

**DRAFT**

REGULAR MEETING OF THE MARIN COUNTY BOARD OF SUPERVISORS HELD TUESDAY,  
JANUARY 31, 2006, AT 9:08 A.M.

Roll Call

Present: Supervisor McGlashan; Supervisor Brown; Supervisor Kinsey; Supervisor Murray;  
Supervisor Adams

**1. RECOGNITION OF COUNTY EMPLOYEES WHO PARTICIPATED IN THE RECENT STORM  
RECOVERY EFFORTS**

Supervisors Adams and Murray acknowledged all county employees for their participation during the New Year's Eve storm and presented a certificate of appreciation to the following: Audrey Andrus, Laura Armor, Carlo Dimesio, Craig Tackabery, Elizabeth Thompson, Eva De Negri, Florence Pattison, Ken Tisdale, Laurie Weiland, Len Woolard, Mike Ridgway, Ron Ravani, Alva Ackley, Alysanne Taylor, Augustine Pham, Ben Berto, Bob Beaumont, Brian Crawford, Bruce Stahley, Carol Starr, Chris Godley, Chris Martinelli, Chris Skye, Cynthia Barnard, Dan Eilerman, Danny Briones, David Smail, Elizabeth Thompson, Eric Engelbart, Eric Steger, Ernest Klock, Eva De Negri, Frank Cox, Frank Godino, Ian Roth, Joanne Merjano, Joyce Evans, Judy Kendall, Kellie Moore, Ken Tisdale, Kerrie Desbiens, Margaret Moster, Marion Boyd, Matt Bronson, Matthew Hymel, Michelle Reed, Nancy Davis, Pat Thompson, Patrick Faulkner, Philip Smith, Robert Taylor, Robert Turner, Sharon Silver, Steven Heaslip, Sue Atkinson, Sue Wilson, Ursula Hanks, Damon Hill, Ari Golan, Brian Sanford, Carl Szawarzenski, Chris Bramham, Don Grafe, Dustin Ruiz, Gabe Ngarangad, Greg Reza, Jake Feickert, Jim Slack, John Ferrari, John McConneloug, Jon Janzen, Josh Gilmore, Josh Rosenfeld, Karen Kilian, Leonard Page, Martin Acosta, Rich Gibson, Rob McDaniel, Ron Miska, Dana Ansari, Dennis Healey, Fred Vogler, Kevin Tinsley, Kristin Drumm, Larry Grace, Pricilla Godfrey, Rebecca Johnson, Vincent Hawkins, Alan Kristal, Andrew Cross, Carla Halyard, Chris Camilleri, Chris Carlton, Chris Edwards, Irina Popova, Kathy Harrington, Laurie Childers, Linda Jamison, Marilyn Filbrun, Martha Cushman, Mikhail Posylkin, Barbara Kob, Maria Figueroa, Ellie Bloch, Sandy Shartzter, Marissa Wertheimer, Linda Davis, Renee Glazier, Jon Snyder, Patricia Hartigan-Bloom, Bridget Ujah, Susy Miller, Rich Wallace, Marianne Figen, George Brewster, Bob Brunner, Chris Chamberlain, Dan Sauter, Ed Hulme, Ira Shaw, James Slack, John Ferrari, Jon Janzen, Josh Gilmore, Maggie Guiott, Matt Swalberg, Mike Hawks, Mike Maraccini, Rob Ruiz, Caroline Albee, Michelle Bendzick, Wendy Chipps, Cindy Churchfield, Karen Cornett, Jenny Ellis, Jessica Gerber, Ethel Havens, Courtney Morehen, Leslie Moss, Cherie Raffani, Janet Sinnicks, Patty Taylor, Roxann Thelin, John Thompson, Gary Zappa, Lieutenant Endy, Lieutenant Klein, Sergeant Baker, Sergeant Fracolli, Sergeant Taylor, Deputy Berry, Deputy Boden, Deputy Brown, Deputy Cowan, Deputy Derby, Deputy Heilman, Deputy Hinchee, Deputy Lane, Deputy Leonard, Deputy Maples, Deputy Petersen, Deputy Richardson, Deputy Romley, Deputy Rudolph, Deputy Thaller, Deputy Thompson, Deputy Swift, Deputy Yazzolino, S.S.A. Hofeditz, Aaron Jarvis, Adam Vollmer, Alex Craig, Amanuel Haile, Bene DaSilva, Berenice Davidson, Bill Johnson, Bill Vieira, Brendan O'Hagan, Brian Burkhard, Brianna Buchanan, Bruce Schomaker, Bryan Lewis, Chris Deibel, Chris Knight, Connie Lazzaretto, Dale Barrettv, Dan Powers, Darrell Galli, Dave Carr, Dave Dell'era, Dave Nicholson, David Escobar, David Hunn, Dawn Carlson, Dean Davis, Dennis Linney, Don Keylon, Ed Mestre, Eric Scovel, Gabriel Garcia, Gerson Navarrette, Jack Curley, Jake Rosebrock, Jamie Byrnes, Jeff Bedoya, Jim Boggeri, Jim Huber, Jim Krogman, Jim Lynch, Joanna Charlton, John Berg, John Machado, John Payne, Jon Wright, Jose Gonzales, Joseph King, Julia Tomlinson, Justin Barrow, Kallie Kull, Kathleen Booth, Keith Parker, Keith Wallace, Ken Finn, Ken Massucco, Ken Robbins, Kevin McGowan, Larry Belveal, Larry Mersereau, Liz Lewis, Liza Crosse, Manny Avila, Mark Brown, Martin Hollis, Matt White, Mike Norton, Mike Seybold, Nate

Gray, Nathan Clark, Nicole Calmels, Pat Balderama, Pat Cunningham, Peter Coles, Phoenicia Thomas, Rich Brothers, Rich Lopez, Rich Wallace, Rick Bates, Ron Alves, Ron Ford, Ross Cascio, Ryan Miner, Susan Paul, Tim Hampton, Tim Walsh, Todd Coleman, Tom Phillips, Tracy Clay, Will Corbett, Rick Fraites, Katie Rice, Cyno Connolly, Farhad Mansourian, Ron Ravani, Jon Janzen, and Josh Gilmore.

Supervisor Adams, on behalf of the County of Marin, expressed gratitude to Supervisor Murray, Director of Emergency Services, and presented her with a certificate of appreciation.

The Board recessed at 9:43 a.m. and reconvened at 10:00 a.m. All Supervisors were present.

Supervisor Brown acknowledged Board Aide Katie Rice, Sheriff's Lieutenant Bob Klein, and Assistant Emergency Services Manager Steve Hancock for their good work regarding storm recovery efforts at a recent meeting in Kentfield.

2. PRESENTATION OF "EMPLOYEE OF THE MONTH" AWARD, JANUARY 2006, TO PAT CUNNINGHAM OF THE PUBLIC WORKS DEPARTMENT

Supervisor Brown announced that Pat Cunningham of the Public Works Department was the "Employee of the Month" for January 2006. Supervisor Brown read a list of Mr. Cunningham's accomplishments and presented him with a cash award, a family pass to the Marin County Fair, a framed photograph of the Marin County Civic Center, an assigned parking space for the month or free parking pass to Marin County Parks, and an engraved plaque commemorating the occasion.

Mr. Cunningham expressed appreciation to the Board, Public Works Director Farhad Mansourian, Chief Assistant Public Works Director Bob Beaumont, the department's Building Maintenance Division, and the custodial staff for their support.

3. PRESENTATION OF THE 2005 "EMPLOYEE OF THE YEAR" AWARD TO MISCHON MARTIN OF THE PARKS AND OPEN SPACE DEPARTMENT

Supervisor Brown announced that Mischon Martin of the Parks and Open Space Department was the "Employee of the Year" for 2005, noted that she had been "Employee of the Month" in February 2005, and read a list of the qualities that encouraged the committee to name Ms. Martin as "Employee of the Year". Thereafter, Supervisor Brown presented her with an engraved clock and a cash award.

Ms. Martin expressed gratitude to Board members, to Open Space District Assistant General Manager Ron Miska, and to her co-workers.

4. BOARD OF SUPERVISORS' MATTERS

In Memoriam

Supervisor Brown requested that the Board adjourn the meeting in memory of Roger Grossman, former publisher of the *Marin Independent Journal* and active participant in numerous Marin nonprofit organizations.

M/s Supervisor Brown - Supervisor Kinsey to determine that the need to take action arose subsequent to the agenda being posted and to adjourn the meeting in memory of Roger Grossman.

AYES: ALL

#### Roger Grossman Fund

In response to a request by Supervisor Murray, County Administrator Matthew Hymel advised that staff will consider making a County financial contribution, on behalf of the Board of Supervisors, to the Roger Grossman fund.

#### Public Employee Salaries

Supervisor Murray thanked Supervisor Adams for her comments in a recent newspaper article requesting a workshop to discuss issues surrounding the release of public employee salary information.

#### Agenda Modification

Supervisor Adams requested that Consent Calendar Item CA-4a, regarding the completion of the Atherton Avenue Bikeway, be removed from the consent agenda to be considered separately.

#### Marin County Short Range Transit Plan

Supervisor Adams announced the release of the draft Marin County Short Range Transit Plan and advised that it is available online.

#### New Employee Introduction

Supervisor Adams introduced the new Parks and Open Space Director/General Manager Sharon McNamee.

#### Public Employee Salaries

Supervisor Adams briefly reported on a meeting with County Administrator Matthew Hymel, Administrative Analyst Matt Bronson, and the *Marin Independent Journal* Editorial Board regarding the release of public employee salary information.

#### Elections Workshop

Supervisor Adams announced that a workshop, regarding issues of concern with County election processes, will take place on February 14, 2006, at 2:00 p.m.

### **5. ADMINISTRATOR'S REPORT**

#### Public Employee Salaries

County Administrator Matthew Hymel clarified that County policy regarding the release of public employee salary information is governed by State laws.

#### Urgency Item - Closed Session

County Administrator Matthew Hymel advised that County Counsel has requested a closed session item be added to the agenda regarding a conference with legal counsel.

M/s Supervisor Brown - Supervisor McGlashan to determine that the need to take action arose subsequent to the agenda being posted and to add a closed session item to the agenda described as follows: Conference with Legal Counsel regarding potential litigation pursuant to California Government Code Section 54956.9(a). Number of Potential Cases: One (1).

AYES: ALL

#### Urgency Item - Consent Calendar A

County Administrator Matthew Hymel advised that Health and Human Services has requested an item be added to the agenda.

M/s Supervisor McGlashan - Supervisor Murray to determine that the need to take action arose subsequent to the agenda being posted and to add item CA-2d to the agenda regarding the approval of the certification to the State of the revised County-approved rates for In-Home Supportive Services ("IHSS") workers.

AYES: ALL

## 6. OPEN TIME

### Proposition 63

A member of the public expressed support in regards to Proposition 63, the Mental Health Services Expansion.

### Pesticides

A member of the public addressed the Board and expressed concern regarding the aerial application of pesticides on farmlands in West Marin.

## 7. CONSENT CALENDAR A (ITEMS CA-1 THROUGH CA-5) ("Consent Calendar A" reflects those agenda items that have prior policy approval from the Board and do not exceed \$500,000 in cost.)

M/s Supervisor Brown - Supervisor Kinsey to approve Consent Calendar A, with CA-4a considered separately.

### CA-1. Community Development Agency:

Request to authorize President to execute agreement with Furlong Brothers Construction, in the amount of \$42,795, to remove and dispose of approximately 5,000 tires on a legacy waste tire site located at 5488 Middle Road, Petaluma (APN 100-050-29).

### CA-2. Health and Human Services:

NOTE: Agreements in items CA-2a through CA-2b are renewals of existing agreements that were included in and funded in the FY 2005-06 budget.

- a. Authorize President to execute FY 2005-06 agreement with Huckleberry Youth Programs, Inc., in the amount of \$161,244, for emergency shelter for children at their 9 Grove Lane facility.
- b. Authorize President to execute FY 2005-06 agreement with Coastal Health Alliance, in the amount of \$86,530, for medical services to indigent persons.
- c. Authorize President to execute multi-year agreement with CaliforniaKids Healthcare Foundation, in the amount of \$111,600, to implement expansion of dental access for children and youth insured by CalKids.
- d. Authorize President to execute certification to the State of the revised County-approved rates for In-Home Supportive Services ("IHSS") workers.

### CA-3. Library:

Request to approve the following change in service hours at the Bolinas Library, effective March 1, 2006: Wednesday hours 10:00 a.m. until 1:00 p.m. and 2:00 p.m. until 6:00 p.m.; and Thursday hours 2:00 p.m. until 6:00 p.m. and 7:00 p.m. until 9:00 p.m.

CA-4. Public Works:

- a. This item was considered separately and heard after Consent Calendar A.
- b. Authorize President to execute five-year agreement with the Marin Emergency Radio Authority ("MERA"), as detailed in staff report dated January 31, 2006, for County staff to provide radio, building maintenance and garage maintenance services.

CA-5. Treasurer:

Authorize President to execute amendment to the agreement with Arnerich Massena & Associates, Inc., in the amount of \$40,000, for an additional year of investment management oversight services.

AYES: ALL

CA-4A. AUTHORIZE PRESIDENT TO (1) EXECUTE NOTICE OF COMPLETION FOR THE ATHERTON AVENUE BIKEWAY AND RESURFACING PROJECT; AND (2) RELEASE RETENTION AMOUNT OF \$84,989.82, 35 DAYS AFTER BOARD ACTION, TO NORTH BAY CONSTRUCTION, INC. (PROJECT NO. AAC-2BP)

Supervisor Adams acknowledged staff on the completion of the Atherton Avenue Bikeway and Resurfacing project.

M/s Supervisor Kinsey - Supervisor Murray , on behalf of Supervisor Adams, to authorize President to (1) execute Notice of Completion for the Atherton Avenue Bikeway and Resurfacing Project; and (2) release retention amount of \$84,989.82, 35 days after Board action, to North Bay Construction, Inc. (Project No. AAC-2BP)

AYES: ALL

8. CONSENT CALENDAR B (ITEMS CB-1 THROUGH CB-3)  
(With the exception of CB-1, "Consent Calendar B" reflects those agenda items requiring a 4/5th vote relating to budgetary matters.)

M/s Supervisor Kinsey - Supervisor Murray to approve Consent Calendar B.

CB-1. Fund Transfers:

Request from the Auditor-Controller to adopt Resolution No. 2006-12 authorizing temporary transfer of funds, in an amount not to exceed \$16,725,000, to the Novato Unified School District for meeting obligations incurred for maintenance purposes for FY 2005-06. (3/5 vote)

CB-2. Health and Human Services:

Request from the Director of Health and Human Services to (a) execute grant agreement with the March of Dimes Birth Defects Foundation, accepting \$25,000 in unanticipated grant funds, to create a group-centered prenatal program for low-income women; and (b) approve Transfer of Funds increasing appropriations in the County of Marin Health & Human Services, Women's Health Services, Extra Hire account by \$6,000, and Special Fund Account by \$9,000; offset by above-referenced Grant. (4/5 vote)

CB-3. Library:

- a. Request from the Director of County Library Services to (1) accept \$2,500 Bernard Osher Foundation Grant; and (2) approve Transfer of Funds increasing appropriations in the County of Marin, County Library, Civic Center Library Friends Books & Audio Visual Materials Account in the amount of \$650, Corte Madera Library Friends Books & Audio Visual Materials Account in the amount of \$650, Fairfax Library's Friends Books & Audio Visual Materials Account in the amount of \$650, Novato Library's Friends Books & Audio Visual Materials Account in the amount of \$650, offset by above-referenced Grant. (4/5 vote)
- b. Request from the Director of County Library Services to (1) accept donation in the amount of \$200 to fund the purchase of additional professional materials; and (2) approve Transfer of Funds increasing appropriations in the County of Marin, Marin County Free Library, Friends Books & Audio Visual Materials Account in the amount of \$200, offset by an anticipated Donation from Geomatrix Consultants, Inc. into Donations (General) Account in the amount of \$200. (4/5 vote)

AYES: ALL

9. **SUPERVISOR MURRAY REQUESTING PRESENTATION BY THE WORKFORCE INVESTMENT BOARD AND APPROVAL OF THE 2005 MARIN JOB SUMMIT - REPORT AND RECOMMENDATIONS FOR ACTION**

By letter dated January 31, 2006, Supervisor Murray submitted her report regarding the above-captioned matter, acknowledged the Workforce Investment Board ("WIB"), and introduced WIB Chair Joan Capurro, who briefly commented on the mission of the WIB. Ms. Capurro thanked the Board and the many participants who contributed their valuable time to support the WIB and introduced WIB Director Richard Schorske.

Mr. Schorske presented the 2005 Jobs Summit Report and briefly summarized the deliberations at the Summit and the subsequent work of the WIB to advance four "key recommendations" arising from the Summit as follows: to focus workforce and economic development on a small number of higher-wage industry clusters; to increase public and private investment in workforce and economic development; to develop a robust economic development capability in the County; and to help develop exemplary school-to-career pathways in targeted industries. Mr. Schorske reported that the 2006 Marin Workforce Action Plan will be released at the next Summit on Thursday, March 30, 2006. Mr. Schorske concluded his report by thanking Board members for sponsoring the WIB.

Board members thanked WIB members, discussed several issues including Project Hablamos, tracking the loss of jobs, affordable workforce housing, and encouraged WIB to work closely with the Marin Employment Connection ("MEC").

(Supervisor Kinsey absent at 10:50 a.m.)

Health and Human Services Director Dr. Larry Meredith addressed the Board and briefly commented on the WIB and the new "Earn it, Keep it, Save it" program.

10. **PRESENTATION BY THE COUNTY ADMINISTRATOR OF THE COUNTY OF MARIN 2005 REPORT TO THE COMMUNITY**

By letter dated January 31, 2006, County Administrator Matthew Hymel submitted his report and recommendations regarding the above-captioned matter.

(Supervisor Brown absent at 11:03 a.m.)

Administrative Analyst Matt Bronson briefly summarized the Report.

(Supervisor Kinsey returned at 11:05 a.m.)

Administrative Analyst Kristi Choi briefly reviewed the distribution plans for the Report and recognized County staff, graphic designer Robin Brandes and Print Services Manager Tim Stapleton for their contributions.

Board members commented on the excellence of the Report and congratulated all those involved. In response to a question from Supervisor Murray, Mr. Bronson advised that the County website will include an online survey to solicit public feedback on the Report.

11. REQUEST FROM THE COMMUNITY DEVELOPMENT AGENCY TO AUTHORIZE PRESIDENT TO EXECUTE A HOME INVESTMENT PARTNERSHIPS PROGRAM AGREEMENT WITH CITIZENS HOUSING CORPORATION, IN THE AMOUNT OF \$1,225,000, FOR THE DEVELOPMENT OF FIRESIDE HOUSING

By letter dated January 31, 2006, Community Development Coordinator Roy Bateman submitted his report and recommendations regarding the above-captioned matter.

Mr. Bateman requested that the Board approve, subject to County Counsel approval, two changes to the agreement requested by the project sponsor as follows: (a) to begin the clock for the 55-year term of the Agreement upon completion of the project rather than upon the signing date; and (b) to agree that when the sponsor establishes a tax credit partnership, instead of using a nonprofit under the control of Citizens Housing Corporation, they may substitute a Limited Liability Company whose only member is Citizens Housing Corporation.

M/s Supervisor McGlashan - Supervisor Murray to (a) authorize President to execute agreement with revisions detailed by Mr. Bateman subject to County Counsel approval; and (b) authorize President, subject to County Counsel approval, to execute subordination agreement(s) and related documents required by other sources of financing for this project.

Vote: Motion carried 4-0.

AYES: Supervisor Murray; Supervisor Kinsey; Supervisor McGlashan; Supervisor Adams

ABSENT: Supervisor Brown

12. APPOINTMENTS

a. Disaster Council

M/s Supervisor Murray - Supervisor McGlashan to (1) appoint Bob Beaumont, Elizabeth Thompson, Chief Ken Massucco, Luke McCann, Margaret Valentin, Jennifer Kelleher, John Buffum, Steven Tulsy, Reva Saper, Basha Quilici, Bruce Stahley and Eric Nickel; and (ii) continue appointment for Marin Economic Commission representative to February 28, 2006.

Vote: Motion carried 4-0.

AYES: Supervisor McGlashan; Supervisor Kinsey; Supervisor Murray; Supervisor Adams

ABSENT: Supervisor Brown

b. Law Library

M/s Supervisor Murray - Supervisor Kinsey to appoint Benjamin Gale and continue remaining appointment to February 7, 2006.

Vote: Motion carried 4-0.

AYES: Supervisor McGlashan; Supervisor Kinsey; Supervisor Murray; Supervisor Adams

ABSENT: Supervisor Brown

c. Personnel Commission

M/s Supervisor Murray - Supervisor Kinsey to appoint Nancy Peters-Janover.

Vote: Motion carried 4-0.

AYES: Supervisor McGlashan; Supervisor Kinsey; Supervisor Murray; Supervisor Adams

ABSENT: Supervisor Brown

d. Youth Commission

M/s Supervisor Murray - Supervisor McGlashan to appoint Stella Choi.

Vote: Motion carried 4-0.

AYES: Supervisor McGlashan; Supervisor Kinsey; Supervisor Murray; Supervisor Adams

ABSENT: Supervisor Brown

13. FIRST READING: ORDINANCE AMENDING CHAPTER 11.36 OF THE MARIN COUNTY CODE ADDRESSING WATERCRAFT REGULATIONS IN CERTAIN LAGOONS AND WATERWAYS IN THE BEL MARIN KEYS COMMUNITY SERVICES DISTRICT AND THE NOVATO CREEK

By letter dated January 31, 2006, Deputy County Counsel Byron Toma submitted his report and recommendations regarding the above-captioned matter.

M/s Supervisor Murray - Supervisor McGlashan to waive reading of the proposed ordinance, to request the clerk to read by title only and to schedule merit hearing for February 7, 2006, at 11:00 a.m.

Vote: Motion carried 4-0.

AYES: Supervisor McGlashan; Supervisor Kinsey; Supervisor Murray; Supervisor Adams

ABSENT: Supervisor Brown

The clerk read the title of the proposed ordinance and the merit hearing was set for February 7, 2006.

14. FIRST READING: ORDINANCE AMENDING SECTIONS OF THE MARIN COUNTY CODE TO REPLACE THE USE OF THE TERM "CITIZEN" IN APPROPRIATE CIRCUMSTANCES WITH OTHER TERMS WHERE CITIZENSHIP STATUS IS UNNECESSARY

By letter dated January 31, 2006, Deputy County Counsel Byron Toma submitted his report and recommendations regarding the above-captioned matter.

M/s Supervisor Murray - Supervisor Kinsey to waive reading of the proposed ordinance, to request the clerk to read by title only and to schedule merit hearing for February 7, 2006, at 11:00 a.m.

Vote: Motion carried 4-0.

AYES: Supervisor McGlashan; Supervisor Kinsey; Supervisor Murray; Supervisor Adams

ABSENT: Supervisor Brown

The clerk read the title of the proposed ordinance and the merit hearing was set for February 7, 2006.

(Supervisor Brown returned at 11:17 a.m.)

15. REQUEST FROM THE HEALTH AND HUMAN SERVICES DEPARTMENT TO ADOPT A RESOLUTION APPROVING THE MARIN COUNTY COMMUNITY SERVICES AND SUPPORTS PLAN FOR THE MENTAL HEALTH SERVICES ACT (PROPOSITION 63)

By letter dated January 31, 2006, Health and Human Services Director Dr. Larry Meredith submitted his report and recommendations regarding the above-captioned matter.

Community Mental Health Services Director Bruce Gurganus acknowledged staff, the Mental Health Board and the Steering Committee for their efforts during this process and briefly summarized the Marin County Community Services and Supports Plan ("Plan").

Mr. Gurganus responded to questions from Board members regarding the public's ability to comment on the Plan, comments by Service Employees International Union ("SEIU") representatives, funding discrepancies among counties, and the proposed new multipurpose facility.

A representative of the Marin Network of Mental Health Clients expressed agreement with the proposed Plan but requested that there be a transition period to keep the Enterprise Resource Center in downtown San Rafael open while the new Wellness Center in the Canal area is being launched.

Several representatives of the Marin Network of Mental Health Clients and members of the public urged the Board to keep the Enterprise Resource Center open, citing its proximity to downtown San Rafael and to transportation. The speakers also expressed concern regarding transportation and safety issues for the proposed location of the new facility.

The Executive Director of the Canal Alliance spoke in favor of locating a mental health services facility in the Canal area of San Rafael, citing the need for these services.

The written comments of a member of the public supporting the Plan, especially as it relates to older adults, were submitted.

Board members thanked the members of the public who spoke on this issue. Board members also commented on the Support and Treatment After Release ("STAR") Program and the Mental Health Court, the possibility of keeping both the old and new facilities open, and the importance of establishing a transition program from the old to the new facility if keeping them both is not possible.

M/s Supervisor Kinsey - Supervisor Murray to adopt Resolution No. 2006-13 approving the Marin County Community Services and Supports Plan for the Mental Health Services Act (Proposition 63).

AYES: ALL

16. SUPERVISOR KINSEY REQUESTING A REPORT ON THE STATE OF AGRICULTURE IN MARIN COUNTY

By memorandum dated January 31, 2006, Supervisor Kinsey submitted his report, acknowledged the work of his aide Liza Crosse, and spoke about some of the key issues currently facing the agricultural industry.

(Supervisor Brown absent at 12:10 p.m.)

Agricultural Commissioner Stacy Carlsen, Farm Advisor Ellie Rilla and Agricultural Consultant Lisa Bush presented information regarding Marin's agricultural industry, as well as some recommendations to support its continuing viability.

The Executive Director of Marin Organic, the Executive Director of the Marin County Farmers Market Association, the Associate Director and a member of the Board of Directors of the Marin Agricultural Land Trust ("MALT"), and several members of the public spoke about the value of the actions taken by the Board to promote agriculture in Marin. Some of the speakers also expressed concerns about water availability and loss of infrastructure for Marin's agriculture industry.

Board members expressed their continued commitment to support Marin's agricultural and requested staff to return to the Board with a Work Plan to address areas of concern.

The Board recessed at 1:10 p.m. to meet in closed session.

#### 17. CLOSED SESSION

The Board convened at 1:15 p.m. in closed session to discuss:

- a. Conference with real property negotiators pursuant to California Government Code Section 54956.8 on the matter as follows: Real Property Address: 3110 Kerner Boulevard, San Rafael, CA (APN 009-121-03 and APN 009-121-04); Agency Negotiator: David Speer and Terry Toner; Real Property Owners/Negotiators: Lawrence Family LLC, a California LLC.; Under Negotiation: price and terms of payment.
- b. Conference with real property negotiators pursuant to California Government Code Section 54956.8 on the matter as follows: Real Property Address: 3230, 3240, 3250, 3260 and 3270 Kerner Boulevard, San Rafael, CA (APN 009-280-07); Agency Negotiator: David Speer and Terry Toner; Real Property Owners/Negotiators: Seagate SRBC Associates, LLC, a California LLC.; Under Negotiation: price and terms of payment.
- c. Conference with legal counsel regarding existing litigation pursuant to California Government Code Section 54956.9(a). Name of case: *County of Marin v. California Department of Corrections*.
- d. Conference with legal counsel regarding existing litigation pursuant to California Government Code Section 54956.9(a). Name of case: *County of Marin v. California Department of Finance*, et al.
- e. (Added during Administrator's Report) Conference with Legal Counsel regarding potential litigation pursuant to California Government Code Section 54956.9(a). Number of Potential Cases: One (1).

The Board reconvened in open session at 1:55 p.m. in Room 330. All Supervisors were present.

The President reported that the Board met in closed session and advised that there was no announcement at this time.

18. **WORKSHOP: REVIEW OF A FEASIBILITY STUDY FOR THE DEVELOPMENT OF A PUBLIC SAFETY/EMERGENCY OPERATIONS BUILDING**

By letter dated January 31, 2006, Facilities Planning and Development Manager David Speer submitted his report regarding the above-captioned matter. Mr. Speer acknowledged Administrative Analyst Lisa De Carlo for her efforts to coordinate this project and presented a brief overview of the background and context for the feasibility study.

Consultant Beverly Prior briefly presented a summary of findings from the feasibility study.

Several members of the public expressed concerns regarding noise and safety issues, lighting and traffic impacts, and the potential dislocation of the petanque court and temporary dog park, and urged the Board to consider alternative sites.

Board members commented on optional sites for the safety building, alternative sites for the petanque court and dog park, the proposed facility exit on Golf Avenue, and potential impacts to the community.

Board members directed staff to look into the issues raised today, develop a project timeline for the development process, and report back to the Board.

The meeting was adjourned at 3:06 p.m. in memory of Roger Grossman.

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PRESIDENT

ATTEST:

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CLERK