AGENDA
Tuesday, March 31, 2009

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, http://monterey.granicus.com/ViewPublisher.php?view_id=5 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 anticipó 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, MARCH 31, 2009
9:00 AM

AGENDA

9:00 A.M.

ROLL CALL:

1. Additions and Corrections for Closed Session:

   Additions and Corrections for Closed Session: 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.

CLOSED SESSION

2. Closed Session under Government Code section 54950, relating to the following items:

   a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
      1. County of Monterey v. Burleigh (MCSC case no. M67206)
      2. Sabih v. County of Monterey (MCSC case no. M93135)

   b. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding potential initiation of one litigation case.

   c. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
      1. Griffith v. Monterey County Sheriff's Dept., et al. (MCSC case no. M 82580)
      2. Jackson v. Monterey County Jail, et al. (USDC case no. C07-01202 MMC)
      3. People v. Skanska USA Building, Inc. (MCSC case no. SS060789)

   d. Pursuant to Government Code sections 54956.9(a) and 54956.95, the Board will confer with legal counsel regarding existing litigation and a related liability claim.
      1. Revised Claim of Thayer Construction Inc.

   e. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
      1. Haws v. County of Monterey, et al. (USDC case no. C07-02599 JF)
f. Pursuant to Government Code section 54957, the Board of Supervisors will confer regarding appointment to the position of Natividad Medical Center CEO.

g. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators. 
   Designated representatives: Keith Honda and Patricia Covert
   Employee organizations: All Units

10:30 A.M.

ROLL CALL:

3. Pledge of Allegiance

4. 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.

5. CONSENT CALENDAR – REGULAR (See Supplemental Sheet)

OTHER BOARD MATTERS:

6. Board Comments, Referrals, and Updates

7. CAO Comments

8. Public Comment (Limited to 3 minutes per speaker)
   This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information, or request staff to report back to the Board at a future meeting.

9. Authorize the chair to execute a letter of support on behalf of the Board of Supervisors to Kathy Cummings of the Department of Health and Human Services regarding the development of a new clinic in the community of Pajaro.

10. Adopt Resolution proclaiming the week of April 6, 2009, as "National Work Zone Awareness Week." (Full Board)

11. Adopt Resolution in memoriam of the life of Council Member Dale Skillicorn of the City of Watsonville, who passed away on March 14th at seventy-one years of age. (Supervisor Calcagno)
12. Adopt Resolution extending greetings to the residents of Ladispoli, Lazio of the Italian Republic; and, a proclamation of their most sincere appreciation for welcoming and hosting Ms. Nancy Ausonio and Mr. & Mrs. Greg Burch as they represent the community of Castroville (The Artichoke Center of the World) at the 2009 Sagra del Carciofo Romanesco. (Supervisor Calcagno)

13. Adopt Resolution honoring Alberto Murrillo, upon his selection as one of six Jefferson Award Honorees for 2009. (Supervisor Calcagno)

14. Adopt Resolution honoring Arthur "Art" Brusa, upon his selection as one of six Jefferson Award Honorees for 2009. (Supervisor Calcagno)

15. Adopt Resolution honoring Rick Shelton, upon his selection as one of six Jefferson Award Honorees for 2009. (Supervisor Calcagno)

16. Adopt Resolution honoring Theresa "Gina " Castaneda, upon her selection as one of six Jefferson Award Honorees for 2009. (Supervisor Calcagno)

17. Adopt Resolution honoring Sean Culligan, upon his selection as one of six Jefferson Award Honorees for 2009. (Supervisor Calcagno)

18. Adopt Resolution honoring F. Warren Wayland, upon his selection as one of six Jefferson Award Honorees for 2009. (Supervisor Calcagno)

**APPOINTMENTS:**

19. Reappoint Margaret Robbins to the Housing Advisory Committee, term ending April 10, 2011. (Supervisor Potter)

20. Reappoint Wayne Ross to the Housing Advisory Committee, term ending April 12, 2011. (Supervisor Potter)

21. Reappoint Mike Hosfelt to the Fish & Game Advisory Commission, term ending February 1, 2012. (Supervisor Parker)

22. Appoint Dr. Steven Ruth to the Fish & Game Advisory Commission, term ending February 1, 2012. (Supervisor Parker)

23. Reappoint John Scourkes to the Historical Resources Review Board, term ending December 31, 2011. (Supervisor Parker)

24. Appoint John O'Brien and Roy Robbins to the Natividad Medical Center Board of Trustees, terms ending June 30, 2012. (Full board)

25. Appoint Rodney Braga and Margaret L. Eaton, Pharm. D. J.D. to the Natividad Medical Center Board of Trustees, terms ending June 30, 2011. (Full Board)
26. Reappoint Jesse Armenta to the Natividad Medical Center Board of Trustees, term ending June 30, 2011. (Full Board)

**SCHEDULED MATTERS:**

S-1 Continue to April 21, 2009, consideration of the scope of work and budget for the update of the Moss Landing Community Plan and preparation of an Environmental Impact Report. (PS080541/Moss Landing Community Plan, North County Coastal)

S-2 Update on County Activities Relative to Assembly Bill 32 (California Global Warming Solutions Act):
   a. Receive report regarding measures and activities undertaken to date or in progress and potential additional measures and opportunities that may be pursued by the County; and
   b. Provide direction to staff on possible next steps.

S-3 Oral presentation on the blueprint planning process for the Monterey Bay Region.

**12:00 P.M.**

Recess to Lunch – Continue Closed Session

**1:30 P.M. RECONVENE**

**ROLL CALL:**

**SCHEDULED MATTERS:**

S-4 Consider and approve recommended County Financial Policies containing countywide financial principles and strategies for building the Fiscal Year (FY) 2009-10 Recommended Budget and ongoing fiscal management.

S-5 Receive update on approaches for addressing the County General Fund structural budget gap.

S-6 a. Authorize the issuance of lay-off notices to employees with an effective date of July 1, 2009, contingent upon adoption of the Fiscal Year (FY) 2009-10 Final Budget scheduled for June 30, 2009;
   b. Approve use of five percent (5%) and ten percent (10%) Net County Cost Budget Reduction Proposals developed by Department Heads, Attachment A, as the current source document for Department Heads to use for the issuance of lay-off notices;
   c. Approve providing Department Heads some flexibility to withhold issuance of a lay-off notice due to unanticipated vacancies/resignations that may materialize in the next few months;
   d. Direct staff to return to the Board with further identified layoffs within the next few weeks; and
e. Direct the County Administrative Office—Human Resources Division to provide on-going reports on the number of affected employees placed through the County’s Inplacement/Outplacement Program.

ORDER FOR ADJOURNMENT TO TUESDAY, APRIL 14, 2009

Future Board Meetings:
Tuesday, April 7, 2009 – No Meeting
Tuesday, April 21, 2009
Monday, April 27, 2009 – Special Meeting (Closed Session)
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

27.  a. Approve and authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with B. E. Smith Interim Services, for Interim Management Services at NMC in an amount not to exceed $452,000 for the period March 15, 2009 through June 30, 2010; and
   b. Direct the Auditor-Controller to amend Fiscal Year (FY) 2008-09 Natividad Medical Center Budget Unit 960 to increase revenue and appropriations by $66,000 (4/5th vote required).

28.  Amend the Natividad Medical Center (NMC) Bylaws to promote efficient appointment of Trustees and facilitate the Board of Trustees' oversight of NMC operations.

29.  a. Approve and amend Personnel Policies and Practices Resolution No. 98-394 to add the following Classifications: Hospital Network & Systems Engineer, Hospital Information Systems Support Technician, Hospital Security & Database Administrator, Hospital Clinical Informaticist, Hospital Software Analyst I, Hospital Software Analyst II, and Hospital Software Analyst III;
   b. Approve and amend the Natividad Medical Center Budget Unit 960 to delete five (5.0) FTE to be determined, two (2.0) FTE Business Technology Analyst II, two (2.0) FTE Office Assistant III, and one (1.0) FTE Departmental Information Systems Coordinator, effective June 20, 2009, and add two (2.0) FTE Hospital Network & Systems Engineer, two (2.0) FTE Hospital Information Systems Support Technician, one (1.0) FTE Hospital Security & Database Administrator, one (1.0) FTE Hospital Clinical Informaticist, and four (4.0) FTE Hospital Software Analyst III, effective March 31, 2009; and
   c. Direct the Auditor-Controller to amend the Fiscal Year (FY) 2008-09 Natividad Medical Center Budget Unit 960 to reflect the change in position count.

30.  a. Approve and amend Personnel Policies and Practices Resolution No. 98-394 to add the following classifications: Hospital Chief Information Officer and Hospital Chief Medical Officer;
   b. Approve and amend the Natividad Medical Center Budget Unit 960 to add one (1.0) FTE Hospital Chief Information Officer and one (1.0) FTE Hospital Chief Medical Officer;
   c. Direct the Auditor-Controller to amend the Fiscal Year (FY) 2008-09 Natividad Medical Center Budget Unit 960 to reflect the change in position count;
   d. Approve and amend Personnel Policies and Practices Resolution No. 98-394 to retitle the following classifications: NMC Chief Executive Officer to Hospital Chief Executive Officer; NMC Chief Financial Officer to Hospital Chief Financial Officer; NMC Chief Nursing Officer to Hospital Chief
Nursing Officer; and NMC Assistant Administrator to Hospital Assistant Administrator; and

e. Approve and amend Personnel Policies and Practices Resolution No. 98-394 to adjust the salary ranges for the Hospital Specific Executive-Level Classifications of Hospital Chief Executive Officer, Hospital Chief Financial Officer, Hospital Chief Nursing Officer and Hospital Assistant Administrator in accordance with the NMC compensation philosophy.

**GENERAL GOVERNMENT:**

31. a. Approve and authorize the Purchasing Manager to sign a Professional Services Agreement with the Resource Conservation District of Monterey County (RCD) in an amount of $70,000 for the period of March 1, 2009 through March 30, 2012, to provide assistance with Weed Management Area Programs for the Agricultural Commissioner's Office; and

   b. Waive the insurance endorsement requirements.

32. Approve Resolution designating County staff positions to authorize and execute documents and applications for the purpose of obtaining financial assistance with the Fiscal Year 2009 Emergency Management Performance Grant.

33. Approve a Premium Contribution Plan for Optional Benefits to take effect on April 1, 2009, separating the employee “optional benefits” plan from health, dental and vision benefits plan.

34. a. Approve amended response to the Monterey County Civil Grand Jury 2008 Final Report; and

   b. Direct the County Administrative Officer to file the approved amended response with the Presiding Judge of the Superior Court, County of Monterey, by April 13, 2009.

34.1 a. Approve specifications for fluid applied roofing system to the Skip Barber Building at Laguna Seca Recreation Area, Bid No. 10131, and authorize solicitation of bids; and

   b. Direct the Clerk of the Board to solicit bids to be opened on Thursday April 23, 2009 at 9:00 a.m.

34.2 a. Approve specifications for annual maintenance and repair of Parks Department roadways at Laguna Seca Recreation Area, for calendar year 2009 (January 1, 2009 through December 31, 2009), Bid No. 10187, and authorize solicitation of bids; and

   b. Direct the Clerk of the Board to solicit bids to be opened on April 23, 2009 at 9:30 a.m.
RMA - PLANNING DEPARTMENT:

35.  a. Amend the Fiscal Year (FY) 2008-09 Planning Department, Budget Unit 293 to reallocate one (1) Senior Planner and (.05) of an Associate Planner, to two (2) Land Use Technicians; and
   b. Direct the Auditor-Controller to reflect this change in the FY 2008-09, Planning Department, Budget Unit 293.

RMA - PUBLIC WORKS:

36.  a. Approve submittal of three State-legislated Safe Routes to School Program grant applications to Caltrans for a total not to exceed $900,000 for any one project; and
   b. Authorize the Director of Public Works, or his designee, to act as the agent for the County in processing all documentation to secure these funds.

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

38.  Introduce, waive the reading, and set April 14, 2009, at 10:30 a.m. to consider adoption of an ordinance amending the Monterey County Code, Title 12, to amend Section 12.28.010 to allow establishing a 40-foot 20-minute-limit passenger loading zone; and, add Section 12.66.020 to establish a 20-minute-limit passenger loading zone on the west side of Highlands Drive from a point 352 feet south of the centerline of Fern Canyon Road, southerly for a distance of 40 feet, in Carmel Highlands.

39.  a. Accept the Danbom and Mayr Subdivision Improvements as completed; and
   b. Approve release of the Faithful Performance Security issued by Insurance Company of the West (Bond No. 2174416) for infrastructure improvements for the Danbom and Mayr Subdivisions.
      (APN 267-041-017/San Juan Road, Aromas)

40.  Adopt Resolution supporting submittal of an Urban Streams Restoration Grant application to the California Department of Water Resources to fund the restoration of 128 acres of historic floodplain and riparian and wetland habitat along the lower Carmel River.

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Supplemental Agenda for Tuesday, March 31, 2009

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

Under General Government:

SA-1 Approve and authorize the Board Chair to sign an Employment Contract with a new Natividad Medical Center CEO.

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

Under Closed Session:

2. c. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
   1. Griffith v. Monterey County Sheriff's Dept., et al. (MCSC case no. M 82580)
   2. Jackson v. Monterey County Jail, et al. (USDC case no. C07-01202 MMC)
   3. People v. Skanska USA Building, Inc. (MCSC case no. SS060789)

TITLE CORRECTIONS
THE FOLLOWING AGENDA ITEMS HAVE HAD CHANGES TO THEIR RECOMMENDED ACTIONS SINCE RELEASE OF THE AGENDA TO THE PUBLIC:
SUPPLEMENTAL TITLE CORRECTIONS, Cont.

Under Scheduled Items:

S-3  **Oral presentation on the blueprint planning process for the Monterey Bay Region.**
Receive a presentation by AMBAG staff entitled: “The Blueprint Planning Process for the Monterey Bay Region.”

S-6  a. Authorize the issuance of lay-off notices to employees with an effective date of July 1, 2009, contingent upon adoption of the Fiscal Year (FY) 2009-10 Final Budget scheduled for June 30, 2009 June 23, 2009;

d. Approve use of five percent (5%) and ten percent (10%) Net County Cost Budget Reduction Proposals developed by Department Heads, Attachment A, as the current source document for Department Heads to use for the issuance of lay-off notices;

e. Approve providing Department Heads some flexibility to withhold issuance of a lay-off notice due to unanticipated vacancies/resignations that may materialize in the next few months;

d. Direct staff to return to the Board with further identified layoffs within the next few weeks; and

e. Direct the County Administrative Office—Human Resources Division to provide on-going reports on the number of affected employees placed through the County’s Inplacement/Outplacement Program.

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