8:30 A.M.

ROLL CALL:
Present: Supervisors Armenta (Chair), Salinas, Mettee-McCutcheon.
Absent: Supervisors Calcagno, Potter.

NOTE: Supervisors Calcagno and Potter were present for Closed Session.

1. Additions and Corrections to Closed Session
   There were no Additions or Corrections

2. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54957, the Board conferred regarding appointment to the position of Natividad Medical Center CEO.
   RESULTS OF CLOSED SESSION: The Board interviewed two candidates. One interview is scheduled for next week. No further action taken.

   b. Pursuant to Government Code section 54956.9(b), the Board conferred with legal counsel regarding one item of significant exposure to litigation.
   RESULTS OF CLOSED SESSION: The Board received information from staff and provided direction to staff on how to proceed.
c. Pursuant to Government Code section 54956.9(a), the Board conferred with legal counsel regarding existing litigation.


2. Helping Our Peninsula’s Environment vs. Monterey County Board of Supervisors; September Ranch Partners, et al., Real Parties in Interest (M82643)

RESULTS OF CLOSED SESSION: The Board approved settlement agreements in both cases and authorized the Chair of the Board to execute the settlement agreements.

10:30 A.M. RECONVENED

ROLL CALL:
Present: Supervisors Armenta (Chair), Calcagno, Salinas, Mettee-McCutcheon, Potter

3. Pledge of Allegiance was led by Supervisor Armenta.

4. Additions and Corrections The Clerk of the Board announced agenda corrections and proposed additions which were acted on by the Board as provided in Sections 54954.2 of the California Government Code. Due to the need for immediate consideration by the Board of matters which arose after the posting of today’s agenda, the Board is asked to make the following additions and corrections:

AC-1 PULLED 44. Accept the Annual Evaluation Report of traffic on Carmel Valley Road, Rio Road, and Carmel Rancho Boulevard, pursuant to Carmel Valley Master Plan Policy 39.3.2.1(b), Carmel Valley Area.

AC-2 PULLED 48. Introduce, waive reading, and set January 13, 2009, at 10:30 a.m. to consider adoption of an Ordinance amending the Monterey County Code, Title 12, to add Section 12.66.020 to establish a 20-minute-limit passenger or freight loading zone on the west side of Highlands Drive from a point 352 feet south of the centerline of Fern Canyon Road, southerly for a distance of 40 feet, in Carmel Highlands.

AC-3 Adjourned in the memory of Kay Barrett, Monterey County Planning and Building Inspection Department.

Motion by Supervisor Potter, seconded by Supervisor Salinas. ALL AYES
5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   Items 13; 15; and 25 through 29 were removed from Consent for public comment.
   Public Comment on Items 13; 15; 25 through 29.
   · Hans Jongens stated Item 13 is an excellent example of doing business in Monterey County; he questioned Item 15 regarding management positions. Mr. Jongens further questioned separate conflict of interest codes for County departments on Items 25-29.
   Assistant County Counsel Lee Blankenship responded regarding Conflict of Interest Codes for all public agencies.

   Motion by Supervisor Salinas, seconded by Supervisor Potter. All Consent Items approved excluding Consent Items 44 and 48 which were withdrawn from the Agenda. ALL AYES

6. CONSENT CALENDAR - PAJARO COUNTY SANITATION DISTRICT
   (See Supplemental Sheet)
   Motion by Supervisor Salinas, seconded by Supervisor Calcagno. ALL AYES

7. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)
   Motion by Supervisor Mettee-McCutcheon, seconded by Supervisor Potter. ALL AYES

OTHER BOARD MATTERS:

8. Board Comments, Referrals, and Updates
   · Supervisor Calcagno announced that he and Mrs. Calcagno have made a personal donation of $3,000 each to community causes within his District: North County High School Band and Alvarez High School
   · Supervisor Armenta stated his Certificate of Ethics Law Training is available for viewing in his office.

9. CAO Comments
   County Administrative Officer Lew Bauman reported on Operation Yellow Ribbon.
   Director of Resource Management Agency, Wayne Tanda, introduced Yazdan T. Emrani P.E. as the new Director of Public Works.

10. Public Comment (Limited to 3 minutes per speaker)
    · Hans Jongens addressed the Board and submitted three articles from the American Free Press.
APPOINTMENTS:

11. Reappointed Helen Stevenson to the Community Action Commission for a term ending July 1, 2011. (Supervisor Calcagno)

Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES

SCHEDULED MATTERS:

S-1 Public Hearing to take action on 2009 Agricultural Preserve and Farmland Security Zone applications: NEEDS COMPLETION
  a. Approved application for ten Farmland Security Zone contracts;
  b. Denied applications for two (2) one (1) Agricultural Preserve contract and one (1) Farmland Security Zone contract;
  c. Authorized Chair of the Board to execute Farmland Security Zone contracts; and
  d. Directed Clerk of the Board to record the Farmland Security Zone contracts.

(PLN080438/Williamson Act Contract Applications, County-wide)

Public Hearing Opened
Public Comment:
John Bailey, attorney for Mortensen, questioned denial due to lack of proof of potential income.
Public Hearing Closed

Motion by Supervisor Salinas, seconded by Supervisor Calcagno to: (1) Approve all staff recommendations with the exception of staff's recommendation to deny the Mortensen Family Trust Application to Establish an Agricultural Preserve and Land Conservation Contract; (2) adopt a Resolution of Intent to Approve the Mortensen Family Trust Application to Establish an Agricultural Preserve and Land Conservation Contract; and (3) direct Staff to return the Mortensen Family Trust Application to the Board as a Consent Agenda item on Tuesday, December 16, 2008 to authorize the Chair to execute the Land Conservation Contract between the County and the Mortensen Family Trust.

S-2 Adopted Resolution No. 08-365 amending Board of Supervisors Resolution No. 06-221 to add a condition of approval recommended by the Department of Conservation, including the following actions:
  a. Approve an equal exchange of 80 acres under Williamson Act. Land Conservation Contract No. 73-034 with contiguous acreage not under contract such that there is no net decrease of acreage under contract (Patterson; PLN050039); located at Jolon Road, Lockwood Area;
b. Approve a lot line adjustment of acreage under Williamson Act, Land Conservation Contract No. 73-034, that reconfigures four parcels under said contract; and

c. Authorize Chair of the Board to execute an amended Williamson Act Land Conservation Contract, rescinding a portion of Land Conservation Contract No. 73-034 for Jessie Lee Patterson Trust et al to reflect the newly reconfigured Assessor Parcels legal lots of record, and simultaneously execute a new Land Conservation Contract (No. 73-034A) between the County of Monterey and Jessie Patterson Trust et al, to incorporate new legal descriptions, based on the reconfigured Assessor Parcels, to reflect ownership interests, and incorporate any legislative changes to the State Williamson Act provisions and current Agricultural Preserve Procedures.  (Conditional Approval - PLN050039/Pattersen, Lockwood Area, South County Area)

No Public Comment
Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES

12:00 P.M. Recessed for Lunch

1:30 P.M. Reconvened

ROLL CALL:
Present: Supervisors Armenta (Chair), Calcagno, Salinas, Mettee-McCutcheon, Potter

SCHEDULED MATTERS:

S-3  a. Adopted the 2009 Monterey County Legislative Priorities and Legislative Platform as recommended by the Board of Supervisors Legislative Committee; and

b. Adopted additional Legislative Platform issues submitted by the Child Care Planning Council (CCPC).

Public Comment:
· Jim Egar, Public Defender, expressed support of the Legislative Priorities and Legislative Platform.

Motion by Supervisor Potter, seconded by Supervisor Mettee-McCutcheon. ALL AYES
Continued to December 16, 2008 as directed. Authorize the Contracts/Purchasing Officer to release a Request for Proposal (RFP No. 10156) for countywide provision of "advanced life support" ambulance service.

Public Comment:
- Jeff Ruch, Acting President of IFF Local 4513, representing the EMT's, Paramedics, and Emergency Medical Dispatch, requested workforce protection language be added to the current RFP.
- Cesar Lara, representing Monterey Bay Central Labor Council, requested language in the RFP process to be added for workforce protection.
- Martha Karsten, Big Sur Volunteer Fire Brigade Assistant Chief, thanked the Board for their concern to keep the ambulance in the Big Sur area and allowing it to be on the RFP for bidding.
- Kirk Gafill, President of Big Sur Chamber of Commerce, urged continued support for ambulance service in the Big Sur area.

Motion by Supervisor Potter, seconded by Supervisor Calcagno to continue this matter to Tuesday, December 16, 2008 with direction to staff regarding language for workforce protection and Big Sur response times. ALL AYES

a. Considered the Negative Declaration previously adopted for the proposed zoning reclassification and VanBrocklin Minor Subdivision (PLN990215); and NEEDS COMPLETION

b. Adopted an Ordinance to amend Title 21 (zoning) of the Monterey County Code to change the zoning from "LDR/5-D" (Low Density Residential, 5 acre minimum with Design Control Overlay) to "LDR/5-D-B-6" (Low Density Residential, five (5) acre minimum with Design Control and B-6 Building Site Overlay) on properties located at 848 River Road (Assessor’s Parcel Number 167-061-037-000).

(Rezone GPZ080005/VanBrocklin, 848 River Road, Salinas, Toro Area Plan)

No Public Comment

Motion by Supervisor Potter, seconded by Supervisor Calcagno. ALL AYES

a. Resolution No. 08-374 Certified the Environmental Impact Report, approved a mitigation monitoring and reporting plan (program), adopted statement of overriding considerations; and

b. Based on the findings and evidence and subject to the conditions of approval, approved the Reduced Single Family Development Alternative for the Rancho Los Robles Project consisting of: demolition/removal of two (2) single-family dwellings, two (2) barns, a garage and two (2) mobile homes; Standard Subdivision of 33.58 acres into 76 total lots: 68 single-family lots, four (4) duplex lots, a
1.76-acre mixed use lot with a General Development Plan allowing 17,000 square feet of commercial space with four (4) apartment units above, and 9.7 acres of open space including a 2.5-acre public park; removal of twenty-five (25) oak trees and on-site relocation of 0.1-acre of willow trees; development of two (2) access roads on Sill Road that will align with existing Roadways (Miller Road and Kinghill Road) and one (1) access road to Hall Road. No separate access/driveways will be allowed on Sill or Hall Roads. (PLN970159/Rancho Los Robles, 100 Sill Road, Las Lomas, North County Coastal Zone)

Public Hearing Opened
· Mark Blum, on behalf of the applicant, concurs with staff recommendations and urged approval.
· David Evans expressed opposition to the project.
· Klaus Kloeppel was opposed to the project.
· Mari Kloeppel, representing Friends, Artists and Neighbor of Elkhorn Slough (FANS), submitted letter, requested a continuance to review documents and urged denial of the project.
· Rev. James Whertley expressed support of the project.
· David L. Fried opposed the project.
· Rich Kirby discussed water availability.
· Ken Walker opposed the project.

Motion by Supervisor Salinas, seconded by Supervisor Mettee-McCutchen to approve staff recommendations, including errata to the Findings & Conditions to conform staff's recommendation to the staff-recommended Reduced Density Alternative.
3 Ayes: Supervisors Salinas, Mettee-McCutchen, Armenta
2 Nays: Supervisors Potter, Calcagno
Motion Carried

NOTE: County Counsel provided Results of Closed Session (see Items 2 a-c).

ADJOURNED In the Memory of Kay Barrett

APPROVED:

______________________________
FERNANDO ARMENTA, CHAIR
BOARD OF SUPERVISORS

ATTEST:
DENISE PENNELL
Interim Clerk of the Board

BY: _________________________
Denise Hancock, Deputy
CONSENT CALENDAR

Motion by Supervisor Salinas, seconded by Supervisor Potter. ALL AYES
(Consent Items 44 and 48 were withdrawn from the Agenda)

NATIVIDAD MEDICAL CENTER:

12. Agreement No. A-11328 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Beacon Partners for Consulting Services for implementation of OnBase, the Natividad Medical Center (NMC) Electronic Health Record Module in an amount not to exceed $182,000 for the period December 1, 2008 to November 30, 2009.

13. Agreement No. A-11329 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to sign Amendment No. 1 to the Agreement with Mission Linen Service in an amount not to exceed $450,000 per year (an increase of $350,000) or $900,000 for the term July 1, 2008 through June 30, 2010 for Laundry Processing Services at NMC.

14. Agreement No. A-11330; Board Budget No. 08/09-079
   a. Approved and authorized the NMC Purchasing Manager to execute an Agreement between Picis, Inc. and Natividad Medical Center (NMC) for the period December 15, 2008 to December 14, 2010, to provide Operating Room (OR) Management software consisting of OR Scheduling, Perioperative Nursing Record, Preference Card Management, Standard and Ad-hoc Reports and Interfaces between hospital HCIS in an amount not to exceed $352,418; and
   b. Directed the Auditor-Controller to amend Fiscal Year 2008-09 Natividad Medical Center Budget Unit 960 to reflect the changes in appropriations as outlined in the Board Order (4/5th Vote Required).

HEALTH AND SOCIAL SERVICES:

15. Resolution No. 08-349; Board Budget No. 08/09-080
   a. Amended Personnel Policies and Practices Resolution No. 98-395 to reactivate the class of Administrative Services Manager and set salary;
   b. Approved and amended Fiscal Year 2008-09 Department of Social and Employment Services Budget Unit 501 to reclassify and reallocate one (1.0) FTE Administrative Services Officer to one (1.0) FTE Administrative Services Manager position; and
   c. Directed the Auditor-Controller to amend Budget Unit 501 Department of Social and Employment Services position allocations to reflect the changes.

17. Board Budget No. 08/09-081
   a. Amended Health Department Budget Unit 411 to reallocate the following positions: one (1.0) FTE Senior Health Educator to one (1.0) FTE Public Health Nutritionist II, and one (1.0) FTE Senior Secretary and one (1.0) FTE Office Assistant III to two (2.0) FTE Public Health LVN; and
   b. Directed the Auditor-Controller to amend Fiscal Year 2008-09 Health Department Budget Unit 411 to reflect the change in position count as outlined in the Board Order.

18. Agreement No. A-11011
   Approved and authorized the Director of Health to sign Amendment No. 1 to Professional Services Agreement A-11011 with Alliance on Aging for the Senior Peer Counseling Program that provides mental health intervention, support and referral services to older adults, increasing the Agreement in the amounts of $40,031 for December 1, 2008 through June 30, 2009, and $68,625 for July 1, 2009 through June 30, 2010, for a revised total maximum agreement amount of $323,914.

19. a. Agreement No. A-11331 Approved and authorized the Director of Health to sign a Mental Health Services Agreement with The Village Project, Inc., effective December 1, 2008 through June 30, 2010, for mental health outreach and counseling services in the amount of $342,000; and
   b. Authorized the Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the total contract amount and do not significantly change the scope of work.

20. a. Agreement No. A-11332 Approved and authorized the Director of Health to sign a Professional Services Agreement in the amount of $120,000 per year, with Lucile Salter Packard Children’s Hospital at Stanford University to provide perinatology services in the Health Department Clinic Services Division, beginning October 1, 2008, with an initial term of three (3) years, renewable for additional terms of one (1) year each upon the written consent of both parties; and
   b. Authorized the Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount, and do not significantly change the scope of work.
CRIMINAL JUSTICE:

21. Approved and authorized the Sheriff to sign a grant application with the State of California, Governor’s Office of Emergency Services (OES) for California Multijurisdictional Methamphetamine Enforcement Team (Cal-MMET) program for Fiscal Year 2008-09, in an estimated amount of $175,846.

22. Board Budget No. 08/09-082 Approved advancement of Eduardo Lorenzana to Step 4 of the Chief Deputy Sheriff salary range retroactive to September 6, 2008, pursuant to Personnel Policies and Practices Resolution 98-394, Section A.1.11.5 (Waiver for Unusual Circumstances).

GENERAL GOVERNMENT:


24. Adopted Resolution No. 08-351 which rescinded the original distribution of excess proceeds on Assessor’s Parcel No. 241-321-012-000 ordered by Resolution No. 08-175 and re-approve the distribution to the final remaining claimant.

25. Approved amendments to conflict of interest code of the Treasurer/Tax Collector of Monterey County.

26. Approved amendments to conflict of interest code of the Assessor-County Clerk-Recorder of Monterey County.

27. Approved amendments to conflict of interest code of the Emergency Communications Department of Monterey County.

28. Approved amendments to conflict of interest code of the Information Technology Department of Monterey County.

29. Approved the conflict of interest code of the Clerk of the Board of Supervisors of Monterey County.

30. Agreement No. A-11333 Authorized Board Chair to sign a new contract with Santa Clara County for their County Counsel’s Office to provide legal services to the County of Monterey regarding the proposed incorporation of Carmel Valley in an amount not to exceed $20,000.
31. Resolution No. 08-352; 2008CONST0002 Authorized acceptance of work and file a combined Notice of Completion for the first, second, third and fourth quarters of the annual maintenance of park roadways at Laguna Seca Recreation Area for calendar year 2008, Bid No. 10108.

32. Agreement No. A-11334
   a. Approved and authorized the Deputy Chief Park Ranger/Operations Manager to sign a Standard Grant Agreement, including all certifications, with the Department of Boating and Waterways for patrol boat equipment replacement; and
   b. Authorized the Contracts/Purchasing Officer to approve patrol boat equipment purchases up to $25,000 from Budget Unit 755.

33. Agreement No. A-11335 Approved and authorized the Contracts/Purchasing Officer to sign a Master Agreement with ABM Janitorial Services to provide window washing services on an as-needed basis for projects of $10,000 or less each, to the County of Monterey for the initial term of approximately nineteen (19) months from the date of Board approval of the Agreement through June 30, 2010, including the option to extend Agreement for three (3) additional one (1) year periods, with a yearly aggregate value estimated not to exceed $150,000 for the Agreement, in accordance with the terms and conditions set forth within the Agreement.

34. a. Approved and authorized the Contracts/Purchasing Officer to sign Agreements with Alta Construction, LLC (A-11336), Arboricultural Specialties, Inc., dba The Professional Tree Care Co. (A-11337), Community Tree Service (A-11338), S & C Tree Service (A-11339), South Bay Tree Care, Inc., (A-11340) Topes Tree Service (A-11341), Urban Lumberjacks, Inc. (A-11342), and West Coast Arborists, Inc. (A-11343), for provision of tree pruning and tree removal services to the County of Monterey in the amount of $10,000 or less per project on an as-needed basis, for the term of approximately eighteen (18) months from the date of signing through, and including June 30, 2010, and to include the option to extend the Agreements for three (3) additional one (1) year periods in accordance with the terms and conditions set within each Agreement. The aggregate amount to be spent for all Agreements issued under RFP No. 10096 is estimated not to exceed $1,000,000; and
   b. Authorized the Contracts/Purchasing Officer to sign similar additional Agreements for tree pruning and tree removal services with qualified contractors who meet the minimum requirements of the County of Monterey.
35. Approved and authorized the Contracts/Purchasing Officer to sign the "Surety Bond Release to The Travelers Casualty and Surety Company of America" to release Cable Franchise Bonds issued by Charter Communications.

36. Agreement No. A-11344  
   a. Approved and authorized the Contracts/Purchasing Officer to sign the Latitude Geographics Master License Agreement in the amount of $16,500 for purchase of Geocortex Essentials software to be used in the creation and maintenance of Geographic Information Systems (GIS) websites;  
   b. Approved and authorized the Contracts/Purchasing Officer to issue purchase orders for the ongoing annual maintenance costs specified in the Agreement at an initial annual cost of $3,300 and subject to a five percent (5%) price increase limit per option year; and  
   c. Accepted Non-Standard County Liability and Indemnification Provisions as recommended by the Director of Information Technology.

37.  
   a. Received the Certified Statement of Votes cast and results of the November 4, 2008 Consolidated Presidential General Election;  
   b. Declared elected the candidates to their respective offices who received the highest number of votes on November 4, 2008, for which the Board of Supervisors has jurisdiction; and  
   c. Declared the results of each measure voted on November 4, 2008, for which the Board of Supervisors has jurisdiction.


39. Agreement No. A-11345; Board Budget No. 08/09-083  
   a. Approved and authorized the Contracts/Purchasing Officer to sign the MONTEREY COUNTY I-NET USER AGREEMENT between the County of Monterey and Monterey County Office of Education (MCOE) for a five (5) year term beginning November 1, 2008;  
   b. Approved and authorized the transfer of $50,000 from the Cable TV Funds Restricted Revenue Account 080-3490 to Budget Unit (BU) 151-Telecommunications Fixed Assets for equipment required for MCOE to broadcast Monterey County Board of Supervisor’s meetings to residents of Monterey County served by Charter Communications and equipment required for MCOE to transmit their broadcast signal to Comcast Cable using the Monterey County I-NET (4/5th Vote Required); and
c. Increased estimated revenue and appropriations by $50,000 in BU 151-Telecommunications as detailed on the attached Board Order (4/5th Vote Required).

40. Board Budget No. 08/09-084 Authorized the placement of Ms. Gail Borkowski at Step 4 of the Clerk of the Board of Supervisors salary range in accordance with Personnel Policies and Practices Resolution No. 98-394, Section A.1.11.1, Non-Elected Unit Y Salary Steps, effective Monday, January 12, 2009.

41. Resolution No. 08-353; Board Budget No. 08/09-085
   a. Amended Personnel Policies and Practices Resolution No. 98-394 to create the classification of Auditor Controller Analyst II, re-title Accounting Analyst to Auditor-Controller Analyst I, and consolidate the classifications of Accounting Analyst and Payroll Manager into Auditor-Controller Analyst I;
   b. Approved re-titling of five (5) Accounting Analyst incumbents and one (1) Finance Manager I incumbent to Auditor Controller Analyst I, and reclassification of one (1) Finance Manager I incumbent to Auditor-Controller Analyst II; and
   c. Directed the Auditor-Controller to incorporate these changes in the FY 2008-09 Auditor-Controller Budget Unit 111.

RMA - PLANNING DEPARTMENT:

42.  a. Approved Amendment No. 5 Agreement No. A-10518 to Professional Services Agreement (PSA) No. A-10518 with LSA Associates, Inc. (LSA) where the Base Budget is increased by $16,880 to $139,050 with no Contingency increase, for a total amount not to exceed $157,377, for completion of an Environmental Impact Report (EIR) for the Proposed Avila General Plan Amendment, Zone Change, Subdivision and Variance located at 870, 874, and 884 River Road in Salinas (PLN980516), for a term through December 31, 2008;
   b. Approved Amendment No. 5 Agreement No. A-10519 to Reimbursement Agreement No. A-10519 with Joseph Samoske and Sandra Samoske and Mused Mohsin and Terry Mohsin where Exhibit 1D is added to the Reimbursement Agreement for completion of an Environmental Impact Report (EIR) for the Proposed Avila General Plan Amendment, Zone Change, Subdivision and Variance located at 870, 874, and 884 River Road in Salinas (PLN980516), for a term through December 31, 2008;
   c. Authorized the Director of Planning to execute Amendment No. 5 to PSA No. A-10518, Amendment No. 5 to Reimbursement Agreement No. A-10519 and future amendments that do not significantly alter the scope of work or change the approved Agreement amounts;
d. Directed the Director of Planning to waive the thirty-five percent (35%) Administrative Fee for Environmental Impact Report processing based on Applicants paying hourly fees for processing of an Extraordinary Development Application; and  
e. Authorized the Director of Planning to release payment in the amount of $16,880 from the Base Budget of PSA No. A-10518 with LSA Associates, Inc., for additional tasks outlined in Amendment No. 5 to PSA No. A-10518 from the Planning Department budget.  
(Contract - PD060592/LSA Associates, County-wide)

43. a. Accepted the Parcel Map for the Bernardi Minor Subdivision of an existing 15,032 square foot parcel resulting in two (2) lots; one being 9,556 square feet and another consisting of 5,476 square feet;  
b. Accepted the Parcel Map Guarantee and Tax Clearance letter from the Tax Collector; and  
c. Directed the Clerk of the Board to submit the Parcel Map to the County Recorder for filing.  
(Parcel Map - PLN070247/Bernardi, 10901 Seymour Street, Castroville, North County Area Plan)

RMA - PUBLIC WORKS:

44. **WITHDRAWN** Accept the Annual Evaluation Report of traffic on Carmel Valley Road, Rio Road, and Carmel Rancho Boulevard, pursuant to Carmel Valley Master Plan Policy 39.3.2.1(b), Carmel Valley Area.

45. Introduced, waived reading, and set January 13, 2009, at 10:30 a.m. to consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.48.035, to establish an 8-ton residence district weight limit on Burns Road, Crown Avenue, Elsa Circle, Enfield Road, Grace Circle, Hall Circle, Merritt Street, and Royal Drive, Royal Estates Subdivision near King City.

46. Introduced, waived reading, and set January 13, 2009, at 10:30 a.m. to consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.28.010, to establish no parking at anytime on the northwest side of Paseo de Vaquero from a point 45 feet southwest of the centerline of San Benancio Road, southwesterly for a distance of 100 feet in Ambler Park, San Benancio area.

47. Introduced, waived reading, and set January 13, 2009, at 10:30 a.m. to consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.28.012, to establish no parking at anytime for commercial vehicles on both sides of Rio Road from Carmel Rancho Boulevard generally east to its terminus, Carmel area.
48. WITHDRAWN Introduce, waive reading, and set January 13, 2009, at 10:30 a.m. to consider adoption of an Ordinance amending the Monterey County Code, Title 12, to add Section 12.66.020 to establish a 20-minute limit passenger or freight loading zone on the west side of Highlands Drive from a point 352 feet south of the centerline of Fern Canyon Road, southerly for a distance of 40 feet, in Carmel Highlands.

49. a. Adopted Resolution No. 08-355 to determine the summary abandonment of a 20-foot wide natural drainage easement over lot 65 in the Los Tulares Subdivision, Unit No. 2, at 15488 Via La Gitana, Community of Carmel Valley is exempt from the California Environmental Quality Act;
   b. Authorized the Acting Public Works Director to file a Notice of Exemption with the County Clerk;
   c. Adopted Resolution No. 08-354 to summarily abandon the 20-foot wide natural drainage easement over lot 65 in the Los Tulares Subdivision, Unit No. 2, at 15488 Via La Gitana, Community of Carmel Valley; and
   d. Directed the Clerk of the Board to submit certified copies of the Resolutions to the Recorder for recordation.

50. a. Adopted Resolution No. 08-357 to determine summary abandonment of a 10-foot wide drainage easement/alley on the northwesterly side of lots 9 and 51 between Brooklyn Street and Florence Avenue of the Fanny C. Porter Subdivisions, No. 2 and No. 4 in the Community of Pajaro and execution of four (4) Quitclaim Deeds are exempt from the California Environmental Quality Act;
   b. Authorized the Acting Public Works Director to file a Notice of Exemption with the County Clerk;
   c. Adopted Resolution No. 08-356 to summarily abandon the 10-foot wide drainage easement/alley on the northwesterly side of lots 9 and 51 between Brooklyn Street and Florence Avenue of the Fanny C. Porter Subdivisions, No. 2 and No. 4 in the Pajaro area;
   d. Adopted Resolution No. 08-357 to quitclaiming the 10-foot wide drainage easement/alley to the four adjacent property owners and to quitclaiming any interest Monterey County has in said drainage easement/alley; and
   e. Directed the Clerk of the Board to submit the four (4) Quitclaim Deeds and a certified copy of the Resolutions to the Recorder for recordation.

51. a. Approved submittal of a grant application to the California State Coastal Conservancy Grant Program for the proposed Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment Project for a total amount not to exceed $260,000; and
b. Authorized the Acting Public Works Director, or his designee, to act as the agent for the County in processing all documentation to secure these funds.

52. a. Authorized acceptance of work for the replacement boilers for the Adult Rehabilitation Facility located at 1410 Natividad Road, Salinas, Project No. 8513; and
b. Authorized the Acting Public Works Director to execute and record the Notice of Completion.

53. a. Approved Amendment No. 1 A-10966 to Professional Services Agreement No. A-10966 with Kleinfelder West, Inc., to provide additional field geotechnical services and construction materials testing and observation (special inspection) for the Health Department located at 1270 Natividad Road in Salinas, in the amount of $73,000, for a total amount not to exceed $153,519, and extend the term through October 31, 2009; and
b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 1 to Professional Services Agreement No. A-10966 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.

54. 2008CONST0013
   a. Rejected the single bid from West Star Environmental, Inc., for Fuel Systems Repairs - 855 E. Laurel Drive, Salinas and 2610 San Antonio Road, Bradley, California, Project No. 8525, Bid No. 10132;
   b. Authorized the negotiation of contracts with qualified contractors for completion of the project at a lower price than the bid;
   c. Authorized a contingency (not to exceed ten percent [10%] of each contract amount) to provide funding for approved contract change orders; and
   d. Authorized the Acting Public Works Director to execute the contracts.

55. Agreement No. A-11346; 2008CONST0015
   a. Approved the Real Property Purchase Agreement with John R. Hackbarth, a single man, (APN 169-171-009) in the amount of $15,000 for construction of the Schulte Road Bridge (Co. No. 501) at Carmel River, Federal Aid Project No. BRLO-5944 (010), Project No. 09-382065;
   b. Authorized the Chair of the Board to execute the Real Property Purchase Agreement; and
   c. Authorize the Public Works Director to execute the Certificate of Acceptance and Consent to Recordation on behalf of the County.
56. Resolution No. 08-358; Board Budget No. 08/09-086
   a. Amended Personnel Policies and Practices Resolution No. 98-394 to add the classification of Contract-Architectural Services Project Manager;
   b. Amended Fiscal Year (FY) 2008-09 Public Works Department, Architectural Services Division, Fund 001, Budget Unit 165, to delete two (2) Facilities Project Manager positions and add two (2) Contract-Architectural Services Project Manager positions;
   c. Approved Employment Contract for Gerald W. Williams (Attachment A);
   d. Approved Employment Contract for Anthony Mitre (Attachment B);
   e. Authorized the Chair of the Board to execute Agreements; and
   f. Directed the Auditor Controller to amend FY 2008-09 Public Works Department, Architectural Services Division, Fund 001, Budget Unit 165, to reflect changes and implement employment contracts.

57. 2008CONST 0016
   a. Approved the plans and special provisions for the remodel of Natividad Medical Center, Building 400, Second Floor, Behavioral Health Tenant Improvement, Bid No. 10154; and
   b. Authorized the Clerk of the Board to advertise the Notice to Contractors in The Californian on December 15 and December 22, 2008.

SA-1 a. Resolution No. 08-372 Declared an emergency under Sections 20134(a) and 22050 of the Public Contract Code;
   b. Found that the emergency will not permit a delay resulting from a competitive solicitation of bids;
   c. Authorized the emergency repairs to the County of Monterey Radio Communications Building, located on Mount Toro, Upper Site, without adopting plans and specifications and giving notice for bids to let contracts; and
   d. Adopted Resolution No. 08-372 authorizing the Contracts/Purchasing Officer or designee to enter into agreements and issue purchase orders to accomplish the required emergency work and ratifying the execution of emergency contracts and actions by the Contracts/Purchasing Officer or designee to respond to the emergency (4/5th vote required).
PAJARO COUNTY SANITATION DISTRICT:
Motion by Supervisor Salinas, seconded by Supervisor Calcagno. ALL AYES

58. Agreement No. A-10766; Board Budget No. 08/09-087
   a. Approved Amendment No. 2 to Operations and Services Agreement
      No. A-10766 with Pajaro/Sunny Mesa Community Services District,
      to provide additional operational and maintenance services for the
      wastewater collection system in the Pajaro County Sanitation District,
      in the amount of $168,000 for a total amount not to exceed $568,000
      and extend the term through January 9, 2010;
   b. Authorized the Chair to execute Amendment No. 2 to Operations and
      Services Agreement No. A-10766 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;
   c. Authorized and directed the Auditor-Controller to decrease the Fund
      Balance Designations - 3810, by $100,000 and increase the available
      fund balance, Unreserved Fund Balance - 3800, by $100,000 for
      County Sanitation District 382 - Pajaro, Fund 382, Budget 910; and
   d. Authorized and directed the Auditor-Controller to increase
      appropriations for Fund 382, Budget 910, Account 6469, Other
      Professional Services by $100,000 (4/5th vote required).

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:
Motion by Supervisor Mettee-McCutchon, seconded by Supervisor Potter.
ALL AYES

59. Agreement No. A-11347 Acting as the Board of Directors of the
    Redevelopment Agency of the County of Monterey approved and
    authorized the Chair to sign a Funding Agreement with the Castroville
    Coalition to accept donations received by the Coalition of at least $67,500
    to partially fund construction of the Fountain at the Castro Plaza in
    Castroville.

60. Agreement No. A-11348 Acting as the Board of Directors of the
    Redevelopment Agency of the County of Monterey approved and
    authorized the Chair to sign a Funding Agreement with the Castroville
    Coalition to accept donations received by the Coalition of $167,000 to
    partially fund construction of the Japanese Schoolhouse Historic
    Restoration Project in Castroville.

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