REGULAR MEETING OF THE MARIN COUNTY BOARD OF SUPERVISORS HELD TUESDAY, MAY 22, 2007, AT 9:14 A.M.

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

The Board convened at 9:14 a.m. in Room 324 A.

1. BUDGET PLANNING WORKSHOP

The Board conducted a budget planning workshop for the County’s FY 2007-08 proposed budget. Board members and staff discussed several issues including implementation of the Countywide Plan, the future Road and Bridge Maintenance and Rehabilitation Program, affordable housing strategies, and development of a Capital Improvement Program workshop this summer.

Board members and staff agreed to public hearing dates of July 25 and 26, 2007, to consider adoption of the final FY 2007-08 budget.

The Board recessed at 10:18 a.m. and reconvened at 10:26 a.m. in room 330. Supervisor Brown was absent.

2. BOARD OF SUPERVISORS’ MATTERS

Adequate Housing
Supervisor Arnold briefly commented on three successful examples of affordable housing sites at Hamilton in Novato.

"National Bike Month"
Supervisor Adams commented on May being "National Bike Month" and noted that updates of the Marin Team Bike Challenges can be found on-line.

Association of Bay Area Governments ("ABAG")
Supervisor Adams reported that she attended an Association of Bay Area Governments ("ABAG") meeting last week and commented on several issues discussed, including 773 potential housing element units to be located in unincorporated Marin County and transit-oriented and conservation development priorities.

Marin Farmers' Market
Supervisor Adams congratulated the Marin Farmers' Market Association for receipt of the "Acterra Environmental and Sustainability Education" award.

Marin Emergency Radio Authority ("MERA")
Supervisor Kinsey reported that he attended a Marin Emergency Radio Authority ("MERA") Executive Committee meeting yesterday and commented on the merger of MERA with the Marin Telecommunications Agency ("MTA") and other joint services.

Housing of San Quentin Condemned Prisoners
Supervisor Kinsey acknowledged the continuing efforts of State Senator Carole Migden and Assemblymember Jared Huffman to revisit the issue of the expansion of housing for the condemned at San Quentin State Prison.

Continued
(Supervisor Brown present at 10:35 a.m.)

**West Marin Walking and Biking Tour**
Supervisor Kinsey summarized his 8-day West Marin walking and biking tour last week and acknowledged every community for their support and interest along the way.

3. **ADMINISTRATOR’S REPORT**

The County Administrator had nothing to report.

4. **OPEN TIME**

No member of the public addressed the Board at this time.

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 and do not exceed $500,000 in cost)

M/s Supervisor Arnold - Supervisor Adams to approve Consent Calendar A.

CA-1. **Board of Supervisors**
Supervisors Adams and Arnold requesting resolution commending Dr. Gordon Manashil upon his retirement as Physician-in-Chief of The Permanente Medical Group.

CA-2. **County Administrator**
Adopt Resolution No. 2007-78 continuing the local emergency declarations for the County of Marin, related to severe storm damage, in conformance with Government Code Section 8630.

CA-3. **Cultural Services**
Authorize President to execute agreement with KC & The Sunshine Band, in an amount not to exceed $40,000, for a performance at the Marin County Fair on Tuesday, July 3, 2007.

CA-4. **Health and Human Services**
NOTE: Agreement in item CA-4b is a renewal of an existing agreement that was included in and funded in the FY 2006-07 budget.

a. Authorize President to execute (i) amendment to FY 2006-09 agreement (No. 26401-2) with the California Department of Rehabilitation ("DOR"), increasing the maximum contract to a total amount of $194,037, for vocational rehabilitation services; and (ii) corresponding certification.

b. Authorize President to execute (i) Provider Participation Agreement for Federal Financial Participation with the California Department of Health Services ("CDHS") to provide Targeted Case Management ("TCM") services to eligible Medi-Cal beneficiaries; and (ii) corresponding certification.

CA-5. **Parks**
Request to award contract to lowest responsive bidder, RWR Construction of San Rafael, CA, in the amount of $154,310 with a $15,431 contingency, for slope repair below 23 Stetson Avenue, Corte Madera.

CA-6. **Public Works**

a. Authorize President to (i) execute agreement with the City of Larkspur for joint resurfacing of College Avenue, from Sir Francis Drake Boulevard to Estelle Avenue; and (ii) approve plans and specifications and direct clerk to advertise for bids for the 2006-07 Road Rehabilitation Project (Engineer’s estimate $1,585,000). (Project No. ER4-006)
b. Request to approve plans and specifications and direct clerk to advertise for bids for the 2007 Pavement Rehabilitation Program -- Northern Region Resurfacing. (Engineer's estimate $1,400,000). (Project No. ER07035)

c. Request to approve plans and specifications and direct clerk to advertise for bids for the 2007 Pavement Rehabilitation Program -- Central Region Resurfacing. (Engineer's estimate $4,000,000). (Project No. ER07036)

d. Request to approve plans and specifications and direct clerk to advertise for bids for the 2007 Pavement Rehabilitation Program -- Southern Region Resurfacing. (Engineer's estimate $2,200,000). (Project No. ER07037)

e. Request to approve plans and specifications and direct clerk to advertise for bids for the Marin Center Exhibit Hall Mechanical Improvements Project. (Engineer's estimate $350,000). (Project No. CAP-94025-07)

f. Request to approve assignment of existing corporate hangar site D (C-702) lease located at Gnoss Field from Louis C. Burnett (Burnett Aviation), to Jonathan and Bill Tunney.

g. Approve award of Invitation for Bid ("IFB") #2464 to Toyota Scion Marin of San Rafael, CA, in the amount of $157,413.45, for seven (7) Toyota Prius' to be used as replacement vehicles for various departments.

h. Approve award of Invitation for Bid ("IFB") #2465 to Folsom Lake Ford, of Folsom, CA, in the amount of $279,984.43, for eleven (11) Crown Victoria Police Interceptors for the Sheriff's Department.

i. Request to waive formal bidding process and approve the sole source purchase of a telephone system hardware upgrade at 120 North Redwood Drive, in the amount of $31,539.66, from Avaya Technologies of Milpitas, CA, for the Information Services and Technology Department.

j. Request to waive formal bidding procedure and approve single source purchase of an automatic mail sorter from National Presort, Inc., of Dallas, TX, in the amount of $112,566.72, for use by the Marin County Elections Department.

k. Approve award of Invitation for Bid ("IFB") #2463A to Radarsign, Inc. of Atlanta, GA, in the amount of $76,838.02, for the purchase and installation of eight (8) Radar Speed Driver Feedback ("RSDF") electronic signs for the Marin County Department of Public Works Traffic Engineering Division.

l. Authorize President to execute amendment to agreement with Harris and Associates, in the amount of $23,850 for a total amount of $327,773, related to the Bridge Maintenance Program.

CA-7. Registrar of Voters

Approve the Certification by the County Clerk of the results of the May 8, 2007, Special Election in the Petaluma Joint Union High School District.

AYES: ALL

6. SUPERVISOR ARNOLD REQUESTING APPOINTMENTS TO THE NORTH COAST RAILROAD AUTHORITY ("NCRA")

By letter dated May 22, 2007, Supervisor Arnold submitted her report and recommendations regarding the above-captioned matter and requested the Board to appoint two members and an alternate to the North Coast Railroad Authority ("NCRA").

M/s Supervisor Adams - Supervisor McGlashan to appoint Supervisor Judy Arnold and Novato Council Member Jim Leland to the North Coast Railroad Authority ("NCRA") and Novato Mayor Jeanne MacLeamy as an alternate.
In response to a request from Supervisors Adams and Kinsey, Supervisor Arnold advised that she will provide updates, on the status of the NCRA, to the Board on a regular basis.

Thereafter, the vote on the pending motion was

AYES ALL

7. REQUEST TO ACCEPT THE STATUS REPORT FOR CONCEPTUAL DESIGN FOR THE MARIN COUNTY HEALTH AND WELLNESS CAMPUS (PROJECT NO. CAP 90501)


County Administrator Matthew Hymel acknowledged Mr. Speer and Contract Project Manager Ann Ludwig for their hard work on this project and advised that the Department of Public Works will manage the construction phase of this project.

Mr. Fakharzadeh presented a brief history and status report on the Health and Wellness Campus and gave a visual presentation of the proposed site plan. Mr. Fakharzadeh advised that plans have been reviewed and discussed with the City of San Rafael’s Community Development and Public Works Departments and further advised that the Department of Health and Human Services has conducted a number of meetings to keep the community informed about the project.

Mr. Fakharzadeh thanked Mr. Speer, Ms. Ludwig, and Capital Planning and Project Manager Jeanne Miche; Health and Human Services Policy Analyst Bobbe Rockoff, Chief Assistant Director Margaret Kisliuk, Director Dr. Larry Meredith; Dennis Fisco of Seagate Properties; Bart McClelland of RMW Architecture and Interiors; and RHAA Landscape Architect Manuela King for their help and input on the project.

Ms. Ludwig responded to questions from Supervisor McGlashan regarding the use of photovoltaics, as shade structures over parking areas, and copper roof treatments.

In response to a question from Supervisor Kinsey, Mr. Fakharzadeh advised that construction on the Health and Wellness Campus will begin this fall, and that the project could be complete by the summer of 2008.

Board members expressed support for the Health and Wellness Campus. Supervisor Arnold suggested that staff prepare a report regarding the Health and Wellness Campus to be presented to the Mayors and City Councilmembers of Marin.

Health Council of Marin representative Dr. Sandy Ross expressed support for the Health and Wellness Campus.

M/s Supervisor Arnold - Supervisor Adams to accept the status report and approve the conceptual design for the Marin County Health & Wellness Campus Project, located at 3110, 3230, 3240, 3250, 3260 and 3270 Kerner Boulevard, San Rafael, and proceed with the completion of the Campus Project.

AYES: ALL

8. REQUEST TO CONSIDER RECOMMENDATION TO LIMIT HOURS OF OPERATION FOR THE MARIN COUNTY CIVIC CENTER GIFT SHOP

Continued
By letter dated May 22, 2007, County Administrator Matthew Hymel submitted his report and recommendations regarding the above-captioned matter and gave a brief overview of an option to limit the hours of operation of the Civic Center Gift Shop.

Cultural and Visitor Services Director Jim Farley noted agreement with staff’s recommendation to re-focus from a shopping experience to enhancing the educational experience for guests and County staff to learn more about the legacy of the Marin County Civic Center.

Marin County Docent and Gift Shop Volunteer Carol Athanasakos urged the Board to find a way to keep the Gift Shop open and submitted several petitions signed by approximately 333 concerned citizens.

Mr. Farley responded to questions from Supervisor Adams regarding the possibility of a Gift shop concierge, the percentages of employee and visitor shoppers, and posting the Gift Shop hours of operation on the website.

M/s Supervisor Adams - Supervisor McGlashan to: (a) approve staff recommendation as detailed in staff report dated May 22, 2007; and (b) direct staff to report back to the Board regarding the possibility of an educational gift shop with limited hours.

Board members individually expressed support of the recommendation to limit the hours of operation and acknowledged all Gift Shop volunteers for their hard work.

Thereafter, the vote on the pending motion was

AYES: ALL

Mr. Farley commented on a future proposal for a Civic Center audio tour and briefly commented on a 50th anniversary celebration in 2010.

14. HEARING: CONSIDERATION OF MARIN SANITARY SERVICE’S RATE INCREASE FOR REGULAR REFUSE COLLECTION IN THE ROSS VALLEY SOUTH FRANCHISE AREA

By letter dated May 22, 2007, Public Works Deputy Director Jeff Rawles submitted his report and recommendations regarding the above-captioned matter.

Board members and staff briefly discussed the rate analysis conducted by HF&H Consultants.

Marin Sanitary Service Chair Joe Garbarino responded to a question from Supervisor Adams regarding smaller rates for less refuse.

The hearing was declared open to receive public testimony.

Northern California Recycling Association member and Zero Waste Citizen’s Advisory Committee member Bruce Baum briefly commented on the rate increase and suggested hiring a consultant to restructure the agreement to reflect the County’s commitment to Zero Waste.

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

Board members and staff discussed several issues including retaining a consultant, exploring progressive rate structures, composting food and green waste, and examining smaller rates for smaller cans of refuse.
M/s Supervisor Brown - Supervisor Adams to authorize President to execute amendment to the agreement with Marin Sanitary Service adopting a 13.4% rate increase, effective June 1, 2007, for regular refuse collection in the Ross Valley South Franchise.

AYES: ALL

9. REQUEST TO AUTHORIZE PRESIDENT TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF AGING TO PROVIDE STATE-FUNDED, COMMUNITY-BASED SERVICES FOR SENIORS

By letter dated May 22, 2007, Health and Human Services Director Dr. Larry Meredith submitted his report and recommendations regarding the above-captioned matter.

M/s Supervisor Adams - Supervisor Arnold to: (a) authorize President to execute two agreements (AP-0708-05 in the amount of $1,325,684 and TV-0708-05 in the amount of $128,788) with the California Department of Aging, to provide state-funded, community-based services for seniors; and (b) adopt Resolution No. 2007-79 accepting FY 2007-08 grant awards AP-0708-05 and TV-0708-05 from the State Department of Aging and authorizing County to execute the grants.

Vote: Motion carried 4-0
AYES: Supervisor Arnold, Supervisor McGlashan, Supervisor Adams, Supervisor Kinsey
ABSENT: Supervisor Brown

10. REQUEST TO TAKE ACTIONS RELATED TO THE PROVISION OF MENTAL HEALTH SERVICES TO SEVERELY EMOTIONALLY DISTURBED CHILDREN IN MARIN COUNTY

By letter dated May 22, 2007, Health and Human Services Director Dr. Larry Meredith submitted his report and recommendations regarding the above-captioned matter.

M/s Supervisor Adams - Supervisor Arnold to: (a) accept $1,385,783 from the Marin County Office of Education ("MCOE") for children's mental health services provided by Community Mental Health Services; and (b) authorize the President to execute Memorandum of Understanding ("MOU") with the MCOE concerning the transfer of Federal Individuals with Disabilities Education Act ("IDEA") funds for mental health services in FY 2007-08.

Vote: Motion carried 4-0
AYES: Supervisor Arnold, Supervisor McGlashan, Supervisor Adams, Supervisor Kinsey
ABSENT: Supervisor Brown

11. REQUEST TO AUTHORIZE PRESIDENT TO EXECUTE AMENDMENT 02 TO THE WOMEN, INFANTS AND CHILDREN ("WIC") PROGRAM STATE CONTRACT, TO PROVIDE WIC BENEFITS TO MORE FAMILIES

By letter dated May 22, 2007, Health and Human Services Director Dr. Larry Meredith submitted his report and recommendations regarding the above-captioned matter.

M/s Supervisor Adams - Supervisor Arnold to: (a) authorize President to execute Amendment 02 to the Women, Infants and Children ("WIC") Program State Contract #05-45769, increasing the three-year contract amount by $255,904, for a total contract amount of $1,971,904, to provide WIC benefits to more families; and (b) approve related budget actions as detailed in staff report dated May 22, 2007.

Vote: Motion carried 4-0
AYES: Supervisor Arnold, Supervisor McGlashan, Supervisor Adams, Supervisor Kinsey
ABSENT: Supervisor Brown
12. **FIRST READING: ORDINANCE AMENDING CHAPTER 7.24 OF THE MARIN COUNTY CODE PERTAINING TO THE COMMUNITY DEVELOPMENT AGENCY, ENVIRONMENTAL HEALTH SERVICES DIVISION, FEE SCHEDULE**

By letter dated May 22, 2007, Community Development Agency Assistant Director Brian Crawford and Environmental Health Services Deputy Director Phil Smith submitted their report and recommendations regarding the above-captioned matter.

M/s Supervisor McGlashan - Supervisor Adams to request clerk to read ordinance by title only and schedule merit hearing for June 5, 2007, at 11:00 a.m.

Board members and staff discussed several issues including septic system fee increases, septic system repair incentives, improved grey water standards, the timing of the forthcoming revisions to the onsite wastewater regulations, and the possibility of a County-wide wastewater maintenance and monitoring program.

Thereafter, the vote on the pending motion was

Vote: Motion carried 4-0  
AYES: Supervisor Arnold, Supervisor McGlashan, Supervisor Adams, Supervisor Kinsey  
ABSENT: Supervisor Brown

The clerk read the title of the proposed ordinance and the merit hearing was set for June 5, 2007, at 11:00 a.m.

13. **REQUEST TO AUTHORIZE PRESIDENT TO EXECUTE AMENDMENT TO THE DOCUMENTS RELATED TO A HOME INVESTMENT PARTNERSHIPS PROGRAM AGREEMENT FOR THE ACQUISITION AND REHABILITATION OF THE BUCKELEW AVENUE APARTMENTS**

By letter dated May 22, 2007, Community Development Coordinator Roy Bateman submitted his report and recommendations regarding the above-captioned matter.

M/s Supervisor Adams - Supervisor Arnold to authorize President to: (a) execute amendment to the agreement with Buckelew Community Housing Development Organization, Inc., increasing the amount to $720,000; and (b) subject to County Counsel review, to execute subordination agreement(s) and related documents for the acquisition and rehabilitation of the Buckelew Avenue Apartments, 1103 Lincoln Avenue Apartments, San Rafael.

Vote: Motion carried 4-0  
AYES: Supervisor Arnold, Supervisor McGlashan, Supervisor Adams, Supervisor Kinsey  
ABSENT: Supervisor Brown

15. **APPOINTMENTS**

   a. **Commission on Aging**  
      Scheduled appointments for July 10, 2007, for four term expirations as follows: One representing District 2 (Stanley Green, incumbent), two representing District 3 (Andrea Feit-Dougan, Ruth Youngquist, incumbents), and one representing District 4 (Marjorie Belknap, incumbent).
b. **Aviation Commission**
Scheduled appointments for July 10, 2007, for two term expirations as follows: One representing District 1 (Richard Nave, incumbent) and one representing the Novato area (Frank Torr, incumbent).

c. **Children & Families Commission**
One At-Large term expiration. The incumbent, Alicia Suski has reapplied.

(Supervisor Brown present at 11:53 a.m.)

M/s Supervisor Adams - Supervisor Arnold to reappoint Alicia Suski to one At-Large term expiration.

AYES: ALL

d. **County Service Area ("CSA") #16 - Greenbrae**
Scheduled appointments for July 10, 2007, for two term expirations (Ted Canon and Greg Shaughnessy, incumbents).

e. **Library Commission**
Scheduled appointments for July 10, 2007, for five term expirations as follows: One representing District 1 (Lynn David Fickbohm, incumbent), one representing District 2 (Meredith Parnell, incumbent), one representing District 3 (Susan Haas, incumbent), one representing District 4 (Lawrence Smith, incumbent), and one representing District 5 (Barbara Madrid, incumbent).

f. **Mental Health Board**
Scheduled appointment for July 10, 2007, for one term expiration representing Family Members (Beverlee Kell, incumbent).

g. **Wildlife and Fisheries Committee**
i. One vacancy representing Sport Hunters. An application has been received from Brad Stompe.

Board members agreed to continue this appointment to a date to be determined.

ii. Scheduled appointments for July 10, 2007, for four term expirations as follows: One Conservation representative (Loretta Farley, incumbent), two representing Sport Fishermen (Brooke Halsey, Jr. and Alex Nichelini, incumbents), and one representing Sport Hunters (Ed Schulze, incumbent).

h. **Workforce Investment Board**

i. **Youth Commission**
Scheduled appointments for September 25, 2007, for twenty term expirations.

The Board recessed at 11:50 a.m. to meet as the Marin County Redevelopment Agency Board of Commissioners and reconvened at 11:56 a.m. All Supervisors were present.

The Board of Supervisors recessed at 11:57 a.m. to meet in closed session.
17. CLOSED SESSION

The Board met in closed session at 12:05 p.m. to discuss instructions to labor negotiator (Human Resources Director) regarding all bargaining units pursuant to Government Code Section 54957.6.

The Board reconvened in open session at 2:04 p.m. Supervisor Brown was absent.

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

18. PRESENTATION OF EMPLOYEE RECOGNITION LENGTH OF SERVICE AWARDS

President Kinsey announced that 96 employees would be honored at today’s ceremony for their dedication and commitment to the County and commended the 141 employees who have completed 15 and 10 years of service, noting that these employees will be recognized in their departments.

(Supervisor Brown present at 2:06 p.m.)

Volunteer Program Coordinator Joan Brown recognized Human Resources staff Bess Niemcewicz and Melissa Hathaway, and volunteers Faye Middleton, Joanne Elder and Janice Hughes for their assistance in presenting this program today. Ms. Brown also thanked Human Resources Director Laura Armor for her ongoing support of the employee and volunteer programs.

In recognition of 20 years of service, watches were given to the following employees: Heidi Allgaier, Scott Anderson, Veronica Berlin, Michele Boyer, Gary Brock, Arthur Brook, Charlene Brown, Nancy Carpenter, Jean Cochran, Wilcox Corbett, Philip Fifita, Cheryl Fisher, Judith Fry-Cady, Sherry Fuzesy, Katie Gaier, Peggy Glover, Nelson Gremmels, Raul Guerra, Ann Hathaway, Janet Hayes, David Hill, Cathy Horowitz, Scott Joubert, Myla Lyons, Patricia Maguire, Dorothy Martin, Dulce McAllister, Jean Moore, Lonnie Morris, Willie Payton, Jr., Tracy Pioli, Carolyn Potter, Kevin Pusser, Mari-Ann Gibbs Rivers, William Roberts, John Roy, Jr., Jay Ruskin, Katherine Saltman, Steven Shawler, Gill Dean Smith, Lois St. Sure, Reid Thaler, Elizabeth Thompson, Albert Wong and Nancy Zaharin.

In recognition of 25 years of service, engraved gold Cross pens were given to the following employees: Armando Alegria, David Bartholomew, Jodie Brooks, David Brown, Mary Lee Bulleri, Mary Buttaro, Carol Jean Cady, Kathy Isaacs, Betty Jackson, Margaret Johnston, Jalal Kazemi, Karen Kilian, Farimah Koleini, Myra Levin, Lawrence Lewis, Timothy Little, Marcie Lynch, Peter Maendle, Denise Martinez, Rene Mendez-Penate, Mary Mundal, Louise Pagone, Jon Roberts, Alfred Rodoni, Mark Sanders, Linda Saunders, Shelly Scott, Gloria Sweeney, Teresa Torrence-Tillman, Lynn Victorino, and Frederick Vogler.

In recognition of 30 years of service, engraved clocks were given to the following employees: Edward S. Berberian, Jr., Jim Farley, Glenn Godfrey, Janet Johanson, Frank A. Neer II, Marta Ann Osterloh, Deborah Poiani, Jeffrey Rawles, Richard Shelden, and Richard Wallace.

In recognition of 35 years of service, a monogrammed sterlign silver letter opener, along with a gift selected by their colleagues, was given to the following employees: John Baker, Glenn Becker, Nancy Boggs, Nancy Lee Hemmingway, Mary Hyams, Kathryn Mitchell-Ball, David Sexton, Sylvester Tracy and Jennie Trent.
In recognition of 40 years of service, Eligibility Supervisor Bette Bohman received a gift certificate.

The Board adjourned at 3:46 p.m.

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PRESIDENT

ATTEST:

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CLERK