

CARRE BROWN
1st District Supervisor
Chair

JOHN MCCOWEN
2nd District Supervisor

TOM WOODHOUSE
3rd District Supervisor

DAN GJERDE
4th District Supervisor
Vice-Chair

DAN HAMBURG
5th District Supervisor

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



DOUGLAS L. LOSAK
Interim County Counsel

COUNTY ADMINISTRATION CENTER
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MENDOCINO COUNTY BOARD OF SUPERVISORS

AGENDA

REGULAR MEETING APRIL 7, 2015 – 9:00 AM

BOARD CHAMBERS, ROOM 1070, COUNTY ADMINISTRATION CENTER

Following the posting of the Agenda, all agenda item supporting documentation, including any material submitted to the Clerk after distribution of the Agenda packet, is available for public review through the Executive Office, 501 Low Gap Road, Room 1010, Ukiah, CA 95482 during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday.

Persons wishing to file documentation on any agenda item for the official record must submit ten (10) copies of each document to the Executive Office.

Members of the public are advised that all cell phones or electronic devices are to be silenced upon entering the Board Chambers.

TIMED ITEMS

Please note that all times provided are considered approximate.

11:00 a.m.: Acceptance of Annual Informational Presentation by the Mendocino County Children's Action Committee on Child Abuse Awareness and Prevention, Followed by Luncheon in the Administration Center Foyer (See Item No. 5e)

1:30 p.m.: Presentation on the California State Responsibility Area Fire Prevention Fund Fire Prevention Grant Program (See Item No. 5c)

3:00 p.m.: Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator - Agency Negotiators: Carmel J. Angelo, Randy Parent, Heidi Dunham, Alan Flora, Cherie Johnson, and Donna Williamson; Employee Organization(s): All (See Item No. 9a)

1. OPEN SESSION

- (a) Roll Call
- (b) Pledge of Allegiance

2. PROCLAMATIONS

Items in this section are automatically adopted unless specifically pulled by a Supervisor. Proclamations may be presented or commented on as needed.

- (a) [Adoption of Proclamation Designating April 12-18, 2015, National Public Safety Telecommunications Week in Mendocino County, in Honor of the Public Safety Dispatchers Staff of the Mendocino County Sheriff's Office \(Sponsor: Sheriff's Office\)](#)
- (b) [Adoption of Proclamation Recognizing the Month of April as National County Government Month in Mendocino County \(Sponsor: Supervisor Brown\)](#)
- (c) [Adoption of Proclamation Recognizing April 6-12, 2015 as Public Health Week in Mendocino County \(Sponsor: Health and Human Services Agency\)](#)
- (d) [Adoption of Proclamation Recognizing April 2015 as National Alcohol Awareness Month in Mendocino County \(Sponsor: Health and Human Services Agency\)](#)
- (e) [Adoption of Proclamation Recognizing April 2015 as Child Abuse Prevention Month \(Sponsor: Health and Human Services Agency\)](#)

3. PUBLIC EXPRESSION

Members of the public are welcome to address the Board on items not listed on the agenda, but 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. 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. 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. If you wish to submit written comments, please provide 10 copies to the Executive Office staff, located in the County Administration Center, Room 1010. All meetings are tape-recorded, so speakers are reminded to announce their names as they approach the podium.

4. CONSENT CALENDAR

The Consent Calendar is considered routine and non-controversial and will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed from the Consent Calendar for individual consideration.

See section at the end of this document for the full listing of Consent items

5. COUNTY EXECUTIVE OFFICE AND DEPARTMENTAL MATTERS

EXECUTIVE OFFICE

- (a) **Chief Executive Officer's Report**

(Available Online at: <http://www.co.mendocino.ca.us/administration/CEORReports.htm>)

Recommended Action/Motion: Accept the report of the Chief Executive Officer.

- (b) **Discussion and Possible Action Including Review, Adoption, Amendment, Consideration or Ratification of Legislation Pursuant to the Adopted Legislative Platform**

Recommended Action/Motion: Provide directions to staff on matters of legislation.

- (c) **Discussion and Informational Presentation Regarding Various Grant Mechanisms Currently Addressed by the State Responsibility Area Fire Prevention Fund (SRAFPF) Fire Prevention Grant Program and Discussion on Public Resource Code 4291**

Recommended Action/Motion: Accept informational presentation regarding various grant mechanisms currently addressed by the SRAFPF Fire Prevention Grant Program and Public Resource Code 4291.

HEALTH AND HUMAN SERVICES AGENCY

- (d) **Acceptance of Informational Presentation by the Health and Human Services Agency (HHS) Advisory Board on their 2015 Needs Assessment/Homeless Project and Authorization for the Board of Supervisors Chair to Sign a Letter to Each City Manager and City Council Member in Mendocino County Regarding Participation in the Homeless Project Process**

Recommended Action/Motion: Accept the informational presentation from the HHS Advisory Board and approve the Board of Supervisors Chair to sign a letter to each City Manager and City Council member in Mendocino County regarding participation in the homeless project process.

- (e) **Acceptance of Annual Informational Presentation by the Mendocino County Children's Action Committee on Child Abuse Awareness and Prevention, Followed by Luncheon in the Administration Center Foyer**

Recommended Action/Motion: Accept informational presentation by the Children's Action Committee and partake in the luncheon immediately following in the Administration Center foyer.

PLANNING AND BUILDING SERVICES

- (f) **Discussion on Recommendation from the Mendocino County Fish and Game Commission and Possible Approval of Disbursement of \$28,945 of Mendocino County Fish and Game Propagation Funds for Round 2 of the 2014/2015 Project Cycle**

Recommended Action/Motion: Approve the recommendations of the Mendocino County Fish and Game Commission for disbursement of \$28,945 for Round 2 of the 2014/2015 project cycle.

- (g) **Informational Update on the Status of the Mendocino Town Local Coastal Plan Amendment (LCPA) and Possible Direction or Consideration of Coastal Commission Comments Regarding the Submitted Mendocino Town LCPA**

Recommended Action/Motion: Accept the Mendocino Town LCPA status report and, as necessary, direct Planning and Building Services to respond to Coastal Commission comments regarding the LCPA.

TRANSPORTATION

- (h) **Transportation Director's Report**

Recommended Action/Motion: Accept the report of the Transportation Director.

6. BOARD OF SUPERVISORS AND MISCELLANEOUS

(a) **Supervisors' Reports Regarding Board Special Assignments, Standing and Ad Hoc Committee Meetings, and Other Items of General Interest**

(b) **Report of an Update on the Business Improvement District (BID) Ad Hoc Committee**

Recommended Action/Motion: Receive report of the Business Improvement District (BID) Ad Hoc Committee, discuss and provide direction as the Board deems appropriate.

7. BOARD OF DIRECTORS MATTERS

The Mendocino County Board of Supervisors meets concurrently as the Board of Directors of the: In-Home Supportive Services Public Authority Governing Board; Mendocino County Air Quality Management District; Mendocino County Public Facilities Corporation; and the Mendocino County Water Agency.

8. MODIFICATIONS TO AGENDA

Items added to the agenda subsequent to agenda publication, up to 72 hours in advance of the meeting, pursuant to Government Code section 54954.

9. CLOSED SESSION

Notice to the public regarding closed session: As provided in the Ralph M. Brown Act, Government Code sections 54950 et seq., the Board of Supervisors may meet in closed session with members of its staff, County employees, and its attorneys. These sessions are not open to the public and may not be attended by members of the public. The matters the Board will meet on in closed session are identified below or are those matters appropriately identified in open session as requiring immediate attention and arising after the posting of the agenda. Any public reports of action taken in the closed session will be made in accordance with Government Code sections 54957.1.

(a) **Pursuant to Government Code Section 54957.6 - Conference with Labor Negotiator - Agency Negotiators: Carmel J. Angelo, Randy Parent, Heidi Dunham, Alan Flora, Cherie Johnson, and Donna Williamson; Employee Organization(s): All**

(b) **Pursuant to Government Code Section 54957 - Public Employee Performance Evaluation - Agricultural Commissioner**

(c) **Pursuant to Government Code Section 54957 - Public Employee Performance Evaluation - Planning and Building Services Director**

(d) **Pursuant to Government Code Section 54956.9(a) - Conference with Legal Counsel - Existing Litigation: Animal Legal Defense Fund, et al. v. County of Mendocino. Mendocino County Superior Court Case No. SCUk-CVPT-14-64916**

(e) **Pursuant to Government Code Section 54956.9(a) - Conference with Legal Counsel - Existing Litigation: Mark Scaramella v. County of Mendocino. Mendocino County Superior Court Case No. SCTM-CVG-15-65072**

(f) **Pursuant to Government Code Section 54956.9d(2) - Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to Litigation - One Case - Proposed Central Coast Transfer Station Environmental Impact Report**

10. COMMUNICATIONS RECEIVED AND FILED

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

- (a) State Water Resource Control Board - Notice of two Board Meetings being held on April 7, 2015 at 9:00 AM and on April 8, 2015 at 9:00 AM in Sacramento, CA; for additional information please contact Clerk of the Board at (916) 341-5600 or submit comments via email to commentletters@waterboards.ca.gov.
- (b) State Fish and Game Commission - Notice of adoption hearing teleconference on April 17, 2015 at 10:00 AM in Santa Rosa, CA regarding Central Valley Salmon, subsections 7.50(b)(5), Title 14, California Code of Regulations, California Regulatory Notice Register, January 2, 2015, Notice File No. Z2014-1223-02, Register 2015, No. 1-Z; for additional information please contact Sonke Mastrup, Executive Director, Fish and Game Commission, (916) 653-4899.
- (c) State Water Resource Control Board - Notice of public meeting to consider: (1) the approval of the Final Staff Report, including the Draft Substitute Environmental Documentation (SED) and (2) the adoption of the proposed Final Amendment to the Water Quality Control Plan for the Ocean Waters of California (Ocean Plan) addressing Desalination Facility Intakes, Brine Discharges, and the Incorporation of other Non-Substantive Changes. This meeting will take place on May 5, 2015 in Sacramento, CA; for additional information please contact Claire Waggoner at (916) 341-5582 or via email at claire.waggoner@waterboards.ca.gov.
- (d) State Water Resource Control Board – Notice of request associated with a temporary urgency change petition to modify requirements included in State Water Resources Control Board revised Decision 1641 to meet water quality objectives in the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary for the period April through September 2015 has been posted on the State Water Board’s website at: www.waterboards.ca.gov; for additional information please contact Diane Riddle at (916) 341-5297 or via email at diane.riddle@waterboards.ca.gov or contact Rich Satkowski at (916) 341-5439 or via email at rich.satkowski@waterboards.ca.gov.
- (e) State Board of Equalization – Notice of annual Taxpayer’s Bill of Rights public hearing before the Members of the California State Board of Equalization to take place on May 27, 2015 and June 23, 2015 in Sacramento, CA; for additional information please contact Mark Sutter at (916) 324-2797 or via email at mark.sutter@boe.ca.gov.

4. CONSENT CALENDAR - CONTINUED

The Consent Calendar is considered routine and non-controversial and will be acted upon by the Board at one time without discussion. Any Board member may request that any item be removed from the Consent Calendar for individual consideration.

ITEMS RECOMMENDED FOR APPROVAL:

MINUTES

- (a) [March 17, 2015 Regular Board Meeting](#)

APPOINTMENTS

- (b) [Approval of Recommended Appointments/Reappointments](#)

Recommended Action/Motion: Approve the following appointments/reappointments:

Board or Commission	Appointee	Category
Covelo Public Cemetery District	Sylvia Pauline Brumley	Trustee
Covelo Public Cemetery District	Roberta Hurt	Trustee
Covelo Public Cemetery District	Karen Vann	Trustee
Health and Human Services Agency Advisory Board	Carole Press	Community Health Representative
Health and Human Services Agency Advisory Board	Jacqueline Williams	1 st District Representative
Laytonville Municipal Advisory Council	Phil Gravier	Member
Laytonville Municipal Advisory Council	Albert Repovsch	Member
Laytonville Municipal Advisory Council	Hugh Sweeney	Member
Mental Health Board	*Margie Handley	5 th District Consumer Family
Russian River Cemetery District	Jofrid Lolonis	Trustee
Russian River Cemetery District	Thomas Reidenbach	Trustee

*Appointment of Ms. Handley, who resides in the 3rd District, includes a waiver of residency

EXECUTIVE OFFICE

- (c) [Approval of Letter of Support of AB 203 \(Oberholte\) Seeking Amendment to State Responsibility Area \(SRA\) Fire Prevention Fee Due Dates and AB 1202 \(Maves\) Seeking Implementation of a SRA Fire Prevention Fee Credit](#)

Recommended Action/Motion: Approve the Letters of Support for AB 203 and AB 1202 as presented, authorizing the Chair to sign same, and direct staff to transmit the letters.

- (d) [Adoption of Resolution Approving Proposed Revisions to the California Home Finance Authority \(Formal Name Change to Golden State Finance Authority Pending\) Joint Powers Agreement and Execute the Joint Powers Agreement with Golden State Finance Authority](#)

Recommended Action/Motion: Adopt Resolution approving all revisions to the Joint Powers Authority Agreement with the Golden State Finance Authority and authorize the Chair of Board to sign.

- (e) [Ratification of Letter of Support to Delay and Amend the State Adoption of the California Water Resources Control Board’s Proposed Statewide Trash Amendments and Approve Proxy Statement for County Support to be Represented at the State Water Resource Control Board Public Meeting on April 7, 2015](#)

Recommended Action/Motion: Ratify letter of support to delay and amend the state adoption of the California Water Resources Control Board’s proposed statewide Trash Amendments and approve proxy statement for County support to be represented at the State Water Resource Control Board public meeting.

HEALTH AND HUMAN SERVICES AGENCY

- (f) [Adoption of Resolution Authorizing Health and Human Services Agency \(HHS\) to Enter Into Revenue Agreement #14-462-250 With the California State Water Resources Control Board in the Amount of \\$30,000 and Authorizing the HHS Director to Sign the Agreement and Any Future Amendments](#)

Recommended Action/Motion: Adopt and authorize the Chair to sign Resolution authorizing the Health and Human Services Agency to enter into revenue agreement with the California State Water Resources Control Board in the amount of \$30,000; and authorize the HHSA Director to sign the agreement and any future amendments to the agreement that do not increase the annual maximum amount of the agreement.

LIBRARY

(g) [Informational Update from the Library Regarding E-Rate Funding and Internet Service Agreement with Sonic](#)

Recommended Action/Motion: Accept the informational update from the Library regarding E-Rate funding and internet service Agreement with Sonic.

The Mendocino County Board of Supervisors meets concurrently as the Board of Directors of the: In-Home Supportive Services Public Authority Governing Board; Mendocino County Air Quality Management District; Mendocino County Public Facilities Corporation; and the Mendocino County Water Agency.

MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT

(h) [Request for Authorization to Increase the Total Funding Amount of Carl Moyer Program Grant Project # 14-14 \(Iveson\) by \\$3,028 and Add an Addendum to the Agreement for Funding Increasing the Total Project Allocation to \\$46,023](#)

Recommended Action/Motion: Authorize the Air Quality Management District to increase the total funding amount of Carl Moyer Program Grant Project # 14-14 (Iveson) by \$3,028 and add an addendum to the Agreement for Funding increasing the total project allocation to \$46,023.

Additional Meeting Information for Interested Parties

- 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 Executive Office by calling (707) 463-4441 at least five days prior to the meeting
- 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 Board Chambers. If you wish to submit documentation, please provide 10 copies to Executive Office staff, located in the Administration Center, Room 1010
- 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/departments.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
- LIVE WEB STREAMING OF BOARD MEETINGS: www.mendocinoaccess.org. For technical assistance, please contact Mendocino Access Television
- Please reference the departmental website to obtain additional resource information for the Board of Supervisors: www.co.mendocino.ca.us/bos

Thank you for your interest in the proceedings of the Mendocino County Board of Supervisors



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 2(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:** March 13, 2015

FROM: Thomas D. Allman, Sheriff-Coroner **MEETING DATE:** April 7, 2015

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

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

■ AGENDA TITLE: Adoption of Proclamation Designating April 12 Through April 18, 2015, National Public Safety Telecommunications Week In Mendocino County, In Honor Of the Public Safety Dispatchers Staff Of The Mendocino County Sheriff’s Office

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: The Mendocino County Board of Supervisors has adopted a Proclamation for the Mendocino County Sheriff’s Office Public Safety Telecommunications Staff many times since 1991 when Congress dedicated the second week of April to this honor this dedicated group of individuals.

■ SUMMARY OF REQUEST: First proclaimed by Congress in 1991, National Public Safety Telecommunications Week is the second full week of April of each year. The week is dedicated to the men and women who are the first and most critical contact our citizens have with emergency services.

■ 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: Adopt Proclamation designating April 12 through April 18, 2015, National Public Safety Telecommunications Week in Mendocino County, in honor of the public safety dispatchers staff of The Mendocino County Sheriff’s Office” and authorize Chair to sign same.

■ ALTERNATIVES: Do not approve the proclamation.

■ CEO REVIEW (NAME): Jason Claunch, Admin Analyst **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 _____

PROCLAMATION

OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS

“RECOGNITION OF APRIL 12 THROUGH APRIL 18, 2015 AS NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK AND HONORING THE PUBLIC SAFETY DISPATCHERS OF THE MENDOCINO COUNTY SHERIFF’S OFFICE”

WHEREAS, Emergencies can occur at anytime; and

WHEREAS, When an emergency occurs the prompt response of law enforcement officers, firefighters and emergency medical personnel is critical to the protection of life and preservation of property; and

WHEREAS, Public Safety Dispatchers are the first and more critical contact our citizens have with emergency services; and

WHEREAS, The safety of our citizens, law enforcement officers, firefighters and EMS personnel depends on the quality and accuracy of information gathered by Public Safety Dispatchers; and

WHEREAS, Public Safety Dispatchers are the single vital link for our law enforcement officers, firefighters and emergency medical technicians by monitoring their activities by radio, providing them information and insuring their safety; and

WHEREAS, The Public Safety Dispatchers of the Mendocino County Sheriff's Office have contributed significantly to the apprehension of criminals, suppression of fires and treatment of persons in need of medical care; and

WHEREAS, Even when faced with adverse circumstances, each dispatcher has consistently exhibited compassion, understanding and professionalism during the performance of their duties;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mendocino, in recognition of the outstanding achievements and dedicated service of the National Public Safety Telecommunications Staff of the Mendocino County Sheriff's Office, hereby proclaims the week of April 12 through April 18, 2015, in Mendocino County, as:

“National Public Safety Telecommunications Week in Mendocino County”

Dated: April 7, 2015

Carre Brown, Chair



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 2(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:** March 31, 2015
FROM: Supervisor Brown **MEETING DATE:** April 7, 2015
DEPARTMENT RESOURCE/CONTACT: Carre Brown **PHONE:** 463-4441 Present On Call
 Consent Agenda Regular Agenda Noticed Public Hearing Time Allocated for Item: 5 min.

■ AGENDA TITLE: Adoption of Proclamation Recognizing the Month of April as National County Government Month in Mendocino County

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: The Board of Supervisors routinely adopts Proclamations recognizing special events and meritorious achievements.

■ SUMMARY OF REQUEST: National County Government Month (NCGM) is an annual celebration of county government held each April. County resources are the core building blocks for healthy, vibrant and safe communities. Nationwide, we invest more than \$100 billion each year in transportation, broadband services, water systems and public facilities. Counties run most of our nation’s local jails and courthouses, own the largest share of America’s road miles and operate countless parks, libraries, emergency services and 911 call centers.

Since 1991, the National Association of Counties (NACo) has encouraged counties to actively promote their programs and services during NCGM. This year’s theme is “Counties Moving America Forward: The Keys are Transportation and Infrastructure.” Counties play a key role in everything from moving people and goods to moving the economy forward. Mendocino County Transportation Department is responsible for the maintenance and operation of 1,018 miles of County Maintained Roads, 137 bridges and numerous related appurtenances including: surface drainage facilities, traffic control signs and signals, and pavement marking. The roads within the County system provide vital economic and social transportation links, which affect the quality of life for all residents within Mendocino County.

The purpose of this proclamation is to recognize the services that the County of Mendocino provides, specifically in transportation, as a part of the National County Government Month celebration.

- 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
N/A	N/A	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: Adopt Proclamation recognizing the month of April 2015 as National County Government Month in Mendocino County, and authorize the Chair to sign same.

■ ALTERNATIVES: Do not adopt the proclamation.

■ CEO REVIEW (NAME): Sarah Dukett, Administrative Analyst **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 _____

PROCLAMATION
OF THE
MENDOCINO COUNTY BOARD OF SUPERVISORS
RECOGNIZING
NATIONAL COUNTY GOVERNMENT MONTH

WHEREAS, counties move America forward by building infrastructure, maintaining roads and bridges, providing health care, administering justice, keeping communities safe, running elections, managing solid waste, keeping records and much more; and

WHEREAS, the County of Mendocino and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of its residents in efficient and cost-effective ways; and

WHEREAS, through National Association of Counties President Riki Hokama's "Transportation and Infrastructure" initiative, NACo is encouraging counties to focus on how they improve their communities through road projects, new bridges, building new facilities, water and sewer improvements and other public works activities; and

WHEREAS, in order to remain healthy, vibrant, safe, and economically competitive, America's counties provide transportation and infrastructure services that play a key role in everything from residents' daily commutes to shipping goods around the world; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote their own programs and services to the public they serve; and

WHEREAS, the Mendocino County Department of Transportation is responsible for the maintenance and operation of 1,018 miles of County Maintained Roads, 137 bridges and numerous related appurtenances including: surface drainage facilities, traffic control signs and signals, and pavement marking; and

WHEREAS, the roads within the County system provide vital economic and social transportation links, which affect the quality of life for all residents within Mendocino County; and

WHEREAS, the County of Mendocino is committed to enhance, preserve and maintain a safe and reliable county road system for the citizens of Mendocino County.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mendocino, hereby proclaims April, 2015, as: "National County Government Month".

Dated: April 7, 2015

Carre Brown, Chair



**MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY**

BOARD AGENDA # 2(c)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
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Note: If individual supporting document(s) exceed 25 pages each, or are not easily duplicated, please provide 10 hard-copy sets)
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TO: Board of Supervisors **DATE:** February 24, 2015

FROM: HHSA- Public Health **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Stacey Cryer **PHONE:** 463-7774 Present On Call
Dave Jensen **PHONE:** 472-2777 Present On Call

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

■ AGENDA TITLE: Adoption of Proclamation Recognizing April 6-12, 2015 as Public Health Week in Mendocino County

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: April 6, 2004, Item 10a; March 21, 2006, Item 5(13); April 3, 2007, Item 7b; April 7, 2009, Item 6a; April 6, 2010, Item 4(14); April 8, 2014, Item 2(b)

■ SUMMARY OF REQUEST: In conjunction with the American Public Health Association (APHA), we request that the Board of Supervisors proclaim April 6-12, 2015 as Public Health Week in Mendocino County. This year the National focus/theme is “Healthiest Nation 2030” with the intention of making the United States the “Healthiest Nation in One Generation”. APHA recognizes the accomplishments of public health activities over the years while realizing that there is still much work to be done on the national, statewide, local and individual levels.

Local efforts continue to be made by Mendocino County Health and Human Services Agency Public Health programs through education and awareness related to injury prevention, better nutrition, safe routes to school, chronic disease prevention, alcohol and other drug prevention, immunizations and communicable disease control.

We intend to, at minimum, produce press releases for publication related to what individuals can do to help our Nation reach this goal.

■ SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT: www.apha.org

■ 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"/>

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

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

■ RECOMMENDED ACTION/MOTION: Adopt and authorize the Board Chair to sign the proclamation recognizing April 6-12, 2015 as Public Health Week.

■ ALTERNATIVES: Do not proclaim April 6-12, 2015 as Public Health Week.

■ CEO REVIEW (NAME): Jill Martin, DCEO **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 _____

PROCLAMATION

OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS

RECOGNITION OF APRIL 6-12, 2015 AS NATIONAL PUBLIC HEALTH WEEK IN MENDOCINO COUNTY

WHEREAS, 2015 marks the 20th anniversary of National Public Health Week with this year's theme being the "Healthiest Nation 2030"; and

WHEREAS, the accomplishments of the public health community over the last two decades are significant, such as a 25-year improvement in the average lifespan for Americans, a 70% reduction in HIV/AIDS-related deaths nationwide and declining cardiovascular deaths; and

WHEREAS, community partners are seeking a better balance between their profits and the health of their customers, for example, a national company has stopped selling tobacco products and expanded their programs to help people quit, America's major food and beverage companies have reduced calories in the products they sell, and the addition of healthy nutrition programs in schools; and

WHEREAS, these outcomes will play out over many years ahead, which are significant shifts that demonstrate that momentum is building around a higher commitment to our nation's public health; and

WHEREAS, building broader connections through the expansion of partnerships to collaborate with city planners, education officials, public, private and other organizations are necessary to map the network needed to make the U.S. the "Healthiest Nation in One Generation"; and

WHEREAS, local efforts continue to be made by Mendocino County Health and Human Services Agency Public Health programs through education and awareness related to injury prevention, better nutrition, safe routes to school, chronic disease prevention, alcohol and other drug prevention, immunizations and communicable disease control; and

WHEREAS, individual efforts to help reach this goal can be accomplished by creating a healthier self by making healthy choices, eating well, exercise and getting regular checkups.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mendocino, hereby proclaims April 6-12, 2015, as:

"National Public Health Week 2015 in Mendocino County"

Dated: April 7, 2015

Carre Brown, Chair



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 2(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 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: February 5, 2015
 FROM: HHSA - Public Health MEETING DATE: April 7, 2015
 DEPARTMENT RESOURCE/CONTACT: Stacey Cryer PHONE: 463-7774 Present On Call
Dave Jensen PHONE: 472-2777 Present On Call

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

■ **AGENDA TITLE: Adoption of Proclamation Recognizing April 2015 as National Alcohol Awareness Month in Mendocino County**

- **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** April 6, 2010 Item 6a; April 8, 2014 Item 2(e)
- **SUMMARY OF REQUEST:** The Health and Human Services Agency (HHSA) Public Health Prevention and Planning Unit and Substance Use Disorder Treatment (SUDT) Program request the Mendocino County Board of Supervisors to approve a Proclamation recognizing April 2015 as National Alcohol Awareness Month in Mendocino County. This Proclamation is critical to help raise public awareness of the seriousness of alcohol abuse and underage drinking in our nation and in our own communities within Mendocino County. The health harms and devastated lives associated with alcohol abuse and underage drinking are preventable and treatable with effective community and school-based prevention and treatment programs.

- **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: n/a
- **SUPERVISORIAL DISTRICT:** 1 2 3 4 5 All **VOTE REQUIREMENT:** Majority 4/5ths

■ **RECOMMENDED ACTION/MOTION:** Adopt and authorize the Board Chair to sign the Proclamation recognizing April 2015 as National Alcohol Awareness Month in Mendocino County. *Please return two signed original Proclamations.*

- **ALTERNATIVES:** Return to Staff for alternative handling.
- **CEO REVIEW (NAME):** Jill Martin, DCEO 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 _____

PROCLAMATION

OF THE

MENDOCINO COUNTY BOARD OF SUPERVISORS

RECOGNITION OF APRIL 2015 AS NATIONAL ALCOHOL AWARENESS MONTH IN MENDOCINO COUNTY

WHEREAS, Alcohol is the most commonly used addictive substance in the United States, contributing to 4,370 deaths per year in California; and (www.epicenter.cdph.ca.gov)

WHEREAS, young people who begin drinking before age 15 are 50% more likely to develop alcohol dependence than those who begin drinking after age 18; and, (Dawson, D.A. et.al., Age at First Drink and the First Incidence of Adult Onset Alcohol Use Disorders)

WHEREAS, 47% of Mendocino County 11th graders reported having their first drink before the age of 15; and, (CA Healthy Kids Survey, Mendocino County Report 2009-11)

WHEREAS, nearly 50% of Mendocino County youth have used alcohol in the past 30 days but additionally, 32% of them reported binge drinking in the same time frame; and, (CA Healthy Kids Survey, Mendocino County Report 2009-11)

WHEREAS, 13% of Alcohol related non-fatal emergency department visits were by children between the ages of 10-19 years; and, (CA Office of Statewide Health Planning and Dev. 2012)

WHEREAS, the Health and Human Services Agency Public Health Prevention and Planning Unit facilitates programs to reduce underage drinking through classroom and community education, collaboration with law enforcement and youth-serving organizations, Responsible Beverage Service training and pertinent signs where alcohol is sold, and policy adoption to reduce youth access to alcohol; and,

WHEREAS, the Health and Human Services Agency Behavioral Health and Recovery Services Substance Use Disorder Treatment programs assist participants who have substance use disorders, utilizing evidence-based curricula to support them in creating and maintaining a healthy, balanced lifestyle, free of alcohol and other drug abuse.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mendocino, hereby proclaims the month of April, 2015, as "NATIONAL ALCOHOL AWARENESS MONTH" in Mendocino County and calls upon families, government agencies, businesses, schools, and health care institutions to support effective alcohol prevention and treatment programs.

Dated: April 7, 2015

Carre Brown, Chair

PROCLAMATION
OF THE
MENDOCINO COUNTY BOARD OF SUPERVISORS

“RECOGNITION OF CHILD ABUSE PREVENTION MONTH
APRIL, 2015”

WHEREAS, children are vital to our community's future prosperity and quality of life;
and

WHEREAS, everyone in Mendocino County should become more aware of child abuse prevention as all children deserve to have safe, stable, nurturing and healthy homes and communities that foster well-being; and

WHEREAS, child abuse prevention is a community responsibility and finding solutions depends on involvement among all people; and

WHEREAS, communities must make every effort to promote programs that benefit children and their families; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships among local government, public and private agencies, schools, religious organizations, law enforcement, healthcare providers, the business community and most importantly, families.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Mendocino, hereby proclaims April, 2015, as “Child Abuse Prevention Month” and urge all citizens to work together to help reduce child abuse and neglect significantly in the years to come.

Dated: April 7, 2015

Carre Brown, Chair
Board of Supervisors



**MENDOCINO COUNTY BOARD OF SUPERVISORS
ACTION MINUTES – MARCH 17, 2015**

MENDOCINO
COUNTY
BOARD OF
SUPERVISORS

CARRE BROWN
FIRST DISTRICT
CHAIR

JOHN McCOWEN
SECOND DISTRICT

TOM WOODHOUSE
THIRD DISTRICT

DAN GJERDE
FOURTH DISTRICT
VICE-CHAIR

DAN HAMBURG
FIFTH DISTRICT

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

DOUGLAS L. LOSAK
INTERIM 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

WATCH LIVE BOARD
MEETINGS VIA
WEB STREAMING
WWW.MENDOCINOACCESS.ORG

BOARD
ACTION MINUTES
(SEE LAST PAGE
FOR MORE INFORMATION)

**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 No. 1 – OPEN SESSION (ROLL CALL AND PLEDGE OF ALLEGIANCE - 9:01 A.M.)

Present: Supervisors Carre Brown, John McCowen, Tom Woodhouse, Dan Gjerde, and Dan Hamburg. Chair Brown presiding.

Staff Present: Ms. Carmel J. Angelo, Chief Executive Officer/Clerk of the Board; Mr. Douglas L. Losak, Interim County Counsel; and Mr. Sukhmani S. Purewal, Deputy Clerk of the Board.

Pledge of Allegiance: Mr. Zachary Robert Hicks.

AGENDA ITEM No. 2A – ADOPTION OF PROCLAMATION RECOGNIZING ZACHARY ROBERT HICKS IN ACHIEVING THE RANK OF EAGLE SCOUT IN MENDOCINO COUNTY – SPONSORS: SUPERVISORS BROWN AND McCOWEN

Presenter/s: Supervisor McCowen.

Public Comment: Mr. Zachary Robert Hicks.

Board Action: Approved without objection.

AGENDA ITEM No. 2B – ADOPTION OF A PROCLAMATION RECOGNIZING TSUNAMI PREPAREDNESS WEEK AS MARCH 23, THROUGH MARCH 27, 2015, TO INCREASE PUBLIC AWARENESS IN MENDOCINO COUNTY, AND APPROVAL TO PARTICIPATE IN THE TSUNAMI WARNING COMMUNICATIONS TESTING ON MARCH 25, 2015 – SPONSOR: SHERIFF’S OFFICE

Presenter/s: Supervisor Gjerde.

Public Comment: Sheriff Tom Allman; Ms. Tami Bartolomei, Office of Emergency Services Coordinator, Sheriff’s Office; and Mr. Nicholas Arendt, Program Specialist, Sheriff’s Office.

Board Action: Approved without objection.

AGENDA ITEM No. 3 – PUBLIC EXPRESSION

Presenter/s: Mr. Dennis O'Brien; Mr. Lee Howard; and Sheriff Tom Allman.

Board Action: No action taken.

AGENDA ITEM No. 4 – CONSENT CALENDAR

Presenter/s: Chair Brown.

Public Comment: Mr. Tom Pinizzotto, Health and Human Services Agency Assistant Director.

Board Directive: Consent Calendar item 4(o) removed for separate consideration.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that Consent Calendar items 4(a-n and p-w) are approved/rejected as follows:

- (a) Claim of Jose Becerra -- Rejected;
- (b) Claim of Goldie Hilkey -- Rejected;
- (c) Claim of James G. Kerr -- Rejected;
- (d) Claim of Anna Middling -- Rejected;
- (e) Minutes of the March 03, 2015 Regular Board Meeting -- Approved and Chair is authorized to sign same;
- (f) Adoption of Resolution Authorizing Mendocino County Department of Agriculture to be the Lead Agency in an Application for a Sustainable Agricultural Lands Strategy Planning Grant Entitled: "The Mendocino County Agricultural Lands Conservation Planning Program," to be Awarded by the California Department of Conservation, and Authorization for Supervisor Tom Woodhouse to Represent the County Board of Supervisors on the Proposed Core Planning Team – Department of Agriculture -- Adopted and Chair is authorized to sign same;

RESOLUTION NO. 15-041

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE CALIFORNIA SUSTAINABLE AGRICULTURAL LANDS CONSERVATION PROGRAM FUNDED BY THE GREENHOUSE GAS REDUCTION FUND UNDER THE GLOBAL WARMING SOLUTIONS ACT OF 2006

- (g) Approval of Letter of Support for a Grant Application to Fund the Stream Flow Monitoring Program Required by the State Water Resources Control Board for Agriculture Frost Regulation in the Russian River Watershed – Supervisors Brown and McCowen -- Approved and Chair is authorized to sign same;
- (h) Adoption of Resolution Updating the Allocation List for the Assignment of Vehicles to County Departments – Superseding Resolution No. 88-204 – General Services Agency -- Adopted and Chair is authorized to sign same;

RESOLUTION NO. 15-042

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS UPDATING THE ALLOCATION LIST FOR THE ASSIGNMENT OF VEHICLES TO COUNTY DEPARTMENTS – SUPERSEDING RESOLUTION NO. 88-204

- (i) Approval for Mendocino County Health and Human Services Agency (HHSA) Behavioral Health and Recovery Services to Receive Unencumbered Mental Health Services Act (MHSA) Housing Program Funds in the Amount of \$1,332,379.16; and Adoption of Resolution Authorizing the BHRS Director to Sign the MHSA Housing Program County Funding Release Form on Behalf of the County of Mendocino – Health and Human Services Agency -- Approved and Adopted and Chair is authorized to sign same;

RESOLUTION NO. 15-043

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE DIRECTOR OF THE BEHAVIORAL HEALTH BRANCH OF THE HEALTH AND HUMAN SERVICES AGENCY TO SIGN AS AN AGENT ON BEHALF OF THE COUNTY OF MENDOCINO FOR MENTAL HEALTH SERVICES ACT (MHSA) RELEASE FORM

- (j) Approval of Support Letter for Assembly Bill 171 (Irwin) Seeking to Increase Local Assistance funding for County Veterans Service Officers (CVSOs) – Health and Human Services Agency -- Approved and Chair is authorized to sign same;

- (k) Approval of the Purchase of a Vehicle to Support Behavioral Health and Recovery Services (BHRS) Community Outreach Activities and Approve the Appropriation Transfer of Funds, Increasing Funds and Revenue in Budget Unit 4050; Line-item 4050-864370 and Revenue Line-item 4050-825342 in the Amount of \$13,000 and Authorize the Addition of the Vehicle to the County Approved List of Fixed Assets – Health and Human Services Agency -- Approved;
- (l) Authorization for the Mendocino County Health and Human Services Agency (HHS) Behavioral Health and Recovery Services (BHRS) to Apply for an Investment in Mental Health Wellness Act of 2013 Grant to Provide a Crisis Residential Treatment Program and Authorize Chair to Sign Application Certification – Health and Human Services Agency -- Approved and Chair is authorized to sign same;
- (m) Adoption of Resolution Authorizing Changes to the Position Allocation Table as Follows: Air Quality District, Budget Unit 0327; Delete One (1) FTE Account Specialist II; Delete One (1) FTE Staff Assistant III; Add One (1) FTE Account Specialist III; Add One (1) FTE Staff Assistant II – Human Resources -- Adopted and Chair is authorized to sign same;

RESOLUTION NO. 15-044

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING FOR THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

- (n) Adoption of Resolution Authorizing Changes to the Position Allocation Table as Follows: Planning and Building Services, Budget Unit 2851, Delete Four (4) FTE Staff Assistant II; Budget Unit 2851, Add Four (4) FTE Staff Assistant III – Human Resources -- Adopted and Chair is authorized to sign same;

RESOLUTION NO. 15-045

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING FOR THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

- (p) Adoption of Private Road Name Petition RN 2015-0001 (Thurston Way) Finding it to be in Conformance with Mendocino County Code 18.16.070 (Ukiah Area) – Planning and Building Services -- Adopted;
- (q) Adoption of Resolution of the Mendocino County Board of Supervisors Authorizing the Processing of a Consolidated Coastal Development Permit (Steve Brown) for the Westport RV Unpermitted Fill Project (APNs 013-240-49 and 013-240-51) – Planning and Building Services -- Adopted and Chair is authorized to sign same;

RESOLUTION NO. 15-046

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE PROCESSING OF A CONSOLIDATED COASTAL DEVELOPMENT PERMIT FOR STEVE BROWN FOR THE WESTPORT RV PARK UNPERMITTED FILL PROJECT (APN's 013-240-49 and 013-240-51)

- (r) Approval for the Mendocino County Sheriff's Office, Office of Emergency Services, to Purchase and Add One Throw Phone, One Animal Shelter Trailer, and One Shelter Trailer to the County's Approved List of Fixed Assets – Sheriff-Coroner -- Approved;
- (s) Approval of Budget Transfer in the Amount of \$15,000 for Budget Unit 2510 in Order to Begin the Capital Improvements Project to Fabricate and Install 3 Shower Stall Gates in the Jail – Sheriff-Coroner -- Approved;
- (t) Adoption of Resolution Authorizing Department of Transportation (DOT) Advertisement for Bids and Award of DOT Contract No. 150023 to Perform a 2015 Asphalt Concrete (A.C.) Overlay on Various

County Maintained Roads (Willits and Fort Bragg Areas) – Transportation -- Adopted and Chair is authorized to sign same;

RESOLUTION NO. 15-047

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING DEPARTMENT OF TRANSPORTATION (DOT) ADVERTISEMENT FOR BIDS AND AWARD OF DOT CONTRACT NO. 150023 TO PERFORM A 2015 A.C. OVERLAY ON VARIOUS COUNTY MAINTAINED ROADS (WILLITS AND FORT BRAGG AREAS)

- (u) Adoption of Resolution Authorizing Department of Transportation (DOT) Advertisement for Bids and Award of DOT Contract No. 150024 to Perform a 2015 Cape Seal Project on Old River Road, CR 201, M.P. 0.00 to M.P. 6.81 (Hopland Area) – Transportation -- Adopted and Chair is authorized to sign same;

RESOLUTION NO. 15-048

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING DEPARTMENT OF TRANSPORTATION (DOT) ADVERTISEMENT FOR BIDS AND AWARD OF DOT CONTRACT NO. 150024 TO PERFORM A 2015 CAPE SEAL PROJECT ON OLD RIVER ROAD, CR 201, M.P. 0.00 TO 6.81 (HOPLAND AREA)

- (v) Adoption of Resolution Establishing the Total Mileage of County Maintained Roads as of December 31, 2014 (County Wide) – Transportation -- Adopted and Chair is authorized to sign same;

RESOLUTION NO. 15-049

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS ESTABLISHING THE TOTAL MILEAGE OF COUNTY MAINTAINED ROADS AS OF DECEMBER 31, 2014 (COUNTY WIDE)

- (w) Adoption of Resolution Authorizing the Laytonville Unified School District to Issue and Sell Bonds on its Own Behalf Without Further Action of the Board of Supervisors or Officers of the County – Treasurer-Tax Collector -- Adopted and Chair is authorized to sign same.

RESOLUTION NO. 15-050

RESOLUTION OF THE BOARD OF SUPERVISORS AUTHORIZING THE LAYTONVILLE UNIFIED SCHOOL DISTRICT TO ISSUE AND SELL BONDS ON ITS OWN BEHALF WITHOUT FURTHER ACTION OF THE BOARD OF SUPERVISORS OR OFFICERS OF THE COUNTY

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

- 4(o) Adoption of Resolution Authorizing Changes to the Position Allocation Table as Follows: County Counsel, Budget Unit 1210, Add One (1) FTE Deputy County Counsel IV; Budget Unit 5010, Delete One (1) FTE Eligibility Worker II – Human Resources

Presenter/s: Supervisor McCowen.

Public/Staff Comment: Ms. Stacey Cryer, Health and Human Services Agency Director.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts the Resolution authorizing changes to the Position Allocation Table as follows: Budget Unit 1210, add one (1) FTE Deputy County Counsel IV; Budget Unit 5010, delete one (1) FTE Eligibility Worker II, and authorizes the Chair to sign same.

RESOLUTION NO. 15-051

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AMENDING THE POSITION ALLOCATION TABLE PROVIDING FOR THE NUMBER AND COMPENSATION OF OFFICERS, DEPUTIES AND EMPLOYEES IN THE VARIOUS OFFICES OF THE COUNTY OF MENDOCINO

AGENDA ITEM NO. 5F – NOTICED PUBLIC HEARING – DISCUSSION AND POSSIBLE ADOPTION OF AN ORDINANCE ADOPTING BY REFERENCE THE 2013 CALIFORNIA BUILDING STANDARDS CODES WITH PROPOSED LOCAL AMENDMENTS TO TITLE 18 OF THE MENDOCINO COUNTY CODE, ADOPTING LOCAL FINDINGS, REORGANIZING EXISTING AUTHORITY OVER EXCAVATION AND GRADING, MAKING OTHER TECHNICAL AND ADMINISTRATIVE REVISIONS TO TITLE 18 – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Steve Dunicliff, Planning and Building Services Director; Mr. Matt Kiedrowski, Deputy County Counsel; and Mr. Michael Oliphant, Senior Building Inspector, Planning and Building Services.

Public Comment: Mr. Lee Howard.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Hamburg, and carried (4/1, with Supervisor Woodhouse dissenting); IT IS ORDERED that the Board of Supervisors adopts the Ordinance as amended, adopting by reference the 2013 California Building Standards Codes with proposed local amendments to Title 18 of the Mendocino County Code, adopting local findings, reorganizing existing authority over excavation and grading, and making other technical and administrative revisions to Title 18, and authorizes the Chair to sign same.

ORDINANCE NO. 4333

ORDINANCE REPEALING AND REPLACING CHAPTER 18.04 OF THE MENDOCINO COUNTY CODE AND ADOPTING BY REFERENCE WITH LOCAL AMENDMENTS, SELECTED PROVISIONS, CHAPTERS AND APPENDICES OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, 2013 EDITIONS OF THE CALIFORNIA BUILDING STANDARDS CODE, INCLUDING: (1) THE CALIFORNIA ADMINISTRATIVE CODE; (2) THE CALIFORNIA BUILDING CODE, VOLUMES 1 AND 2; (3) THE CALIFORNIA RESIDENTIAL CODE; (4) THE CALIFORNIA ELECTRICAL CODE; (5) THE CALIFORNIA MECHANICAL CODE; (6) THE CALIFORNIA PLUMBING CODE; (7) THE CALIFORNIA ENERGY CODE; (8) THE CALIFORNIA FIRE CODE; (9) THE CALIFORNIA GREEN BUILDING STANDARDS CODE; (10) THE CALIFORNIA REFERENCED STANDARDS CODE; AND ADOPTING NEW CHAPTER 18.14 (RELOCATION ASSISTANCE) AND CHAPTER 18.70 (EXCAVATION AND GRADING); AND ADOPTING LOCAL FINDINGS; AND MAKING OTHER TECHNICAL AND ADMINISTRATIVE REVISIONS TO TITLE 18

AGENDA ITEM NO. 5c – ADOPTION OF RESOLUTION DECLARING A LOCAL EMERGENCY RELATED TO THE 2015 WINTER STORMS EVENT (COUNTY-WIDE)– SPONSOR: EXECUTIVE OFFICE

Presenter/s: Mr. Howard Dashiell, Transportation Director and Ms. Tami Bartolomei, Office of Emergency Services Coordinator, Sheriff’s Office.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts Resolution declaring a local emergency related to severe winter storms, which commenced on February 4, 2015, causing widespread safety problems to the County Maintained Road System as well as other Mendocino County facilities and agencies, and authorizes Chair to sign same, with the following changes to the Resolution: “WHEREAS, it is highly probable that additional, severe damage will be discovered in the County’s road system infrastructure from the storm and flooding effects resulting from the major rainfall.”

RESOLUTION NO. 15-052

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS FOR DECLARING A LOCAL EMERGENCY RELATED TO THE 2015 WINTER STORMS EVENT (COUNTY-WIDE)

AGENDA ITEM NO. 5K – INFORMATIONAL UPDATE ON THE STATUS OF THE MENDOCINO TOWN LOCAL COASTAL PLAN AMENDMENT (LCPA) AND POSSIBLE DIRECTION OR CONSIDERATION OF COASTAL COMMISSION COMMENTS REGARDING THE SUBMITTED MENDOCINO TOWN LCPA – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Andy Gustavson, Chief Planner, Planning and Building Services.

Public Comment: Ms. Barbara Reed.

Board Action: No action taken.

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

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

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 – SPONSOR: EXECUTIVE OFFICE

Presenter/s: Ms. Sarah Dukett, Administrative Analyst, Executive Office.

Board Action: No action taken.

AGENDA ITEM NO. 5G – NOTICED PUBLIC HEARING – APPEAL BY THE APPLICANT, TOM PALLEY, OF THE ZONING ADMINISTRATOR’S DENIAL OF VARIANCE #V 2014-0005, TO REDUCE THE SETBACK FOR AN EXISTING HOUSE IN COVELO – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Steve Dunncliff, Planning and Building Services Director; Mr. Fred Tarr, Planner II, Planning and Building Services; Mr. Andy Gustavson, Chief Planner, Planning and Building Services; and Mr. Douglas L. Losak, Interim County Counsel.

Applicant presentation: Mr. Tom Palley, Applicant.

Public Comment: Mr. John Kannan.

Board Action: Upon motion by Supervisor Woodhouse, seconded by Supervisor Hamburg, and carried unanimously; IT IS ORDERED that the Board of Supervisors continue this item to the July 21st, 2015 regular Board of Supervisors’ meeting at 9:00 A.M. or shortly thereafter.

BOARD ACTION ON ITEMS 5(d) AND 5(e) TAKEN CONCURRENTLY

AGENDA ITEM NO. 5D – DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE COUNTY’S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE; RESOLUTION CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE COUNTY’S UNINCORPORATED AREA IN THE CALIFORNIA HOME FINANCE AUTHORITY PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS, AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE; AND RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT FOR COLLECTION OF SPECIAL TAXES AND CONTRACTUAL ASSESSMENTS; AND APPROVAL OF AGREEMENT FOR COLLECTION OF TAXES AND SPECIAL CONTRACTUAL ASSESSMENTS – SPONSOR: GENERAL SERVICES AGENCY

AGENDA ITEM NO. 5E – DISCUSSION AND POSSIBLE ACTION TO ADOPT A RESOLUTION AUTHORIZING THE COUNTY OF MENDOCINO TO JOIN THE CALIFORNIAFIRST PROGRAM; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE UNINCORPORATED TERRITORY OF THE COUNTY; AND AUTHORIZING RELATED ACTIONS – SPONSOR: GENERAL SERVICES AGENCY

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Gjerde, and carried (3-2, with Supervisors Brown and Hamburg dissenting); IT IS ORDERED that the Board of Supervisors continue Items 5(d) and 5(e), directing staff to coordinate the scheduling of the items at the next available Board meeting date.

AGENDA ITEM NO. 5H – NOTICED PUBLIC HEARING – DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE REZONING ONE (1) PARCEL TOTALING .75± ACRES, CURRENTLY ZONED SR (SUBURBAN RESIDENTIAL), TO R-3 (MULTIPLE-FAMILY RESIDENTIAL), REZONE #R 2014-0006, LOCATED IN HOPLAND – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Andy Gustavson, Chief Planner, Planning and Building Services.

Public Comment: Mr. Audrey Compton and Ms. Marsha Robinson.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor Woodhouse, and carried unanimously; IT IS ORDERED that the Board of Supervisors directs Planning and Building Services to withdraw the proposed rezone from further consideration finding that it will not create sufficient additional opportunities to develop multi-family housing in the County consistent with General Plan Housing Action Item 3.1d, and it is inconsistent with General Plan Policy RM-109.

AGENDA ITEM NO. 5I – NOTICED PUBLIC HEARING – DISCUSSION AND POSSIBLE ADOPTION OF ORDINANCE #R 2014-0007 TO REZONE TWO (2) PARCELS, APN’S 048-170-37 AND 38 LOCATED IN HOPLAND, TOTALING 2.30± ACRES, FROM SR (SUBURBAN RESIDENTIAL) TO R-3 (MULTIPLE-FAMILY RESIDENTIAL) – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Fred Tarr, Planner II, Planning and Building Services.

Public Comment: Mr. Roger Howard.

Board Action: Upon motion by Supervisor Hamburg, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts Ordinance #R 2014-0007 to rezone two properties, APN’s 048-170-37 and 38, from SR (Suburban Residential) to R-3 (Multiple-Family Residential) based in the finding that the rezoning will create additional opportunities for multiple-family development in an area served by water and sewer district consistent with the General Plan and Housing Element as follows:

1. That the Final Environmental Impact Report (FEIR) previously adopted for the Mendocino County General Plan adequately addressed all of the environmental issues associated with the proposed land use change, along with associated rezones resulting in consistency between both the General Plan Land Use Classifications and the zoning classification for each of the parcels such that no additional environmental evaluation is required nor necessary pursuant to Section 15162 (a), Title 14 of the California Code of Regulations.
2. That the proposed zone change will create additional opportunities to develop multi-family housing in the County consistent with General Plan Housing Action Item 3. 1d.
3. That the proposed zone change to R-3 (Multiple-Family Residential) is consistent with General Plan Policy DE-13 (Suburban Residential) and allows for one (1) multiple family dwelling unit per 1,500 square feet of lot area when the property is within a water and sewer district.
4. That the parcel subject to rezone is vacant or underutilized, consistent with California Government Code Section 65583.2 and will create additional opportunities where multiple family housing may be developed as a right and may be in districts that will be served by existing water and sewer connections.

ORDINANCE NO. 4334

AN ORDINANCE CHANGING THE ZONING OF REAL PROPERTY WITHIN MENDOCINO COUNTY

AGENDA ITEM NO. 2C – ADOPTION OF PROCLAMATION RECOGNIZING AND HONORING HUMAN RESOURCES DIRECTOR TAMMI WESELSKY UPON HER RETIREMENT FROM COUNTY SERVICE ON MARCH 28, 2015 – SPONSOR: EXECUTIVE OFFICE

Presenter/s: Supervisor Brown.

Public Comment: Ms. Tammi Weselsky, Human Resources Director.

Board Action: Approved without objection.

AGENDA ITEM NO. 5J – NOTICED PUBLIC HEARING – DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION APPROVING THE 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME REUSE AGREEMENT) – SPONSOR: PLANNING AND BUILDING SERVICES

Presenter/s: Mr. Steve Dunncliff, Planning and Building Services Director and Mr. Jon Moore, Administrative Services Manager II, Planning and Building Services.

Board Action: Upon motion by Supervisor McCowen, seconded by Supervisor Woodhouse, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts Resolution approving the CDBG Program Income Reuse Agreement, authorizes the Chief Executive Officer to sign the agreement, and authorizes the Chair to sign the Resolution.

RESOLUTION NO. 15-053

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING ADOPTION OF THE COUNTY OF MENDOCINO 2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME REUSE AGREEMENT

ADJOURNED TO CLOSED SESSION FOLLOWED IMMEDIATELY BY LUNCH RECESS: 11:59 A.M.

AGENDA ITEM NO. 9A – PURSUANT TO GOVERNMENT CODE SECTION 54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - AGENCY NEGOTIATORS: CARMEL J. ANGELO, TAMMI WESELSKY, HEIDI DUNHAM, ALAN FLORA, AND DONNA WILLIAMSON; EMPLOYEE ORGANIZATION(S): ALL

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

CHANGE IN CLERK

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Brown.

Board Action: No action taken.

AGENDA ITEM NO. 6B – DISCUSSION AND POSSIBLE ACTION ON PROPOSED DIRECT REVIEW OF A ZONING INTERPRETATION PURSUANT TO CHAPTER 2.54 OF THE COUNTY CODE, ORIGINAL JURISDICTION OF LAND USE MATTERS – SPONSOR: SUPERVISOR WOODHOUSE

Presenter/s: Supervisor Woodhouse and Mr. Douglas L. Losak, Interim County Counsel.

Board Action: Upon motion by Supervisor Woodhouse, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors approves the request for direct review, finding the subject project to provide a special contribution to the County's general welfare and economic well-being, pursuant to Section 2.54.010 of the Mendocino County Code.

AGENDA ITEM NO. 6C – NOTICED PUBLIC HEARING – DISCUSSION AND POSSIBLE ADOPTION OF A RESOLUTION ON A DETERMINATION REGARDING SECTION 20.188 OF THE COUNTY CODE (DEVELOPMENT REVIEW) AND WHETHER THE RESUMPTION OF ASPHALT PROCESSING AT THE INDUSTRIALLY ZONED LONGVALE SITE (APN 036-190-26) CONSTITUTES A “NEW OR CHANGED” USE AS DEFINED IN 20.188.025(C) – SPONSOR: SUPERVISOR WOODHOUSE

Presenter/s: Supervisor Woodhouse; Mr. Steve Dunncliff, Planning and Building Services Director; and Mr. John Speka, Planner III, Planning and Building Services.

Applicant presentation: Mr. Adam Guernsey, attorney for applicant and Mr. Brian Hurt, applicant.

Public Comment: Mr. Douglas Kersig; Ms. Sandra Onderdonk; Ms. Jane Futzher; Ms. Lyn Talkovsky; Mr. Glen Colwell; Mr. Ron Lippert; Mr. Kirk Lumpkin; and Mr. David Valdez.

Board Action: Upon motion by Supervisor Woodhouse, seconded by Supervisor McCowen, and carried unanimously; IT IS ORDERED that the Board of Supervisors adopts Resolution determining that resumption of asphalt production on APN 036-190-26 is not a new nor changed use pursuant to Mendocino County Code Section 20.188.025 requiring additional development review.

RESOLUTION NO. 15-054

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS DETERMINING THAT RESUMPTION OF ASPHALT PRODUCTION ON APN 036-190-26 IS NOT A NEW OR CHANGED USE PURSUANT TO MENDOCINO COUNTY CODE SECTION 20.188.025 REQUIRING ADDITIONAL DEVELOPMENT REVIEW

RECESS: 3:25 – 3:39 P.M.

CHANGE IN CLERK

AGENDA ITEM NO. 6A – SUPERVISORS' REPORTS REGARDING BOARD SPECIAL ASSIGNMENTS, STANDING AND AD HOC COMMITTEE MEETINGS, AND OTHER ITEMS OF GENERAL INTEREST

Presenter/s: Board members.

Board Action: No action taken.

ADJOURNED TO CLOSED SESSION: 4:16 P.M.

AGENDA ITEM NO. 9B – PURSUANT TO GOVERNMENT CODE SECTION 54956.9(A) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: JANA MILLER, INDIVIDUALLY AND AS SUCCESSOR IN INTEREST TO DAVID K. MILLER, DECEASED V. COUNTY OF MENDOCINO, LEILA LAMUN; AND DOES ONE THROUGH THIRTY, INCLUSIVE. MENDOCINO COUNTY SUPERIOR COURT CASE No. SCUK CVPT 13-62425

RECONVENED IN OPEN SESSION: 4:31 P.M.

AGENDA ITEM NO. 9 – REPORT OUT OF CLOSED SESSION

Presenter: Chair Brown.

Board Action: No action taken.

AGENDA ITEM NO. 10 – COMMUNICATIONS RECEIVED AND FILED

- (a) State Water Resource Control Board - Notice of March 5, 2015 order modifying an order that approved in part and denied in part a petition for temporary urgency changes to license and permit terms and conditions requiring compliance with Delta Water Quality objectives in response to drought conditions; for additional information please contact Diane Riddle at (916) 341-5297 or via email at diane.riddle@waterboards.ca.gov, or contact Rich Satkowski at (916) 341-5439 or via email at rich.satkowski@waterboards.ca.gov.
- (b) California Department of Water Resources - February 1, 2015 Report regarding Water Conditions in California; for additional information please visit www.water.ca.gov.
- (c) Cal Office of Emergency Services - On February 25, 2015, the U.S. Department of Agriculture granted a Secretarial disaster designation for the primary counties of Humboldt, Lake, Napa, Nevada, Placer, Solano, Sutter, Ventura, Yuba, and the contiguous counties of Butte, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Kern, Los Angeles, Mendocino, Plumas, Sacramento, Santa Barbara, Sierra, Siskiyou, Sonoma, trinity, and Yolo due to agricultural losses caused by drought beginning January 1, 2014, and continuing; for additional information please contact SBA, (800) 659-2955, or visit SBA's website at www.sba.gov/services/disasterassistance.
- (d) State Fish and Game Commission - Notice of Findings regarding the flat-tailed horned lizard (*Phrynosoma mcallii*) which will be published in the California Regulatory Notice Register on March 6, 2015; for additional information please contact Sonke Mastrup, Executive Director, Fish and Game Commission, (916) 653-4899.

THERE BEING NOTHING FURTHER TO COME BEFORE THE BOARD, THE MENDOCINO COUNTY BOARD OF SUPERVISORS ADJOURNED AT 4:32 P.M.

Attest: SUKHMANI S. PUREWAL
Deputy Clerk of the Board

CARRE BROWN, Chair

Attest: NICOLE FRENCH
Acting Senior Deputy Clerk of the Board

Draft

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS MEETINGS

- Effective March 1, 2009, Board of Supervisors minutes will be produced in “action only” format. As an alternative service, public access to recorded Board proceedings will be available on the Board of Supervisors’ website in indexed audio format
- LIVE WEB STREAMING OF BOARD MEETINGS is now available through Mendocino Access Television: www.mendocinoaccess.org Requires Windows Media Player (Version 9+). If technical assistance is needed, please contact Mendocino Access Television at (707) 357-0624
- Minutes are considered draft until adopted/approved by the Board of Supervisors
- The Board of Supervisors’ action minutes are also posted on the County of Mendocino website at: www.co.mendocino.ca.us/bos
- To request an official record of a meeting of the Mendocino County Board of Supervisors, please contact the Executive Office at (707) 463-4441
- 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

Thank you for your interest in the proceedings of the Mendocino County Board of Supervisors



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4(b)

-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:** April 1, 2015

FROM: Executive Office **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Nicole French **PHONE:** 463-4441 Present On Call

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

AGENDA TITLE: Approval of Recommended Appointments/Reappointments

PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: The Board of Supervisors approves and/or denies recommended appointments/reappointments regularly.

SUMMARY OF REQUEST: Staff has received the listed applications, verified voter status, determined the requested positions are currently vacant, and verified that the applicant fits the criteria for the requested positions. In addition, the Deputy Clerk of the Board has received written support for the appointment from the individual Board/Commission and/or Supervisor for Supervisorial District positions for which applications have been received.

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
N/A	N/A	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: Approve the following appointments/reappointments:

Board or Commission	Appointee	Category
Covelo Public Cemetery District	Sylvia Pauline Brumley	Trustee
Covelo Public Cemetery District	Roberta Hurt	Trustee
Covelo Public Cemetery District	Karen Vann	Trustee
Health and Human Services Agency Advisory Board	Carole Press	Community Health Representative
Health and Human Services Agency Advisory Board	Jacqueline Williams	1 st District Representative
Laytonville Municipal Advisory Council	Phil Gravier	Member
Laytonville Municipal Advisory Council	Albert Repovsch	Member
Laytonville Municipal Advisory Council	Hugh Sweeney	Member
Mental Health Board	*Margie Handley	5 th District Consumer Family
Russian River Cemetery District	Jofrid Lolonis	Trustee
Russian River Cemetery District	Thomas Reidenbach	Trustee

*Appointment of Ms. Handley, who resides in the 3rd District, includes a waiver of residency.

ALTERNATIVES: Do not approve the listed appointments, or deny approval to one or more of the applicants.

CEO REVIEW (NAME): Alan Flora, Assistant CEO **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 # 4(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: March 25, 2015

FROM: Executive Office MEETING DATE: April 7, 2017

DEPARTMENT RESOURCE/CONTACT: Sarah Dukett PHONE: 463-4441 Present [] On Call [x]

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

AGENDA TITLE: Approval of Letter of Support of AB 203 (Obernolte) Seeking Amendment to State Responsibility Area (SRA) Fire Prevention Fee Due Dates and AB 1202 (Mayes) Seeking Implementation of a SRA Fire Prevention Fee Credit

PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: On September 13, 2011, the Board of Supervisors submitted a letter of opposition to ABX1 29, creating State Responsibility Area Fire Prevention Fees; on February 7, 2012, the Board submitted a letter of support of AB 1506 to repeal SRA fees; on March 27, 2012, the Board submitted a letter of support of AB 2474 for fair and equitable implementation of fire prevention fees within a SRA.

SUMMARY OF REQUEST: In 2011 Assembly Bill X1 29 enacted the State Responsibility Area Fire Prevention Fee ("SRA fee"). This fee, currently \$152.33 per parcel, is charged to owners of habitable structures in certain rural areas. AB X1 29 found that structures in the SRA increased the risk of fire damage to the state's wildlands and watersheds, and instituted a fee on the owners of those properties to mitigate that additional risk. The Board has transmitted numerous letters on this subject, in opposition to the proposed fees, as well as support of efforts to repeal the SRA fees as established. About 700,000 rural Californians receive a yearly Fire Prevention Fee bill. In Mendocino County 17,385 parcels of land will be billed for the Fire Prevention Fee in 2015.

On January 29, 2015, Assemblymember Obernolte introduced AB 203. This bill would give property owners 60 days to pay or dispute the fire prevention fee, rather than the 30 days allowed under existing law. This would allow sufficient time for those residents to review their assessments and account for any delays. Mendocino County's state legislative representatives, Assemblymember Wood and Senator McGuire, are coauthors on AB 203. This letter of support is consistent with the Board's previous position on the issue, and seeks to reduce the disproportionate negative financial impact on rural California property owners upon implementation.

On February 27, 2015, Assemblymember Mayes introduced AB 1202. This bill would reduce the SRA fee charged by the State by an amount equal to the amount paid to the local fire district for those services. Property owners would be required to submit written evidence of such payments in order to receive a credit toward their SRA fee. According to AB 1202, property owners who are already paying for these services at the local level should not also have to pay for them at the state level. AB 1202 will provide relief for property owners that would otherwise pay twice for the same service. This letter of support is consistent with the Board's previous position on the issue, and seeks to reduce the disproportionate negative financial impact on rural California property owners upon implementation.

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

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



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4(c)

- SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT: www.leginfo.ca.gov
- 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"/>

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

■ **RECOMMENDED ACTION/MOTION:** Approve the Letters of Support for AB 203 and AB 1202 as presented, authorizing the Chair to sign same, and direct staff to transmit the letters.

■ **ALTERNATIVES:** Amend the draft letters or take no action.

■ **CEO REVIEW (NAME):** Alan D. Flora, Assistant CEO **PHONE:** 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION
 Approved _____
 Records Executed _____

Date of Meeting _____
 Referred to _____
 Other _____

CARMEL J. ANGELO
Chief Executive Officer
Clerk of the Board



**COUNTY OF MENDOCINO
BOARD OF SUPERVISORS**

CONTACT INFORMATION
501 Low Gap Road • Room 1010
Ukiah, California 95482
TELEPHONE: (707) 463-4221
FAX: (707) 463-7237
Email: bos@co.mendocino.ca.us
Web: www.co.mendocino.ca.us/bos

April 7, 2015

The Honorable Chad Mayes
State Capitol, Room 4144
Sacramento, CA 95814

RE: SUPPORT ASSEMBLY BILL 1202 (MAYES)

Dear Assemblyman Mayes,

On behalf of the Mendocino County Board of Supervisors, I am pleased to report that our Board has decided to support AB 1202, which would require that the Fire Prevention Fees charged to homeowners in the State Responsibility Area be reduced by the amount, if any, paid to a local fire protection district for fire prevention services

Assembly Bill X1 29 enacted the State Responsibility Area (SRA) Fire Prevention Fee ("SRA fee"). This fee, currently \$152.33, is charged to owners of habitable structures in certain rural areas. AB X1 29 found that structures in the SRA increased the risk of fire damage to the state's wildlands and watersheds, and instituted a fee on the owners of those properties to mitigate that additional risk. About 700,000 rural Californians receive a yearly Fire Prevention Fee bill. In Mendocino County 17,385 parcels of land will be billed for the Fire Prevention Fee in 2015.

Approximately 95% of structures subject to the SRA fee are also within a local fire protection district. Some districts may levy special taxes for fire prevention services, resulting in property owners paying for these services—both to their local fire districts and to the State.

If a property owner pays a local fire district for fire prevention services, AB 1202 would reduce the SRA fee charged by the State by an amount equal to the amount paid to the local fire district for those services.

AB 1202 recognizes that the SRA fee was intended to fund prevention activities that mitigate the risk of wildfires caused by structures in the SRA. Property owners who are already paying for these services at the local level should not also have to pay for them at the state level. AB 1202 will provide relief for property owners that would otherwise pay twice for the same service.

For these reasons, the Mendocino County Board of Supervisors supports AB 1202.

Sincerely,

Carre Brown, Chair
Mendocino County Board of Supervisors

cc: The Honorable Mike McGuire, Senator
The Honorable Jim Wood, Assemblymember

THE BOARD OF SUPERVISORS

CARRE BROWN
First District

JOHN McCOWEN
Second District

TOM WOODHOUSE
Third District

DAN GJERDE
Fourth District

DAN HAMBURG
Fifth District

CARMEL J. ANGELO
Chief Executive Officer
Clerk of the Board



**COUNTY OF MENDOCINO
BOARD OF SUPERVISORS**

CONTACT INFORMATION
501 Low Gap Road • Room 1010
Ukiah, California 95482
TELEPHONE: (707) 463-4221
FAX: (707) 463-7237
Email: bos@co.mendocino.ca.us
Web: www.co.mendocino.ca.us/bos

April 7, 2015

The Honorable Jay Obernolte
State Capitol, Room 4116
Sacramento, CA 95814

RE: SUPPORT ASSEMBLY BILL 203 (OBERNOLTE)

Dear Assemblyman Obernolte,

On behalf of the Mendocino County Board of Supervisors, I am pleased to report that our Board has decided to support AB 203, which would increase the payment due date of the Fire Prevention Fee from 30-days from the date of assessment to 60-days.

Created by the Legislature and Governor as part of the 2011 Budget, the Fire Prevention Fee charges property owners \$152.33 for each habitable structure located in a State Responsibility Area (SRA), with a \$35 reduction if they live within the boundaries of a local fire protection district. About 700,000 rural Californians receive a yearly Fire Prevention Fee bill, due 30-days from the date on the notice. Additionally, the SRA provides a 30-day period to dispute the fee by filing a petition for redetermination, if a taxpayer misses the filing deadline to appeal the assessed liability, they must first pay the fee in full and file a claim for refund. In Mendocino County, 17,385 parcels of land will be billed for the Fire Prevention Fee in 2015.

Due to the rural nature of those being billed, many individuals do not receive their bills in a timely manner. Many of these individuals are on fixed incomes, making it nearly impossible for them to pay their Fire Prevention Fee by the 30-day deadline. The limited time frame can make obtaining assistance and documentation by the deadline difficult.

Increasing the payment due date of the Fire Prevention Fee from 30 to 60 days will ensure greater compliance with the law by giving all owners of habitable structures in an SRA more time to receive their bills. AB 203 will also give those taxpayers on fixed incomes more time to adjust their budgets.

For these reasons, the Mendocino County Board of Supervisors supports AB 203.

Sincerely,

Carre Brown, Chair
Mendocino County Board of Supervisors

cc: The Honorable Mike McGuire, Senator
The Honorable Jim Wood, Assemblymember

THE BOARD OF SUPERVISORS

CARRE BROWN
First District

JOHN MCCOWEN
Second District

TOM WOODHOUSE
Third District

DAN GJERDE
Fourth District

DAN HAMBURG
Fifth District

AB 1202 (Mayes) Fact Sheet

State Responsibility Area (SRA) Fire Prevention Fee Credit

SUMMARY

Assembly Bill 1202 would require that the Fire Prevention Fees charged to homeowners in the State Responsibility Area be reduced by the amount, if any, paid to a local fire protection district for fire prevention services.

BACKGROUND

Assembly Bill X1 29 enacted the State Responsibility Area (SRA) Fire Prevention Fee (“SRA fee”). This fee, currently \$152.33, is charged to owners of habitable structures in certain rural areas. AB X1 29 found that structures in the SRA increased the risk of fire damage to the state’s wildlands and watersheds, and instituted a fee on the owners of those properties to mitigate that additional risk.

The Governor’s proposed 2015-2016 budget projects \$62 million in SRA fee revenues. Many of the properties subject to the fee are in rural areas with relatively low property values.

There is an ongoing debate over the propriety and legality of the SRA fee. Other legislative proposals have attempted to repeal the fee entirely, while a lawsuit seeks to establish that the fee was actually a tax and required a supermajority vote.

PROBLEM

Approximately 95% of structures subject to the SRA fee are also within a local fire protection district. Some districts may levy special taxes for fire prevention services, resulting in property owners paying for these services—both to their local fire districts and to the State.

SOLUTION

If a property owner pays a local fire district for fire prevention services, AB 1202 would reduce the SRA fee charged by the State by an amount equal to the amount paid to the local fire district for those services. Property owners would be required to submit written evidence of such payments in order to receive a credit toward their SRA fee.

AB 1202 recognizes that the SRA fee was intended to fund prevention activities that mitigate the risk of wildfires caused by structures in the SRA. Fire prevention services might include fuel reduction activities, defensible space inspections, fire prevention engineering, emergency evacuation planning, fire prevention education, etc. Property owners who are already paying for these services at the local level should not also have to pay for them at the state level.

This approach does not seek to address the broader legitimacy of the SRA fee. It is only intended to provide relief for property owners that would otherwise pay twice for the same service.

SUPPORT

California Fire Chiefs Association
Fire Districts Association of California

FOR MORE INFORMATION

Joshua White
(916) 319-2042
(916) 319-2142 [fax]
joshua.white@asm.ca.gov



FACT SHEET

JAY OBERNOLTE
Assemblyman, 33rd District



Assembly Bill 203 – Fire Prevention Fee Due Dates

SUMMARY

AB 203 (Obernolte) would extend the period for paying or disputing a fire prevention fee from 30 days to 60 days from the date of assessment.

BACKGROUND

The fire prevention fee is assessed annually on owners of habitable structures located on a parcel within a State Responsibility Area (SRA). The SRA does not include lands within city boundaries or in federal ownership. Generally speaking, the SRA is comprised of rural areas, including the state's wildlands and watersheds.

Under Public Resources Code (PRC) Section 4213, the annual fire prevention fee is due and payable to the Board of Equalization (BOE) 30 days from the date of assessment. Additionally, PRC Section 4220 provides a 30-day period to dispute the fee by filing a petition for redetermination.

If a taxpayer misses the filing deadline to appeal the assessed liability, they must first pay the fee in full and file a claim for refund. However, if a taxpayer files a timely petition they are not required to pay the fee until BOE makes a final ruling in regard to the dispute.

PROBLEM

Despite the efforts of BOE and the Department of Forestry and Fire Protection (CalFire) to clarify the fire fee billings, improve communications and publications, and educate fee payers about the petition process, many homeowners have expressed concern that the 30-day period does not allow them sufficient time to pay or dispute the fee.

The reasons given generally include mail delays in rural areas, difficulty understanding fire fee bills, financial stress on fixed-income property owners, and a lack of time to obtain assistance and documentation.

SOLUTION

AB 203 would give property owners 60 days to pay or dispute the fire prevention fee, rather than the 30 days allowed under existing law. This would allow sufficient time for those residents to review their assessments and account for any delays.

SUPPORT

- George Runner – Vice Chair, California State Board of Equalization [**Sponsor**]
- Diane Harkey – Member, California State Board of Equalization
- Jerome Horton – Member, California State Board of Equalization
- California Farm Bureau Federation
- California Fire Chiefs Association
- County of San Bernardino
- Fire Districts Association of California
- Howard Jarvis Taxpayers Association
- Plumas County Board of Supervisors
- San Diego County Board of Supervisors

STAFF CONTACT INFORMATION

Justin Hyer
(916) 319-2033
justin.hyer@asm.ca.gov

As Introduced on January 29, 2015

ASSEMBLY BILL

No. 203

**Introduced by Assembly Member Obernolte
(Coauthor: Assembly Member Gipson)**

January 29, 2015

An act to amend Sections 4213, 4220, and 4222 of the Public Resources Code, relating to forestry and fire prevention.

LEGISLATIVE COUNSEL'S DIGEST

AB 203, as introduced, Obernolte. State responsibility areas: fire prevention fees.

Existing law requires the state to have the primary financial responsibility for preventing and suppressing fires in areas that the State Board of Forestry and Fire Protection has determined are state responsibility areas, as defined. Existing law requires that a fire prevention fee be charged on each habitable structure on a parcel that is within a state responsibility area, collected annually by the State Board of Equalization, in accordance with specified procedures, and specifies that the annual fee shall be due and payable 30 days from the date of assessment by the state board. Existing law authorizes a petition for redetermination of the fee to be filed within 30 days after service of a notice of determination, as specified.

This bill would extend the time when the fire prevention fee is due and payable from 30 to 60 days from the date of assessment by the State Board of Equalization and would authorize the petition for redetermination to be filed within 60 days after service of the notice of determination, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4213 of the Public Resources Code is
2 amended to read:

3 4213. (a) (1) ~~Commencing with the 2011–12 fiscal year, the~~
4 *The* fire prevention fee imposed pursuant to Section 4212 shall be
5 collected annually by the State Board of Equalization in accordance
6 with the Fee Collection Procedures Law (Part 30 (commencing
7 with Section 55001) of Division 2 of the Revenue and Taxation
8 Code).

9 (2) Notwithstanding the appeal provisions in the Fee Collection
10 Procedures Law, a determination by the department that a person
11 is required to pay a fire prevention fee, or a determination by the
12 department regarding the amount of that fee, is subject to review
13 under Article 2 (commencing with Section 4220) and is not subject
14 to a petition for redetermination by the State Board of Equalization.

15 (3) (A) Notwithstanding the refund provisions in the Fee
16 Collection Procedures Law, the State Board of Equalization shall
17 not accept any claim for refund that is based on the assertion that
18 a determination by the department improperly or erroneously
19 calculated the amount of the fire prevention fee, or incorrectly
20 determined that the person is subject to that fee, unless that
21 determination has been set aside by the department or a court
22 reviewing the determination of the department.

23 (B) If it is determined by the department or a reviewing court
24 that a person is entitled to a refund of all or part of the fire
25 prevention fee, the person shall make a claim to the State Board
26 of Equalization pursuant to Chapter 5 (commencing with Section
27 55221) of Part 30 of Division 2 of the Revenue and Taxation Code.

28 (b) The annual fire prevention fee shall be due and payable ~~30~~
29 60 days from the date of assessment by the State Board of
30 Equalization.

31 (c) On or before each January 1, the department shall annually
32 transmit to the State Board of Equalization the appropriate name
33 and address of each person who is liable for the fire prevention
34 fee and the amount of the fee to be assessed, as authorized by this
35 article, and at the same time the department shall provide to the
36 State Board of Equalization a contact telephone number for the
37 board to be printed on the bill to respond to questions about the
38 fee.

1 (d) ~~Commencing with the 2012–13 fiscal year, if~~ in any given
2 fiscal year there are sufficient amounts of money in the State
3 Responsibility Area Fire Prevention Fund created pursuant to
4 Section 4214 to finance the costs of the programs under subdivision
5 (d) of Section 4214 for that fiscal year, the fee may not be collected
6 that fiscal year.

7 SEC. 2. Section 4220 of the Public Resources Code is amended
8 to read:

9 4220. A person from whom the fire prevention fee is
10 determined to be due under this chapter may petition for a
11 redetermination of whether this chapter applies to that person
12 within ~~30~~ 60 days after service upon him or her of a notice of the
13 determination. If a petition for redetermination is not filed within
14 the ~~30-day~~ 60-day period, the amount determined to be due
15 becomes final at the expiration of the ~~30-day~~ 60-day period.

16 SEC. 3. Section 4222 of the Public Resources Code is amended
17 to read:

18 4222. If a petition for redetermination of the application of this
19 chapter is filed within the ~~30-day~~ 60-day period, the department
20 shall reconsider whether the fee is due and make a determination
21 in writing. The department may eliminate the fee based on a
22 determination that this chapter does not apply to the person who
23 filed the petition.



In Mendocino County,

17,385

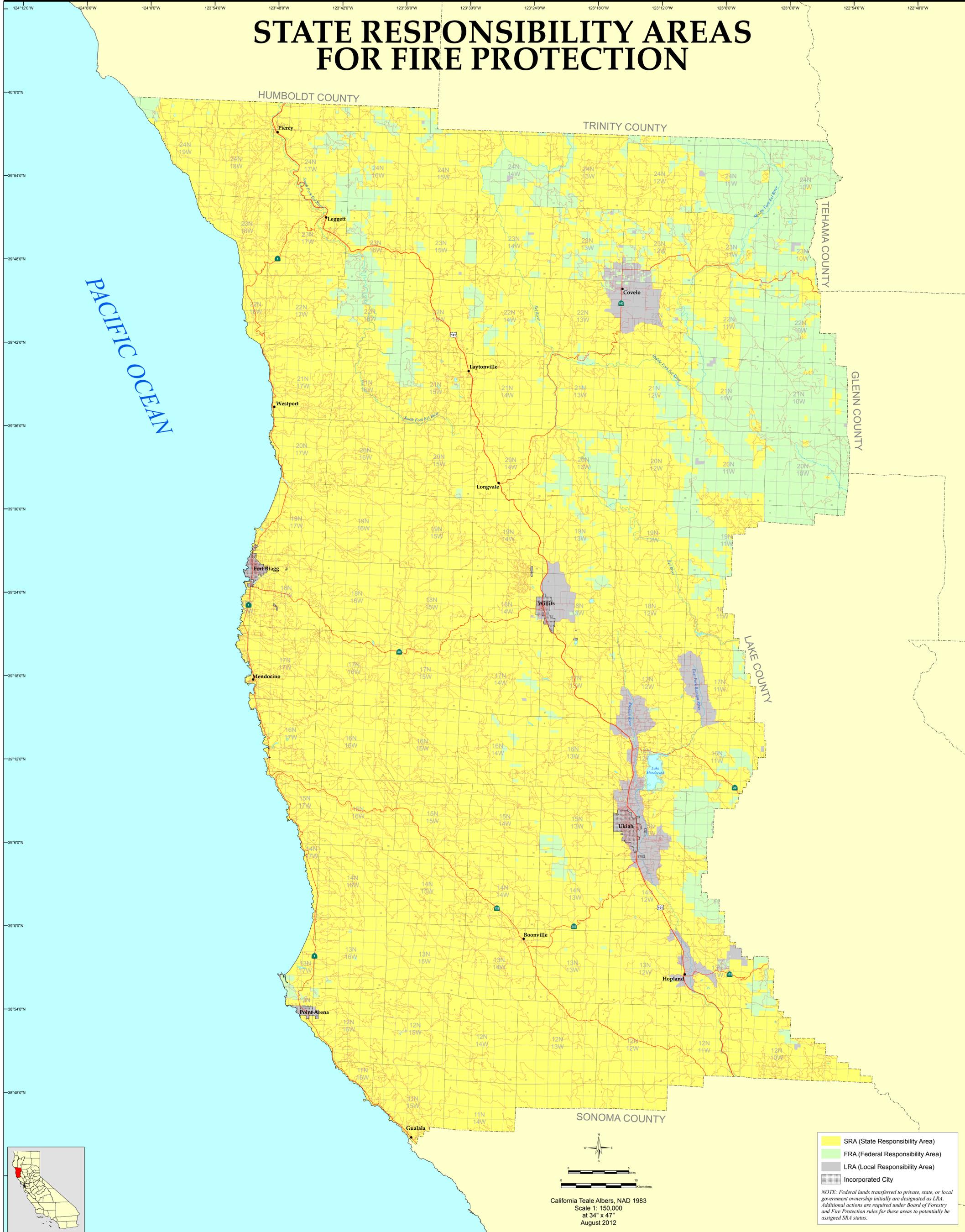
parcels of land will be
billed for the Fire
Prevention Fee in 2015

Source: <http://www.calfirefee.com/counties/>

Sacramento

40km

STATE RESPONSIBILITY AREAS FOR FIRE PROTECTION



	SRA (State Responsibility Area)
	FRA (Federal Responsibility Area)
	LRA (Local Responsibility Area)
	Incorporated City

NOTE: Federal lands transferred to private, state, or local government ownership initially are designated as LRA. Additional actions are required under Board of Forestry and Fire Protection rules for these areas to potentially be assigned SRA status.

California Teale Albers, NAD 1983
Scale 1: 150,000
at 34" x 47"
August 2012

The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Obtain FRAP maps, data, metadata and publications on the Internet at <http://frap.cdf.ca.gov>
For more information, contact CDF-FRAP, PO Box 944246, Sacramento, CA 94244-2460, (916) 327-3939.

ASSEMBLY BILL

No. 1202

**Introduced by Assembly Member Mayes
(Coauthors: Assembly Members Travis Allen, Bigelow, Gallagher,
Jones, and Mathis)**

February 27, 2015

An act to amend Section 4213.1 of the Public Resources Code, relating to fire prevention.

LEGISLATIVE COUNSEL'S DIGEST

AB 1202, as introduced, Mayes. Fire prevention fee: fee reduction.

Existing law requires the State Board of Forestry and Fire Protection to adopt emergency regulations to establish a fire prevention fee to be charged on each habitable structure, as defined, on a parcel that is within a state responsibility area. Existing law requires that the fee be levied upon the owner of a habitable structure identified by the department as located within the state responsibility area, if that person owns the habitable structure on July 1 of the year for which the fee is due. Existing law authorizes the board to exempt from the fire prevention fee any habitable structure that is subsequently deemed inhabitable as a result of a natural disaster during the year the fee is due, if certain conditions are met.

This bill would require the board to reduce the amount of the fee to be charged on a habitable structure by an amount equal to the amount paid by the owner of the structure to a local fire district for fire prevention services during the year for which the fee is due, if the owner of the structure provides the board with written documentation of the amount paid to the local fire district for those services.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4213.1 of the Public Resources Code is
2 amended to read:

3 4213.1. (a) The fire prevention fee imposed pursuant to Section
4 4212 shall be levied upon the owner of a habitable structure
5 identified by the department as located within the state
6 responsibility area, if that person owns the habitable structure on
7 July 1 of the year for which the fee is due.

8 (b) (1) The board may exempt from the fire prevention fee any
9 habitable structure that is subsequently deemed uninhabitable as
10 a result of a natural disaster during the year for which the fee is
11 due, as well as one subsequent year if the habitable structure has
12 not been repaired or rebuilt. The board shall consider granting an
13 exemption only if both of the following conditions are met:

14 (1)

15 (A) The owner of the habitable structure certifies that the
16 structure is not habitable as a result of a natural disaster.

17 (2)

18 (B) The owner of the habitable structure either documents that
19 the habitable structure passed a defensible space inspection
20 conducted by the department or by one of its agents within one
21 year of the date the structure was damaged or destroyed or certifies
22 that clearance as required under Section 4291 was in place at the
23 time that the structure was damaged or destroyed as a result of a
24 natural disaster.

25 (e)

26 (2) The board shall prepare forms for purposes of the
27 certification requirements in ~~subdivision (b)~~ paragraph (1).

28 (c) *The board shall reduce the amount of the fire prevention fee*
29 *to be charged on a habitable structure by an amount equal to the*
30 *amount paid by the owner of the structure to a local fire district*
31 *for fire prevention services during the year for which the fee is*
32 *due, if the owner of the structure provides the board with written*

- 1 *documentation of the amount paid to the local protection district*
- 2 *for those services.*

O



**MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY**

BOARD AGENDA # 4(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:** March 31, 2015

FROM: Executive Office **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Carmel J. Angelo **PHONE:** 463-4221 Present On Call
Christopher Shaver 463-7290 Present On Call

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

■ **AGENDA TITLE: Adoption of Resolution Approving Proposed Revisions to the California Home Finance Authority (Formal Name Change to Golden State Finance Authority Pending) Joint Powers Agreement and Execute the Joint Powers Agreement with Golden State Finance Authority**

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** On September 23, 2014, the Mendocino County Board of Supervisors took action to join the California Home Finance Authority (CHF) by adopting Resolution 14-126 and executing an agreement as a Member County. California Home Finance Authority, now known as Golden State Finance Authority (GSFA), is a joint powers authority that supports affordable homeownership in California by offering a direct link between homebuyers and homeowners and GSFA financial assistance programs.

■ **SUMMARY OF REQUEST:** On March 18, 2015, the Board of Directors of the Golden State Finance Authority (GSFA) - formerly known as California Home Finance Authority (CHF) - a Joint Powers Authority of which the County of Mendocino is a member, voted unanimously to approve proposed revisions to the Joint Powers Authority (JPA) Agreement. The JPA Agreement was last amended and restated December 10, 2014.

Following approval by the GSFA Board, the next step is for the revised Agreement to be provided to each Member County for review and approval by the Member County Board of Supervisors. These revisions are new and in addition to the revisions recently adopted by Member Counties in 2014. The primary specific revisions to the Agreement are as follows:

- Formal name change to Golden State Finance Authority (GSFA).
- Amended and restated dates.
- Changing the number of members of the Executive Committee from nine (9) to no fewer than nine (9) and no more than eleven (11).
- Require that the Chair and Vice Chair of the Authority shall serve on the Executive Committee.
- Changing the word “such” to “other” in Section 7. h. for clarification.

Attached are copies of the December 10, 2014 version, which includes the proposed revisions in track changes, and a clean copy of the proposed revised JPA Agreement.

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

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

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

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



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"/>

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

■ **RECOMMENDED ACTION/MOTION:** Adopt the Resolution approving all revisions to the Joint Powers Authority Agreement with the Golden State Finance Authority and authorize the Chair of Board to sign.

■ **ALTERNATIVES:** Do not approve revisions.

■ **CEO REVIEW (NAME):** Alan D. Flora, Assistant CEO **PHONE:** 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION

Approved _____
 Records Executed _____

Date of Meeting _____

Referred to _____
 Other _____

RESOLUTION NO. 15-

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING
PROPOSED REVISIONS TO THE CALIFORNIA HOME FINANCE AUTHORITY
(FORMAL NAME CHANGE TO GOLDEN STATE FINANCE AUTHORITY PENDING)
JOINT POWERS AGREEMENT**

WHEREAS, on March 18, 2015, the Board of Directors of California Home Finance Authority (pending formal name change to Golden State Finance Authority (GSFA)), a Joint Powers Authority of which Mendocino County is a member, voted unanimously to approve proposed revisions to the Joint Powers Authority (JPA) Agreement, to formally change the name, modify the size of the Executive Committee and other matters; and

WHEREAS, the revisions to the JPA Agreement have been provided to each Member County for review and approval; and

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors, as follows:

1. The Board of Supervisors hereby approves the revisions to the JPA Agreement, in substantially the form attached hereto as ATTACHMENT 1 and incorporated herein by reference.

2. The Board of Supervisors authorizes and directs the Clerk of the Board of Supervisors to transmit a copy of this Resolution to the Executive Director of CHF.

The foregoing Resolution introduced by Supervisor _____, seconded by Supervisor _____, and carried this _____ day of _____, 2015, by the following vote:

AYES:
NOES:
ABSENT:

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO
Clerk of the Board

CARRE BROWN, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

Deputy

APPROVED AS TO FORM:
DOUGLAS L. LOSAK, Interim County Counsel

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy

Draft



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4(e)

- 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: April 1, 2015

FROM: Executive Office MEETING DATE: April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Sarah Dukett PHONE: 463-4441 Present [] On Call [x]
Chris Shaver PHONE: 463-4441 Present [] On Call [x]

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

AGENDA TITLE: Ratification of Letter of Support to Delay and Amend the State Adoption of the California Water Resources Control Board's Proposed Statewide Trash Amendments and Approve Proxy Statement for County Support to be Represented at the State Water Resource Control Board Public Meeting on April 7, 2015

PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: No previous Board action.

SUMMARY OF REQUEST: The California State Water Resources Control Board (SWRCB) recently proposed changes to the Trash Amendments that adds additional responsibilities to all NPDES MS4 permittees. The NPDES permit is a federally mandated program that has been delegated to the states. As mandated by the act, the County of Mendocino is required to obtain a permit to regulate storm water discharges and currently the County is compliant with MS4 Phase II permit. The proposed Trash Amendments would require an additional level of compliance at additional cost for issues that may not be present in our rural community.

As written, the Trash Amendments presume trash to be a problem that needs to be addressed by all MS4 permittees. To address this problem, priority land uses were defined that were assumed to be the highest trash generating areas based on studies conducted in the Los Angeles and San Francisco Bay area. MS4s permittees are presumed to be in compliance with the discharge prohibition in the Trash Amendments if they address trash from the priority land uses.

The current proposed Trash amendments offer limited flexibility for priority land uses that do not generate substantial levels of trash, and extremely limited flexibility for areas without trash issues. It's a concern of many rural communities throughout the state, which the SWRCB did not address. Local government entities throughout the state are working together to address these issues that need to be resolved with SWRCB.

The proposed changes are designed to provide flexibility in implementation of the Trash Amendments to account for the wide range of conditions around the state and allow MS4 permittees with the ability to provide information to demonstrate that trash is not present in amounts of concern and thereby not be required to implement Track 1 or Track 2 requirements.

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

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



In addition, proposed changes have been included to provide a more realistic method using visual assessment procedures for MS4 permittees to demonstrate compliance with Track 2 requirements. The proposed methods for assessing compliance in the Trash Amendments are likely to be challenging to implement and will be difficult to use to demonstrate compliance.

Proposed changes further narrow the focus of the Trash Amendment to apply to only urban priority land use. These changes would reduce the regulatory burden for rural communities that do have the same land use trash issues like some of our urban counterparts. In addition, changes will reduce the MS4 cost to the County of Mendocino.

Local governments throughout California are signing onto the letter attached, supporting the above changes. By joining this coalition, the Board of Supervisors Chair signature and County logo will be included in the signature section of the letter. In addition, a signed proxy statement will allow the County of San Diego or City of Sacramento to represent the County of Mendocino as defined in the letter, at the SWRCB public meeting.

Current local government supporters include: County of El Dorado, County of Lassen , County of Sacramento , County of San Diego, County of Solano , City of Chula Vista, City of Del Mar, City of Elk Grove , City of Escondido, City of Folsom , City of Galt , City of Lemon Grove, City of Poway, City of Rancho Cordova, City of Roseville, City of Sacramento, City of San Marcos, City of Santee, City of Vista, City of Yuba , California State Association of Counties, Rural County Representatives of CA and San Diego County Regional Airport Authority.

- 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
N/A	N/A	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:** Ratify letter of support to delay and amend the state adoption of the California Water Resources Control Board’s proposed statewide Trash Amendments and approve proxy statement for County support to be represented at the State Water Resource Control Board public meeting.

- ALTERNATIVES: Take no action
- CEO REVIEW (NAME): Alan Flora, ACEO PHONE: 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION
 Approved _____
 Records Executed _____

Date of Meeting _____
 Referred to _____
 Other _____

CARMEL J. ANGELO
Chief Executive Officer
Clerk of the Board



**COUNTY OF MENDOCINO
BOARD OF SUPERVISORS**

CONTACT INFORMATION
501 Low Gap Road • Room 1010
Ukiah, California 95482
TELEPHONE: (707) 463-4221
FAX: (707) 463-7237
Email: bos@co.mendocino.ca.us
Web: www.co.mendocino.ca.us/bos

April 6, 2015

Member Felicia Marcus, Board Chair
c/o State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Dear Member Marcus:

I, Supervisors Carre Brown representing the County of Mendocino hereby authorize the County of San Diego or City of Sacramento to represent the County of Mendocino during the State Water Resource Control Board public meeting, for agenda item 8, 'Consideration of adoption of the proposed Amendment to the Water Quality Control Plan for Ocean Waters of California to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California.'

My proxy represents that Mendocino County agrees to the contents of the letter dated April 6, 2015 regarding requests of the State Water Resources Control Board to:

- (1) Encourage the state to delay adoption of the Trash Amendments and provide more time for agencies around the state to work with state Water Board staff to craft a more strategic and cost-effective approach to trash.
- (2) If the state will not delay adoption, support the changes to further clarify Track 2 and provide more flexibility to the Trash Amendments. (attachments)

Sincerely,

Carre Brown, Chair
Mendocino County Board of Supervisors

THE BOARD OF SUPERVISORS

CARRE BROWN
First District

JOHN MCCOWEN
Second District

TOM WOODHOUSE
Third District

DAN GJERDE
Fourth District

DAN HAMBURG
Fifth District

Proposed Letter language:

Dear (state water board Chair)

The undersigned local government agencies and organizations support clean waterways. We respectfully request that the State Water Resources Control Board not adopt the proposed Final Trash Amendments on April 7, 2015, and instead consult with stakeholders to develop a more strategic and cost-effective approach that focuses regulatory requirements on areas with documented trash problems originating from the storm drain system.

If the State Water Resources Control Board moves forward with the adoption hearing on April 7, 2015, the undersigned local government agencies and organizations respectfully request that the Board include the attached changes to improve the workability of the proposed Final Trash Amendments. A subgroup of our entities has worked collaboratively with the State Water Resources Control Board and in conjunction with the California Stormwater Quality Association to develop this language, which would address some of the local agencies' key concerns. These changes will provide much needed flexibility to communities in developing a more strategic and cost-effective approach that focuses action and resource expenditures on areas with verified trash problems originating from the storm drain system.

We ask that the proposed recommendations be included in both the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays and Estuaries of California (ISWEBE) and the Water Quality Control Plan for Ocean Waters of California (Ocean Plan) are attached. The proposed changes are designed to provide flexibility in implementation of the Trash Amendments to account for the wide range of conditions around the state and allow MS4 permittees with the ability to provide information to demonstrate that trash is not present in amounts of concern and thereby not be required to implement Track 1 or Track 2 requirements.

In addition, proposed changes have been included to provide a more realistic method using visual assessment procedures for MS4 permittees to demonstrate compliance with Track 2 requirements. The proposed methods for assessing compliance in the Trash Amendments are likely to be challenging to implement and will be difficult to use to demonstrate compliance.

Modifications to the definition of "full capture" are proposed to include treatment Best Management Practices that have been shown to effectively address trash. Lastly, the priority land use definition is modified to limit application to the urbanized portions of a jurisdiction.

We thank the State Water Resources Board members for their dedication to protecting the waterways of our State. The local government agencies and organizations signatory to this letter support these changes that will be presented at the April 7, 2015 hearing.

Sincerely,

(agencies/organizations with signature and logo)

APPENDIX E: PROPOSED FINAL PART 1 TRASH PROVISIONS OF THE WATER QUALITY CONTROL PLAN FOR INLAND SURFACE WATERS, ENCLOSED BAYS, AND ESTUARIES OF CALIFORNIA

Draft text of the final Part 1 Trash Provisions Amendments proposed to Chapter IV – Implementation of Water Quality Objectives of the ISWEBE Plan

3. Dischargers Permitted Pursuant to Federal Clean Water Act Section 402(p)

PERMITTING AUTHORITIES shall include the following requirements in NPDES permits issued pursuant to Federal Clean Water Act section 402(p):

- a. MS4 permittees with regulatory authority over PRIORITY LAND USES shall be required to comply with the prohibition of discharge in Chapter IV.BA.2.a herein by ~~either one~~ or a combination of the following measures:

- (1) Track 1: Install, operate, and maintain FULL CAPTURE SYSTEMS or LOW IMPACT DEVELOPMENT CONTROLS for all storm drains that captures runoff from one or more of the PRIORITY LAND USES in their jurisdictions; or
- (2) Track 2: Install, operate, and maintain any combination of FULL CAPTURE SYSTEMS, MULTI-BENEFIT PROJECTS, other TREATMENT CONTROLS, and/or INSTITUTIONAL CONTROLS within either the jurisdiction of the MS4 permittee or within the jurisdiction of the MS4 permittee and contiguous MS4 permittees. The MS4 permittee shall demonstrate that such combination achieves FULL CAPTURE SYSTEM EQUIVALENCY for PRIORITY LAND USES. The MS4 permittee may determine which controls to implement to achieve compliance with the FULL CAPTURE SYSTEM EQUIVALENCY for PRIORITY LAND USES. It is, however, the State Water Board's expectation that the MS4 permittee will elect to install FULL CAPTURE SYSTEMS where such installation is not cost-prohibitive.
- (3) Provide monitoring data to demonstrate TRASH from PRIORITY LAND USE(s) or portion(s) of the PRIORITY LAND USE(s) that could be discharged through the MS4 is not present in amounts that could adversely affect beneficial uses or cause nuisance in receiving waters. PRIORITY LAND USE(s) or portion thereof where information demonstrates the area is in the Optimal or Suboptimal category based on the visual assessment portion of the Surface Water Ambient Monitoring Program Rapid Trash Assessment Protocol, in Category A or B under the Keep America Beautiful Index, or equivalent method applied to land areas or that trash is present in amounts less than discharged from PRIORITY LAND USES treated by FULL CAPTURE SYSTEMS or LOW-IMPACT DEVELOPMENT CONTROLS shall be deemed in compliance with the discharge prohibition and be exempted from implementing Track 1 or Track 2 requirements. A minimum of six samples that capture seasonal variability are needed to demonstrate compliance for the PRIORITY LAND USE(s) or portion(s) thereof.

Draft text of the final Part 1 Trash Provisions Amendments proposed to Appendix A: Glossary of the ISWEBE Plan

FULL CAPTURE SYSTEM: A TREATMENT CONTROL (either a single device or a series of devices) that traps all particles that are 5 mm or greater, and has a design treatment capacity that is either: a) of not less than the peak flow rate, Q, resulting from Proposed a one-year, one-hour, storm in the subdrainage area, or b) appropriately sized to, and designed to carry at least the same flows as, the corresponding storm drain.

[Rational equation is used to compute the peak flow rate: $Q = C \cdot I \cdot A$, where Q = design flow rate (cubic feet per second, cfs); C = runoff coefficient (dimensionless); I = design rainfall intensity (inches per hour, as determined per the rainfall isohyetal map specific to each region, and A = subdrainage area (acres).]

Prior to installation, FULL CAPTURE SYSTEMS must be certified by the Executive Director, or designee, of the State Water Board. Uncertified FULL CAPTURE SYSTEMS will not satisfy the requirements of these TRASH PROVISIONS. To request certification, a permittee shall submit a certification request letter that includes all relevant supporting documentation to the State Water Board's Executive Director. The Executive Director, or designee, shall issue a written determination approving or denying the certification of the proposed FULL CAPTURE SYSTEM or conditions of approval, including a schedule to review and reconsider the certification. FULL CAPTURE SYSTEMS certified by the Los Angeles Regional Water Board prior to the effective date of these TRASH PROVISIONS and FULL CAPTURE SYSTEMS listed in Appendix I of the Bay Area-wide Trash Capture Demonstration Project, Final Project Report (May 8, 2014), [and Treatment Controls TC-10, TC-11, TC-12, TC-22, TC-32, and TC-40 from the CASQA New Development and Redevelopment BMP Handbook \(2003\) or successors designed to meet the treatment control criteria](#), will satisfy the requirements of these TRASH PROVISIONS, unless the Executive Director, or designee, of the State Water Board determines otherwise.

FULL CAPTURE SYSTEM EQUIVALENCY: The TRASH load that would be reduced if FULL CAPTURE SYSTEMS were installed, operated, and maintained for all storm drains that capture runoff from the relevant areas of land (PRIORITY LAND USES, SIGNIFICANT TRASH GENERATING AREAS, facilities or sites regulated by NPDES permits for discharges of STORM WATER associated with industrial activity, or specific land uses or areas that generate substantial amounts of TRASH, as applicable). The FULL CAPTURE SYSTEM EQUIVALENCY is a TRASH load reduction target that the permittee quantifies by using an approach, and technically acceptable and defensible assumptions and methods for applying the approach, subject to the approval of PERMITTING AUTHORITY. Examples of ~~such~~ [acceptable](#) approaches include [but are not limited to](#):

- [\(1\) Visual Assessment Approach. Conduct visual assessments of TRASH in PRIORITY LAND USE\(s\) or portion\(s\) of PRIORITY LAND USE\(s\) being addressed by Track 2 to demonstrate the amount of trash that could be discharged through the MS4 is not present in amounts that could adversely affect beneficial uses or cause nuisance in receiving waters. Visual Assessment Approaches that would demonstrate FULL CAPTURE SYSTEM EQUIVALENCY include a demonstration that the land area is in the Optimal or Suboptimal category based on the visual assessment portion of the Surface Water Ambient Monitoring Program Rapid Trash Assessment Protocol](#)

or equivalent method, or that TRASH is present in amounts less than discharged from PRIORITY LAND USES treated by FULL CAPTURE SYSTEMS or LOW IMPACT DEVELOPMENT CONTROLS.

- (2) Trash Capture Rate Approach. Directly measure or otherwise determine the amount of TRASH captured by FULL CAPTURE SYSTEMS for representative samples of all similar types of land uses, facilities, or areas within the relevant areas of land over time to identify specific TRASH capture rates. Apply each specific TRASH capture rate across all similar types of land uses, facilities, or areas to determine FULL CAPTURE SYSTEM EQUIVALENCY. TRASH capture rates may be determined either through a pilot study or literature review. FULL CAPTURE SYSTEMS selected to evaluate TRASH capture rates may cover entire types of land uses, facilities, or areas, or a representative subset of types of land uses, facilities, or areas. With this approach, FULL CAPTURE SYSTEM EQUIVALENCY is the sum of the products of each type of land use, facility, or area multiplied by TRASH capture rates for that type of land use, facility, or area.
- (3) Reference Approach. Determine the amount of TRASH in a reference receiving water in a reference watershed where FULL CAPTURE SYSTEMS have been installed for all storm drains that capture runoff from all relevant areas of land. The reference watershed must be comprised of similar types and extent of land uses (including PRIORITY LAND USES and all other land uses), facilities, or areas as the permittee's watershed. With this approach, FULL CAPTURE SYSTEM EQUIVALENCY would be demonstrated when the amount of TRASH in the receiving water is equivalent to the amount of TRASH in the reference receiving water.

PRIORITY LAND USES: Those developed sites, facilities, or land uses (i.e., not simply zoned land uses) with storm drains and catch basins within the MS4 permittee's urban jurisdiction from which discharges of TRASH are regulated by this Plan as follows:

APPENDIX D: PROPOSED FINAL AMENDMENTS TO WATER QUALITY CONTROL PLAN FOR OCEAN WATERS OF CALIFORNIA TO CONTROL TRASH

Draft text of the final amendment to control trash proposed to Chapter III – Program of Implementation of the Ocean Plan

L. Implementation Provisions for Trash*

2. Dischargers Permitted Pursuant to Federal Clean Water Act Section 402(p)

Permitting authorities* shall include the following requirements in NPDES permits issued pursuant to Federal Clean Water Act section 402(p):

- a. MS4* permittees with regulatory authority over priority land uses* shall be required to comply with the prohibition of discharge in Chapter III.I.6.a herein by ~~either one or a combination~~ of the following measures:

- (1) Track 1: Install, operate, and maintain full capture systems* or low impact development controls* for all storm drains that captures runoff from the priority land uses* in their jurisdictions; or
- (2) Track 2: Install, operate, and maintain any combination of full capture systems*, multi-benefit projects*, other treatment controls*, and/or institutional controls* within either the jurisdiction of the MS4* permittee or within the jurisdiction of the MS4* permittee and contiguous MS4* permittees. The MS4* permittee shall demonstrate that such combination achieves full capture system equivalency* for priority land uses*. The MS4* permittee may determine which controls to implement to achieve compliance with the full capture system equivalency* for priority land uses*. It is, however, the State Water Board's expectation that the MS4* permittee will elect to install full capture systems* where such installation is not cost-prohibitive.
- (3) Provide monitoring data to demonstrate trash* from priority land use*(s) or portion(s) of the priority land use*(s) that could be discharged through the MS4* is not present in amounts that could adversely affect beneficial uses or cause nuisance in receiving waters. Priority land use*(s) or portion thereof where monitoring demonstrates the area is in the Optimal or Suboptimal category based on the visual assessment portion of the Surface Water Ambient Monitoring Program Rapid Trash Assessment Protocol, in Category A or B under the Keep America Beautiful Index, or equivalent method applied to land areas or that trash is present in amounts less than discharged from priority land uses* treated by full capture systems* or low-impact development controls* shall be deemed in compliance with the discharge prohibition and be exempted from implementing Track 1 or Track 2 requirements. A minimum of six samples that capture seasonal variability are needed to demonstrate compliance for the priority land use*(s) or portion(s) thereof.

Draft text of the final Part 1 Trash Provisions Amendments proposed to Appendix A: Glossary of the ISWEBE Plan

Full capture system is a treatment control* (either a single device or a series of devices) that traps all particles that are 5 mm or greater, and has a design treatment capacity that is either: a) of not less than the peak flow rate, Q, resulting from Proposed a one-year, one-hour, storm in the subdrainage area, or b) appropriately sized to, and designed to carry at least the same flows as, the corresponding storm drain.

[Rational equation is used to compute the peak flow rate: $Q = C \cdot I \cdot A$ where, Q = design flow rate (cubic feet per second, cfs); C = runoff coefficient (dimensionless); I = design rainfall intensity (inches per hour, as determined per the rainfall isohyetal map specific to each region, and A = subdrainage area (acres).]

Prior to installation, full capture systems* must be certified by the Executive Director, or designee, of the State Water Board. Uncertified full capture systems* will not satisfy the requirements of these Trash Provisions*. To request certification, a permittee shall submit a certification request letter that includes all relevant supporting documentation to the State Water Board's Executive Director. The Executive Director, or designee, shall issue a written determination approving or denying the certification of the proposed FULL CAPTURE SYSTEM or conditions of approval, including a schedule to review and reconsider the certification. Full capture systems* certified by the Los Angeles Regional Water Board prior to the effective date of these Trash Provisions* and full capture systems* listed in Appendix I of the Bay Area-wide Trash Capture Demonstration Project, Final Project Report (May 8, 2014), [and Treatment Controls TC-10, TC-11, TC-12, TC-22, TC-32, and TC-40 from the CASQA New Development and Redevelopment BMP Handbook \(2003\) or successors designed to meet the treatment control criteria](#), will satisfy the requirements of these Trash Provisions*, unless the Executive Director, or designee, of the State Water Board determines otherwise.

Full capture system equivalency* is the Trash* load that would be reduced if full capture systems* were installed, operated, and maintained for all storm drains that capture runoff from the relevant areas of land (priority land uses*, significant trash generating areas*, facilities or sites regulated by NPDES permits for discharges of storm water* associated with industrial activity, or specific land uses or areas that generate substantial amounts of Trash*, as applicable). The full capture system equivalency* is a Trash* load reduction target that the permittee quantifies by using an approach, and technically acceptable and defensible assumptions and methods for applying the approach, subject to the approval of permitting authority*. Examples of [such acceptable](#) approaches include [but are not limited to](#):

- [\(1\) Visual Assessment Approach. Conduct visual assessments of TRASH in PRIORITY LAND USE\(s\) or portion\(s\) of PRIORITY LAND USE\(s\) being addressed by Track 2 to demonstrate the amount of trash discharged that could be discharged through the MS4* is not present in amounts that could adversely affect beneficial uses or cause nuisance in receiving waters. Visual Assessment Approaches that would](#)

demonstrate full capture system equivalency* include a demonstration that the land area is in the Optimal or Suboptimal category based on the visual assessment portion of the Surface Water Ambient Monitoring Program Rapid Trash Assessment Protocol or equivalent method, or that TRASH is present in amounts less than discharged from priority land uses* treated by full capture systems* or LOW IMPACT DEVELOPMENT CONTROLS.

- (2) Trash Capture Rate Approach. Directly measure or otherwise determine the amount of TRASH captured by full capture systems* for representative samples of all similar types of land uses, facilities, or areas within the relevant areas of land over time to identify specific TRASH capture rates. Apply each specific TRASH capture rate across all similar types of land uses, facilities, or areas to determine full capture system equivalency*. TRASH capture rates may be determined either through a pilot study or literature review. full capture systems* selected to evaluate TRASH capture rates may cover entire types of land uses, facilities, or areas, or a representative subset of types of land uses, facilities, or areas. With this approach, full capture system equivalency* is the sum of the products of each type of land use, facility, or area multiplied by TRASH capture rates for that type of land use, facility, or area.
- (3) Reference Approach. Determine the amount of TRASH in a reference receiving water in a reference watershed where full capture systems* have been installed for all storm drains that capture runoff from all relevant areas of land. The reference watershed must be comprised of similar types and extent of land uses (including priority land uses* and all other land uses), facilities, or areas as the permittee's watershed. With this approach, full capture system equivalency* would be demonstrated when the amount of TRASH in the receiving water is equivalent to the amount of TRASH in the reference receiving water.

Priority land uses are those developed sites, facilities, or land uses (i.e., not simply zoned land uses) with storm drains and catch basins within the MS4* permittee's urban jurisdiction from which discharges of TRASH are regulated by this Plan as follows:

Attachment to County of San Diego E-mail –March 27, 2015

Rationale for Proposed Changes

As written, the Trash Amendments presume trash to be a problem that needs to be addressed by all MS4 permittees. To address this problem, priority land uses were defined that were assumed to be the highest trash generating areas based on studies conducted in the Los Angeles and San Francisco Bay area. MS4s are presumed to be in compliance with the discharge prohibition in the Trash Amendments if they address trash from the priority land uses.

Several issues have been identified with this approach that needs to be addressed prior to adoption of the Trash Amendments:

1. Land use is not necessarily the best predictor of high trash generating areas and the studies that were done in highly urbanized areas may not be appropriate predictors for MS4s statewide. Socioeconomic factors and population density have been shown in some studies to be a significant factor in determining high trash areas.
2. The Trash Amendments allow MS4 permittees to propose using other land uses than the priority land uses in the amendments, but priority land uses or parts of land uses cannot just be eliminated from the compliance requirements.
3. The Trash Amendments assume trash is a problem and do not allow monitoring data that demonstrates trash is not a problem in the receiving waters or priority land uses to be used to reduce the compliance requirements.

The proposed changes are designed to provide flexibility in implementation of the Trash Amendments to account for the wide range of conditions around the state and allow MS4 permittees with the ability to provide information to demonstrate that trash is not present in amounts of concern and thereby not be required to implement Track 1 or Track 2 requirements.

In addition, proposed changes have been included to provide a more realistic method using visual assessment procedures for MS4 permittees to demonstrate compliance with Track 2 requirements. The proposed methods for assessing compliance in the Trash Amendments are likely to be challenging to implement and will be difficult to use to demonstrate compliance.

Finally, the proposed changes narrow the focus of the Trash Amendment to apply to only urban priority land uses.



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4(f)

- 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:** January 15, 2015

FROM: HHSA - Environmental Health **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Stacey Cryer **PHONE:** 463-7774 Present On Call
Dave Jensen **PHONE:** 463-6625 Present On Call

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

■ AGENDA TITLE: Adoption of Resolution Authorizing Health and Human Services Agency (HHSA) to Enter Into Revenue Agreement #14-462-250 With the California State Water Resources Control Board in the Amount of \$30,000 and Authorizing the HHSA Director to Sign the Agreement and Any Future Amendments

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: BOS #08-172; BOS #09-121; BOS #12-032; Resolutions #12-053 and #12-150

■ SUMMARY OF REQUEST: The California State Water Resources Control Board has funding available for water quality monitoring and public notification programs at California beaches. The money is used for sample collection, lab analysis, and report preparation. HHSA Environmental Health plans to conduct weekly sampling from July 1, 2014 through June 30, 2015 at four popular beaches: MacKerricher, Pudding Creek, Big River and Van Damme. Additional sampling is done in partnership with the Surf Riders Association at Virgin Creek, Hare Creek, and Caspar Cove. This is a revenue contract.

■ 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
CDPH Revenue	\$30,000	Depends upon funding availability	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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

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

■ RECOMMENDED ACTION/MOTION: Adopt and authorize the Chair to sign the Resolution authorizing the Health and Human Services Agency to enter into revenue agreement with the California State Water Resources Control Board in the amount of \$30,000; and authorize the HHSA Director to sign the agreement and any future amendments to the agreement that do not increase the annual maximum amount of the agreement.

■ ALTERNATIVES: Return to staff for alternative handling.

■ CEO REVIEW (NAME): Jill Martin, DCEO **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 _____

RESOLUTION NO. 15-

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS TO AUTHORIZE THE HEALTH AND HUMAN SERVICES AGENCY DIRECTOR TO SIGN AS AN AGENT ON BEHALF OF THE COUNTY OF MENDOCINO FOR THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD PUBLIC BEACH SAFETY GRANT PROGRAM – AGREEMENT #14-462-250

WHEREAS, THE BOARD of Supervisors of the County of Mendocino authorizes Mendocino County Health and Human Services Agency Environmental Health to enter into an Agreement with the State of California; and

WHEREAS, The Board authorizes the Health and Human Services Agency Director, or designee to sign the Agreement, and any amendments thereto; and

WHEREAS, the beach water quality monitoring and public notification services will benefit the County and its residents with weekly samplings at four popular beaches; and

WHEREAS, the beach water quality monitoring and public notification services will increase public safety for County residents and visitors; and

WHEREAS, failing to reapply for beach water quality monitoring and public notification services funds would not be in the best interest of the County.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors does hereby authorize, the Mendocino County Health and Human Services Agency Director, to sign and execute said agreement and all amendments thereto.

The foregoing Resolution introduced by Supervisor _____, seconded by Supervisor _____, and carried this _____ day of _____, 2015, by the following vote:

AYES:
NOES:
ABSENT:

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO
Clerk of the Board

Deputy

APPROVED AS TO FORM:
DOUGLAS L. LOSAK, Interim County Counsel

Carre Brown, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4(g)

- 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:** March 19, 2015

FROM: Library **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Wally Clark **PHONE:** 367-7669 Present On Call

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

■ **AGENDA TITLE:** **Informational Update from the Library Regarding E-Rate Funding and Internet Service Agreement with Sonic**

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

■ **SUMMARY OF REQUEST:** The Library, with the assistance of Aarrestad-Gjervik Consulting, has completed the first steps in the process to receive E-Rate funding for internet access in Fiscal Years 2015-2016 and 2016-2017. A Federal Communications Commission (FCC) Form 470 and Request for Proposals was submitted to Universal Service Administrative Company on December 29, 2014. Only one service proposal was received from Sonic, who proposed 100 Mbps bandwidth internet access at a monthly rate of \$999.00. E-Rate and California Teleconnect Fund discounts will be applied prior to invoicing the Library, leaving a monthly cost to the Library of \$74.92 for significantly increased internet access speeds for Library patrons. As a result of this proposal, a two-year Agreement has been executed with Sonic totaling \$23,976 (Agreement #LB-L15-003), only \$1,798.08 of which will be invoiced to the Library over the next two years. Following the execution of the Agreement, an FCC Form 471 was submitted, which requested funding for this service. Per the Agreement with Sonic, should E-Rate funding be denied, the contract will be deemed null and void.

■ **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
Library Fund	N/A	\$899.04	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:** Accept the informational update from the Library regarding E-Rate funding and internet service Agreement with Sonic.

■ **ALTERNATIVES:** This is an informational item only.

■ **CEO REVIEW (NAME):** Sarah Dukett, Administrative Analyst **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 _____

SONIC.

To: Amber Munoz
County of Mendocino Library
105 North Main Street
Ukiah / CA / 95482

Date: 2/18/2015
Expiration Date: 3/18/2015

Prepared by: Tiffany Bagala
Sr. Account Executive
(415) 271-3411
tiffany.bagala@sonic.com

Contract Term: 24 Months

Qty	Service Description	Setup	Monthly
1	FlexLink Ethernet 100Mbps (24) - 2 Year term	0.00	999.00
1	IP Addresses - 16 (/28)	0.00	0.00
1	E-Rate Discount 85%	0.00	-849.15
1	California Teleconnect Fund Discount	0.00	-74.92
		Total Set up:	Total Monthly:
		\$0.00	\$74.92

*not inclusive of any federal, state or local taxes or fees

Typical provisioning interval for this circuit: 30 days

Upon confirmation of E-Rate and CTF approval from the Library, Sonic will apply eligible discounts for internet services upfront. If E-Rate and CTF funding is denied, this contract for service shall be deemed null and void.

This contract has the option for two (2) optional one year term extensions.

Our Network Operations Department will work closely with your technical contact to make this a seamless transition to your company.

See attached ADDENDUM – COUNTY OF MENDOCINO STANDARD SERVICES AGREEMENT

Please feel free to contact me with any questions you might have. If you accept this contract and would like to proceed with ordering service with Sonic, please sign below and email the contract back to me or you may fax it to our office at 1-888-346-5169.

Accepted by Customer

Name: Wally Cease

Title: County Librarian

Date: 3/11/15

Signature: 



2260 Apollo Way
 Santa Rosa, CA 95407
 corp-sales@sonic.net

Main Office (707) 522-1000
 Fax (888) 346-5169
 Tech Support (707) 547-3400

Customer Information

ACCOUNT OWNER INFORMATION

Company Name: County of Mendocino Library

Service Address: 105 North Main Street

City: Ukiah State: CA Zipcode: 95482

Primary Contact: Amber Munoz Title:

Contact Telephone: (707) 234-3307 Email: munoza@co.mendocino.ca.us

TECHNICAL / IMPLEMENTATION CONTACT INFORMATION

Contact Name: Cody Snider Title:

Contact Telephone: (707) 234-6001 Email: sniderc@co.mendocino.ca.us

LOCAL CONTACT INFORMATION

Contact Name: Wally Clark Title:

Contact Telephone: (707)462-4492 Email: clarkw@co.mendocino.ca.us

BILLING INFORMATION

Billing Name: *Mendocino County Library*

Billing Address: 105 N Main Street City: Ukiah Zipcode:

Billing Contact: Amber Munoz Contact Telephone: 707-234-3307

Billing email address: munoza@co.mendocino.ca.us

PAYMENT INFORMATION

Type of credit card: Visa Master Card Discover American Express

Auto-Billing to CC#: _____ Exp Date: ___ / ___ CSC: _____

Name on CC: _____ Desired Username: _cmlibrary_

Please note that all invoices/receipts will be sent by email to the billing email address provided above. This email address needs to be in use by someone associated with accounts payable.

SONIC.

Internet Access Service Agreement

This Internet Access Service Agreement (the "Agreement") is made and entered into as of the 18 day of February, 2015 (the "Effective Date"), by and between Sonic ("Sonic") and County of Mendocino Library ("Customer"), (Sonic and Customer are collectively referred to as the "Parties," and each individually as a "Party.") This Agreement consists of the terms and conditions below and in the Sonic Acceptable Use Policy, which is incorporated herein by this reference.

1.0 Services. Pursuant to the terms hereof, Customer is purchasing the Sonic Internet Access Service. The Sonic Internet Access Service utilizes a fully multi-homed autonomous system, with routing redundancy to the Internet, that allows high speed access to Sonic's facilities in the following manner:

1.1 Commencement of Service. Sonic will make commercially reasonable efforts to deliver Internet Access Service at the contracted speed within its service territory. On delivery and testing of a circuit, if Sonic determines a stable connection at the contracted speed cannot be provided, Sonic and the Customer shall each have the right to terminate this Agreement without liability or the Customer may elect to execute a new contract with Sonic for a service that is deliverable at the requested location(s).

1.2 Turn Up by Customer. Customer shall have thirty (30) days to turn up the circuit and to perform any required testing with Sonic's assistance. If the Customer does not connect their equipment for testing and turn-up with Sonic, Inc.'s assistance within the thirty (30) day turn-up window, the Customer will be deemed to have unconditionally accepted the circuit.

1.3 Service Quality. Subject to the warranty provisions hereof, absent causes beyond its control, Sonic will use reasonable commercial efforts to ensure that its: (i) Internet Access Service will be available at least 99.99% of the time; (ii) RTT will not exceed 50ms average; and (iii) packet loss will be less than 1% at the first hop.

1.4 Adds Deletions Moves and/or Changes. Sonic may add, delete and/or change the Internet Access Service, in its sole discretion and without liability, by providing fifteen (15) days prior written notice to Customer. Customer may be charged a fee of at least \$200.00 by Sonic if Customer elects to move its Internet Access Services, in whole or part, during the term of this Agreement.

1.5 Sonic reserves the right to increase any rate or to change any term or condition on a prospective basis in its discretion and without liability on fifteen (15) days prior written notice to Customer. In the event that Sonic makes a material change to rates, terms and conditions associated with the Internet Access Service, Customer may terminate this Agreement as provided for in Section 7.0 below without further liability.

2.0 Acceptable Use Policy – Customers, including all associated users, must comply with Sonic's Acceptable Use Policy (AUP) and all accepted Internet access policies of all upstream networks, including but not limited to, UUNet, NLayer, and Global Crossing. Sonic's AUP shall be as set forth on Sonic's website (<http://www.sonic.com/aup>) as amended from time to time.

3.0 Payment – Invoices will be issued once each calendar month and payment is due on the 1st day of each succeeding calendar month. If payment of the full amount due is not received by the 5th day of any month, a late fee of 1.5% will be applied to that amount. If full payment is not received by the 10th day of any month, service may be interrupted until full payment is received. If Sonic, Inc. still has not received full payment by the 30th day of any calendar month, service will be disconnected and early termination fees will be applied. Customer must provide and maintain a valid credit or debit card, against which all applicable fees will be automatically charged if arrangements have not been made to pay by check.

3.1 If service is disconnected due to non-payment and Sonic decides in its discretion to reinstate service, Customer will be assessed a \$100.00 administrative fee which must be paid in full prior to the reinstatement.

Initial 

3.2 All disputes as to any invoiced amount must be submitted in writing within fifteen (15) days of Customer's receipt of each invoice or the right to dispute will be waived in its entirety. Complete documentation setting forth and establishing all bases of the dispute must be provided within this fifteen (15) day period. Notwithstanding any dispute, the full amount of all disputed and undisputed amounts must be paid in full when due. Sonic shall respond with a determination as to the legitimacy of each dispute within thirty (30) days of receipt. Any challenge to Sonic's determination shall be resolved pursuant to the dispute resolution provisions hereof. Disputed amounts deemed correct by Sonic shall be credited by Sonic to Customer on the invoice(s) immediately following the determination by Sonic.

4.0 **CONFIDENTIALITY.** Each party to this Agreement agrees to hold all confidential information of the other party in strict confidence. As used in this Agreement, Confidential Information shall mean this Agreement and all associated rates, terms and conditions, as well as all information that derives economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use. Confidential Information also includes, without limitation, business plans; business strategies: marketing plans; industry and competitive information; technology, product and proposed product information; pricing and cost data arrangements and information relating to the identities of Customer's distributors, agents, representatives and End Users or the End Users of its distributors, agents or representatives (the above matters known as "Confidential Information"). This confidentiality obligation shall not apply to any information (i) independently developed by a party, (ii) generally available to the public other than by a party's breach of this Agreement, (iii) already known by a party at time of disclosure, (iv) rightfully received from a third party without restriction on disclosure. Both parties hereby designate the terms, conditions, appendices, exhibits, and schedules of this Agreement to be confidential. The parties agree that all confidential and proprietary information, including without limitation the Confidential Information received pursuant to this Agreement shall be disclosed only to those employees and other persons on a need-to-know basis and who shall agree to be bound by these confidentiality restrictions. If the COUNTY receives a public records request, the COUNTY must notify SONIC prior to releasing a copy of this AGREEMENT for public record, under which case public release of the terms and conditions is acceptable.

5.0 **Indemnification**— Customer shall defend, indemnify, and hold harmless Sonic, Inc., its partners, employees and agents from and against any and all lawsuits, claims, demands, penalties, losses, fines, and liabilities, damages, and expenses (including attorney's fees) of any kind, without limitation, in connection with Customer's operations, installation or maintenance of equipment and facilities contemplated by this agreement, its use of the service or otherwise arising out of or in any way connected with Sonic's provision of service of performance under this agreement.

Sonic shall indemnify, defend, and hold harmless the COUNTY, its officers, agents, and employees, from and against any and all claims, liabilities, and losses whatsoever including damages to property and injuries to, or death of persons, reasonable attorney's fees, expert fees and court costs occurring or resulting, or alleged to be occurring or resulting, to any and all persons, firms or corporations furnishing or supplying work, services, materials, or supplies in connections with Sonic's performance or its obligations under this AGREEMENT, and from any and all claims, liabilities, and losses occurring or resulting, or alleged to be occurring or resulting, to any person, firm, or corporation for damage, injury, or death arising out of or connected with Sonic's performance of its obligations under this AGREEMENT, unless such claims, liabilities, or losses arise out of the sole negligence or willful misconduct of COUNTY. "Sonic's performance" includes Sonic's action or inaction and the action or inaction of Sonic's officers, employees, agents and subcontractors.

6.0 **DISCLAIMER OF WARRANTIES AND LIMITATION OF LIABILITY**

Sonic provides services hereunder strictly on an "AS IS" and "AS AVAILABLE" basis without any warranty, guarantee or other assurance of quality, reliability or functionality. Except as expressly set forth herein, Customer accepts all risk, including all risk with respect to suitability, use and performance of Internet Connection Service. **SONIC DISCLAIMS ALL EXPRESS AND IMPLIED WARRANTIES, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.** In any instance involving performance or nonperformance by Sonic, Inc. with respect to services provided hereunder. Customer's sole remedy shall be refunded of a pro-rate portion of the price paid for Internet Access, which was not provided after the first twenty-four (24) consecutive hours in which the service failed to meet the quality of service standards set forth herein.

Customer acknowledges that the facilities and services of third parties may be used in connection with the services. Sonic is not liable for any act, omission to act, negligence or defect in the quality or availability of service of any underlying carrier or other service whose facilities or services are used in furnishing any portion of the service received by the Customer or for any failure of performance that is caused by or the result of any act or omission by customer or any entity other than Sonic that furnishes services, facilities, or equipment used in connection with Sonic's services or facilities.

Sonic, Inc. will not be liable for any damage that Customer may suffer arising out of use, or inability to use, the Internet Access Service. Sonic, Inc. will not be liable for unauthorized access to Customer's transmission facilities of Customer's data files, programs, procedures or information through accident, fraudulent means or devices, or any other method, regardless of whether such damage occurs as a result of Sonic's negligence. Sonic shall not be liable for indirect, consequential, incidental or special damages even if advised of the possibility in advance. Sonic shall not be liable for any lost property or data of Customer or Customer Customers. Sonic's liability for damages to Customer for any cause whatsoever, regardless of form of action, shall be limited to the pro-rated portion of the monthly charge actually paid by the customer for the period after the first twenty-four (24) consecutive hours in which the service failed to meet the quality of service standards set forth herein.

Initial 

7.0 TERMINATION

- 7.1 **TERMINATION:** The COUNTY has and reserves the right to suspend, terminate or abandon the execution of any work by SONIC without cause at any time upon giving to the CONTRACTOR prior written notice. In the event that the COUNTY should abandon, terminate or suspend SONIC's work, SONIC shall be entitled to payment for services provided hereunder prior to the effective date of said suspension, termination or abandonment. Said payment shall be computed in accordance with Exhibit B hereto, provided that the maximum amount payable SONIC for its Flexlink Ethernet 100/100Mbps shall not exceed \$23,976 payment for services provided hereunder prior to the effective date of said suspension, termination or abandonment or lack of funding.
- 7.2 *Termination by Either Party.* Services may be terminated at the end of the current term by providing the other party with thirty (30) days prior written notice on company letterhead. In the event that neither party give such notice prior to the end of the initial or any subsequent term, this agreement will automatically be renewed for an additional term of 30 days. Absent the written agreement of the parties, pricing during any Renewal Term shall be the then current price for service at the commencement of the Renewal Term.
- 7.3 If any of the events below occur with respect to one party, then the other party may terminate this Agreement effective immediately upon the delivery of written notice:
1. A party becomes insolvent; files a voluntary petition in bankruptcy, proposed any dissolution, liquidation, reorganization or recapitalization; has filed against it an involuntary petition in bankruptcy, or receiver is appointed or takes possession of the party's property, and such petition is not dismissed or stayed within ten (10) calendar days of such filing, appointment or taking possession; makes an assignment for the benefit of creditors, or is adjudicated as bankrupt; or takes any similar action under the law of any jurisdiction.
 2. Material breach of this Agreement which is not remedied within ten (10) calendar days after written notice (describing the breach with particularity) has been given.
 3. Customer is merged into or acquired by another entity or there is a substantial change in Customer's direct or indirect ownership or control of its voting securities or the sale of substantially all of its assets.
 4. Sonic increases the total amount due from Customer, either in a single or multiple events, by more than ten percent (10%) during the initial term or any subsequent one (1) year period thereafter.
- 7.4 *Effect of Termination.* Upon termination Customer agrees immediately to cease all use of the Internet Access Service and to return any Sonic, Inc.-provided equipment, software and Colocation access cards, at Customer's expense and risk, to be received by Sonic within three (3) business days. Notwithstanding any termination hereof, Customer shall be and remain liable to Sonic for the full replacement cost of any equipment, software and Colocation access cards that it fails to return to Sonic, as well as the repair or replacement cost of any equipment, software and/or Colocation access cards that are returned in a damaged condition. All equipment and software shall be shipped to:

Sonic, Inc
Attention: NOC.
2260 Apollo Way
Santa Rosa, CA 95407

- 8.0 **FORCE MAJEURE** – Neither Party will be liable for, or will be considered to be in breach of or default under this Agreement on account of, any delay or failure to perform as required by this Agreement as a result of any causes or conditions that are beyond such Party's reasonable control and that such Party is unable to overcome through the exercise of commercially reasonable diligence. If any force majeure event occurs, the affected Party will give prompt written notice to the other Party and will use commercially reasonable efforts to minimize the impact of the event.

9.0 NOTICE AND PAYMENT – Any notice required to be given under this Agreement shall be in writing and delivered personally to the other designated party at the above stated address, “Attention: Billing”, or mailed by certified, registered or Express mail, return receipt requested or by overnight delivery. Either party may change the address to which notice or payment is to be sent by written notice to the other under any provision of this paragraph.

Sonic, Inc
 Attention: Billing.
 2260 Apollo Way
 Santa Rosa, CA 95407(707) 522-1000

County of Mendocino Library
 105 N Main Street
 Ukiah, CA 95482

10.0 JURISDICTION/DISPUTES – This Agreement shall be governed in accordance with the laws of the State of California. All disputes under this Agreement shall be resolved by litigation in the courts of State of California including the federal courts therein and the Parties all consent to the jurisdiction of such courts, agree to accept service of process by mail, and hereby waive any jurisdiction or venue defenses otherwise available to it.

11.0 AGREEMENT BINDING ON SUCCESSORS – The provisions of the Agreement shall be binding upon and shall inure to the benefit of the Parties hereto, their heirs, administrators, successors and assigns.

12.0 ASSIGNABILITY – Customer shall not have the right to assign this Agreement or the rights and obligations hereunder to any third party without the prior express written approval of Sonic, which consent shall not be unreasonable withheld.

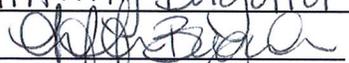
13.0 WAIVER – No waiver by either party of any default shall be deemed as a waiver of prior or subsequent default of the same of the other provisions of this Agreement.

14.0 SEVERABILITY – If any term, clause or provision hereof is held invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or operation of any other term, clause or provision and such invalid term, clause or provision shall be deemed to be severed from the Agreement.

15.0 AUTHORITIES AND CONSENTS - By executing below, each person represents and warrants that he/she is authorized to bind the party on whose behalf of he/she is signing and that the consents of third parties is not required to perfect this right.

16.0 INTEGRATION – This Agreement constitutes the entire understanding of the Parties, and revokes and supersedes all prior agreements between the Parties and is intended as a final expression of their Agreement. This Agreement may not be modified or amended except in writing signed by the Parties hereto and specifically referring to this Agreement. This Agreement shall take precedence over any other documents which may conflict with this Agreement.

17.0 SERVICE LEVEL AGREEMENT – Encompassed is Sonic’s Internet Service Level Agreement.

Customer	Sonic, Inc.
Name (Printed): <u>WALTER CERRAS</u>	Name (Printed): <u>TIFFANY BAGALA</u>
Signature: 	Signature: 
Company: <u>MENDOCINO CO. LIBRARY</u>	Title: <u>SENIOR ACCOUNT EXECUTIVE</u>
Title: <u>COUNTY LIBRARIAN</u>	Date: <u>3.9.15</u>
Date: <u>3/6/15</u>	

Service Level Agreement



This *Service Level Agreement* ("SLA") is made in accordance with, and subject to, the terms and conditions of the *Sonic.net AUP* and *Quote for Service*, made by and between Customer and Sonic.

Terms and definitions

Service – The Product Customer is contracted for which falls under this SLA.

Network – The Sonic owned and operated network including routers, switches and network connections directly controlled by Sonic.

Product – The only products covered under this agreement are Colocation Connectivity Service items, T1, T3, Business T, Business Wireless Service, Fiber DIA and FlexLink service.

Colocation Connectivity Service – Colocation services are those services bandwidth related services outlined in a contract with Sonic.net and do not include cabinet, VPN, firewall, DSL, Hosting, Dial-up or any residential service offerings by Sonic.

Service Level Goals

Network Availability Goal

Sonic.net, Inc.'s goal is to maintain a 99.99% network availability at the bandwidth level purchased and specified in the *Quote for Service*.

Systems Covered

All components of the Sonic IP Network and third party provided access facilities used to in the Sonic IP backbone network are included in the determination of Network Availability. This includes routers, switches, carrier access circuits and transport.

Network Availability Measurement and Remedies

Sonic.net will calculate Customer's "Network Unavailability" on a calendar year basis. "Network Unavailability" consists of the number of minutes that the Sonic Network was not available for the Customers Services and is measured based on the total time of the affected services. Network Downtime shall exist when a particular Service is unable to transmit data, Customer has notified Sonic through a telephone call to the NOC and Sonic records such a failure in the trouble ticket system. Network Unavailability and Network Downtime will not include periods during which routine or scheduled service maintenance, alteration, or implementation is being performed, or any unavailability or inability to transmit resulting from:

- a) The negligence, action or omission of Customer, its employees, contractors or agents or its end users.
- b) Installation of Customer ordered or approved equipment, software modifications, updates or changes, or the failure or malfunction of equipment, applications or systems not owned or controlled by Sonic.
- c) Disruptions in the operation of the Internet outside Sonic's control.
- d) Acts or omissions of third parties engaged in intentional disruptions of the Internet, the networks operated by Sonic.net third party providers, Customer's web site or Customer's operations.
- e) Compliance with any AUP or reasons of Force Majeure.

Network Latency Goal

Network Latency will be no more than 20 milliseconds on the first hop and less than 50 milliseconds within the Sonic Network. Latency shall be measured by averaging sample measurements taken during a

calendar month between appropriate core networking equipment. No credits will be made if failure to meet Network Latency Guarantee is attributable to reason of Force Majeure.



Service Level Agreement

Network Packet Delivery Goal

Network Packet Delivery is packet delivery of 99.9% or greater between Sonic-designated network routers. Network Packet Delivery shall be measured by averaging sample measurements taken during a calendar month between network routers.

Network Reporting

Sonic uses a number of methods to report network events and outages. Customer will be informed of an outage through our MOTD (Message of the Day) posted on our web page and are encouraged to sign up for email delivery of the MOTD.

Sonic provides colocation customers with tools to monitor their own networks and services collocated in the Sonic Data Center through our member tools and are encouraged to configure such service to their own specifications. Customers are responsible for providing Sonic with valid pager, email and phone numbers. Customer is solely responsible for providing accurate contact information for customer's designated point of contact on an ongoing basis.

Customer is responsible for contacting the Sonic NOC in any case where the Goals outlined in the Service Level Goals are not being met. Contact must occur during or no later than 1 day after the failure occurs and a trouble ticket must be opened by the Sonic NOC.

Remedies

Upon verification by Sonic that Sonic failed to meet the Network Availability, Network Latency or Network Packet Delivery goals, and upon Customer's written request to Sonic made within five (5) business days of the last day of the month in which the Event occurred, Sonic shall provide a service credit equal to the prorated charges for one day of Services for the Affected Service for each cumulative hour of Network Packet Delivery breach. Such service credits may be applied only against fees due to Sonic by Customer for the Service. The maximum credit allowed under this agreement is the total cost of one (1) months service for products covered under this agreement.

Service Credit Exceptions

Service credits will not be available in cases where the failure to meet the Goals outlined in the Service Level Goals section of this SLA are a result of (a) Customer's failure to provide valid and accurate contact information, (b) the negligence, action or omission of Customer, its employees, contractors or agents or its end users, (c) installation of Customer ordered or approved equipment, software modifications, updates or changes, or the failure or malfunction of equipment, applications or systems not owned or controlled by Sonic, (d) Customer did not contact the Sonic NOC by phone during or no more than 1 day following such failure, (e) Sonic did remedy the situation within eight (8) hours of notification of event, (f) outage was related to AT&T or 3rd party local loop issue outside of Sonic control, (g) acts or omissions of third parties engaged in intentional disruptions for the Internet, the networks operated by Sonic's third party providers, Customer's network or equipment or customers operations (h) compliance with any AUP or (i) reasons of Force Majeure, (j) disruptions in the operation of the Internet

Maintenance Window Definition

Maintenance performed by Sonic shall be classified as one of the following two types;

Normal Maintenance

Normal Maintenance shall refer to: (a) upgrades of hardware or software; or (b) upgrades to increase capacity. Normal Maintenance while being conducted may degrade the quality of the Service provided which may include an outage of the Service. An outage related to Normal Maintenance shall not be deemed to be Network Downtime.

Service Level Agreement



Urgent Maintenance

Urgent Maintenance shall refer to efforts by Sonic to correct conditions which are likely to cause a material service outage and which require immediate correction. Urgent Maintenance, while being conducted, may degrade the quality of the Services provided to an Affected Service that may include an outage of the Services. An outage related to Urgent Maintenance shall be deemed an outage for purposes of calculating Network Downtime and Actual Network Availability. Sonic may undertake Urgent Maintenance at any time Sonic.net deems necessary. Sonic shall provide notice of Urgent maintenance to Customer as soon as it is commercially practicable under the circumstances.

Maximum Credits and Termination Option

In the event that Customer is entitled to multiple credits under this SLA arising from the same event, such credits shall not be cumulative and Customer shall be entitled to receive only the maximum single credit available for such event. Under no circumstances will Sonic be required to credit Customer in any one calendar month charges in excess of 7 days of service. A credit shall be applied on to the month in which the event-giving rise to the credit occurred. Notwithstanding the foregoing, in the event that, in any single calendar month, either (a) Customer would be entitled to receive credits totaling fifteen (15) or more days (but for the limitations set forth in this paragraph) resulting from five (5) or more separate events during such calendar month or (b) any single event entitling Customer to credits under "Network Availability Goal" which exists for a period of forty-eight (48) consecutive hours, then, Customer may terminate the Agreement for cause and without penalty by written notice to the attention of the CEO of Sonic. Notice must be postmarked no more than 5 days prior to the end of the current billing month. Such termination shall be Customer's sole and exclusive remedy for any such events.

Customer Support Policy

Sonic Support

Customer shall have access to Sonic Technical Support and Network Operations Center (NOC). Communications with Support may be via telephone, e-mail and/or on-line trouble ticket system. Sonic.net provides a point of contact that routes request/problems to the appropriate service group as follows:

- **Technical Support** is responsible for tracking and solving problems during Sonic Support Hours as posted on the Sonic Support web site (<http://www.sonic.com/support>). Non-critical/outage related queries and support request will be resolved through this channel.
- **NOC Support** is responsible for the problems/requests that cannot be resolved via Technical Support or network emergencies that constitute a Service Outage. NOC Support is available 24x7x365 and the NOC phone number is issued to Customer upon signing an agreement for Service. Any notification of service outage must be reported via telephone to the NOC. Sonic will respond to telephone NOC requests within 4 hours when urgent delivery of message is requested.

**COUNTY OF MENDOCINO
STANDARD SERVICES AGREEMENT**

This Agreement, dated as of __ March 9, 2015, is by and between the COUNTY OF MENDOCINO, hereinafter referred to as the "COUNTY", and Sonic, Inc., hereinafter referred to as the "CONTRACTOR".

WITNESSETH

WHEREAS, pursuant to Government Code Section 31000, COUNTY may retain independent contractors to perform special services to or for COUNTY or any department thereof; and,

WHEREAS, COUNTY desires to obtain CONTRACTOR for its Flexlink Ethernet 100/100Mbps; and,

WHEREAS, CONTRACTOR is willing to provide such services on the terms and conditions set forth in this AGREEMENT and is willing to provide same to COUNTY.

NOW, THEREFORE it is agreed that COUNTY does hereby retain CONTRACTOR to provide the services described in Exhibit "A", and CONTRACTOR accepts such engagement, on the General Terms and Conditions hereinafter specified in this Agreement, the Additional Provisions attached hereto, and the following described exhibits, all of which are incorporated into this Agreement by this reference:

- Exhibit A Definition of Services
- Exhibit B Payment Terms
- Exhibit C Insurance Requirements

The term of this Agreement shall be from __ July 1, 2015 through __ June 30, 2017.

The compensation payable to CONTRACTOR hereunder shall not exceed twenty three thousand nine hundred seventy six (\$23,976) for the term of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

COUNTY OF MENDOCINO

CONTRACTOR/COMPANY NAME

DEPARTMENT FISCAL REVIEW:
Mendocino County Library

By: [Signature] 3/1/15
Wally Clark, County Librarian Date

By: [Signature]
Tiffany Bagala, Senior Account Executive
NAME AND ADDRESS OF CONTRACTOR:

Budgeted: Yes No

Sonic, Inc.

Budget Unit: 6110

2260 Apollo Way

Line Item: _____

Santa Rosa CA 95407

Grant: Yes No

Grant No.: _____

INSURANCE REVIEW:

RISK MANAGER

By: [Signature]
KRISTIN McMENOMEY, Director
General Services Agency

By signing above, signatory warrants and represents that he/she executed this Agreement in his/her authorized capacity and that by his/her signature on this Agreement, he/she or the entity upon behalf of which he/she acted, executed this Agreement

EXECUTIVE OFFICE REVIEW:

APPROVAL RECOMMENDED:

By: [Signature]
CARMEL J. ANGELO, Chief Executive Officer

COUNTY COUNSEL REVIEW:

APPROVED AS TO FORM:

DOUGLAS L. LOSAK, Acting County Counsel
By: [Signature]
Deputy

FISCAL REVIEW:

By: [Signature]
Deputy CEO/Fiscal

Signatory Authority: \$0-25,000 Department; \$25,001- 50,000 Purchasing Agent; 50,001+ Board of Supervisors
Exception to Bid Process Required/Completed _____

GENERAL TERMS AND CONDITIONS

1. INDEPENDENT CONTRACTOR: No relationship of employer and employee is created by this Agreement; it being understood and agreed that CONTRACTOR is an Independent Contractor. CONTRACTOR is not the agent or employee of the COUNTY in any capacity whatsoever, and COUNTY shall not be liable for any acts or omissions by CONTRACTOR nor for any obligations or liabilities incurred by CONTRACTOR.

CONTRACTOR shall have no claim under this Agreement or otherwise, for seniority, vacation time, vacation pay, sick leave, personal time off, overtime, health insurance medical care, hospital care, retirement benefits, social security, disability, Workers' Compensation, or unemployment insurance benefits, civil service protection, or employee benefits of any kind.

CONTRACTOR shall be solely liable for and obligated to pay directly all applicable payroll taxes (including federal and state income taxes) or contributions for unemployment insurance or old age pensions or annuities which are imposed by any governmental entity in connection with the labor used or which are measured by wages, salaries or other remuneration paid to its officers, agents or employees and agrees to indemnify and hold County harmless from any and all liability which COUNTY may incur because of CONTRACTOR's failure to pay such amounts.

In carrying out the work contemplated herein, CONTRACTOR shall comply with all applicable federal and state workers' compensation and liability laws and regulations with respect to the officers, agents and/or employees conducting and participating in the work; and agrees that such officers, agents, and/or employees will be considered as Independent Contractors and shall not be treated or considered in any way as officers, agents and/or employees of COUNTY.

CONTRACTOR does, by this Agreement, agree to perform his/her said work and functions at all times in strict accordance with all applicable federal, state and County laws, including but not limited to prevailing wage laws, ordinances, regulations, titles, departmental procedures and currently approved methods and practices in his/her field and that the sole interest of COUNTY is to ensure that said service shall be performed and rendered in a competent, efficient, timely and satisfactory manner and in accordance with the standards required by the County agency concerned.

Notwithstanding the foregoing, if the COUNTY determines that pursuant to state and federal law CONTRACTOR is an employee for purposes of income tax withholding, COUNTY may upon two (2) week's written notice to CONTRACTOR, withhold from payments to CONTRACTOR hereunder federal and state income taxes and pay said sums to the federal and state governments.

2. INDEMNIFICATION: CONTRACTOR shall indemnify, defend, and hold harmless the COUNTY, its officers, agents, and employees, from and against any and all claims, liabilities, and losses whatsoever including damages to property and injuries to, or death of persons, reasonable attorney's fees, expert fees and court costs occurring or resulting, or alleged to be occurring or resulting, to any and all persons, firms or corporations furnishing or supplying work, services, materials, or supplies in connections with the CONTRACTOR'S performance or its obligations under this AGREEMENT, and from any and all claims, liabilities, and losses occurring or resulting, or alleged to be occurring or resulting, to any person, firm, or corporation for damage, injury, or death arising out of or connected with the CONTRACTOR'S performance of its obligations under this AGREEMENT, unless such claims, liabilities, or losses arise out of the sole negligence or willful misconduct of COUNTY. "CONTRACTOR'S performance" includes CONTRACTOR'S action or inaction and the action or inaction of CONTRACTOR'S officers, employees, agents and subcontractors.
3. INSURANCE AND BOND: CONTRACTOR shall at all times during the term of the Agreement with the COUNTY maintain in force those insurance policies and bonds as designated in the attached Exhibit C, and will comply with all those requirements as stated therein.
4. WORKERS' COMPENSATION: CONTRACTOR shall provide Workers' Compensation insurance, as applicable, at CONTRACTOR's own cost and expense and further, neither the CONTRACTOR nor its carrier shall be entitled to recover from COUNTY any costs, settlements, or expenses of Workers' Compensation claims arising out of this Agreement.
5. CONFORMITY WITH LAW AND SAFETY:
 - a. In performing services under this Agreement, CONTRACTOR shall observe and comply with all applicable laws, ordinances, codes and regulations of governmental agencies, including federal, state, municipal, and local governing bodies, having jurisdiction over the scope of services, including all applicable provisions of the California Occupational Safety and Health Act. CONTRACTOR shall indemnify and hold COUNTY harmless from any and all liability, fines, penalties and consequences from any of CONTRACTOR's failures to comply with such laws, ordinances, codes and regulations.
 - b. Accidents: If a death, serious personal injury or substantial property damage occurs in connection with CONTRACTOR's performance of this Agreement, CONTRACTOR shall immediately notify Mendocino County Risk Manager's Office by telephone. CONTRACTOR shall promptly submit to COUNTY a written report, in such form as may be required by

COUNTY of all accidents which occur in connection with this Agreement. This report must include the following information: (1) name and address of the injured or deceased person(s); (2) name and address of CONTRACTOR's sub-contractor, if any; (3) name and address of CONTRACTOR's liability insurance carrier; and (4) a detailed description of the accident and whether any of COUNTY's equipment, tools, material, or staff were involved.

- c. CONTRACTOR further agrees to take all reasonable steps to preserve all physical evidence and information which may be relevant to the circumstances surrounding a potential claim, while maintaining public safety, and to grant to the COUNTY the opportunity to review and inspect such evidence, including the scene of the accident.
6. PAYMENT: For services performed in accordance with this Agreement, payment shall be made to CONTRACTOR as provided in Exhibit "B" hereto as funding permits.
7. TAXES: Payment of all applicable federal, state, and local taxes shall be the sole responsibility of the CONTRACTOR.
8. OWNERSHIP OF DOCUMENTS: CONTRACTOR hereby agrees to provide to a private, not-for-profit, successor and if there is none then assigns the COUNTY and its assignees all copyright and other use rights in any and all proposals, plans, specification, designs, drawings, sketches, renderings, models, reports and related documents (including computerized or electronic copies) respecting in any way the subject matter of this Agreement, whether prepared by the COUNTY, the CONTRACTOR, the CONTRACTOR's subcontractors or third parties at the request of the CONTRACTOR (collectively, "Documents and Materials"). This explicitly includes the electronic copies of all above stated documentation.

CONTRACTOR shall be permitted to retain copies, including reproducible copies and computerized copies, of said Documents and Materials. CONTRACTOR agrees to take such further steps as may be reasonably requested by COUNTY to implement the aforesaid assignment. If for any reason said assignment is not effective, CONTRACTOR hereby grants the COUNTY and any assignee of the COUNTY an express royalty – free license to retain and use said Documents and Materials. The COUNTY's rights under this paragraph shall apply regardless of the degree of completion of the Documents and Materials and whether or not CONTRACTOR's services as set forth in Exhibit "A" of this Agreement have been fully performed or paid for.

CONTRACTOR shall pay all royalties and license fees which may be due for any patented or copyrighted materials, methods or systems selected by the CONTRACTOR and incorporated into the work as set forth in Exhibit "A", and

shall defend, indemnify and hold the COUNTY harmless from any claims for infringement of patent or copyright arising out of such selection.

The COUNTY's rights under this Paragraph 8 shall not extend to any computer software used to create such Documents and Materials.

9. CONFLICT OF INTEREST: The CONTRACTOR covenants that it presently has no interest, and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of services required under this Agreement.
10. NOTICES: All notices, requests, demands, or other communications under this Agreement shall be in writing. Notices shall be given for all purposes as follows:

Personal delivery: When personally delivered to the recipient, notices are effective on delivery.

First Class Mail: When mailed first class to the last address of the recipient known to the party giving notice, notice is effective three (3) mail delivery days after deposit in a United States Postal Service office or mailbox. Certified Mail: When mailed certified mail, return receipt requested, notice is effective on receipt, if delivery is confirmed by a return receipt.

Overnight Delivery: When delivered by overnight delivery (Federal Express/Airborne/United Parcel Service/DHL WorldWide Express) with charges prepaid or charged to the sender's account, notice is effective on delivery, if delivery is confirmed by the delivery service.

Facsimile transmission: When sent by facsimile to the facsimile number of the recipient known to the party giving notice, notice is effective on receipt, provided that, (a) a duplicate copy of the notice is promptly given by first-class or certified mail or by overnight delivery, or (b) the receiving party delivers a written confirmation of receipt. Any notice given facsimile shall be deemed received on the next business day if it is received after 5:00 p.m. (recipient's time) or on a non-business day.

Addresses for purpose of giving notice are as follows:

To COUNTY: COUNTY OF MENDOCINO
LIBRARY
105 North Main Street
Ukiah, CA 95482
Attn: Amber Muñoz

To CONTRACTOR: Sonic, Inc.
2260 Apollo Way
Santa Rosa, CA 95407
ATTN: Tiffany Bagala

Any correctly addressed notice that is refused, unclaimed, or undeliverable because of an act or omission of the party to be notified shall be deemed effective as of the first date that said notice was refused, unclaimed, or deemed undeliverable by the postal authorities, messenger, or overnight delivery service.

Any party may change its address or facsimile number by giving the other party notice of the change in any manner permitted by this Agreement.

11. USE OF COUNTY PROPERTY: CONTRACTOR shall not use County property (including equipment, instruments and supplies) or personnel for any purpose other than in the performance of his/her obligations under this Agreement.
12. EQUAL EMPLOYMENT OPPORTUNITY PRACTICES PROVISIONS: CONTRACTOR certifies that it will comply with all federal and state laws pertaining to equal employment opportunity and that it shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, age, sex, national origin, ancestry, marital status, political affiliation or physical or mental condition, in matters pertaining to recruitment, hiring, training, upgrading, transfer, compensation or termination.
 - a. CONTRACTOR shall, in all solicitations or advertisements for applicants for employment placed as a result of this Agreement, state that it is an "Equal Opportunity Employer" or that all qualified applicants will receive consideration for employment without regard to their race, creed, color, disability, sex, sexual orientation, national origin, age, religion, Vietnam era Veteran's status, political affiliation, or any other non-merit factor.
 - b. CONTRACTOR shall, if requested to so do by the COUNTY, certify that it has not, in the performance of this Agreement, discriminated against applicants or employees because of their race, creed, color, disability, sex, sexual orientation, national origin, age, religion, Vietnam era Veteran's status, political affiliation, or any other non-merit factor.
 - c. If requested to do so by the COUNTY, CONTRACTOR shall provide the COUNTY with access to copies of all of its records pertaining or relating to its employment practices, except to the extent such records or portions of such records are confidential or privileged under state or federal law.
 - d. Nothing contained in this Agreement shall be construed in any manner so as to require or permit any act which is prohibited by law.
 - e. The CONTRACTOR shall include the provisions set forth in paragraphs a through d (above) in each of its subcontracts.

13. DRUG-FREE WORKPLACE: CONTRACTOR and CONTRACTOR's employees shall comply with the COUNTY's policy of maintaining a drug-free workplace. Neither CONTRACTOR nor CONTRACTOR's employees shall unlawfully manufacture, distribute, dispense, possess or use controlled substances, as defined in 21 U.S. Code § 812, including, but not limited to, marijuana, heroin, cocaine, and amphetamines, at any COUNTY facility or work site. If CONTRACTOR or any employee of CONTRACTOR is convicted or pleads *nolo contendere* to a criminal drug statute violation occurring at a County facility or work site, the CONTRACTOR, within five days thereafter, shall notify the head of the County department/agency for which the contract services are performed. Violation of this provision shall constitute a material breach of this Agreement.
14. ENERGY CONSERVATION: CONTRACTOR agrees to comply with the mandatory standards and policies relating to energy efficiency in the State of California Energy Conservation Plan, (Title 24, California Administrative Code).
15. COMPLIANCE WITH LICENSING REQUIREMENTS: CONTRACTOR shall comply with all necessary licensing requirements and shall obtain appropriate licenses and display the same in a location that is reasonably conspicuous, as well as file copies of same with the County Executive Office.
16. AUDITS; ACCESS TO RECORDS: The CONTRACTOR shall make available to the COUNTY, its authorized agents, officers, or employees, for examination any and all ledgers, books of accounts, invoices, vouchers, cancelled checks, and other records or documents evidencing or relating to the expenditures and disbursements charged to the COUNTY, and shall furnish to the COUNTY, within sixty (60) days after examination, its authorized agents, officers or employees such other evidence or information as the COUNTY may require with regard to any such expenditure or disbursement charged by the CONTRACTOR.

The CONTRACTOR shall maintain full and adequate records in accordance with County requirements to show the actual costs incurred by the CONTRACTOR in the performance of this Agreement. If such books and records are not kept and maintained by CONTRACTOR within the County of Mendocino, California, CONTRACTOR shall, upon request of the COUNTY, make such books and records available to the COUNTY for inspection at a location within County or CONTRACTOR shall pay to the COUNTY the reasonable, and necessary costs incurred by the COUNTY in inspecting CONTRACTOR's books and records, including, but not limited to, travel, lodging and subsistence costs. CONTRACTOR shall provide such assistance as may be reasonably required in the course of such inspection. The COUNTY further reserves the right to examine and reexamine said books, records and data during the four (4) year period following termination of this Agreement or completion of all work hereunder, as evidenced in writing by the COUNTY, and the CONTRACTOR shall in no event dispose of, destroy, alter, or mutilate said books, records, accounts, and data in any manner whatsoever for four (4) years after the COUNTY makes the final or last payment or within four (4) years

after any pending issues between the COUNTY and CONTRACTOR with respect to this Agreement are closed, whichever is later.

17. DOCUMENTS AND MATERIALS: CONTRACTOR shall maintain and make available to COUNTY for its inspection and use during the term of this Agreement, all Documents and Materials, as defined in Paragraph 8 of this Agreement. CONTRACTOR's obligations under the preceding sentence shall continue for four (4) years following termination or expiration of this Agreement or the completion of all work hereunder (as evidenced in writing by COUNTY), and CONTRACTOR shall in no event dispose of, destroy, alter or mutilate said Documents and Materials, for four (4) years following the COUNTY's last payment to CONTRACTOR under this Agreement.
18. TIME OF ESSENCE: Time is of the essence in respect to all provisions of this Agreement that specify a time for performance; provided, however, that the foregoing shall not be construed to limit or deprive a party of the benefits of any grace or use period allowed in this Agreement.
19. TERMINATION: The COUNTY has and reserves the right to suspend, terminate or abandon the execution of any work by the CONTRACTOR without cause at any time upon giving to the CONTRACTOR prior written notice. In the event that the COUNTY should abandon, terminate or suspend the CONTRACTOR's work, the CONTRACTOR shall be entitled to payment for services provided hereunder prior to the effective date of said suspension, termination or abandonment. Said payment shall be computed in accordance with Exhibit B hereto, provided that the maximum amount payable to CONTRACTOR for its Flexlink Ethernet 100/100Mbps shall not exceed \$23,976 payment for services provided hereunder prior to the effective date of said suspension, termination or abandonment or lack of funding.
20. NON APPROPRIATION: If COUNTY should not appropriate or otherwise make available funds sufficient to purchase, lease, operate or maintain the products set forth in this Agreement, or other means of performing the same functions of such products, COUNTY may unilaterally terminate this Agreement only upon thirty (30) days written notice to CONTRACTOR. Upon termination, COUNTY shall remit payment for all products and services delivered to COUNTY and all expenses incurred by CONTRACTOR prior to CONTRACTOR'S receipt of the termination notice.
21. CHOICE OF LAW: This Agreement, and any dispute arising from the relationship between the parties to this Agreement, shall be governed by the laws of the State of California, excluding any laws that direct the application of another jurisdiction's laws.
22. WAIVER: No waiver of a breach, failure of any condition, or any right or remedy contained in or granted by the provisions of this Agreement shall be effective

unless it is in writing and signed by the party waiving the breach, failure, right or remedy. No waiver of any breach, failure, right or remedy shall be deemed a waiver of any other breach, failure, right or remedy, whether or not similar, nor shall any waiver constitute a continuing waiver unless the writing so specifies.

23. **ADVERTISING OR PUBLICITY:** CONTRACTOR shall not use the name of County, its officers, directors, employees or agents, in advertising or publicity releases or otherwise without securing the prior written consent of COUNTY in each instance.
24. **ENTIRE AGREEMENT:** This Agreement, including all attachments, exhibits, and any other documents specifically incorporated into this Agreement, shall constitute the entire agreement between COUNTY and CONTRACTOR relating to the subject matter of this Agreement. As used herein, Agreement refers to and includes any documents incorporated herein by reference and any exhibits or attachments. This Agreement supersedes and merges all previous understandings, and all other agreements, written or oral, between the parties and sets forth the entire understanding of the parties regarding the subject matter thereof. This Agreement may not be modified except by a written document signed by both parties.
25. **HEADINGS:** Herein are for convenience of reference only and shall in no way affect interpretation of this Agreement.
26. **MODIFICATION OF AGREEMENT:** This Agreement may be supplemented, amended or modified only by the mutual agreement of the parties. No supplement, amendment or modification of this Agreement shall be binding unless it is in writing and signed by authorized representatives of both parties.
27. **ASSURANCE OF PERFORMANCE:** If at any time the COUNTY has good objective cause to believe CONTRACTOR may not be adequately performing its obligations under this Agreement or that CONTRACTOR may fail to complete the Services as required by this Agreement, COUNTY may request from CONTRACTOR prompt written assurances of performance and a written plan acceptable to COUNTY, to correct the observed deficiencies in CONTRACTOR's performance. CONTRACTOR shall provide such written assurances and written plan within thirty (30) calendar days of its receipt of COUNTY's request and shall thereafter diligently commence and fully perform such written plan. CONTRACTOR acknowledges and agrees that any failure to provide such written assurances and written plan within the required time is a material breach under this Agreement.
28. **SUBCONTRACTING/ASSIGNMENT:** CONTRACTOR shall not subcontract, assign or delegate any portion of this Agreement or any duties or obligations hereunder without the COUNTY's prior written approval.

- a. Neither party shall, on the basis of this Agreement, contract on behalf of or in the name of the other party. Any agreement that violates this Section shall confer no rights on any party and shall be null and void.
 - b. CONTRACTOR shall use subcontractors identified in Exhibit "A" and shall not substitute subcontractors without COUNTY's prior written approval.
 - c. CONTRACTOR shall remain fully responsible for compliance by its subcontractors with all the terms of this Agreement, regardless of the terms of any agreement between CONTRACTOR and its subcontractors.
29. SURVIVAL: The obligations of this Agreement, which by their nature would continue beyond the termination on expiration of the Agreement, including without limitation, the obligations regarding Indemnification (Paragraph 2), Ownership of Documents (Paragraph 8), and Conflict of Interest (Paragraph 9), shall survive termination or expiration for two (2) years.
30. SEVERABILITY: If a court of competent jurisdiction holds any provision of this Agreement to be illegal, unenforceable, or invalid in whole or in part for any reason, the validity and enforceability of the remaining provisions, or portions of them, will not be affected, unless an essential purpose of this Agreement would be defeated by the loss of the illegal, unenforceable, or invalid provision.
31. PATENT AND COPYRIGHT INDEMNITY: CONTRACTOR represents that it knows of no allegations, claims, or threatened claims that the materials, services, hardware or software ("CONTRACTOR Products") provided to COUNTY under this Agreement infringe any patent, copyright or other proprietary right. CONTRACTOR shall defend, indemnify and hold harmless COUNTY of, from and against all losses, claims, damages, liabilities, costs expenses and amounts (collectively, "Losses") arising out of or in connection with an assertion that any CONTRACTOR Products or the use thereof, infringe any patent, copyright or other proprietary right of any third party.
- a. COUNTY will: (1) notify CONTRACTOR promptly of such claim, suit or assertion; (2) permit CONTRACTOR to defend, compromise, or settle the claim; and, (3) provide, on a reasonable basis, information to enable CONTRACTOR to do so. CONTRACTOR shall not agree without COUNTY's prior written consent, to any settlement, which would require COUNTY to pay money or perform some affirmative act in order to continue using the CONTRACTOR Products.
 - b. If CONTRACTOR is obligated to defend COUNTY pursuant to this Section 29 and fails to do so after reasonable notice from COUNTY, COUNTY may defend itself and/or settle such proceeding, and CONTRACTOR shall pay to COUNTY any and all losses, damages and expenses (including attorney's fees and costs) incurred in relationship with COUNTY's defense

and/or settlement of such proceeding.

- c. In the case of any such claim of infringement, CONTRACTOR shall either, at its option, (1) procure for COUNTY the right to continue using the CONTRACTOR Products; or (2) replace or modify the CONTRACTOR Products so that that they become non-infringing, but equivalent in functionality and performance.
- d. Notwithstanding this Section 30, COUNTY retains the right and ability to defend itself, at its own expense, against any claims that CONTRACTOR Products infringe any patent, copyright, or other intellectual property right.

32. OTHER AGENCIES:

Other tax supported agencies within the State of California who have not contracted for their own requirements may desire to participate in this contract. The CONTRACTOR is requested to service these agencies and will be given the opportunity to accept or reject the additional requirements. If the CONTRACTOR elects to supply other agencies, orders will be placed directly by the agency and payments made directly by the agency.

[END OF GENERAL TERMS AND CONDITIONS]

EXHIBIT A

DEFINITION OF SERVICES

CONTRACTOR shall provide the following services: SEE SONIC CONTRACT

EXHIBIT B

PAYMENT TERMS

SEE SONIC CONTRACT

[END OF PAYMENT TERMS]

EXHIBIT C

INSURANCE REQUIREMENTS

Insurance coverage in a minimum amount set forth herein shall not be construed to relieve CONTRACTOR for liability in excess of such coverage, nor shall it preclude COUNTY from taking such other action as is available to it under any other provisions of this Agreement or otherwise in law.

CONTRACTOR agrees to indemnify and hold harmless COUNTY, its elected or appointed officials, employees or volunteers against any claims, actions, or demands against them, or any of them, and against any damages, liabilities or expenses, including costs of defense and attorney's fees, for personal injury or death, or for the loss or damage to the property, or any or all of them, to the extent arising out of the performance of this Agreement by CONTRACTOR.

CONTRACTOR affirms that s/he is aware of the provisions of Section 3700 of the California Labor Code which requires every employer to be insured against liability for the Workers' Compensation or to undertake self insurance in accordance with the provisions of the Code and CONTRACTOR further assures that s/he will comply with such provisions before commencing the performance of work under this Agreement. CONTRACTOR shall furnish to COUNTY certificate(s) of insurance evidencing Worker's Compensation Insurance coverage to cover its employees, and CONTRACTOR shall require all subcontractors similarly to provide Workers' Compensation Insurance as required by the Labor Code of the State of California for all of CONTRACTOR'S and subcontractors' employees.

CONTRACTOR shall furnish to COUNTY certificates of insurance with Automobile Liability/General Liability Endorsements evidencing at a minimum the following:

- a. Combined single limit bodily injury liability and property damage liability - \$1,000,000 each occurrence.
- b. Vehicle / Bodily Injury combined single limit vehicle bodily injury and property damage liability - \$500,000 each occurrence.

[END OF INSURANCE REQUIREMENTS]



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 4(h)

- 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: Air Quality Management District Board **DATE** March 17, 2015

FROM: Air Quality Management District **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Robert A Scaglione **PHONE:** 463-4354 Present On Call

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

■ **AGENDA TITLE:** Request for Authorization to Increase the Total Funding Amount of Carl Moyer Program Grant Project # 14-14 (Iveson) by \$3,028 and Add an Addendum to the Agreement for Funding Increasing the Total Project Allocation to \$46,023

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** August 12, 2014 - Approval of Allocation of funds from the District's Carl Moyer Program.

■ **SUMMARY OF REQUEST:** On August 12, 2014, the Board approved funding for several projects from the Carl Moyer Program. The Program creates incentives in the form of grants for private companies or public agencies that operate heavy-duty diesel engines in California. Program funds are used to cover the incremental portion of the cost of purchasing new, replacing existing, or retrofitting existing diesel engines with cleaner burning engines. One project for replacement of a diesel IC engine in a commercial fishing vessel (Application #14-14, Iveson) was approved for funding in the amount of \$42,995 in accordance with state Carl Moyer Guidelines and District grant policies. The engine installer has determined that the replacement engine identified in the original application required unanticipated fabrication to relocate the engine and pump mounts which increased the overall project costs. The allowable grant amount based on the additional costs has increased to \$46,023. The District is requesting Board approval for an additional \$3,028 in funding for a total project allocation of \$46,023 for this project.

- **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
Carl Moyer Grant Program (Trust Account)	\$3,028	Not Applicable	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:** Authorize the Air Quality Management District to increase the total funding amount of Carl Moyer Program Grant Project # 14-14 (Iveson) by \$3,028 and add an addendum to the Agreement for Funding increasing the total project allocation to \$46,023.

■ **ALTERNATIVES:** Do not approve the requested correction and direct District staff to fund the project as originally authorized.

■ **CEO REVIEW (NAME):** Jill Martin, DCEO **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
AIR QUALITY MANAGEMENT DISTRICT
MEMORANDUM

DATE: March 19, 2015

TO: The Mendocino County
Air Quality Management District Board

FROM: Robert A. Scaglione
Air Pollution Control Officer

SUBJECT: Request for Amendment of Funding Allocation for Carl Moyer Program Grant

The Carl Moyer Program (CMP) is administered by the California Air Resources Board (ARB). The program creates incentives in the form of grants for private companies or public agencies that operate heavy-duty diesel engines in California. These grants would be used to cover an incremental portion of the cost of purchasing new, replacing existing, or retrofitting existing diesel engines with cleaner on-road, off-road, marine and locomotive engines.

On, August 12, 2014, the Air Quality Management District Board approved funding for several projects from the District's Carl Moyer Program Fund. One of the approved projects, (a fishing vessel owned by Tim Iveson) was approved for funding in the amount of \$42,995.00. The engine installer has determined that the replacement engines identified in the original application required unanticipated fabrication to relocate the engine and pump mounts which increased the total cost of the project. Based on the increased costs of installation, the allowable grant amount has increased to \$46,023.00. The District is requesting authorization from the Board to increase the Grant amount by \$3,028.00 increasing the total project allocation to \$46,023.00.

The increase in funding requested for this project will not have an effect on other projects approved by the Board.

The State Program guidelines require that all projects meet the States "minimum cost effectiveness standard". This standard is expressed in dollars/per ton of emissions reduced, and is calculated based on engine usage (hours/miles or fuel), project cost and amount of emissions reduced. The increase in project funding requested will provide a cost effectiveness of \$3,356/ton, one the most cost effective of the eligible projects in this round of funding.

Thank you.



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:** April 1, 2015

FROM: Executive Office **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Carmel J. Angelo **PHONE:** 463-4441 Present On Call

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

■ **AGENDA TITLE:** Discussion and Informational Presentation Regarding Various Grant Mechanisms Currently Addressed by the State Responsibility Area Fire Prevention Fund (SRAFPF) Fire Prevention Grant Program and Discussion on Public Resource Code 4291

■ **PREVIOUS BOARD/BOARD COMMITTEE ACTIONS:** On February 3, 2015 the Board of Supervisors Chair directed staff to work with CAL FIRE Unit Chief Chris Rowney on agendizing a presentation related to the State Responsibility Area Fire Prevention Fund Fire Prevention Grant Program for a future Board of Supervisors meeting.

■ **SUMMARY OF REQUEST:** CAL FIRE Unit Chief Chris Rowney will provide a presentation on the State Responsibility Area Fire Prevention Fund (SRAFPF) Fire Prevention Grant Program. The SRAFPF Fire Prevention Grant Program projects are aimed at reducing the wildfire threat to habitable structures in State Responsibility Areas (SRA).

■ **SUPPLEMENTAL INFORMATION AVAILABLE ONLINE AT:**

http://calfire.ca.gov/fire_prevention/fire_prevention_fund_grants.php

■ **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"/>

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

■ **RECOMMENDED ACTION/MOTION:** Accept informational presentation regarding various grant mechanisms currently addressed by the SRAFPF Fire Prevention Grant Program and Public Resource Code 4291.

■ **ALTERNATIVES:** Provide direction to staff.

■ **CEO REVIEW (NAME):** Alan D. Flora, Assistant CEO **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 _____

SRA fee

1. What is the SRA?—State Responsibility Area
 - a. The SRA is the area of the state where the State of California is financially responsible for the prevention and suppression of wildland fires.
 - b. Does not include lands within city boundaries or federal ownership.
 - c. SRA boundaries and maps are reviewed every 5 years.
2. AB X1 29 was approved by Legislature on June 15, 2011 and signed into law on July 7, 2011
 - a. The law was approved to pay for fire prevention services within the SRA.
 - b. The law requires the BOE to issue billings and collect the fee on behalf of CAL FIRE
3. Annual fee assessed on owners of habitable structures within the SRA.
 - a. A building that can be occupied for residential use
 - i. Homes, Multi-dwelling structures, mobile homes, condos and apartments
 - ii. NOT- garages, barns and sheds
4. The owner of records as of July 1 of each fiscal year must pay
5. Currently is \$152.33 with a reduction of \$35 if within a local fire district/boundary
6. The bills go out in alphabetical order by county. For Mendocino County, the bill will go out between April 6th and 8th.
7. Price can adjust based on changes in the annual value of the Implicit Price Deflator-- Inflation
8. Used to pay for fire prevention services
 - a. Fuel reduction activities to lessen the risk to communities and evacuation routes.
 - b. Defensible space inspections
 - c. Fire breaks
 - d. Fire prevention engineering
 - e. Emergency evacuation planning
 - f. Fire Prevention Education
 - g. Fire hazard severity mapping
 - h. Implementation of local and State Fire Plans
 - i. Fire related law enforcement activities, such as arson investigations
9. Citizens can visit www.firepreventionfee.org to
 - a. get more info
 - b. Use the SRA Viewer to see if their property is within the SRA
 - c. Pay bill online or they can mail the a check in
 - i. Payment plans are available by contacting BOE
 - ii. BOE may impose a late fee and interest if not paid within 30 days
10. Citizens can
 - a. Appeal if they sold the property, not in SRA, didn't get local discount
 - b. Request a redetermination form from the BOE website
 - c. Apply for a Natural Disaster Exemption if their habitable structure was rendered

Defensible Space Inspections

1. The SRA fee helps fund Defensible Space Inspections.
2. Defensible Space is required by the Public Resource Code Section 4291.
 - a. The goal of PRC §4291 is to create defensible space to separate homes from flammable vegetation and materials. This separation is paramount in increasing a structure's survivability during a wildland fire and to increase both firefighter and civilian safety.
 - b. Compliance with this law is required by "*any person that owns, leases, controls, operates, or maintains any building or structure in, upon, or adjoining any mountainous area of forest-covered lands, brush-covered lands, or grass covered lands, or any land which is covered with flammable material.*"
3. The goal of the Defensible Space Inspections is to educate homeowners of measures to prevent the ignition and spread of unwanted human-caused fires.
 - a. Authority for California's fire protection agencies to enforce state forest and fire laws is contained in the California Public Resources Code (PRC) § 4119. This law states: "*The department, or its duly authorized agent, shall enforce the state forest and fire laws. The department may inspect all properties, except the interior of dwellings, subject to the state forest and fire laws, for the purpose of ascertaining compliance with such laws.*"
 - b. These inspections are aimed at eliminating or reducing fire hazards and risks and are made to ensure landowners are doing their legally mandated part to maintain clearance around structures owned by them.
4. CAL FIRE's inspection process
 - a. CAL FIRE attempts to make the majority of these inspections in the months leading up to fire season.
 - i. Allows landowners time and flexibility to prepare their property for the upcoming fire season.
 - b. In most cases the inspections are conducted in a "target area" that has been determined to be at a high risk for wildland fires.
 - i. CAL FIRE inspectors attempt to inspect all the homes to which they have access to.
 - ii. No locked gates, can be viewed from a public place, or property that can be accessed by any private citizen, mailperson, delivery person, etc.
 - c. The inspectors attempt to make contact with the landowners by conducting their inspections during reasonable daylight hours, knocking on the door of the residence and being professionally dressed so that CAL FIRE staff can easily be identified as fire department personnel.
 - i. Desirable to meet all landowners on-site so that questions can be answered and hazards addressed. However, CAL FIRE resources have other life safety duties that makes adhering to a strict schedule difficult. To compound the issue of meeting each owner on-site is the fact that there are too many landowners throughout the state relative to CAL FIRE staff and resources available to meet each and every landowner.

- d. A “Notice of Fire Hazard Inspection” is left with the landowner or at the structure.
 - i. Details that an inspection occurred and lists if the structure passed or failed
 - ii. Lists the reasons why a failure occurred with additional notes detailing how to correct the failure.
 - iii. A re-inspection date is listed—usually at least a month after the original inspection.
 - iv. Contains a phone number for use in the event of questions.
 - v. Three inspections will occur to confirm compliance
 - vi. After three non-compliance inspections occur, a letter of warning will be sent to the landowner.
 - 1. Contains a final inspection date
 - 2. Details the legal action that can occur if compliance is not met
 - a. Violation is an infraction punishable by a fine not less than \$100 and no more than \$500
 - b. A second violation within 5 years is an infraction punishable by a fine not less than \$250 and no more than \$500
 - c. A third violation within 5 years is a misdemeanor punishable not less than \$500.
- e. The goal of PRC 4291/Defensible Space Inspection is to protect homes and the community while providing a safe area for firefighters and civilians in the event of an emergency. Through fuel reduction and spacing of vegetation the chances of stopping a wildfire before it destroys homes or communities is greatly improved.

Fire Safe Program-PRC 4290

1. The goal is to establish minimum wildfire protection standards in conjunction with building, construction, and development in the SRA.
 - a. Became effective September 1, 1991.
 - b. They provide for basic emergency access and perimeter wildfire protection measures
 - c. Include requirements for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification in areas designated as SRA.
2. The intent of the Fire Safe program is to minimize the loss of lives, structures, and resources due to uncontrolled wildfires. The Fire Safe program places some of the responsibility of fire protection on the homeowner and/or builder/developer.
3. The implementation of these regulations occurs through the local government building permit and subdivision map approval process.
 - a. Local government is still the approving authority for development.
 - b. These regulations are triggered by the application for a building permit for purposes other than limited remodels.
 - c. These regulations do not supersede existing local regulations that are equal to or more stringent than the state regulations.
 - d. CAL FIRE has been provided the opportunity to review and comment on all proposed construction and development within the SRA.

- e. CAL FIRE performs final onsite inspections to determine if owners have met the intent of the fire safe regulations.
- f. The County is granted the authority to make the final ruling.
- g. The final onsite inspection authority can be granted to the County if
 - i. The County adopts the fire safe requirement verbatim
 - ii. Adopted rules that the Board of Forestry has deemed equivalent to the PRC 4290 language.
 - iii. Most counties have adopted the inspection authority
 - iv. Most counties are, unlike CAL FIRE, able to charge a fee for the inspections.
 - 1. Example of one---County fee is \$115 per inspection
 - a. This includes re-inspections
 - 2. MEU has had a low of 200 files to a high of 1500 files.
 - a. \$23,000-\$172,500
 - i. Not counting re-inspections.
- 4. These regulations do not apply where an application for a building permit was filed prior to January 1, 1991, or to parcel or tentative maps or other developments approved prior to January 1, 1991.
- 5. Upon request by the applicant, exceptions to standards may be allowed by the inspection authority, where the exception provide the same overall practical effect as the regulations

CAL FIRE NEWS RELEASE

California Department of Forestry and Fire Protection

CONTACT: Daniel Berlant, (916) 651-FIRE (3473), on twitter [@CALFIRE_PIO](#)
RELEASE DATE: March 16, 2015

CAL FIRE Announces Awardees of Fire Prevention Fund Grants *Projects Will Help Reduce Wildfire Threat*

Sacramento – The California Department of Forestry and Fire Protection (CAL FIRE) has awarded over \$9.5 million in grants throughout the state for a variety of projects aimed at reducing the elevated threat of wildfires due to the ongoing drought. A total of 83 grant applicants will receive funding for projects that contribute to fire prevention efforts around homes. The project will reinforce CAL FIRE’s ongoing efforts to address the risk and potential impacts of large, damaging wildfires.

“The high number of grant applications we received underscores just how vested the citizens of California are in preparing for our state’s inevitable wildfires,” said Chief Ken Pimlott, CAL FIRE director and state forester. “We are looking forward to seeing ‘on the ground’ results these projects will yield.”

The Fire Prevention Fund Grants, created in the 2014-15 budget, are aimed at supplementing CAL FIRE’s ongoing activities by funding local entities’ efforts to help counteract the effects of the drought. Grant criteria weighted projects that addressed fire risk and potential impact of wildfire to habitable structures in the State Responsibility Area, as well as community support and project feasibility.

For more on the Fire Prevention Fund Drought Related Grant Program visit:
http://calfire.ca.gov/fire_prevention/fire_prevention_fund_grants.php

A full list of the grant projects can be viewed at:
http://www.fire.ca.gov/grants/downloads/SRAFPP_AprovedProjects_for_Funding_030915.pdf



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)
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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:** March 22, 2015

FROM: HHSA- Administration **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Stacey Cryer **PHONE:** 463-7774 Present On Call
Jacque Williams **PHONE:** 462-1934 Present On Call

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

■ AGENDA TITLE: Acceptance of Informational Presentation by the Health and Human Services Agency (HHSA) Advisory Board on their 2015 Needs Assessment/Homeless Project and Authorization for the Board of Supervisors Chair to Sign a Letter to Each City Manager and City Council Member in Mendocino County Regarding Participation in the Homeless Project Process

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: N/A

■ SUMMARY OF REQUEST: The HHSA Advisory Board has selected homelessness and needs assessment as their 2015 project. The goal is to discover, collect and produce current factual data on the problem as it exists in Mendocino County. The approach will be to involve every sector of the county via citizens, community partners, healthcare providers, faith based partners, homeless service providers, behavioral health providers, schools, businesses, law enforcement, local government officials and County officials. This will help local and County governments determine what the exact issues, causes and needs are within our county so that accurate data is available to help with funding, projects and possible solutions to the increasing problems that homelessness brings to many aspects of life in Mendocino County. A series of meetings will occur around the county and involve elected officials, public servants of local and County government, community partners, business owners, law enforcement, medical services and interested citizens. The HHSA Advisory Board is seeking the Board of Supervisors support for the effort and sign a letter encouraging each City Manager and City council members in Mendocino County to participate in the process.

■ 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: Accept the informational presentation from the HHSA Advisory Board and approve the Board of Supervisors Chair to sign a letter to each City Manager and City Council member in Mendocino County regarding participation in the homeless project process.

■ ALTERNATIVES: Return to staff for alternative handling.

■ CEO REVIEW (NAME): Jill Martin, DCEO **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 _____

Dear City Council Members and City Managers:

We are writing to encourage your participation in a county-wide initiative designed to help decision makers throughout Mendocino County better understand the impacts, needs and costs of homelessness in Mendocino County in 2015.

The Health & Human Services Agency (HHSA) Advisory Board is developing a needs assessment project designed to collect and report pertinent information from seven key stakeholder groups. They include: healthcare providers, law enforcement, faith-based partners, homeless service providers, education, library personnel, our local business communities and behavioral health providers.

The HHSA Advisory Board initiative will kick-off with a Data Dialog Event in July 2015. This all day event will include panel discussions and provide summaries of applicable data and information gleaned from surveys. After spending the morning listening to the "specialized" information from the stakeholder groups, participants will break into teams by county district, to discuss and indentify the strengths and concerns that exist today in each district. The results of the Data Dialog Event will be condensed and citizen education events will be planned throughout Mendocino County to share the prioritized results by district and better inform the public.

Below we have listed the HHSA Advisory Board District Representatives who, with the help of other interested citizens, will be leading this effort.

District 1	Jacqueline Williams
District 2	Susan Kanaan- Baird
District 3	Patty Bruder
District 4	Paula Cohen
District 5	Sara O'Donnell

If you would like more information about this initiative, please contact Jacqueline Williams, HHSA Advisory Board Chairperson at (707) 462-1934 or Jacque@fordstreet.org.

We are counting on your support and participation in this effort.



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 5(e)

- Arrangements for public hearings and timed presentations must be made with the Clerk of the Board in advance of public/media noticing
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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:** February 9, 2015

FROM: HHSA-Family & Children’s Services **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Stacey Cryer **PHONE:** 463-7774 Present On Call
Jena Conner **PHONE:** 463-7971 Present On Call

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

■ AGENDA TITLE: Acceptance of Annual Informational Presentation by the Mendocino County Children’s Action Committee on Child Abuse Awareness and Prevention, Followed by Luncheon in the Administration Center Foyer

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: April 8, 2014 item “6c”; April 23, 2013 item “6c” and April 9, 2012 item “5a”.

■ SUMMARY OF REQUEST: Mendocino County Children’s Action Committee will present to the Mendocino County Board of Supervisors on the importance of child abuse prevention, community awareness and education. With April being proclaimed as National Child Abuse Prevention Month, the Children’s Action Committee is focused on child and family safety with the support of the Mendocino County Board of Supervisors, County departments, community partners and families. Members from various County departments and local agencies will be present to provide information on the current state of child abuse, both countywide and nationally. Child abuse and neglect is every community leader’s concern and requires a heightened community awareness in order to provide continuous safety for its children and youth. A luncheon will immediately follow the presentation in the Administration Center Foyer.

■ 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: Accept informational presentation by the Children’s Action Committee and partake in the luncheon immediately following in the Administration Center foyer.

■ ALTERNATIVES: Return to staff for alternative handling.
■ CEO REVIEW (NAME): Jill Martin, DCEO **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 _____

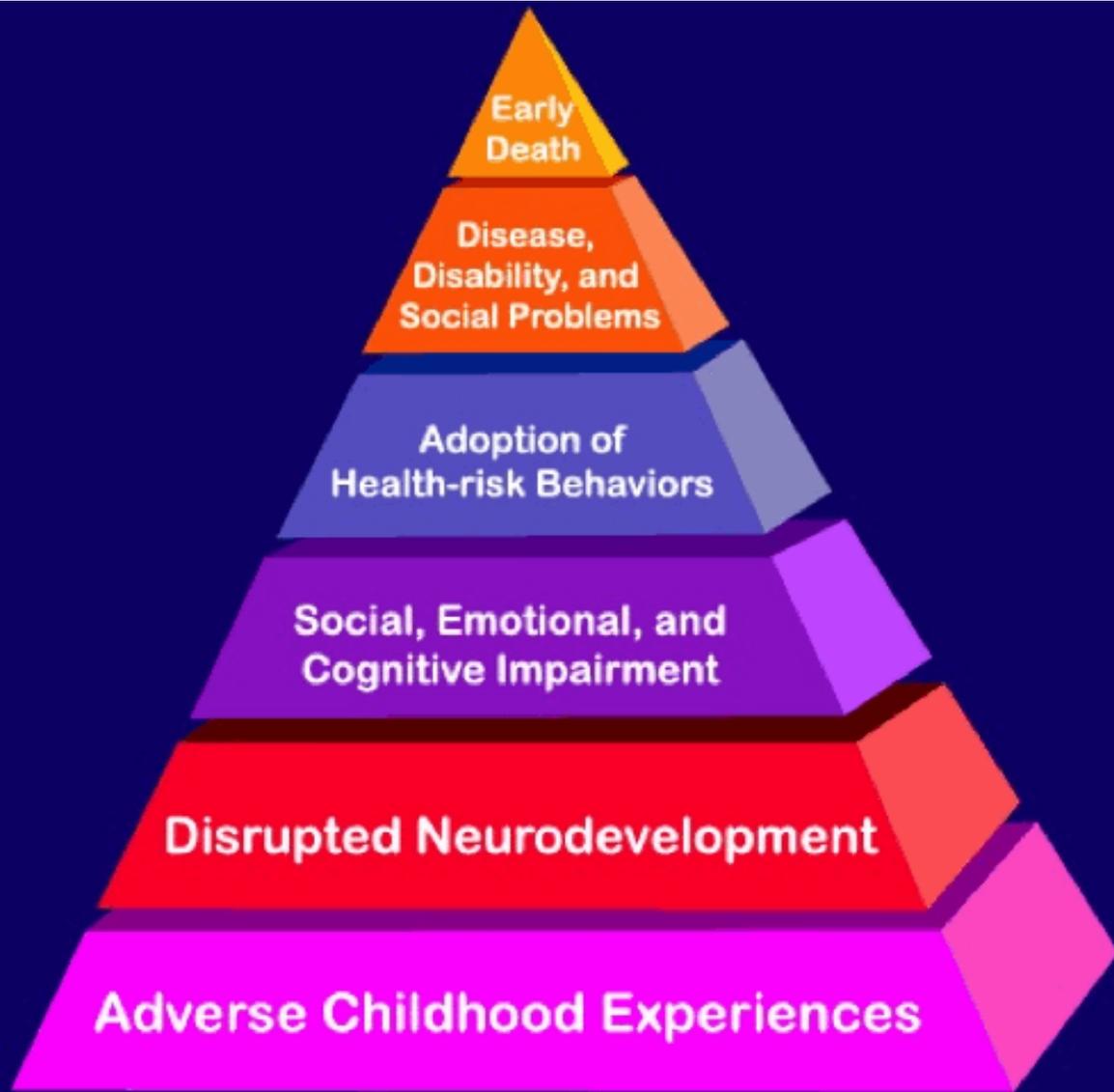
**“WE ALL CAN PLAY
A PART IN MAKING
MEANINGFUL
CONNECTIONS”**



Death



Conception



Mechanisms by Which Adverse Childhood Experiences Influence Health and Well-being Throughout the Lifespan

CATEGORIES OF TRAUMA IN ACE STUDY

ABUSE



Physical



Emotional



Sexual

NEGLECT



Physical



Emotional

HOUSEHOLD DYSFUNCTION



Mental Illness



Incarcerated Relative



Mother treated violently

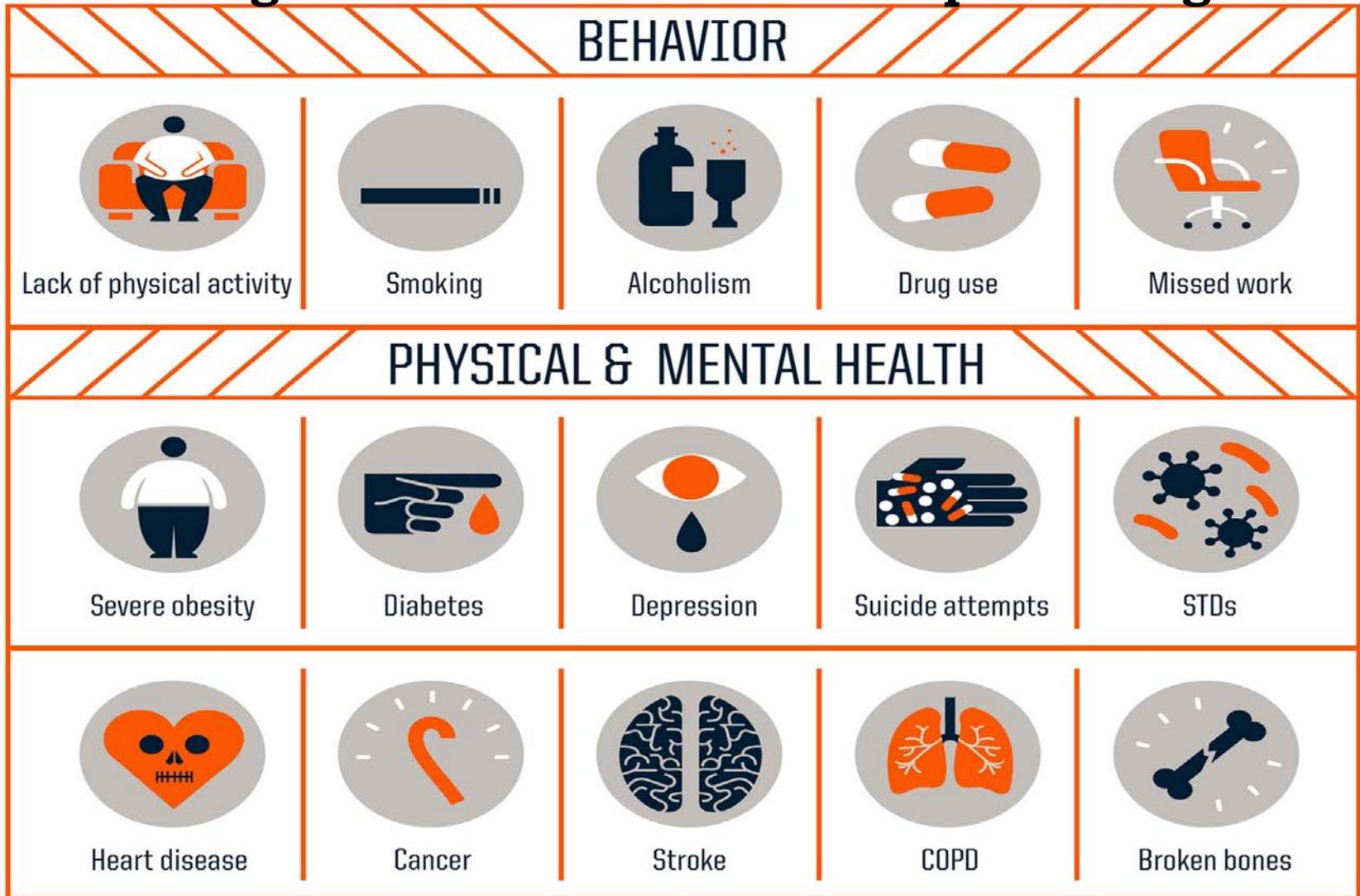


Substance Abuse



Divorce

The more categories of trauma experienced in childhood, the greater the likelihood of experiencing:



ACE STUDY FINDINGS

- ACEs are common- 63% of participants experienced at least one category of childhood trauma.
- The higher the ACE Score, the higher the risk for health, emotional and social problems.
- 4 or more ACEs =
 - ❖ 46 times more likely to develop self-injuring behavior
 - ❖ 2.5 times more likely to have a stroke
 - ❖ 2 times as likely to develop cancer
- 6 or more ACEs = life expectancy is 20 years shorter than a person with zero ACEs.
- Science is clear that early adversity dramatically affects health across the lifetime.



IT TAKES ALL OF US TO PREVENT ACES.

When ACEs occur, we need to
INTERRUPT THE PROGRESSION
and help build resiliency in our children and youth to
MITIGATE THE LONG-TERM EFFECTS OF ACES.

Positive experiences in early life, such as having meaningful positive connections, can help build resilience and protect a child from the effects of trauma.

FAMILY RESOURCE CENTERS (FRCs)

throughout the county are one of the first lines of defense to help prevent and then interrupt the progression of ACEs.



Child Welfare Services Data for Mendocino County

**What does our
current data tell us?**



- ❖ 22,087- child population in Mendocino County
- ❖ **About double the State average** of child abuse/or neglect allegations and substantiations as well as entries into foster care.
- ❖ **Higher rate** than State average of reentries into foster care following reunification.

Date source: http://cssr.berkeley.edu/ucb_childwelfare



- Mendocino County Child Welfare Services and Juvenile Probation will be undergoing a new County Self Assessment (CSA) and Peer Quality Case Review (PQCR) in 2015 in order to develop a new 5 year System Improvement Plan (SIP) which will be coming before the Board of Supervisors for approval in early 2016.
- Child Welfare's focus for the PQCR and next 5 year SIP will be on entries and reentries into care and asking the questions-

How can we as a community prevent entry and re-entry into foster care and what can we do to help improve successful, long-term reunification?



This is what we know...
children ID'd as abused/neglected

...but how can we use that data to:
prevent ACEs
reduce need for foster care



Birth Cohort Study



- Linkage of administrative records
- Provides the necessary data for prevention focused studies.
- Linking CPS records to birth records from California/Mendocino
- We can know prospectively
- The likelihood that children will be reported, substantiated, and placed in care





OUR MISSION

To nurture the collaborative efforts of the Family Resource Centers within Mendocino County to provide strength-based services that embrace all cultures in response to our communities' needs.



FRC Locations in Mendocino County

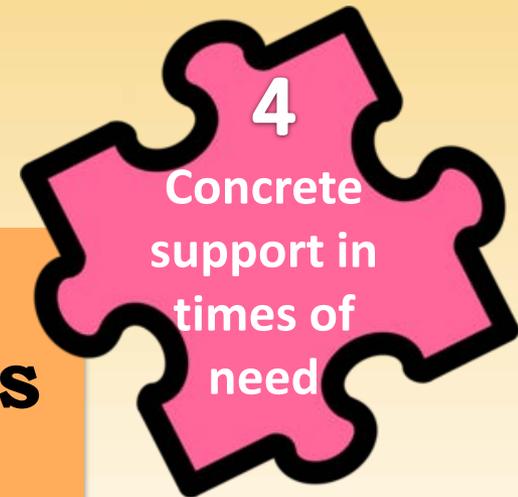


Non-Profit FRCs:

- Action Network: Gualala & Point Arena
- Anderson Valley FRC
- ARC FRC: South Ukiah
- The Arbor Youth Resource Center: Ukiah
- Laytonville Health Start
- Nuestra Alianza: Willits
- Nuestra Casa: Ukiah
- Potter Valley Youth & Community Center
- Round Valley FRC
- Safe Passage FRC: Fort Bragg

County Operated FRCs:

- Ukiah Family Center
- WISC Family Center: Willits



**FRCs utilize the
5 Protective Factors
to prevent
child abuse & neglect**



FRCs put the pieces together to support families

1. Social Connections – Parents’ network of peers through: play groups, grandparent raising grandchildren support group, pregnancy support group, parenting classes, clothing swaps.

2. Knowledge of parenting and child

development – Parenting classes are available for all, including those who are already in the child welfare system (they tend to be parents who suffered abuse during their own childhoods).

3. Social and emotional competence of

children – Help understand feelings and communicate them. Model empathy, problem solving, taking turns, & sharing emotions appropriately. Social skills strengthen a child’s abilities to succeed.

4. Concrete support in times of need - Everyone needs help sometimes. I & R questions re: health insurance, food stamp applications, and housing programs, diapers, counseling, and more.

5. Parental resilience – Be strong and flexible. Parents need encouragement, hope, and assistance with problem solving toward achievable goals.

Action Network



- *Parenting Education Classes & Support Groups*
- *Application Assistance*
- *Information and Referral*
- *Life Coaching*
- *Mentoring and Tutoring*
- *Anger Management*
- *Family-Friendly and Sober Events*
- *Substance Abuse Support Groups*





ARC Family Resource Center

1640 South State Street
South Ukiah

- Information and referral
- Positive Parenting: Triple P Groups, Triple P Recovery Groups and Triple P Workshops
- Mamá y Yo Playgroup
- Estambre en Acción (knitting)
- Zumba
- Mom's Time
- Al-Anon: Sol de Esperanza
- HHS Partnership:
 - Application Asst for Medi-Cal, Covered California, Cal Fresh
 - Car Seat Program (certified car seat techs in our office)
- Special projects based on local community needs:
 - AB:60 Driver's licenses
 - Immigration Services collaboration



The
Arbor
Youth Resource Center

The Arbor Youth Resource Center
Serving youth & young adults 15-24

- HUB Access to resources
- Information and Referral
- Life Skills
- Peer Support Counseling
- Workforce Development
- Teen Peer Court
- Substance Abuse Support
- Relationship Workshops
- Anger Management
- Positive Parenting Classes
- Personal Development Groups





Nuestra Alianza de Willits

"Working for a Better Community"



Nuestra Alianza de Willits FRC



- In 2014 we served 706 children and teenagers as well as 210 adults. (unduplicated numbers)
- We are able to offer many of these services thanks to collaboration with partners:

OCAP

Family Resource Center Network

Willits Unified School District

Migrant Education

United Way

First 5

City of Willits

The Community Foundation of Mendocino County

And more....

- We serve the Latino population in and around Willits, CA as well as any other community members who care to join in our activities.
- Services offered: Mental Health (Free private consultations in Spanish), Cal Fresh applications, Gang Prevention, Child Supervision, After School Program, Information and Referrals for Social Services, Parenting Classes,



Round Valley Family Resource Center

Services provided:

- 🐿️ Workshops offered: Fatherhood & Motherhood is Sacred and Healthy Relationships
- 🐿️ Mendocino Diaper Depot
- 🐿️ Food Pantry
- 🐿️ Imagination Library
- 🐿️ Resource and Referrals
- 🐿️ Application assistance for Medi-Cal and Cal Fresh
- 🐿️ Community Access to computers and free WIFI
- 🐿️ Cultural Classes
- 🐿️ Exercise Classes offered in the evenings
- 🐿️ Healthy Nutrition for kids offered in collaboration with the schools
- 🐿️ Coming soon, high school equivalency classes





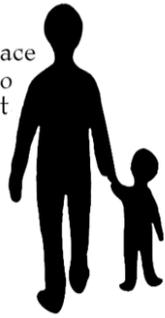
Potter Valley Youth and Community Center

Helping Hands in Our Community

- Translations
- Application Assistance
- Information/Referral
- School Health Support (MAA)
- Kudos 4 Kids Free Afterschool Program (K-8)
- Community Events
- Preschool Enrichment Program
- Free Clothing Closet
- Latina Comunidad Parent Club
- Behavioral Counseling for Children
- ESL Class



a place
to
start



Safe Passage

Family Resource Center



PARENTING CLASSES

Safe Passage parenting classes and support groups lead to more peaceful households for parents-to-be, parents of teenagers, parents with special needs children, parents in recovery, grandparents raising grandchildren, foster parents, Spanish speaking parents, and parents in the child welfare system.



FAMILY EVENTS

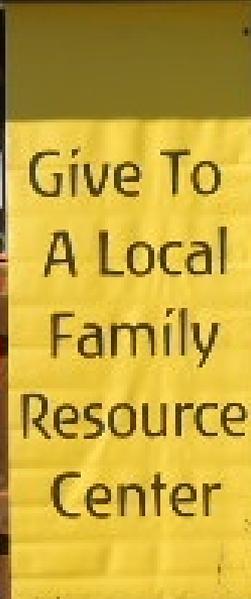
Free or low cost family events help parents enjoy an outing with their children; meet other families and feel a sense of belonging with the greater community.



Laytonville Healthy Start Family Resource Center



Notice
and
Talk to
Kids



Give To
A Local
Family
Resource
Center



Mentor
A
Child

Laytonville Healthy Start

- Serving Laytonville, Branscomb, Leggett and other outlying areas in Northern Mendocino County.
- Services offered include: CalFresh (Food Stamps) application assistance, Medi-Cal and Covered California application assistance, Information & Referral, parenting groups (Positive Parenting and Family Empowerment Group), Teen Drop-in after-school program, children's summer program, emergency food pantry, youth drug and alcohol prevention programs-- just to name a few . . .
- In 2014 we served over **1,200** children, teens, adults and senior citizens!



Welcome
To
Laytonville



County Operated Family Resource Centers



SECOND LINE OF DEFENSE

- Support Groups
- Family Empowerment Groups
- Parenting Classes
- In Home Support
- Monitored visits in a home like setting

An environment where parents feel safe, respected and welcomed, in order for them to make the changes in their lives, so that their children are safe in their care.





Medi-Cal Admin
Activities
(MAA)

OCAP

Migrant
Ed

Child
Welfare

FIRST 5

Grants
&
Fundraising

MHSA

After School
Education
& Safety
Program
(ASES)

But, we're missing one piece

**We need committed
sustainable funding of
\$50K for each Family
Resource Center (FRC).**





MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 5(f)

- 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:** March 17, 2015
FROM: Planning and Building Services **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Steve Dunicliff **PHONE:** 234-6650 Present On Call
Jon Moore **PHONE:** 234-6677

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

■ AGENDA TITLE: Discussion on Recommendation from the Mendocino County Fish and Game Commission and Possible Approval of Disbursement of \$28,945 of Mendocino County Fish and Game Propagation Funds for Round 2 of the 2014/2015 Project Cycle

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: For Round 1 of the 2014-15 Project Cycle, the Board on July 8, 2014 considered and approved the allocation of funds for various projects recommended by the Mendocino County Fish and Game Commission.

■ SUMMARY OF REQUEST: The role of the Commission is established in Chapter 2.5 of the Mendocino County Fish and Game Code; this role includes recommending expenditures to the Board of Supervisors from the Fish and Wildlife Propagation Fund that are in accordance with the requirements of the Fish and Game Code Sections 13100-13104. This is the second Commission recommended disbursement of funds since 2011 after improving the selection process. The Mendocino County Fish and Game Commission is requesting that the Board of Supervisors consider and approve recommendations for a second allocation of County Fish and Game Propagation Funds in the amount of \$28,945 for various projects for the 2014/2015 Project Application Cycle. Currently, the Fish and Game Commission budget has approximately \$60,000 available for this purpose. A summary list of project applications received with recommended funding is attached along with the grant application assessment criteria. Mr. Sean White, the President of the Commission, and Dr. Jeanine Pfeiffer, the Secretary of the Commission, will be present to address any questions.

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

■ 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
2840-862239	\$28,945	None	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

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

■ RECOMMENDED ACTION/MOTION: Approve the recommendations of the Mendocino County Fish and Game Commission for disbursement of \$28,945 for Round 2 of the 2014/2015 project cycle.

■ ALTERNATIVES: Do not approve the funding recommendations of the Mendocino County Fish and Game Commission.

■ CEO REVIEW (NAME): Christopher Shaver, DCEO **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 _____

2014-15 Round 2 Recommended Fish and Game Commission Projects

	PROPOSAL TITLE	REQUESTED FUNDING	RECOMMENDED FUNDING
1	Trespass Illegal Grow Education and Remediation (Jere Melo Foundation)	\$5,000.00	\$0.00
2	Sacramento Pike Minnow Abatement Program (Ukiah Rod & Gun Club)	\$5,000.00	\$5,000.00
3	Round Valley Elementary School Salmon and Steelhead Education Project (ERRP)	\$5,000.00	\$5,000.00
4	Fisheries, Watersheds and Native Plants Education Project (JugHandle)	\$5,000.00	\$5,000.00
5	External Outer Carrier for DFW Wardens (DFW)	\$3,945.00	\$3,945.00
6	Indian Creek Reclamation (1 of 2) (Lear Asset Management, Inc.)	\$5,000.00	\$0.00
7	Indian Creek Reclamation (2 of 2)	\$5,000.00	\$0.00
8	Hammerhorn Lake Improvement Part 1 of Phase II (US Forest Serv.)	\$5,000.00	\$5,000.00
9	Hammerhorn Lake Improvement Part 2 of Phase II	\$5,000.00	\$5,000.00
	Total:	\$43,945.00	<u>\$28,945.00</u>

Mendocino County Fish & Game Commission 2014 Criteria for Assessing Grant Applications

	CRITERIA	WAY TO MEASURE IT	RANKING
1	Meets Fish & Game Code Sections and Restrictions	Explicit statements in the grant proposal describing which section(s) of the code the activities match up with	<p>0 = no sections mentioned in the application or implied</p> <p>1 = sections mentioned; but no description provided</p> <p>2 = sections mentioned; inadequate description provided</p> <p>3 = sections mentioned with adequate description</p> <p>4 = sections mentioned; description clearly and fully demonstrates all proposed activities match with code</p>
2	Work proposed is feasible	Methods are clearly outlined and detailed with attached calendar schedule of activities	<p>0 = methods are not mentioned</p> <p>1 = methods are mentioned; but no details provided</p> <p>2 = methods are partially and inadequately detailed</p> <p>3 = methods are adequately detailed but no clear schedule</p> <p>4 = methods are clearly and fully detailed with calendar schedule</p>
3	Work benefits the local ecology	Proposed activities contribute to improved habitat and/or increased survivorship	<p>0 = activities have no [in]direct positive impact on local ecology</p> <p>1 = activities have an indirect positive impact on local ecology</p> <p>2 = activities have a potential, but unclear direct positive impact</p> <p>3 = activities have a clear and direct positive short-term impact</p> <p>4 = activities have a clear and direct positive short-term and long-term impact</p>

4	Work benefits hunting and fishing opportunities	Proposed activities contribute to hunting and fishing opportunities	<p>0 = activities do not contribute positively to hunting and fishing opportunities.</p> <p>1 = activities indirectly contribute positively to hunting and fishing opportunities.</p> <p>2 = activities have a potential, but unclear direct positive impact.</p> <p>3 = activities have a clear and direct positive short-term impact.</p> <p>4 = activities have a clear and direct positive short-term and long-term impact.</p>
5	Applicant(s) work(s) well and cooperatively with related agencies	Applicant(s) is/are recognized professionally and known for positive collaborative relationships	<p>-5 = applicants have a known, and negative history with local agencies</p> <p>0 = applicants have no known professional recognition, and no known collaborative history with local agencies</p> <p>1 = applicant(s) are recognized professionally for their contributions; but have no known collaborative history with local agencies</p> <p>2 = applicant(s) are recognized professionally and have minimal collaborative history with local agencies</p> <p>3 = applicant(s) are recognized professionally and have a positive and longer-term collaborative history with local agencies</p> <p>4 = applicant(s) are recognized professionally and have an excellent and long-term collaborative history with local agencies</p>
6	Proposed activities represent the “best use” of limited funds	Proposal demonstrates efficient and effective use of funds	<p>0 = budget is too vague</p> <p>1 = budget is partially detailed</p> <p>2 = budget is clearly detailed, but some categories are questionable</p> <p>3 = budget is clearly detailed and all categories are well-reasoned</p> <p>4 = budget is clearly detailed, all categories are well-reasoned and the applicant(s) is/are leveraging or matching the funds requested</p>



MENDOCINO COUNTY BOARD OF SUPERVISORS
ONLINE AGENDA SUMMARY

BOARD AGENDA # 5(g)

- 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:** March 2, 2015

FROM: Planning and Building Services **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Andy Gustavson **PHONE:** 234-6650 Present On Call
Steve Dunicliff

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

■ AGENDA TITLE: Informational Update on the Status of the Mendocino Town Local Coastal Plan Amendment (LCPA) and Possible Direction or Consideration of Coastal Commission Comments Regarding the Submitted Mendocino Town LCPA

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: On September 23, 2014, the Mendocino County Board of Supervisors directed Planning and Building Services to schedule a standing agenda item to apprise the Board on the status of the Mendocino Town LCPA application to the Coastal Commission.

■ SUMMARY OF REQUEST: Planning and Building Services will submit a status report to the Board of Supervisors during open session.

■ 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"/>

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

■ RECOMMENDED ACTION/MOTION: Accept the Mendocino Town LCPA status report and, as necessary, direct Planning and Building Services to respond to Coastal Commission comments regarding the LCPA.

■ ALTERNATIVES: Do not receive the status report and provide direction to staff.

■ CEO REVIEW (NAME): Christopher Shaver, DCEO **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 _____



Department of Transportation (MCDOT)

Director's Report – April 7, 2015

- **Budget Preparation (FY 15/16):** On March 30, 2015, MCDOT transmitted preliminary Road Fund budgets for Budget Units (BU) 3010 (General Maintenance), BU 3941 (Capital Improvements) and BU 3030 (Storm Damage) to the CEO's office for the upcoming fiscal year. All staff worked hard, long hours – particularly our Deputy Director – Business Services, Chamise Cubbison, and her budget team consisting of Patti Black, Colleen Nowlin, and Megan Di Franco in submitting BUs 3050, 3060, 3080 & 3090 (Airports), BU 4510 (Disposal Sites) and BU 4511 (Landfill Closure). The budget climate for the upcoming fiscal year is more challenging than that for the current year (FY 14-15). The Department is once again faced with tough decisions in order to most effectively meet Board Corrective Maintenance goals with the possible \$1.3 to \$1.7 million dollar reduction in sales tax on gas revenues due to lower fuel prices. In the end, MCDOT curtailed equipment purchases, used fund balance from salary savings and found a way to offer a \$559 thousand Corrective Maintenance which could be enhanced by County forces if staff levels permit and the coming winter is mild.
- **Seasonal Road Closures Ended April 1st:** Announcements were sent out to emergency services providers and stakeholders on our notification list advising County residents that as of April 1, 2015, seasonal road closures ended at the four County Maintained Road segments: Fort Bragg Sherwood Road (CR 419) MP 5.08 - MP 27.54, Ten Mile Road (CR 506) MP 0.18 - MP 1.68, Usal Road (CR 431) MP 6.26 - MP 24.30, and Navarro Ridge Road (CR 518) at MP 8.82 - MP 13.10.
- **Operations Update – Mill Creek County Park Reservoir(s):** California Division of Safety of Dams (DSOD) preformed their inspection of dams and we passed with the continued comment that the middle (lower) reservoir valve is not opened. The 2014 Water Agency bathometric survey verified the water storage is 10.24 acre feet - less than the 15 acre-feet threshold which would qualify the reservoir to be removed from the DSOD inventory. The DSOD said, however, that the 34 feet of stored sediment, which is the reason for non-operation of the valve, prevents it from being removed from the list.
- **New Staff at MCDOT:** MCDOT has 19 new staff hired over the past year that are replacing retirees and filling positions left vacant. Richard Sams, the new Bridge Crew Supervisor for the crew countywide, comes to us as a licensed contractor. Engineering and technical support has added Lisa Foster (Surveyor I) and Jason Wise (Engineer II). The Road crews have added the following in *Fort Bragg*: Dennis Clark (Road Crew Worker), Mark Fish, Kenneth Gentile (Equipment Operators), and Robert Byers (Sr. Heavy Equipment Mechanic); *Ukiah*: Blaine Boyd, John Hill, Ricardo Quintana (Road Crew Workers), David McAsey (Equipment Operator), Stephen Hoag (Sr. Heavy Equipment Mechanic), and Edward Gilmore (Parts Specialist); *Willits*: Richard Branch, Sean Faherty, and Allen Stutsman (Road Crew Workers); *Point Arena*: Scott Liston (Road Crew Worker); *Boonville*: Trevor Loucks (Road Crew Worker); *Laytonville*: Lloyd Oeth (Road Crew Worker)

Our new staff is well qualified and much needed to fill crews that have been shorthanded from staff leaving. We have high hopes that their addition will give our MCDOT staff the support they need to keep roads on track.



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
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- 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:** March 31, 2015

FROM: Supervisors Gjerde and McCowen **MEETING DATE:** April 7, 2015

DEPARTMENT RESOURCE/CONTACT: Supervisor Gjerde **PHONE:** 463-4441 Present On Call
Supervisor McCowen **PHONE:** 463-4441 Present On Call

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

■ AGENDA TITLE: Report from the Business Improvement District (BID) Ad Hoc Committee

■ PREVIOUS BOARD/BOARD COMMITTEE ACTIONS: November 10, 2014: the Board appointed Supervisors Gjerde and McCowen to the Business Improvement District (BID) Ad Hoc Committee; December 2, 2014: the BID Ad Hoc Committee reported to the Board that additional time was needed to work with the BID stakeholders; February 17, 2015: the BID Ad Hoc Committee reported consensus had been reached on key issues, but that additional work was needed prior to considering a revised BID ordinance and resolution; March 21, 2015: the BID Ad Hoc Committee provided a written update to the Board, including 17 points of agreement (see attachments) that were recommended for approval by the Mendocino County Lodging Association (MCLA) and Mendocino County Promotional Alliance (MCPA) Boards of Directors.

■ SUMMARY OF REQUEST: The MCPA, MCLA, and Visit Mendocino County (VMC) Boards of Directors have voted to endorse the recommended 17 points of agreement and the following three part implementation process: 1) renew the existing BID, including the current 1% assessment, to insure continuity of BID operations; 2) reform the governance structure in line with the 17 points of agreement; 3) subsequently propose an increase in the BID assessment from 1% to 2% as a stand alone item subject to the protest process as mandated by state law. It is anticipated that the BID Advisory Board annual report will be submitted to the Board for approval on May 5, 2015 at which time the Board will be asked to adopt a resolution renewing the existing BID with the current 1% assessment. Also on May 5, the Board will be asked to consider amendments to the Mendocino County Lodging BID consistent with the Ad Hoc Committee recommendations. Supervisors Gjerde and McCowen have met with staff to update them on the recommendations and seek assistance in identifying appropriate ordinance amendments and implementation procedures; have met with Advisory Board members to update them on the recommendations; have identified a need for at least one more meeting with the MCLA and MCPA representatives; and intend to participate in a series of informational meetings regarding the proposed recommendations.

■ 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
n/a	n/a	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: Receive report of the Business Improvement District (BID) Ad Hoc Committee, discuss and provide direction as the Board deems appropriate.

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)

■ **ALTERNATIVES:** Do not receive report.

■ **CEO REVIEW (NAME):** Alan D. Flora, Assistant CEO

PHONE: 463-4441

RECOMMENDATION: Agree Disagree No Opinion Alternate Staff Report Attached

BOARD ACTION

Approved _____

Records Executed _____

Date of Meeting _____

Referred to _____

Other _____

CARMEL J. ANGELO
Chief Executive Officer
Clerk of the Board



CONTACT INFORMATION
501 Low Gap Road • Room 1010
Ukiah, California 95482
TELEPHONE: (707) 463-4221
FAX: (707) 463-7237
Email: bos@co.mendocino.ca.us
Web: www.co.mendocino.ca.us/bos

**COUNTY OF MENDOCINO
BOARD OF SUPERVISORS**

Date: March 21, 2015
To: The Honorable Mendocino County Board of Supervisors and all other interested parties
From: Supervisors Dan Gjerde and John McCowen

Re: Business Improvement District (BID) Ad Hoc Committee Report

Following numerous meetings with representatives of the Mendocino County Lodging Association (MCLA), the Mendocino County Promotional Alliance (MCPA), and other interested parties, a broad based consensus has been reached on BID related issues. These meetings also produced a recommendation to extend the current MCLA/VMC contract but that matter is solely within their purview to decide. Please see the attached document ("Final MCLA – MCPA Business Improvement District Recommendations") for specific details which, if implemented, will reform the current governance structure and significantly increase funding for countywide promotional efforts.

The current BID governance structure includes five (5) boards, fifty-six (56) board members, and four (4) overlapping contracts. The attached recommendations will retain the ultimate authority of the BOS and the BID Advisory Board, as required by state law, but will create one eleven (11) member governing board to implement the approved marketing plan, thereby increasing efficiency and accountability.

Mendocino County, based on the current 1% BID assessment, and the 50% match from the County General Fund, raises approximately \$900,000 annually to promote Mendocino County. Increasing the BID assessment to 2%, with a continuation of the 50% match from the County General Fund, will double the amount of funding available for promotion.

A comprehensive review of State BID law and our local ordinance confirms that the current governance structure can be changed by amending our local ordinance independently of the process for reauthorizing the BID or increasing the BID assessment.

Therefore, it is recommended that a three part implementation process be followed: 1) renew the current BID, as is, including the 1% assessment, to insure continuity of BID operations; 2) reform the governance structure in line with the recommendations supported by the MCLA and MCPA representatives; 3) subsequently propose an increase in the BID assessment to 2% as a stand alone action subject to the protest process as mandated by state law.

We anticipate that the BID reauthorization process will proceed in a timely manner and that the BOS will approve the recommended reforms to the governance structure, provided those reforms are endorsed by the MCLA, MCPA and VMC Boards of Directors. We believe it is feasible to implement the governance reforms, including seating the new governing board, effective July 1, 2015 and to implement an increased BID assessment effective January 1, 2016. In addition to the lodging operators, the City Councils of Fort Bragg, Point Arena, Willits, and Ukiah must approve any increase in the BID assessment in order for it to apply within their jurisdictions.

We and the MCLA and MCPA participants are committed to providing comprehensive information to the elected officials and staff of the incorporated cities, lodging operators, and the general public. To that end, we plan on holding public meetings in Fort Bragg, Willits, Point Arena, Ukiah and Anderson Valley to present the proposed recommendations and respond to questions. We respectfully request your support for the recommendations as presented and the three part implementation plan.

cc: Mendocino County Lodging Association, Mendocino County Promotional Alliance, Visit Mendocino County, Mendocino County BID Advisory Board, Fort Bragg City Council, Willits City Council, Point Arena City Council, Ukiah City Council

THE BOARD OF SUPERVISORS

CARRE BROWN
First District

JOHN MCCOWEN
Second District

TOM WOODHOUSE
Third District

DAN GJERDE
Fourth District

DAN HAMBURG
Fifth District

Date: March 20, 2015

To: Mendocino County Lodging Association (MCLA) Board of Directors;
Mendocino County Lodging Association Membership (via MCN listserv)
Mendocino County Promotional Alliance (MCPA) Board of Directors

From: John Dixon, President of MCLA
Cally Dym, President of MCPA

Re: Final MCLA – MCPA Business Improvement District Recommendations

Background

The Board of Supervisors Business Improvement District (BID) Ad Hoc Committee (Supervisors Dan Gjerde and John McCowen) have been meeting with five representatives of MCLA (John Dixon, Renata Dorn, Jitu Ishwar, Marcus Magdaleno, and Roger Martin) and five representatives of MCPA (Cally Dym, John Kuhry, John Meyer, Jennifer Seward, and Hal Wagenet) in an effort to build consensus regarding proposed changes to the BID governance structure and assessment.

In a statement dated February 10, 2015, the MCLA and MCPA participants announced consensus on key issues and agreed to recommend approval to their respective Boards of Directors. The original 12 points of consensus were endorsed by the MCLA Board of Directors on March 4 and by the VMC Board of Directors on March 10.

The Ad Hoc participants have continued to meet and consensus has been reached on all outstanding issues, including a recommendation that the MCLA Board of Directors extend the current contract with VMC, provided VMC agrees to specific conditions. The recommendation and conditions for a contract extension are contained in a separate document which is included as an attachment.

Additionally, a comprehensive review of state BID law confirms that the existing governance structure can be reformed independently of the process for reauthorizing the BID or increasing the BID assessment. Therefore, it is recommended that a three part implementation process be followed: 1) renew the current BID, as is, including the existing 1% assessment, to insure continuity of BID operations; 2) reform the governance structure in line with all of the following applicable recommendations; 3) subsequently, propose an increase of the BID assessment to 2% as a stand alone action subject to the protest process as mandated by state law.

In order to reach agreement it was necessary for everyone to compromise on certain points in return for assurances on others. The participants believe that the package of agreed upon changes represents significant reform to the current BID process and will enhance our ability to efficiently and effectively promote Mendocino County. This statement has been reviewed and approved by Supervisors Gjerde and McCowen and each of the MCLA and MCPA participants listed above.

The MCLA and MCPA representatives unanimously recommend endorsement of the following points by their respective boards:

1. Elimination of the tiered BID proposal in favor of an across the board 2% assessment with a continuation of the 50% County match to be applied to all funds;
2. A guarantee that a high proportion of all new revenue shall be dedicated to direct promotion and marketing with administrative costs based on Destination Marketing Association International (DMAI) industry standards and fixed at, or below, the national average for organizations of comparable size;
3. The County shall retain copyright and use rights to all documents and work products of the BID to insure that these materials will always be available to promote Mendocino County, no matter what entity is hired to implement the approved Marketing Plan;
4. Formation of a single Governing Board to administer the BID and oversee the Destination Marketing Organization (DMO) and implementation of the approved Marketing Plan;
5. MCLA and MCPA may continue as independent organizations but will have no direct authority over BID funds or administration;
6. The BID Advisory Board shall continue to be appointed from a list of nominees prepared by the Board of Directors of MCLA; all nominees must be owners, operators, or employees of assessed hotels; two members shall be appointed to represent the inland area; two members shall be appointed to represent the coastal area; and one member shall be appointed to represent MCLA;
7. The Governing Board shall be subject to the Brown Act and shall provide for financial transparency in all DMO operations, including payroll;

8. Governing Board members:
 - shall be elected or appointed to three year terms based on their core business or organizational interest;
 - shall be subject to term limits of no more than two terms (except a member who has completed less than one half of a full term may serve two additional terms if duly elected or appointed);
 - shall be ineligible to serve for three years after being termed out;
9. The Governing Board shall be composed of eleven (11) members as follows:
 - five (5) Lodging;
 - two (2) Chambers of Commerce;
 - one (1) Winery or Winegrower;
 - one (1) Arts and Attractions;
 - one (1) Food and Beverage (includes culinary, beer and other spirits); and
 - one (1) At Large.
10. All Governing Board members shall be required to submit a resume showing relevant experience; complete a questionnaire demonstrating their interest and commitment in promoting Mendocino County; and be elected or appointed as follows:
11. Lodging members shall be directly elected by lodging operators (in a County conducted election) as follows: three (3) elected by and from large lodging operators; one (1) elected by and from medium lodging operators; one (1) elected by and from small lodging operators;
12. Non-lodging members shall be appointed by the BOS as follows: two (2) members nominated by local Chambers of Commerce; one (1) member nominated by Mendocino Winegrowers, Inc.; one (1) member who applies from or is nominated by an Arts organization, an Attractions governing board, or Attractions proprietor; one (1) member who applies from a food or beverage business including culinary, beer and other spirits; one (1) member who applies At Large;
13. The terms of Governing Board members shall be staggered so that no less than three or more than four members shall be elected or appointed in any one year (except to fill vacant unexpired terms) with initial terms elected or appointed as follows, with all subsequent terms to be for three years:
 - Large Lodging
 - **3 seats:** a three (3) year term, a two (2) year term and a (1) one year term;
 - Medium Lodging
 - **1 seat:** a two (2) year term;
 - Small Lodging
 - **1 seat:** a three (3) year term;
 - Chambers of Commerce
 - **2 seats:** a three (3) year term and a two (2) year term;
 - Winery or Winegrower:
 - **1 seat:** a three (3) year term;
 - Arts & Attractions
 - **1 seat:** a two (2) year term;
 - Food & Beverage
 - **1 seat:** a one (1) year term;
 - At Large
 - **1 seat:** a one (1) year term;
14. The BOS shall provide for public noticing of all vacancies; shall actively encourage multiple nominations for each open seat; and shall seek to provide for geographical diversity (for example: one member should be selected from nominees by the coastal chambers and one member selected from nominees by the inland chambers);
15. To facilitate the formation of the new Governing Board, the corporate identity of VMC, Inc. will be changed in favor of a new organization known as the Mendocino County Visitor's Bureau, Inc. (MCVB) which will assume the responsibility for implementing the approved Marketing Plan to promote Mendocino County. MCVB will be organized in line with the points of consensus developed by the BID ad hoc group; will assume control of the assets of VMC, Inc.; and will continue to promote Mendocino County using the VMC brand. The corporate name change will clarify the relationship between the BID Governing Board and those who are hired or contracted to implement the Marketing Plan;
16. The new Governing Board shall be seated July 1, 2015, or as soon thereafter as is practicable; the revised BID assessment shall be effective no sooner than January 1, 2016;
17. MCLA and MCPA shall assist in providing comprehensive information to lodging operators and the public regarding the BID process, and that public meetings be held in Point Arena, Fort Bragg, Willits, Ukiah, and Anderson Valley to present the proposed BID changes and respond to questions.

cc:

Mendocino County Board of Supervisors
Visit Mendocino County Board of Directors
Business Improvement District Advisory Board