

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(Approximately 1:30 p.m. – See Item No. 8c) **USE PERMIT WITHDRAWN**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



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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



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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