AGENDA
Tuesday, October 28, 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 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 más 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
MONTEREY COUNTY REDEVELOPMENT AGENCY
TUESDAY, OCTOBER 28, 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 54956.8, the Board of Directors of the Redevelopment Agency will confer with real property negotiators.
   Property: Landfill adjacent properties in the Ford Ord Redevelopment Project Area.
   Agency negotiator: Jim Cook
   Negotiating parties: The Monterey County Redevelopment Agency and Cypress Marina Heights LP
   Under negotiation: Price and terms

b. Pursuant to Government Code section 54956.9(a), the Board will confer regarding existing litigation:
   1. William B. Burleigh vs. County of Monterey, et al. (USDC No. C07 02332 RMW)

c. Pursuant to Government Code section 54956.95, the Board will confer with legal counsel regarding liability claims against the County of Monterey.
   1. Gerrick Gloria Catugda
   2. Scott Morris

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.

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)

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

OTHER BOARD MATTERS:

6. Board Comments, Referrals, and Updates

7. CAO Comments

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

9. Adopt a Resolution honoring Fernando Armenta upon being recognized by the County of Monterey and the County Veterans Services Advisory Commission as a recipient of a 2008 Monterey County Veterans of the Year Award. (Calcagno)

10. Adopt a Resolution honoring Ronnie Lee Henderson upon being recognized by the County of Monterey and the County Veterans Services Advisory Commission as a recipient of a 2008 Monterey County Veterans of the Year Award. (Calcagno)

11. Adopt a Resolution honoring Allen L. Gill upon being recognized by the County of Monterey and the County Veterans Services Advisory Commission as a recipient of a 2008 Monterey County Veterans of the Year Award. (Salinas)

12. Adopt a Resolution honoring John Branson upon being recognized by the County of Monterey and the County Veterans Services Advisory Commission as a recipient of a 2008 Monterey County Veterans of the Year Award. (Potter)

13. Adopt a Resolution honoring Thomas L. Davis upon being recognized by the County of Monterey and the County Veterans Services Advisory Commission as a recipient of a 2008 Monterey County Veterans of the Year Award. (Mettee-McCutcheon)

14. Adopt a Resolution honoring Willie B. Smith upon being recognized by the County of Monterey and the County Veterans Services Advisory Commission as a recipient of a 2008 Monterey County Veterans of the Year Award. (Mettee-McCutcheon)
15. Adopt a Resolution honoring Thomas J. Perkins upon being recognized by the County of Monterey and the County Veterans Services Advisory Commission as a recipient of a 2008 Monterey County Veterans of the Year Award. (Mettee-McCutcheon)

**APPOINTMENTS:**

16. Appoint Mayor Gerald J. Wilmont, City of Marina, to the Community Restorative Justice Commission, for a term ending October 28, 2011. (Full Board)

**SCHEDULED MATTERS:**

S-2 a. Consider conducting a public hearing on Unmet Transit Needs in the unincorporated area of Monterey County in preparation for the Fiscal Year 2009-10 Local Transportation Funds allocation; and  
b. Consider referring all comments received to the relevant transit operators and the Public Works Department for analysis.

S-3 Jehovah Witnesses South Spanish Congregation/PLN 080185  
Staff recommendation: hold a public hearing to receive a status report and continued this item to a date to be determined  
(Appeal - 125 Sill Road, Las Lomas)

12:00 P.M.

Recess to Lunch – Health & Human Services Committee

1:30 P.M. RECONVENE

**ROLL CALL:**

**SCHEDULED MATTERS:**

S-4 a. Consider the certified Final Environmental Impact Report (EIR #95-01) prepared for the Yanks Air Museum Combined Development Permit (SH94002);  
b. Consider a Technical Addendum to the certified Final Environmental Impact Report prepared for a request to extend the Combined Development Permit; and  
c. Adopt a resolution approving an extension to expire on April 30, 2010, of the Combined Development Permit for the Yanks Air Museum.  
(Use Permit Extension – PLN060582/Yanks Air Museum, Greenfield area, Central Salinas Valley Area Plan)

S-5 Consider potential revisions to the Inclusionary Housing Ordinance to address agricultural subdivisions and provide policy direction to staff.
ORDER FOR ADJOURNMENT
TO TUESDAY, NOVEMBER 4, 2008

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

HEALTH AND SOCIAL SERVICES:

17. Approve the Area Agency on Aging 2007-08 Year-End Report and authorize the Chair to sign the Year-End Report Transmittal Letter.

18. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign an Agreement with West Ed for $106,500 to perform evaluation services for the C.A.R.E.S. Program from September 1, 2008 through March 31, 2009; and
   b. Authorize 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. Adopt a Resolution proclaiming a state of local emergency relating to the spread of HIV among injection drug users in Monterey County.

20. a. Authorize the Director of Health the sign Amendment No. 1 to the Practice Management System Agreement between OCHIN and Monterey County; and
   b. Accept the deviations from the County's standard indemnification language.

CRIMINAL JUSTICE:

21. a. Approve and authorize the Chief Probation Officer to accept a grant award in the amount of $430,348 from the US Department of Health and Human Services for the Silver Star Gang Prevention and Intervention Program for the period July 30, 2008 through December 29, 2009, and sign all grant-related documents and amendments; and
   b. Increase Fiscal Year 2008-09 revenues and appropriations in the amount of $394,486 in Budget Unit 256-Juvenile Institutions and Alternative Programs, for services funded by the grant (4/5th vote required).

GENERAL GOVERNMENT:

22. Approve the Action Minutes of Tuesday, September 16, 2008 and Tuesday, September 30, 2008; copies having been previously distributed to the Supervisors.

23. Approve and authorize the Contracts/Purchasing Officer to sign Master Agreements with Peninsula Business Interiors, California Commercial Interiors, Axiom II, and Palace Interiors, to provide office furniture including installation services on an as-needed basis for the County of Monterey for the initial term of the date of signing the Agreements, through December 31, 2011, 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 annually for the
cumulative total of all four Agreements, in accordance with the terms and conditions set within each Agreement.

24. Introduce, waive reading, and set November 4, 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.

25. Approve amendments to conflict of interest code of the Elections Department of Monterey County.

RMA - PUBLIC WORKS:

26. a. Adopt a 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 a Resolution ratifying the execution of emergency contracts and emergency actions taken by the Contracts Purchasing Officer, or his designee, to respond to the emergency (4/5ths vote required).

27. a. Approve a Right of Entry Agreement and Agreement for Installation of Improvements for the maintenance and repair of an existing drainage facility at Coast Road, between Mile Post 3.64 and 4.25, Big Sur area; and
   b. Authorize the Acting Public Works Director to execute the Right of Entry Agreement and Agreement for Installation of Improvements.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

28. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approve Amendment No. 2 to Professional Services Agreement dated July 3, 2007, with Keyser Marston Associates, Inc., to expand the Agreement's Scope of Work and extend the term of the Agreement to November 15, 2009; and
   b. Authorize the Redevelopment and Housing Office Director to execute the amendment and future amendments that do not significantly alter the Scope of Work or change the approved Agreement amount.

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Supplemental Agenda for Tuesday, October 28, 2008

AGENDA ADDENDA

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

Under Closed Session:
SA-1 S-1 b. 3. Patricia Bernardi, et al. vs. County of Monterey (M73763/H031648)

Under Scheduled Items:
SA-2 Receive report and give direction to staff on options following expiration of Interim Ordinance No. 5080, as modified and extended by Ordinance Nos. 5085 and 5090, relating to the processing of discretionary development entitlements pending the update of the County's General Plan.

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