BOARD OF SUPERVISORS

Fernando Armenta 1st District (Chair)
Louis R. Calcagno 2nd District (Vice-Chair)
Simón Salinas 3rd District
Ila Mettee-McCutcheon 4th District
Dave Potter 5th District

Lew C. Bauman County Administrative Officer
Charles J. McKee County Counsel

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AGENDA
Tuesday, November 4, 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/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 with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

The agenda is divided into two sections:

REGULAR CALENDAR: These items include significant financial and administrative actions, and items of special interest, 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.

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

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Walk to the rostrum and wait for recognition by 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, 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.

DOCUMENT DISTRIBUTION: Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

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 interprete, 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 interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipación 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.
MONTEREY COUNTY BOARD OF SUPERVISORS  
TUESDAY, NOVEMBER 04, 2008  
9:00 AM  

AGENDA

9:00 A.M.

ROLL CALL:

CLOSED SESSION

1. Additions and Corrections to Closed Session Items

   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.

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

   a. Pursuant to Government Code section 54956.95, the Board will confer with
      legal counsel regarding liability claims against the County of Monterey.
      1. Harold Mahlon Wooldridge

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

   c. Pursuant to Government Code section 54956.9(a), the Board will confer
      regarding existing litigation:
      1. Bernardi, Patricia & The Open Monterey Project vs. Monterey County
         (M73763/H031648)

   d. Pursuant to Government Code section 54957.6, the Board will confer with
      labor negotiators.
      Designated representative(s): Keith Honda, Patricia Covert.
      Employee Organizations: Unit R.

10:30 A.M.

ROLL CALL:

2. Pledge of Allegiance
3. 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.

4. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

OTHER BOARD MATTERS:

5. Board Comments, Referrals, and Updates

6. CAO Comments

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

8. Adopt Resolution honoring Kathleen F. Scariot upon her retirement from the Monterey County Sheriff’s Office for thirty years of public Service. (Full Board)

9. Receive Budget Committee Report and Action Minutes for the 1st Quarter of Fiscal Year 2008-09.

SCHEDULED MATTERS:

S-2 Hold a Welcome Home Troops Ceremony honoring Monterey County residents returning from service in Operation Iraqi Freedom, Operation Enduring Freedom and other military combat associated with the Global War on Terror.

S-3 a. Approve amendments to the Treasurer's Investment Policy and adopt a Resolution re-establishing the Monterey County Treasury Oversight Committee and making certain technical corrections; and


ORDER FOR ADJOURNMENT
TO TUESDAY, NOVEMBER 18, 2008

Future Board Meetings:
Tuesday, November 11, 2008 – No Meeting
Tuesday, November 18, 2008
Tuesday, November 25, 2008 – No Meeting
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

10. Approve and authorize the Natividad Medical Center (NMC) Director of Purchasing to execute Amendment No. 7 to the Agreement between NMC and Monterey Anesthesia Professionals, a Medical Corporation, in an amount not to exceed $2,227,500 (an increase of $990,000 per year) for the term October 1, 2008 through December 31, 2010, for the provision of added dual anesthesia in-house professional services at NMC.

HEALTH AND SOCIAL SERVICES:

11. Approve and authorize the Director of Health to sign Amendment No. 3 to Agreement No. A-10970 with The Action Council of Monterey County, Inc., increasing the current Agreement amount of $632,500 by $35,750 for Fiscal Year 2008-09 for a revised maximum total Agreement amount of $668,250 for program implementation, community education, and training services for the period July 7, 2007 to June 30, 2010.

GENERAL GOVERNMENT:

12. a. Approve and authorize the transfer of $75,000 from the Emergency Communications Reserve Fund (Fund 80) to Budget Unit (BU) 152-Emergency Communications for equipment and services necessary to replace the County Multi-site controller used for law enforcement mobile data communications;
   b. Increase estimated revenue and appropriations by $75,000 in Fund 001, BU 152-Emergency Communications as detailed in the Board Order (4/5th vote required); and
   c. Direct the Auditor-Controller to transfer required funds and increase estimated revenue and appropriations as detailed in the Board Order.

13. Approve and authorize the Chair to sign Amendment No. 1 to the Revenue Neutrality Agreement between the County of Monterey and the proposed Town of Carmel Valley.

14. a. Approve the addition of one (1) Deputy County Counsel IV allocation in Budget Unit 121-County Counsel to provide additional services to Natividad Medical Center;
   b. Approve increased estimated revenue and appropriations of $124,354 to Budget Unit 121-County Counsel related to attorney costs covered by Natividad Medical Center (4/5th vote required); and
   c. Direct the Auditor-Controller to reflect approved actions in the Fiscal Year 2008-09 Budget as detailed in the attached Board Order.
15. a. Approve and authorize the Chair to execute an Agreement for the period of October 1, 2008 to September 30, 2009 in the amount of $27,832.65, including non-standard provisions, with ACS Enterprise Solutions, Inc., for software maintenance of IBM DB2 Content Manager for 205 users, IBM Content Manager iSeries Workflow, and IBM Content Manager iSeries Processor; and

b. Approve a policy allowing the use of the same proposed non-standard provisions, as determined by the County's Contracts and Purchasing Officer to be appropriate, in future ACS/Clerk Recorder Agreements of $100,000 or less, specific to the related unique and necessary services provided by this vendor, utilizing existing Purchasing Agent execution authority.


18. a. Accept the award of grant funds from the U.S. Dept. of Commerce, Economic Development Administration (EDA), to prepare economic development and infrastructure studies for the Castroville and Moss Landing communities;

b. Direct the Auditor Controller to reopen Budget Unit 182 – Economic Development and amend the FY 2008-09 budget to increase budgeted revenues and appropriations in Fund 001, Budget Unit 182 by $200,000 (4/5 vote required); and

c. Direct staff to implement the attached Work Program.

19. Adopt a Resolution to authorize the Director of Parks to file an application with Preserve America for a grant in the amount of $20,000 for Fiscal Year (FY) 2008-09 to fund an Historic Structure Report for the Andrew Marks House.

20. Accept the Annual Report for Fiscal Year 2007-08 from the Monterey County Fish and Game Advisory Commission.

21. Approve and authorize the Contracts/Purchasing Officer to sign Master Agreements with Belli Architectural Group, Huboi Architecture, Kitchell, Paul Davis Partnership, Sally Swanson Architects, Weston Miles Architects, and Wald Ruhnke & Dost, to provide professional architectural services on an as-needed basis for projects of $100,000 or less each, to the County of Monterey for the initial term of the date of signing the Agreements, through October 31, 2009, including the option to extend the Agreements for two (2) additional one (1) year periods, with a yearly aggregate value estimated not to exceed $2,000,000 for the Agreements, in accordance with the terms and conditions set within each Agreement.
22. Adopt a Resolution Electing the County’s Method to Receive Secure Rural Schools Funds from the U.S. Forest Service.

23. Approve a request from the Carmel Valley Fire Protection District for dry period loan of $600,000.00 for the Fiscal Year ended June 30, 2009.

24. Introduce, waive reading, and set November 18, 2008 at 10:30 a.m. for adoption of an ordinance of the County of Monterey, State of California, to amend the Title of Chapter 2.45 of, and Sections 2.45.010, 2.45.020, 2.45.030, 2.45.060, and 2.45.100 of, the Monterey County Code Relating to the Monterey - Santa Cruz Commission on Medical Care.

**RMA - PUBLIC WORKS:**

25. a. Consider adopting a Resolution to approve the submittal of a California River Parkways grant application in the amount of $2,161,345 for the Spreckels Boulevard/Reservation Road Bicycle Path and Bridge Project; and
   b. Authorize the Acting Public Works Director, or his designee, to act as the agent for the County in processing all documentation to secure California River Parkways Grant Program funds.

26. a. Accept a portion of the East Garrison Subdivision Improvements as completed;
   b. Approve reduction of the Faithful Performance Bond No. 5026126 issued by Bond Safeguard Insurance Company for off-site infrastructure improvements in the amount of $791,500; and
   c. Approve reduction of the Grading Bond No. SU5022535 issued by Arch Insurance Company in the amount of $4,026,000.

27. Authorize the placement of Mr. Yazdan Emrani at Step 4 of the Public Work's Director salary range in accordance with Personnel Policies and Practices Resolution No. 98-394, Section A.1.11.1, Non-Elected Unit Y Salary Steps, General Provisions.

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~See Supplemental Agenda below~
MONTEREY COUNTY
BOARD OF SUPERVISORS

Supplemental Agenda for Tuesday, November 4, 2008

AGENDA ADDENDA
THE FOLLOWING ITEMS HAVE BEEN ADDED TO THE AGENDA SINCE
RELEASE OF THE AGENDA TO THE PUBLIC:

Under Other Board Matters:

SA-1 Adopt a Resolution honoring “Undisclosed Recipient” of The Highlands Inn upon being named recipient of the 2008 Papa Vince Award. (Supervisor Potter)

SA-2 Adopt a Resolution commemorating the retirement of Mr. Nicolas Papadakis after 31 years of service to the Association of Monterey Bay Area Government. (Supervisor Calcagno)

SA-3 Adopt a Resolution honoring the Association of Monterey Bay Area Governments (AMBAG) upon the celebration of Their 40th Anniversary. (Supervisor Calcagno)

Under Consent Calendar:

Public Works:

SA-4 Emergency Watershed Protection Program Treatments for Big Sur. Staff recommendation to:
   a. Authorize the Chair of the Board to execute Cooperative Agreements with the Natural Resource Conservation Service for the Emergency Watershed Protection Program Treatments;
   b. Approve the form of and authorize the Resource Management Agency Director or the Acting Public Works Director to execute agreements with property owners for the implementation of the Emergency Watershed Protection Program Treatments;
   c. Authorize and direct the CAO, Resource Management Agency Director, Acting Public Works Director, Planning Director, and County Counsel to take such other and further actions necessary or appropriate, consistent with this action, to implement the Emergency Watershed Protection Program Treatments, including the modification of the form contracts based upon particular circumstances; the execution of emergency
professional services or construction contracts; and, the identification of grant or other funding sources to supplement the Emergency Watershed Protection Program funding;
d. Appropriate from the General Fund, and authorize the expenditure of, an amount not to exceed $1 million to implement the Emergency Watershed Protection Program Treatments, subject to reimbursement pursuant to the Emergency Watershed Protection Program or otherwise; and
e. Authorize and direct the CAO, County Auditor, County Treasurer, and County Counsel to adjust funding allocations, and transfer such funds as may be necessary or appropriate to implement this action.

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