AGENDA
Tuesday, December 8, 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 más pronto posible, y a lo mínimo 24 horas de anticipio de cualquier reunión de la Cámara de Supervisores.

All documents submitted by the public must have no less than ten (10) copies. The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting.

Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board’s Office located at 168 W. Alisal St., 1st Floor, Salinas, California. during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5.
9:00 A.M.

ROLL CALL:

1. Additions and Corrections for Closed Session:

   The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

CLOSED SESSION

2. Closed Session under Government Code section 54950, relating to the following items:

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

   b. 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

   c. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
      (1) Department of Fair Employment and Housing v. Monterey County, et al.;
          Paul Michael Breech, Real Party in Interest (MCSC Case No. M96824)
      (2) Paul Breech v. County of Monterey (Workers' Compensation Appeals Board Case Nos. SAL 114901 and SAL 114902

   d. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators.
      (1) Property: County owned property at the corner of Laurel Drive and Constitution Boulevard, Salinas (APNs 003-851-021, -024, and -027)
          County negotiator: Wayne Tanda, RMA Director
          Negotiating parties: County of Monterey and the Salinas Regional Sports Authority
          Under negotiation: Price and Terms
e. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Natividad Medical Center CEO.

Continuance of Closed Session to be held at the conclusion of the Board’s Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board.

10:30 A.M.

ROLL CALL:

3. Pledge of Allegiance

4. 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)

OTHER BOARD MATTERS:

7. Board Comments

8. CAO Comments and Referrals

9. 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.

APPOINTMENTS:

10. Appoint Josie R. Duque to the Equal Opportunity Advisory Commission, term ending December 31, 2011. (Full Board)

11. Appoint Ron Builta to the Carmel Valley Fire Protection District to fill an unexpired term ending November 30, 2011. (Supervisor Potter)

12. Reappoint Kellie D. Morgantini to the Historic Resources Review Board, term ending December 12, 2012. (Supervisor Salinas)
13. Reappoint Daniel J. Patterson, Bruce Dodson, and Paul Beckett to the South Monterey County Fire Protection District, terms ending December 12, 2013. (Supervisor Salinas)

14. Appoint Ronald M. Holland to the Military & Veterans Affairs Advisory commission to fill an unexpired term ending January 1, 2012. (Full Board)

15. Appoint Juan Sanchez to the Fort Ord Veterans Cemetery Citizens' Advisory Committee to fill an unexpired term ending December 31, 2010. (Full Board)

16. Reappoint Don Cranford to the Northern Salinas Valley Mosquito Abatement District, term ending January 2, 2012. (Full Board)

17. Appoint Philip Childress to the In-Home Supportive Services Advisory Committee to fill an unexpired term ending June 30, 2010. (Supervisor Potter)

18. Appoint Dona Putnam to the Commission on the Status of Women, term ending February 1, 2012. (Supervisor Potter)

19. Reappoint Harry Wiggins and Stephen Snodgrass to the Pajaro-Sunny Mesa Community Service District, terms ending November 30, 2013. (Supervisor Calcagno)

20. Appoint Stephen Caron to the Pajaro-Sunny Mesa Community Service District, term ending November 30, 2013. (Supervisor Calcagno)

**SCHEDULED MATTERS:**

S-1 CSAC 2009 Challenge Award Presentation and Reception.

**12:00 P.M.**  
Recess to Lunch – Joint Board Leadership Committee Meeting

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

**ROLL CALL:**

**SCHEDULED MATTERS:**


S-3 a. Consider an appeal by Wayne Holman for Aromas Heritage Oaks LLC of the Planning Commission denial of a Combined Development Permit (Aromas Heritage Oaks; PLN980503) consisting of a Standard Subdivision to divide approximately 79.5 acres into 32 parcels ranging in size from 1.0 acres to 15.91 acres, including one lot (Lot 32) with four inclusionary rental units; Use
Permit for removal of approximately 367 protected oak trees (271 for roads and up to 96 on the individual lots); Use Permit for four inclusionary rental units; and grading (approximately 5,100 cubic yards cut and 5,100 cubic yards fill); and

b. Adopt a motion of intent and continue the public hearing to a date certain for staff to return with a Resolution with appropriate findings.

(PLN980503/Aromas Heritage Oaks LLC, North County Area Plan)

S-4 Consider receiving and accepting the quarterly oral presentation on the Enterprise Resource Planning (ERP) Project.

S-5 Consider adopting Resolution to implement the Granite Ridge/Zone 2C Portable Water Subsidy Program.

ORDER FOR ADJOURNMENT
TO TUESDAY, DECEMBER 15, 2009

Future Board Meetings:
Tuesday, December 22, 2009 – No Meeting
Tuesday, December 29, 2009 – No Meeting
Tuesday, January 5, 2010 – No Meeting
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

21. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with Michael Sepulveda MD for Professional Internal Medicine Services at NMC in the aggregate amount not to exceed $160,000 and in an amount not to exceed $107,326 (an increase of $60,000) for the period July 1, 2009 to June 30, 2010.

22. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement with Picis for software license and maintenance fees and professional services at NMC in an amount not to exceed $422,958 (an increase of $8,000) for the period November 1, 2009 to December 31, 2010.

23. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Agreement with Toyon Associates Inc. for Rural Floor Budget Neutrality Appeal Services at NMC in an amount not to exceed $300,000 for the period June 11, 2009 to June 30, 2012.

24. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with William Thayer Construction Inc. for Data Center Construction and Electrical services at NMC in an amount not to exceed $322,835.77 (an increase of $62,126.77) for the period June 1, 2009 to October 31, 2009.

HEALTH AND SOCIAL SERVICES:

25. a. Approve and authorize the Director of Health to sign a three-year term (Fiscal Year 2009-10, 2010-11 and 2011-12), Mental Health Services Agreement with EMQ Families First, for the provision of mental health services (Therapeutic Behavioral Services) in the amount of $125,000 for FY 2009-10, $250,002 for FY 2010-11, and $257,935 for FY 2011-12, for a total of $632,937 for the period January 1, 2010 through June 30, 2012; and

   b. Authorize the Director of Health to approve future amendments up to five percent (5%) of the annual amount, which does not significantly alter the scope of work or result in an increase to net county costs.

26. a. Approve and authorize the Director of Health to sign a three-year term (Fiscal Year 2009-10, 2010-11 and 2011-12), Mental Health Services Agreement with ASPIRAnt for the provision of mental health services (Therapeutic Behavioral Services) in the amount of $125,000 for FY 2009-10, $250,000 for FY 2010-11, and $250,000 for FY 2011-12, for a total of $625,000 for the period January 1, 2010 through June 30, 2012; and
b. Authorize the Director of Health to approve future amendments up to five percent (5%) of the annual amount, which does not significantly alter the scope of work or result in an increase to net county costs.

27. a. Approve and authorize the Director of Health to sign a three-year term (Fiscal Year 2009-10, 2010-11 and 2011-12), Mental Health Services Agreement with JDT Consultants, Inc. for the provision of mental health services (Therapeutic Behavioral Services) in the amount of $125,000 for FY 2009-10, $250,000 for FY 2010-11, and $250,000 for FY 2011-12, for a total of $625,000 for the period January 1, 2010 through June 30, 2012; and
b. Authorize the Director of Health to approve future amendments up to five percent (5%) of the annual amount, which does not significantly alter the scope of work or result in an increase to net county costs.

28. Authorize the Director of Health, on behalf of Monterey County, to execute and submit all necessary applications, contracts, payment requests, agreements, documents and amendments thereto for the purposes of amending existing Grant Agreement No. 07-664-550 between the State of California Environmental Protection Agency and the Monterey County Health Department to increase the grant amount by $16,262.95, for a total not to exceed $121,971.96, and to extend the term of the Agreement by 14 months, to May 1, 2011.

29. Accept and approve the By-laws of the Monterey County Mental Health Commission as amended.

30. Receive and approve the report from the CEO of Natividad Medical Center (NMC) and the Director of Health regarding progress on the Improvement Initiatives intended to improve service quality and care coordination for patients served by Monterey County’s health care system.

31. Recommend Amending Resolution No. 09-370 to:
   a. Authorize the Director of the Department of Social and Employment Services (DSES) to: perform as Responsible Agent in the implementation of the 2009 Homelessness Prevention and Rapid Re-Housing Program (HPRP) Standard Agreement with the California Department of Housing and Community Development in the amount of $1,600,000 and any subsequent amendments thereto; to perform any and all responsibilities in relationship to such contract; and, to act on the County's behalf in all matters pertaining to this application; and
   b. Approve a Memoranda of Understanding (MOU) between the County of Monterey (County) and the Central Coast HIV/AIDS Services (CCHAS), a new partner-agency in the HPRP Program, to undertake the work and provide homeless prevention services for the HIV/AIDS population throughout the county.
GENERAL GOVERNMENT:

32. Approve transfer of appropriations in the amount of $55,000 from Salaries and Benefits to Fixed Assets in Department 2810-Agricultural Commissioner, Unit 8001 for the purchase of two (2) light duty trucks.

33. Approve a request from the Castroville Cemetery District for a dry period loan of $22,000 for the Fiscal Year ending June 30, 2010.

34. Approve Amendment No. 2, totaling $119,820 for a revised not-to-exceed amount of $214,746, to the CIBER, Inc. Audit Agreement to ensure proper policies and procedures are implemented so that Natividad Medical Center successfully operates its own independent data network.

35. 
   a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 2 to Professional Services Agreement for Annual Software Maintenance and technical support for the CallXpress Voice Mail System for Main and NMC PBX systems, RightFax Software, and RightFax Customer Developer in an amount not to exceed $46,610.50 for the period of October 1, 2009 through September 30, 2010; and
   b. Approve and authorize the Auditor-Controller to make payments under the Agreement upon approval of the Information Technology Department.

36. 
   a. Receive the Certified Statement of Votes cast and results of the November 3, 2009 City/School/Special District Elections; and
   b. Declare the results of the election to incorporate the Town of Carmel Valley.

36.1 Approve the Action Minutes of Tuesday, October 27, 2009 and Tuesday, November 3, 2009.

RMA - PUBLIC WORKS:

37. 
   a. Accept the Certificate of Completion for the Install Communications Tower Agricultural Commissioner's Office-King City, 522 N. 2nd Street, King City, California, Project No. 8537; and
   b. Authorize the Director of Public Works to execute and record the Notice of Completion.

38. 
   a. Approve Renewal to Construction Project Management Services Agreement No. A-10976 with Turner Construction to provide additional construction project management services for the Renovation of North Wing of Salinas Courthouse Project, in the amount of $999,777 for a total amount not to exceed $3,932,107 and extend the term through July 31, 2010; and
   b. Authorize the Director of Public Works to execute Renewal to Construction Project Management Services Agreement No. A-10976 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.
39. a. Approve the Road Maintenance Agreement with D’Arrigo Bros. Co. of California, a California corporation in compliance with Condition of Approval No. 18 of Development Permit No. PLN0020069, located on 20911 Harris Road, east of Spreckels Boulevard, Greater Salinas area;
b. Approve the Agreement for Construction of Road Improvements with D’Arrigo Bros. Co. of California, a California corporation in compliance with Mitigation No. 5 of Development Permit No. PLN0020069;
c. Approve the Mitigation Agreement with D’Arrigo Bros. Co. of California, a California corporation for payment of traffic mitigation fees in compliance with Mitigation No. 3 of Development Permit No. PLN0020069;
d. Authorize the Chair of the Board to execute the Road Maintenance Agreement, Agreement for Construction of Road Improvements, and Mitigation Agreement;
e. Accept the Grant Deed dedication of right-of-way along the Harris Road frontage of the D’Arrigo Bros. Co. of California, a California corporation property in compliance with Mitigation No. 5;
f. Direct the Clerk of the Board to submit the Grant Deed dedication of right-of-way along the Harris Road frontage of the D’Arrigo Bros. Co. of California, a California corporation to the Recorder for recordation; and
g. Direct the Clerk of the Board to submit the Road Maintenance Agreement, Agreement for Construction of Road Improvements, and Mitigation Agreement to the Recorder for filing.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

40. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
a. Authorize acceptance of the work for Project No. 09-721720, Japanese Schoolhouse Historic Restoration, community of Castroville;
b. Authorize the Director of Redevelopment and Housing to execute and record the Notice of Completion; and
c. Authorize the release of retention 35 days following the filing of the Notice of Completion, and satisfaction of all legal requirements, and upon approval of the Director of Redevelopment and Housing.

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See Revisions next page
MONTEREY COUNTY
BOARD OF SUPERVISORS

Revisions for Tuesday, December 8, 2009

Title Correction Under Appointments:
12. Reappoint Kellie D. Morgantini to the Historic Resources Review Board, term ending December 31, 2012. (Supervisor Salinas)

Title Changed Under Consent Under Health and Social Services:
31. Recommend Amending Resolution No. 09-370 to:
   a. Authorize the Director of the Department of Social and Employment Services (DSES) to: perform as Responsible Agent in the implementation of the 2009 Homelessness Prevention and Rapid Re-Housing Program (HPRP) Standard Agreement with the California Department of Housing and Community Development in the amount of $1,600,000 and any subsequent amendments thereto; to perform any and all responsibilities in relationship to such contract; and, to act on the County's behalf in all matters pertaining to this application; and
   b. Approve a Memoranda of Understanding (MOU) between the County of Monterey (County) and the Central Coast HIV/AIDS Services (CCHAS), a new partner-agency in the HPRP Program, to undertake the work and provide homeless prevention services for the HIV/AIDS population throughout the county.

31. a. Adopt Resolution amending Resolution No. 09-370 authorizing the Director of the Department of Social and Employment Services (DSES) to: perform as Responsible Agent in the implementation of the 2009 Homelessness Prevention and Rapid Re-Housing Program (HPRP) Standard Agreement with the California Department of Housing and Community Development in the amount of $1,600,000 and any subsequent amendments thereto; to perform any and all responsibilities in relationship to such contract; and, to act on the County's behalf in all matters pertaining to this application; and
   b. Adopt Resolution amending Resolution No. 09-370 approving a Memoranda of Understanding (MOU) between the County of Monterey (County) and the Central Coast HIV/AIDS Services (CCHAS), a new partner-agency in the HPRP Program, to undertake the work and provide homeless prevention services for the HIV/AIDS population throughout the county.

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