

**DRAFT**

REGULAR MEETING OF THE MARIN COUNTY BOARD OF SUPERVISORS HELD TUESDAY, AUGUST 3, 2010, AT 10:50 A.M.

Roll Call

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

The Board met as the Marin County Housing Authority Board of Commissioners at 9:37 a.m. and convened as the Board of Supervisors at 10:50 a.m. All Supervisors were present.

2. BOARD OF SUPERVISORS' MATTERS

Breastfeeding Awareness Month

Supervisor Adams commented on Consent Calendar Item CA-1 regarding Breastfeeding Awareness Month.

In Memoriam

Supervisor Adams requested an urgency finding to adjourn the meeting in memory of Marcia Amada, a nurse and volunteer with Rota-Care who served the health care needs of the homeless.

M/s Supervisor Adams - 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 Marcia Amada.

AYES: ALL

Metropolitan Transportation Commission ("MTC")

Supervisor Kinsey reported on last week's MTC meeting, including the adoption of climate change goals for the region in preparation for SB 375 (Redesigning Communities to Reduce Greenhouse Gases).

"Laura's Law"

Supervisor Kinsey commented on the costs associated with the expansion of mental health services under "Laura's Law," which creates "assisted outpatient treatment" as an alternative to civil commitment in California.

Marin Energy Authority ("MEA")

Supervisor McGlashan noted that the MEA will meet the reduction in greenhouse gas emissions goal set by the Metropolitan Transportation Commission ("MTC") in two years.

Supervisor McGlashan advised that the MEA Board will be conducting a half-day Board session to discuss the issuance of Requests for Proposals ("RFP") for energy generation projects in Marin County and for energy efficiency programs for residential customers.

Alameda Del Prado Bike Lane

Supervisor Arnold commented on the successful inauguration of the bike lane on Alameda del Prado in Novato.

Department of Justice Task Force on Mentally Ill Offenders

Supervisor Adams spoke briefly regarding a draft report issued by the Task Force discussing the impact of mentally ill offenders on the courts and local government.

"Laura's Law"

Supervisor Brown noted that Health and Human Services staff and the Mental Health Board have had preliminary discussions regarding Laura's Law and advised that he will keep the Board updated.

3. ADMINISTRATOR'S REPORT

Agenda Modification

County Administrator Matthew Hymel advised that Parks and Open Space staff has requested that Consent Item CA-4, regarding a request to accept a donation from the Friends of Corte Madera Creek, be removed from the Consent Calendar to be considered separately.

4. OPEN TIME

Homeless Shelters

A member of the public commented on Marin County's Shelter Grievance Policy and expressed concern that the Policy is not posted at the Mill Street Homeless Shelter.

Lawsuit

A member of the public spoke regarding a lawsuit filed against the County of Marin and expressed opposition to U.S. involvement in overseas wars.

Health Council of Marin

A member of the Health Council submitted a letter from the Chair expressing concern regarding recent Board action not to renew the Council. The Council member and a member of the public requested an extension to provide members the opportunity to respond to the Board's concerns.

Integrated Pest Management ("IPM") Commission

A member of the IPM Commission advised that the Commission supports this year's funding request for efforts to continue to implement the County's IPM ordinance.

5. CONSENT CALENDAR A (ITEMS CA-1 THROUGH CA-7)

("Consent Calendar A" reflects those agenda items that have prior policy approval from the Board.)

M/s Supervisor Adams - Supervisor Kinsey to approve Consent Calendar A, with Item CA-4 moved to Policy.

CA-1. Board of Supervisors:

Supervisor Adams requesting resolution proclaiming August 2010 as "Breastfeeding Awareness Month."

CA-2. Fire:

Authorize President to execute agreement with Lynne Osgood, in an amount not to exceed \$30,000, to coordinate defensible space and vegetation management in the area of Community Service Area ("CSA") #19.

CA-3. Health and Human Services:

NOTE: Agreements in item CA-3a through CA-3b are renewals of existing agreements that were included in and funded in the FY 2010-11 budget.

a. Authorize President to execute FY 2010-11 agreement with HomeBase, in the amount of \$75,000, to facilitate the grant proposal process for U.S. Department of Housing and Urban Development ("HUD") McKinney-Vento Homeless Assistance Act related grants.

- b. Authorize President to execute a multi-year Memorandum of Understanding ("MOU") with the Marin Community College District, College of Marin Dental Assisting Program to serve as a teaching site for dental assisting students.
- c. Authorize President to execute FY 2010-11 agreement with Dan Gardner dba Fiscal Experts Inc., in the amount of \$40,000, to provide financial management consulting services.
- d. Authorize President to execute FY 2010-11 agreement with Tom Steel Clinic - A Project of the Tides Center, in the amount of \$40,000, to provide outpatient primary health care for persons living with HIV.

CA-4. Parks

This item was removed from the Consent Calendar during the Administrator's Report to be considered separately.

CA-5. Probation:

- a. Authorize President to execute FY 2010-11 agreement with Bay Area Community Resources, in the amount of \$153,190, to provide drug and alcohol assessments of County jail inmates.
- b. Authorize President to execute agreement with the Canal Alliance, in the amount of \$50,000, for providing case management and counseling services to youth detained in Juvenile Hall under the jurisdiction of the Office of Refugee Resettlement.

CA-6. Public Works:

- a. Request to (i) award contract to the lowest responsible bidder for the 2010 County of Marin Bicycle Facility Project, to Ghilotti Bros., Inc. of San Rafael, CA, in the base bid amount of \$238,888; and (ii) authorize a 10% contract contingency in the amount of \$23,888.80 for a total construction cost of \$262,776.80. (Project No. 2008-41)
- b. Request to adopt Traffic Resolution No. 2032 establishing a preferential parking zone on a portion of Kent Avenue near Woodlands Market, Kentfield.

CA-7. Registrar of Voters:

Request to appoint Kevin Reilly to the Almonte Sanitary District Board of Directors, pursuant to California Elections Code 10515.

AYES: ALL

6. CONSENT CALENDAR B (ITEM CB-1)

("Consent Calendar B" reflects those agenda items requiring four affirmative votes relating to budgetary matters.)

M/s Supervisor Adams - Supervisor McGlashan to approve Consent Calendar B, as presented.

CB-1. Health and Human Services:

- a. Request to (i) recognize \$11,460 in Federal Emergency Contingency Funds for the provision of Marin Works Now! Employment services; (ii) authorize President to execute amendment to agreement with Strategic Energy Innovations, increasing the total contract amount to \$201,064; and (iii) approve related budget actions as detailed in staff report dated August 3, 2010.
- b. Request to (i) accept Bella Vista Foundation grant award, in the amount of \$42,280, for services for women at risk for postpartum depression; and (ii) approve related budget actions as detailed in staff report dated August 3, 2010.

AYES: ALL

CA-4. REQUEST TO ACCEPT DONATION IN THE AMOUNT OF \$65,000 FROM THE FRIENDS OF CORTE MADERA CREEK ON BEHALF OF THE D'ALESSIO FAMILY DONOR ADVISED FUND IN MEMORY OF CAROLE D'ALESSIO, FOR CONSTRUCTION OF AN OVERLOOK AT CREEKSIDE PARK

By letter dated August 3, 2010, Deputy Director Ron Miska submitted his report and recommendations regarding the above-captioned matter.

Principal Park Planner Steve Petterle and Friends of Corte Madera Creek President Sandra Guldman spoke briefly about Carole d'Alessio's contributions to the Friends of Corte Madera Creek organization and to the community. Ms. Guldman then presented a check for \$65,000 to Mr. Petterle in Carole's memory.

Supervisor Brown acknowledged Ms. d'Alessio's efforts as a steward of Corte Madera Creek and the entire Ross Valley watershed.

M/s Supervisor Brown - Supervisor Adams to accept a donation in the amount of \$65,000 from the Friends of Corte Madera Creek on behalf of the d'Alessio Family Donor Advised Fund in memory of Carole d'Alessio, for construction of an overlook at Creekside Park.

AYES: ALL

7. REQUEST FROM SUPERVISORS ARNOLD AND BROWN TO ADOPT RESOLUTION SUPPORTING CONGRESSIONAL ACTION RELATED TO PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS

By letter dated August 3, 2010, County Administrator Matthew Hymel submitted his report and recommendations regarding the above-captioned matter.

Board members and staff discussed PACE programs and actions by the Federal Housing Finance Agency ("FHFA") and Comptroller of the Currency ("OCC") to block their implementation.

M/s Supervisor Brown - Supervisor Arnold to adopt Resolution No. 2010-73 supporting Congressional action related to Property Assessed Clean Energy ("PACE") programs.

AYES: ALL

8. HEARING: ORDINANCE AMENDING VARIOUS SECTIONS OF MARIN COUNTY CODE EXTENDING SUNSET DATE FOR FOUR DISCRETIONARY COMMISSIONS

By letter dated August 3, 2010, County Administrator Matthew Hymel 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 McGlashan to adopt Ordinance No. 3547 amending various sections of Marin County Code extending sunset date for the Cultural Services Commission, the Human Rights Commission, the Parks and Open Space Commission, and the Women's Commission.

AYES: ALL

9. APPOINTMENTS

a. Human Rights Commission

Five term expirations as follows: four At-Large seats (Aref Ahmadia, Raphael Durr, Maureen McManus, Dennis Sato, incumbents) and one seat representing District 5 (Shelly Scott, incumbent). Applications were received from Aref Ahmadia, Martina Bedar, Esmeralda Garcia, Margot Geitheim, Phyllis Kuehn, Christian Martinez, Maureen McManus, Deanne Morton and Juliet Schiller for the At-Large seats and from Shelly Scott for the District 5 seat.

M/s Supervisor Brown - Supervisor Adams on behalf of Supervisor Arnold to appoint Shelly Scott to the District 5 seat.

AYES: ALL

Board members nominated the following applicants to be interviewed on a date to be determined for the four At-Large seats: Aref Ahmadia, Esmeralda Garcia, Margot Geitheim, Christian Martinez, Maureen McManus and Juliet Schiller.

b. Mental Health Board ("MHB")

One vacancy. An application was received from Martina Bedar and a letter dated July 20, 2010, was received from the MHB recommending her appointment.

M/s Supervisor Brown - Supervisor McGlashan to appoint Martina Bedar.

AYES: ALL

The Board recessed at 11:25 a.m. to meet in closed session.

10. CLOSED SESSION

The Board met in closed session for a conference with legal counsel regarding anticipated litigation, pursuant to California Government Code Section 54956.9(b)(1). Number of Potential Cases: Two.

The Board reconvened in open session at 1:15 p.m. All Supervisors were present.

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

The meeting was adjourned at 1:18 p.m. in memory of Marcia Amada.

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PRESIDENT

ATTEST:

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CLERK