ROLL CALL:
Present: Supervisors Salinas (Chair), Armenta, Calcagno*, Parker, and Potter*.
*Supervisors Potter and Calcagno arrived prior to Closed Session

1. Additions and Corrections for Closed Session: County Counsel announced agenda corrections and proposed additions, which were acted on by the Board as provided in Sections 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 is asked to make the following additions and corrections:

   Under Closed Session: Changed

2. a. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
   (1) Designated representatives: Keith Honda and Dianne Dinsmore
   Employee Organizations: Unit H All Units
CLOSED SESSION

2. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
      (1) Designated representatives: Keith Honda and Dianne Dinsmore
      Employee Organizations: Unit H (Revised via Additions and Corrections)
      CLOSED SESSION REPORT: The Board conferred with labor negotiators. Under Unit H, the Board approved a side letter regarding break times and once approved by the Union that side letter will go into effect.

   b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
      (1) Valera W. Lyles, et al. v. County of Monterey, et al. (USDC NC case no. CV05-04042)
      CLOSED SESSION REPORT: The Board approved a settlement with the insurance carrier in this matter.

      (2) Ralph Kennaugh and Angelo Amadio v. The County of Monterey, et al. (MCSC case no. M108497)
      CLOSED SESSION REPORT: The Board approved retaining outside counsel in this matter and gave direction to County Counsel on how to proceed.

   c. 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) The Open Monterey Project v. Monterey County Water Resources Agency (MCSC case no. M106524)
      CLOSED SESSION REPORT: The Board conferred with counsel and approved a tentative settlement, once that settlement and any other settlement matter mentioned this morning is approved by all parties, those settlement agreements will be available in the office of County Counsel.

10:30 A.M.

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

3. The Pledge of Allegiance was led by County Counsel Charles McKee.
4. Additions and Corrections The Clerk of the Board announced agenda corrections and proposed additions which may be acted on by the Board as provided in Sections 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 is asked to make the following additions and corrections:**

**Added Under Other Board Matters**

9.1 Consider a recommendation from the Legislative Committee to adopt a resolution in opposition of Proposition 26 on the November 2010 California state ballot.

**Correction Under General Government:**

18. Remove page 6 of 23 Agreement for Professional Services; correct page reads 6 of 22 and is included in with the item

Motion by Supervisor Potter, seconded by Supervisor Armenta.  ALL AYES

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

Recessed as the Monterey County Board of Supervisors

Convened as the Board of Supervisors of the Monterey County Water Resources Agency

6. CONSENT CALENDAR - MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet – Item 23)

Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

Adjourned

Reconvened as the Monterey County Board of Supervisors

OTHER BOARD MATTERS:

10. Board Comments

   · Parker comments hosting health care reform in California Marina library 10/24

RESOLUTIONS: 7 through 9 heard concurrently

7. Adopted Resolution No. 10-279 proclaiming the week of October 17 through 23, 2010, as "National Save for Retirement Week" in Monterey County. (Supervisor Salinas)

Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES
8. Adopted Resolution No. 10-277 proclaiming October, 2010, as "Disability Employment Awareness Month" in Monterey County. (Supervisor Calcagno)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

9. Adopted Resolution No. 10-278 proclaiming October, 2010, as "National Domestic Violence Awareness Month" in Monterey County. (Full Board)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

9.1 Adopted Resolution No. 10-282 opposing Proposition 26 on the November 2010 California state ballot, as recommended by the Legislative Committee. (Added via Additions and Corrections)
   Public Comment: Hans Jongens
   Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES
   Motion by Supervisor Potter, seconded by Supervisor Parker to approve staff recommendations. ALL AYES

11. CAO Comments and Referrals
   · Cao - referral from Parker's office.

11.1 Public Comment
   · Hans Jongens

SCHEDULED MATTERS:

S-1 Received status report regarding Strategic Initiatives and Key Objectives for Public Safety and Resource Management (continued from September 14, 2010).
   · Yaz Emrani presented status report for Strategic Initiatives and Key Objectives for Resource Management. PPT
     Presentation heard after Item S-1.1:
   · Jim Egar presented a status report regarding Strategic Initiatives and Key Objectives for Public Safety Criminal Justice Strategic Plan Initiatives.
   Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

S-1.1 Authorized the Board of Supervisors Chair to Execute the Amendment to the Transfer Agreement for the North Wing Court Facility pursuant to the Trial Court Facilities Act of 2002, between the County of Monterey and the Judicial Council of California, Administrative Office of the Courts. (Added via Addendum)
   Public Comment: Connie Mazzei - Executive Officer of the Monterey County Court.
   Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES

Recessed to Lunch - Joint Board Leadership Meeting

1:30 P.M. Reconvened
SCHEDULED MATTERS:

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

S-2 Conducted a continued Public hearing to:
   a. Consider General Plan policy language to: 1. Add a policy to the North County Area Plan regarding Water Credit Transfer, and 2. Amend the description for the Rancho Canada Village Special Treatment Area in the Carmel Valley Master Plan; and
   b. Continue the public hearing on the draft 2010 Monterey County General Plan and its Environmental Impact Report to October 26, 2010, for the purpose of taking final action. (General Plan Update - PLN070525/County of Monterey)

Interpreter Jersahid Lopez was present.

Chapter 9-B - Carmel Valley Master Plan

Public comment: Margie Kay; Tom Rowley; Nancy Isaakson; Hans Jongens; Christopher Bunn; DeAnne Howe

Motion by Supervisor Potter, seconded by Supervisor Parker to amend the description for the Rancho Canada Village Special Treatment Area and to add parcels listed in staff’s recommendation: [CV-1.27 Special Treatment Area: Rancho Canada Village – Approximately Up to 40 acres consisting of within properties located generally between Val Verde Drive and the Rancho Canada Golf Course clubhouse, from the Carmel River to Carmel Valley Road, excluding portions of properties in floodplain shall be designated as a Special Treatment Area. Residential development may be allowed with a density of up to 10 units/acre in this area and shall provide a minimum of 50% Affordable/Workforce Housing. Prior to beginning new residential development (excluding the first unit on an existing lot of record), projects must address environmental resource constraints (e.g.; water, traffic, flooding). (APN: 015-162-017-000, 015-162-025-000, 015-162-026-000, 015-162-039-000 and 015-162-040-000, 015-167-033-000, 015-167-035-000, 015-167-036-000, 015-167-037-000, 015-167-038-000); include APN 015-021-005 as a parcel in the Special Treatment Area; remove reference to official plan line; and add the word “volume” into CV 2.17, in a couple of places, to reflect “peak hour volume”; add text to the biannual counting; and change CV 1.6 from 266 units to 200 units. ALL AYES

North County Area Plan Proposed Policy NC 5.5 (Water Transfer)

Motion by Calcagno, seconded by Supervisor Parker not to include proposed policy NC 5.5 as General Plan policy and consider this policy during the ordinance phase. ALL AYES

Motion by Supervisor Calcagno, seconded by Supervisor Parker to continue the hearing on the General Plan Update to October 26, 2010 to take final action. ALL AYES
CLOSED SESSION REPORT (See 2 a-c)

ORDER FOR ADJOURNMENT

APPROVED:

/s/ Simón Salinas
SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: /s/ Gail T. Borkowski
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

12. Agreement No. A-11866 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the amended and restated Agreement with Monterey Anesthesia Professionals for Anesthesia Services at NMC in an amount not to exceed $13,600,000 in the aggregate and $3,100,000 for the period October 1, 2010 through June 30, 2011, the term of the amended and restated Agreement is thirty nine (39) months with an option that either party may terminate with thirty (30) days written notice.

13. Agreement No. A-11867 Authorized the Chair of the Board of Supervisors to execute, on behalf of the County, a Lease Agreement with John Schatz, MD, a Medical Corporation, to lease administrative office space located at Natividad Medical Center (NMC), 1441 Constitution Boulevard, Building 500, in Salinas, California for the period October 1, 2010 through September 30, 2011 with automatic renewal for five additional one year periods and with an option that either party may terminate with ninety days written notice.

HEALTH AND SOCIAL SERVICES:

   a. Approved and authorized the Director of the Department of Social and Employment Services (DSES), or his designee, to sign Amendment No. 1 to Agreement 09F-5018 with the Department of Community Services and Development (CSD) to provide Adult Computer Literacy services in Salinas for a total contract value of $17,727, and extends the term of March 1, 2009 through December 30, 2010; and
   b. Authorized the Director of the Department of Social and Employment Services, or his designee, to sign up to three (3) amendments to this agreement where the total amendments do not exceed ten percent (10%) of the original contract amount, and do not significantly change the scope of work.

CRIMINAL JUSTICE:

15. Agreement No. A-11869
   a. Approved and authorized the Chief Probation Officer to sign the Memorandum of Understanding with the Monterey County Office of Education for the High Risk Youth Education and Public Safety Program - Through and Beyond Program to receive funds in the amount of $185,909 from July 1, 2010 through June 30, 2011; and
   b. Authorized the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten
percent (10%) of the original contract amount and do not significantly change the scope of work.

GENERAL GOVERNMENT:


17. Agreement No. A-11870 Approved and authorized the Monterey County Assessor to enter into a two year Agreement on behalf of Monterey County for a Petroleum and Geothermal Property sales study between California Assessor’s Association Members and Harold W. Berholf, Inc.

18. Agreement No. A-11871 Approved and authorized the County Librarian or designee to sign a Professional Services Agreement (PSA) with Polaris Library Systems, for library automation software, training and hosting services in the amount of $304,804 for the period of November 5, 2010 through November 5, 2012.

RMA - PUBLIC WORKS:

19. Agreement No. A-11872; Construction No. 2010-011
   a. Awarded a contract in the total amount of $170,900 to Progressive Roofing, the lowest responsible and responsive bidder, for Roof Repairs and Renovations-Rooftop Replacement-Health Building, 1200 Aguajito Rd, Monterey, Project No. 8543, Bid Package No. 10236;
   b. Approved the Performance and Payment Bonds executed and provided by Fidelity and Deposit Company of Maryland;
   c. Authorized a contingency (10 % of the contract amount) to provide funding for approved contract change orders; and
   d. Authorized the Director of Public Works to execute the contract and contract change orders that do not significantly alter the project’s scope, subject to the authorized contingency.

20. Construction No. 2010-001
   a. Adopted Resolution No. 10-281 accepting the Certificate of Completion for construction of the Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat 2009 Project, on selected roads in the San Miguel, Monterey, Greenfield, and San Ardo Road Maintenance Districts, Contract No. 10-551019; and
   b. Authorized the Director of Public Works to execute and record the Notice of Completion.
21. Introduced, waived the reading, and set October 26, 2010, at 10:30 a.m., to consider adoption of an ordinance amending the Monterey County Code, Title 12, Section 12.12.015, to establish a 5 m.p.h. speed limit for vehicles over 10 tons at North Fork Little Sur River Bridge, County No. 547 (State No. 44C-0019) and South Fork Little Sur River Bridge, County No. 548 (State No. 44C-0020) on Coast Road, Big Sur Coastal area.

22. Introduced, waived the reading, and set October 26, 2010, at 10:30 a.m., to consider adoption of an ordinance amending the Monterey County Code, Title 12, Section 12.28.010, to establish no parking at any time on the west side of Bollenbacher Drive from a point 30 feet south of the centerline from Rogge Road, southerly for a distance of 95 feet, on the east side of Bollenbacher Drive from a point 30 feet south of the centerline from Rogge Road, southerly for a distance of 60 feet, on the north side of Rogge Road from San Juan Grade Road to a point 285 feet east of the extension of the centerline of Jasper Way, and on the south side of Rogge Road from San Juan Grade Road to a point 125 feet east of the extension of the centerline of Jasper Way, Bolsa Knolls area.

MONTEREY COUNTY WATER RESOURCES AGENCY:

23. Acting as the Board of Supervisors of the Monterey County Water Resources Agency:
   Approved the Monterey County Water Resources Agency winning bids and signed grazing leases at Nacimiento and San Antonio Reservoirs:

<table>
<thead>
<tr>
<th>Lease Location</th>
<th>Bid Amount</th>
<th>Bidder</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Antonio</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lease #1</td>
<td>$20,475</td>
<td>Joe Botts</td>
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<tr>
<td>Lease #2</td>
<td>$20,708</td>
<td>Parks Department (Calc. Avg.)</td>
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<tr>
<td>Lease #3</td>
<td>$27,775</td>
<td>Ray Franscioni</td>
</tr>
<tr>
<td>Lease #4</td>
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<td>John Soares</td>
</tr>
<tr>
<td>Nacimiento</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lease #1</td>
<td>$ 3,800</td>
<td>Gary Hazard</td>
</tr>
<tr>
<td>Lease #2</td>
<td>$19,800</td>
<td>Jean Jaureguy</td>
</tr>
<tr>
<td>Lease #3A /3B</td>
<td>$10,650 /$11,350</td>
<td>Four Seasons Ranch</td>
</tr>
<tr>
<td>Lease #5</td>
<td>$10,650</td>
<td>Wayne Hughes</td>
</tr>
</tbody>
</table>

And authorized the Monterey County Water Resources Agency Board of Supervisors Chair to sign each lease.

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