AGENDA
Tuesday, June 15, 2010

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 mas pronto posible, y a lo mínimo 24 horas de anticipio 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.
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.

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) David Sabih, et al. v. County of Monterey, et al. (MCSC Case No. M93135)
      (2) Workers Compensation Appeals Board Case Nos. ADJ1161684, ADJ1172660, ADJ1251243, ADJ1259759, ADJ1277252, ADJ1297440, ADJ139152, ADJ149177, ADJ1560088, ADJ1708570, ADJ178793, ADJ1972843, ADJ1977138, ADJ198777, ADJ2177221, ADJ2392198, ADJ2413225, ADJ2494765, ADJ2517293, ADJ2519493, ADJ256810, ADJ2590090, ADJ2660286, ADJ2794909, ADJ2856002, ADJ2862397, ADJ2866006, ADJ2905094, ADJ2977768, ADJ3052505, ADJ3221196, ADJ3244727, ADJ3278865, ADJ3372376, ADJ3479609, ADJ3516972, ADJ3535692, ADJ3566799, ADJ3572579, ADJ3572631, ADJ3841119, ADJ3870144, ADJ3920062, ADJ3979840, ADJ4044427, ADJ4078225, ADJ4175437, ADJ4255865, ADJ428814, ADJ4306006, ADJ4338615, ADJ4339189, ADJ4486067, ADJ4489750, ADJ4496591, ADJ4626211, ADJ4639350, ADJ4711507, ADJ518351, ADJ540076, ADJ544463, ADJ656293, ADJ7069835, ADJ7070802, ADJ7070821, ADJ7070823, ADJ7070865, ADJ7071310, ADJ7071463, ADJ7071470, ADJ7071475, ADJ712724, ADJ714507, ADJ803068, and ADJ989198; Claim No. 608-602445.
      (3) Gibbs v. Carmel Unified School District, et al. (CA Office of Administrative Hearings case no. 2010 040 968)
b. Pursuant to Government Code section 54957, the Board will confer regarding appointment to the position of Equal Opportunity Officer.

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

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.

10:30 A.M.

ROLL CALL:

3. Pledge of Allegiance

4. Welcome Home Troops Ceremony

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)

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

OTHER BOARD MATTERS:

8. Board Comments

9. CAO Comments and Referrals

10. 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.

10.1 Adopt Resolution honoring the Grower-Shipper Association E.E. (Gene) Harden Award for Lifetime Achievement Award in Central Coast Agriculture. (Full Board)
APPOINTMENTS:

11. Reappoint J. Michael Klein; Harold Wolgamott; Dr. Michael Moeller; Nancy Utterback; Michael Hutchinson; Martha Karstens to the Emergency Medical Care Committee with terms ending June 30, 2012. (Full Board)

12. Appoint Michael Urquides to the Emergency Medical Care Committee to fill an unexpired term ending June 30, 2011. (Full Board)

13. Reappoint Russ Jeffries to the Assessment Appeals Board with a term ending June 1, 2013. (Supervisor Armenta)

14. Reappoint Diana Carrillo; Al Davis; Mary Ann Leffel; Jim Nakashima; and Mark Verbonich to the Workforce Investment Board terms ending June 15, 2013. (Full Board)

15. Appoint Hunter Harvath, Maggie Melone-Echiburu and Lawrence Silva to the Workforce Investment Board terms ending June 15, 2013. (Full Board)

SCHEDULED MATTERS:

S-1 Introduce, waive reading, and set for adoption on June 22, 2010, an ordinance authorizing an amendment to the contract between the Board of Supervisors of the County of Monterey and the Board of Administration of the California Public Employees' Retirement System (PERS) relating to Partial Service Retirement.

S-2 Introduce, waive reading, and set for adoption on June 22, 2010, an ordinance authorizing an amendment to the contract between the Monterey County Water Resources Agency Board of Supervisors and the Board of Administration of the California Public Employees' Retirement System (PERS) relating to Partial Service Retirement.

12:00 P.M.

Recess to Lunch

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-3 a. Conduct a Public Hearing to hear all objections, protests, and recommended changes or corrections to Written Reports of Service Charges to be levied on County Service Areas for FY 2010-11 and maintain service charge levels for all service areas;
b. Adopt Resolutions approving County Service Area Written Reports of Service Charges for FY 2010-11 for County Service Areas 1, 9, 15, 19, 20, 23, 24, 26, 30, 31, 32, 33, 35, 37, 38, 41, 44, 45, 47, 50, 51, 52, 53, 54, 56, 58, 62, 66; 68, 72, and 75 except County Service Areas 17, 25, 34, 55, 57, 67, 69 and 100, where no service charges are collected on the tax rolls;

c. Authorize the Auditor-Controller to enter the amounts of the charges against the respective lots or parcels as they appear on the assessment roll for FY 2010-11 upon receipt of the Written Reports of Service Charges.

S-4  Conduct a Public Hearing to adopt the Fiscal Year (FY) 2010-2011 benefit assessments for Zones 1, 1A, 8, 9, 12, and 17.

S-5  Conduct a Public Hearing to approve the Fiscal Year (FY) 2010-2011 assessment, water delivery charge, and water service charge for Zone 2B and FY 2010-2011 assessment for Zones 2Y and 2Z for the Castroville Seawater Intrusion Project and the Salinas Valley Reclamation Project.

S-6  Conduct a Public Hearing to adopt Zone 2C Fiscal Year 2010-2011 assessment charges for the Salinas Valley Water Project.

S-7  a. Approve Grazing Lease Forms, Leases, and Public Bid Notice for lands located around San Antonio Reservoir and Nacimiento Reservoir; and
b. Direct the Clerk of the Board of Supervisors to advertise for bids to be opened August 11, 2010 at 1:00 pm

S-8  Conduct a public hearing to consider:
   a. Adoption of the Negative Declaration for the Housing Element 2009-2014;
   b. Amendment of the 1982 Monterey County General Plan to replace the Housing Element 2002-2008 with the Housing Element 2009-2014; and
   c. Direction to staff to submit the Housing Element to the State Department of Housing and Community Development for certification.

S-9  Continued public hearing to:
   a. Consider an appeal by Wayne Holman for Aromas Heritage Oaks LLC of the Planning Commission's denial of a Combined Development Permit (Aromas Heritage Oaks; PLN980503) consisting of: Standard Subdivision to divide approximately 79.5 acres into 32 parcels ranging in size from 1.0 acres to 15.91 acres, including one lot (Lot 32) with four inclusionary rental units; Use Permit for removal of approximately 367 protected oak trees (271 for roads and up to 96 on the individual lots); Use Permit for four inclusionary rental units; and grading (approximately 5,100 cubic yards cut and 5,100 cubic yards fill); and
   b. Adopt a motion of intent and continue the public hearing to a date certain for staff to return with a resolution with appropriate findings. (PLN980503/Aromas Heritage Oaks LLC, North County Area Plan)
ORDER FOR ADJOURNMENT
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

16. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the contract renewal amendments for the continuation of various existing services with multiple vendors (outlined in the Board Order) at NMC in Fiscal Year (FY) 2010-11 for the continuation of various existing services with multiple vendors (outlined in the Board Order) at NMC in FY 2010-11.

17. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with Fernandes & Sons General Contractors for Mother Infant Unit renovation services at NMC in an amount not to exceed $164,673 (an increase of $82,044) for the period June 1, 2010 to June 30, 2011.

18. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with McKesson Technologies, Inc., on behalf of itself and the McKesson Affiliates, for Horizon Medical Imaging Radiology, Picture Archiving and Communication System (PACS) and related systems and services at NMC in an amount not to exceed $2,600,000 for the period June 1, 2010 to June 30, 2015.

19. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute agreements with Advantage Locums, RGA Associates Inc. The Judge Group, Inc., Medical Staffing Network, Inc., Las-Healthcare, Healthcare Connections, Inc., Ensearch Management Consultants, HCL Consulting and Garrison-Randall, Inc. for contingency recruitment services per RFP No. 9600-4 at NMC in an amount not to exceed the total of $200,000 for all agreements, for the period May 1, 2010 to June 30, 2011.

HEALTH AND SOCIAL SERVICES:

20. a. Approve and authorize the Contracts/Purchasing Officer to sign a Professional Services Agreement with the Action Council of Monterey County Inc., in the amount of $250,000 for the provision of community educational management and contracting for specialized services, for the period of July 1, 2010 through June 30, 2011; and

    b. Authorize the Contracts/Purchasing Officer to approve future Amendments up to ten percent (10%) of the annual amount, which does not significantly alter the scope of services or result in an increase to net county costs.
CRIMINAL JUSTICE:

21. a. Receive information regarding the Alternate Defender's Office (ADO) Fiscal Year (FY) 2009-10 budget shortfall due to costs related to Court appointments of private counsel pursuant to Penal Code section 987.2, Court-ordered ancillary fees and services; and  
b. Authorize the Auditor-Controller to increase appropriations by $373,000 in FY 2009-10 to Department 2270 - Public Defender, Unit 8168 - ADO. (4/5th vote required)

22. a. Approve and authorize the County Administrative Officer on behalf of the Sheriff's Office to submit a joint grant application with the City of Salinas to the Federal Government under the Justice Assistance Grants (JAG) Program for FY 2010-11 in the amount of $23,418 to purchase Mobile Computer Terminals (MCTs); and  
b. Authorize the County Administrative Officer to sign a Memorandum of Agreement for the grant with the City Manager of Salinas.

23. a. Approve and authorize the Sheriff on behalf of the Joint Gang Taskforce to submit a grant application with the Federal Department of Justice, Office of Justice Programs' Bureau of Justice Assistance Fiscal Year (FY) 2010-Congressionally Selected Award in the amount of $500,000; and  
b. Authorize the County Administrative Officer to delegate administrative responsibilities for the grant to the Sheriff and authorize the Sheriff to sign the application, including all understandings and assurances contained therein.

GENERAL GOVERNMENT:


25. a. Approve and authorize the Auditor-Controller to increase Fiscal Year (FY) 2009-10 estimated revenues of $862,471 and appropriations of $500,000 in the Agricultural Commissioner's Department (4/5th Vote Required); and  
b. Approve and authorize the Auditor-Controller to transfer $500,000 from the Agricultural Commissioner's Unit 8001, to the Capital Projects Fund 402, Unit 8174, for Master Plan Capital Improvement Projects including $250,000 dedicated to the King City Master Plan and $250,000 for the Abbott Street Project as detailed in the attached Board Order.

26. Adopt a Resolution to approve the Tentative Agreement and the related side letters for SEIU 521 Units J (General Unit), H (Health), and F (Supervisors) for July 1, 2010 through June 30, 2011.

27. Approve amendments to conflict of interest code of the Office of the Auditor-Controller of Monterey County.
RMA - PLANNING DEPARTMENT:

28. a. Adopt a Resolution to approve a two year extension request for an approved Lot Line Adjustment for Michael and Vicky Wing (PLN050620 Resolution No. 07-0340); and
   b. Amend Condition No. 4 of Resolution No. 07-340.
(Williamson Act - PLN050620/Wing, 73000 Highway 198, Coalinga, South County Area, overlapping Monterey and Fresno Counties.)

RMA - PUBLIC WORKS:

29. a. Ratify Agreement with Harris & Associates to provide for payment for additional staff augmentation services rendered on the Health Department and Facilities Projects, in an amount not to exceed $95,935.00;
   b. Authorize the Contracts/Purchasing Officer to execute the Agreement.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

30. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Find that there are insufficient funds in the Fort Ord Capital Fund 173 to meet the FY 2009-10 Supplemental Educational Revenue Augmentation Fund (SERAf) contribution allocation as specified in Section 33690 of the Health and Safety Code;
   b. Authorize the transfer of $60,295 from Fort Ord Housing Set-Aside Fund 177 to Fort Ord Capital Fund 173, to be repaid on or before June 30, 2015; and
   c. Authorize the Auditor-Controller's Office and the County Administrative Office to amend the Fiscal Year (FY) 2009-10 budget to increase revenues and appropriations in Fort Ord Capital Fund 173 by $60,295. (4/5th vote required)

31. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approve the Second Amendment to an existing Loan Agreement with Mid-Peninsula Castroville Associates clarifying the intent of the parties regarding the availability of loan proceeds for the Cynara Court I Affordable Housing Project; and
   b. Authorize the Director of the Redevelopment and Housing Office to execute the Amendment.

32. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approve a loan of $1,100,000 to Community Housing Improvement Systems Planning Association, Inc. (CHISPA) for land acquisition related to the Axtell Affordable Housing Project in Castroville; and
b. Authorize the Director of the Redevelopment and Housing Office to make minor revisions as needed and execute the loan documents on behalf of the Redevelopment Agency.

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Addendum/Supplemental for Tuesday, June 15, 2010

View material at:

http://000sweb.co.monterey.ca.us/cob/BOS%20Supplemental_Addendum/default.asp

Add Under Closed Session:

2. Closed Session under Government Code section 54950, relating to the following items:
   c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one item two items of significant exposure to litigation.

Supplemental Materials Submitted:

10.1 Adopt Resolution honoring the Grower-Shippers Association E.E. (Gene) Harden Award for Lifetime Achievement Award in Central Coast Agriculture. (Full Board)

S-1 Introduce, waive reading, and set for adoption on June 22, 2010, an ordinance authorizing an amendment to the contract between the Board of Supervisors of the County of Monterey and the Board of Administration of the California Public Employees' Retirement System (PERS) relating to Partial Service Retirement.

S-2 Introduce, waive reading, and set for adoption on June 22, 2010, an ordinance authorizing an amendment to the contract between the Monterey County Water Resources Agency Board of Supervisors and the Board of Administration of the California Public Employees' Retirement System (PERS) relating to Partial Service Retirement.

S-9 Material for this can be viewed at:
http://www.co.monterey/planning/docs/eirs/heritage%20oaks%20subdivision/Heritage%20Oaks%20BOS%20Staff%20Rpt%20and%20Exh%20042010/heritage_oaks_BOS_Staff_Rpt_and_Exh_042010.htm

Continued public hearing to:
a. Consider an appeal by Wayne Holman for Aromas Heritage Oaks LLC of the Planning Commission's denial of a Combined Development Permit (Aromas Heritage Oaks; PLN980503)