



**MENDOCINO COUNTY BOARD OF SUPERVISORS
ACTION MINUTES – JULY 26, 2011**

**MENDOCINO
COUNTY
BOARD OF
SUPERVISORS**

**CARRE BROWN
FIRST DISTRICT**

**JOHN McCOWEN
SECOND DISTRICT
VICE-CHAIR**

**JOHN PINCHES
THIRD DISTRICT**

**KENDALL SMITH
FOURTH DISTRICT
CHAIR**

**DAN HAMBURG
FIFTH DISTRICT**

**CARMEL J. ANGELO
CHIEF EXECUTIVE
OFFICER/
CLERK OF THE
BOARD**

**JEANINE B. NADEL
COUNTY COUNSEL**

**BOARD RESOURCE
INFORMATION:**

**OFFICE: (707) 463-4221
FAX: (707) 463-7237**

**EMAIL THE BOARD:
BOS@CO.MENDOCINO.CA.US**

**WEBSITE:
WWW.CO.MENDOCINO.CA.US/BOS**

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**BOARD
ACTION MINUTES
(SEE LAST PAGE
FOR MORE INFORMATION)**

**NEXT MEETING
(AGENDAS ARE POSTED
ON THURSDAYS)
WWW.CO.MENDOCINO.CA.US/BOS**

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF MENDOCINO • STATE OF CALIFORNIA
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA GOVERNMENT CODE §25150)**

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

AGENDA ITEM NOS. 1 & 2 – OPEN SESSION, ROLL CALL, AND PLEDGE OF ALLEGIANCE (9:02 A.M.)

Present: Supervisors Carre Brown, John McCowen, John Pinches, Kendall Smith, and Dan Hamburg. Chair Smith presiding.

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer/Clerk of the Board; Ms. Jeanine B. Nadel, County Counsel; and Mr. Tim Mitchell, Deputy Clerk of the Board.

Pledge of Allegiance: Mr. Lee Howard.

PUBLIC EXPRESSION

Presenter/s: Ms. Janet Hurlbut; Ms. Melanie Lightbody, County Librarian; Mr. J.R. Rose; Mr. Richard Shoemaker, Ukiah Valley Cultural and Recreation Center; Mr. Tony Shaw, Agriculture and Business Coalition (ABC); Mr. Lee Howard, North Coast Builders Exchange; and Ms. Devon Jones, Mendocino County Farm Bureau.

Board Action: No action taken.

AGENDA ITEM No. 3 – APPROVAL OF MINUTES

Presenter/s: Chair Smith.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that the minutes of the June 28, 2011, Board Meeting, and July 12, 2011, Board Meeting are approved as presented.

T1-655

AGENDA ITEM No. 4 – CONSENT CALENDAR

Presenter/s: Consent Calendar items 4(8 and 9) removed for separate consideration.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Brown, and carried unanimously; IT IS ORDERED that Consent Calendar items 4(1-7 and 10-16) are approved/denied as follows:

- (1) Claims Against the County
 - (a) Claim of Chris Dewey -- Denied;
 - (b) Claim of Sprint Courier Service (Darrell Maxwell) -- Denied;
 - (c) Claim of Simona Petri -- Denied;
 - (d) Claim of Donald Scott -- Denied;

- (2) Adoption of a Resolution of the Mendocino County Board of Supervisors Designating the Mendocino County Probation Department as the County Agency to Provide Post-Release Community Supervision Pursuant to California’s Adult Public Safety Realignment Addressed in AB109 – Probation -- Adopted and the Chair is authorized to sign same --

RESOLUTION NO. 11-103

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DESIGNATING THE MENDOCINO COUNTY PROBATION DEPARTMENT AS THE COUNTY AGENCY TO PROVIDE POST-RELEASE COMMUNITY SUPERVISION PURSUANT TO CALIFORNIA’S ADULT PUBLIC SAFETY REALIGNMENT ADDRESSED IN AB109

- (3) Adoption of a Resolution Authorizing the Destruction of Certain Records within the General Services Agency, Central Services Division, Pursuant to Government Code Section 26202 – General Services Agency -- Adopted and the Chair is authorized to sign same --

RESOLUTION NO. 11-104

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS IN THE GENERAL SERVICES AGENCY, CENTRAL SERVICES DIVISION

- (4) Adoption of a Resolution Authorizing Health and Human Services Agency (HHSA) Director and/or Designee, to Sign as Agent, on Behalf of the County of Mendocino for All AODP Certification Applications to the State Department of Alcohol and Other Drug Programs – Health and Human Services Agency/Adult and Older Adult System of Care -- Adopted and the Chair is authorized to sign same --

RESOLUTION NO. 11-105

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE HEALTH AND HUMAN SERVICES AGENCY (HHSA) DIRECTOR AND/OR DESIGNEE TO SIGN AS AGENT ON BEHALF OF THE COUNTY OF MENDOCINO, FOR ALL MENDOCINO COUNTY ALCOHOL AND DRUG PROGRAM CERTIFICATION APPLICATIONS TO THE STATE DEPARTMENT OF ALCOHOL AND DRUG PROGRAMS

- (5) BOS 11-095 Approval of Agreement with Mendocino County Youth Project in the Amount of \$389,000 to Provide Specialty Mental Health Services to Medi-Cal Eligible Children in Fiscal Year 2011/2012 – Health and Human Services Agency/Mental Health Services -- Approved and the Chair is authorized to sign same;
- (6) BOS 11-096 Approval of Agreement with Redwood Children’s Services, Inc. in the Amount of \$284,000, to Provide Housing and Services to Assist Emancipated Foster/Probation Youth in Fiscal Year 2011/2012 – Health and Human Services Agency/Children and Family System of Care -- Approved and the Chair is authorized to sign same;
- (7) BOS 11-097 Approval of Agreement with Redwood Children’s Services, Inc. in the Amount of \$778,170, to Provide Emergency Shelter Services in Fiscal Year 2011/2012 – Health and Human Services Agency/Children and Family System of Care -- Approved and the Chair is authorized to sign same;
- (10) BOS 10-201 A1 Approval of an Amendment to BOS Agreement No. 10-201 with Ukiah Community Center, Inc. to Increase Agreement Amount by \$12,876 and Extend Term Date Through September 30, 2011 for Crisis Line Services – Health and Human Services Agency/Adult and Older Adult System of Care -- Approved and the Chair is authorized to sign same;
- (11) BOS 11-098 Approval of a Cooperative Agreement with the California Department of Food and Agriculture (CDFA) in the Amount of \$250,452.00, for Reimbursement of European Grapevine Moth (EGVM) Trapping Program Activities – Agriculture -- Approved and the Chair is authorized to sign same;

- (12) Adoption of an Ordinance Approving Rezone #R 6-2010 (Balassi), which would Rezone Approximately 41+/- acres from Forestland-160 Acre Minimum (FL-160) to Timber Production-160 Acre Minimum (TP-160) – Planning and Building Services -- Adopted and the Chair is authorized to sign same --

ORDINANCE NO. 4280

AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY

- (13) Adoption of a Resolution Approving Department of Transportation Agreement No. 110069 with the Federal Aviation Administration (FAA) for No Cost Land on Airport Memorandum of Agreement (MOA) at Little River Airport (Little River Area) – Transportation -- Adopted and the Chair is authorized to sign same --

RESOLUTION NO. 11-106

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING DOT AGREEMENT NO. 110069 WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR NO COST LAND ON AIRPORT MEMORANDUM OF AGREEMENT (MOA) AT LITTLE RIVER AIRPORT (LITTLE RIVER AREA)

- (14) BOS 11-099 Adoption of Resolution Authorizing Department of Transportation Advertisement for Bids and Award of a Contract to Perform Hot Mix Asphalt Overlay on Mountain View Road (CR 510) Between M.P. 0.00 and M.P. 1.00 (Point Arena Area) – Transportation -- Adopted and the Chair is authorized to sign same --

RESOLUTION NO. 11-107

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING DEPARTMENT OF TRANSPORTATION ADVERTISEMENT FOR BIDS AND AWARD OF A CONTRACT TO PERFORM HOT MIX ASPHALT OVERLAY ON MOUNTAIN VIEW ROAD (CR 510) BETWEEN M.P. 0.00 AND M.P. 1.00 (POINT ARENA AREA)

- (15) Removal of Opposition to AB 720 and Approval of Correspondence to State Organizations and Government Officials to that Effect – Transportation -- Approved and the Chair is authorized to sign same;

- (16) Adoption of a Resolution Supporting the Designation of a Portion of State Highway Route 101 in the County of Mendocino as the CHP Officer Thomas R. Adams Memorial Highway – Supervisor Smith -- Adopted and the Chair is authorized to sign same.

RESOLUTION NO. 11-108

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS SUPPORTING THE DESIGNATION OF A PORTION OF STATE HIGHWAY ROUTE 101 NEAR THE 271 JUNCTION, MILEPOST MARKER 102.00 TO SOUTH FORK EEL RIVER, MILEPOST MARKER 106.57 IN THE COUNTY OF MENDOCINO AS CHP OFFICER THOMAS R. ADAMS MEMORIAL HIGHWAY

SUPERVISOR MCCOWEN RECUSED HIMSELF AT 9:52 A.M. FROM ITEMS 4(8) AND 4(9), DUE TO A POTENTIAL CONFLICT OF INTEREST.

ITEMS 4(8) AND 4(9) COMBINED FOR DISCUSSION AND ACTION.

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

- (8) BOS 11-100 Approval of Agreement with Redwood Children’s Services, Inc., in the Amount of \$4,845,000 to Provide Specialty Mental Health Services to Medi-Cal Eligible Children in Fiscal Year 2011/2012 – Health and Human Services Agency/Mental Health Services
- (9) BOS 11-101 Approval of Agreement with Tapestry Family Services in the Amount of \$2,550,000 to Provide Specialty Mental Health Services to Medi-Cal Eligible Children for Fiscal Year 2011/2012 – Health and Human Services Agency/Mental Health Services

Presenter/s: Supervisor Hamburg.

Public Comment: Ms. Stacey Cryer, Health and Human Services Agency Director; Ms. Elaine Boults, Mental Health Services Fiscal Manager; and Mr. Ben Anderson, Tapestry Family Services Executive Director.

Board Action: Foregoing introduced by Supervisor Brown, seconded by Supervisor Pinches, and carried (3/1, with Supervisor Hamburg dissenting).

SUPERVISOR MCCOWEN RETURNED AT 10:10 A.M.

T1-2508

AGENDA ITEM NO. 5C – DISCUSSION AND POSSIBLE ACTION REGARDING CONTRACT EXTENSION FOR COUNTY SOLID WASTE REFUSE AREA #2 (EMPIRE WASTE MANAGEMENT)

Presenter/s: Ms. Carmel J. Angelo, Chief Executive Officer and Mr. Mike Sweeney, Mendocino Solid Waste Management Authority Director.

Public Comment: Mr. Bob Angell, Waste Management and Mr. Lindy Peters.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that the Board of Supervisors hereby adopts a Resolution extending the franchise agreement for Franchise Area 2 with Empire Waste Management for three additional years, under the current terms and conditions.

RESOLUTION NO. 11-109

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS EXTENDING THE TERM OF THE FRANCHISE AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND USA WASTE OF CALIFORNIA, INC. FOR SOLID WASTE REFUSE COLLECTION AREA NO. TWO

RECESS FROM 10:45 A.M. – 10:55 A.M.

T2-493

AGENDA ITEM NO. 12A – DISCUSSION AND POSSIBLE ACTION REGARDING FORMATION AND APPOINTMENT OF AN AD HOC COMMITTEE TO RECOMMEND DRAFT MEDICAL MARIJUANA DISPENSARY REGULATIONS

Presenter/s: Ms. Jeanine B. Nadel, County Counsel.

Public Comment: Mr. Gabriel Martin, The Leonard Moore Cooperative Managing Director; Mr. Dan Rush, Medical Cannabis and Hemp Division Director, United Food & Commercial Workers Union; Mr. Matt Cohen, MendoGrown; Ms. Terry Johnson, Mendocino Cannabis Collectives Association; Professor Ping Pong; and Ms. Sally Pringle.

Board Action: Upon motion by Supervisor Brown, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors hereby appoint Supervisors McCowen and Hamburg to an ad hoc committee to recommend draft medical marijuana dispensary regulations to the Board.

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

ADJOURNED TO CLOSED SESSION: 11:15 A.M.

AGENDA ITEM NO. 11A – SITTING AS THE IHSS PUBLIC AUTHORITY GOVERNING BOARD: PURSUANT TO GOVERNMENT CODE SECTION 54957.6 – CONFERENCE WITH LABOR NEGOTIATOR – AGENCY NEGOTIATORS: CARMEL J. ANGELO, STACEY CRYER, MARYLOU LEONARD, AND FRAN BUCHANAN; EMPLOYEE ORGANIZATION(S): IHSS PROVIDERS

AGENDA ITEM NO. 11B – PURSUANT TO GOVERNMENT CODE SECTION 54957.6 – CONFERENCE WITH LABOR NEGOTIATOR – AGENCY NEGOTIATORS: CARMEL J. ANGELO, MEREDITH FORD, AND RICK HAEG; EMPLOYEE ORGANIZATION(S): ALL

AGENDA ITEM NO. 11C – PURSUANT TO GOVERNMENT CODE SECTION 54957 – PUBLIC EMPLOYEE PERFORMANCE EVALUATION – COUNTY COUNSEL

AGENDA ITEM NO. 11D – PURSUANT TO GOVERNMENT CODE SECTION 54956.9C – CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION: TWO CASES

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

T2-1142

AGENDA ITEM NO. 11 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Smith reported that Closed Session resulted in direction to staff.

Board Action: No action taken.

AGENDA ITEM NO. 8A – DISCUSSION AND PRESENTATION OF THE REDISTRICTING CITIZEN’S ADVISORY COMMITTEE’S RECOMMENDATION FOR SUPERVISORIAL DISTRICT BOUNDARY ADJUSTMENTS – SPONSOR: REDISTRICTING CITIZEN’S ADVISORY COMMITTEE

Presenter/s: Mr. Jim Mayfield, Chair; Ms. Tiffany Gibson, Vice-Chair; Ms. Maribelle Anderson; and Ms. Katherine Elliot.

Public Comment: Mr. Thad Van Bueren, Westport Municipal Advisory Committee (MAC) Chair; Ms. Sally Grigg, Westport MAC; Mr. Dan Gjerde; Ms. Judith Vidaver, Westport MAC Vice-Chair and Ocean Protection Coalition Chair; Mr. Ken Matheson; Mr. Leif Farr, County GIS Administrator; and Ms. Sue Ranochak, Assessor/Clerk-Recorder.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors hereby accepts the presentation of the Redistricting Citizen’s Advisory Committee’s recommendation for Supervisorial District Boundary Adjustments.

Board Directive: GENERAL CONSENSUS OF THE BOARD to hereby schedule the redistricting public hearings for August 16, 2011, and August 23, 2011.

Board Directive: GENERAL CONSENSUS OF THE BOARD to direct staff to provide the Board with the following documents:

- Current Supervisorial District map, accompanied by insets of each District;
- Staff Plan “A” and Staff Plan “B” maps, accompanied by insets for each map;
- Option “A” map, accompanied by insets;
- Copies of the comments made by Ms. Anderson and Ms. Elliot at today’s meeting.

RECESS FROM 3:05 P.M. – 3:14 P.M.

T3-1310

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

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

Board Action: No action taken.

T3-1705

AGENDA ITEM NO. 5A – CHIEF EXECUTIVE OFFICER’S REPORT

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

Public Comment: Mr. John Sakowicz.

Board Action: No action taken.

AGENDA ITEM NO. 5B – DISCUSSION AND POSSIBLE ACTION INCLUDING REVIEW, ADOPTION, AMENDMENT, CONSIDERATION OR RATIFICATION OF LEGISLATION PURSUANT TO THE ADOPTED LEGISLATIVE PLATFORM

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

Board Action: No action taken.

AGENDA ITEM NO. 7A – SUPERVISORS’ REPORTS – ASSIGNED BOARDS, COUNCILS & COMMISSIONS / OTHER MEETINGS ATTENDED

AGENDA ITEM NO. 7B – SUPERVISORS’ REPORTS – STANDING COMMITTEES – CHAIR REPORTS

AGENDA ITEM NO. 7C – SUPERVISORS’ REPORTS – AD-HOC COMMITTEE REPORTS

Presenter/s: Board members.

Board Action: No action taken.

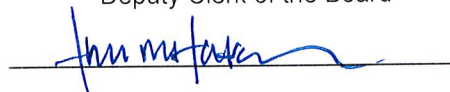
THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 4:11 P.M.

(Tape End T4-250)

Attest: TIM MITCHELL
Deputy Clerk of the Board



KENDALL SMITH, Chair



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