AGENDA
Tuesday, April 28, 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, 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 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.
ROLL CALL:

1. 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 54956.8, the Board will confer with real property negotiators.

      (1) Property: That property shown on Page 15 of the Official Plan Line of Highway 68, more particularly described in a grant deed recorded on October 17, 1991, and located at Reel 2706, Page 550 of the official records of Monterey County;

      Agency negotiator: Leslie J. Girard;

      Negotiating parties: County of Monterey and Cypress Community Church;

      Under negotiation: Price and Terms.

   b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.

      (1) LandWatch, et al. v. County of Monterey (MCSC Case No. M82969)

      (2) Helping Our Peninsula’s Environment v. Monterey County (MCSC Case No. M82972)

      (3) People v. James Vincent Lamb (MCSC Case No. SC016889A)

   c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two items of significant exposure to litigation.
d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
   (1) Designated representatives: Keith Honda and Patricia Covert;
       Employee organizations: All Units

e. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Natividad medical Center CEO.

10:30 A.M.

ROLL CALL:

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 Section 54954.2 of the California Government Code.

4. Pledge of Allegiance

5. Welcome Home Troops Ceremony

6. CONSENT CALENDAR – REGULAR (See Supplemental Sheet)

7. CONSENT CALENDAR – MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)

8. CONSENT CALENDAR – PAJARO COUNTY SANITATION DISTRICT (See Supplemental Sheet)

9. CONSENT CALENDAR – BORONDA COUNTY SANITATION DISTRICT (See Supplemental Sheet)

OTHER BOARD MATTERS:

10. Board Comments, Referrals, and Updates

11. CAO Comments

12. 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.
13. Adopt Resolution proclaiming the week of April 26 through May 2, 2009, as "National Crime Victims' Rights Week" in Monterey County. (Full Board)

14. Adopt Resolution honoring Ressie Padua, for her 34 years of distinguished service as an Eligibility Worker for the County of Monterey in the Department of Social and Employment Services. (Full Board)

15. Adopt Resolution proclaiming the Month of May, 2009, as "Fruits and Vegetables Month" in Monterey County. (Full Board)

**APPOINTMENTS:**

16. Appoint Kendra Bobsin to the Child Care Planning Council, term ending December 31, 2010. (Full Board)

17. Appoint Edmundo Rodriguez and James Egar to the Juvenile Justice Coordinating Council, for undefined terms. (Full Board)

18. Appoint Harry Weis to fill an unexpired term on the Central Coast Alliance for Health Commission, term ending October 7, 2012. (Full Board)

19. Appoint Robert Kall to fill an unexpired term to the Castroville/Pajaro Redevelopment Project Area Citizens’ Advisory Committee, term ending January 1, 2011. (Supervisor Calcagno)

**SCHEDULED MATTERS:**

S-1 Acting as the Board of Directors of the Monterey County Water Resources Agency: Approve the Monterey Regional Water Supply Program Planning Memorandum of Understanding (MOU).

S-2 Acting as the Board of Directors of the Monterey County Water Resources Agency: Approve the Monterey Regional Water Supply Program Recycled Water Three-Way Memorandum of Understanding (MOU).

**12:00 P.M.**

Recess to Lunch – Closed Session
1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-3 Receive and accept an Economic Forecast developed by Beacon Economics specifically for Monterey County's regional economy.

S-4 a. Receive and approve the Five-Year Capital Improvement Plan for Fiscal Years 2010 through 2014; and
   b. Approve the Fiscal Year (FY) 2009-10 capital funding for further consideration in the FY 2009-10 Annual Budget process.

S-5 Receive an oral report on countywide gang prevention efforts.

ORDER FOR ADJOURNMENT
TUESDAY, MAY 5, 2009

Future Board Meetings:
Tuesday, May 12, 2009
Tuesday, May 19, 2009
Tuesday, May 26, 2009 – No Meeting
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

20. a. Approve and amend Personnel Policies and Practices Resolution No. 98-394 to Adjust the Salary Range for the Following Classifications at Natividad Medical Center: Cardiopulmonary Technician I (Monthly Salary Range $4,719 - $6,441), Cardiopulmonary Technician II (Monthly Salary Range $5,243 - $7,157), Senior Cardiopulmonary Technician (Monthly Salary Range $5,610 - $7,658), Clinical Laboratory Assistant (Monthly Salary Range $2,941 - $4,014), Senior Clinical Laboratory Assistant (Monthly Salary Range $3,205 - $4,376), Clinical Laboratory Technician (Monthly Salary Range $3,103 - $4,235), Clinical Laboratory Scientist (Monthly Salary Range $5,690 - $7,767), Senior Clinical Laboratory Scientist (Monthly Salary Range $6,549 - $8,940), Supervising Clinical Laboratory Scientist (Monthly Salary Range $7,204 - $9,834), Nuclear Medicine Technologist (Monthly Salary Range $6,778 - $9,256), Sonographer (Monthly Salary Range $6,781 - $9,256), and Physical Therapist Assistant (Monthly Salary Range $4,170 - $5,692);

b. Authorize the Auditor-Controller to make the adjustment retroactive to February 28, 2009 and pay the incumbent employees retroactive to February 28, 2009;

c. Direct and authorize the Auditor-Controller to increase Natividad Medical Center Budget Unit 960 revenues and appropriations for Fiscal Year (FY) 2008-09 Adopted Budget in the Amount of $230,138 (4/5th vote required); and

d. Direct the Auditor-Controller’s Office and the County Administrative Office to amend the FY 2009-10 budget and incorporate approved changes in the FY 2009-10 adopted budget.

21. Approve and authorize the Natividad Medical Center Chief Executive Officer to sign an employment contract with a new Hospital Chief Medical Officer at Natividad Medical Center.

22. Accept a report from Natividad Medical Center (NMC) regarding the financial impacts of California and Federal legislation on NMC for Fiscal Year (FY) 2009 and FY 2010.

23. a. Approve and amend Personnel Policies and Practices Resolution No. 98-394 to add the following classifications at Natividad Medical Center: Hospital Network & Systems Engineer (Monthly Salary Range $5,776 - $7,885), Hospital Information Systems Support Technician (Monthly Salary Range $4,762 - $6,500), Hospital Security & Database Administrator (Monthly Salary Range $6,467 - $8,828), Hospital Clinical Informaticist (Monthly Salary Range $6,467 - $8,828), Hospital Software Analyst I (Monthly Salary Range $4,897 - $6,684), Hospital Software Analyst II (Monthly Salary Range
HOSPITAL SERVICES:

b. Approve and amend Natividad Medical Center Budget Unit 960 to 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;

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; and
d. Direct the Auditor-Controller’s Office and the County Administrative Office to amend the FY 2009-10 Budget and incorporate approved changes in the FY 2009-10 adopted budget.

HEALTH AND SOCIAL SERVICES:

24. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign Amendment No. 2 of the Memorandum of Understanding (MOU) between the California Statewide Automated Welfare System Consortium IV and the County of Monterey.

25. a. Approve the Area Agency on Aging 2009-12 Area Plan; and
b. Authorize the Chair to sign the Area Plan Transmittal Letter.

26. Receive report on facilities operated by Windsor Health Care in Monterey County.

CRIMINAL JUSTICE:

27. Approve the Bylaws of the Juvenile Justice Coordinating Council.

GENERAL GOVERNMENT:


29. a. Refer the Housing Authority Board Tenant Commissioner Appointment Procedures to an existing Board of Supervisors Subcommittee on Housing Authority Issues, including Supervisor Potter and Supervisor Parker; and
b. Request that the Housing Authority Board appoint two members to work with the Board of Supervisors Subcommittee to review Tenant Commissioner applications and forward recommended appointments to the full Board of Supervisors.

30. a. Approve the side letter between Deputy Sheriffs’ Association (DSA) representing Units A, B and C and the County of Monterey for implementation effective immediately;
b. Approve transfer of $47,000 from Budget Unit 125 – Human Resources to Budget Unit 230 – Sheriff for purchase of on-site fitness equipment;
c. Direct the Auditor-Controller’s Office to incorporate approved changes in the Fiscal Year (FY) 2008-09 Budget as detailed in the Board Order; and
d. Direct the Purchasing Division to proceed with ordering the fitness equipment.

31.  
a. Approve and authorize the Chair to sign a Joint Use Agreement with the Pajaro/Sunny Mesa Community Services District, the County of Monterey, and the Redevelopment Agency of the County of Monterey adding the District as a "Co-Grantee" to U.S. Economic Development Administration Grant No. 07-01-3848;
b. Approve and authorize the Chair to sign an Indemnification Agreement with the Pajaro/Sunny Mesa Community Services District, the County of Monterey, and the Redevelopment Agency of the County of Monterey;
c. Approve and authorize the Chair to sign a Quitclaim Deed transferring ownership of a 0.419-acre property ("Parcel B") on Railroad Avenue in Pajaro to the Pajaro/Sunny Mesa Community Services District on the condition that the Redevelopment Agency first confirm to the Chair that the U.S. Economic Development Administration has approved Pajaro/Sunny Mesa Community Services District as Co-Grantee (4/5th vote required); and
d. Direct the Clerk of the Board of Supervisors to record the Quitclaim Deed.

32.  
a. Approve Central Coast Veterans Cemetery Memorandum of Understanding between the City of Seaside, Fort Ord Reuse Authority, and the County of Monterey;
b. Confirm allocation of up to 2.2 acre-feet of water to the Veterans Cemetery Project; and
c. Authorize the Director of Housing and Redevelopment, or his/her designee, to act on behalf of the County and the Agency as to matters of administration and interpretation of the Memorandum of Understanding.

RMA - PLANNING DEPARTMENT:

33.  
a. Approve a Reimbursement Agreement with The Pebble Beach Company where the Base Budget is $24,999, the County Surcharge is $2,500, for a total amount not to exceed $27,499, to allow reimbursement to Monterey County for costs incurred by EcoSystems West Consulting Group and the County Planning Department to provide 2009 Piperia Plan Studies for The Pebble Beach Company's Del Monte Forest Preservation and Development Plan (PLN010254) in Pebble Beach, for a term through April 30, 2010; and
b. Authorize the Director of Planning to execute the Reimbursement Agreement and future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original Agreement amount and do not significantly alter the scope of work.
(Reimbursement Agreement - PD060822/EcoSystems West Consulting Group, County-wide)
34. Continue the Public Hearing to May 12, 2009 on the project consisting of:
   a. Adopt Resolution to approve findings, evidence and conditions to facilitate a Lot Line Adjustment between three legal lots of record, under Land Conservation Contract Number 73-12 with no net decrease in acreage under Williamson Act Land Conservation Contract; and
   b. Authorize the Chair of the Board to execute new or amended Williamson Act Land Conservation Contracts, rescinding a portion of Land Conservation Contract Number 73-12 for Sea Mist LLC, Desert Mist LLC and TMV Lands to reflect the newly reconfigured parcels, and simultaneously execute new Land Conservation Contracts between the County of Monterey and Sea Mist LLC, Desert Mist LLC and TMV Lands, to incorporate new legal descriptions, based on the reconfigured parcels, to reflect current ownership interests, and incorporate any legislative changes to State Williamson Act provisions and current Agricultural Preserve Policies or Procedures.
   (PLN080167, Sea Mist, Salinas, Toro and Central Salinas Valley Area)

**RMA - PUBLIC WORKS:**

35. a. Accept a Grant Deed Subject to Easement and Grant of Easement for the Cynara Court I development, Castroville Area;
   b. Authorize the Director of Public Works to execute the Certificate of Acceptance and Consent to Recordation for the Grant Deed Subject to Easement on behalf of the County; and
   c. Authorize the General Manager of the Water Resources Agency to execute the Certificate of Acceptance and Consent to Recordation for the Grant of Easement on behalf of the County.

36. Adopt Resolution:
   a. 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. 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).

37. a. Approve Cooperative Agreement with San Benito County for Construction of the Lonoak Road Bridge at Lewis Creek Project, County Bridge No. 402, State Bridge No. 44C-0158;
   b. Authorize the Chair of the Board to execute the Cooperative Agreement; and
   c. Direct the Clerk of the Board to submit the Cooperative Agreement to the County Recorder for filing.
RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

38. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approve and authorize the Chair to sign a Joint Use Agreement with the Pajaro/Sunny Mesa Community Services District, the County of Monterey, and the Redevelopment Agency of the County of Monterey adding the District as a Co-Grantee" to U.S. Economic Development Administration Grant No. 07-01-3848;
   b. Approve and authorize the Chair to sign an Indemnification Agreement with the Pajaro/Sunny Mesa Community Services District, the County of Monterey, and the Redevelopment Agency of the County of Monterey; and
   c. Authorize the Director of Redevelopment and Housing to execute and submit to the U.S. Economic Development Administration the U.S. EDA Funding "Co-Grantee" Application and all associated documents.

PAJARO COUNTY SANITATION DISTRICT:

39. Acting as the Board of Directors of the Pajaro County Sanitation District:
   a. Set public hearing on June 2, 2009, at 10:30 a.m. to consider protests and objections to a report of delinquent accounts for the Pajaro County Sanitation District; and
   b. Direct the Clerk of the Board to publish a Notice of Public Hearing for the report of delinquent fees once no later than May 1, 2009, in *The Californian* and *Monterey County Herald*.

BORONDA COUNTY SANITATION DISTRICT:

40. Acting as the Board of Directors of the Boronda County Sanitation District:
   a. Introduce, waive reading, and set a Public Hearing for June 16, 2009, at 10:30 a.m. to adopt an Ordinance for the Boronda County Sanitation District to establish rates and a monthly billing system for water services for the Community of San Jerardo; provide for delinquent water service charges; and set forth policies, procedures, and requirements for provisions of water service; and
   b. Direct the Clerk of the Board to publish a Notice of Public Hearing once no later than May 8, 2009, in *The Californian.*

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