ROLL CALL
Present: Supervisors Parker (Chair), Armenta, Calcagno, Salinas, and Potter*.
*Supervisor Potter arrived prior to Closed Session.

CLOSED SESSION

1. The County Counsel announced Agenda corrections and proposed additions, which were acted on by the Board as provided in Section 54954.2 of the California Government Code.
   (3) Leeper, et al. v. County of Monterey, et al., Superior Court case no. M47847
   Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve urgency addition to Closed Session. 4 -0 (Supervisor Potter Absent; arrived prior to Closed Session)

   a. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two items of significant exposure to litigation.
   CLOSED SESSION REPORT: The Board heard an update from counsel and provided direction to counsel on these matters.

   b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
(1) County of Santa Clara v. Atlantic Richfield, et al. (Santa Clara County Superior Court case no. CV788657; Sixth Appellate District case no. H031540; California Supreme Court case no. S163681)
CLOSED SESSION REPORT: The Board authorized counsel to enter into an agreement with outside counsel representing other counties in this litigation, to also represent Monterey County.

(2) Highway 68 Coalition v. County of Monterey (MCSC case no M106390)
CLOSED SESSION REPORT: The Board provided direction on how to resolve this matter if possible.

CLOSED SESSION REPORT: The County was served with a letter last Friday indicating a threat of litigation and the Board authorized adding this matter to the agenda today as an urgent matter. The Board heard from counsel and provided direction to counsel to return at a future date with an update.

c. Pursuant to Government Code section 54957, the Board will provide performance evaluation for the Natividad Medical Center CEO.
CLOSED SESSION REPORT: The Board conducted a performance evaluation of the Natividad Medical Center CEO and provided direction to the CEO on how to reach some of his goals.

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

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)
Hans Jongens pulled items 25 and 29 for discussion.
Supervisor Parker pulled item 25. Jim Cook responded to questions.
Motion by Supervisor Calcagno, seconded by Supervisor Potter to approve Consent Calendar – Regular. ALL AYES

Recessed

Convened as the Monterey County Redevelopment Agency
MONTEREY COUNTY REDEVELOPMENT AGENCY

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

6. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet, items 28 and 29)
   Motion by Director Salinas, seconded by Director Armenta to approve Consent Calendar - Monterey County Redevelopment Agency (Items 28 and 29). ALL AYES

Adjourned

Reconvened as the Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS

CEREMONIAL RESOLUTIONS 7 through 8.1 voted on concurrently

7. Adopted Resolution No. 11-018 Proclaiming February 11, 2011 "2-1-1 Day" in recognition of the health and human service information referral services offered throughout the County of Monterey by 2-1-1 Monterey County. (Full Board)
   Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

8. Adopted Resolution No. 11-017 commending Beverly Roth Kovacs, Social Worker V, on her retirement from over thirty-six years of dedicated public service with the Monterey County Department of Social and Employment Services, Family and Children’s Services Branch. (Full Board)
   Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

8.1 Adopted Resolution No. 11-019 honoring the City of Dubrovnik, Croatia on their visit to the County of Monterey and their partnership with the City of Monterey. (Supervisor Potter). (Added Via Addendum)
   Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

APPOINTMENTS:

9. Appointed Chris Cullen to the Fish & Game Advisory Commission term ending February 1, 2014. (Supervisor Potter)
   Motion by Supervisor Potter, seconded by Supervisor Salinas. ALL AYES

OTHER BOARD MATTERS

10. Board Comments
· Supervisor Armenta advised of a meeting at the County Office of Education (COE) last night, which emphasized the need for all stakeholders to be at the table to address gang violence on a variety of levels. He encouraged elected officials to keep the momentum going.

· Supervisor Calcagno requested the Legislative Committee and County Counsel review the Community of Boronda redevelopment program in light of the Governor’s proposal to eliminate redevelopment funds. He advised if RDA is eliminated, Boronda may come under a different scenario and there may legal entanglements that would allow this money to continue to come in.

· Supervisor Salinas echoed Supervisor Armenta’s comments on the meeting at the COE and the goal to determine the best governance structure to implement the framework adopted by the City and County in 2009. He emphasized a holistic approach is necessary, including prevention/intervention and improved communications between the cities, schools, counties, and non-profits. He encouraged the subcommittee to continue their work and relay information to the full Board for adoption of the governance structure, using the Santa Clara model.

· Supervisor Parker commended Supervisor Salinas and Supervisor Armenta for reaching out beyond jurisdictional boundaries and keeping cooperation and coordination moving forward on the issue of gang violence.

11. CAO Comments and Referrals: None.

12. Public Comment
· Julie Engell
· Hans Jongens

13. Reviewed current designations of Ad Hoc and Standing Committees; and
   a. Approved designations for Board committees for 2011 (Attachment B), including the disbanding of the following committees:
      Itinerant Vendor Ad Hoc Committee
      Jail Construction Ad Hoc Committee
      Juvenile Hall Ad Hoc Committee
      Recruitment of New Director of Public Health
      Road Access Ad Hoc Committee
      Violence Prevention Framework Ad Hoc Committee
      Voting Rights Act Committee

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

14. Considered appointments of Board of Supervisors members to various boards, committees and commissions for Calendar Year 2011, as moved and approved today (see List of Appointments).

   Public comment: Lavonne Stone; Ralph Rubio; Judy Robinson; Steve Snodgrass, Harry Wiggins; Nancy Amadao; Jim Bogart; Ruth Krotzer; Steven Collins; Mr. Edwards; Sherwood Darington; Manuel Amarell; Beryl Smith; Mr. Moreno;
Vicki Morris; Eric Tynan; Cosme Padilla (sp); Amy White; Julie Engell; Dale Agron; Gary Alamena; Ms. Kline; Elizabeth Panetta; Chris Orman; Hans Jongens.

**Motion No. 1:** by Supervisor Armenta, seconded by Supervisor Salinas to approve recommended appointments, including Supervisor Salinas and Potter serving on the Board of Supervisors/Natividad Medical Center Joint Leadership Committee, noting this is an appointment of the Board of Supervisors and does not necessarily include appointment of the Chair; excluding the appointment to LAFCO; and acknowledging the seven committees disbanded by action in item 13 on today’s agenda. **ALL AYES**

**Motion No. 2:** by Supervisor Calcagno, seconded by Supervisor Armenta to appoint Supervisors Cacagno and Salinas to LAFCO and Supervisor Armenta as the Alternate. 4 -1 (Supervisor Parker dissented)

15. Received Budget Committee Report and Action Minutes for the 2nd Quarter of FY 2010-11 (October 27, 2010, and November 29, 2010).

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

**12:00 P.M. RECESS TO LUNCH**

**RECONVENED**

**ROLL CALL**

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

Interpreter: David Ugalde

**SCHEDULED MATTERS**

S-3 Received an oral report from Monterey County’s federal representative, Congressman Sam Farr.

S-1 Received a preliminary report on the Governor’s FY 2011-12 State Budget Proposal. (Continued from January 25, 2011)

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

S-2 a. Received and accepted the County of Monterey Cost Savings Committee report; and
b. Directed Budget staff in the Administrative Office to explore the feasibility of implementing a Budget Savings Incentive Plan.

Public comment: Bill Carothers

**Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES**
Closed Session Report: (See 1a. through e.)

Order for Adjournment

APPROVED:

/s/ Jane B. Parker
JANE PARKER, CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: /s/ Gail T. Borkowski
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES

16. a. Authorized and approved the Department of Social and Employment Services to develop and submit a Volunteer Income Tax Assistance (VITA) "Earn It! Keep It! Save It!" Grant Program application to the California Department of Community Services and Development for $85,228;
   b. Authorized the Director of the Department of Social and Employment Services, or his designee, to sign an agreement with the California Department of Community Services and Development if grant is awarded; and
   c. Authorized the Director of the Department of Social and Employment Services, or his designee, to sign up to three (3) amendments to the California Department of Community Services and Development agreement where the total amendments do not exceed ten percent (10%) of the original contract amount, and do not significantly change the scope of work.

17. Approved and amended the FY 2010-11 Health - Clinic Services Budget 4000, HEA007, Unit 8105, to reallocate one (1.0) FTE Patient Services Representative II to one (1.0) FTE Medical Assistant.

GENERAL GOVERNMENT

18. Resolution No. 11-020 Authorized the Assessor to use the County website to provide value notices pursuant to Section 621 of the California Revenue and Taxation Code.

19. a. Accepted the recommendation of the Monterey County Fish and Game Commission to award a funding grant to purchase 100 California State Fish and Game Warden Stamps; and
   b. Approved the distribution of Fish and Game grant funds in the amount of $500.00 for a specific grant project for Fiscal Year 2010-2011.

20. Adopted Resolution No. 11-021 to approve two settlement letters of understanding negotiated with SEIU Local 521, Unit K (Social Services) and Monterey County Probation Association (MCPA), Unit N, regarding pay issues that surfaced as a result of the implementation of the new payroll system.

21. a. Adopted Resolution No. 11-024 to amend Personnel Policies and Practices Resolution No. 98-394 to amend Section A.25.6 Pay Off as indicated in attachment A; and
   b. Authorized the Auditor-Controller to implement the terms of this amendment.

22. Authorized a 4th step salary position placement of the newly appointed Assistant Treasurer-Tax Collector.
23. Agreement No. A-11928 approved and authorized the Chair of the County Board of Supervisors to execute a Settlement and Mutual Release Agreement in the amount of $33,380.40 to settle a disputed claim regarding the amount of compensation due and owing for work performed by Consumer Electric, Inc. at Natividad Medical Center between September 1, 2010 through November 30, 2010.

24. a. Adopt Resolution to approve Side Letter Agreements regarding Sections 13.1.C Flexible Benefits Plan, County Elective Contributions and 13.2 Alternative Benefit Option addressing flexible credits for part-time employees in Units H and S; and
   b. Authorize the Auditor-Controller to implement the terms of these agreements. (Removed via Supplemental)

25. Agreement No. A-11931
   a. Found that Redevelopment Agency funding for the design and construction of the proposed Madison Lane Street and Storm Drain Improvement Project will be of significant benefit to the Boronda Redevelopment Project Area; that no other reasonable means of financing the improvements are available to the community; and that the payment of funds for the cost of the improvement will assist in the elimination of one or more blighting conditions, and is consistent with the adopted Implementation Plan for the Boronda Redevelopment Project; and
   b. Approved and authorized the Chair to sign a Funding Agreement between the County and the Redevelopment Agency of the County of Monterey to fund the proposed Project.

RMA - PLANNING

26. Agreement Nos. A-11028; A-11088; A-11187
   Approved the Monterey County 2010 General Plan and:
   a. Authorized expenditure of an additional amount not to exceed a total of $52,509 for the services of The Sohagi Law Group, PLC, for tasks related to the completion of the 2010 General Plan and its associated Environmental Impact Report, and for participation in hearings before the Board of Supervisors;
   b. Authorized expenditure of an additional amount not to exceed a total of $40,647 for the services of Jones & Stokes Associates, Inc. for tasks related to the completion of the 2010 General Plan and its associated Environmental Impact Report, participation in hearings before the Board of Supervisors, and support during litigation regarding the 2010 General Plan;
   c. Authorized the County Administrative Officer to execute an amendment to Professional Services Agreement No. A-11088 (Jones & Stokes Associates) to augment the amount payable as authorized above and extend the term of the Agreement until the conclusion of all litigation related to the 2010 General Plan;
d. Authorized the County Administrative Officer to execute an amendment to Professional Services Agreement No. A-11187 (Kimley-Horn and Associates) solely for the purpose of extending the term of the Agreement until the conclusion of all litigation related to the 2010 General Plan for support during such litigation;

e. Authorized County Counsel to execute an appropriate amendment to Agreement No. A-11028 for Specialized Attorney Services with The Sohagi Law Group, PLC, to augment the amount payable as authorized above, and process payments for all consultants pursuant to this action; and,
f. Authorized the Auditor Controller to transfer $93,156 from General Fund Contingencies 001-CAO020-1050-8034-7811 to County Counsel 001-COU001-1210-8057-6606 (4/5 vote required).

RMA - PUBLIC WORKS

27. Adopted Resolution No. 11-022; 10CONST003
   a. Accepting the Certificate of Completion for the Rehabilitate Fire Doors-1412 Natividad Project No. 8530, Bid No. 10231; and
   b. Authorizing the Director of Public Works to execute and record the Notice of Completion.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

28. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Adopted Resolution No. 11-025 authorizing submittal of a grant application to the California Department of Resources Recycling and Recovery (CalRecycle) for funding in the amount of $149,781 under the Tire Derived Product Grant (TDP) for the proposed Pajaro Neighborhood Park synthetic turf, landscaping and playground surfaces; and
   b. Authorized the Director of the Redevelopment and Housing Office to make modifications to and sign the grant application submittal documents as well as any contracts, amendments and other related documents to the application and grant funding.

29. Agreement No. A-11932
   Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Found that Redevelopment Agency funding for the design and construction of the proposed Madison Lane Street and Storm Drain Improvement Project will be of significant benefit to the Boronda Redevelopment Project Area; that no other reasonable means of financing the improvements are available to the community; and that the payment of funds for the cost of the improvement will assist in the elimination of one or more blighting conditions, and is consistent with the adopted Implementation Plan for the Boronda Redevelopment Project; and
b. Approved and authorized the Chair to sign a Funding Agreement between the County and the Redevelopment Agency of the County of Monterey to fund the proposed Project.

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