

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

JANUARY 25, 2011 – 9:00 A.M.

BOARD WORKSHOP (SEE SEPARATE AGENDA)

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



Order of Agenda:
Open Session,
Roll Call &
Pledge of Allegiance

Public Expression

Adoption of
Consent Calendar

Regular
Agenda Items

Closed Session

Selected items have
been assigned an
appointed time for
the convenience
of the Board and
the Public

Online Information
& Web Streaming
(See Page 4)

Televised
Board Meetings
(See Page 4)

Open Session
(9:00 a.m.)

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

*Report from the Mendocino County
Department of Transportation on Solid Waste Functions
After Privatization of Transfer Stations, and Authorization
of Layoff of Up to Three Positions*
(Approximately 9:15 a.m. - See Item No. 6b)

*Urgency Ordinance Adding Section 8.300 to
Chapter 8.300 of the Mendocino County Code
Imposing a Temporary Moratorium on the
Installation of SmartMeters and Related Equipment
In, Along, Across, Upon, Under, and Over the Public Streets
and Other Places Within the Unincorporated Area of
Mendocino County*
(Approximately 9:30 a.m. - See Item No. 8a)

Adjourn to Closed Session
(Approximately 11:00 a.m. - Followed by Lunch Recess)

*Reconvene for Board Workshop
& Report Out from Closed Session*
(Approximately 1:30 p.m. - See Separate Board Workshop Agenda)

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 January 4, 2011, Board Organizational Meeting
- Approval of Minutes of January 11, 2011, Board Meeting

ITEM NO. 4 – CONSENT CALENDAR

- Regular Consent Calendar (*See Attached*)

The Consent Calendar (Agenda) is considered routine and non-controversial and will be acted upon by the Board at one time without discussion. The Consent Calendar is adopted as the first order of business upon the start of the Open Session portion of the meeting. Any Board member may request that any item be removed from the Consent Calendar for individual consideration. Please consult with the Clerk of the Board for additional information.

ITEM NO. 5 – COUNTY EXECUTIVE OFFICE MATTERS

- (a) Chief Executive Officer Reports
- (b) Discussion and Possible Action Including Review, Adoption, Amendment, Consideration or Ratification of Legislation Pursuant to the Adopted Legislative Platform
- (c) Annual Review, Discussion, and Possible Action, Including Adoption of Resolution Approving Amendments to the Board of Supervisors Expenditure and Reimbursement Policy, Pursuant to Board Resolution No. 10-024 – Sponsor: Executive Office

ITEM NO. 6 – DEPARTMENTAL MATTERS AND REPORTS

- (a) Department of Transportation – Director’s Report
- (b) Discussion and Possible Action Regarding Report from the Mendocino County Department of Transportation (MCDOT) on Solid Waste Functions After Privatization of Transfer Stations, and Authorization of Layoff of Up to Three Positions – Sponsoring Department: Transportation

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) Discussion and Possible Action Regarding Urgency Ordinance Adding Section 8.300 to Chapter 8.300 of the Mendocino County Code Imposing a Temporary Moratorium on the Installation of SmartMeters and Related Equipment In, Along, Across, Upon, Under, and Over the Public Streets and Other Places Within the Unincorporated Area of Mendocino County – Sponsors: Supervisors Hamburg and McCowen
- (b) Discussion and Possible Action Regarding a Letter Opposing the Elimination of the Multipurpose Senior Services Program (MSSP) in the Governor’s Budget – Sponsor: Supervisor Brown



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 Clerk of the Board 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, Teresa Haase, MaryLou Leonard, Susan Era, and Fran Buchanan; Employee Organization(s): IHSS Providers
- (b) Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator – Agency Negotiators: Carmel J. Angelo, Teresa Haase, Meredith Ford, and Rick Haeg; Employee Organization(s): All
- (c) Pursuant to Government Code Section 54957 – Public Employee Performance Evaluation – Agricultural Commissioner

ITEM NO. 12 – COUNTY COUNSEL

ITEM NO. 13 – COMMUNICATIONS RECEIVED AND FILED

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

- (a) State of California, Department of Fish and Game: Notice of Re-adoption of Emergency Regulations Concerning Stewarts Point State Marine Reserve and Stewarts Point State Marine Conservation Area; In Order to be Considered, Public Comments on Proposed Emergency Regulations Must be Submitted in Writing to the Office of Administrative Law, 300 Capitol Mall, Room 1250, Sacramento, CA 95814; AND to the Fish and Game Commission, 1416 Ninth Street, Room 1320, Sacramento, CA 95814, or Via Fax to: (916) 653-5040, or Via E-mail to: fgc@fgc.ca.gov; Comments Must Identify the Emergency Topic and may Address the Finding of Emergency, the Standards Set Forth in Sections 11346.1 and 11349.1 of the Government Code and Section 240 of the Fish and Game Code; Comments Must be Received within Five Calendar Days of Filing of the Emergency Regulations; Please Refer to OAL's Website, www.oal.ca.gov, to Determine the Date on which the Regulations are Filed with OAL
- (b) Mendocino County Air Quality Management District Annual Report for 2010
- (c) State Water Resources Control Board: Wetland Area Protection Policy and Dredge and Fill Regulations – Notice of Preparation of Environmental Impact Report (EIR)/Initial Study Checklist and Notice of Public Workshops California Environmental Quality Act (CEQA) Scoping Meetings; Comment Letters Regarding the EIR/Initial Study Checklist may be Directed to the State Water Board, should be Limited to the CEQA Environmental Concerns, and Must be Received by 12:00 Noon on Tuesday, February 15, 2011; Please Send Comments to Jeanine Townsend, Clerk of the Board, by E-mail is 15 Megabytes in Size or Less, at: commentletters@waterboards.ca.gov, or by Fax at (916) 341-5620, or by Mail to: Jeanine Townsend, Clerk of the Board, State Water Resources Control Board, PO Box 100, Sacramento, CA 95812-2000 (by Mail), or 1001 I Street, 24th Floor, Sacramento, CA, 95814 (by Hand Delivery); Please Indicate in the Subject Line, "Comment Letter – CEQA – Wetland Area Protection Policy & Regulations"; Copies of the Initial Study are Available in PDF Format at: www.waterboards.ca.gov/water_issues/programs/cwa401/wrapp.shtml, or by Contacting or Visiting the State Water Board's Office at 1001 I Street, Sacramento, CA, 95814 Weekdays



Between 8:00 a.m. and 5:00 p.m., Attn: Catherine Woody – Agencies and the Public will also have the Opportunity to Provide Input at Two Public Workshops/CEQA Scoping Meetings Taking Place: Monday January 31, 2011, Joe Serna Jr./California Environmental Protection Agency Building, Klamath Training Room, 1001 I Street, Sacramento, CA 95814, 1:30 p.m. – 4:00 p.m. (for a Map, Please Refer to: www.calepa.ca.gov/EPAbldg/location.htm) OR Tuesday, February 8, 2011, San Diego Regional Water Quality Control Board, Regional Board Meeting Room, 9174 Sky Park Court, San Diego, CA 92123-4340, 10:00 a.m. – 12:30 p.m. (for a Map, Please Refer to: www.waterboards.ca.gov/sandiego/about us/)

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 9 copies to the Clerk of the Board staff, 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 9 copies to the Clerk of the Board staff, 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 Clerk of the Board's 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.uvctv.org (Requires Windows Media Player Version 9 – for Technical Assistance Please Contact Ukiah Valley Community 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 denial:

- (1) Claims Against the County
 - (a) Claim of Shelly Price
 - (b) Claim of Jeffrey L. Davis
 - (c) Claim of Rodney K. Mitchell
 - (d) Claim of Anna White
 - (e) Claim of Brenda White
 - (f) Claim of William White

The following items are recommended for approval:

CRIMINAL JUSTICE

- (2) Approval of Appropriation of \$29,500 of Unanticipated Revenue for the Purchase and Installation of a Radio Repeater in Laytonville, and Add the New Repeater to the County's Approved List of Fixed Assets – Sheriff

GENERAL GOVERNMENT

- (3) Approval of Rental Agreement Between the Mendocino County Fair and Apple Show (Association) and Sierra Nevada World Music Festival (Renter) – County Counsel
- (4) Adoption of Proclamation Recognizing the Month of February, 2011, as Spay and Neuter Month in Mendocino County – Executive Office
- (5) Adoption of Resolution Authorizing an Additional Loan, Not to Exceed \$232,500, to Address Soil Remediation Costs Associated with Completion of the Clara Court/Duane Hill Manor 32 Unit Affordable Housing Project Located Within the City of Ukiah – Executive Office
- (6) Approval of New Caspar Joint Powers Agreement and Caspar Transfer Station Operations Agreement & Lease with Solid Wastes of Willits, Inc. – Executive Office/Mendocino Solid Waste Management Authority
- (7) Approval of Agreement between the County of Mendocino and the Community Development Commission of Mendocino County (CDC) Designating CDC as a Subrecipient of the County for Grant Funds Received from the California Department of Housing & Community Development (HCD); Authorization for Board Chair to Sign Same – Executive Office
- (8) Acceptance of Actuarial Report of the Self-Funded Liability Program – General Services Agency
- (9) Acceptance of the Risk Management Insurance Program Annual Report for Fiscal Year 2009/2010 – General Services Agency
- (10) Approval of Memorandum of Understanding with Mendocino Land Trust for the Purpose of Establishing Construction Oversight and Dispersing Proposition 40, 2002 Resources Bond Act Per Capita Program Grant Funds in Support of the Caspar Beach Trail Project – General Services Agency
- (11) Acceptance of Report on Workers Compensation and Return to Work Program Activities – Human Resources



GENERAL GOVERNMENT – CONTINUED

- (12) Approval of Appropriations Transfer Request in the Amount of \$244,000 of Grant Funds to Fixed Assets Line Item for Purchase of New Electric/Diesel “Green” Bookmobile to Replace Aging Bookmobile – Library
- (13) Ratification of the Mendocino County Museum’s Application to the Museums For America Grant Program of the Federal Institute of Museum and Library Services and Adoption of Resolution for the Application Process – Museum
- (14) Adoption of Ordinance Delegating Authority to Invest Funds to the Treasurer-Tax Collector for Calendar Year 2011 – Treasurer-Tax Collector

HEALTH AND HUMAN SERVICES

- (15) Adoption of Amended Resolution Authorizing the Mendocino County Mental Health Director to Notify the California Department of Mental Health (DMH) to Reassign Mendocino County’s Prevention & Early Intervention (PEI) Statewide Projects Planning Funds for Fiscal Year 2008/09 through 2010/11 and its Allocations for Fiscal Year 2008/09 Through 2011/12 to Fund a Contract Between DMH and the California Mental Health Services Authority (CalMHSA), to Enroll Mendocino County as a Member of CalMHSA, and to Pay the Application Fee of \$250 Dollars – Health and Human Services Agency/Children and Family System of Care/Mental Health
- (16) Approval of the 2011 “County Self-Assessment” (CSA) of Mendocino County’s Child Welfare Services and Probation Services for Foster Youth, for Submission to the California Department of Social Services, Outcomes and Accountability Bureau and Office of Child Abuse Prevention Bureau – Health and Human Services Agency/Children and Family System of Care
- (17) Approval of the 2011 Title X Family Planning Program Agreement No. 2028-5320-71209-11 with the California Family Health Council, Inc. (Los Angeles, CA) in the Amount of \$109,000 – Health and Human Services Agency/Community Health Services/Family Planning
- (18) Approval of the Second Amendment for 2010 Title X Family Planning Program Contract No. 2028-5320-71209-10 (a Revenue Contract) in the Amount of \$8,000 with the California Family Health Council (Los Angeles, CA) – Health and Human Services Agency/Community Health Services

PUBLIC RESOURCES

- (19) Adoption of Resolution Issuing a Moratorium on New Agricultural Preserve Contracts – Resource Lands Protection Committee
- (20) Adoption of Resolution to Approve Contract Change Order No. 4, Department of Transportation Contract No. 080002, 2006 Winter Storm Damage Repairs on Comptche Ukiah Road and Orr Springs Road, CR 223, at M.P. 23.00, M.P. 23.90 and M.P. 23.98 (Ft. Bragg Area) – Transportation