AGENDA
Tuesday, February 28, 2012
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 menos 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.

Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board’s Office located at 168 W. Alisal St., 1st Floor, Salinas, California. during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY WATER RESOURCES AGENCY
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE
COUNTY OF MONTEREY
TUESDAY, FEBRUARY 28, 2012
9:00 AM

AGENDA

9:00 A.M.

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 Sections 54954.2 of the California Government Code.

The public may comment on Closed Session items prior to the Board’s recess to Closed Session.

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) LandWatch Monterey County v. County of Monterey (Monterey County Superior Court case no. M109434)
      (2) The Open Monterey Project v. Monterey County Board of Supervisors (Monterey County Superior Court case no. M109441)
      (3) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey (Monterey County Superior Court case no. M109442)
      (4) Salinas Valley Water Coalition, et al. v. County of Monterey (Monterey County Superior Court case no. M109451)
      (5) Mark Burkes v. County of Monterey (USDC CAND case no. C11-04952HRL)
   b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
   c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators.
      (1) Property: Post Ranch (public access easement), 47900 Highway 1, Big Sur
         Agency Negotiators: Mike Novo and Laura Lawrence
         Negotiating parties: County of Monterey and Post Ranch, L.P.
         Under negotiation: Terms
d. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding potential initiation of two litigation matters.

e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
   (1) Designated representatives: Izetta Birch and Brette Neal
       Employee Organizations: Units M & N

f. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
   (1) Monterey County Office of Education
   (2) Salinas City Elementary School District
   (3) Monterey Peninsula College
   (4) Monterey Peninsula Unified School District
   (5) Salinas Union High School District
   (6) Hartnell College

Acting as the Board of Directors of the Monterey County Water Resources Agency

CLOSED SESSION

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

   (1) In the Matter of the Application of California-American Water Company
       (Application 04-09-019)

   (2) Ag Land Trust v. Monterey County Water Resources Agency, et al.
       (Monterey County Superior Court case no. M110691)

i. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

j. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
Acting as Successor Agency to the Redevelopment Agency of the County of Monterey

CLOSED SESSION

k. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
   (1) Monterey County Office of Education
   (2) Salinas City Elementary School District
   (3) Monterey Peninsula College
   (4) Monterey Peninsula Unified School District
   (5) Salinas Union High School District
   (6) Hartnell College

Continuance of Closed Session to be held at the conclusion of the Board’s Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board’s recess to Closed Session.

10:30 A.M. RECONVENE

ROLL CALL

3. Pledge of Allegiance

4. Welcome Home Troops Ceremony

Recess to Welcome Home Troops Reception

RECONVENE

5. 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.

6. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

Recess

Convene as Successor Agency to the Redevelopment Agency of the County of Monterey

ROLL CALL
7. CONSENT CALENDAR – SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE COUNTY OF MONTEREY (See Supplemental Sheet)

Adjournment

Reconvene as the Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS

CEREMONIAL RESOLUTIONS

8. Adopt Resolution commending the Girl Scouts of the United States of America on their 100th anniversary. (Supervisor Potter)

9. Adopt Resolution recognizing the work performed by the County Sealer and his staff, proclaiming the week of March 1st - March 7th, 2012, as "Weights and Measures Week" in the County of Monterey. (Supervisor Potter)

10. Adopt Resolution honoring Juvenile Division Director Denise Shields upon her retirement from the Monterey County Probation Department after more than 32 years of outstanding service. (Supervisor Potter)

11. Adopt Resolution commending Francisco R. Santos, Courier to the Department of Public Works, for his dedicated service of over 16 years to the County of Monterey upon his retirement. (Chair Potter)

12. Adopt Resolution commending “Undisclosed Recipient” as the Monterey County Cattlemen’s Association Cattlewoman of the Year Award Recipient for 2012. (Supervisor Calcagno)

13. Adopt Resolution commending “Undisclosed Recipient” as the Monterey County Cattlemen’s Association Cattleman of the Year Award Recipient for 2012. (Supervisor Calcagno)

APPOINTMENTS

14. Reappoint Warren E. Poitras to the Monterey County Regional Fire Protection District, term ending March 1, 2016. (Supervisor Potter)

15. Reappoint Kenneth C. Husby to the Parks Commission, term ending April 26, 2016. (Supervisor Calcagno)

16. Appoint Josie Duque to the Equal Opportunity Commission for a term ending at the pleasure of the Board. (Supervisor Salinas)

17. Appoint Cynthia Buhl to the Citizen's Advisory Committee No. 50, term ending January 1, 2015. (Supervisor Potter)
18. Reappoint Ted Gilbert and Ruth Taylor to the Chalome Valley Cemetery District, terms ending February 1, 2016. (Supervisor Salinas)

19. Reappoint Ben Caldera, Don Brooks, and Vicky Mora-Escobar to the Soledad Cemetery District, terms ending February 1, 2016. (Supervisor Salinas)

20. Appoint Robert Chamberlain to the Workforce Investment Board to fill an unscheduled vacancy term ending June 15, 2013. (Full Board)

21. Appoint Timothy Maxwell to the King City Cemetery District, term ending July 1, 2015. (Supervisor Salinas)

22. Appoint Javier Galvan to the Soledad Cemetery District to fill an unscheduled vacancy, term ending February 1, 2015. (Supervisor Salinas)

OTHER BOARD MATTERS

23. Board Comments

24. CAO Comments and Referrals

25. Public Comment (Limited up to 3 minutes per speaker at the discretion of the Chair)

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.

12:00 P.M. RECESS TO LUNCH- CONTINUE TO CLOSED SESSION

1:30 P.M. RECONVENE

MONTEREY COUNTY BOARD OF SUPERVISORS

ROLL CALL

SCHEDULED MATTERS

S-1 Receive the presentation of the Monterey County Mental Health Commission's 2010 Annual Report to the Board of Supervisors from Commissioners Selina Glater, Luther Hert and Alma McHoney.

S-2 Consider the following actions:
   a. Adopt Resolution to authorize the County of Monterey to join the Monterey Bay Regional Climate Action Compact, a working group of local
governments, educational institutions, private business, and non-governmental
organizations whose intent is to coordinate and work collaboratively on
independent and regional climate change initiatives; and

b. Select a member, or members, of the Board of Supervisors to represent the
County at a ceremonial Monterey Bay Regional Climate Action Compact
signing event and authorize that member/those members to sign the Compact
on behalf of the County.

(Monterey Regional Climate Action Compact, REF1200006, County-wide)

S-3 Consider:

a. Report from staff on proposed approach for processing "inactive" applications
for land use entitlements; and

b. Adoption of a Resolution of Intention to initiate amendments to text
provisions of Titles 19 (both Coastal and Inland Subdivision Ordinances),
Title 20 (Coastal Zoning Ordinance) and Title 21 (Inland Zoning Ordinance)
of the Monterey County Code to establish procedures for processing
"inactive" applications for land use entitlements.

(Inactive Applications- REF100058, Countywide)

ADJOURNMENT
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

26. a. Approve the Plans and Specifications for the Natividad Medical Center (NMC), Project No. 9600-29 - Building 800 Re-Roof, Bid No. NMC-1004 for contractors to bid on construction; and
   b. Authorize the Clerk of the Board to advertise the "Notice to Contractors" in *The Californian* on March 5th and 12th, 2012.

27. a. Approve the Plans and Specifications for the Natividad Medical Center, Project No. 9600-28 - Building 500, Emergency Department Exterior Door Replacement, Bid No. NMC-1003 for contractors to bid on construction; and
   b. Authorize the Clerk of the Board to advertise the "Notice to Contractors" in *The Californian* on March 6th and 13th, 2012.

HEALTH AND SOCIAL SERVICES

28. a. Approve and authorize the Director of Health to sign a Memorandum of Understanding (MOU) with the Monterey County Special Education Local Plan Area (SELPA) for reimbursement to the County for the provision of Educational Related Mental Health Services (ERMHS) in Fiscal Year 2011-12;
   b. Approve and authorize the Director of Health to sign the Inter-Agency Agreement (IA) with SELPA for the provision of ERMHS in Fiscal Year 2011-2012; and
   c. Authorize the Director of Health to sign the extension of the MOU and the IA upon the mutual consent of both parties.

29. Adopt Resolution to:
   a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Supervising Vital Records Specialist with the recommended salary range of $3,480 - $4,751;
   b. Reclassify and reallocate 1.0 FTE Principal Office Assistant to 1.0 FTE Supervising Vital Records Specialist, Health Department Budget 4000, HEA003-8124; and
   c. Authorize the County Administrative Office to incorporate the approved changes in the Fiscal Year (FY) 2011-12 Adopted Budget.

CRIMINAL JUSTICE

30. Approve and authorize the Chair of the Board of Supervisors to sign Cooperative Law Enforcement Agreement No. 11-LE-11051360-229, between the Monterey County Sheriff's Office and United States Department of Agriculture, Forest Service, Los Padres National Forest, for the period beginning October 1, 2011 through September 30, 2012, in the amount of $15,000.
GENERAL GOVERNMENT

31. Approve an Application for Order authorizing destruction of records for the Parks Department.

32. a. Approve and authorize the Contracts/Purchasing Officer on behalf of the Information Technology Department to execute a State Standard Agreement with the California Technology Agency for the provision of access by county departments to the State of California, Department of Motor Vehicles database in the amount of $2,400 for Fiscal Year (FY) 2012-13, FY 2013-14, FY 2014-15, FY 2015-16 and FY 2016-17, for a total Agreement amount of $12,000; and
    b. Authorize the Contracts/Purchasing Officer to sign future renewals and amendments to this Agreement as needed.

33. Authorize the Registrar of Voters to execute Agreement Number 11G26124 with the Secretary of State's office to receive Help America Vote Act (HAVA) Section 261 grant funds in the amount of $2,025.

34. a. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No.1 to Statement of Work No. 7 (Win-CAMS interfaces to Advantage Financial) to replace the end date of January 31, 2012 with June 30, 2012; and
    b. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No.1 to Statement of Work No. 8 (Post-Implementation Consultation for Advantage HRM) to replace the end date of January 31, 2012 with June 30, 2012.

35. Approve the Action Minutes of the Board of Supervisors Meeting of Tuesday, January 24, 2012.

36. Approve Amendment No. 2 to the Richard Honey and Rosemary Brooks Inclusionary Housing Agreement to allow conveyance of their inclusionary unit into a Revocable Living Trust.

RMA - PLANNING DEPARTMENT

37. a. Approve a Funding Agreement with California-American Water Company where the Base Budget is $58,409.00 with a Contingency of $8,761.35 and the County contract administration fee is $3,170.00, for a total amount not to exceed $70,340.35, to allow funding to Monterey County for costs incurred by Rincon Consultants, Inc. to provide support to the Planning Department for the processing of the San Clemente Dam Diversion Project Application (PLN080052) in Carmel Valley for a term through June 30, 2013; and
    b. Authorize the Contracts/Purchasing Officer to execute the Funding Agreement and future amendments to the Agreement where the amendments do not
significantly alter the scope of work or change the approved Agreement amount.  
(Agreement - PD060202/Rincon Consultants, Inc., County-wide)

RMA - PUBLIC WORKS

38. a. Approve Offer to Dedicate Easement and Certificate of Acceptance from Carmel Valley Partners, a California Partnership by M&T Partners, Inc., a Delaware Corporation, its General Partner, in compliance with Condition of Approval No. 13 of Development Permit No. PLN020032, located at the Crossroads Shopping Village, 243 Crossroads Boulevard, south of Rio Road in the Carmel Valley Master Plan area;  
b. Authorize the Chair to execute the Offer to Dedicate Easement and Certificate of Acceptance from Carmel Valley Partners, a California Partnership by M&T Partners, Inc., a Delaware Corporation, its General Partner; and  
c. Authorize the Clerk of the Board to submit the Offer to Dedicate Easement and Certificate of Acceptance from Carmel Valley Partners, a California Partnership by M&T Partners, Inc., a Delaware Corporation, its General Partner, to the Recorder for recordation.

39. a. Accept the annual evaluation report of traffic on Carmel Valley Road and Rio Road, pursuant to Carmel Valley Master Plan, Policy CV-2.17(a); and  
b. Set a public hearing on March 13, 2012, at 1:30 p.m., for the traffic volumes on Carmel Valley Road in Segments 6 and 7 pursuant to the Carmel Valley Master Plan, Policy CV-2.17(c), Carmel Valley Area.

40. a. Approve Amendment No. 2 to Professional Services Agreement No. A-11432 with Biggs Cardosa Associates, Inc. to provide additional project management, environmental services, and structural and civil engineering services related to the final design for the Nacimiento Lake Drive Bridge Replacement, County No. 449, at San Antonio River, Project No. 220265, Federal Aid Project No. STPLZ-5944 (040), in the amount of $168,810 for a total amount not to exceed $815,080 and extend the term through September 30, 2013; and  
b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 2 to Professional Services Agreement No. A-11432 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

41. a. Approve the Plans and Special Provisions for 1410 Natividad Rd, Salinas, California - Upgrade Security Fencing, Project No. 8529, Bid Package No. 10348; and  
b. Authorize the Director of Public Works to advertise the "Notice to Contractors" in The Californian.

42. a. Approve and authorize the Contracts/Purchasing Officer to execute a Certificate of Consent pursuant to the Lease of County Property, Agreement
No. A-07397 with the City of Salinas for modification of their sublease agreement with Future Citizen's Foundation, a California non-profit corporation and licensee of the First Tee, division of the World Golf Foundation, dba The First Tee of Monterey County, current operator of the Twin Creeks Municipal Golf Course; and
b. Authorize the Contracts/Purchasing Officer to execute any other documents as may be reasonably necessary to give further evidence of such approval consistent with the terms and conditions of the Lease of County Property, Agreement No. A-07397 and subsequent amendments.

SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE COUNTY OF MONTEREY

43. As Successor Agency to the Redevelopment Agency of the County of Monterey, adopt Resolution to:
a. Adopt the amended Enforceable Obligation Payment Schedule (EOPS); and
b. Approve the Draft Recognized Obligation Payment Schedule (ROPS); and
c. Direct the Economic Development Director to take all actions necessary to effectuate associated requirements of ABx1 26.

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Supplemental / Addendum for Tuesday, February 28, 2012
View Addendum reports at:

http://www.co.monterey.ca.us/cob/Supplemental_Addendum%202012/

ADDENDUM

Add Under Closed Session
2.  f. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding liability claims against the County of Monterey.

(7) North Monterey County Unified School District

Acting as Successor Agency to the Redevelopment Agency of the County of Monterey

2.  k. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding liability claims against the County of Monterey.

(7) North Monterey County Unified School District

Add Under Regular Consent – Health and Social Services
29.1 a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to the Professional Services Agreement with Connie Blackmore, RN to increase the Agreement by $40,000 for a revised total amount not to exceed $140,000, for the provision of sexual assault examinations, for the period of July 1, 2010 through June 30, 2012; and

b. Authorize the Contracts/Purchasing Officer to approve up to three future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original Agreement amount, and do not significantly change the scope of services or result in an increase in County General Fund Contribution.

Add Under Regular Consent – Criminal Justice
30.1 a. Approve and authorize the Contracts/Purchasing Officer to execute an Agreement with Kronos Incorporated in an amount not to exceed $395,000 for implementation of a timekeeping and scheduling system;
b. Authorize the Contracts/Purchasing Officer to approve up to three future amendments to this Agreement where the amendments do not exceed 10% of the original agreement and do not significantly change the scope of work; and

c. Authorize the Auditor-Controller to increase appropriations and revenues of $395,000 in the Sheriff’s Office Fiscal Year 2011-12 Adopted Budget as detailed in the Board Order (4/5ths vote required.)

**Add Under Regular Consent – Public Works**

42.1 a. Approve a Transfer Agreement with the City of King, a California Charter City, for the conveyance of property described in Exhibits A and B, located at the most easterly 8,216 square feet of King Street in King City, California, pursuant to Government Code Section 25365 (4/5th vote required);

b. Authorize the Contracts/Purchasing Officer to execute the Transfer Agreement, the Quitclaim Deed, and any related documents needed to complete the transaction, including, but not limited to, amendments to the Transfer Agreement; and

c. Find that the transfer of the property to King City is exempt from environmental review under the California Environmental Quality Act.

**SUPPLEMENTAL**

**CORRECTION**

**Under Closed Session**

*Acting as the Board of Directors Supervisors of the Monterey County Water Resources Agency*

**MATERIALS SUBMITTED**

(See link above)

43. **Materials Submitted**

As Successor Agency to the Redevelopment Agency of the County of Monterey, adopt Resolution to:

a. Adopt the amended Enforceable Obligation Payment Schedule (EOPS); and

b. Approve the Draft Recognized Obligation Payment Schedule (ROPS); and

c. Direct the Economic Development Director to take all actions necessary to effectuate associated requirements of ABx1 26.

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