ACTION MINUTES
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
PAJARO COUNTY SANITATION DISTRICT
BORONDA COUNTY SANITATION DISTRICT

TUESDAY, MARCH 17, 2009
9:00 A.M.

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

1. Pledge of Allegiance was led by Charles McKee.

2. Additions and Corrections: The Clerk of the Board announced agenda corrections and additions which were acted on by the Board as provided in Section 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 Adjourn in the Memory of William Robert “Bob” Wilson.
   AC-2 Adjourn in the Memory of Mayor Pro-Tempore Dale Skillicorn City of Watsonville
   AC-3 Correction to Item 40 to change number of conditions listed in Condition No. 2 to reflect 7 and not 6 conditions of approval and incorporate PD004 – Indemnification Agreement.
   Motion by Supervisor Salinas, seconded by Supervisor Parker.
   4-0 (Supervisor Potter Absent)
3. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   Motion by Supervisor Parker, seconded by Supervisor Salinas to approve all Consent items with the exception of item No. 29. 4-0 (Supervisor Potter Absent)

4. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)
   Motion by Supervisor Salinas, seconded by Supervisor Parker. 4-0 (Supervisor Potter Absent) (See Item No. 46)

5. CONSENT CALENDAR - PAJARO COUNTY SANITATION DISTRICT (See Supplemental Sheet Under Special Districts)
   Motion by Supervisor Parker, seconded by Supervisor Salinas. 4-0 (Supervisor Potter Absent) (See Item No. 47)

6. CONSENT CALENDAR - BORONDA COUNTY SANITATION DISTRICT (See Supplemental Sheet Under Special Districts)
   Motion by Supervisor Armenta, seconded by Supervisor Salinas. 4-0 (Supervisor Potter Absent) (See Item No. 48)

OTHER BOARD MATTERS:

7. Board Comments, Referrals, and Updates Received
   · Supervisor Armenta requested a resolution recognizing the efforts of the farm worker leader Cesar Chavez on his birthday March 31st.
   · Supervisor Armenta requested the County assign a County representative to sit with the Census 2010 as part of the coordinating committee and report back to the County Administrative Office on a quarterly basis on the progress of the census.
   · Supervisor Armenta requested the County conduct a community information forum on foreclosures to get a sense of how the federal foreclosure assistance money will assist residents.
   · Supervisor Armenta announced that the Senate approved appropriations on transit and transportation left over from 2008-09 and Monterey Salinas Transit will get about $1 million from last years appropriation that was held up.
   · Supervisor Jane Parker provided an update from the Local Government Commission Conference where strategies for implementing Assembly Bill 32, Senate Bill 375, and building a sustainable community were discussed.
   · Supervisor Parker announced a community meeting on the County budget was held on March 8th at the Marina Library. An initial summary report was distributed to the Board and it will be placed on Supervisor Parker’s website.
   · Supervisor Parker requested the CAO, Lew Bauman bring a process to the Board for performance review of department heads that report directly to the Board of Supervisors by the end of April.
8. CAO Comments
   County Administrative Officer, Lew Bauman, announced the presentation of a resolution to Lou Solton, recognizing his service to Natividad Medical Center. Bill Foley, Interim CEO of Natividad, presented the resolution.

9. Public Comment (Limited to 3 minutes per speaker)
   · Jan Mitchell, Prunedale Neighbors Group and Prunedale Preservation Alliance requested Monterey County Ordinance 10.41.030 be modified as it is a fee for service not rendered to rural residents.
   · Jim Campos requested the Board's assistance with the County's historical property process.
   · Delinda Robinson, County employee, commented on the budget workshop and County paid PERS as part of the bargaining process.

10. Accepted certificate of election results from the Monterey County Superintendent of Schools relating to the November 4, 2008, General Obligation Bond election within School Facilities Improvement District No. 2 (Coalinga Area).
    Motion by Supervisor Salinas, seconded by Supervisor Parker.
    4-0 (Supervisor Potter Absent)

Items 11 through 17 were heard concurrently

11. Adopted Resolution No. 09-160 honoring David Benjamin as the recipient of the Monterey Peninsula Chamber of Commerce 2008 Citizen of the Year Award. (Supervisor Potter)
    Motion by Supervisor Parker, seconded by Supervisor Salinas.
    4-0 (Supervisor Potter Absent)

12. Adopted Resolution No. 09-163 honoring Sue McCloud as the recipient of the Monterey Peninsula Chamber of Commerce 2008 Ruth Vreeland Memorial Public Official of the Year Award. (Supervisor Potter)
    Motion by Supervisor Parker, seconded by Supervisor Salinas.
    4-0 (Supervisor Potter Absent)

13. Adopted Resolution No. 09-159 honoring Cynthia Buhl as the recipient of the Monterey Peninsula Chamber of Commerce 2008 Volunteer of the Year Award. (Supervisor Potter)
    Motion by Supervisor Parker, seconded by Supervisor Salinas.
    4-0 (Supervisor Potter Absent)

14. Adopted Resolution No. 09-162 honoring United Way of Monterey County as the recipient of the Monterey Peninsula Chamber of Commerce 2008 Business of the Year Award. (Supervisor Potter)
    Motion by Supervisor Parker, seconded by Supervisor Salinas.
    4-0 (Supervisor Potter Absent)
15. Adopted Resolution No. 09-161 honoring Charles T. Chrietzberg, Jr. as the recipient of the Monterey Peninsula Chamber of Commerce 2008 Robert C. Littlefield Award. (Supervisor Potter)
   **Motion by Supervisor Parker, seconded by Supervisor Salinas.**
   4-0 (Supervisor Potter Absent)

16. Adopted Resolution No. 09-158 honoring Michael Bekker, on being named Hospitality Professional of the Year 2008 by the Monterey County Hospitality Association. (Supervisor Potter)
   **Motion by Supervisor Parker, seconded by Supervisor Salinas.**
   4-0 (Supervisor Potter Absent)

17. Adopted Resolution No. 09-164 proclaiming the Month of March 2009 as "Traumatic Brain Injury Month For Monterey County" (Supervisor Calcagno)
   Public Comment:
   · Drew McMillen, CECIL, thanked the Board of Supervisors for declaring March as brain injury.
   **Motion by Supervisor Parker, seconded by Supervisor Salinas.**
   4-0 (Supervisor Potter Absent)

SA-1 Authorized the Chair of the Board to execute a letter of support of the North County Citizens’ Oversight Coalition Appeal of a decision by the U. S. Postal Service to deny a zip code change for Royal Oaks.
   Public comment:
   · Carol Anderson, resident, commented on the personal impacts and the benefits of changing the zip code for Royal Oaks and thanked Chair Calcagno for his support on this issue.
   · Warren Church addressed the Board on behalf of the residents of Royal Oaks and the impacts of the current zip code designation.
   **Motion by Supervisor Salinas, seconded by Supervisor Armenta.**
   4-0 (Supervisor Potter Absent)

**APPOINTMENTS:**

Items 18 through 23 were heard concurrently.

18. Reappointed Tony Acosta to the Community Action Commission, term ending July 1, 2011. (Supervisor Salinas)
   **Motion by Supervisors Armenta, seconded by Supervisor Salinas.**
   4-0 (Supervisor Potter Absent)

19. Reappointed Carl J. Hansen to the Northern Salinas Valley Mosquito Abatement District, term ending January 2, 2009. (Full board)
   **Motion by Supervisors Armenta, seconded by Supervisor Salinas.**
   4-0 (Supervisor Potter Absent)
20. Reappointed Linda English to the Housing Advisory Committee, term ending March 1, 2011. (Supervisor Calcagno)
   Motion by Supervisors Armenta, seconded by Supervisor Salinas.
   4-0 (Supervisor Potter Absent)

21. Appointed Beth Winters to the Animal Control Advisory Board, term ending July 1, 2011. (Full Board)
   Motion by Supervisors Armenta, seconded by Supervisor Salinas.
   4-0 (Supervisor Potter Absent)

22. Appointed Bill Nye to the Fort Ord Veteran Cemetery Citizens Advisory Committee, term ending January 4, 2011. (Supervisor Potter)
   Motion by Supervisors Armenta, seconded by Supervisor Salinas.
   4-0 (Supervisor Potter Absent)

23. Approved nomination of Amy Taketomo to the Monterey Bay Unified Air Pollution Control District Hearing Board and directed the Clerk of the Board to forward the nomination to the District Board Clerk. (District 5)
   Motion by Supervisors Armenta, seconded by Supervisor Salinas.
   4-0 (Supervisor Potter Absent)

SCHEDULED MATTERS:

S-1 Continued to March 24, 2009
a. Grant the appeal by Marjorie Kay from the Minor Subdivision Committee’s adoption of a Mitigated Negative Declaration and approval of a Coastal Development Permit PLN080185 (ZA06672); and
b. Deny Coastal Development Permit (PLN080185/Jehovah Witnesses South Spanish Congregation) consisting of a Tentative Parcel Map creating four parcels of 3 acres, 3 acres, 3 acres, and 11 acres. (Appeal - PLN080185/Jehovah Witnesses South Spanish Congregation, 125 Sill Road, Las Lomas)

Public Comment:
- John Bridges, representing the Applicant, requested a one year continuance, to a date certain.
- Carolyn Anderson opposed a continuance.
- Marjory Kay, appellant, opposed a continuance.

Motion No. 1 by Supervisor Armenta, seconded by Supervisor Salinas 1 to continue this matter for one year. 2 Ayes; 2 Noes (Supervisor Calcagno and Supervisor Parker dissented, Supervisor Potter Absent). MOTION FAILED

Motion No. 2 by Supervisor Salinas, seconded by Supervisor Armenta to continue this matter to March 24, 2009. 4-0 (Supervisor Potter Absent)
This item began in the morning and was trailed to the afternoon.

Continued public hearing regarding consideration of an amendment to the Hidden Hills Estates and Hidden Ridge Estates Environmental Impact Report and consider adoption of a resolution to approve an application for a Combined Development Permit consisting of: (1) Amendment to the Hidden Hills Estates Subdivision Final Map to expand the building envelope of the Angton property from 7,200 square feet into two envelopes totaling approximately 15,450 square feet; (2) Variance to reduce the required front yard setbacks for a habitable accessory structure (caretaker unit) from 50 feet to 0 feet along Whip Road; (3) Use Permit and Design Approval for development of a new 12,116 sq. ft. two-story single-family residence in the Visual Sensitivity or "VS" Zoning District including an indoor swimming pool (1,473 sq. ft.), an attached 4-car garage (1,157 sq ft) and a detached accessory structure (3,280 sq ft), 7,640 cubic yards of grading (6,320 cut/1,320 fill), and the relocation of one 18-inch diameter oak tree; (4) Use Permit for ridgeline development; and (5) Administrative Permit for a detached 1-story caretaker unit (965 sq. ft.).

Public Comment:

- Christine Kemp, Esq. addressed the Board on this item and urged staff to return with a Resolution of Intent to approve the project and return with findings that modify Condition 5 to eliminate landscaping screening; revise or remove Condition 7 requiring an oak tree to be planted on the northside of the house; and remove Condition 9: eliminating requirement for scenic conservation easement.

Item trailed to the afternoon.

12:00 P.M. Recess to Lunch - Closed Session

Additions and Corrections for Closed Session:

County Counsel announced agenda proposed additions, which were acted on by the Board as provided in Section 54954.2 of the California Government Code.

Closed Session Report of the Special Meeting of the Board of Supervisors and the Special Joint Meeting of the Board of Supervisors and the Natividad Medical Center Board of Trustees held on Monday, March 16, 2009 in the Monterey Room, 168 W. Alisal St., 2nd Floor.

2. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code Section 54957, the Board will confer regarding appointment of the position of Natividad Medical Center CEO.

3. Joint meeting between the Monterey County Board of Supervisors and Natividad Medical Center Board of Trustees.
b. Pursuant to Government Code section 54957, the Board of Supervisors and the Board of Trustees will confer regarding appointment to the position of Natividad Medical Center CEO.

**CLOSED SESSION REPORT:** The Board of Supervisors and the Natividad Board of Trustees conducted interviews for the Natividad Medical Center CEO. No final decision was made on any candidate and the Board provided direction to staff on how to proceed to the next steps.

2. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54956.95, the Board will confer regarding liability claims.
      1. Carol Lea Mueller
   **CLOSED SESSION REPORT:** The Board denied the claim.

   b. Pursuant to Government Code section 54956.9(b), the Board will confer regarding one item of significant exposure to litigation.
   **CLOSED SESSION REPORT:** The Board provided direction to staff on how to proceed to avoid litigation.

   c. Pursuant to Government Code section 54956.9(c), the Board will confer regarding potential initiation of one litigation case.
   **CLOSED SESSION REPORT:** The Board gave direction to Counsel to proceed in drafting papers that would be available for filing, but gave no final direction to file. Staff will bring this item back for future discussion.

   d. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following public employment positions:
      1. County Administrative Officer
      2. County Counsel
   **CLOSED SESSION REPORT:** The Board directed the County Administrative Officer and County Counsel to bring back procedures and processes to be used for the evaluation of Board appointed employees.

   e. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators.
      Property: County owned property at the corner of Laurel Drive and Constitution Boulevard (APNs 003-851-021, -024, and -027)
      County Negotiator: Wayne Tanda, RMA Director and Les Girard, Assistant County Counsel
      Negotiating Parties: County of Monterey and the Salinas Regional Sports Authority
      Under negotiation: Price and Terms
   **CLOSED SESSION REPORT:** The Board provided direction to Mr. Girard on how to proceed in consulting with Mr. Tanda and negotiating with the parties of the County of Monterey and Salinas Regional Sports Authority.
f. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators.
   Designated representatives: Keith Honda and Patricia Covert
   Employee organizations: All Units

CLOSED SESSION REPORT: The Board gave direction to Mr. Honda and Ms. Covert on how to proceed in labor negotiations.

1:30 P.M. RECONVENED

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

SCHEDULED MATTERS:

ITEMS S-2, S-3, S-4, and S-5 TRAILED FROM MORNING SESSION

S-2 Resolution No. 09-207
Conducted continued public hearing regarding consideration of an amendment to the Hidden Hills Estates and Hidden Ridge Estates Environmental Impact Report and adopted Resolution to approve an application for a Combined Development Permit consisting of: (1) Amendment to the Hidden Hills Estates Subdivision Final Map to expand the building envelope of the Angton property from 7,200 square feet into two envelopes totaling approximately 15,450 square feet; (2) Variance to reduce the required front yard setbacks for a habitable accessory structure (caretaker unit) from 50 feet to 0 feet along Whip Road; (3) Use Permit and Design Approval for development of a new 12,116 sq. ft. two-story single-family residence in the Visual Sensitivity or "VS" Zoning District including an indoor swimming pool (1,473 sq. ft.), an attached 4-car garage (1,157 sq. ft) and a detached accessory structure (3,280 sq. ft), 7,640 cubic yards of grading (6,320 cut/1,320 fill), and the relocation of one 18-inch diameter oak tree; (4) Use Permit for ridgeline development; and (5) Administrative Permit for a detached 1-story caretaker unit (965 sq. ft.).

(Combined Development Permit Application - PLN060575/Angton, 11395 Saddle Road, Greater Monterey Peninsula Area Plan); and

The Board approved revised language of the resolution including but not limited to the following: deleted all references to scenic easements in findings evidence conditions and addendum; submitted written revisions and agreed upon the changes and additional modifications; made reference under Finding No. 4 Evidence b, should read: “Mitigation Measure 19 adopted as condition 42 of the approval of the subdivision require building envelopes and screening landscaping “as appropriate”. Mitigation monitoring and condition plan, deleted Condition 9 requiring scenic and conservation easement; revising Condition 5 to delete references to scenic and conservation easement; revise Condition 7, it now reads
“existing oak tree proposal removal shall be relocated as part of the landscaping plan required under Condition 5; and on addendum, CEQA document for the project in addition to the EIR, added language on page 18 and page 24, “as appropriate” in regards to the landscaping screening to the language of the Conditions of Approval; in the addendum strike language as indicated and after Condition 42 delete “requiring landscaping screening for development of the parcel” and delete “consistent with the provisions of Condition 42 for the approval of the subdivision.”

**Motion by Supervisors Salinas, seconded by Supervisor Armenta, to approve staff recommendations, and modifications as submitted in the Revised Findings Evidence Conditions Addendum and as stated for the record.**

3-1 (Supervisor Parker dissented and Supervisor Potter absent).

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**S-3**

This item was heard after 1:30 p.m.

Adopted Ordinance No. 5128 of the County of Monterey adding Chapter 7.13 to the Monterey County Code relating to State Video Franchises, including correcting the first sentence in the ordinance on page 3, under 7.13.040 Customer Service-A., so it now reads: Customer Service Standards. A state franchise holder shall comply with Sections 53055, 53055.1, 53055.2 and 53088.2 of the California Government Code;

The Board additionally approved amendments, as submitted today, to the ordinance, under Section 7.13.040 Customer Service, correcting one reference to 53055.2 to 53055.1.

**Motion by Supervisor Parker, seconded by Supervisor Salinas.**

4-0 (Supervisor Potter absent)

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**S-4**

a. Considered the certified Environmental Impact Report for the Castroville Community Plan and an Addendum to the EIR;

b. Adopted Ordinance No. 5129 amending Title 21 (Zoning Code) to rezone portions of the property northeast of the Davis Street right of way from MDR/1-Z (Medium Density Residential) to HDR/18 (High Density Residential, 18 units per acre);

c. Adopted Resolution No. 09-185 approving a Combined Development Permit and General Development Plan for the Chapin Project (PLN080039) consisting of Standard Subdivision Vesting Tentative Map to allow the merger and re-subdivision of eight parcels into eight parcels ranging in size, with a conservation easement over the entire coastal portion, and one well parcel; and a Use Permit to allow the construction of a 59 unit apartment complex, based on the Findings and Evidence and subject to the recommended Conditions of Approval; and

d. Adopted the Mitigation Monitoring Reporting Program.

(Rezone/Combined Development Permit - PLN080039/Don Chapin, Axtell Street, Preston Street and Davis Street, Castroville, Castroville Community Plan)

Approved errata and corrections as follows:

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S-1 – Scheduled Items SA - Supplemental Agenda AC - Additions and Corrections
1. Exhibit D, Finding No. 1, Evidence (j), the last sentence shall read as follows: The Committee recommended that the Planning Commission recommend approval of the project to the Board of Supervisors and that the Board of Supervisors approve the rezone.

2. The Planning Commission Resolution Number referenced in Finding No. 4 Evidence (b) shall read as 09008 and 09009.

3. The first sentence of Finding No. 4, Evidence (u) shall read as follows: The six new single family lots are intended for detached single family dwellings; however, there is no proposal for construction on these lots with this project.

4. Finding No. 4, the evidence listed after (b) shall be re-lettered starting with (c) and so forth till [until] evidence (y).

5. The language for the Public Works Department Condition No. 35 shall read as follows: Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current applicable fee schedule.

6. Deleted references to the coastal area as a remainder parcel.

Public Comment:
· John Bridges, attorney for applicant, concurs with staff recommendations including the errata submitted today.

Motion by Supervisor Armenta, seconded by Supervisor Salinas.
4-0 (Supervisor Potter absent)

S-5 Adopted Resolution No. 09-199 to Approve a Zero Property Tax Transfer for the Proposed Annexation of Rancho Los Robles to the Pajaro County Sanitation District.

Public Comment:
· Carolyn Anderson, advised FANS does not take a position on this item but wants to make sure there is no impact to the subdivision.

Motion by Supervisor Salinas, seconded by Supervisor Armenta.
4-0 (Supervisor Potter absent)

S-6 Received oral report from the Auditor-Controller regarding status of the Independent Financial Analysis being conducted by Harvey M. Rose Associates, LLC.

Motion by Supervisor Parker, seconded by Supervisor Salinas.
4-0 (Supervisors Potter absent)

S-7 Received presentation and accepted report on the Federal economic stimulus package (American Recovery and Reinvestment Act of 2009, or ARRA) and potential funding opportunities for Monterey County.

Motion by Supervisor Parker, seconded by Supervisor Salinas.
4-0 (Supervisor Potter Absent)
S-8  Board Budget No. 08/09-125
a. Received and accepted a report on the State of California’s seventeen-month budget package and anticipated impacts to the County of Monterey in Fiscal Year (FY) 2008-09 and FY 2009-10; and
b. Directed County Departments impacted by the State budget package to bring forward a report to the Board of Supervisors identifying impacts and associated recommendations.

Motion by Supervisor Salinas, seconded by Supervisor Armenta. Approved 4-0 (Supervisor Potter absent)

ORDER FOR ADJOURNMENT

TO SPECIAL MEETING OF MARCH 24, 2009

APPROVED:

/s/ Louis R. Calcagno
LOUIS R. CALCAGNO, CHAIR
BOARD OF SUPERVISORS

ATTEST:

GAIL T. BORKOWSKI
Clerk of the Board

BY:  /s/ Gail T. Borkowski
CONSENT CALENDAR

24. Agreement No. A-10829 Approved and authorized the Purchasing Manager of Natividad Medical Center to sign Amendment No. 1 to the Agreement for Contingency Recruitment; Pursuant to the terms of the Request for Proposal (RFP No. 9962), for the term March 1, 2009 through February 28, 2010 in an amount not to exceed $200,000 annually and to distribute these funds between all vendors under the Agreement in amounts to be determined.

25. Agreement No. A-10789 Approved and authorized the Purchasing Manager of Natividad Medical Center (NMC) to execute Amendment No. 3 to the Agreement with Foley & Lardner LLP for Independent Consulting and Legal Services at NMC in an amount not to exceed $868,000 (an increase of $250,000) for the period December 1, 2008 through June 30, 2010.

26. Accepted a report from the CEO of Natividad Medical Center (NMC) and the Director of Health regarding the proposed Monterey County Integrated Healthcare System.

27. Board Budget No. 08/09-126
   a. Approved and amended the Fiscal Year (FY) 2008-09 Natividad Medical Center Budget Unit 960 to add one (1.0) FTE Contract Physician and one (1.0) FTE Physician Assistant II;
   b. Directed the Auditor-Controller to amend the FY 2008-09 Natividad Medical Center Budget Unit 960 to reflect the change in position count; and
   c. Directed and authorized the Auditor-Controller to increase Natividad Medical Center FY 2008-09 revenues and appropriations in budget unit 960 in the amount of $72,128 (4/5th vote required).

28. Board Budget No. 08/09-127
   a. Approved and amended the Personnel Policies and Practices Resolution No. 98-394 to add the following classification: Director of Medical Center Physician Services;
   b. Approved and amended the Natividad Medical Center budget unit 960 to add one (1.0) FTE Director of Medical Center Physician Services and one (1.0) FTE Management Analyst I;
   c. Directed the Auditor-Controller to amend the Fiscal Year (FY) 2008-09 Natividad Medical Center Budget Unit 960 to reflect the change in position count; and
   d. Direct and Authorize the Auditor-Controller to increase Natividad Medical Center FY 2008-09 revenue and appropriations in budget unit 960 in the amount of $104,327 (4/5th vote required).
HEALTH AND SOCIAL SERVICES:

29. Continued to March 24, 2009. Approved and authorized the Emergency Medical Services Agency Director to submit the revised Monterey County EMS Plan to the California State Emergency Medical Services Authority.

   Supervisor Parker requested this item be continued.
   Motion by Supervisor Parker, seconded by Supervisor Salinas to continue this item to March 24, 2009. 4-0 (Supervisor Potter Absent)

30. Approved development and submission of a State of California, Community Services and Development, Discretionary Funding Application for up to $20,000 to expand the Domestic Violence Response Team in north Monterey County.

31. Agreement No. A-10540; Board Budget No. 08/09-128
   a. Approved and authorized the Director of Health to sign Amendment No. 4 to Agreement A-10540 with Community Human Services to increase the existing Agreement amount of $4,597,334 by $92,453 to the new Agreement amount of $4,689,787;
   b. Approved and amended the Fiscal Year (FY) 2008-09 Health Department’s Budget Unit 417 to add $33,319 in appropriations and revenue (4/5th vote required); and,
   c. Direct the Auditor Controller to amend the FY 2008-09 Health Department’s Budget Unit 417 to reflect the change in estimated revenues and appropriations.

32. Agreement Nos. A-11383; A-11384; A-11385
   a. Approved and authorized the Director of Health to sign and approve the Memorandum of Understanding (MOU) between the County of Monterey, Sunflower Housing LLC(A-11383), and Interim Inc., for the development of Sunflower Gardens, an affordable housing project funded by the MHSA Housing Program; and
   b. Approved and authorized the Director of Health to sign the Capitalized Operating Subsidy Reserve (COSR) (A-11384) Agreement and the Regulatory Agreement (A-11385) between the County of Monterey and Sunflower Housing LLC, for operating subsidies in the amount of $300,000 for a twenty (20) year period for two (2) transitional units.

33. Agreement No. A-11183; Board Budget No. 08/09-129
   a. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign Amendment No. 1 to Agreement No. A-11183 with Peacock Acres Inc., to implement the Transitional Housing Program-Plus (THP-Plus) for eligible emancipated foster and probation youth, adding $175,000 for the period July 1, 2008 through June 30, 2009 and increasing the total contract amount to $590,000;
   b. Authorized 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. Directed the Auditor-Controller to increase appropriations and estimated revenues in Budget Unit 501 in the amount of $175,000. (4/5th Vote Required)

34. Board Budget No. 08/09-130
a. Approved the transfer $51,306 from the Juvenile Ward Trust Fund 080 to Budget Unit 256, Juvenile Institutions and Alternative Programs;
b. Approve and directed the Auditor-Controller to increase Fiscal Year 2008-09 estimated revenues and appropriations in the amount of $51,306 in Budget Unit 256, Juvenile Institutions and Alternative Programs, for purchase of recreational equipment, clothing, supplies, storage and furnishings for juveniles in the Monterey County Youth Center and Juvenile Hall (4/5th vote required); and
c. Approved transfer of funds in the amount of $5,415 to Fixed Assets within Probation Budget Unit 256 for the purchase of a storage container for the Youth Center.

GENERAL GOVERNMENT:

35. Board Budget No. 08/09-131
a. Received and accepted a report on the reimbursement of costs associated with the Basin Complex Fire from the Federal Emergency Management Agency (FEMA) and the California Governor’s Office of Emergency Services (OES); and
b. Directed the Auditor-Controller to amend the Fiscal Year 2008-09 Sheriff’s Office Budget Unit 230 to increase estimated revenue and appropriations in the amount of $362,853. (4/5th vote required)

36. Agreement Nos. A-11387; A-11388; Board Budget No. 08/09-132
a. Accepted a State Department of Housing and Community Development Block Grant in the amount of $876,340;
b. Approved a Sub recipient Agreement (A-11387), Regulatory Agreement (A-11388), Deed of Trust and Promissory Note between the County of Monterey and Interim Inc., for construction of transitional units in the Sunflower Gardens Housing Project; and
c. Directed the Auditor-Controller to increase estimated revenue and appropriations in Fund 16, Budget Unit 575 (Community Development) by $925,340 (4/5 vote required).

37. Agreement No. A-10541 Approved and authorized the Chair of the Board to execute Amendment No. 2 to the Intergovernmental Transfer & Grant Agreement by and between the County of Monterey, Salinas Valley Memorial Healthcare System, and Community Hospital of the Monterey Peninsula in support of Natividad Medical Center (NMC), and determined that participation in the
governance of NMC by persons affiliated with CHOMP and SVMH will further joint planning, efficient delivery of health care services, and the best interest of the areas served by their respective hospitals.

38. a. Approved the establishment of an ad hoc Board of Supervisors policy committee to review human resources and labor relations policies;
   b. Appointed Supervisor Fernando Armenta and Supervisor Jane Parker.

39. Resolution No. 09-172 Ratified the Proclamation of Local Emergency signed by the County Administrative Officer on March 4, 2009 for conditions present in the Salinas River Lagoon (4/5th vote required).

**RMA - PLANNING DEPARTMENT:**

40. Resolution No. 09-173
   a. Approved a lot line adjustment between four separate parcels, a portion of which is under Land Conservation Contracts Nos. 68-101, 68-56-101, and 72-33-44, with no net decrease in acreage under Williamson Act contract; as shown on the proposed lot line adjustment map on file in Planning File No. PLN080525;
   b. Authorized the Chair to execute new or amend Land Conservation Contracts in order to rescind a portion of existing Land Conservation Contract Nos. 68-101, 68-56-101, and 72-33-44 as it applies to the reconfigured, contracted parcels only, and simultaneously execute new or amended Land Conservation Contract Nos. 68-101, 68-56-101, and 72-33-44A for the reconfigured, contracted parcels between the County and San Bernabe Vineyards, LLC, reflecting the new legal descriptions, any new ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
   c. Directed the Clerk of the Board to record the new or amended contracts. (Lot Line Adjustment - PLN080525/San Bernabe Vineyards, LLC, 53001 Oasis Road, King City, Central Salinas Valley Area Plan);
   d. Corrected Item 40 to change number of conditions listed in Condition No. 2 to reflect 7 and not 6 conditions of approval and incorporate PD004 – Indemnification Agreement.

**RMA - PUBLIC WORKS:**

41. Board Budget No. 08/09-133
   a. Authorized and directed the Auditor-Controller to decrease Fund Balance Designations-3810 by $20,000, and increase the available fund balance, Unreserved Fund Balance-3800, by $20,000 for County Service Area 72 - Las Palmas, Fund 172, Budget Unit 910; and
   b. Authorized and directed the Auditor-Controller to increase appropriations for Fund 172, Budget Unit 910, Account 6315, Maintenance-Public Works, by $20,000 (4/5th vote required).
42. Agreement No. A-11386
   a. Approved a Professional Services Agreement with Harris & Associates, Inc.,
      to provide consulting engineering services for the Moss Landing Underground
      Utility District - 20B, Project No. 865865, in an amount not to exceed
      $154,540 for a term through December 31, 2010; and
   b. Authorized the Contracts/Purchasing Officer to execute the Professional
      Services Agreement 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.

43. a. Adopted Resolution No. 09-174 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. Adopted Resolution No. 09-174 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).

44. Resolution No. 09-175 Approved the initial listing of extended services and
    miscellaneous extended services for County Service Areas for Fiscal Year 2009-
    10.

45. Agreement No. A-09966
   a. Approved Amendment No. 5 to Professional Services Agreement No. A-
      09966 with Wood Rodgers, Inc. to provide additional services associated with
      the development of a Project Report and Environmental Document to
      complete Caltrans requirements for the Project Approval and Environmental
      Determination Phase of project development for the Highway 68 - Corral de
      Tierra Road Intersection Improvements, Project No. 114065, in the amount of
      $45,697 for a total amount not to exceed $418,787 for a term through
      December 31, 2009; and
   b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 5 to
      Professional Services Agreement No. A-09966, as the final amendment to this
      Agreement.

**RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:**

46. Acting as the Board of Directors of the Redevelopment Agency of the County of
    Monterey, approved revisions to the Monterey County Redevelopment Agency
    Commercial Improvement Program Grant Agreement and Guidelines.  
    **Motion by Supervisor Salinas, seconded by Supervisor Parker.**
    4-0 (Supervisor Potter Absent)
SPECIAL DISTRICTS:

47. Board Budget No. 08/09-134 Acting as the Pajaro County Sanitation District:
   a. Authorize and directed the Auditor-Controller to decrease Fund Balance Designations-3810 by $175,000 and increase the available fund balance, Unreserved Fund Balance-3800, by $175,000 for the Pajaro County Sanitation District, Fund 382, Budget Unit 910; and
   b. Authorized and directed the Auditor-Controller to increase appropriations for Fund 382, Budget Unit 910, Account 6315, Maintenance-Public Works, by $175,000 (4/5th vote required).

   Motion by Supervisor Parker, seconded by Supervisor Salinas.
   4-0 (Supervisor Potter Absent)

48. Board Budget No. 08/09-135 Acting as the Boronda County Sanitation District:
   a. Authorized and directed the Auditor-Controller to decrease Fund Balance Designations-3810 by $79,457 and increase the available fund balance, Unreserved Fund Balance-3800, by $79,457 for the Boronda County Sanitation District, Fund 392, Budget Unit 910; and
   b. Authorized and directed the Auditor-Controller to increase appropriations for Fund 392, Budget Unit 910, Account 6315, Maintenance-Public Works, by $79,457 (4/5th vote required).

   Motion by Supervisor Armenta, seconded by Supervisor Salinas.
   4-0 (Supervisor Potter Absent)

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