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

1. The Pledge of Allegiance was led by Assistant County Counsel Leslie Girard.

2. Additions and Corrections
The Clerk of the Board announced Agenda corrections and proposed 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, as provided in Section 54954.2 of the California Government Code the Board was asked to make the following additions and corrections:

Revised Resolution Submitted
46. Adopt Resolution to revise the Condition of Approval and Mitigation Monitoring and Reporting Program that includes detailed procedures designed to provide for tracking, monitoring, enforcement and reporting upon Conditions of Approval, fulfills the requirements of CEQA and the CEQA Guidelines for monitoring and reporting of implementation of mitigation
measures imposed under CEQA, and sets forth the responsibilities of County
departments for various aspects of monitoring, reporting, and enforcement to
ensure full compliance with Conditions of Approval.
(Adopt a revised Condition of Approval and Mitigation Monitoring and
Reporting Program - REF120001, County-wide)

**Revised Resolution Submitted**

S-3 Public hearing to:

a. Consider Resolution of intent to adopt certain Local Coastal Program
   (LCP) Amendments for the coastal area of the Del Monte Forest, including
   the following: amendment of the Del Monte Forest Land Use Plan (LUP) policies;
   update and addition of LUP figures (maps), including changes to land use
designations at multiple locations; amendment of Parts 1 and 5 of the Monterey County Coastal Implementation Plan (CIP) (Title
20 of the Monterey County Code), including amending Chapters 20.12
(Medium Density Residential) and 20.14 (Low Density Residential) to
remove golf courses as conditional allowed uses in these zones, amending
Sections 20-10 and 20-16 of the zoning maps of the Monterey County CIP
to rezone multiple locations, and amending Chapter 20.147 (Regulations
for Development in the Del Monte Forest Land Use Plan Area). These
Amendments would: focus new development adjacent to or within
existing developed areas while requiring preservation of large intact
contiguous areas of forest and other sensitive habitat areas; revise the
regulations for development to establish the regulatory framework for the
proposed Pebble Beach Company Concept Plan; update the LCP to reflect
the changes in conditions in Del Monte Forest since the original adoption
of the LCP in the 1980s; and move implementing detail from the Land
Use Plan into the CIP.

b. Direct staff to transmit the resolution to the Coastal Commission for
certification.

(PLN100138/Pebble Beach Company, Pebble Beach, Del Monte Forest Land
Use Plan)

S-6 David Chardavoyne of Water Resources Agency addressed the Board
and requested this item be removed from the today’s agenda.
Consider approval to lift the financial cap on withdrawals from the California-
American Water (CAW) Line of Credit Agreement thereby allowing the
Monterey County Water Resources Agency (MCWRA) to access the CAW
Line of Credit to pay for certain previously-performed work related to the
Regional Desalination Project, and to pay for appropriate future obligations.

Motion by Supervisor Parker, seconded by Supervisor Calcagno. 4 – 0
(Supervisor Calcagno Absent)
3. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   Supervisor Armenta requested item 42 be removed from today’s agenda and be
   brought back at later date.
   Motion by Supervisor Parker, seconded by Supervisor Salinas to approve the
   Consent Calendar – Regular, with the exception of item 42 which was
   removed from the agenda and will return at a later date. 4 – 0 (Supervisor
   Calcagno Absent)

   Recessed

Convened as the Board of Directors of the Monterey County Redevelopment
Agency

ROLL CALL
Present: Directors Potter (Chair), Armenta, Salinas, and Parker
Absent: Director Calcagno

MONTEREY COUNTY REDEVELOPMENT AGENCY

4. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT
   AGENCY (See Supplemental Sheet)
   Motion by Supervisor Salinas, seconded by Supervisor Parker. 4 – 0
   (Supervisor Calcagno Absent)

   Recessed

Reconvened as the Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS

CEREMONIAL RESOLUTIONS

5. Adopted Resolution No. 12-010 commending Gary Bearden, Assistant Road
   Superintendent to the Department of Public Works, for his dedicated service of 30
   1/2 years to the County of Monterey upon his retirement. (Full Board-Supervisor
   Potter)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. 4 – 0
   (Supervisor Calcagno Absent)

6. Adopted Resolution No. 12-009 honoring American Red Cross of Northern
   California Blood Services in recognition of National Blood Donor Month. (Chair
   Potter)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. 4 – 0
   (Supervisor Calcagno Absent)
7. Adopted Resolution No. 12-011 commending Deputy Dustin Hedberg as Monterey County Sheriff’s Office Deputy of the Year. (Chair Potter)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)

8. Adopted Resolution No. 12-012 commending Records Specialist Tracy Sano as Monterey County Sheriff’s Office Professional Staff Person of the Year. (Chair Potter)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)

8.1 Adopted Resolution No. 12-013 recognizing The Mediation Center of Monterey County as recipient of the 2012 NAACP Tolly and Cleo Martin Spirit of Partnership Award. (Full Board-Supervisor Potter) (Added via Addendum)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)

8.2 Adopted Resolution No. 12-014 honoring Deloris Scaife-Higgins as recipient of the 2012 NAACP President’s Award. (Full Board-Supervisor Potter) (Added via Addendum)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)

APPOINTMENTS 9 through 23.1 heard consecutively

9. Reappointed Ralph Villar to the Military and Veterans Affairs Advisory Commission, term ending January 1, 2015. (Supervisor Armenta)
   Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)

10. Reappointed Sara Rubin to the Commission on the Status of Women, term ending February 1, 2015. (Supervisor Potter)
    Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)

11. Reappointed Elizabeth Barratt and Rick Wilkerson to the Historical Advisory Commission, term ending February 1, 2016. (Supervisor Potter)
    Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)

12. Reappointed Keith Vandevere to the Monterey County Planning Commission, term ending June 30, 2016. (Supervisor Potter)
    Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)
   Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0
   (Supervisor Calcagno Absent)

14. Reappointed Eugenia Jimenez and Yolanda Teneyuque to the Commission on the Status of Women, terms ending February 1, 2015. (Supervisor Salinas)
   Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0
   (Supervisor Calcagno Absent)

15. Reappointed Leonard Ortiz to the Fort Ord Cemetery Citizen’s Advisory Committee, term ending January 1, 2015. (Supervisor Salinas)
   Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0
   (Supervisor Calcagno Absent)

16. Reappointed Lee Gularte to the Historical Advisory Commission, term ending February 1, 2016. (Supervisor Salinas)
   Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0
   (Supervisor Calcagno Absent)

17. Reappointed Paul C. Getzelman to the Planning Commission, term ending January 23, 2016. (Supervisor Salinas)
   Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0
   (Supervisor Calcagno Absent)

18. Reappointed Mary Ann Worden and Ruth Andresen to the Historical Advisory Commission, terms ending February 1, 2015. (Supervisor Armenta)
   Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0
   (Supervisor Calcagno Absent)

19. Appointed Gabriel Camacho to the Advisory Commission on Disabilities, term ending at the pleasure of the Board. (Supervisor Armenta)
   Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0
   (Supervisor Calcagno Absent)

20. Reappointed Olivia Quezada; George Molano and Lilia Chagolla to the Commission on Disabilities, terms ending December 31, 2014. (Full Board)
    Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0
    (Supervisor Calcagno Absent)

21. Reappointed Mark T. Ruiz to the Greenfield Public Recreation District, term ending December 31, 2014. (Supervisor Salinas)
    Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0
    (Supervisor Calcagno Absent)
22. Appointed Robert Monares to the Monterey County Fish & Game Commission to fill an unscheduled vacancy, term ending February 1, 2013. (Supervisor Salinas) **Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)**

23. Appointed Karen Araujo to the Housing Advisory Committee, term ending January 24, 2014. (Supervisor Parker) **Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)**

23.1 Reappointed Richard L. Hughett to the Fish & Game Advisory Committee, term ending February 1, 2015. (Supervisor Armenta) (Added via Addendum) **Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)**

**OTHER BOARD MATTERS**

24. The Board received the Four Cities for Peace Presentation

25. Board Comments
Supervisor Armenta announced his attendance at the Monterey County Arts Council recognition event. He thanked County Department Heads and County staff for their work on the event and with the Arts Council.

Supervisor Potter echoed the comments about the Monterey County Arts Council event. He announced his attendance at the Rancho Cielo fundraising event at Monterey Plaza and commended the organizers and attendees for a very successful event.

26. CAO Comments and Referrals
CAO Lew Bauman commented on the Resolution adopted earlier by the Board of Supervisors honoring the Red Cross of Northern California Blood Services in recognition of National Blood Donor Month and highlighted the work of the organization.

County Administrative Officer Bauman introduced Dianah Neff, the new Monterey County Information Technology Director, and welcomed her to Monterey County, noting her extensive resume and years of service in government and the information technology field.

27. Public Comment.
Margie Kay; Damante Promero (sp); Christina Patreeka (sp) for Cory Bryant; Gary Karnes (Public Records Request submitted); Cory Bryant; Stuart Koster
SCHEDULED MATTERS

S-1  a. Considered and adopted Resolution of Intention No. 12-015 to adopt an Ordinance to amend Sections 20-22 and 20-16, Sectional District Maps, of 20.08.060 of Title 20 (zoning) of the Monterey County Code to
1) rezone an approximately 598.41 acre parcel (APNs 241-221-012-000 and 243-201-012-000) from the "WSC/40 (CZ)" and "WSC/80 (CZ)" [Watershed and Scenic Conservation, 40 acres per unit and 80 acres per unit, Coastal Zone] and "WSC/40 SpTr (CZ)" and "WSC/80 SpTr (CZ)" [Watershed and Scenic Conservation, 40 acres per unit and 80 acres per unit, Special Treatment Overlay, Coastal Zone] zoning classifications to the "WSC/199.47 (CZ)" [Watershed and Scenic Conservation, 199.47 acres per unit, Coastal Zone] zoning classification; and
2) rezone an approximately 11.46 acre parcel (APN 243-201-013-000) from the "WSC/40 SpTr (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, Special Treatment Overlay, Coastal Zone] zoning classifications to the "WSC/11.46 (CZ)" [Watershed and Scenic Conservation, 11.46 acres per unit, Coastal Zone] zoning classification; and
b. Directed staff to transmit the proposed amendment to the California Coastal Commission for certification. (Zoning Reclassification - PLN110318/ Keig/Costa, 200 Crest Road and 30 Mentone Drive, Carmel Highlands, Carmel Area Land Use Plan, Coastal Zone; and

Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)

S-2  Public hearing held and adopted Ordinance 5194 to amend Section 20.08.060 of Title 20 (zoning) of the Monterey County Code to reclassify an approximately 2 acre parcel from the "LDR/2-D (CZ)" [Low Density Residential, 2 acres per unit, Design Control Overlay District, Coastal Zone] zoning classification to the "LDR/2-D-HR (CZ)" [Low Density Residential, 2 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classification.
(Zoning Reclassification - PLN110580/ Connolly, 1207 Sombria Court, Pebble Beach, Del Monte Forest Land Use Plan area)

Motion by Supervisor Parker, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)

S-3  Public hearing held and adopted Resolution of Intention No. 12-016 to:
 a. Adopt certain Local Coastal Program (LCP) Amendments for the coastal area of the Del Monte Forest, including the following: amendment of the Del Monte Forest Land Use Plan (LUP) policies; update and addition of LUP figures (maps), including changes to land use designations at multiple locations; amendment of Parts 1 and 5 of the Monterey County Coastal Implementation Plan (CIP) (Title 20 of the Monterey County Code), including
amending Chapters 20.12 (Medium Density Residential) and 20.14 (Low Density Residential) to remove golf courses as conditional allowed uses in these zones, amending Sections 20-10 and 20-16 of the zoning maps of the Monterey County CIP to rezone multiple locations, and amending Chapter 20.147 (Regulations for Development in the Del Monte Forest Land Use Plan Area). These Amendments would: focus new development adjacent to or within existing developed areas while requiring preservation of large intact contiguous areas of forest and other sensitive habitat areas; revise the regulations for development to establish the regulatory framework for the proposed Pebble Beach Company Concept Plan; update the LCP to reflect the changes in conditions in Del Monte Forest since the original adoption of the LCP in the 1980s; and move implementing detail from the Land Use Plan into the CIP.

b. Directed staff to reformat the ordinance and transmit the resolution to the Coastal Commission for certification. (PLN100138/Pebble Beach Company, Pebble Beach, Del Monte Forest Land Use Plan)

Testimony: Mark Stillwell for the Pebble Beach Company; Mr. Lester, Coastal commission

Public comment: Mike Niccum; Mo Amar; Ken Cunio; Bruce Cowell (sp); Joyce Stevens; Rick Vervneck; Jerry Verasal (sp); Brett Sylvestri; Don Eastman; Ken Rudiso (sp); Amy White; Matt Bokay (sp); Ava Nero; Jim Tunney; Ken White; Leonard O’Neil; Jody Hansen; Mary Ann Leffel; Burt Johnson.

Motion by Supervisor Armenta, seconded by Supervisor Salinas. 4 – 0 (Supervisor Calcagno Absent)

RECESSED TO LUNCH – CLOSED SESSION

28. 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) Nick Olivo v. County of Monterey (USDC CAND case no. CV10-02568RMW)

   CLOSED SESSION REPORT: There was no reportable action taken.

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

   CLOSED SESSION REPORT: There was no reportable action taken.

   c. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Natividad Medical Center CEO.

   CLOSED SESSION REPORT: There was no reportable action taken.

   d. Pursuant to Government Code section 54957, the Board will confer regarding discipline, dismissal, or release of a public employee.

   CLOSED SESSION REPORT: There was no reportable action taken.
e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
   (1) Designated representatives: Izetta Birch and Brette Neal
   Employee Organizations: All Units

**CLOSED SESSION REPORT:** There was no reportable action taken.

f. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
   (1) Tobi L. and Jeremiah M. Swain

**CLOSED SESSION REPORT:** There was no reportable action taken.

**Acting as Board of Supervisors of the Monterey County Water Resources Agency:**

**CLOSED SESSION**

g. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
   (1) In the Matter of the Application of California-American Water Company (Application 04-09-019)
   (2) Ag Land Trust v. Monterey County Water Resources Agency, et al. (Monterey County Superior Court case no. M110691)

**CLOSED SESSION REPORT:** There was no reportable action taken.

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

**CLOSED SESSION REPORT:** There was no reportable action taken.

i. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

**CLOSED SESSION REPORT:** There was no reportable action taken.

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**1:30 P.M. RECONVENED**

**MONTEREY COUNTY BOARD OF SUPERVISORS**

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

S-4 Considered and adopted Resolution No. 12-017 to:
   a. Approve a Lot Line Adjustment between two (2) legal lots of record under Land Conservation Contract No. 71-036, established by County Resolution No. 71-14-36, with no net decrease in acreage under Williamson Act Contract;
   b. Authorize the Chair to execute new or amended Land Conservation Contract in order to rescind a portion of the existing Land Conservation Contract as it applies to the reconfigured lots only and simultaneously execute new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and Bengard, reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
   c. Direct the Clerk of the Board to record the new or amended Contracts. (Lot Line Adjustment - PLN110155/Bengard, 56780 Jolon Rd, South County Area Plan)
Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)

S-5 Public hearing held and adopted Resolution No. 12-022:
   a. Received report notifying the Board of Supervisors of the withdrawal of the appeal by Angela Naskar of the decision of Planning Commission upholding the Zoning Administrator’s approval of a Design Review application (Kehring - PLN110098) and exempting the project from environmental review under the California Environmental Quality Act, and
   b. Considered and granted partial waiver of the appeal fee, requested by appellant in the amount of $1,166.61, submitted for the processing of the appeal of the Planning Commission decision. (Appeal - PLN110098/Kehring (Naskar), 2993 Cormorant Road, Pebble Beach, Greater Monterey Peninsula Area Plan) Additional Attachments - RMC Invoices Submitted
Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Calcagno Absent)

MONTEREY COUNTY WATER RESOURCES AGENCY

This item removed during Additions & Corrections

S-6 REMOVED FROM AGENDA - Consider approval to lift the financial cap on withdrawals from the California American Water (CAW) Line of Credit Agreement thereby allowing the Monterey County Water Resources Agency (MCWRA) to access the CAW Line of Credit to pay for certain previously-performed work related to the Regional Desalination Project, and to pay for appropriate future obligations.
   Motion by Supervisor Parker, seconded by Supervisor Salinas. 4 – 0 (Supervisor Calcagno Absent)
Adjourned as the Board of Supervisors of the Monterey County Water Resources Agency

Reconvened as the Monterey County Board of Supervisors – Recessed to Continued Closed Session

Report of Closed Session (see item 28.a. through i.)

ORDER FOR ADJOURNMENT
In Memory of Bruce Patrick Evans

APPROVED:

______________________________
DAVE POTTER, CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: __________________________
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

29. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement No. A-12175 with Hibser Yamauchi Architects for 2nd and 3rd Floor Building 400 Tenant Improvement per RFQ #9600-18 at Natividad Medical Center - Medical Office Building in an amount not to exceed $486,599 for the period January 10, 2012 to January 1, 2014.

30. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the Second Amendment to Professional Services Agreement No. A-11861 with Monterey County Orthopedic Associates to increase the rate for orthopedic services at NMC and to extend the Agreement term to February 28, 2013, adding $90,000 for the full term of the Agreement not to exceed $950,000 in the aggregate.

31. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to Professional Services Agreement No. A-12049 with Cardio Pulmonary Associates Medical Group Inc. to provide Cardiology & Pulmonary Medicine Services at NMC extending the Agreement term to February 28, 2013 and adding $550,000 for the full term of the Agreement not to exceed $1,050,000 in the aggregate.

HEALTH AND SOCIAL SERVICES

32. Approved and authorized the Director of Health to accept the invitation from the Centers for Medicare and Medicaid Services for the Health Department Clinic Services Bureau to participate in the Federally Qualified Health Center Advanced Primary Care Practice demonstration program for the period of November 1, 2011 to October 31, 2014.

33. Recognized twenty-seven (27) businesses in Monterey County that have obtained Green Business certification from the Monterey Bay Area Green Business Program during the period March 2010 through June 2011.

CRIMINAL JUSTICE

34. a. Transferred funds in the amount of $84,900 from Probation Trust Fund 502 to PRO001-Probation; and
b. Authorized the Auditor-Controller to amend Fiscal Year 2011-12 to increase revenues and appropriations for $84,900 in PRO001-Probation Budget for balance payment of Case Management System (4/5ths vote required).
35. Approved yearly update to the application, criteria and disqualifiers recommended by the Probation Department for the Supervised Home Confinement Program, as mandated by Penal Code 1203.016(d)(1).

36. Approved the attached Side Letter with the Deputy Sheriff’s Association (DSA) to clarify the status of Deputy Sheriff’s assigned as Investigators.

GENERAL GOVERNMENT

37. Adopted Resolution No. 12-12-018; Agreement No. A-12176 to:
   a. Enter into an Agreement with the City and County of San Francisco for the distribution of Fiscal Year 2009 Urban Areas Security Initiative (UASI) Grant Funds in an amount not to exceed $18,853.00, and
   b. Designate and authorize as Monterey County representative, the Emergency Services Manager to execute the Agreement.

38. Approved the Action Minutes of the Board of Supervisors’ meetings of Tuesday, November 1, 2011; Tuesday, November 8, 2011; Tuesday November 15, 2011; Tuesday, December 6, 2011 and Tuesday, December 13, 2011.

39. Agreement No. A-11135
   a. Approved and authorized the Contracts/Purchasing Officer to execute Statement of Work No. 10 in the amount of $152,000 to provide general Advantage HRM Post-Implementation support and develop additional reports for a total amended amount of $10,646,550.69; and
   b. Approved an increase in appropriations totaling $152,000 in the Capital Automation Fund (403-1110-8006), Appropriation Unit AUD006. (4/5ths Vote Required)

40. a. Approved and authorized the Contracts/Purchasing Officer to increase the original ERP Maintenance Agreement No. A-11135 by $157,691.19 for support services not included in the April 1, 2008 Board Report for a total amended amount of $10,494,550.69;
   b. Approved an increase in appropriations totaling $208,000 in the Capital Automation Fund (403-1110-8006), Appropriation Unit AUD006 to fund the $157,691.19 and ERP related staffing costs not included in the 2011-12 Adopted Budget. (4/5ths Vote Required)

41. Adopted Resolution No. 12-019 to receive and accept the Treasurer’s Report of Investments for the quarter ending December 31, 2011.

42. ITEM REMOVED FROM THE AGENDA - Approve the Monterey County Workforce Investment Board’s (MCWIB) Annual Report for Program Year 2010-2011.
   Motion by Supervisor Parker, seconded by Supervisor Salinas. 4 – 0 (Supervisor Calcagno Absent)
42.1  a. Approved and authorized the Contracts/Purchasing Officer on behalf of the Information Technology Department to execute Amendment 4 to Agreement No. A-10922 with Serena Software, Inc. extending the term of the Agreement from June 1, 2007 - December 31, 2012 for the revised aggregate amount of $26,525; 

b. Accepted non-standard insurance language provided by the vendor as recommended by the Acting Director of Information Technology; and 

c. Authorized the Contracts/Purchasing Officer to sign future renewals to software maintenance with the same termination, liability, and indemnification provisions as recommended by the Acting Director of Information Technology.

RMA - RESOURCE MANAGEMENT AGENCY

43. Adopted Resolution No. 12-020 to:

a. Approve the filing of an application for the Monterey Coast Sustainable Action Plan, subject to the requirements of the Sustainable Communities Planning Grant and Incentives Program, and 

b. Appoint the Director of the Monterey County Resource Management Agency, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned application.

RMA - PLANNING DEPARTMENT

44.  a. Authorized recordation of the Indemnification Agreement and Mitigation Monitoring and Reporting Plan for the Rancho Cielo Youth Campus (Rancho Cielo Inc.) located on County owned property (Assessor’s Parcel Numbers 211-031-004-000 and 211-031-021-000); and 

b. Delegated authority to the Director of the RMA - Planning Department to sign as "Owner" on behalf of the County of Monterey the following documents: Indemnification Agreement and Mitigation Monitoring and Reporting Plan for the Rancho Cielo Youth Campus (Rancho Cielo Inc.) (Permit File No. PLN110485), (Rancho Cielo Youth Campus Expansion Master Plan, Conditions of Approval - PLN110485, Rancho Cielo Inc. (applicant); County of Monterey (property owner); 710 Old Natividad Road, Salinas (APN. 211-031-004-000 and 211-031-021-000), Greater Salinas Area Plan.)

45.  a. Accepted the Amended Conservation and Scenic Easement Deed for the Hartnett property; 

b. Authorized the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed; and 

c. Directed the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation. (Conservation
46. Adopted Resolution No. 12-021 to revise the Condition of Approval and Mitigation Monitoring and Reporting Program that includes detailed procedures designed to provide for tracking, monitoring, enforcement and reporting upon Conditions of Approval, fulfills the requirements of CEQA and the CEQA Guidelines for monitoring and reporting of implementation of mitigation measures imposed under CEQA, and sets forth the responsibilities of County departments for various aspects of monitoring, reporting, and enforcement to ensure full compliance with Conditions of Approval. (Adopt a revised Condition of Approval and Mitigation Monitoring and Reporting Program - REF120001, County-wide)

46.1 Set February 14, 2012 at 1:30 p.m. as the date and time for the public hearing to consider the following actions:

b. Introduce, waive reading, and consider an ordinance to rescind Ordinance No. 5181, which amended Section 21-11 of the Monterey County Zoning Maps to rezone approximately 58 acres of the project site from Public Quasi Public with Design Review and Site Plan Review Overlays (PQP-D-S) to Heavy Commercial with Design Review and Site Plan Review Overlays (HC-D-S) and to rezone the remaining approximately 58 acres from Public Quasi Public with Design Review and Site Plan Review Overlays (PQP-D-S) to Open Space with Design Review and Site Plan Review Overlays (O-D-S);
c. Rescind approval of a Combined Development Permit consisting of:
   1) A Standard Subdivision Phased Vesting Tentative Map dividing two parcels of 30.3 acres and 85.2 acres (Assessor’s Parcel Numbers 031-101-041-000 and 031-101-056-000) into 16 buildable lots including a 24.4 acre lot and 15 smaller lots ranging in size from 1 acre to 3 acres, a roadway parcel (approximately 7.4 acres), a drainage detention and percolation parcel (approximately 1.7 acres), and two Open Space parcels (approximately 49 acres and 8.7 acres);
   2) A General Development Plan establishing Allowed Uses, Conditional Uses allowed, and site development standards and design criteria for the proposed Whispering Oaks Business Park;
   3) A General Development Plan and Use Permit to allow development of the Monterey-Salinas Transit (MST) administrative and maintenance facility containing the following: A) a 36,000 square foot three-story administrative building; B) a 96,450 square foot two-story bus maintenance building; C) an 18,620 square foot fuel/brake/tire building with underground tanks attached by a canopy to an 8,373 square foot bus wash/steam cleaning building; and D) approximately 15 acres of paved parking to accommodate up to 281 busses and 388 automobiles;
   4) A Use Permit to allow the removal of approximately 2,400 Coast Live Oak
trees on Lot 1 (MST parcel);
5) A Use Permit to allow the removal of approximately 1,000 Coast Live Oaks on Lots 2 through 16, and for infrastructure improvements; and
6) An Administrative Permit and Design Approval for development within the Site Plan Review ("S") zoning district; and
d. Rescind the Mitigation Monitoring and Reporting Plan for the MST/Whispering Oaks Business Park project.
e. Rescind allocation of 92.7 acre feet of water per year to the MST/Whispering Oaks Combined Development Permit. (Monterey-Salinas Transit Bus Maintenance and Operations Facility and Whispering Oaks Business Park - PLN110231/Redevelopment Agency of Monterey County, Former Army Landfill site, Fort Ord Master Plan area) (Added via Addendum)

RMA - PUBLIC WORKS

47. a. Approved Amendment No. 3 to Agreement No. A-11365 with Kleinfelder West, Inc., for services rendered for lab testing of construction materials for various construction projects in the amount of $74,868 for a total amount not to exceed $224,868; and
b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 3 to Agreement No. A-11365 with Kleinfelder West, Inc.

48. Construction No. 2012-002
a. Approved Plans and Special Provisions for the San Juan Road Safety & Overlay Improvements, Federal Aid Project No. HRRRL-5944(092); Contract No. 12-142165; and
b. Authorized the Department of Public Works to advertise the "Notice to Bidders" in The Californian for 10 consecutive times, commencing January 27, 2012.

MONTEREY COUNTY REDEVELOPMENT AGENCY

49. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
Approved an updated Enforceable Obligation Payment Schedule and direct the Economic Development Director to prepare a Recognized Obligation Payment Schedule for consideration by the Board of Supervisors as Successor Agency in compliance with AB x1 26 and a recent decision by the California Supreme Court. (Revised Attachment Enforceable Obligation Payment Schedule Submitted via Supplemental)