AGENDA
Tuesday, July 7, 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 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.
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 Section 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 four matters of significant exposure to litigation.

   b. Pursuant to Government Code section 54956.95, the Board will confer with legal counsel regarding a liability claim against the County of Monterey (1)
      Sandra Sanders

   c. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
      (1) Michael Shapiro (WC)
      (2) Derek Olinger (WC)

   d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators.
      (1) Designated representatives: Elliott Robinson and Fran Buchanan;
          Employee organization: IHSS Unit

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)

OTHER BOARD MATTERS:

6. Board Comments

7. CAO Comments and Referrals

8. 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.

9. Adopt Resolution proclaiming the Month of August, 2009, as "Breastfeeding Awareness Month" in Monterey County. (Full Board)

APPOINTMENTS:

10. Appoint Fire Chief Kim Raddatz to the Emergency Medical Services Council to fill an unexpired term ending June 30, 2011. (Full Board)

11. Appoint Fire Chief Martha Karstens to the Emergency Medical Services Council to fill an unexpired term ending June 30, 2010. (Full Board)

12. Appoint Luther M. Hert to the Mental Health Commission, to fill a vacant term ending May 31, 2010. (Supervisor Parker)

13. Reappoint Glen Alder to the Assessment Appeals Board, term ending June 30, 2012. (Supervisor Parker)

SCHEDULED MATTERS:

S-1 a. Receive report considering the Legislative Committee's recommendation of "support and watch if modified"; and

S-2 Continue the public hearing from July 7, 2009 to August 25, 2009 for an appeal (PLN070577) of a Zoning Administrator decision to approve a Combined Development Permit, Variance, and Design Approval. (Appeal - PLN070577/Pepe, 3908 Ronda Way, Pebble Beach, Del Monte Forest Land Use Plan)

S-3 Acting as the Board of Supervisors of the Water Resources Agency of the County of Monterey:
Continued public hearing to approve the Fiscal Year (FY) 2009-2010 assessments, water delivery charges, and water service charges for Zone 2B, and FY 2009-2010 assessments for Zones 2Y and 2Z for the Castroville Seawater Intrusion Project and the Salinas Valley Reclamation Project (Continued from June 16, 2009).

S-4 Acting as the Board of Supervisors of the Water Resources Agency of the County of Monterey:
Continued public hearing to adopt Zone 2C Fiscal Year 2009-2010 assessment charges for the Salinas Valley Water Project (Continued from June 16, 2009).

S-5 Acting as the Board of Supervisors of the Water Resources Agency of the County of Monterey:
Continued public hearing to adopt the Fiscal Year 2009-2010 benefit assessments for Zones 1, 1A, 8, 9, 12, and 17 (Continued from June 16, 2009).

12:00 P.M.
Recess to Lunch

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:


S-7 Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
Approve the commitment and transfer of $38,000 in Redevelopment funding as local leverage for a Community Development Block Grant (CDBG) General Allocation grant application for the Pajaro Valley Unified School District.
S-8    Conduct a public hearing and adopt Resolution to:
      a. Find that the Federal Citizen Participation requirements have been met with regard to this proposed application;
      b. Authorize submittal of a 2009 General Allocation Community Development Block Grant (CDBG) application in the amount of $484,544 to the California Department of Housing and Community Development (HCD) to provide funding for construction of a Child Development Center for the Pajaro Valley Unified School District;
      c. Approve local leverage in the amount of $50,000;
      d. Authorize the County Administrative Officer to sign the Statement of Assurances for the Grant Application;
      e. Authorize the Director of the Redevelopment and Housing Office to make minor revisions to the Grant application to meet State requirements, sign the Grant Application, sign all amendments and grant related documents, sign Funds Requests and other required reporting forms, and act on the County's behalf in all matters pertaining to this application; and
      f. Authorize the Director of the Redevelopment and Housing Office to act as the Certifying Officer, under the National Environmental Policy Act of 1969 and related environmental regulations, for the State Community Development Block Grant Program.

S-9    Acting as the Board of Directors of the Boronda County Sanitation District of the County of Monterey:
      a. Conduct Public Hearing to consider adoption of an Ordinance for the Boronda County Sanitation District to establish rates and a monthly billing system for water services for the Community of San Jerardo;
      b. Provide for delinquent water service charges; and
      c. Set forth policies, procedures, and requirements for provisions of water service (Continued from June 16, 2009).

S-10   Public Hearing to consider adoption of an Ordinance of the County of Monterey to add Chapters 2.29, 2.30, and 2.31 and modify multiple sections of the Monterey County Code to assign planning agency functions, establish a separate Planning Department and Building Services Department and separate directors, and update references to these departments and their directors. (PLN090215/Amend Monterey County Code)

S-11   Receive report on "Big Box" stores and provide direction to staff regarding preparation of an Ordinance regulating such stores. (Report - PLN080448 Big Box Superstores, Greater Salinas Area)
ORDER FOR ADJOURNMENT
TO TUESDAY, JULY 14, 2009

Future Board Meetings:
Tuesday, July 21, 2009
Tuesday, July 28, 2009 – No Meeting
Tuesday, August 4, 2009 – No Meeting
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

14. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Contract Amendments with multiple vendors for various services at Natividad Medical Center (Continued from June 16, 2009).

15. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement with First Databank for Pharmacy Software Licensing Services in an amount not to exceed $25,500 for the period January 1, 2009 to June 30, 2010.

16. Approve and authorize the Purchasing Manager of Natividad Medical Center (NMC) to execute an Agreement with Healthcare Services Management Inc. in an amount not to exceed $312,000 for Implementation of Functionality of the Kronos Time & Attendance, Visionware and Workforce Scheduler systems at Natividad Medical Center for the period of May 1, 2009 through September 30, 2010.

HEALTH AND SOCIAL SERVICES:

17. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign two (2) contracts with the Regents of the University of California, U.C. Davis Extension in the amount of $133,032 for the provision of staff training for the period July 1, 2009 through June 30, 2010; and
   b. Authorize the Director of the Department of Social & 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.

18. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign an Agreement with Community Human Services for $291,156 to support the Family-to-Family Initiative throughout Monterey County for the period July 1, 2009 through June 30, 2010; and
   b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to (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.

19. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign contracts with various community agencies for the provision of services for seniors funded by the Older Americans Act and the Older Californians Act for a total of $1,392,821 for the period July 1, 2009 - June 30, 2010; and
b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to these Agreements, where the total amendments do not exceed ten percent (10%) of the original contract amounts, and do not significantly change the scopes of work.

20. Proclaim state of local emergency relating to the spread of HIV among injection drug users in Monterey County.

21. a. Approve and authorize the Director of Health to sign a Mental Health Services Agreement with Peacock Acres, Inc., effective July 1, 2009 through June 30, 2010 for the provision of supported transitional housing services for youth in the amount of $174,139; 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.

22. a. Approve and authorize the Director of Health to sign Amendment No. 1 to Professional Services Agreement with the Central Coast Citizenship Project to extend the term of the Agreement through June 30, 2011 and increase the existing Agreement amount of $43,443 by $85,160 per year for Fiscal Year 2009-10 and Fiscal Year 2010-11 for a revised maximum of $213,763; 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.

23. a. Approve and authorize the Director of Health to sign Amendment No. 1 to Professional Services Agreement with Center for Community Advocacy to extend the term of the Agreement through June 30, 2011 and increase the existing Agreement amount of $65,166 by $85,160 per year for Fiscal Year 2009-10 and Fiscal Year 2010-11 for a revised maximum of $235,486; 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.

24. a. Approve and authorize the Director of Health to sign a three fiscal year term (FY 2009-10, 2010-11 and 2011-12) Mental Health Services Agreement with JDT Consultants, Inc. for the provision of mental health services in the annual amount of $120,960 for a total of $362,880 for the period July 1, 2009 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.

25. a. Approve Letter of Agreement with the National Association of Area Agencies on Aging to implement the Digital TV: Keeping Seniors Connected Campaign and authorize the Director or his designee to sign the Letter of Agreement; and
b. Accept unanticipated revenue in the amount of $34,920; and
c. Direct the Auditor-Controller to increase appropriations and estimated revenues in the amount of $34,920 for Fiscal Year 2009-10 in Budget Unit 8268 as detailed in the Board Order. (4/5th vote required)

26. a. Amend the Health Department Bureau CLNS (Clinic Services) to reallocate the following positions: 1.0 FTE OB/GYN Surgeon, 1.0 FTE Physician Assistant I and 1.0 FTE Accounting Technician to 3.0 FTE Contract Physicians; and add an additional 2.0 FTE Contract Physicians; and

   b. Direct the Auditor-Controller to amend the Fiscal Year 2009-10 Health Department Bureau CLNS (Clinic Services) to reflect the change in position count and to increase estimated revenue and appropriations in the amount of $443,326 as outlined in the board order (4/5th vote required).

GENERAL GOVERNMENT:

27. Adopt Resolution to support the establishment of a Targeted Employment Area (TEA) for the Salinas Valley Enterprise Zone (SVEZ) and submit to the State Department of Housing and Community Development (HCD) for final approval.

28. Receive report of the Legislative Committee and take the following actions:

   a. Adopt a revised position from oppose to neutral/watch on Senate Bill (SB) 93 (Kehoe) Redevelopment; payment for land or buildings;

   b. Adopt Resolution urging immediate passage of comprehensive federal health reform legislation; and

   c. Receive a memo providing a federal legislative update from the County's federal legislative advocate, Matt Thomas of Troutman Sanders LLP.

29. Authorize the Chair To Sign Amendment No. 1 to Agreement No. A-11162 with Gallina, LLP in an amount not to exceed $174,791 to perform audits of the following: 2008-09 General Purpose Financial Statements, Single Audit, the 2008-09 Redevelopment Agency Financial Statements, the 2008-09 Pajaro County Sanitation District Financial Statements, the Public Investment Corporation, the Treasury Oversight Committee, the Monterey County Financing Authority and the First 5 Grants awarded to Monterey County.

30. Adopt Resolution rescinding Resolution No. 06-363, thereby vacating the certification of the final revised EIR and voiding the approval of permits and entitlements for the September Ranch project, in compliance with the Peremptory Writ of Mandate issued by the Superior Court.

31. Approve a request from the Carmel Valley Fire Protection District for dry period loan of $3,000,000.00 for the Fiscal Year ended June 30, 2010.

32. Approve a request from the North County Recreation and Park District for dry period loan of $130,000.00 for the Fiscal Year ended June 30, 2010.

33. Approve a request from the Salinas Rural Fire Protection District for dry period loan of $3,000,000.00 for the Fiscal Year ended June 30, 2010.
34. a. Approve a Resolution authorizing the Office of Emergency Services to submit an application for the Homeland Security Fiscal Year (FY) 2009 Grant Program in the amount of $947,114; and
   b. Designate and authorize as Monterey County representatives, the appropriate Auditor-Controller staff, Emergency Services Manager and Planner to execute grant documents.

35. Approve Change Order No. 1 to increase project No. 10131, Fluid Applied Elastomeric Roofing at the Racing School Building, Laguna Seca Park for an additional $15,200 purchase order for Cook Coatings, Inc.

36. Item deleted.

37. Introduce, waive first reading, and set for adoption on July 21, 2009, at 10:30 a.m. an Ordinance of the County of Monterey amending the Monterey County Code, Section 2.76.050 relating to determination and payment of estimated fees for supplemental law enforcement services.

**RMA - PLANNING DEPARTMENT:**

38. Approve and authorize the CAO to execute the Memorandum of Understanding for Early Mitigation Planning for transportation improvements in the Elkhorn Slough Watershed between the County and multiple resource agencies, and designate the Resource Management Agency Director to administer all aspects of the MOU.
   (MOU - PD090657/MOU for Early Mitigation Planning, County-wide)

**RMA - PUBLIC WORKS:**

39. a. Approve Amendment No. 2 to Professional Services Agreement No. A-11064 with Wald, Ruhnke, & Dost Architects, LLP to provide additional professional design, architectural and engineering services for the Agricultural Commissioner's Office, Project No. 8810, in the amount of $20,162 for a total amount not to exceed $332,762 and extend the term through June 30, 2010; and
   b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 2 to Professional Services Agreement No. A-11064.

40. a. Adopt Resolution 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. Adopt Resolution 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).
41. Amend Resolution 08-022, which is a Standard Policy for the Formal Memorializing (naming) of County-Owned Facilities in Monterey County updating the general guidelines, procedures, and fee.

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