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

NOTE: Charles McKee, County Counsel, recused himself from discussion of Closed Session item 1 a. due to possible conflict of interest.

1. a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
   1. Omni Resources, LLC vs. Monterey County, et al

RESULTS OF CLOSED SESSION: The Board provided direction on how to proceed.

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

RESULTS OF CLOSED SESSION: The Board provided direction to Counsel on how to try and resolve the items.
c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators (Units H, J, X, and Y); Keith Honda for the County of Monterey. 10:30 A.M.

RESULTS OF CLOSED SESSION: The Board provided direction on how to proceed with those negotiations.

10:30 A.M.

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

2. Pledge of Allegiance was led by Supervisor Armenta

3. Additions and Corrections

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 ADDED Resolution Honoring Kay Felice for being named the 1st Chairwoman of the Board to the Grower-Shipper Association by the Grower-Shipper Association in their 78 Year History representing over 300 members throughout Monterey, San Benito, Santa Cruz and Santa Clara counties. (Supervisor Armenta)

Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes

4. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

Motion by Supervisor Salinas, seconded by Supervisor Potter. All Ayes

5. CONSENT CALENDAR - PAJARO COUNTY SANITATION DISTRICT (See Supplemental Sheet)

Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes

6. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)

Motion by Supervisor Calcagno, seconded by Supervisor Salinas. All Ayes

7. CONSENT CALENDAR - MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet)

Motion by Supervisor Salinas, seconded by Supervisor Calcagno. All Ayes

OTHER BOARD MATTERS:

8. Received Board Comments, Referrals, and Updates
   · Referral by Supervisor Mettee-McCutchon: Review and provide recommendations regarding possible development of a standing committee
consisting of two members of the Board of Supervisors and two members of the
Salinas City Council to address issues of mutual concern.
· Referral by Supervisor Calcagno: Provide a monthly report to the Budget
Committee consisting of a consolidated schedule and budget summary of key
active capital projects.

9. CAO Comments – None

10. Public Comment (Limited to 3 minutes per speaker)
· Hans Jongens spoke regarding a meeting held in Washington DC to convert
United States to a North American Union; Mexico’s drug trade problems; and
oil prices.

11. Adopted Resolution No. 08-178 honoring Stephen T. Johnson upon his retirement
from the Salinas Valley Solid Waste Authority for nine years of public service.
(Supervisor Armenta)
Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes

SA-1 Adopted Resolution No. 08-179 honoring Miguel S. Errea for many years of
public service to the Planning Commission and the People of Monterey County.
(Full Board)
Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes

AC-1 Adopted Resolution No. 08-180 honoring Kay Felice for being named the 1st
Chairwoman of the Board to the Grower-Shipper Association by the Grower-
Shipper Association in their 78 Year History representing over 300 members
throughout Monterey, San Benito, Santa Cruz and Santa Clara counties.
(Supervisor Armenta)
Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes

APPOINTMENTS:

12. Reappointed Marc Davidian to the Carmel Highlands Fire Protection District for a
term ending June 30, 2012. (Supervisor Potter)
Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes

SCHEDULED MATTERS

S-1 Budget Hearings Continued (If Necessary). 12:00 p.m.
No Further Budget hearings

COUNTY COUNSEL PROVIDED RESULTS OF CLOSED SESSION (See Agenda
Items S-1, a-c)

Recessed to Lunch - Joint Board Leadership Committee and Legislative Committee
Meeting
1:30 P.M. RECONVENED:

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

S-2 Received oral report and consider recommendations from the Legislative Committee.

S-3 Considered and continued the hearing to a date uncertain for an appeal of a 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)
Motion by Supervisor Potter, seconded by Supervisor Mettee-McCutcheon
Continued to a date uncertain. All Ayes

S-4 Resolution No. 08-181 Public hearing held and adopted 2C FY 2008-09 assessment charges for the Salinas Valley Water Project.
Motion by Supervisor Calcagno, seconded by Supervisor Potter. All Ayes

S-5 Resolution No. 08-182 (Zone 2B); Resolution No. 08-183 (Zones 2Y, 2Z, 2B) Public hearing held and approved the FY 2007-08 assessments and water delivery charges for Zone 2B and FY 2008-09 assessments for Zones 2Y and 2Z for the Castroville Seawater Intrusion Project and the Salinas Valley Reclamation Project.
Motion by Supervisor Calcagno - except Zone 2B, seconded by Supervisor Potter. All Ayes.

Zone 2B - Motion by Supervisor Salinas, seconded by Supervisor Potter.
4 Ayes; 1 Recuse Supervisor Calcagno

S-6 Resolution No. 08-184 (Zones 1, 1A) Resolution No. 08-185 (Zones 8, 9, 12) Resolution No. 08-186 (Zone 17) Public hearing held and approved the FY 2008-09 benefit assessments for Zones 1, 1A, 8, 9, 12, and 17.
Motion by Supervisor Calcagno, seconded by Supervisor Potter. All Ayes

S-7 a. Agreement No. A-11216 Considered adoption of the Greater Greenfield Area Interim Memorandum of Agreement; and
b. Authorized the Chair of the Board of Supervisors to execute the Interim Memorandum of Agreement. (Greenfield Interim Memorandum of Agreement/PD060778)
Motion by Supervisor Salinas, seconded by Supervisor Calcagno. All Ayes
ORDER FOR ADJOURNMENT

APPROVED:

/s/ Supervisor Armenta
CHAIR, BOARD OF SUPERVISORS

ATTEST: ANNETTE D’ADAMO
Interim Clerk of the Board

BY: /s/ Denise Hancock
DEPUTY
CONSENT CALENDAR

Motion by Supervisor Salinas, seconded by Supervisor Potter. All Ayes

NATIVIDAD MEDICAL CENTER:

13. Agreement No. A-11190 Authorized the Purchasing Manager to execute the Contract Amendments with multiple vendors for various services at Natividad Medical Center.

HEALTH AND SOCIAL SERVICES:

14. a. Agreement No. A-11181 Approved and authorized the Director of Health to sign a Mental Health Services Agreement with Beverly Health and Rehabilitation Services, Inc., dba Golden Living Center San Jose, to provide services to adults with severe psychiatric disabilities, in the amount of $642,546 for FY 2008-09, $671,783 for FY 2009-10, and $702,370 for FY 2010-11, for a total maximum amount of $2,016,698; and

b. Authorized the Director of Health to sign up to three future amendments to this Mental Health Services Agreement where the amendments do not exceed ten percent (10%) of the original contract amount, and do not significantly change the scope of work.

15. Agreement No. A-10960 Approved and authorized the Director of Health to sign Amendment No. 1 to Agreement A-10960 with Unity Care Group, Inc., to decrease the existing Agreement amount of $2,847,998 by $941,893, to the new Agreement amount of $1,906,105, and add the "Campus Program" to provide mental health services to youth currently residing at Unity Care.

16. a. Agreement No. A-11182 Approved and authorized Director of Purchasing to sign an Agreement with Netsmart New York, Inc., in the amount of $2,298,560 for the initial term of three (3) years, with annual renewal of maintenance thereafter for the purchase, maintenance and installation of the licensing and hardware of the Integrated Behavioral Health Electronic Records System; and

b. Directed the Auditor-Controller’s Office to amend the FY 2007-08 Health Department Budget Unit 415 to increase appropriations and estimated revenues in the amount of $870,372. (4/5ths vote required)

17. a. Agreement No. A-11183 Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign an Agreement with Peacock Acres, Inc., for $415,000 to implement the Transitional Housing Program-Plus (THP-Plus) for emancipated Monterey County foster and probation youth for the period July 1, 2008 through June 30, 2009; and
b. Authorized the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to this agreement, where the total amendments do not exceed ten percent (10%) of the original contract amount, and do not significantly change the scope of work.

18. a. Agreement No. A-11184 Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign two (2) contracts with the Regents of the University of California, U.C. Davis Extension in the amount of $255,944 for the provision of staff training for FY 2008-09; and
   b. Authorized the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to this agreement, where the total amendments do not exceed ten percent (10%) of the original contract amount, and do not significantly change the scope of work.

19. a. Authorized the purchase of a Fujitsu #fi-5760C scanner for $5,010, scanning station license $1,000, software maintenance and upgrades for $700, and sales tax with shipping costs of $490 from Questys Solutions for a total purchase amount of $7,200; and
   b. Directed the Auditor-Controller to amend the FY 2007-08 Budget as outlined in the Board Order.

20. Agreement No. A-10218 Approved and authorized the Director of Health to sign Amendment No. 4 to Health Services Agreement A-10218 with American Medical Transport, Inc., dba Central Coast Ambulance Services, for the provision of transportation services for psychiatric or physically disabled clients, adding $37,695 to FY 2007-08, for a new total Agreement amount of $839,445, for the period of July 1, 2005 to June 30, 2008, and for transfer of ownership of the company.

CRIMINAL JUSTICE:

21. Approved the attached Side Letter between the County of Monterey and Monterey County Deputy Sheriffs’ Association, amending the Sheriff’s Office On Call of the Memorandum of Understanding for Unit A to add on call pay and meal stipend for one Enforcement Operations Bureau deputy to be assigned as a "resident deputy" in Big Sur during the summer months.

22. a. Approved and authorized the Sheriff to submit a grant application with the Federal Department of Justice, Bureau of Justice Assistance, Edward Byrne Memorial Discretionary Grants Program FY 2008-09 Congressionally Mandated Award for $1,207,370; and
   b. Authorized the County Administrative Officer to delegate administrative responsibilities for the grant to the Sheriff and authorize the Sheriff to sign the application, including all understandings and assurances contained therein.
GENERAL GOVERNMENT:

23/32. a. Agreement No. A-11185 Found that construction of the Storm Drain and Street Improvement Project Phase 4 on El Rancho Way, Virginia Avenue, Boronda Road, and Calle del Adobe in the Boronda Redevelopment Project Area is within the scope of the previously approved Mitigated Negative Declaration, and that no further environmental
b. Made findings consistent with Health and Safety Code Section 33445; and
c. Approved and authorized the Chair to sign a Funding Agreement between the County of Monterey and the Redevelopment Agency of the County of Monterey in the amount of $3,647,546 for the Implementation of said Project, for a term to begin July 1, 2008 and to continue until completion of the project, currently estimated to be June 30, 2011.


25. Agreement No. A-11186 Approved and authorized the Contracts/Purchasing Manager to sign Amendment No. 1 to Professional Services Agreement with ADHR Consulting for human resources (HR) services including succession planning, classification, training and staff development, salary, wage and benefits survey, and Labor Market forecasting, to amend the scope of services to include general and specialized Human Resources work as specified by County in support of its Human Resources business activities, and to increase the total amount payable from $40,000 to $150,000.

RMA - PLANNING DEPARTMENT:

26. a. Accepted the Parcel Map to divide a legal lot of record consisting of 11.1 acres, into two lots of 10.0 and 1.1 acres respectively;
b. Accepted the Tax Report from the Tax Collector, Indemnification Agreement, Deed Restriction, the Parcel Map and the Parcel Map Guarantee; and
c. Directed the Clerk of the Board to submit the Parcel Map, Indemnification Agreement and Deed Restriction to the County Recorder for filing. (Parcel Map/PLN050714/Abe, 25850 Encinal Road, Salinas, Central Salinas Valley Area Plan)

27. a. Accepted the Conservation and Scenic Easement Deed for the designation of 15.20 acres of Assessor’s Parcel Number 416-111-005-000 for restricted development and use so as to preserve the open space, scenic and natural resource values present on the property;
b. Authorized the Chair of the Board to execute the Conservation and Scenic Easement Deed; and
c. Directed the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing. (PC95029/Lucas-
28.  
   a. Approved the Final Map for the second phase of the East Garrison Standard Subdivision, which creates 315 residential parcels, 9 open space/park parcels, 13 town home parcels, 2 apartment parcels and 2 remainder parcels to be developed in approved future phases; Subdivision Improvement Agreement; Faithful Performance and Labor and Material Security; the Tax Clearance Letter from the Tax Collector; and the Subdivision Title Guarantee;  
   b. Authorized the Chair of the Board of Supervisors to execute the Subdivision Improvement Agreement; and  
   c. Directed the Clerk of the Board to submit the Final Map and the Subdivision Improvement Agreement to the County Recorder for filing. (Final Map - PLN03204/East Garrison Partners, Greater Monterey Peninsula Area Plan)

29.  
   a. Approved Amendment No. 2 to the Professional Services Agreement with Kimley-Horn and Associates, Inc., to provide technical analysis to complete the Transportation Element of the Monterey County General Plan Supplemental Environmental Impact Report, in the amount of $123,000, for a total amount not to exceed $191,100 for a term to October 31, 2008; and  
   b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 2 to the Professional Services Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amounts. (Contract - PD080501/Kimley-Horn and Associates, Inc., County-wide)

RMA - PUBLIC WORKS:  

30.  
   a. 2008CONST0008 Approved Plans and Special Provisions for the installation of bullet resistant glazing for the County Clerk/Recorder and County Assessor counters located at the Government Center, 168 West Alisal Street, 1st Floor, Salinas, Project No. 8814, Bid No. 10081; and  
   b. Authorized the Clerk of the Board to advertise the "Notice to Contractors" in The Californian on June 16 and June 23, 2008.

RMA – PAJARO COUNTY SANITATION DISTRICT:  
Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes  

31.  
   a. Set a public hearing on July 8, 2008, at 10:30 a.m. to consider protests and objections to a report of delinquent accounts for the Pajaro County Sanitation District; and  
   b. Directed the Clerk of the Board to publish a Notice of Public Hearing for the report of delinquent fees once no later than June 14, 2008, in The Californian and Monterey County Herald.
RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:
Motion by Supervisor Calcagno, seconded by Supervisor Salinas. All Ayes

32/23. Agreement No. A-11185 Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Found that construction of the Storm Drain and Street Improvement Project Phase 4 on El Rancho Way, Virginia Avenue, Boronda Road, and Calle del Adobe in the Boronda Redevelopment Project Area is within the scope of the previously approved Mitigated Negative Declaration, and that no further environmental review documentation is needed; and
   b. Approved and authorized the Chair to sign a Funding Agreement between the County of Monterey and the Redevelopment Agency of the County of Monterey in the amount of $3,647,546 for the Implementation of the Storm Drain and Street Improvement Project Phase 4 on El Rancho Way, Virginia Avenue, Boronda Road, and Calle del Adobe in the Boronda Redevelopment Project Area, for a term to begin July 1, 2008, and to continue until completion of the project, currently estimated to be June 30, 2011.

RMA - MONTEREY COUNTY WATER RESOURCES AGENCY:
Motion by Supervisor Salinas, seconded by Supervisor Calcagno. All Ayes

33. Held a public hearing on July 8, 2008, at 1:30 P.M. and recommend that the Board of Supervisors approve annexation of APN 125-102-046 totaling 5.00 acres into the Monterey County Water Resources Agency Zone 9 as a condition of approval for a minor subdivision, and direct applicant to supply proof of successful application with the State Board of Equalization.

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