

CARRE BROWN
First District
Chair

JOHN MCCOWEN
Second District

JOHN PINCHES
Third District

KENDALL SMITH
Fourth District

J. DAVID COLFAX
Fifth District
Vice-Chair

CARMEL J. ANGELO
Chief Executive Officer/Clerk of the Board

JEANINE B. NADEL
County Counsel

MENDOCINO COUNTY BOARD OF SUPERVISORS

AGENDA

OCTOBER 19, 2010 – 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



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)

*Discussion and Possible Action Regarding
Proposed Termination of MOU with Coast Library*
(Approximately 9:30 a.m. - See Item No. 6b)

Adjourn to Closed Session
(Approximately 10:00 a.m.)

*Reconvene in Open Session
& Report Out from Closed Session*
(Anticipated Adjournment – Approximately 12:00 noon)

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 October 5, 2010

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

ITEM NO. 6 – DEPARTMENTAL MATTERS AND REPORTS

- (a) Department of Transportation – Director’s Report
- (b) *Timed Item – 9:30 a.m.:* Discussion and Possible Action Regarding Coast Community Library Memorandum of Understanding and County Operations of Branch – Sponsoring Department: Library

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
- (d) Discussion and Possible Action Regarding Letter to the National Oceanic and Atmospheric Administration (NOAA) Requesting Incorporation of Additional Mitigations into the Marine Mammal Protection Act Permit for the Navy’s Northwest Training Range Complex (NWTRC) – Supervisors McCowen and Colfax

ITEM NO. 8 – MISCELLANEOUS

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 (TIMED ITEM: 10:00 A.M.)

- (a) Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator – Agency Negotiators: Carmel J. Angelo, Teresia Haase, Meredith Ford, and Rick Haeg; Employee Organization(s): All

ITEM NO. 12 – COUNTY COUNSEL

ITEM NO. 13 – COMMUNICATIONS RECEIVED AND FILED

Communications received and filed are retained by the 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 1090.

- (a) State Water Resources Control Board Notice of Applications to Appropriate Water by Permit: Application Filed by Kenneth and Kathe Todd. For More Information, Please Contact Mr. Peter Barnes at (916) 445-9989 or Email at pbarnes@waterboards.ca.gov. Public Comment Period ends 4:30 p.m. on November 2, 2010
- (b) Mendocino County Law Library Annual Report for Fiscal Year Ending June 30, 2010
- (c) California Fish and Game Commission: Notice of Findings from the September 15, 2010 Meeting, Pursuant to Section 2074.2 of the Fish and Game Code, that the Mountain Yellow-Legged Frog is Hereby Declared a Candidate Species for the Endangered Species List. Written Comments or Data Related to the Petitioned Action Should be Directed to Mr. John K. Fischer, Acting Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-209, Phone (916) 653-4899
- (d) California Fish and Game Commission: Notice of Findings from the June 23, 2010 Meeting, Pursuant to Section 2075.5 of the Fish and Game Code, that the Petitioned Action to Add the Pacific fisher to the List of Threatened or Endangered Species Under the Endangered Species Act is not Warranted. For More Information, Please Contact the California Fish and Game Commission at (916) 653-4899 or Email fgc@fgc.ca.gov
- (e) California Department of Mental Health Notice of Proposed Rulemaking: Pursuant to the Authority Vested by Section 5898 of the Welfare and Institutions Code, the Department of Mental Health is Seeking Changes to Division 1 of Title 9 of the California Code of Regulations. A Public Hearing is Scheduled for November 23, 2010, at the California Department of Water Resources Auditorium Located at 1416 9th Street, 1st Floor, in Sacramento, California. Comments may be Submitted to Ms. Stephanie L. Fields, Department of Mental Health, 1600 9th Street, Room 435, Sacramento, California 95814, (916) 651-1446. Written Comments may also be Submitted by Facsimile at (916) 651-3852 or by Email to DMH.Regulations@dmh.ca.gov. The Written Comment Period Closes at 5:00 p.m. on November 23, 2010.
- (f) Protest of Non-Renewal of Agriculture Preserve Contract: Owner (Donat G. Lenney)
- (g) Protest of Non-Renewal of Agriculture Preserve Contract: Owner (Arnold B. Slotte)



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 1090. 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 1090
- 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 1090. 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 Michael Ford
 - (b) Claim of Jason Manning
 - (c) Claim of Glenda Preston
 - (d) Claim of Alvaro Garcia Tecayehautl

The following items are recommended for approval:

CRIMINAL JUSTICE

- (2) Adopt the Resolution Authorizing the Underserved Victim Advocacy and Outreach Program and Approve the Grant Application for Grant Period October 1, 2010 – September 30, 2011 – District Attorney

GENERAL GOVERNMENT

- (3) Appointments-In-Lieu of Election and Central Committee Candidates to be Declared Elected – Assessor/Clerk-Recorder
- (4) Adoption of Resolution Amending Mendocino County's Conflict of Interest Code – County Counsel
- (5) Adoption of Resolution Amending Position Allocation Table as Follows: Move Position Numbers 3708 & 3810 Senior Substance Abuse Counselor (2 FTE) from Budget Unit 4012 to Budget Unit 4050 – Human Resources

HEALTH AND HUMAN SERVICES

- (6) Approve Agreement with BlackTalon Enterprises, Inc. in the Amount of \$51,480 to Provide Uniformed Security Officers in Fiscal Year 2010/2011 for Social Services in the Ukiah and Fort Bragg offices – Health and Human Services Agency/Social Services Branch

PUBLIC RESOURCES

- (7) Approval of the Glassy-Winged Sharp Shooter/Pierce's Disease Control Program Contract for Fiscal Years 2010/2011 and 2011/2012 in the Amount of \$64,471.49 – Agriculture
- (8) Approval of Contract Agreement with the California Department of Food and Agriculture (CDFA) for European Grapevine Moth (EGVM) Trapping and Detection Activities, in the Amount of \$50,943.00 – Agriculture
- (9) Adoption of Resolution Adjusting the FY 2010/11 Budget to Acquire an Emergency Generator for Little River Airport from Restricted State Aviation Funds in Budget Unit 3090 and Authorizing Necessary Budget Transfers – Transportation
- (10) Adoption of Resolution Approving Release of Contract Surety, Department of Transportation Contract No. 090005, Overlay on West Road, Pudding Creek and Comptche/Ukiah Road (Ft. Bragg and Ukiah Areas) – Transportation



SUPERVISORS

- (11) Letter of Appreciation to Congressman Mike Thompson for his Assistance in Securing an Extension of Time for the Comment Period for the Final Environmental Impact Statement (EIS) Overseas Environmental Impact Statement (OEIS) for the Navy's Northwest Training Range Complex (NWTRC) – Supervisors McCowen and Colfax