AGENDA
Tuesday, November 17, 2009
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 interprete, 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 interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo 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.
SPECIAL MEETING  
MONTEREY COUNTY BOARD OF SUPERVISORS  
MONTEREY COUNTY REDEVELOPMENT AGENCY  
TUESDAY, NOVEMBER 17, 2009  
8:30 AM  

AGENDA  

8:30 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 54956.8, the Board will confer with real property negotiators.  
(1) Property: 20 East Alisal Street, Salinas  
    County negotiator: Wayne Tanda, RMA Director  
    Negotiating parties: The County of Monterey and Croker Corner Partnership  
    Under negotiation: Price and terms  
(2) Property: County franchise for solid waste and recycling services  
    County negotiator: Allen Stroh  
    Negotiating parties: To be determined  
    Under negotiation: Price and terms  
(3) Property: County owned property at the corner of Laurel Drive and Constitution Boulevard (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  
(4) Property: 111 West Alisal Street, Salinas CA  
    County negotiator: Wayne Tanda, RMA Director  
    Negotiating parties: County of Monterey and City of Salinas  
    Under negotiation: Price and Terms  
(5) Property: 312 East Alisal Street, Salinas CA  
    County negotiator: Wayne Tanda, RMA Director  
    Negotiating parties: County of Monterey and City of Salinas
Under negotiation: Price and Terms

b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
   (1) Javier Guzman, et al. v. Rick Pinch, et al. (MCSC Case No. M71543; CACA Case No. H030647; CASC Case No. S157793)
   (2) Department of Fair Employment and Housing v. Monterey County, et al.; Paul Michael Breech, Real Party in Interest (MCSC Case No. M96824)
   (3) Paul Breech v. County of Monterey (Workers' Compensation Appeals Board Case Nos. SAL 114901 and SAL 114902)

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

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

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.

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 Alejandrina Tirado to the King City Cemetery District, term ending July 1, 2013. (Supervisor Salinas)

11. Appoint Beatriz Vera-Morga to the Community Restorative Justice Commission, to fill an unexpired term ending March 11, 2011. (Supervisor Salinas)

SCHEDULED MATTERS:

S-1  a. Approve Amendment No. 1 to Professional Services Agreement No. A-11286 with Wood Rodgers, Inc. to provide additional environmental documentation and plans, specifications, and engineer's estimate associated with the extension of the trail along the north edge of Moss Landing Road across Moro Cojo Slough by approximately 300 feet for the Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment, Project No. 866865, in the amount of $15,700 for a total amount not to exceed $1,064,596 for a term through December 30, 2011; and

b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Professional Services Agreement No. A-11286, and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

S-2  Authorize representatives from the Monterey County Health Department, County Contract/Purchasing Division and Office of the County Counsel to initiate contract negotiations with the recommended vendor for a Unified Franchise Agreement for the Exclusive Collection of Solid Waste and Recyclables in the Unincorporated Monterey County (RFP No. 10177).

ORDER FOR ADJOURNMENT
TO TUESDAY, DECEMBER 1, 2009

Future Board Meetings:
Tuesday, November 24, 2009 – No Meeting
Tuesday, December 8, 2009
Tuesday, December 15, 2009
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

12.  a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Clinical Pharmacy Coordinator; and 
b. Direct the Auditor-Controller to amend the adopted Fiscal Year 2009-10 NMC Budget Number 9600 to add one (1.0) FTE Clinical Pharmacy Coordinator.

13. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 4 to the Agreement with Coyote Creek Consulting Inc. for Information Technology Separation and Professional Services at NMC in an amount not to exceed $270,000 (an increase of $150,000) for the period October 1, 2009 to June 30, 2010.

14. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Agreement with K & D Landscaping for Landscaping Maintenance Services at NMC in an amount not to exceed $150,000 for the period July 1, 2009 to June 30, 2010.

HEALTH AND SOCIAL SERVICES:

15.  a. Approve the Health Department's Emergency Medical Services request for a capital lease-fixed asset of a Ford Crown Victoria in the amount of $27,422; 
b. Ratify the action taken by the Monterey County Contracts/Purchasing Officer in reference to entering into a capital lease - fixed asset with Ford Motor Credit Company; and 
c. Direct the Auditor-Controller to incorporate changes in the Fiscal Year (FY) 2009-10 Health Department Adopted Budget in Appropriations and Capital Assets in Health-Emergency Medical Services, Appropriation HEA006. (4/5th vote required)

16.  a. Approve the Health Department's Clinic Services Request for a Productivity Investment Loan of $862,000 for Implementation of an Electronic Medical Records (EMR) System in the Health Department's Clinic Services Bureau; and 
b. Direct the Auditor-Controller to increase appropriations and revenues in Health Department 4000, Clinic Services Bureau HEA007 by $862,000 as outlined in the Board Order. (4/5th vote required)

17. Approve and authorize the Director of Health to sign Amendment No. 2 to Agreement A-11360 with Lincoln Child Center to increase the rate, units of service and the existing Agreement amount of $269,979 by $190,008 ($80,484 in
Fiscal Year [FY] 2009-10 and $109,524 in FY 2010-11) to a new maximum Agreement amount of $459,987.

18. a. Approve and authorize the Contracts/Purchasing Officer to sign an amendment to the membership Agreement with the Oregon Community Health Information Network (OCHIN) for the implementation and operation of an Electronic Medical Record (EMR) system;
   b. Approve the EMR amendment as a sole source procurement; and
   c. Authorize the Health Department to amend the governing cooperative agreement with OCHIN in the amount of $985,772 for Fiscal Year (FY) 2009-10 and an estimated increase in recurring cost of $212,482 for FY 2010-11 and FY 2011-12 based on the current OCHIN fee structure.

CRIMINAL JUSTICE:

19. a. Approve the transfer of $42,525 from the Juvenile Ward Trust Fund 020 to Department 2550-Probation, Units 8163-Juvenile Hall and 8164-Youth Center; and
   b. Approve and direct the Auditor-Controller to increase Fiscal Year (FY) 2009-10 estimated revenues and appropriations totaling $42,525 in Department 2550-Probation, Units 8163-Juvenile Hall and 8164-Youth Center, for purchase of recreational equipment, clothing, supplies, and furnishings for juveniles in the Monterey County Youth Center and Juvenile Hall (4/5th vote required).

20. a. Approve and authorize the County Administrative Officer to sign the Memorandum of Agreement between the City of Salinas and the County of Monterey and California State University Monterey Bay, the California Department of Highway Patrol (King City and Monterey), the Presidio of Monterey and the Cities: of Carmel-by-the-Sea, Del Rey Oaks, Gonzales, Greenfield, King City, Marina, Monterey, Pacific Grove, Sand City, Seaside, and Soledad for the "Avoid the Eighteen DUI Campaign-Monterey County" for the period of October 1, 2009 through September 30, 2012; and
   b. Direct the Auditor-Controller to increase overtime appropriations and estimated revenues in the Sheriff's Office budget unit as detailed in the Board Order (4/5th vote required).

GENERAL GOVERNMENT:

21. a. Approve and authorize the Purchasing Manager to sign Amendment No. 2 to Professional Services Agreement for Technical Support of Ericsson Telephone System in an amount not to exceed $109,581 for the period of October 1, 2009 through September 30, 2010; and
   b. Approve and authorize the Auditor-Controller to make payments for services provided under the agreement upon approval of the Information Technology Department.
22. a. Approve modifications to the County Administrative Office-Human Resources Division Emergency Response Manual - November 2009 and direct the County Administrative Officer to implement when necessary;
   b. Direct the Assistant CAO-Human Resources to work with the Auditor-Controller's Department to develop a process for managing the Emergency Employee Leave Advance and Repayment Policy; and
   c. Approve modifications to Pandemic Influenza Preparedness and Response Plan Annex J - Proclamation of Local Staffing Emergency

RMA - PLANNING DEPARTMENT:

23. a. Approve a Professional Services Agreement with EMC Planning Group, Inc. (EMC) where the Base Budget is $124,975 with a Contingency of $18,746, for a total amount not to exceed $143,721, to provide an Environmental Impact Report (EIR) for the Monterey-Salinas Transit Whispering Oaks Business Park (PLN090071) within the unincorporated portion of the former Fort Ord, for a term through July 31, 2010;
   b. Approve a Funding Agreement with the Redevelopment Agency of the County of Monterey where the Base Budget is $124,975, the County Surcharge for contract administration is $3,000, with a Contingency of $18,746, for a total amount not to exceed $146,721, to allow funding to Monterey County for costs incurred by EMC and County contract administration to provide an EIR for the Monterey-Salinas Transit Whispering Oaks Business Park (PLN090071) within the unincorporated portion of the former Fort Ord, for a term through July 31, 2010; and
   c. Authorize the Director of Planning to execute the Professional Services Agreement, Funding Agreement and future amendments to these Agreements that do not significantly alter the scope of work or change the approved Agreement amounts.

(PD060200/EMC Planning Group, Inc., County-wide)

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

24. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   Approve a Funding Agreement in the amount of $146,721 between the Redevelopment Agency of the County of Monterey and the County of Monterey for reimbursement of the costs of preparing an Environmental Impact Report for the proposed Fort Ord Whispering Oaks Business Park.

25. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   Approve an Option Agreement with Granite Construction for conveyance of 4.9 acres of land located at 24 San Juan Road, in Pajaro.

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Addendum for Tuesday, November 17, 2009

Item Added Under Consent RMA - Building Services:
23.1 a. Staff recommends that the Board of Supervisors:
Approve and authorize the Director of Building Services, or his designee, to negotiate and execute an Agreement with the Pajaro/Sunny Mesa Community Services District to provide funding to design and build one water tank of approximately 110,000 gallons capacity for the fire suppression needs of the Berta Canyon neighborhood;
b. Approve the transfer of $208,000 from Capital Projects Fund 402, Department 3000, Unit 8174, Account 7521 (Unspecified-Needs Board Approval), (See Exhibit B) to Building Services Fund 001, Department 3000, Unit 8170, Account 6613 -Professional Services; (4/5ths vote required); and
c. Direct the Auditor-Controller to amend the FY2009-10 Budget increase appropriations in Fund 001, Department 3000, Unit 8170, Accounts 6613 and 5940 (Operating Transfers In) by $208,000 respectively and to move appropriations within Fund 402, Department 3000, Unit 8174, from Account 7521 to Account 7614 (Operating Transfers Out) (4/5ths vote required).

Item Added Under Consent RMA - Public Works:
23.2 a. Approve and authorize the Contracts/Purchasing Officer to execute a five-year Lease Agreement, effective on or before June 1, 2010, with Crocker Corner Partnership, for approximately 12,726 square feet of rentable space located at 20 East Alisal Street, First Floor, Salinas, California, for use by the Probation Department’s Adult Division, utilizing conditions that are sensitive to the present fiscal climate and do not significantly alter the existing funding outlay, for a cost-neutral outcome;
b. Direct the Auditor-Controller to make lease payments in the amount of $24,179.40 per month and in accordance with the terms of the agreement;
c. Authorize the optional extension of the Lease Agreement for an additional second and third term at three years each under the same terms and conditions if deemed by the Contracts/Purchasing Officer to be in the best interest of the County; and
d. Authorize the Director of Public Works to commence due diligence for the exercising of the option to purchase the 28,850 square foot building located at 20 East Alisal Street, Salinas, California for the negotiated price of $4,650,000 in accordance with the terms and conditions of the agreement.

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