AGENDA
Tuesday, June 2, 2009

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 mas pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

All documents submitted by the public must have no less than ten (10) copies.

The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting.
MONTEREY COUNTY BOARD OF SUPERVISORS
PAJARO COUNTY SANITATION DISTRICT
MONTEREY COUNTY REDEVELOPMENT AGENCY
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, JUNE 02, 2009
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 Section 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(b), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

   b. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following public employment position:
      (1) Natividad Medical Center CEO

   c. Pursuant to Government Code section 54967.6, the Board will confer with labor negotiators:
      (1) Designated Representatives: Keith Honda and Patricia Covert;
      Employee Organizations: All Units

   d. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators.
      (1) Property: County owned real estate generally bounded by West Alisal Street, Capitol Street, Church Street and Gabilan Street; and City owned real estate generally bounded by San Luis Street, Monterey Street, Market Street and Church Street.
      Negotiating parties: County of Monterey, City of Salinas, and the Redevelopment Agency of the City of Salinas
      County negotiator: Wayne Tanda
      Under negotiation: Terms
10:30 A.M.

ROLL CALL:

3. Pledge of Allegiance

4. 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.

5. CONSENT CALENDAR – REGULAR (See Supplemental Sheet)

6. CONSENT CALENDAR – MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)

7. CONSENT CALENDAR – MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet)

OTHER BOARD MATTERS:

8. Board Comments, Referrals, and Updates

9. CAO Comments

10. 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. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information, or request staff to report back to the Board at a future meeting.

11. Adopt Resolution honoring Roger C. Anton, Jr. upon his retirement as Superintendent of Salinas Union High School District. (Supervisor Calcagno)

12. Adopt Resolution honoring the Second Chance Youth Program for its commitment over the past 20 years as an advocate for at-risk youth and efforts towards violence prevention throughout Monterey County. (Supervisor Armenta)

13. Adopt Resolution honoring Ruben A. Garcia, Detective for the Monterey County Sheriff’s Office, upon his retirement from the County of Monterey. (Full Board)

14. Adopt Resolution honoring an “undisclosed recipient” upon being recognized as Ag Against Hunger’s, “Ag Woman of the Year.” (Supervisor Salinas)
15. Adopt Resolution honoring Jacquelyn B. Munoz upon her retirement as Superintendent of Aromas-San Juan Unified School District. (Supervisor Calcagno)

16. Adopt Resolution honoring Carolyn Post upon her retirement as Superintendent of North Monterey County Unified School District. (Supervisor Calcagno)

17. Adopt Resolution honoring the accomplishments of Filipino contractors and field workers and their role in the rich agricultural history of Monterey County. (Supervisor Calcagno)

18. Adopt Resolution honoring York Gin for his distinguished Service as a County of Monterey, Board of Supervisors appointee to the Housing Authority of Monterey County, Board of Commissioners. (Supervisor Calcagno)

19. Adopt Resolution honoring Tyre Johnson, Palma High School, for winning the Cross Country Division Four State Championship. (Supervisor Calcagno)

APPOINTMENTS:

20. Appoint Dr. Michael Moeller to the Emergency Medical Services Council, to fill an unexpired term ending June 30, 2010. (Full Board)

21. Reappoint Division Chief Robert Taylor; Harry B. Robins, Jr.; Randy Korsgaard; Paul Ireland; Dan Ipson; Richard Guillen to the Emergency Medical Services Council, terms ending June 30, 2011. (Full Board)

22. Reappoint Deborah Carrillo and appoint Maria Suber to the Community Restorative Justice Commission, terms ending June 2, 2012. (Full Board)

23. Reappoint Vince Ferrante to the Overall Economic Development Commission, term ending July 1, 2012. (Supervisor Calcagno)

24. Reappoint Karen Miller to the Castroville/Pajaro Redevelopment Project Area Citizens' Advisory Committee (Pajaro), term ending December 31, 2012. (Supervisor Calcagno)

25. Appoint Carlo Cortopassi to the Integrated Waste Management Task Force. (Supervisor Calcagno)

26. Appoint Carol Grisotti to the Community Restorative Justice Commission, term ending June 3, 2012. (Supervisor Potter)

27. Appoint Ilene Allinger Candreva to the Area Development Disabilities Board VII, term ending January 1, 2012. (Supervisor Potter)
28. Appoint Walter Espinoza to the Castroville/Pajaro Redevelopment Project Area Citizens’ Advisory Committee (Pajaro), to fill an unexpired term ending January 1, 2011. (Supervisor Calcagno)

29. Chair of the Board will appoint Supervisors Simón Salinas and Jane Parker to the Assembly Bill (AB) 32 Implementation Sub-Committee, as a Standing Committee of the Board of Supervisors. (Supervisor Calcagno)

**SCHEDULED MATTERS:**

S-1 Acting as the Board of Directors of the Pajaro County Sanitation District:
   a. Conduct a Public Hearing to consider protests and objections to a report of delinquent accounts for the Pajaro County Sanitation District; and
   b. Adopt Resolution providing that past due sewer service charges for the Pajaro County Sanitation District be added to the County's tax rolls.

S-2 Approve Resolution and authorize the County Administrative Officer to sign a Memorandum of Understanding (MOU) with the Cities of Gonzales, Greenfield, King City, Marina, Seaside, and Soledad related to applying for Neighborhood Stabilization Program (NSP) funding and implementing a NSP Program.

S-3 a. Conduct a public hearing and approve Resolution that authorizes the submittal of an application to the State for a Neighborhood Stabilization Program (NSP) grant in the amount of $2,140,714 to purchase, rehabilitate, and resell foreclosed homes and provide financial assistance; designate the County as the Lead Agency; and authorize the Redevelopment and Housing Director to apply for and accept additional NSP funding, should State make it available for up to $5 million;  
   b. Authorize the Redevelopment and Housing Director to make minor modifications and sign the grant application submittal documents and authorize the County Administrative Officer to sign the NSP Statement of Assurances; and
   c. Authorize the Redevelopment and Housing Director and Assistant Director to sign all required NSP reports, including Requests for Funds.

S-4 Accept and approve the Fiscal Year 2007-08 First 5 Monterey County Annual Report to the Community.

**12:00 P.M.**

Recess to Lunch

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

**ROLL CALL:**

**1:30 P.M. SCHEDULED MATTERS:**
S-5  

a. Conduct a public hearing under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended; and

b. Adopt Resolution approving the issuance of up to $11,000,000 in Private Activity Bonds by the California Municipal Finance Authority for the benefit of Pacific Meadows Senior Housing, LP to provide for the financing of the Project.

S-6  

Continued public hearing from May 19, 2009 to consider taking the following actions:

a. Certify the EIR and adopt statement of overriding considerations;

b. Approve, subject to conditions, a Lot Line Adjustment between two parcels reducing APN167-061-032-000 (Riehl) from 52.0 acres to 48.53 acres and increasing APN167-061-033-000 (Mohsin) from 245.51 acres to 249.0 acres;

c. Amend the 1982 Monterey County General Plan and Toro Area Plan to:
   1) Amend land use map for 17-acres (APN: 167-061-029-000/Samoske) from Farmland/40 acre minimum (F/40) to Low Density Residential with a Special Treatment Area (STA) Overlay; 2) Amend land use map for 266-acres (APN 167-061-033-000/Mohsin) from Permanent Grazing/40 acre minimum (PG/40) to Low Density Residential with a STA Overlay; and 3) Adopt Toro Area Plan policy 30.1.1.2(T), establishing a STA Overlay policy that would generally allow a maximum of 14 new single-family residential lots on the lower 72 acres with an agricultural buffer plan and require the upper 249 acres to remain Permanent Grazing;

d. Adopt an Ordinance to: 1) change the zoning designation of 17 acre parcel (APN 167-061-029-000/Samoske) from F/40-D to LDR/5-VS; and 2) change the zoning designation of the lower 55 acres of a 249-acre parcel (APN 167-061-033-000/Mohsin) from PG/40-D to LDR/5-VS, with 194 acres remaining PG/40; and

e. Approve, subject to conditions, a Combined Development Permit consisting of: 1) 14-lot residential subdivision and 2) Administrative Permit for a small water system; and adopt a mitigation monitoring and reporting plan.

(PLN980516/Mohsin-Samoske Subdivision, Toro Area Plan)

ORDER FOR ADJOURNMENT
TO MONDAY, JUNE 8, 2009 – 1:30 P.M.

Future Board Meetings:
Tuesday, June 9, 2009
Tuesday, June 16, 2009
Tuesday, June 23, 2009
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

30. a. Approve and amend personnel policies and practices Resolution No. 98-394 to correct the structure of the current salary table for the following classifications from a seven (7) step salary scale to a salary range: Hospital Chief Executive Officer ($283,512 - $387,000 Annually), Hospital Chief Financial Officer ($219,444 - $299,556 Annually), Hospital Chief Medical Officer ($240,780 - $328,668 Annually), and Hospital Chief Information Officer ($139,740 - $190,752 Annually); and
b. Authorize the Auditor-Controller to make this correction retroactive to the Board of Supervisors original approval date of March 31, 2009.

31. a. Authorize the Purchasing Manager for Natividad Medical Center to consolidate the existing purchase orders with Cardinal Health, Inc., for Pyxis medication dispensing equipment rental, software and service support at Natividad Medical Center (NMC) in an amount not to exceed $373,223 (an increase of $115,116.35) for the period March 1, 2009 through June 30, 2009; and;
b. Direct the Auditor-Controller to amend Fiscal Year 2008-2009 Natividad Medical Center Budget Unit 960 to increase revenues and appropriations by $115,116.35 (4/5th vote required).

32. Approve and authorize the Purchasing Manager of Natividad Medical Center (NMC) to execute an agreement with Salinas Valley Radiologists, Inc. (SVR), in an amount not to exceed $300,085 for radiology reading and interpretation services at Natividad Medical Center between June 1, 2009 and June 30, 2010.

HEALTH AND SOCIAL SERVICES:

33. Approve and authorize the Chair to sign the CY 2010-11 Community Action Plan.

34. Approve adoption of Bylaws of the Santa Cruz-Monterey-Merced Managed Medical Care Commission.

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

36. a. Amend Child Support Services Budget Unit 225 to delete one (1) Departmental Information Systems Coordinator allocation;
b. Authorize the issuance of lay-off notice with an effective date of June 26, 2009; and
c. Direct the Auditor-Controller's Office and the County Administrative Office to amend the Fiscal Year (FY) 2008-09 budget and incorporate the changes in the FY 2009-10 Adopted Budget.

37. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign Agreement NS-0809-32 for $109,886 with the California Department of Aging for the Elderly Nutrition Program;
b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to this 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; and
c. Direct the Auditor-Controller's Office and the County Administrative Office to incorporate approved changes in the Fiscal Year 2009-10 Adopted Budget to increase appropriations and estimated revenues by $109,886 in Budget Unit 8268. (4/5th vote required)

CRIMINAL JUSTICE:

38. a. Approve and authorize the District Attorney to increase appropriations and estimated revenue derived from escheatments of revenues from both the Court and the District Attorney's Non-Sufficient Funds Check Program in accordance with Government Code Section 50050 in District Attorney Budget Unit 224 for Fiscal Year (FY) 2008-09; and
b. Direct the Auditor-Controller to amend the FY 2008-09 District Attorney Budget Unit 224 to increase revenues and appropriations in the amount of $6,775 as detailed in the attached Board Order (4/5th vote required).

39. a. Receive a report on the Sheriff's Drug and Youth Gang Education Asset Forfeiture Fund grant program; and
b. Direct the Auditor-Controller to increase estimated revenues and appropriations in Sheriff's Budget Unit 230 in the amount of $23,000 (4/5th vote required).

40. Approve and authorize the Sheriff to sign Amendment No. 2 to Agreement A-10883 regarding the annual price adjustment for Fiscal Year 2009-10, effective July 1, 2009, with California Forensic Medical Group (CFMG) for medical, mental health and dental services to inmates at the County Jail.

41. Approve and authorize the County Administrative Officer to sign a Memorandum of Agreement between the City of Salinas and County of Monterey and Cities of Gonzales, Greenfield, King City, Marina, Monterey, Seaside and Soledad in support of the parties' grant application for The Recovery Act Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program from the U.S. Department of Justice, Bureau of Justice Assistance (BJA).
42. a. Approve and authorize the Sheriff on behalf of the Joint Gang Task Force to submit a grant application with the Federal Department of Justice, Office of Justice Programs' Bureau of Justice Assistance Fiscal Year 2009 Congressionally Selected Award in the amount of $1,250,000; and
   b. Authorize the County Administrative Officer to delegate administrative responsibilities for the grant to the Sheriff and authorize the Sheriff to sign the application, including all understandings and assurances contained therein.

**GENERAL GOVERNMENT:**

43. Adopt Resolution to Approve a Zero Property Tax Transfer for the Proposed Annexation of the Abonce property (APN 119-131-008) to the Pajaro County Sanitation District.

44. Approve Action Minutes of Tuesday, April 14, 2009 and Tuesday, April 21, 2009.

45. Approve the application from Frank Tarantino to add the Hatton Dairy Barn to the County's Local Official Register of Historic Resources, as recommended by the County's Historic Resources Review Board.

46. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to the Professional Services Agreement with McKenna Long & Aldridge LLP in an amount not to exceed an additional $30,000, for a total contract amount to exceed $60,000, and to extend the contract through June 30, 2009, to assist and advise Monterey County in efforts to recover lost treasury pool investments related to the collapse of Lehman Brothers and Washington Mutual.

**RMA - PLANNING DEPARTMENT:**

47. a. Approve Amendment No. 4 to Professional Services Agreement No. A-10268 with Cascade Software Systems, Inc., to provide continued services associated with maintenance and modifications to the Windows-based Cost Accounting Management System (Win-CAMS) for the Resource Management Agency, in the amount of $101,700 for a total amount not to exceed $298,700 and extend the term through December 31, 2010; and
   b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 4 to Professional Services Agreement No. A-10268 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. (PD061223/Cascade Software Systems, Inc., County-wide)

48. a. Approve Amendment No. 1 to Professional Services Agreement No. A-11300 with EMC Planning Group, Inc., where the Base Budget is increased by $4,253 to $128,798 with a Contingency increase of $638 to $19,320, for a total amount not to exceed $148,118 to provide the Rancho Cielo Youth
Campus Master Plan Environmental Impact Report (PLN080351) in the Salinas area, for a term through August 1, 2009;

b. Approve Amendment No. 1 to Funding Agreement No. A-11303 with Rancho Cielo, Inc., where the Base Budget is increased by $4,253 to $128,798 with a Contingency increase of $638 to $19,320, for a total amount not to exceed $148,118 to allow funding to Monterey County for costs incurred by EMC Planning Group, Inc., to provide the Rancho Cielo Youth Campus Master Plan Environmental Impact Report (PLN080351) in the Salinas area, for a term through August 1, 2009; and

c. Authorize the Director of Planning to execute Amendment No. 1 to Professional Services Agreement A-11300, Amendment No. 1 to Funding Agreement No. A-11303 and future amendments to these Agreements where the amendments do not exceed ten percent (10%) of the original Agreement amounts and do not significantly alter the scope of work.

(PD060200/EMC Planning Group, Inc., Rancho Cielo EIR)

RMA - PUBLIC WORKS:

49. Introduce, waive the reading, and set June 23, 2009, at 1:30 p.m. to consider adoption of an ordinance amending the Monterey County Code, Title 12, Section 12.28.010, to establish no parking at any time on both sides of the two roadway segments of Elm Avenue between Arroyo Seco Road and Bridge No. 320, Greenfield area.

50. Introduce, waive the reading, and set June 23, 2009, at 1:30 p.m. to 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 north side of Russell Road from a point 18 feet east of the center line of Van Buren Avenue, easterly for a distance of 88 feet, Salinas area.

51. a. Adopt Resolution finding that the repairs and renovations in various shower stalls of the Monterey County Adult Detention Facilities, located at 1410 Natividad Road, Salinas continues to pose an emergency requiring immediate action without adopting plans and specifications and giving notice for bids to let contracts; and

b. Adopt Resolution ratifying the execution of emergency contracts and emergency actions taken by the Contracts/Purchasing Officer, or his designee, to respond to the emergency (4/5th vote required).

52. Approve a finding that there is an unmet transit need that is reasonable to meet in the County unincorporated areas in Fiscal Year 2009-10.
RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

53. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   Direct the Auditor-Controller to increase revenues and appropriations in the Fiscal Year 2008-09 budgets for the Castroville-Pajaro Debt Service Fund (Fund 020) by $800,000 (4/5th vote required); the Boronda Debt Service Fund (Fund 021) by $120,000 (4/5th vote required); and the East Garrison Debt Service Fund (Fund 024) by $210,000 (4/5th vote required).

MONTEREY COUNTY WATER RESOURCES AGENCY

54. Acting as the Board of Directors of the Monterey County Water Resources Agency:
   a. Set a public hearing on June 23, 2009, at 1:30 P.M. to approve a Caltrans Right of Way contract to purchase easements from the Agency's Zone 9 Reclamation Ditch including 1.32 acres of permanent easement and 7.11 acres of temporary construction easement for the Airport Boulevard Interchange East Project at a purchase price of $7,200 and authorize the General Manager to sign; and
   b. Direct the Clerk to the Board to publish a hearing notice in the Salinas Californian and the King City Rustler at least ten (10) days prior to the date set for the hearing.

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MONTEREY COUNTY

BOARD OF SUPERVISORS

Addendum for Tuesday, June 2, 2009

AGENDA ADDENDA

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

Adjourn in the memory of Mr. Buddy James Fallon of Salinas and Ms. Ellen "Lynn" Foster of Salinas.
ITEMS REMOVED FROM AGENDA
THE FOLLOWING ITEMS HAVE BEEN REMOVED FROM THE AGENDA SINCE RELEASE OF THE AGENDA TO THE PUBLIC:

Under Consent Calendar:

Natividad Medical Center:

31. a. Authorize the Purchasing Manager for Natividad Medical Center to consolidate the existing purchase orders with Cardinal Health, Inc., for Pyxis medication dispensing equipment rental, software and service support at Natividad Medical Center (NMC) in an amount not to exceed $373,223 (an increase of $115,116.35) for the period March 1, 2009 through June 30, 2009; and;
   b. Direct the Auditor-Controller to amend Fiscal Year 2008-2009 Natividad Medical Center Budget Unit 960 to increase revenues and appropriations by $115,116.35 (4/5th vote required).

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