ROLL CALL
Present: Supervisors Potter (Chair), Armenta, Calcagno, Salinas, and Parker.

1. Additions and Corrections for Closed Session: There were no additions or corrections.

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, et al. v. County of Monterey, et al. (Monterey County Superior Court case no. M113552)
      CLOSED SESSION REPORT: The Board took no reportable action.
   b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two matters three matters of significant exposure to litigation. (Revised via Addendum)
      CLOSED SESSION REPORT: The Board took no reportable action.
   c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
(1) Yvonne Lattimore
CLOSED SESSION REPORT: The Board voted to reject this late claim.

(2) Pam Henry
CLOSED SESSION REPORT: The Board voted to reject this late claim.

d. Pursuant to Government Code section 54957, the Board will provide a
   performance evaluation for the Equal Opportunity Officer.
   CLOSED SESSION REPORT: The Board took no reportable action.

e. Pursuant to Government Code section 54956.9(c), the Board will confer with
   legal counsel regarding potential initiation of one litigation matter.
   CLOSED SESSION REPORT: The Board took no reportable action.

f. Pursuant to Government Code section 54957, the Board will provide a
   performance evaluation for the Natividad Medical Center CEO.
   CLOSED SESSION REPORT: The Board took no reportable action.

10:30 A.M. RECONVENED

ROLL CALL
Present: Supervisors Potter (Chair), Armenta, Calcagno, Salinas, and Parker.

3. The Pledge of Allegiance was led by Supervisor Salinas.

4. Additions and Corrections: There were no additions or corrections.

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   Nina Beety pulled item 29
   Motion by Supervisor Parker, seconded by Supervisor Armenta to approve
   the Consent Calendar – Regular, with the exception of item 29. ALL AYES

   Item 29 Public comment: Nina Beety, Jan Mitchell, Steve Ecklun.
   Deanna Hillbrandt responded to public comment on item 29.
   Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve
   item 29. ALL AYES

CEREMONIAL RESOLUTIONS Items 6 through 10 voted on concurrently

6. Adopted Resolution No. 12-029 commending Valerie Barnes, M.D. on her
   retirement with 24 years of dedication service to Natividad Medical Center.
   (Supervisor Potter)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL
   AYES
7. Adopted Resolution No. 12-030 recognizing Jaci Pappas as 2012 Big Sur Volunteer Extraordinaire. (Supervisor Potter)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

8. Adopted Resolution No. 12-031 Honoring Janet Marie Buttgereit upon her selection as the 2011 King City Chamber of Commerce and Agriculture Friend of the Community. (Supervisor Salinas)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

9. Adopted Resolution No. 12-032 honoring Mikel Ann Miller upon her selection as the 2011 King City Chamber of Commerce and Agriculture Citizen of the Year. (Supervisor Salinas)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

10. Adopted Resolution No. 12-033 honoring Rava Ranches upon their selection as the 2011 King City Chamber of Commerce and Agriculture Business of the Year. (Supervisor Salinas)
    Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

APPOINTMENTS - Items 11 through 18 voted on concurrently

11. Appointed Chief Paul Miller to the Emergency Medical Care Committee, to fill an unscheduled vacancy, term ending June 30, 2012. (Full Board)
    Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES

12. Appointed Chief Vicki Myers to the Mental Health Commission to fill an unscheduled vacancy term ending May 31, 2013. (Full Board)
    Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES

13. Appointed Brent Reitz to the Moss Landing County Sanitation District Citizens’ Advisory Committee, term ending March 24, 2013. (Supervisor Calcagno)
    Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES

14. Reappointed Randy Bangs and Mark Gonzalez to the Youth Council of the Monterey County Workforce Investment Board, terms ending February 14, 2014. (Full Board)
    Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES
15. Reappointed Phoebe Helm to the Monterey County Workforce Investment Board, term ending February 14, 2015. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES

16. Reappointed Elliott Robinson to the Monterey County Workforce Investment Board, term ending February 14, 2014. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES

17. Appointed Kimberly Schnader to the Monterey County Workforce Investment Board to fill an unscheduled vacancy, term ending May 25, 2013. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES

18. Appointed Chief Earl Lawson to the Juvenile Justice Coordinating Council, term ending at the pleasure of the Board. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES

Recessed

Convened as the Board of Supervisors of the Monterey County Water Resources Agency

MONTEREY COUNTY WATER RESOURCES AGENCY

ROLL CALL
Present: Supervisors Potter (Chair), Armenta, Calcagno, Salinas, and Parker.

19. Reappointed Mike Scattini to the Monterey County Water Resources Agency, term ending December 31, 2015. (Full Board)
   Motion by Supervisor Salinas, seconded by Supervisor Calcagno. ALL AYES

Adjourned

Reconvened as Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS

OTHER BOARD MATTERS

20. Board Comments: There were no Board comments.

21. CAO Comments and Referrals: There were no CAO comments or referrals.
22. Public Comment: Hans Jongens; Nina Beety

**SCHEDULED MATTERS**

S-1 Received a report regarding registration and use of methyl iodide, adopted Resolution No. 12-042 Urging Governor Brown to Reexamine the Registration of Methyl Iodide for Agricultural Use in California, and Further Encouraging that More Energy and Funding be Directed to the Development of Non-Fumigant Alternatives to Methyl Iodide and Other Synthetic Pesticides; and provided direction to staff.

**Public comment:** Jim Bogart; Norm Grood; Jeff Gilles; Mark Mireille; Rick Thomlinson; Efren Barajas; Patsy Montgomery; Francisco Estrada, Sr.; Cesar Lara; Gary Karnes; Ramiro Medrano.

**Motion by Supervisor Armenta, seconded by Supervisor Salinas. 4 - 1 (Supervisor Calcagno Dissented)**

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

1:30 P.M. RECONVENE

**MONTEREY COUNTY BOARD OF SUPERVISORS**

**ROLL CALL**
Present: Supervisors Potter (Chair), Armenta, Calcagno, Salinas, and Parker.

S-2 Public hearing held and:

a. Rescinded certification of the Environmental Impact Report prepared for the Monterey-Salinas Transit (MST)/Whispering Oaks Business Park project;

b. Adopted Ordinance 5195 to repeal Ordinance No. 5181, which would have rezoned certain property in the County unincorporated Fort Ord Master Plan area in connection with the MST/Whispering Oaks Business Park project;

c. Resolution No. 12-041 Rescinded approval of a Combined Development Permit consisting of:

1) A Standard Subdivision Phased Vesting Tentative Map dividing two parcels of 30.3 acres and 85.2 acres (Assessor’s Parcel Numbers 031-101-041-000 and 031-101-056-000) into 16 buildable lots including a 24.4 acre lot and 15 smaller lots ranging in size from 1 acre to 3 acres, a roadway parcel (approximately 7.4 acres), a drainage detention and percolation parcel (approximately 1.7 acres), and three Open Space parcels (approximately 59 acres);

2) A General Development Plan establishing Allowed Uses, Conditional Uses allowed, and site development standards and design criteria for the proposed Whispering Oaks Business Park;

3) A General Development Plan and Use Permit to allow development of the Monterey-Salinas Transit (MST) administrative and maintenance facility containing the following: A) a 36,000 square foot three-story
administrative building; B) a 96,450 square foot two-story bus maintenance building; C) an 18,620 square foot fuel/brake/tire building with underground tanks attached by a canopy to an 8,373 square foot bus wash/steam cleaning building; and D) approximately 15 acres of paved parking to accommodate up to 281 busses and 388 automobiles;

4) A Use Permit to allow the removal of approximately 2,400 Coast Live Oak trees on Lot 1 (MST parcel);

5) A Use Permit to allow the removal of approximately 1,000 Coast Live Oaks on Lots 2 through 16, and for infrastructure improvements; and

6) An Administrative Permit and Design Approval for development within the Site Plan Review ("S") zoning district; and

d. Rescinded the Mitigation Monitoring and Reporting Plan for the MST/Whispering Oaks Business Park project.

e. Rescinded allocation of 92.7 acre feet of water per year to the MST/Whispering Oaks Combined Development Permit.

(Monterey-Salinas Transit Bus Maintenance and Operations Facility and Whispering Oaks Business Park - PLN110231/MST and Monterey County, Former Army Landfill site, Fort Ord Master Plan area)

Carl Sedoryk, Monterey-Salinas Transit addressed the Board.

Public comment: Eric Peterson; Hans Jongens; Vicki Pearse; John Hutcherson; Susan Ragsdale-Cronin; Catherine Crockett; Denyse Frischmuth; Steve Eklund; Bill Weigle; Kay Cline; Rina Kempton; Susan Schiavone; Rodd Wybrandus; Ulaf Reibrandis (sp); Ed Mitchell; Lisa Deas; Jan Mitchell; Don Champion; Safwat Malek; Chris Mack; Alexander Henson; Jan Shriner; Nina Beety; George Riley; Jason Campbell; Duane Lindsay; Annie Bohelos; Susanne Worcester; Markus McMahon; Margie Kay; Frank Lambert; Emily Aiken; Amy White; James Green; Don Ask; Margaret Davis; Gail Morton; Sergio Sanchez; Karen Saviano.

Motion by Supervisor Calcagno, seconded by Supervisor Parker. 4 -1 (Supervisor Armenta Dissented)

Report of Closed Session (See item 2. a. through f.)

ADJOURNMENT

APPROVED:

/s/ Dave Potter
DAVE POTTER, CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: /s/ Gail T. Borkowski
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

23. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement No. A-12179 with Medical Information Technology Inc. for CCD Exchange Suite, PDI Integration (1), Syndromic Surveillance, Immunizations Reporting, Electronic Lab/Mic Reporting, and Electronic Path/BK Reporting Services at NMC in an amount not to exceed $141,292 for the period February 28, 2012 to January 31, 2013.

HEALTH AND SOCIAL SERVICES

24. a. Amended the Fiscal Year (FY) 2011-12 Health - Clinic Services Budget 4000, HEA007, Unit 8103 to reallocate one (1.0) FTE Clinic Physician II to one (1.0) FTE Contract Physician; and
b. Amended the FY 2011-12 Health - Clinic Services Budget Unit 4000, HEA007, Unit 8102 to reallocate two (2.0) Patient Services Representative II to two (2.0) FTE Medical Assistant; and
c. Directed the County Administrative Office to incorporate approved changes in the FY 2011-12 Budget as outlined in the Board Order.

25. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign a Memorandum of Understanding No. A-12180 between the Monterey County Special Education Local Plan Area (hereinafter "SELPA"), on behalf of its member local education agencies, and the Monterey County Department of Social and Employment Services (hereinafter "DSES") to remit to DSES up to $705,841 for costs for residential board and care and wraparound services provided to AB 3632 eligible SELPA students with disabilities pursuant to their individualized education plans ("IEPs") from July 1, 2010 through June 30, 2011.

GENERAL GOVERNMENT

26. Resolution No. 12-037; Construction No. 2011-003 Authorized acceptance of work and file a combined Notice of Completion for the second and third (final) quarters of the annual maintenance of park roadways at Laguna Seca Recreation Area for Calendar Year (CY) 2011, Bid No. 10289.

27. Amended the Monterey County Public Finance Policy approved April 29, 2008 to update certain policies and to delete reference to duplicative Debt Advisory Committee.
28. Exercised the Board of Supervisors option under California Government Code 53853 to notify certain school districts that it will not authorize the issuance of tax and revenue anticipation notes ("TRANs") of the Districts and to provide such notification by February 15, 2012.

29. Agreement No. A-12181
   a. Approved and authorized the Contracts / Purchasing Officer to sign a "Wireless Communication Site Lease Agreement" with Pacific Gas and Electric (PG&E) for the period of March 1, 2012 through February 28, 2017 to permit PG&E to sublease tower space at the Huckleberry Hill radio communications site and
   b. Authorized an auto-renewal clause as recommended by the Director of Emergency Communications.

   **Public comment:** Nina Beety, Jan Mitchell, Steve Ecklun.

   **Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES**

30. a. Approved an increase in Fiscal Year (FY) 2011-12 estimated revenue and appropriations of $23,775.00 in the Clerk-Recorder’s Appropriation Unit ACR002; (4/5ths vote required); and
   b. Authorized the Auditor-Controller to amend the FY 2011-12 Budget to reflect these actions and transfer funds from Clerk-Recorder Modernization Account 020-2751 to the Clerk-Recorder Appropriation Unit ACR002.

31. a. Approved and authorized the Chair to execute an Agreement No. A-12182 in the amount of $27,679.32, including non-standard insurance and indemnification provisions, retroactive to July 1, 2011 and effective through the period of June 30, 2014, between Iron Mountain Information Management, Inc. and the County of Monterey for the offsite vaulted retention, preservation, and protection of Monterey County’s official/vital microfilm/microfiche records;
   b. Approved an increase in Fiscal Year (FY) 2011-12 estimated revenue and appropriations of $27,679.32 in the Clerk/Recorder’s Appropriation Unit ACR002; (4/5ths vote required); and
   c. Authorized the Auditor-Controller to amend the FY 2011-12 Budget to reflect these actions and transfer funds from the Clerk-Recorder Modernization Account 020-2751 to the Clerk-Recorder Appropriation Unit ACR002.

32. Adopted Resolution No. 12-036 to amend Personnel Policies and Practices Resolution No. 98-394 (PPPR) to revise sections related to salary associated with broadbanded classifications.

33. a. Adopted Resolution No. 12-035 supporting the designation of the Fort Ord federal public lands managed by the Bureau of Land Management as a National Monument; and
b. Directed the Intergovernmental and Legislative Affairs Division to send the resolution and a letter from the Chair of the Board to the President of the United States.

34. Received a report on the Governor’s Fiscal Year 2012-13 Proposed Budget.

**RMA - PUBLIC WORKS**

35. a. Approved $5,000 in Utilities Unit 8182 for a Pacific Gas and Electric Company California Solar Initiative Program Reservation Request application fee; and

b. Authorized the Acting Director of Public Works or his designee to approve the Pacific Gas and Electric Company California Solar Initiative Application Fee invoice in the amount of $5,000.

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