AGENDA
Tuesday, May 6, 2008

The Clerk of the Board will issue a Supplemental Agenda on the Friday preceding this meeting. To see if there are any changes, please go to the County’s website at www.co.monterey.ca.us/cttb/agenda, or call the Clerk of the Board office at 755-5066. Urgency items, submitted after posting of the Supplemental Agenda and/or Regular Agenda, may be read in by the Clerk of the Board at the beginning of the meeting.
MEETING PROCEDURES

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901.

As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals requesting a disability-related modification or accommodation, including auxiliary aids or services, may contact the Clerk of the Board’s Office. A person with a disability who requires a modification or accommodation in order to participate in the public meeting may make these requests.

The agenda is divided into two sections:

CONSENT CALENDAR: These matters include routine financial and administrative actions, appear in the supplemental section, and are usually approved by a single majority vote.

REGULAR CALENDAR: These items include significant financial and administrative actions of special interest, appear in the white section, are classified by program areas and are usually approved by a single majority vote for each program. The regular calendar also includes “Scheduled Matters,” which are noticed hearings, work sessions and public hearings.

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Please walk to the rostrum and wait for recognition from the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Board, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board’s action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

TO ADDRESS THE BOARD DURING PUBLIC COMMENT: Please complete a Speaker Request Form, available on the rostrum, and submit it to the Clerk of the Board before the commencement of that agenda item. Public comments shall not pertain to matters on the agenda.

INTERPRETATION SERVICE POLICY: The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for translation assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un intérprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un intérprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipio de cualquier reunión de la Cámara de Supervisores.

All documents submitted by the public must have no less than ten (10) copies.

The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting.
AGENDA

9:00 a.m.

ROLL CALL:

CLOSED SESSION:

S-1 Closed Session under Government Code section 54950, relating to the following items:

a. Pursuant to Government Code section 54956.8, the Board of Directors of the Redevelopment Agency will confer with real property negotiators regarding the Ord Market area of the former Fort Ord; Negotiators: Supervisor Ila Mettee-McCutchon, Supervisor Dave Potter, and Jim Cook

b. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding one item of potential initiation of litigation.

c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding three items of significant exposure to litigation.

d. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
   1. James Huggins (WC)
   2. Elena Meza (WC)
   3. Sydney Portrum (WC)
   4. Luis Gomez (WC)
   5. Andrew Kopicki (WC)

e. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding the following significant exposure to litigation/liability claims:
   1. Claim of Kim Velasquez
   2. Claim of Randy Oka
   3. Claim of Robert Rubish
   4. Claim of Margarita Ruiz
A/C-1 Pursuant to Government Code Section 54956.9(b) & (c) the Board will confer with legal counsel regarding one item of significant exposure to litigation and/or initiation of litigation.

10:30 a.m.

ROLL CALL:

1. Pledge of Allegiance

2. Additions and Corrections

   The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

3. CONSENT CALENDAR – REGULAR (See Supplemental Sheet)

4. Board Comments, Referrals, and Updates

5. CAO Comments

6. Public Comment (Limited to 3 minutes per speaker)

APPOINTMENTS:

7. Appoint Benjamin Aguirre and Manuel Zuniga to the San Lucas County Water District Board for terms ending November 30, 2012. (Supervisor Salinas)

8. Appoint Sarah Mawhirter to fill the vacancy of Cameron Garcia to the Equal Opportunity Advisory Commission, representing the Gay, Lesbian, Bisexual, and Transgender Community, for a term ending December 31, 2008. (Full Board)


10. Appoint Robin Whiteley to the Commission on Disabilities, representing The Blind and Visually Impaired Center, for a term ending December 31, 2010. (Full Board)

11. Appoint Sonia Villalobos to the Greenfield Public Recreation District for a term ending December 31, 2012. (Supervisor Salinas)
SCHEDULED MATTERS:

S-2  a. Consider the information contained in the Mitigated Negative Declaration and Mitigation Monitoring Program adopted on June 1, 2006 by the State of California Department of Transportation;
   b. Adopt Resolution of Intent to: adopt amendments to the North County Implementation Plan, Section 20.144.060.C.2 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) and Section 20.144.080.D.2 (Agricultural Development Standards) allowing public safety improvements at Highway 1 and Salinas Road in North Monterey County consistent with the North County Coastal Land Use Plan; certify that the County intends to carry out the amendments in a manner fully in conformity with the California Coastal Act; and direct staff to submit the resolution to the California Coastal Commission for certification together with materials sufficient for a thorough and complete review.
   (PLN070600/Caltrans, approx. 1.6 mile stretch of Hwy 1 between Jensen and Trafton Roads)

S-3  Receive an oral presentation from the Monterey County Business Council (MCBC) regarding the Competitive Cluster (C²) Projects Status Report.

12:00 p.m.
Recess to Lunch- Legislative Committee Meeting

1:30 p.m. RECONVENE:

ROLL CALL:

S-4  Receive oral report and consider recommendations from the Legislative Committee meeting of May 6, 2008.

S-5  Consider continuing the hearing to a date uncertain for an appeal of Combined Development Permit consisting of a Coastal Administrative Permit (PLN050447/Reynolds) and design approval to allow the construction of a 1,610 square foot, 2-story single family residence with a 324 square foot attached garage, septic system and a Coastal Administrative Permit for a permanent well.
   (Appeal – PLN050447/Reynolds, 74 Corona Road, Carmel, Carmel Highlands Area, Coastal Zone)
ORDER FOR ADJOURNMENT
TO TUESDAY, MAY 13, 2008

FUTURE MEETINGS
Tuesday, May 13, 2008
Tuesday, May 20, 2008
Tuesday, June 3, 2008
CONSENT CALENDAR:

NATIVIDAD MEDICAL CENTER:

12.  a. Approve an $11 million increase in FY 2007-08 Budgeted Revenues and Appropriations for Natividad Medical Center (NMC), an 8.6% increase due to a 17.6% increase in overall in-patient (IP) and out-patient (OP) volume at NMC Year-to-Date (YTD) in FY 08 (4/5ths vote required); and
   b. Direct the Auditor-Controller to amend the FY 2007-08 Natividad Medical Center budget to increase estimated Revenues and Appropriations in the amount of $11 million.

CRIMINAL JUSTICE:

13.  a. Approve and authorize the Chief Probation Officer to accept a grant in the amount of $250,000 from the U.S. Department of Justice, for the planning and implementation of the Juvenile Sex Offender Response Team (JSORT) program during the period 07/01/07 through 12/31/09;
   b. Authorize the Chief Probation Officer to sign grant-related contracts, amendments, or extensions with the US Department of Justice;
   c. Approve increased estimated revenues and appropriations in the amount of $18,110 in Budget Unit 255-Probation during FY 2007-08 (4/5ths vote required);
   d. Approve the addition of one (1) FTE Probation Officer III position for the grant; and
   e. Direct the County Administrative Office and the Auditor-Controller's Office to amend FY 2007-08 Budget and incorporate approved changes in the FY 2008-09 Adopted Budget.

GENERAL GOVERNMENT:

14. Terminate the Resolution of Proclamation of a Local Emergency for actions taken on the Carmel River, Carmel area. (4/5ths vote required)

15.  a. Approve and amend the FY 2007-08 Assessor's Budget Unit 118 to reallocate one (1) Associate Personnel Analyst position to one (1) Senior Personnel Analyst position; and
   b. Direct the County Administrative Office and the Auditor-Controller's Office to amend the Assessor's Office Budget Unit 118 FY 2007-08 Budget and incorporate approved changes in the FY 2008-09 Adopted Budget.

16.  a. Approve an Agreement with Joe Fletcher Presents, Inc., to produce a concert at Laguna Seca Recreation Area;
   b. Authorize the Parks Director to issue the Standard Special Use Event Application Form; and
c. Authorize the Parks Department Director to sign the Concession Agreement for Special Events.

17. a. Amend Personnel Policies and Practices Resolution No. 98-394 to align salary for classifications of Communications Technician III, Telecommunications Technician III and Telecommunications Specialist III, as indicated in the attached board order; and
   b. Direct the County Administrative Office and the Auditor-Controller's Office to amend Budget Unit 151 FY 2007-08 Budget and incorporate approved changes in the FY 2008-09 Adopted Budget.

18. a. Approve the grievance settlement Side Letter for the Probation Association (Bargaining Units M and N), effective April 12, 2008;
   b. Approve and amend the FY 2007-08 budget for the Probation Department by adding $44,114 in appropriations and revenue (4/5ths vote required);
   c. Approve and amend the FY 2007-08 budget for the Juvenile Hall by adding $63,481 in appropriations and revenue (4/5ths vote required); and
   d. Direct the County Administrative Office and the Auditor-Controller's Office to amend the FY 2007-08 Budget and incorporate approved changes in the FY 2008-09 Adopted Budget.

19. a. Approve a two percent (2%) educational stipend program (linked to pay-for-performance) for all X Unit employees, effective January 1, 2008;
   b. Direct the County Administrative Office and the Auditor-Controller’s Office to incorporate this action in the FY 2008-09 Adopted Budget; and
   c. Direct the County Administrative Office and Management Council to jointly develop a recommendation to the County Board of Supervisors for a “pay-for-performance” program based on differentiating competencies, for X Unit employees, to be implemented no later than FY 2009-2010.

RMA - PLANNING DEPARTMENT:

20. Grant a stay of the time period for expiration of the map for the September Ranch Vesting Tentative Map pursuant to Government Code Section 66452.6 (c) and Section 19.05.060.B of the Monterey County Code because of pending litigation. (Stay - PLN050001/September Ranch, Carmel Valley Road)

RMA - PUBLIC WORKS:

21. a. Adopt Resolution finding that the closure of the North Wing of the Monterey County Courthouse continues to pose an emergency requiring immediate action; and
   b. Adopt Resolution ratifying the execution of emergency contracts and emergency actions taken by the Public Works Director or his designee to respond to the emergency. (4/5ths vote required)
22. a. Approve the FY 2008-09 Local Transportation Fund application in the amount of $1,989,422 for County contributions to various transportation programs; and
   b. Authorize the Public Works Director to execute and submit the FY 2008-09 Local Transportation Fund application to the Transportation Agency for Monterey County.

23. a. Adopt Resolution finding that the repairs and renovations in various shower stalls of the Monterey County Adult Detention Facilities, located at 1410 Natividad Road, Salinas, continues to pose an emergency requiring immediate action without adopting plans and specifications and giving notice for bids to let contracts; and
   b. Adopt Resolution ratifying the execution of emergency contracts and emergency actions taken by the Purchasing Manager or his designee to respond to the emergency. (4/5ths vote required)

24. a. Approve Amendment No. 2 to Professional Services Agreement No. A-09381 with Gerald W. Williams to provide additional project management and related administrative and analysis services as specified by the Public Works Department, Architectural Services Division, of the Resource Management Agency, in the amount of $21,000, for a total amount not to exceed $396,000 for a term to June 30, 2008; and
   b. Authorize the Contracts-Purchasing Officer to execute Amendment No. 2 to Professional Services Agreement No. A-09381 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

25. a. Award a contract in the total amount of $5,966,129, to RGW Construction, Inc., the lowest responsible bidder, for construction of the Thorne Road Bridge at Arroyo Seco River, County Bridge No. 317, State Bridge No. 44C-0183, Federal-Aid Project No. BRLKO-5944(073), Project No. 08-172165;
   b. Approve the Performance and Payment Bonds executed and provided by RGW Construction, Inc.;
   c. Authorize a contingency to provide funding for approved contract change orders not to exceed ten percent (10%) of the contract amount;
   d. Authorize the Public Works Director to execute the contract; and
   e. Authorize the closing of Thorne Road during the construction of the project.

26. a. Approve Change Order No. 1 to the Construction Agreement with Petroleum Telcom, Inc. for the installation of a communications tower and other improvements at the Agricultural Commissioner’s Office-King City Facility, 522 N. 2nd Street, King City, California, Project No. 8537, in the amount of $20,038, for a total amount not to exceed $145,328, plus the related ten percent (10%) contingency of $2,004, for a revised total contingency amount of $14,533;
b. Approve other increases to the project budget, accounting for additional staff time and increased scope for design and engineering, in the amount of $9,000, for a revised total of $45,273;

c. Authorize the Contracts/Purchasing Officer to execute Change Order No. 1 and future change orders that do not significantly alter the scope of work or change the approved Agreement amount; and

d. Direct the Auditor-Controller to transfer appropriations within Fund 009, Budget Unit 166, from line item 6310 (Maintenance-Facilities & Construction) to fixed asset line item 6784 (Agricultural Commissioner’s Office - King City) in the amount of $31,042.