services
501 Low Gap Road, Room 1440
Ukiah, CA 95482

BY
PLANNING & BUILDING SERVICES
Ukiah, CA 95482

Job Number R09077

**RE: WITHDRAWAL OF USE PERMIT APPLICATION FOR GRIST CREEK AGGREGATES MINING
PLAN AT APN 033-090-78 AND APN 033-090-79; UP AND RP #U 7-2010**

Dear Mr. Speka:

On behalf of Grist Creek Aggregates, LLC, this letter is to request that the referenced project be withdrawn from further consideration by Mendocino County.



Very truly yours,

George C. Rau

George C. Rau
Registered Civil Engineer 21908
Registered Geotechnical Engineer 00710
Expires 09-30-2011

C: Brian Hurt, Grist Creek Aggregates



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 8(c)

-Electronic Agenda Transmission Checklist: Agenda Summary Records If applicable, list other online information below

TO: Board of Supervisors DATE: August 4, 2011

FROM: Planning and Building Services MEETING DATE: August 23, 2011

DEPARTMENT Roger Mobley PHONE: 4281 Present On Call
 RESOURCE/CONTACT: John Speka PHONE: 4281

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: 1 hour

■ AGENDA TITLE: Discussion and Possible Action on Appeal made to Planning Commission Approval of Use Permit and Reclamation Plan #U 7-2010 (Grist Creek Aggregates)

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: On April 21, 2011, the Planning Commission approved Use Permit and Reclamation Plan #U 7-2010 for a proposed off-stream mining operation including extraction and processing (crushing, washing and screening) of up to 500,000 cubic yards (cy) of material (avg 25,000 cy/yr) for a period of 20 years with up to a 45,000 cy/yr maximum for 5 of the 20 years.

SUMMARY OF REQUEST: The above referenced Planning Commission approval of the use permit and reclamation plan has been appealed by the law firm of Clement, Fitzpatrick & Kenworthy representing the Friends of Grist Creek. While not officially part of the appeal request, a second party consisting of a combination of two groups, known respectively as Stewards of Grist Creek and Friends of the Eel (represented by the law firm of Rose Zoia), is also opposing the decision. Stewards of Grist Creek is apparently being further represented by Shute, Mihaly & Weinberger as indicated within a Public Records Act request by that office dated July 13, 2011.

According to the request, the appeal is based on the County's violation of the California Environmental Quality Act (CEQA) for failure to adequately analyze several environmental impacts including those to "water, biotics, aesthetics...and Greenhouse Gas emissions." A letter dated April 19, 2011, provided by Clement, Fitzpatrick & Kenworthy prior to the initial hearing before the Planning Commission is referenced for purposes of the disputed issues.

An attached memo (dated August 4, 2011) provides a summary of the primary issues surrounding the appeal.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT: www.co.mendocino.ca.us

FISCAL IMPACT:			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
N/A	N/A	N/A	Yes <input type="checkbox"/> No <input type="checkbox"/>

■ RECOMMENDED ACTION/MOTION: The Board of Supervisors uphold the Planning Commissions decision and approves Use Permit and Reclamation Plan #U 7-2010, denying the appeal and finding that the appropriate CEQA requirements have been met and finding that the project is consistent with the applicable goals and policies of the General Plan and Mendocino County Code Chapter 22.16.

■ ALTERNATIVES: 1. The Board of Supervisors finds that project approval failed to meet requirements
 BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Proclamation Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 8(c)

of CEQA and the project to be inconsistent with the goals and policies of the General Plan and/or the applicable sections of the Mendocino County Code with respect to criteria necessary for the permitting of surface mining activities. As a result, the Board of Supervisors upholds the appeal of the Planning Commission's prior decision and denies the project. (Not recommended action)

2. A second alternative recommendation is that the Board of Supervisors finds an Environmental Impact Report (EIR) is necessary to evaluate potentially significant impacts resulting from the project and continues the appeal to a date uncertain to allow time for the preparation of a draft EIR document. (Not recommended action)

■ CEO REVIEW (NAME): _____

PHONE: 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION
 Approved _____
 Records Executed _____

Date of Meeting _____
 Referred to _____
 Other _____



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 12(a)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
- Agenda Summaries must be submitted no later than *noon* Monday, 15 days prior to the meeting date (along with electronic submittals)
- Send 14 complete sets (original, single-sided+13 copies) – Items must be signed-off by appropriate departments and/or County Counsel
- Transmittal of electronic Agenda Summaries and associated records must be emailed to: bosagenda@co.mendocino.ca.us
- Electronic Agenda Transmission Checklist: Agenda Summary Records If applicable, list other online information below
- Executed records will be returned to the department within one week. Arrangements for expedited processing must be made in advance

TO: Board of Supervisors DATE: Aug. 17, 2011

FROM: County Counsel MEETING DATE: Aug. 23, 2011

DEPARTMENT RESOURCE/CONTACT: Jeanine Nadel PHONE: 463-4446 Present On Call

Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: 15 min.

■ AGENDA TITLE: Discussion and Possible Action for Appointment to the Ad Hoc Committee to Recommend Draft Medical Marijuana Dispensary Regulations

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: July 26, 2011: The Board appointed Supervisors McCowen and Hamburg to an ad hoc committee to recommend draft medical marijuana dispensary regulations; August 16, 2011: Supervisor Hamburg recused himself from participation in the committee due to the appearance of a conflict of interest.

■ SUMMARY OF REQUEST: Discuss and take action to make an appointment to the ad hoc committee charged with recommending draft medical marijuana dispensary regulations, or take alternative action.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:

■ ADDITIONAL INFORMATION ON FILE WITH THE CLERK OF THE BOARD (CHECKED BY COB IF APPLICABLE):

FISCAL IMPACT:NA			
Source of Funding	Current F/Y Cost	Annual Recurring Cost	Budgeted in Current F/Y
			Yes <input type="checkbox"/> No <input type="checkbox"/>

■ SUPERVISORIAL DISTRICT: 1 2 3 4 5 All **■ VOTE REQUIREMENT:** Majority 4/5^{ths}

■ RECOMMENDED ACTION/MOTION: Discuss and make appointment to the ad hoc committee to recommend draft medical marijuana dispensary regulations.

■ ALTERNATIVES: Do not make an appointment and disband the committee.

■ CEO REVIEW (NAME): _____ **PHONE:** 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION (DATE: _____): Approved Referred to _____ Other _____

RECORDS EXECUTED: Agreement: _____ Resolution: _____ Ordinance: _____ Other _____