AGENDA
Tuesday, September 23, 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 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 anticipo 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, SEPTEMBER 23, 2008
9:00 AM

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 54956.9(b), the Board will confer with legal counsel regarding two items of significant exposure to litigation.

b. Pursuant to Government Code section 54956.9(a), the Board will confer regarding existing litigation.
   1. Helping Our Peninsula's Environment vs. Monterey County Board of Supervisors (M82643)
   2. Sierra Club, et al. vs. County of Monterey, et al. (M82632)
   3. Robyn Snyder-Bush (WC)

  c. Pursuant to Government Code section 54957, the Board will confer regarding recruitment of Natividad Medical Center executive management staff.

  d. Pursuant to Government Code section 54956.9(b), the Board will confer with real property negotiators.
     Property: All Monterey County Superior Court facilities, locations: 240 Church Street, Salinas; 1200 Aguajito Road, Monterey; 250 Franciscan Way, King City; 3180 Del Monte Boulevard, Marina; and 1422 Natividad Road, Salinas.
     Agency Negotiator: Nick Chiulos
     Negotiating parties: The County of Monterey and the Administrative Office of the Courts, State of California
     Under negotiation: Price and terms

  e. Pursuant to Government Code section 54956.9(b), the Board will confer with real property negotiators.
     Property: One or more sites in the unincorporated area of the County
     Agency negotiator: Wayne Tanda
     Negotiating parties: County of Monterey and California Department of Corrections and Rehabilitation
     Under negotiation: Terms
f. Pursuant to Government Code section 54957, the Board will provide performance evaluations for the following:
   1. County Administrative Officer
   2. County Counsel

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)

OTHER BOARD MATTERS:

4. Board Comments, Referrals, and Updates
5. CAO Comments
6. Public Comment (Limited to 3 minutes per speaker)
7. Adopt a Resolution proclaiming October 3 through October 9, 2008, as “Bi-National Health Week.” (Full Board)
8. Adopt a Resolution proclaiming the month of September 2008, as “National Alcohol and Drug Addiction Recovery Month.” (Supervisor Armenta)

SCHEDULED MATTERS:

S-2 Receive and accept an oral presentation on the Enterprise Resource Planning (ERP) Project.

S-3 Adopt an Interim Ordinance to modify and extend Interim Ordinance No. 5086 for one (1) year, until and through October 1, 2009, temporarily limiting new development in the Carmel Highlands, pending the County’s study and consideration of an Onsite Wastewater Management Plan. (4/5th vote required) (Ordinance – PLN070521/Carmel Area Land Use Plan, Carmel Highlands)

S-4 Hold a public hearing continued from prior hearing dates to consider:
   a. Denial of the appeal by Willsen and De Amaral et al from the Zoning Administrator’s approval of a Combined Development Permit (PLN050447/Reynolds (Kashfi)); and
b. Approval of a Combined Development Permit (PLN050447/Reynolds (Kashfi)) consisting of: a Coastal Administrative Permit 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, and septic system; and a Coastal Administrative Permit for a permanent well.  
(Appeal – PLN050447/Reynolds (Kashfi), 74 Corona Road, Carmel Highlands, Carmel Area, Coastal Zone)

12:00 P.M.

Recess to Lunch – Legislative Committee Meeting

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-5 Receive oral report and consider recommendations from the Legislative Committee meeting of September 23, 2008.

S-6 a. Approve a Professional Services Agreement with Wood Rodgers, Inc. to provide environmental documentation and plans, specifications, and engineer's estimate for the Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment, Project No. 866865, in an amount not to exceed $1,048,896 for a term through December 30, 2011; and

b. Authorize the Contracts/Purchasing Officer to execute the Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

ORDER FOR ADJOURNMENT
TO TUESDAY, SEPTEMBER 30, 2008

Future Board Meetings:
Tuesday, September 30, 2008
Tuesday, October 7, 2008
Tuesday, October 14, 2008
Tuesday, October 21, 2008
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

9. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign a contract with Meals on Wheels of the Monterey Peninsula for $416,576, to provide congregate and home-delivered meals to Monterey County seniors for the period July 1, 2008 through June 30, 2009; and
   b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to the 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.

10. Authorize and approve the Department of Social and Employment Services to develop and submit a Volunteer Income Tax Assistance Grant Program application for an amount up to $29,986.

11. a. Authorize the purchase of two (2) 2008 seven-passenger minivans in the amount of $52,000 to be used by staff located at the Health Department's Women, Infants, and Children Branch; and
   b. Direct the Auditor-Controller to increase Fiscal Year 2008-09 appropriations and revenue as outlined in the Board Order.

CRIMINAL JUSTICE:

12. a. Approve and authorize the Chief Probation Officer to sign two (2) Memoranda of Understanding in the amounts of $158,084, and $183,490 with the Monterey County Office of Education for collaborative services with the Boronda Community School, and the Silver Star Resource Center, Independent Study Program during Fiscal Year 2008-09; and
   b. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.

13. a. Approve the reclassification of two (2) Supervising Office Assistant I to two (2) Supervising Office Assistant II;
   b. Amend the Fiscal Year (FY) 2008-09 Probation Department Budget Unit 255 to delete two (2) Supervising Office Assistant I and add two (2) Supervising Office Assistant II; and
   c. Direct the Auditor-Controller to incorporate these changes in Budget Unit 255-Probation for FY 2008-09.
GENERAL GOVERNMENT:

14. a. Adopt a Resolution approving the Office of Emergency Services to submit an application for the Homeland Security Fiscal Year (FY) 2008 Grant Program in the amount of $978,800; and
   b. Adopt a Resolution designating and authorizing as Monterey County representatives, the appropriate Auditor-Controller staff, Emergency Services Manager and Planner to execute grant documents.


16. a. Support expansion of the Monterey - Santa Cruz Commission on Medical Care to include Merced County; and,
   b. Direct County Administrative Office and County Counsel to draft an ordinance to amend County Code 2.45 Monterey - Santa Cruz Commission on Medical Care to include Merced County and to modify the Membership of the Commission.

RMA - PLANNING DEPARTMENT:

17. Approve and Authorize the Chair of the Board of Supervisors to execute a "Release of Liability" from the "Settlement Agreement and Release" between the Pebble Beach Company and the County of Monterey, County of Monterey Action No. 89303, the terms of a 1991 settlement agreement now fully performed by the Pebble Beach Company, encumbered property now owned by the Del Monte Forest Foundation with a deed restriction, and it has requested a release in order to convey the property. (PD080842)

RMA - PUBLIC WORKS:

18. a. Approve a Contract to Purchase Permanent Easement (APN 113-161-018) in the amount of $5,465 for the purchase of 0.1558 acre (6,786 sq. ft.) permanent road easement for the Russell Road and Van Buren Avenue Traffic Signal, Greater Salinas area; and
   b. Authorize the Acting Public Works Director to execute the Contract to Purchase Permanent Easement (APN 113-161-018) and the Certificate of Acceptance and Consent to Recordation on behalf of the County.

19. a. Approve and authorize the Contracts/Purchasing Officer to renew Lease Agreement A-07540 through June 30, 2018, with Salinas Airport Business Partners for 25,750 square feet of general office space located at 752 LaGuardia Street, Salinas, California, for use by the Department of Child Support Services;
   b. Direct the Auditor-Controller to make lease payments of $37,337.50 per month, effective July 1, 2008, and in accordance with the terms of the agreement; and
c. Authorize the optional extension of the Lease Agreement for an additional two, five-year periods under the same terms and conditions if deemed by the Contracts/Purchasing Officer to be in the best interest of the County.
MONTEREY COUNTY
BOARD OF SUPERVISORS

Supplemental Agenda for Tuesday, September 23, 2008

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

SA-1 Adjournment in Memory of Enid Sales

Under Scheduled Items:

SA-2 Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54957, the Board will provide performance evaluations for the following:
      1. County Administrative Officer
      2. County Counsel
      (This matter may be considered at any time during the day)

ITEMS REMOVED FROM AGENDA
THE FOLLOWING ITEMS HAVE BEEN REMOVED FROM THE AGENDA SINCE RELEASE OF THE AGENDA TO THE PUBLIC:

Under Closed Session:

SA-3 S-1 f. Pursuant to Government Code section 54957, the Board will provide performance evaluations for the following:
   1. County Administrative Officer
   2. County Counsel