AGENDA
Tuesday, April 26, 2011

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.
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 anticipó 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
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, APRIL 26, 2011
9:00 AM

AGENDA

9:00 A.M.

ROLL CALL

1. Additions and Corrections for Closed Session: The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in 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(a), the Board will confer with legal counsel regarding existing litigation.
      (1) LandWatch Monterey County v. County of Monterey (MCSC case no. M109434)
      (2) The Open Monterey Project v. Monterey County Board of Supervisors (MCSC case no. M109441)
      (3) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey (MCSC case no. M109442)
      (4) Salinas Valley Water Coalition, et al. v. County of Monterey (MCSC case no. M109451)
      (6) Latonya Moore v. County of Monterey (MCSC case no. M91931)
   b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter of exposure to litigation.
   c. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
   d. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Director of Child Support Services.
   e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
      (1) Designated representatives: Keith Honda and Dianne Dinsmore
          Employee Organizations: All Units
f. Pursuant to Government Code section 54956.9(a), the Board of Supervisors of the Monterey County Water Resources Agency will confer with legal counsel regarding existing litigation.
   (1) In the Matter of the Application of California-American Water Company (Application 04-09-019)

g. Pursuant to Government Code section 54956.9(b), the Board of Supervisors of the Monterey County Water Resources Agency will confer with legal counsel regarding one matter of significant exposure to litigation.

**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. RECONVENE**

**ROLL CALL**

3. Welcome Home Troops Ceremony

4. Pledge of Allegiance

**Recess to Welcome Home Troops Reception**

**RECONVENE**

**ROLL CALL**

5. 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.

6. **CONSENT CALENDAR - REGULAR** (See Supplemental Sheet)

**CEREMONIAL RESOLUTIONS**

7. Adopt Resolution recognizing Ruth Waltrip, Eligibility Worker II, for 22 years of distinguished service for the County of Monterey Department of Social and Employment Services. (Full Board/Supervisor Parker)

8. Adopt Resolution declaring May 2011 as Clean Air Month in Monterey County. (Chair Parker)

9. Adopt Resolution honoring United States Army Sergeant Hector J. Silva upon his return from active duty and the service that he has given to his country. (Full Board/Supervisor Salinas)
10. Adopt Resolution proclaiming the week of April 25, 2011 to be Monterey County Work Zone Awareness Week. (Chair Parker)

APPOINTMENTS

11. Reappoint Robert Kall and Jesus Arias Ortiz to the Castroville/Pajaro Redevelopment Project Area Citizens' Advisory Committee, terms ending January 1, 2015. (Supervisor Calcagno)

12. Appoint Andrea Zeller-Nield and Neil Heckman to the Monterey County Workforce Investment Board, terms ending April 26, 2014. (Full Board)

13. Appoint Ginger Pierce to the Monterey County Workforce Investment Board-Youth Council, term ending April 26, 2014. (Full Board)

14. Reappoint George Molano to the Commission on Disabilities, term ending December 31, 2011. (Full Board)

OTHER BOARD MATTERS

15. Board Comments

16. CAO Comments and Referrals

17. Public Comment (Limited to up to 3 minutes per speaker, at the discretion of the Chair)

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.

SCHEDULED MATTERS

S-1 Receive an oral report on the status and accomplishments of the Veterans’ Collaborative.

Recess

12:00 P.M. RECESS TO LUNCH – CONTINUED CLOSED SESSION

1:30 P.M. RECONVENE

MONTEREY COUNTY WATER RESOURCES AGENCY

ROLL CALL
SCHEDULED MATTERS

S-2 Consider the Monterey County Water Resources Agency Board of Directors First Quarter Report for 2011.

S-3 Consider the Monterey County Water Resources Agency Regional Desalination Project Status Report to the Board of Supervisors.

Adjournment

Reconvene as the Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS

ROLL CALL

SCHEDULED MATTERS

S-4 a. Consider adoption of an Ordinance that revises Chapter 10.40, the County's Inclusionary Ordinance, to clarify certain regulations and procedures to improve the Program and establish fees for services;
   b. Consider a Resolution adopting Inclusionary Housing Service Fees related to processing sales, refinances, and tenant qualifying of Inclusionary Housing Units; and
   c. Direct the Redevelopment and Housing Office to make the necessary revisions to the adopted Inclusionary Housing Administrative Manual consistent with the Ordinance revisions.

S-5 Public hearing to consider:
   a. An Addendum to the adopted Mitigated Negative Declaration, together with the adopted Mitigated Negative Declaration;
   b. An appeal by Carmel Valley Association from the March 9, 2011 decision of the Monterey County Planning Commission approving an amendment to an approved Combined Development Permit (PLN060102/Keehn, PLN000357/Gamboa) for a 64-suite, 78-bed, assisted care living facility known as Cottages of Carmel. The amendment includes replacing the requirement to preserve a 26-inch Monterey pine, amending the project description to delete graywater and cistern systems, removing and/or amending conditions requiring underground graywater and cistern systems, and amending landscaping conditions;
   c. A request by Carmel Valley Association to waive the appeal fee.

(County of Monterey/Carmel Cottages – REF100047, Carmel Valley Master Plan)

ADJOURNMENT

In memory of Arthur Joseph Froli and
Arthur "Art" McDole.
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

18.  a. Approve the Intergovernmental Agreement Regarding Transfer of Public Funds (“IGT Agreement”) between the County of Monterey (County”) and the California Department of Health Care Services (“State DHCS”) to transfer public funds, the source of which shall be funds from Natividad Medical Center (“NMC”) and not the County’s General Fund, pursuant to Section 14164 of the Welfare & Institution Code, from NMC to State DHCS to be used to supplement the nonfederal share of Medi-Cal managed care capitation rate payments to the Monterey-Santa Cruz-Merced Managed Medical Care Commission d/b/a Central California Alliance for Health, for a total amount not to exceed $2,500,000 for healthcare services rendered in Fiscal Year (FY) 2009-2010 and transfer to occur in FY 2010-2011; and

b. Authorize the Chief Executive Officer (“CEO”) of NMC to execute the IGT Agreement in substantially the same form as that which has been presented to the Board, without material change to its content, for a total amount not to exceed $2,500,000 for healthcare services rendered in FY 2009-2010 and transfer to occur in FY 2010-2011.

HEALTH AND SOCIAL SERVICES

19.  a. Approve and authorize the Director of Health to sign a three Fiscal Year (FY) term Mental Health Services Agreement (FY 2010-11, 2011-12 and 2012-13) with Provo Canyon School, Adolescent Residential Treatment Center in the amount of $15,834 for FY 2010-11, $31,755 for FY 2011-12, and $31,755 for FY 2012-13 for a total agreement amount of $79,344; and

b. Authorize the Director of Health to sign up to three future amendments to this agreement where the cumulative amount of amendments do not exceed ten percent (10%) of the maximum agreement amount and do not significantly change the scope of work.

20.  a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 2 to the Agreement with the Salinas Union High School District increasing the amount of the Agreement by $95,000 for a total amount of $250,000, for the provision of credentialed adult education teachers to teach nutrition education classes, for the period of October 1, 2008 through September 30, 2011; and

b. Authorize the Contracts/Purchasing Officer to sign one additional Amendment, where the Amendment does not exceed ten percent (10%) of the total amount of the Agreement, and does not significantly change the scope of services or result in an increase to net county costs.
21. Approve and authorize the Director of Department of Social and Employment Services, or his designee, to sign and execute standard funding agreements and amendments for continued funding from state agencies for designated programs on behalf of the County for Fiscal Year 2011-12 and Calendar Year 2012.

22. a. Approve a decrease in an amount not to exceed $300,000 in Account 3121, Department of Social Services Designation and an increase in an amount not to exceed $300,000 in General Fund Unreserved Fund Balance; and
b. Authorize the Auditor-Controller to amend appropriations not to exceed $300,000 in SOC002-- General Assistance. (4/5ths vote required)

**CRIMINAL JUSTICE**

23. a. Approve and authorize the Contracts and Purchasing Officer to sign an Agreement with Identix Incorporated in the amount of $1,345,552 for an Automated Fingerprint Identification System (AFIS) including Handheld ID Field Devices for the Monterey County Sheriff’s Office per Request for Proposal (RFP) #10260, with the initial Agreement term beginning on the date of signing the Agreement through December 31, 2014, including the option to extend the Agreement for up to two (2) additional one (1) year periods;
b. Authorize the Contracts/Purchasing Officer to sign a Maintenance Agreement with Identix Incorporated for future maintenance of the AFIS;
c. Authorize the Contracts/Purchasing Officer to sign future Amendments to both Agreements where the Amendments do not significantly change the scope of work or cause an increase in the Agreement rates of more than ten percent (10%); and
d. Authorize the Auditor-Controller’s Office to increase FY 2010-11 appropriation and estimated revenues by $200,000 and authorize the County Administrative Office to increase in the FY 2011-12 Adopted Budget by $300,000 as detailed in Board Order. (4/5ths vote required)

24. a. Ratify a grant application submitted to California Emergency Management Agency (Cal-EMA) and approve and authorize the Sheriff to accept the grant award for the purpose of improving Critical Infrastructure and Key Resources (CIKR); and
b. Authorize the County Administrative Office to incorporate estimated revenue and appropriations in the amount of $195,000 in the Sheriff's Office Fiscal Year (FY) 2011-12 Adopted Budget. (4/5ths vote required)

**GENERAL GOVERNMENT**

25. Receive the University of California Cooperative Extension "UCCE Fuels Monterey County's Economic Engine with Research" Report.

26. a. Approve the Sports Car Racing Association of the Monterey Peninsula (SCRAMP) extension of the Agreement with Mazda Motor of America
(Mazda) as the exclusive title sponsor of Laguna Seca Raceway for an additional one (1) year; and

b. Authorize the Parks Director to approve the final Agreement between SCRAMP and Mazda consistent with the terms and conditions set forth in the 2003 Concession Agreement between SCRAMP and Monterey County.

27. Extend for an additional thirty (30) days, in accordance with California Government Code Section 8630, the Administrative Proclamation of Local Emergency in the aftermath of the Highway 1 road closure causing conditions of extreme peril to the safety of persons and property of the community of Big Sur and the South Coast of Monterey County signed by the Administrative Officer on March 20, 2011, as expanded by the Board of Supervisors on March 29, 2011 at the request of the Monterey County Sheriff's Office. (4/5ths vote required)

28. Extend for an additional thirty (30) days, in accordance with California Government Code Section 8630, the Administrative Proclamation of Local Emergency in the aftermath of the conditions of high surf and rising river levels at the Carmel River Beach causing conditions of extreme peril to the safety of persons and property along Scenic Drive and adjoining neighborhoods signed by the Administrative Officer on March 25, 2011. (4/5ths vote required)

29. Extend for an additional thirty (30) days, in accordance with California Government Code Section 8630, the Administrative Proclamation of Local Emergency of conditions of extreme peril to the safety and well being of persons and property within Monterey County caused by a series of storms and related weather events, commencing March 24, 2011, continuing through March 27, 2011 signed by the Administrative Officer on March 28, 2011. (4/5ths vote required)

30. Approve the application from the Diocese of Monterey to add the Calvary Cemetery to the County's Local Official Register of Historic Resources, as recommended by the County's Historic Resources Review Board.

31. Approve and authorize the Chair of the County Board of Supervisors to execute a Settlement and Mutual Release Agreement in the amount of $57,131.95 to settle a disputed claim regarding the amount of compensation due and owing for work performed by Johnson Electronics at Natividad Medical Center, between July 1, 2010 through September 30, 2010.

32. Adopt Resolution to support the grant application of the Arts Council for Monterey County to the California Arts Council.

33. a. Adopt Resolution to approve reclassification of one (1) Planning Graphics Technician III to one (1) GIS Analyst II;
   b. Amend the Fiscal Year (FY) 2010-11 Resource Management Agency Budget Unit 8222 to delete one (1) Planning Graphics Technician III and add one (1) GIS Analyst II; and
c. Authorize the County Administrative Office to amend FY 2010-11 Budget and incorporate in the FY 2011-12 Adopted Budget.

34. a. Adopt Resolution approving the grant from the State Department of Boating and Waterways for Lake San Antonio Floating Restroom maintenance; and
   b. Approve and authorize the Deputy Chief Park Ranger/South County Operations Manager to sign the State's Standard Grant Agreement with the Department of Boating and Waterways accepting the grant. (Agreement No. 10-107-720 for $8,000)

35. a. Adopt Resolution approving the grant from the State Department of Boating and Waterways for Lake Nacimiento Floating Restroom maintenance; and
   b. Approve and authorize the Deputy Chief Park Ranger/South County Operations Manager to sign the State's Standard Grant Agreement with the Department of Boating and Waterways accepting the grant. (Agreement No. 10-107-727 for $12,000)

36. a. Approve and authorize the Contracts/Purchasing Officer to execute a License and Maintenance Service Agreement with CA (Computer Associates), Inc., in the amount of $477,940, payable in three annual installments, to provide software licensing and maintenance for the Mainframe CA Programs for the period May 1, 2011 through April 30, 2014;
   b. Authorize the Contracts/Purchasing Officer to sign an optional one-year extension to this agreement;
   c. Accept non-standard County Liability, Indemnification and Termination Provisions as recommended by the Director of Information Technology;
   d. Approve and authorize the Auditor-Controller to make payments upon approval of the Information Technology Department; and
   e. Authorize the Auditor-Controller's Office to amend Fiscal Year (FY) 2010-11 appropriation and revenue, and authorize the County Administrative Office to incorporate in the FY 2011-12 Adopted Budget.

37. Receive and accept the Treasurer's Report of Investments for the quarter ending March 31, 2011.

38. Accept a report from the Board of Supervisors HRC (Human Resources Committee) regarding the status of the transfer of primary responsibility for discipline from County Counsel to CAO-HR (County Administrative Office-Human Resources Division).

**RMA - PLANNING DEPARTMENT**

39. a. Approve Amendment No. 7 to Professional Services Agreement No. A-10547 with Pacific Municipal Consultants (PMC) where the Base Budget is increased by $38,800 to $470,674 with a Contingency increase of $15,781 to $80,562, for a total amount not to exceed $551,236 to provide additional services for completion of the Environmental Impact Report (EIR) for the
Ferrini Ranch Subdivision (PLN040758) in the Toro Area Plan area near Salinas, for a term through April 30, 2012;

b. Approve Amendment No. 7 to Reimbursement Agreement No. A-10548 with Domain Corporation where the Base Budget is increased by $38,800 to $470,674 and the County Surcharge is increased by $17,184 to $224,484, with a Contingency increase of $15,781 to $80,562, for a total amount not to exceed $775,720 to allow reimbursement to Monterey County for costs incurred by PMC and County departments to provide additional services for completion of the EIR for the Ferrini Ranch Subdivision (PLN040758) in the Toro Area Plan area near Salinas, for a term through April 30, 2012; and

c. Authorize the Director of Planning to execute Amendment No. 7 to Professional Services Agreement No. A-10547, Amendment No. 7 to Reimbursement Agreement No. A-10548 and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts. (Amendment - PD060591/Pacific Municipal Consultants, County-wide)

RMA - PUBLIC WORKS

40. Adopt Resolution:
   a. Accepting the Certificate of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 9781-12 Rebid for Mechanical and Plumbing Installations, performed by Environmental Systems, Inc.; and
   b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 9781-12 Rebid for Mechanical and Plumbing Installations, performed by Environmental Systems, Incorporated.

41. Adopt Resolution:
   a. Accepting the Certificate of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 9781-15 for Hydraulic Elevators, performed by ThyssenKrupp Elevator Corporation; and
   b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 9781-15 for Hydraulic Elevators, performed by ThyssenKrupp Elevator Corporation.

42. a. Approve Amendment No. 1 to Agreement No. A-11856 with Advanced Applied Engineering, Inc. to provide for additional tasks required to provide enhancements to the Pavement Management Information System and to provide the County with an accurate and comprehensive system in Data Collection, Compilation and Installation, in the amount of $62,622 for a total amount not to exceed $361,392 for a term through September 29, 2011, including the option to extend the Agreement for two (2) additional one-year periods, in accordance with the terms and conditions of the Agreement; and
b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Agreement No. A-11856 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

###

MONTEREY COUNTY
BOARD OF SUPERVISORS

Supplemental/Addendum for Tuesday, April 26, 2011

http://www.in.co.monterey.ca.us/cob/Supplemental_Addendum%202011/

CORRECTION

Correction to Ceremonial Resolutions
7. Adopt Resolution recognizing Ruth Waltrip, Eligibility Worker II, for 22 years of distinguished service for the County of Monterey Department of Social and Employment Services. (Full Board/Supervisor Parker)

Remove from Regular Consent – General Government
25. Receive the University of California Cooperative Extension "UCCE Fuels Monterey County's Economic Engine with Research" Report.

ADDENDUM

Add to Scheduled Matters
S-4.1 Receive the University of California Cooperative Extension "UCCE Fuels Monterey County's Economic Engine with Research" Report. (See Item 25 for report)

###