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

NOTE: Supervisor Armenta arrived prior to Closed Session

1. Additions and Corrections for Closed Session: There were no Additions or Corrections to Closed Session

2. Closed Session under Government Code section 54950, relating to the following items:
   
   **Public Comment:**
   • Ben Franklin, SEIU Chapter President, presented the Chair a copy of a letter as provided by Patricia Covert and read portion of that letter.
   a. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
      (1) Designated representatives: Keith Honda and Patricia Covert; Employee organizations: All Units
   
   **CLOSED SESSION REPORT:** The Board conferred with labor negotiators regarding negotiations and employee relation issues regarding all units.
b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
   (1) Frank Lunding & Planning 2020, et al. vs. County of Monterey & Carmel Valley Forum, et al. (MCSC Case No. M96219

CLOSED SESSION REPORT: The Board heard a status report from Counsel on the matter and will be returning next week for further direction.

10:30 A.M.

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

3. Pledge of Allegiance was led by Supervisor Jane Parker

4. Additions and Corrections The Clerk of the Board announced there were no agenda corrections and proposed additions to be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   · Supervisor Calcagno commented on item 35.
   Motion by Supervisor Parker, seconded by Supervisor Salinas.
   4-0 (Supervisor Potter Absent)

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

OTHER BOARD MATTERS:

7. Board Comments, Referrals, and Updates received
   · Supervisor Calcagno invited the public to partake in the thistle at the 50th Anniversary of the Artichoke Festival in Castroville this weekend.

8. CAO Comments No Comments

9. Public Comment (Limited to 3 minutes per speaker):
   · Harry Gamaton, a Monterey County employee, commented on the Free Choice Act and invited the Board to an informational meeting this Thursday, 6:00 P.M.
   · Julie Felice, County employee, commented she is disturbed to hear her union is not negotiating with the Board the way it ought to be; spoke regarding budget presentation of March 4th and if nothing is done they could possible see over 800 layoffs in 2009/10 and 1300 layoffs in
2011/12; stated her concern is about the members and she is upset that union is not protecting the members.
· Hans Jongens spoke on two items; the weather and fructose.
· Arlene Travani, resident of Salinas, addressed the Board regarding a letter received from the Treasurer - Tax Collector’s office; presented the letter on overhead projector.

10. Modify Board of Supervisors Meeting Schedule to add Tuesday, June 30, 2009 as a Regularly Scheduled Meeting and take additional scheduling actions, as the Board deems appropriate.
   · Lew Bauman requested this item be trailed to next week.
   By consensus, the Board continued this item to May 19, 2009.

RESOLUTIONS:

11. Adopted Resolution No. 09-235 proclaiming the week of May 17 through May 23, 2009, as "National Public Works Week." (Full Board)
   Motion by Supervisor Parker, seconded by Supervisor Salinas.
   4-0 (Supervisor Potter Absent)
   CAO, Lew Bauman presented Resolution.

Items 12 through 16.1 heard concurrently (excluding Item 16)

12. Adopted Resolution No. 09-232 proclaiming the week of May 10 through May 16, 2009, as "Bike Week" in Monterey County. (Full Board)
   Motion by Supervisor Salinas, seconded by Supervisor Parker.
   4-0 (Supervisor Potter Absent)

13. Adopted Resolution No. 09-231 proclaiming the week of May 17 through May 23, 2009, as "Classified School Employee Week" in the County of Monterey. (Full Board)
   Motion by Supervisor Salinas, seconded by Supervisor Parker.
   4-0 (Supervisor Potter Absent)

14. Adopted Resolution No. 09-234 proclaiming May 13, 2009, as "Day of the Teacher" in Monterey County. (Full Board)
   Motion by Supervisor Salinas, seconded by Supervisor Parker.
   4-0 (Supervisor Potter Absent)

15. Adopted Resolution No. 09-236 proclaiming May, 2009, as "Foster Care Month." (Full Board)
   Motion by Supervisor Salinas, seconded by Supervisor Parker.
   4-0 (Supervisor Potter Absent)
16. Adopted Resolution No. 09-233 recognizing expansion of the Mexican American Opportunity Foundation in Monterey County. (Supervisor Armenta)

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

16.1 Adopted Resolution No. 09-239 commemorating the celebration of the Golden Jubilee of the Castroville Artichoke Festival. (Supervisor Calcagno)

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

**APPOINTMENTS:**

**Item 17 and 18 heard concurrently.**

17. Reappointed Alan Styles to the Housing Authority of Monterey County Commission, term ending April 1, 2013. (Supervisor Armenta)

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

18. Reappointed Ralph Villar to the Military and Veterans Affairs Advisory Commission, term ending January 1, 2012. (Supervisor Armenta)

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

**SCHEDULED MATTERS:**

S-1 Board Budget No. 08/09-166 Conducted a Public Hearing recommending to:

a. Adopted Resolution No. 09-242 to approve the transfer of $70,000 in Community Development Block Grant Program Income from the Small Business Revolving Loan Fund into the 2008 Community Development Block Grant General Allocation Grant for the Sunflower Gardens project; and

b. Directed the Auditor Controller to amend the Fiscal Year 2008-09 budget to increase estimated revenues and appropriations in Fund 16, Budget Unit 575 by $70,000 (4/5th vote required). 12:00 P.M.

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

Recessed to Lunch

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

     b. Directed processing of specific project applications within Moss Landing concurrently with the update of the Community Plan.
     c. Directed preparation of an Environmental Impact Report associated with the Moss Landing Community Plan update and projects within will be processed simultaneously, where the direct cost of the EIR, and half the administrative cost, will be paid for by the project proponents. (PD080541/Mossing Landing Community Plan, North County Coastal Land Use Plan, Coastal Zone)

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

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

S-3  a. Accepted a report on options relating to extending permit expiration timelines;
     b. Concurred with the Planning Director’s action to extend the expiration time period for new discretionary planning permits for projects approved during 2009 and 2010, excluding subdivisions, and to return with a report in November 2010 to determine if, based on the economic situation, the Board wishes to extend this program;
     c. Provided direction to staff to draft and process an ordinance, with Planning Commission recommendation, granting an automatic extension of two (2) years for existing permits that have been approved and have not expired prior to January 1, 2009, or another date selected by the Board;
     d. Provided direction to staff to hold applications for extensions of permits that have or will expire after the January 1, 2009 deadline until final action on this matter by the Board of Supervisors; and
     e. Provided direction to staff to return with a report regarding collection of fees relative to the option(s) selected by the Board of Supervisors on this matter. (PD090361/Permit Extensions, County-wide)

   Motion to approve by Supervisor Parker, seconded by Supervisor Salinas, as outlined by Mike Novo. 4-0 (Supervisor Potter Absent)

S-4  Resolution No. 09-243
     a. Conducted a Public Hearing on the Initial Study and Mitigated Negative Declaration for the San Miguel Canyon Road and Castroville Boulevard Intersection Improvement Project; and
     b. Certified a Mitigated Negative Declaration for the San Miguel Canyon Road and Castroville Boulevard Intersection Improvement Project.
S-4 Public Comment:
   · Jan Mitchell, Prunedale Neighbors Group and Prunedale Preservation
     Alliance, rejected to the adequacy of the Mitigated Negative Declaration
     for this project and requested an Environmental Impact Report be
     prepared.

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

NOTE: Lew Bauman commented on Salinas City Council's declaration of
Resolution of a Fiscal Hardship, and requested the Board's direction to bring
forward a similar Resolution for their consideration next week.

CLOSED SESSION REPORT: See item 2 (a and b)

ORDER FOR ADJOURNMENT

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

NATIVIDAD MEDICAL CENTER:

19. Agreement No. A-10162 Approved and authorized the Purchasing Manager of Natividad Medical Center to execute amendment No. 5 to the Agreement with RehabCare Group, Inc., for management and professional services of NMC Rehabilitation Programs in an amount not to exceed $8,680,000 for the period May 1, 2009 through June 30, 2012.

20. Agreement No. A-11420 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with AT&T for Managed Internet Services at NMC in an amount not to exceed $102,000 for the period April 1, 2009 through March 30, 2012.

21. Agreement No. A-11421 Approved and authorized the Chair of the Board of Supervisors to execute a Lease Agreement with Hartnell Community College District for leased premises at Natividad Medical Center (NMC), Building 400, Suite 300 for the term January 1, 2009 through December 31, 2011.

22. Agreement No. A-11422 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Databank IMX for Post Warranty Renewal for 3 Kodak Scanners, Model i660 in an amount not to exceed $20,000 for the period February 27, 2009 through February 26, 2010.

HEALTH AND SOCIAL SERVICES:

23. Adopted Resolution No. 09-248 Proclaimed state of local emergency relating to the spread of HIV among injection drug users in Monterey County.

24. Concurred with the Monterey County Workforce Investment Board (WIB) to accept $6,843,806 in American Recovery & Reinvestment Act (ARRA) formula funds for Adult, Youth and Dislocated Worker program activities.

25. Agreement No. A-11423 Concurred with the Monterey County Workforce Investment Board (WIB) to approve a Memorandum of Understanding with the Workforce Collaborative of California’s Central Coast (WCCCC)
CRIMINAL JUSTICE:

26. Board Budget No. 08/09-170 Approved transfer of appropriations in the amount of $8,752 from Services and Supplies to Fixed Assets in Budget Unit 255-Probation for the purchase of a rack-mountable server for scheduled replacement of existing hardware during Fiscal Year 2008-09.

27. Board Budget No. 08/09-172
   a. Approved increased estimated revenues and appropriations in the amount of $44,500 in Budget Unit 256, Juvenile Institutions and Alternative Program during Fiscal Year (FY) 2008-09 (4/5th vote required);
   b. Approved the reallocation of 0.5 FTE vacant Probation Aide position to 0.5 FTE Senior Cook in Budget Unit 256-Juvenile Institutions and Alternative Programs; and
   c. Directed the Auditor-Controller’s Office and the County Administrative Office to amend the FY 2008-09 Budget and incorporate approved changes in the FY 2009-10 Adopted Budget.

28. Board Budget No. 08/09-173 Approved and authorized the Sheriff to accept a contribution of three (3) surplus surgical medical beds in the value of $15,000 from Salinas Valley Memorial Healthcare System.

GENERAL GOVERNMENT:


30. Agreement No. A-11418
   a. Approved a Subrecipient Agreement in the amount of $75,000 between the County of Monterey and the Housing Resource Center of Monterey County for administration of a foreclosure prevention services program; and
   b. Authorized the Redevelopment and Housing Director to execute the Subrecipient Agreement and make minor revisions to the Subrecipient Agreement provided the overall feasibility of the objectives of this Agreement is not in jeopardy, no additional funds are required from the County, and no material term of this Agreement is altered.

31. Board Budget No. 08/09-167
   a. Received the County of Monterey Internship Pilot Program Annual Report for 2008-09; and
   b. Approved continuation of the County of Monterey Internship Pilot Program through October 31, 2009.
32. Agreement No. A-11419
   a. Approved the Right of Entry Agreement between Monterey County Parks Department (Laguna Seca Recreation Area) and FORA (Fort Ord Reuse Authority); and
   b. Authorized the Parks Director to sign the Agreement.

33. Agreement No. A-11424; Board Budget No. 08/09-171; 2009CONST003
   a. Awarded construction contract to Cook Coatings in the amount of $39,200 for the base bid for the Roofing Surface of the Skip Barber Racing School Facility at Laguna Seca Recreation Area, Bid No. 10131; and
   b. Authorized the Chair of the Board to sign the contract; and
   c. Authorized the Director of Parks to approve change orders up to ten percent (10%) of the bid; and
   d. Directed the Auditor-Controller to encumber $39,200 in Budget Unit 750 for the bid, alternate and change order contingencies.

34. Agreement No. A-11425; 200-CONST004
   a. Awarded annual construction contract to Granite Construction, low bidder, in an amount not to exceed $100,000 for Annual Maintenance of Park Roadways at Laguna Seca Recreation Area, for Calendar Year 2009 (January 1, 2009 through December 31, 2009), Bid No. 10187;
   b. Authorized the Chair of the Board to sign the contract.

35. Board Budget No.: 08/09-169
   a. Received information regarding the Elections Department, Budget Unit 141 Fiscal Year (FY) 2008-09 budget shortfall due to costs related to the May 19, 2009 Statewide Special Election;
   b. Approved a request to transfer FY 2008-09 appropriations in the amount of $949,816 from General Fund Contingencies to the Elections Department (4/5th vote required); and
   c. Directed the Auditor-Controller’s Office to incorporate approved changes in the FY 2008-09 Budget as detailed in the Board Order.

36. Amended the Bylaws of the Monterey County 457(b) Deferred Compensation Administrative Committee Section 7.a. to change the quarterly meeting date from the third Wednesday of the last month of each quarter to the third Wednesday of the second month of each quarter.

RMA - PLANNING DEPARTMENT:

37. a. Adopted Resolution No. 09-249 to approve findings, evidence and conditions to facilitate a Lot Line Adjustment between three (3) legal lots of record, under Land Conservation Contract Number 73-12 with no net decrease in acreage under Williamson Act Land Conservation Contract; and
b. Authorized the Chair of the Board to execute new or amended Williamson Act Land Conservation Contracts, rescinding a portion of Land Conservation Contract Number 73-12 for Sea Mist LLC, Desert Mist LLC and TMV Lands to reflect the newly reconfigured parcels, and simultaneously execute new Land Conservation Contracts between the County of Monterey and Sea Mist LLC, Desert Mist LLC and TMV Lands, to incorporate new legal descriptions, based on the reconfigured parcels, to reflect current ownership interests, and incorporate any legislative changes to State Williamson Act provisions and current Agricultural Preserve Policies or Procedures. (PLN080167, Sea Mist, Salinas, Toro and Central Salinas Valley Area)

c. Directed the Clerk of the Board to record the new or amended contracts. (Lot Line Adjustment - PLN080167/Sea Mist Farms, LLC, Toro and Central Salinas Valley areas)

**RMA - PUBLIC WORKS:**

38. Adopted Resolution No. 09-250 regarding the emergency repairs and renovations:
   a. 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. 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).

39. 2009CONST006
   a. Approved plans and special provisions for the Espinosa Road Overlay Project, Project No. 09-140465; and
   b. Authorized the Clerk of the Board to advertise the "Notice to Contractors" in The Californian on May 18 and May 26, 2009.

40. a. Received written reports for County Service Areas containing service charges;
   b. Set for Public Hearing on June 16, 2009 at 1:30 p.m., to consider protests and objections to said Written Reports; and
   c. Directed the Clerk of the Board to publish a Notice of Public Hearing for said Written Reports once a week, for two successive weeks, beginning no later than May 16, 2009, in The Californian, Monterey County Herald, and The Rustler.
RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

41. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approved an Amendment to an existing Loan Agreement A-11294 increasing the loan amount by $1,203,000 for a total loan of $1,743,000 with Mid-Peninsula Castroville Associates for the development of property on Merritt Street in Castroville for the Cynara Court I affordable housing project; and
   b. Authorized the Redevelopment and Housing Director to execute the Amendment and related documents as authorized in the Agreement.

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