AGENDA
Tuesday, November 18, 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.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 mas 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.
AGENDA

9:00 A.M.

ROLL CALL:

CLOSED SESSION

1. 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.

S-1 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. Christopher L. Griffith vs. Monterey County Sheriff's Department, et al. (M82580; H032108)
      2. Clifford L. Jackson vs. Monterey County Jail, et al. (C07-01202)
      3. Dorsami Reddy vs. Skanska USA Building, Inc., et al. (M81383; M83813; M84578)
      4. The Preserve Golf Club, Inc. vs. County of Monterey (M79407)
      5. Patricia Bernardi, et al. vs. County of Monterey (M73763; H031648)
      6. Delores Tognetti (Bailey) (WC)
      7. John Luna (WC)

   b. Pursuant to Government Code section 54956.95, the Board will confer with legal counsel regarding a liability claim against the County of Monterey.
      1. Harold M. Wooldridge

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

   d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators (Unit H & Unit X).
      Designated representative(s): Keith Honda, Patricia Covert.

   e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators (Unit D & Unit E).
      Designated representative(s): Keith Honda, Patricia Covert.
f. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one item of significant exposure to litigation.

g. Pursuant to Government Code section 54956.9(b), the Board will confer with real property negotiators.
   Property: County owned property at the corner of Laurel Drive and Constitution Boulevard (APNs 003-851-021, -024, and -027).
   County Negotiator: Wayne Tanda, RMA Director.
   Negotiating Parties: County of Monterey and the Salinas Regional Sports Authority.
   Under negotiation: Price and Terms.

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)

OTHER BOARD MATTERS:

5. Board Comments, Referrals, and Updates

6. CAO Comments

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

8. Adopt a Resolution honoring the 10th Anniversary of the Monterey Cowboy Poetry and Music Festival. (Supervisor Potter)

APPOINTMENTS:


10. Reappoint Carol Lieberman to the Community Action Commission for a term ending July 1, 2011. (Supervisor Potter)

11. Appoint Ken Ekelund to the Monterey County Water Resources Board of Directors for a term ending December 31, 2010. (Supervisor Potter)
12. Appoint Bob Harper to the Monterey County Workforce Investment Board Youth Council, representing Education, for a term ending November 18, 2011. (Full Board)

**SCHEDULED MATTERS:**

S-2 Consider 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.

S-3 Consider applicant’s request to continue to December 16, 2008, the public hearing on an appeal from the Minor Subdivision Committee’s adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program and approval of a Coastal Development Permit consisting of a Tentative Parcel Map creating four parcels of 3 acres, 3 acres, 3 acres, and 11 acres, based on the Findings and Evidence and subject to the recommended Conditions.

(Appeal – PLN080185/Spanish Congregation, 125 Sill Road (Kinghall Road) North County Area, Coastal Zone)

**12:00 P.M.**

Recess for Lunch – Legislative Committee Meeting

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

**ROLL CALL:**

**SCHEDULED MATTERS:**

S-4 Receive an oral report and consider recommendations from the Legislative Committee meeting of November 18, 2008.

S-5 Consider adoption of a Resolution to revise the Monterey County Land Use Advisory Committee (LUAC) Procedures.

(PD061173/LUAC Guidelines Update 2008)
ORDER FOR ADJOURNMENT
TO TUESDAY, DECEMBER 9, 2008

Future Board Meetings:
Friday, November 21, 2008 – Special Budget Workshop at CSUMB
Tuesday, November 25, 2008 – No Meeting
Tuesday, December 2, 2008 – No Meeting
Tuesday, December 9, 2008
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

13. Approve the revised Natividad Medical Center (NMC) permanent Bylaws, as approved by the NMC Board of Trustees on November 7, 2008.

HEALTH AND SOCIAL SERVICES:

14. Concur with the Monterey County Workforce Investment Board Executive Committee to approve submission of a $500,000 proposal for the Employment Development Department and California Workforce Investment Board, Governor's Gang Reduction, Intervention and Prevention (CalGRIP) solicitation.

15. Concur with the Monterey County Workforce Investment Board Executive Committee to approve submission of a demonstration grant for $1,000,000 to the U.S. Department of Labor, Employment and Training Administration that targets employment and training needs of pregnant and parenting young mothers.

16. Proclaim state of local emergency relating to the spread of HIV among injection drug users in Monterey County.

17. Approve and authorize the Contracts/Purchasing Officer to sign an Agreement with California Commercial Interiors to provide modular laboratory furniture including installation services for the new County of Monterey Health Department for the initial term of the date of signing the Agreements, through June 30, 2009, including the option to extend the Agreements for two (2) additional one (1) year periods, with a yearly aggregate value estimated not to exceed $320,770.86 in accordance with terms and conditions set within the Agreement.

CRIMINAL JUSTICE:

18. a. Approve increased estimated revenues and appropriations in the amount of $156,046 in Budget Unit 255-Probation for the Juvenile Sex Offender Response Team (JSORT) federal grant during Fiscal Year (FY) 2008-09 (4/5ths vote required); and
b. Direct the Auditor-Controller to amend FY 2008-09 Budget Unit 255 to reflect the change in revenue and appropriations.

19. Approve advancement of Gary Craft to Step 4 of the Chief District Attorney Investigator salary range, pursuant to Personnel Policies and Practices Resolution, Section A.1.11.5 (Waiver for Unusual Circumstances).
GENERAL GOVERNMENT:

20. Adopt a Resolution to approve a Zero Property Tax Transfer for the proposed annexation of three (3) non-contiguous parcels in the Carmel Highlands to the Carmel Area Wastewater District.

21. a. Approve and authorize Emergency Services Manager to accept a grant from the Federal Office of Homeland Security (OHS) in the amount of $978,800; and  
b. Direct the Auditor-Controller to amend FY 2008-09 Office of Emergency Services Budget Unit 295 to increase estimated revenues and appropriations in the amount of $498,287 (4/5ths vote required).

22. a. Approve a property tax transfer agreement between the County of Monterey and the Salinas Rural Fire Protection District for the proposed Calera, Jacks, Jefferson, Limekiln, Olmsted, Panzier and Underwood Annexations;  
b. Approve a property tax transfer agreement for the proposed Fort Ord Annexation to the Salinas Rural Fire Protection District, including policy direction to pursue revenue neutrality with respect to the fiscal impact of future development; and  
c. Authorize the Chair to sign a letter to the Local Area Formation Commission supporting the Salinas Rural Fire Protection District annexation application.

23. a. Accept the recommendation of the Monterey County Fish and Game Commission to award a funding grant to Hunter's Supply; and  
b. Approve distribution of Fish and Game grant funds in the amount of $2,683 for a specified grant project for Fiscal Year 2008-09.

24. Approve and authorize the Contracts/Purchasing Officer to sign Master Agreements with Casa de Floors and Wheeler's Flooring America (dba Griffin Carpets) to provide carpet installation services on an as-needed basis for projects of $10,000 or less each, to the County of Monterey for the initial term of two (2) years from the date of signing the Agreements, through June 30, 2010, including the option to extend the Agreements for three (3) additional one (1) year periods, with a yearly aggregate value estimated not to exceed $150,000 for the Agreements, in accordance with the terms and conditions set within each Agreement.

25. Approve and authorize the Chair to sign Amendment No. 8 to Agreement No. A-10723 with Wellspring Management Services, LLC, a Huron Consulting Group Company, for additional professional healthcare services at Natividad Medical Center in an amount not to exceed $775,000.

RMA - PLANNING DEPARTMENT:

27. a. Accept the Parcel Map to allow a subdivision of a 100 acre parcel into two (2) separate parcels: one (1) 60 acre parcel and one (1) 40 acre parcel;
   b. Accept the Parcel Map Guarantee and Tax Clearance letter from the Tax Collector;
   c. Direct the Clerk of the Board to submit the Parcel Map to the County Recorder for filing;
   d. Approve the Conservation and Scenic Easement Deed;
   e. Authorize the Chair to sign the Conservation and Scenic Easement Deed;
   f. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing;
   g. Direct the Parks Department to deposit the recreation-in-lieu fee of $95 into the Recreation-In-Lieu Fee Trust Account No. 080-3473 to be used for financing parks and recreation programs and facilities; and
   h. Direct the Clerk of the Board to submit the Mitigation Monitoring Agreement to the County Recorder for filing.
   (PLN050523/ MONTEMAYOR, 63519 Argyle Road, Lockwood Area, South County Area)

   (PLN080438/Williamson Contract Applications, County-wide)

29. a. Accept and authorize the Chair to execute the Conservation and Scenic Easement Deed; and
   b. Direct the Clerk to the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing.
   (Conservation and Scenic Easement Deed - PLN070157/Taylor [Oliver and Gold], 100 Via Milpitas, Carmel, Carmel Valley Master Plan)

RMA - PUBLIC WORKS:

30. a. Amend Personnel Policies and Practices Resolution No. 98-394 to revise Section A.9.9 Road Commissioner Pay Premium;
   b. Appoint Assistant Public Works Director, Paul H. Greenway, P.E. as Road Commissioner; and
   c. Direct the Auditor-Controller to implement the terms of this amendment.

31. a. Approve a Maintenance Agreement with the City of Salinas in compliance with the requirements of the Local Agency Formation Commission, Resolution No. 08-10, for maintenance on Rogge Road and Williams Road in the Salinas Area;
   b. Authorize the Chair to execute the Maintenance Agreement; and
   c. Direct the Clerk of the Board to return the Maintenance Agreement to the Department of Public Works to forward to the City of Salinas.
32.  
a. Adopt a Resolution to approve submittal of a grant application in the amount of $1,800,000 to the State Bicycle Transportation Account for the Spreckels Boulevard/Reservation Road Bicycle Path and Bridge Project;

b. Authorize the Acting Public Works Director, or his designee, to act as the agent for the County in processing all documentation to secure these funds from the State Bicycle Transportation Account; and

c. Approve the commitment to fund $180,000 from local, state, and/or federal secured grant funds as the ten percent (10%) grant-matching requirement.

33.  
a. Adopt a Resolution finding that 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 (4/5th vote required).

34.  
a. Award a contract to Granite Rock Company, dba, Pavex Construction Division, the lowest responsible bidder, for construction of the San Miguel Canyon Road Overlay Project in Prunedale from State Highway 101 to Hall Road, Project No. 09-140765, in the total amount of $3,019,044;

b. Approve the Performance and Payment Bonds executed and provided by Granite Rock Company, dba, Pavex Construction Division;

c. Authorize a contingency (not to exceed ten percent (10%) of the contract amount) to provide funding for approved contract change orders; and

d. Authorize the Acting Public Works Director to execute the contract.

35.  
a. Approve and authorize the Contracts/Purchasing Officer to renew Lease Agreement A-07545 through October 31, 2018, with Salinas Airport Business Park Partners for 42,094 square feet of general office space located at 730 La Guardia Street, Salinas, California, for use by the Department of Social and Employment Services - Office for Employment Training Division;

b. Direct the Fiscal Office of the Office for Employment Training to make lease payments of $61,036.30 per month, effective November 1, 2008, and in accordance with the terms of the Agreement; and

c. Authorize the optional extension of the Lease Agreement for an additional two (2), five-year periods under the same terms and conditions if deemed by the Contracts/Purchasing Officer to be in the best interest of the County.

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Supplemental Agenda for Tuesday, November 18, 2008

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

Under Closed Session:

SA-1  S-1  a. Pursuant to Government Code section 54956.9(a), the Board will
confer with legal counsel regarding existing litigation.
   1. Christopher L. Griffith vs. Monterey County Sheriff's Department,
et al. (M82580; H032108)
   2. Clifford L. Jackson vs. Monterey County Jail, et al. (C07-01202)

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

Agenda Title:

SA-2  MONTEREY COUNTY REDEVELOPMENT AGENCY

Under Closed Session:

SA-3  S-1  h. Pursuant to Government Code Section 54957.6, the Board of Directors
of the Redevelopment Agency will confer with real property
negotiators regarding the East Garrison area of the former Fort Ord;
Negotiator, Jim Cook for the County of Monterey.

Under Consent Calendar:

CRIMINAL JUSTICE:

SA-4  a. Approve an increase in appropriations and estimated revenues by $16,170 in
Sheriff’s Budget Unit 230 for the purchase of a used 2008 Chevrolet
Trailblazer for the Abandoned Vehicle Abatement Unit; and
b. Direct Auditor-Controller to increase appropriations and estimated revenues in
Sheriff’s Budget Unit 230 as detailed in the Board Order (4/5ths Vote
Required).

SA-5  a. Approve and authorize the Chief Probation Officer to submit a grant
application in the amount of $320,000 for utilization of Juvenile
Supplemental Agenda for Tuesday, November 18, 2008

Accountability Block Grant (JBAG) funds for the Gang Intervention Collaborative; and
b. Authorize and accept the funds, if awarded, and agree to all terms and conditions of the JBAG grant including the encumbrance and liquidation dates.

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

Under Adjournment:

SA-6 ORDER FOR ADJOURNMENT TO FRIDAY, NOVEMBER 21, 2008

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