ACTION MINUTES
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
TUESDAY, MAY 13, 2008
9:00 A.M.

ROLL CALL:
Present: Supervisors Armenta (Chair), Salinas, Mettee-McCutcheon, Potter

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 Fort Ord landfill and adjacent parcels; Negotiators: Supervisor Ila Mettee-McCutcheon, Supervisor Dave Potter, and Jim Cook.

RESULTS OF CLOSED SESSION: The Board met with real property negotiators and provided direction.

b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:

SA-3
1. Norman Speirs (WC)
2. Jessica Roche (WC)
3. Monica Flores (WC)
4. Megan Deann Allen
RESULTS OF CLOSED SESSION: SA-3 removed items 1, 2, and 3 from the agenda. The Board approved tentative agreements for items 4 and 5.

11. Pursuant to Government Code sections 54956.9(b) and 54956.9(c), the Board will confer with legal counsel regarding one item of significant exposure to litigation and/or potential initiation of litigation.

RESULTS OF CLOSED SESSION: SA 4 removed one item of significant exposure to litigation. The Board conferred with County Counsel regarding one item of significant exposure to litigation and/or potential litigation, and provided direction to Counsel on how to proceed in avoiding litigation.

d. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following public employee position:

1. Natividad Medical Center CEO

RESULTS OF CLOSED SESSION: The Board provided a performance evaluation, which is ongoing and will resume at a later date.

e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators (IHSS Unit), Elliott Robinson and Fran Buchanan, for the County of Monterey.

RESULTS OF CLOSED SESSION: The Board conferred with labor negotiators and provided direction.

10:30 A.M.

ROLL CALL:
Present: Supervisors Armenta (Chair), Calcagno, Salinas, Mettee-McCutchon, Potter

1. Pledge of Allegiance was led by Chairman Armenta

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 Section 54954.2 of the California Government Code.

Due to the need for immediate consideration by the Board of matters which arose after the posting of today’s agenda the Board is asked to make the following additions and corrections.

AC-1 Consent Item 12 Corrected: Appoint Javier J. Cervantes to the San Lucas County Water District Board for a term ending November 11, 2012 November 30, 2012. (Supervisor Salinas.)

Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes
3. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   Motion by Supervisor Potter, and seconded by Supervisor Calcagno. All Ayes

OTHER BOARD MATTERS:

4. Received Board Comments, Referrals, and Updates

5. CAO Comments – None

6. Public Comment (Limited to 3 minutes per speaker)
   · Rosalio Calderon, speaking through Spanish translator, requested assistance on a housing issues with CHISPA.
   · Hans Jongens spoke regarding the war in Mexico; U.S. borders; illegal residents; and the U.S. business climate.

7. Adopted Resolution No. 08-149 in recognition of the 5th Anniversary of the Hellenic Cultural Institute-California Central Coast. (Supervisor Mettee-McCutcheon)
   Motion by Supervisor Mettee-McCutcheon, seconded by Supervisor Salinas. All Ayes

8. Adopted Resolution No. 08-156 honoring Laura Giudici Mills for her many years of service and outstanding contributions to the Salinas River Channel Coalition. (Supervisor Salinas)
   Motion by Supervisor Mettee-McCutcheon, seconded by Supervisor Salinas. All Ayes

9. Adopted Resolution No. 08-157 proclaiming Kalah Bumba as the 2008 recipient of the Area Agency on Aging Advisory Council John MCune Senior Recognition Award. (Supervisor Armenta)
   Motion by Supervisor Mettee-McCutcheon, seconded by Supervisor Potter. All Ayes

10. Adopted Resolution No. 08-158 proclaiming May 11 - 17, 2008 as National Hospital Week. (Full Board)
    Motion by Supervisor Mettee-McCutcheon, seconded by Supervisor Potter. All Ayes

APPOINTMENTS:

11. Appointed Glen Alder to the Assessment Appeals Board as a regular Board member to fill the vacancy of Pat Mittelsteadt unexpired term ending July 1, 2009. (Supervisor Salinas)
    Motion by Supervisor Salinas, seconded by Supervisor Potter. All Ayes
   Motion by Supervisor Salinas, and seconded by Supervisor Potter. All Ayes

13. Appointed Becky Mann and Ryan Anthony Flagg to the Area Agency on Aging Advisory Council for a term ending January 1, 2011. (Full Board)  
   Motion by Supervisor Salinas, and seconded by Supervisor Potter. All Ayes

S/A-2 Appointed Tony Acosta to the community Action Commission to fill an unexpired term of Elva Perez for a term ending July 1, 2008. (Supervisor Salinas)  
   Motion by Supervisor Salinas, seconded by Supervisor Potter. All Ayes

SCHEDULED MATTERS

S-2 Received the Natividad Medical Center (NMC) Strategic Plan: VISION 2010 defining NMC’s Mission, Vision, and four Core Goals: Delivery System Realignment, Patient Care Quality and Service Excellence, Program and Service Development, and Professional Staff Development.  
   PUBLIC COMMENT:  
   · David Diaz, SEIU Steering Committee Member, supports the strategic plan.  
   Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes

COUNTY COUNSEL PROVIDED A REPORT ON RESULTS OF CLOSED SESSION. (See Agenda Item S-1 a - e)

Recessed to Lunch - Joint Board Leadership Committee

1:30 P.M.

RECONVENED:

ROLL CALL:
Present: Supervisors Armenta (Chair), Calcagno, Salinas, Mettee-McCutcheon, Potter

S-3 Considered continuing the hearing to June 10, 2008 for an appeal of the Zoning Administrator’s determination regarding the adoption of a Mitigated Negative Declaration and approval of a Combined Development Permit (PLN060735/ Skeen & Chang) consisting of a 1) Coastal Administrative Permit to allow the construction of a new two-story 2,950 square foot single family dwelling with a 545 square foot attached garage, 1,130 cubic yards of grading, and retaining walls; 2) Coastal Development to allow development within 750 feet of archaeological resources; and 3) Design Approval. (Appeal, Discretionary Decision - PLN060735/Skeen & Chang, 26327 Scenic Road, Carmel, Carmel Area Land Use Plan)  
   Motion by Supervisor Potter, seconded by Supervisor Salinas. Continued to Tuesday, July 8, 2008. All Ayes
S-4 Public hearing to consider the following:
   a. Deny appeal;
   b. Adopt the Mitigated Negative Declaration and Mitigation Monitoring
      Reporting Plan; and
   c. Approve a Coastal Development Permit consisting of a Tentative Parcel Map
      creating four parcels of 3 acres, 3 acres, 3 acres, and 11 acres, based on the
      Findings and Evidence and subject to the recommended Conditions
      (Appeal - PLN 080182/Jehovah’s Witnesses [ZA06672/Spanish
      Congregation])

PUBLIC COMMENT:
   · Speaking in support of the project were: Eva & Humberto Renteria; Margarita
     and Jesus Fernandez; Eva and Tomas Gomez; Daniel Ayala
   · Speaking in opposition to the project were: Marjorie Kay (submitted
     documents); Mari Koval (submitted document); Carolyn Anderson; Molly
     Erickson.

Motion by of Supervisor Calcagno, seconded by Supervisor Potter – referred
back to staff to develop an offset program; continued this matter for 60 days.
All Ayes

ORDER FOR ADJOURNMENT

APPROVED:

/s/ Supervisor Armenta
CHAIR, BOARD OF SUPERVISORS

ATTEST:
DENISE PENNELL
Interim Clerk of the Board

By:  /s/ Denise Hancock
DEPUTY

(Supplemental Agenda)
CONSENT CALENDAR
Motion by Supervisor Potter, seconded by Supervisor Calcagno. All Ayes

NATIVIDAD MEDICAL CENTER:

14. Approved and authorized the Chief Executive Officer (CEO) of Natividad Medical Center to sign the authorization(s) to destroy the specified list of records now held at Natividad Medical Center. (4/5ths vote required)

HEALTH AND SOCIAL SERVICES:

15. Agreement No. A-11152 Approved and authorized the Director of Health to sign State Agreement No. 08-85244 from the California Department of Public Health, for the purpose of implementing the Improving Asthma Control program in the amount of $86,000, beginning July 1, 2008 through June 30, 2010.

16. Concurred with the Monterey County Workforce Investment Board (WIB) to accept the WIB Annual Report for program year 2006-07.

17. Concurred with the Monterey County Workforce Investment Board (WIB) to approve the rescission of Workforce Investment Act (WIA) Title I Adult funds from Adult On the Job Training (OJT) contracts with Shoreline Workforce Development Services in the amount of $4,582 Arbor, Inc., in the amount of $6,097 and Turning Point in the amount of $5,481 to ensure that funds are available to refund the Federal government based upon their rescission of WIA Title I funds.

18. Agreement No. A-11153 Approved and authorized the Chief Probation Officer to sign the Memorandum of Understanding with the Monterey County Office of Education for the High Risk Youth Education and Public Safety Program - Through and Beyond Program to receive funds in the amount of $173,824 from July 1, 2007 through June 30, 2008.

GENERAL GOVERNMENT:

19. a. Agreement No. A-11154 Authorized the Auditor-Controller or designee to sign a Professional Services Agreement (PSA) with American Appraisal Associates, Inc., to conduct an appraisal of the fair market value of County owned assets at Lake San Antonio and Lake Nacimiento in the amount of $14,500; and
b. Approved a waiver of specific provisions of the County’s standard PSA related to indemnity.

20. a. Resolution No 08-161; Board Budget No. 07/08-184 Amended Personnel Policies and Practices Resolution No. 98-394 to Consolidate Assistant
Information Systems Director-Telecoms and Assistant Information Systems Director, Re-title, Increase Salary Range and move to Y Bargaining Unit;

b. Amended Personnel Policies and Practices Resolution No. 98-394 to Increase Salary Ranges of the classifications of Database Administrator I/II/III, Information Technology Manager, and Information Technology Business Manager to align these salaries with those requiring comparable technical skills and competencies; and

c. Directed the County Administrative Office and the Auditor-Controller’s Office to amend Budget Unit 193 - Information Technology and Budget Unit 151-Telecommunications, FY 2007-08 Budget, and incorporate approved changes in the FY 2008-09 Adopted Budget.

21. a. Resolution No. 08-162; Board Budget No. 07/08-185 Approved and amended the FY 07-08 Information Technology Budget 193 to reallocate one (1.0) Associate Personnel Analyst to one (1.0) Senior Personnel Analyst; and

b. Directed the County Administrative Office (CAO) and the Auditor-Controller’s Office to amend Budget Unit 193 FY 07-08 Budget and incorporate approved changes in the FY 08-09 Adopted Budget.

22. Agreement No. A-11042 Approved and authorized the Purchasing Manager to sign Amendment No. 1 to Agreement No. A-11042, Training Services Contract between "OfficeStar Computer Training Center," and the Information Technology Department, increasing the annual cap from $200,000 to $300,000, for the period November 1, 2007 through October 31, 2010.

23. a. Resolution No. 08-163; Board Budget No. 07/08-186 Amended Personnel Policies and Practices Resolution No. 98-394 to add the classification of RMA Ombudsperson;

b. Amended the FY 07-08 Budget Unit 194 to delete one (1.0) allocation to be determined (for X Unit) and add the appropriate job title level determined one (1.0) RMA Ombudsperson; and

c. Directed the County Administrative Office and the Auditor-Controller Office to amend the FY 07-08 Budget and incorporate approved changes in the FY 08-09 Adopted Budget.

24. a. Received draft action minutes from the May 6, 2008 meeting of the Legislative Committee;

b. Adopted a support position and request that Monterey County be added to the pilot program for AB 2231 (Hayashi) Marriage License: vital records: fees: domestic violence;

c. Adopted a support position on AB 541 (Huffman) Liability: genetically engineered plants; and

d. Adopted a support position on SB 967 (Simitian) Election precincts.

RMA - PUBLIC WORKS:
25. a. Agreement No. A-10527 Approved Amendment No. 4 to Professional Services Agreement No. A-10527 with Kleinfelter, Inc., to provide additional services associated with on-site laboratory construction materials testing for various construction projects, in the amount of $50,000, for a total amount not to exceed $175,000, for a term to June 30, 2008; and
b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 4 to Professional Services Agreement No. A-10527 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

26. a. Received written reports for County Service Areas containing service charges;
b. Set for Public Hearing on June 24, 2008, at 10:30 a.m., to consider protests and objections to said written reports; and
c. Directed the Clerk of the Board to publish a Notice of Public Hearing for said written reports once a week for two successive weeks beginning no later than May 23, 2008, in The Californian, The Monterey Herald, and The Rustler.

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