

DRAFT

REGULAR MEETING OF THE MARIN COUNTY BOARD OF SUPERVISORS HELD TUESDAY, MARCH 4, 2008, AT 10:15 A.M.

The Board met as the Marin County Housing Authority Board of Commissioners at 9:07 a.m. and convened as the Board of Supervisors at 10:15 a.m.

Roll Call

Present: Supervisor Arnold; Supervisor Brown; Supervisor McGlashan; Supervisor Kinsey

Absent: Supervisor Adams

2. PRESENTATION OF "EMPLOYEE OF THE MONTH" AWARD, FEBRUARY 2008, TO LANEY MORGADO OF THE DEPARTMENT OF PUBLIC WORKS

Supervisor Brown announced that Laney Morgado of the Department of Public Works was the "Employee of the Month" for February 2008. Supervisor Brown read a list of Ms. Morgado's accomplishments and presented her with a cash award, a family pass to the Marin County Fair, a framed photograph of the Marin Civic Center, an assigned parking space for the month or free parking pass to Marin County Parks, and an engraved plaque commemorating the occasion.

Ms. Morgado expressed appreciation to the Board and her colleagues for their support.

3. APPROVAL OF MINUTES

M/s Supervisor Arnold - Supervisor Kinsey to approve the minutes of the meeting of February 5, 2008, as presented.

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

4. BOARD OF SUPERVISORS' MATTERS

In Memoriam

Supervisor Brown requested an urgency finding to adjourn the meeting in memory of Herbert Wallace, founding chairman of the Buck Institute of Age Research in Novato, and Niels Schultz Jr., a key figure in the development of Greenbrae and active member of the community.

M/s Supervisor Brown - Supervisor McGlashan to determine that the need to take action arose subsequent to the agenda being posted and to adjourn the meeting in memory of Herbert Wallace and Niels Schultz Jr.

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

Washington, D.C.

Supervisor Kinsey reported on his recent trip with Supervisor McGlashan to Washington, D.C. to present Marin County's legislative platform to congressional staff and representatives. Supervisor Kinsey advised that the main topics discussed were watershed and flood control issues, Marin Emergency Radio Authority licensing, and the Doyle Drive toll proposal.

Acknowledgement

Supervisor Kinsey acknowledged District Attorney Ed Berberian's recent appointment by California Supreme Court Chief Justice Ron George to the Judicial Council's Task Force for Criminal Justice Collaboration on Mental Health Issues.

School Waste Audit

Supervisor Arnold advised that the Novato Live Well Network, after many months of planning, is rolling out the School Waste Audit in collaboration with the Marin Conservation Corps and the Novato Unified School District.

National Alliance of Mental Illness ("NAMI") Walk

Supervisor Arnold applauded the Marin Chapter of NAMI for their participation in the upcoming NAMI walk on May 31, 2008, to raise awareness for NAMI's efforts to stamp out the stigma of mental illness.

In Memoriam

Supervisor Brown, on behalf of Supervisor Adams, requested an urgency finding to adjourn the meeting in memory of Lillian Loeff, a longtime San Rafael resident.

M/s Supervisor Brown - Supervisor Arnold on behalf of Supervisor Adams, to determine that the need to take action arose subsequent to the agenda being posted and to adjourn the meeting in memory of Lillian Loeff.

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

Washington, D.C.

Supervisor McGlashan added to Supervisor Kinsey's Washington, D.C. report, noting that the Federal Transportation and Infrastructure Committee remains keenly interested in maintaining momentum and funding for the Nonmotorized Bicycle and Pedestrian Pilot Program when the Transportation Bill comes up for reauthorization next year.

5. ADMINISTRATOR'S REPORT

Agenda Modification - Urgency Item

County Administrator Matthew Hymel advised that County Counsel has requested that one additional closed session item be added to the agenda regarding existing litigation.

M/s Supervisor Brown - Supervisor Arnold to determine that the need to take action arose subsequent to the agenda being posted and to add an additional closed session item to the agenda for a conference with legal counsel regarding existing litigation pursuant to California Government Code Section 54956.9(a). *Name of Case: Bolinas Beach Preservation, LLC v. County of Marin.*

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

6. OPEN TIME

Family Court

Two representatives of the Center for Judicial Excellence expressed concern regarding issues with Marin County's family courts, local police departments and Child Protective Services, and noted that the Center recently held a forum and produced a film on this subject. Two members of the public spoke about their personal experiences with family court and law enforcement.

Retirement Office

Deputy Sheriff Larry Filipiak briefly commented on problems he is experiencing in getting information from the Retirement Office regarding his upcoming retirement.

Living Wage Ordinance

Representatives of Marin Interfaith Worker Justice and the Living Wage Coalition urged the Board to review the Marin County Living Wage Ordinance regarding In Home Supportive Services ("IHSS") providers.

Supervisor McGlashan advised that a discussion regarding the Living Wage Ordinance will be coming to the Board within the next few weeks and noted that IHSS providers are State employees, which limits the County's jurisdiction over pay scale issues.

Federal Funding for Aging Programs

Commission on Aging representative Pat Lewis reported that recent Federal funding will be used for a Fall Prevention Program, disaster supply kits for home delivered meal clients, food transport bags and kitchen equipment for Catholic Charities, caregiver programs for Alzheimers patients and training programs for six providers throughout the County.

(Supervisor Brown absent at 10:46 a.m.)

Fire Safety Tax

A representative of the Homestead Valley Land Trust urged the Board to support a sales tax increase to be used for fire safety in the Homestead Valley.

(Supervisor Brown present at 10:48 a.m.)

Labor Negotiations

Eleven Marin County Deputy District Attorneys spoke to express concerns regarding labor negotiations with the County of Marin.

Iraq War

Three members of the public addressed the Board to express opposition to the war in Iraq and Congressional abuse of power.

(Supervisor Brown absent at 11:18 a.m.)

7. CONSENT CALENDAR A (Items CA-1 through CA-13)
("Consent Calendar A" reflects those agenda items that have prior policy approval from the Board)

M/s Supervisor Kinsey - Supervisor Arnold to approve Consent Calendar A as presented.

CA-1. Auditor-Controller

Request to (a) approve reallocation of a vacant 1.0 FTE Financial Analyst (Class #0312) to 1.0 FTE Accounting Manager (Class #0379), effective March 9, 2008; and (b) authorize the position to be filled by competitive exam.

CA-2. Board of Supervisors

- a. Designation of successors to Supervisors pursuant to Marin County Code Chapter 2.99.
- b. Supervisor Arnold requesting commendation for Vintage Oaks at Novato, Novato Chamber of Commerce 2007 "Large Business of the Year" and for Redwood Credit Union, "Small Business of the Year".
- c. Appointments:
 - i. Marin Economic Commission
Scheduled appointment for April 1, 2008, for three term expirations representing the Marin County Council of Chambers (Andrew McCullough, incumbent), Realtors (Kay Moore-Harris, incumbent) and the Labor Council (Bill Scott, incumbent).
 - ii. Women's Commission
Scheduled appointment for April 1, 2008, for two term expirations representing District 1 (Marcia McLean, incumbent) and District 4 (Ericka Erickson, incumbent).

CA-3. County Administrator

Authorize the President to execute grant agreement (P0630404) with the State of California, Department of Fish and Game, to accept a \$98,385 grant for the Fishery Network of the Central California Coastal County (FishNet 4C) Project.

CA-4. County Counsel

Authorize President to execute First Addendum to the agreement with Haapala, Altura, Thompson & Abern, LLP, increasing the contract by \$100,000 for a total contract amount not to exceed \$150,000, for legal services in the matters of *Davis v. Marin County Board of Health* (USDC Case No. C03-4334 RMW) and *Davis v. County of Marin Sheriff's Department* (USDC Case No. C03-4512 RMW).

CA-5. Cultural Services

Authorize President to execute one-year extension of existing agreement (May 1, 2008, through April 30, 2009) with the Marin County Farmers Market, in the amount of \$53,275, for holding their Farmers' Market.

CA-6. District Attorney

- a. Request to adopt Resolution No. 2008-18 in support of the District Attorney's application to the State Office of Emergency Services ("OES") for continuation of the Victim Witness Assistance Program and authorizing the District Attorney to execute, on behalf of the County, the grant award agreement and any extensions or amendments thereof.
- b. Request to (i) adopt Resolution No. 2008-19 authorizing submission of a grant proposal to the California Department of Insurance ("CDI") for the continuation of the Workers' Compensation Insurance Fraud Investigation and Prosecution Program, and authorizing the District Attorney to execute the grant award agreement, including any extensions or amendments thereof; and (ii) adopt Resolution No. 2008-20 authorizing submission of a grant proposal to the CDI for the continuation of the Automobile Insurance Fraud Investigation and Prosecution Program, and authorizing the District Attorney to execute the grant award agreement, including any extensions or amendments thereof.

CA-7. Fire

Request from several Marin County Special Districts, pursuant to California Health and Safety Code Sections 13869.7, 17958.7 and 18941.5(b), for Board of Supervisors' ratification of the Districts' Resolutions and Ordinances, as detailed in staff report dated March 4, 2008, relating to the adoption of the 2000 Uniform Fire Code, 2006 International Fire Code, and 2008 California Fire Code and amendments thereto.

CA-8. Health and Human Services

NOTE: Agreements in items CA-8a - CA-8b are renewals of existing agreements that were included in and funded in the FY 2007-08 budget.

- a. Authorize President to execute FY 2007-08 agreement with Charles Palmigiano, M.D., in the amount of \$43,940, to provide medical care for inmates at the County's adult detention and Juvenile Hall facilities.
- b. Authorize President to execute FY 2007-08 agreement with Susan Protzel, DDS, in the amount of \$49,800, to provide dental care to inmates at the County's adult and juvenile detention facilities.
- c. Authorize President to execute amendment to the FY 2007-08 agreement with Tarcisio Ching, increasing the contract by \$8,000 for a total amount not to exceed \$40,000, for consultation and training services related to the preparation of Targeted Case Management ("TCM") and mental health cost reports.
- d. Authorize President to execute agreement with Marin Community Clinics, in the amount of \$131,250, to provide project management of the Kaiser Specialty Care Access grant.

CA-9. Human Resources

Authorize President to execute First Addendum to the agreement with Liebert Cassidy Whitmore, increasing the amount by \$160,000, to provide continued legal services regarding labor negotiations, employee relations, and related legal matters.

CA-10. Information Services and Technology

Request to approve reallocation of a vacant 1.0 FTE ERP Systems Support Analyst II to 1.0 FTE ERP Senior Systems Support Analyst position, effective March 9, 2008, to support SAP financial modules.

CA-11. Parks

Authorize President to execute agreement with Fairbank, Maslin, Maullin and Associates, in the amount of \$34,500, to develop and conduct a countywide public opinion survey regarding parks and open space protection, wildland fire prevention, and farmland preservation.

CA-12. Public Works

- a. Request to adopt Resolution No. 2008-21, authorizing the Public Works Director, or his designee, to execute documents necessary to secure \$30,000 in grant funds from the California Integrated Waste Management Board ("CIWMB") for the Marin County Local Government Waste Tire Amnesty event.
- b. Request to approve plans and specifications and direct Clerk to advertise for bids for the Marin County Juvenile Hall Sally Port Addition Project. (Project No. 07-023)
- c. Authorize President to (i) execute Notice of Completion for the 2007 Pavement Rehabilitation Program-Southern Region Resurfacing; and (ii) approve final payment in the amount of \$81,211.11 and release retention amount of \$66,423.46, 35 days after Board action, to Ghilotti Construction Company, Inc. (Project No. ER07037)

- d. Authorize President to execute agreement with the Golden Gate Bridge, Highway and Transportation District ("GGBHTD"), in the amount of \$278,369, for operation of the Muir Woods bus shuttle service during the months of May to September 2008.
- e. Request to (i) approve Coordinated Resources, Inc. ("CRI") as a single source provider of Herman Miller furniture products and installation services according to specifications declared in Request for Proposal No. 2474 for a term of seven years (January 28, 2008 - January 28, 2015); and (ii) authorize Purchasing Agent to implement agreement, on an annual basis up to the amount budgeted for this project in the annual County budget.

CA-13. Treasurer

Monthly report of County, Schools, and District Investments as of January 31, 2008.

Vote: Motion carried 3-0

AYES: Supervisor Arnold, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Brown, Supervisor Adams

8. CONSENT CALENDAR B (Items CB-1 through CB-5)
("Consent Calendar B" reflects those agenda items requiring four affirmative votes relating to budgetary matters)

M/s Supervisor Arnold - Supervisor Kinsey to approve Consent Calendar B as presented.

(Supervisor Brown present at 11:23 a.m.)

CB-1. Community Development Agency

Request to (a) accept \$75,000 grant award from the Bay Area Air Quality Management District ("BAAQMD"), for staff support of Community Choice Aggregation ("CCA"); and (b) approve related budget actions as detailed in staff report dated March 4, 2008.

CB-2. Health and Human Services

- a. Request to (i) authorize President to execute FY 2007-08 agreement (#07-65822), and related documents, with the California State Office of AIDS, in the total amount of \$195,269, to provide outpatient health and support services to persons living with HIV/AIDS; and (ii) approve related budget actions as detailed in staff report dated March 4, 2008.
- b. Request to (i) accept \$5,000 award from the National Association of County and City Health Officials ("NACCHO") to support the Marin Medical Reserve Corp ("MMRC") program; and (ii) approve related budget actions as detailed in staff report dated March 4, 2008.

CB-3. Information Services and Technology

Request to transfer \$116,374 from IST/Marin.org to the Marin County Office of Education ("MCOE") to support institutional network deployment, as detailed in staff report dated March 4, 2008.

CB-4. Library

Request from the Director of County Library Services to accept the following donations and approve budget actions as detailed in staff reports dated March 4, 2008: (a) \$10,000 from an anonymous donor; (b) \$500 from Mark Schatz and Amy Peele; (c) \$300 from the Novato Republican Women Federated for the Novato Library; (d) \$300 from the Novato Republican Women Federated for the South Novato Library; and (e) \$200 from the Friends of the San Geronimo Valley Library.

CB-5. Public Works

- a. Request to re-establish current year appropriations in the Capital Improvement Fund for the following three programs, as detailed in staff report dated March 4, 2008: Marin Center Renaissance project, electrical line upgrades and Fair improvements.
- b. Authorize President to execute agreement with the Transportation Authority of Marin ("TAM") to receive \$243,342 in Measure A sales tax funds, for the Maria Silveira School Safe Pathway project; and approve budget actions as detailed in staff report dated March 4, 2008.

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

9. REPORT ON THE FIRST QUARTER RESULTS OF THE GREEN COMMUTE PROGRAM

By letter dated March 4, 2008, Assistant Public Works Director Saaid Fakharzadeh submitted his report and recommendations regarding the above-captioned matter.

Mr. Fakharzadeh provided a brief presentation on the program and noted that 419 or 19% of regular hire employees are participating. Mr. Fakharzadeh advised that staff is requesting that extra-hire employees be included in the program and added that employees have suggested that motorcycles, mopeds and hybrid autos also be included.

Supervisors Brown and McGlashan presented certificates to the County's award-winning green commuters as follows: Mark Isaacs, Ruth Trout, Michael Cividannis, Roy Asprer, Anthony Kwong, Brian Morris, Jacob Feickert, Jeff Oakes, and Christopher Corniola. Supervisor Brown announced that the Most Green award goes to Supervisor Susan Adams.

M/s Supervisor Brown - Supervisor Arnold to accept report and approve inclusion of extra hire employees in the Green Commute program as detailed in staff report dated March 4, 2008.

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

10. REPORT REGARDING THE FEDERAL EMERGENCY MANAGEMENT AGENCY ("FEMA") MAP MODERNIZATION PROGRAM AND CHANGES TO THE COUNTY SPECIAL FLOOD HAZARD AREAS ("SHFA")

By letter dated March 4, 2008, Public Works Director Farhad Mansourian submitted his report and recommendations regarding the above-captioned matter.

M/s Supervisor Arnold - Supervisor Brown to accept the status report on FEMA Map Modernization program and changes to County of Marin SHFA.

Mr. Mansourian briefly summarized the report, noting the importance of communicating these changes to the affected property owners. Mr. Mansourian noted that affected property owners will have until April 15, 2008, to appeal the proposed FEMA flood elevation determinations or until December 2008 to be grandfathered in at lower insurance rates if they obtain flood insurance by that time.

In response to questions from Supervisors Brown and Arnold, Mr. Mansourian advised that he has provided a copy of the staff report to the public works directors of all local jurisdictions.

In response to a question from Supervisor McGlashan, Senior Civil Engineer Eric Steger briefly discussed adjustments to the bayfront shoreline flood zone maps.

Mr. Mansourian also distributed a copy of a letter from Congresswoman Woolsey to the National Marine Fisheries Service regarding its denial of an environmental clearance for emergency work conducted by the County of Marin on the Novato Creek levee during the 2005-06 winter storm, which is costing Marin County \$226,000 in funding that would have been reimbursed by FEMA.

Thereafter, the vote on the pending motion was

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

11. RESOLUTION PROCLAIMING THE WEEK OF MARCH 1-7, 2008, AS "NATIONAL WEIGHTS AND MEASURES WEEK"

By letter dated March 4, 2008, Agricultural Commissioner/Director of Weights and Measures Stacy Carlsen submitted his report and recommendations regarding the above-captioned matter.

Mr. Carlsen acknowledged his staff, introduced Inspector Johanna Good, Supervising Inspector Laurel Thomassin, and Deputy Director Fred Crowder, and spoke briefly about the service provided to the public through the Weights and Measures Inspection Program.

M/s Supervisor Kinsey - Supervisor Arnold to adopt resolution proclaiming the week of March 1-7, 2008, as "National Weights and Measures Week" and recognizing the Marin County Weights and Measures inspection staff and program.

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

12. LIGHT BROWN APPLE MOTH ("LBAM") INFORMATIONAL UPDATE

Agricultural Commissioner Stacy Carlsen briefly updated the Board on the Light Brown Apple Moth ("LBAM") and the eradication methods currently being used, as well as the possibility of aerial pesticide spraying by the California Department of Food and Agriculture ("CDFA").

Mr. Carlsen commented on pending State legislation which recognizes the potential impact of agricultural pests, while recognizing the importance of public disclosure, possible environmental impacts of eradication methods, and the need for planning for future invasive pests. Mr. Carlsen particularly expressed support for AB 2763 (Laird) and recommended that staff work with Assemblymember Laird's office to broaden the proposed legislation to restore local funding as a front line defense against future infestations.

Board members discussed various options and directed staff to draft a letter for Board approval supporting AB 2763.

Several members of the public and representatives of the Health Council of Marin, Environmental Health Network of California, Marin Organic, Ecology House, Stop the Spray, and North Coast Rivers Alliance expressed opposition to the proposed aerial spraying, spoke about the need for a comprehensive study weighing potential risks and benefits, urged the Board to insure that local physicians are trained to recognize pesticide illnesses before aerial spraying occurs, consider training residents to assist in identifying and trapping the moths, spoke about the need for developing contingency plans in the event that aerial spraying does occur, urged the Board to adopt a moratorium on aerial spraying and join with Santa Cruz County in their lawsuit against the CDFA to stop aerial spraying, and urged the Board to adopt an ordinance making the unincorporated areas of Marin a pesticide free zone.

Board members pointed out that the State Legislature can adopt urgency legislation to ban LBAM aerial spraying, commented on Marin County's commitment to the use of non-toxics, directed staff to do everything possible locally to avoid the need for aerial spraying, spoke about the possibility of offering training programs and enlisting the public in trapping programs, commented on the need to make contingency plans for a public information campaign in the event that aerial spraying does occur, requested that staff research the County's legal options, directed staff to draft letters in support of current proposed legislation and to request that an EIR be completed prior to any aerial spraying, and commented on the possibility of considering a resolution opposing aerial spraying.

17. HEARING: RESOLUTION SETTING FEES FOR MARIN CENTER

By letter dated March 4, 2008, Cultural and Visitor Services Director Jim Farley submitted his report and recommendations regarding the above-captioned matter.

The hearing was declared open to receive public testimony. Seeing no one present to speak, the hearing was closed.

M/s Supervisor Brown - Supervisor Kinsey to adopt Resolution No. 2008-22 to set fees for the Marin Center, effective July 1, 2008.

In response to a question from Supervisor Kinsey, Mr. Farley advised that the proposed fees are incorporated in the Farmers Market agreement.

Thereafter, the vote on the pending motion was

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

19. HEARING: ORDINANCE AMENDING SECTION 12.04.105 OF THE MARIN COUNTY CODE REGARDING HANGAR SPACE FEES AT GNOSS FIELD

By letter dated March 4, 2008, Public Works Deputy Director Jeff Rawles submitted his report and recommendations regarding the above-captioned matter.

The hearing was declared open to receive public testimony.

A member of the public expressed concern regarding the proposed fee increase and urged the Board to give greater weight to recommendations from the Aviation Commission.

Seeing no one else present to speak, the hearing was closed.

In response to a question from Supervisor Kinsey, Mr. Rawles advised that historically there has not been a significant vacancy rate in the hangars and noted that non-airport uses of the hangars have been addressed.

Board members discussed the value and budget of Gness Field, as well as the services that the County provides to its users.

M/s Supervisor Arnold - Supervisor Brown to adopt Ordinance No. 3484 amending Section 12.04.105 of the Marin County Code adjusting tie down and hangar space fees at Gness Field.

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

13. REQUEST TO APPROVE ESTABLISHMENT OF THE CLASSIFICATION OF ENVIRONMENTAL COMPLIANCE SPECIALIST

By letter dated March 4, 2008, Human Resources Director Laura Armor submitted her report and recommendations regarding the above-captioned matter.

M/s Supervisor Kinsey - Supervisor Brown to (a) establish the new classification and adopt proposed salary range for Environmental Compliance Specialist (Class #1135), effective March 9, 2008; and (b) authorize position to be filled through promotional examination.

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

14. TENTATIVE AGREEMENT FOR A ONE-YEAR CONTRACT EXTENSION WITH THE FIRE OPERATIONS BATTALION CHIEFS' ASSOCIATION

By letter dated March 4, 2008, Human Resources Director Laura Armor submitted her report and recommendations regarding the above-captioned matter.

M/s Supervisor Brown - Supervisor Arnold to adopt a tentative agreement for a one-year contract extension with the Fire Operations Battalion Chiefs' Association, effective January 27, 2008.

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

15. REQUEST TO APPROVE THE ADDITION OF MAINTENANCE AND CUSTODIAL PERSONNEL POSITIONS FOR THE MARIN COUNTY HEALTH AND WELLNESS CAMPUS

By letter dated March 4, 2008, Public Works Assistant Director Craig Tackabery submitted his report and recommendations regarding the above-captioned matter.

M/s Supervisor Kinsey - Supervisor Arnold to approve the addition of 3.0 FTE Custodian positions, 1.0 FTE Maintenance Electrician position; and 1.0 FTE Building Maintenance Worker II position to provide operational support to the Health and Wellness Campus, effective July 1, 2008.

Supervisor Kinsey briefly noted that the operational costs of the campus will be offset by lease savings on current facilities and commented on the possibility of securing an independent review of the overall costs and savings to the County of operating the Wellness Campus.

Thereafter, the vote on the pending motion was

Vote: Motion carried 4-0

AYES: Supervisor Arnold, Supervisor Brown, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Adams

(Supervisor Brown absent at 12:54 p.m.)

16. SUBORDINATION AGREEMENT TO ENABLE HOMEWARD BOUND OF MARIN TO SECURE ADDITIONAL FINANCING FOR THE NEXT KEY AFFORDABLE HOUSING DEVELOPMENT

By letter dated March 4, 2008, Community Development Agency Director Alex Hinds and Affordable Housing Principal Planner Leelee Thomas submitted their report and recommendations regarding the above-captioned matter.

M/s Supervisor Arnold - Supervisor Kinsey to: (a) approve subordination of the \$100,000 loan (approved by the Board on March 13, 2007) from the In Lieu Housing Trust Fund to the \$3,000,000 loan from the Marin Community Foundation; and (b) authorize the President to execute the subordination agreement to enable Homeward Bound of Marin to secure additional financing for the Next Key affordable housing development.

Vote: Motion carried 3-0

AYES: Supervisor Arnold, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Brown, Supervisor Adams

18. APPOINTMENTS
Mental Health Board

Two term expirations as follows: One representing Public Interest (Jonathon Gurish) and one representing Family Members (Jacqueline Janssen). Both incumbents reapplied.

M/s Supervisor Arnold - Supervisor Kinsey to reappoint Jonathon Gurish.

Vote: Motion carried 3-0

AYES: Supervisor Arnold, Supervisor McGlashan, Supervisor Kinsey

ABSENT: Supervisor Brown, Supervisor Adams

The Board recessed at 12:55 p.m. to meet in closed session.

20. CLOSED SESSION

The Board met in closed session to discuss the following:

- a. Conference with legal counsel regarding existing litigation pursuant to California Government Code Section 54956.9(a). Name of Case: *Chaotoian, et al. v. County of Marin, et al.* United States District Court, Northern Division. Case No. C04-2790 MJJ.
- b. Conference with legal counsel regarding existing litigation pursuant to California Government Code Section 54956.9(a). Name of Case: *Miklos v. County of Marin.* Proceeding No. SFO 421874.

- c. Instructions to Labor Negotiator regarding Teamsters Deputy District Attorneys' bargaining unit pursuant to Government Code 54957.6.
- d. Conference with legal counsel regarding existing litigation pursuant to California Government Code Section 54956.9(a). Name of Case: *Bolinas Beach Preservation, LLC v. County of Marin*.

The Board reconvened in open session at 2:13 p.m. Supervisor Adams was absent.

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

The Board adjourned at 2:14 p.m. in memory of Lillian Lieff, Niels Schultz Jr. and Herbert Wallace.

SINE DIE

PRESIDENT

ATTEST:

CLERK