AGENDA
Tuesday, November 9, 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 más pronto posible, y a lo mínimo 24 horas de anticipó 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.
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, NOVEMBER 9, 2010
9:00 AM

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) Coastkeeper v. Monterey County Water Resources Agency (MCSC case no. M108858)
      (2) Kenneth David Myers v. County of Monterey (MCSC case no. M100885)
      (4) Helping Our Peninsula's Environment v. Board of Supervisors of the County of Monterey; September Ranch Partners, et al., Real Parties in Interest (MCSC case no. M82643)
      (5) Omni Resources, LLC v. Monterey County, et al. (USDC ND case no. 06-05420(HRL))

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

   c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators
      (1) Designated representatives: Keith Honda and Dianne Dinsmore: Employee organizations: All Units

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)

CEREMONIAL RESOLUTIONS:

7. Adopt Resolution honoring Dee Farris upon being recognized as a recipient of the 2010 Monterey County Veterans of the Year Award. (Full Board)

8. Adopt Resolution honoring Gerald D. Flowers upon being recognized as a recipient of the 2010 Monterey County Veterans of the Year Award. (Full Board)

9. Adopt Resolution honoring Ralph Norman Channell upon being recognized as a recipient of the 2010 Monterey County Veterans of the Year Award. (Full Board)

10. Adopt Resolution honoring Steven Joseph McCullough upon being recognized as a recipient of the 2010 Monterey County Veterans of the Year Award. (Full Board)

11. Adopt Resolution honoring William E. Parker upon being recognized as a recipient of the 2010 Monterey County Veterans of the Year Award. (Full Board)

12. Adopt Resolution honoring Leonard "Leo" Ortiz upon being recognized as a recipient of the 2010 Monterey County Veterans of the Year Award. (Full Board)

13. Adopt Resolution commending Parnell Strickland upon being recognized as a recipient of the 2010 Monterey County Veterans of the Year Award. (Full Board)

14. Adopt Resolution commending Richard Garza upon being recognized as a recipient of the 2010 Monterey County Veterans of the Year Award. (Full Board)

15. Adopt Resolution honoring Kris Knott, Monterey County Deputy Sheriff, upon completing eight years of active duty in the United States Coast Guard. (Full Board)
16. Adopt Resolution proclaiming the week of November 7 through November 13, 2010, as "Winter Storm Preparedness Week" in Monterey County. (Full Board)

APPOINTMENTS:

17. Appoint Ray Bullick to the Monterey County Children & Families Commission (aka First 5 Monterey County), appointee shall serve at the Pleasure of the Board. (Full Board)

OTHER BOARD MATTERS:

18. Adopt the Board of Supervisors' meeting schedule for calendar year 2011.

19. Establish and appoint Members to a Board of Supervisors/Natividad Medical Center Joint Leadership Committee as a Standing Committee of the Board of Supervisors.

20. Board Comments

21. CAO Comments and Referrals

22. 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.

SCHEDULED MATTERS:

S-1 Public hearing to:

a. Deny the appeal of William McKiernan from the August 26, 2010 discretionary decision by the Zoning Administrator to approve the Combined Development Permit (PLN090364/Pelio);

b. Categorically exempt the Combined Development Permit (PLN090364/Pelio) pursuant to Section 15301(d), 15301(e), and 15303 of the CEQA Guidelines; and

c. Approve the Combined Development Permit, based on Findings and Evidence subject to conditions of approval. The Combined Development Permit consists of: 1) a Coastal Administrative Permit to allow the construction of a new second story and remodel of an existing single family dwelling, the reconstruction of an existing detached accessory structure, and associated grading; 2) a Coastal Development to allow the construction of a caretaker unit; 3) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 4) a Variance to exceed the Pescadero Watershed coverage limitations; and 5) a Design Approval. (Appeal, Discretionary Decision - PLN090364/Pelio, 3346 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan)
Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.28.010, to establish no parking at any time on the west side of Bollenbacher Drive from a point 30 feet south of the centerline from Rogge Road, southerly for a distance of 95 feet, on the east side of Bollenbacher Drive from a point 30 feet south of the centerline from Rogge Road, southerly for a distance of 60 feet, on the north side of Rogge Road from San Juan Grade Road to a point 285 feet east of the extension of the centerline of Jasper Way, and on the south side of Rogge Road from San Juan Grade Road to a point 125 feet east of the extension of the centerline of Jasper Way, Bolsa Knolls area. (continued from October 26, 2010)

12:00 P.M.

Recess to Lunch – Continued Closed Session

1:30 P.M.

**SCHEDULED MATTERS:**

**Convene as the Board of Supervisors of the Monterey County Water Resources Agency**

**Roll Call**

**S-3** Acting as the Board of Supervisors of the Monterey County Water Resources Agency: Consider receiving the Monterey County Water Resources Agency Board of Directors July through September Quarterly Report for Fiscal Year 2010-11.

**S-4** Acting as the Board of Supervisors of the Monterey County Water Resources Agency: Consider accepting the North County Regional Ad Hoc Committee Report.

**Adjournment**

**Reconvene as Monterey County Board of Supervisors**

**S-5** Receive an update regarding revisions to the draft Monterey County Community Wildfire Protection Plan (MCCWPP) and provide direction for possible Board action.

(Community Wildfire Protection Plan - PD090290, Countywide)

**S-6** Public hearing to consider adoption of a Resolution to:

a. Certify the Final Revised Environmental Impact Report including the Final Revised Water Demand Analysis for the September Ranch Subdivision Project;

b. Reaffirm the Board of Supervisor's 2006 passing score for the Project, based on the Findings and Evidence;
c. Approve the Combined Development Permit for the September Ranch Subdivision Project consisting of 73 market-rate and 22 affordable lots (15 inclusionary and 7 deed-restricted workforce lots) based on the Findings and Evidence and subject to the recommended conditions of approval; and

d. Adopt the Mitigation Monitoring and Reporting Plan.
(Sepember Ranch - PC95062 / PLN050001, September Ranch Partners, Carmel Valley Road, Carmel Valley, Carmel Valley Master Plan)

ORDER FOR ADJOURNMENT
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

23. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Morgan Hunter Healthcare Inc. for Meditech Physician Care Manager Module Subject Matter Expert Services per RFP No. 9600-7 at NMC in an amount not to exceed $525,000 for the period November 1, 2010 through June 30, 2012.

24. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with Healthstream Inc. for Web Based Clinical Education Services at NMC in an amount not to exceed $141,743 (an increase of $56,390) for the period September 1, 2010 through June 30, 2011.

25. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Beacon Partners for Meditech Physician Care Manager Module Project Manager Services per RFP No. 9600-7 at NMC in an amount not to exceed $555,000 for the period November 1, 2010 through June 30, 2012.

HEALTH AND SOCIAL SERVICES:

26. a. Approve and authorize the Contracts/Purchasing Officer, or his designee, to execute two agreements with Maxim Homecare Services, Inc. for a total of $31,800 for care services at home for clients of Area Agency on Aging and Adult Services Programs, including non-standard Mutual Indemnification for the period November 1, 2010 through June 30, 2011; and

   b. Authorize the Contracts/Purchasing Officer, or his designee, to sign up to three (3) amendments to these agreements, where the total amendments do not exceed ten percent (10%) of the original contract amounts, and do not significantly change the scopes of work.

27. Approve and authorize the Director of Health to use funds from the Solid Waste Incentive Reserve Account, also known as Western Franchise Agreement Liability Account No. 019-2603, to pay costs of existing and new solid waste diversion programs, franchise agreement oversight and services related to certain large-scale waste management issues impacting unincorporated County rate payers.

CRIMINAL JUSTICE:

28. Receive report from the Probation Department regarding the State's Local Youthful Offender Rehabilitative Facilities Financing Program for juvenile institutions and Monterey County's funding request to the Corrections Standards Authority.
29. a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 2 with Securus Technologies, Inc. to allow the Sheriff's Office to exercise its option to extend the Agreement for one year; and
   b. Authorize the Contracts/Purchasing Officer to sign up to three (3) future amendments to this agreement where the amendments do not exceed ten percent (10%) and do not significantly change the scope of work.

GENERAL GOVERNMENT:

30. a. Approve and authorize the Chair to sign a Contract to Purchase a Temporary Construction Easement from Sheila R. Castillo (APN 261-131-020, 17060 Hyland Drive) for the Hyland Drive/El Rancho Way Storm Drain and Street Improvement Project;
   b. Approve and authorize the Chair to sign the Temporary Construction Easement and acceptance thereof; and
   c. Direct the Clerk of the Board to record the executed easement with the County Recorder's Office.

31. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to the Professional Services Agreement dated March 26, 2010, with Pueblo Water Resources, Inc. for an amount not to exceed $101,818 for a total amount not to exceed $146,919, and to extend the term of the Agreement to December 15, 2011, to complete a Pilot Test Well for the San Lucas County Water District, subject to final State approval on use of funds.

32. a. Approve and authorize the Chair to sign Utility Agreement No. 10-156765 with Pacific Gas and Electric Company in the amount of $109,267 for the cost of relocating existing poles for the Hyland Drive/El Rancho Way Storm Drain and Street Improvement Project in the community of Boronda; and
   b. Approve and authorize the Chair to sign a Joint Use Agreement with Pacific Gas and Electric Company for the relocation of the utility easement for the relocation of said power poles.

33. Approve and authorize the Chair to sign a Professional Services Agreement with MNS Engineers, Inc. in an amount not to exceed $236,420, with a term to expire June 30, 2012, to provide consulting construction management and field inspection services for the Hyland Drive/El Rancho Way Street and Storm Drain Improvement Project in Boronda Redevelopment Project Area.

34. Approve Board of Supervisors Action Minutes of Tuesday, August 31, 2010; Tuesday, September 14, 2010; Tuesday, September 21, 2010; Tuesday, September 28, 2010; Tuesday, October 5, 2010; Tuesday, October 12, 2010; Tuesday, October 19, 2010; Tuesday, October 26, 2010.

35. a. Approve and authorize the County Librarian to accept grant funds from the Monterey County Office of Education for a grant award of $163,321 for the
period of 10-1-2010 through 9-30-2012; the grant will fund a new Supervising Librarian position and the purchase of digital content management software;

b. Approve the additional allocation of 1 FTE (step 6) Supervising Librarian; and

c. Authorize the Auditor-Controller to amend the Fiscal Year (FY) 2010-11 County Library Budget Unit 6110 to reflect the increase in estimated revenue and appropriations in the amount of $69,798 in FY 2010-11, $74,818 in FY 2011-12 and $18,705 in FY 2012-13.

36. Approve and adopt Resolution increasing the amount of the Installment Collection Fee authorized per PC Section 1205 (d), and subsequently amended by SB 676, from $35 to $55, effective December 10, 2010, to more appropriately offset the Treasurer-Tax Collector's Revenue Division costs for the processing of installment accounts on Court ordered fines.

37. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 2 to Agreement No. A-11042, a service contract between "Somkid, Inc.; DBA OfficeStar Computer Training Center" and the Information Technology Department, to extend the term for three years, from November 1, 2010 through October 31, 2013.

38. Reappoint County Counsel Charles J. McKee and approve Employment Agreement Amendment No. 3.

**RMA - PUBLIC WORKS:**

39. a. Accept the Certificate of Completion for the Lake San Antonio and San Lorenzo Park Improvements - Re-Roof Buildings, Concessions Building, 2610 San Antonio Rd., Bradley/DeAnza Building, 1160 Broadway St., King City, Project No. 8520, Bid Package No. 10212; and

b. Authorize the Director of Public Works to execute and record the Notice of Completion.

40. Adopt a Resolution to:

a. Approve Amendment No. 2 to the Private Purpose Franchise Agreement with Mobil Pacific Pipeline Company (Mobil) approved pursuant to Resolution No. 00-272, extending the term of the Private Purpose Franchise Agreement an additional six (6) months which is specified to be from November 17, 2010 through May 16, 2011; and

b. Authorize the Chair to execute Amendment No. 2 to the Private Purpose Franchise Agreement.

41. Adopt a Resolution to:

a. Approve Amendment No. 2 to the Private Purpose Franchise Agreement with Exxon Mobil Oil Corporation (formerly Mobil Oil Corporation) approved pursuant to Resolution No. 00-271, extending the term of the Private Purpose
Franchise Agreement an additional six (6) months which is specified to be from November 17, 2010 through May 16, 2011; and
b. Authorize the Chair to execute Amendment No. 2 to the Private Purpose Franchise Agreement.

42. a. Approve Amendment No. 8 to Professional Services Agreement No. A-11714 with Mill Construction Company, Inc. to continue to provide tasks associated with construction management consulting services for the Renovation of the North Wing of the Salinas Courthouse, Project No. 8772, and provide additional services in support of project close out in the amount of $34,200 for a total amount not-to-exceed $268,950 and extend the term through January 31, 2011; and
b. Authorize Contracts/Purchasing Officer to execute Amendment No. 8 to Professional Services Agreement No. A-11714.

43. a. Approve the transfer of appropriations totaling $45,000 within the County Service Area 44 - Corral De Tierra Oaks, Appropriation Unit RMA073, from Fund Balance Designations Account, to the Unreserved Fund Balance Account, to provide funding for the unanticipated repair of a failed section of the storm drain system;
b. Authorize the Auditor-Controller to amend the budget for County Service Area 44 - Corral De Tierra Oaks, Appropriation Unit RMA073, for Fiscal Year (FY) 2010-11 by increasing the Unreserved Fund Balance Account by $45,000, and by decreasing the Fund Balance Designations Account by $45,000; and
c. Authorize the Auditor-Controller to amend the budget for County Service Area 44 - Corral De Tierra Oaks, Appropriation Unit RMA073, for FY 2010-11 by increasing appropriations totaling $45,000 for the Maintenance - Public Works Expense Account (4/5th vote required).

###

MONTEREY COUNTY
BOARD OF SUPERVISORS

Supplemental for Tuesday, November 9, 2010
View Supplemental materials at:

http://www.co.monterey.ca.us/cob/BOS%20Supplemental_addendum/default.aspx
SUPPLEMENTAL

Under Consent Regular – General Government

31. **Amendment No. 1 has been revised. (See link above for revised amendment)**

   Approve and authorize the Contracts/Purchasing Manager to sign Amendment No. 1 to the Professional Services Agreement dated March 26, 2010, with Pueblo Water Resources, Inc. for an amount not to exceed $101,818 for a total amount not to exceed $146,919, and to extend the term of the Agreement to December 15, 2011, to complete a Pilot Test Well for the San Lucas County Water District, subject to final State approval on use of funds.

36. **Board Title and Resolution have been revised to reflect change in date. (See link above for revised Resolution)**

   Approve and adopt Resolution increasing the amount of the Installment Collection Fee authorized per PC Section 1205 (d), and subsequently amended by SB 676, from $35 to $55, effective December 10, 2010, to more appropriately offset the Treasurer-Tax Collector's Revenue Division costs for the processing of installment accounts on Court ordered fines.

MATERIALS SUBMITTED
(See link above)

Under Other Board Matters:

19. Establish and Appoint Members to a Board of Supervisors/Natividad Medical Center Joint Leadership Committee as a Standing Committee of the Board of Supervisors.

###