AGENDA
Tuesday, September 13, 2011
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 antemano 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, SEPTEMBER 13, 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) Dianne Perez (Workers' Compensation case no. WC608-529426)
      (2) Dorsami Reddy (Workers' Compensation case no. WC608-588571)

   b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding five matters of significant 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 confer regarding discipline, dismissal, or release of a public employee.

   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: Units E, F, H, J, and K

Acting as the Board of Supervisors of the Monterey County Water Resources Agency:

CLOSED SESSION

   f. Pursuant to Government Code section 54956.9(a), the Board will confer regarding existing litigation:
(1) In the Matter of the Application of California-American Water Company
(Application 04-09-019)
(2) Ag Land Trust v. Monterey County Water Resources Agency, et al.
(Monterey County Superior Court case no. M110691)

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

h. Pursuant to Government Code section 54956.9(c), the Board will confer with
legal counsel regarding two matters of potential initiation of litigation.

i. Pursuant to Government Code section 54957, the Board will provide a
performance evaluation for the Water Resources Agency General Manager.

Closed Session report from the Monterey County Board of Supervisors and the
Monterey County Water Resources Agency Special Meeting of September 7, 2011.

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. 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)

Recess

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

MONTEREY COUNTY WATER RESOURCES AGENCY

ROLL CALL

6. CONSENT CALENDAR – MONTEREY COUNTY WATER RESOURCES
AGENCY (See Supplemental Sheet)
Adjournment

Reconvene as the Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS

CEREMONIAL RESOLUTIONS

7. Adopt Resolution recognizing Sergeant Paul Guzman upon his retirement from the City of Greenfield Police Department after 35 years of public service. (Full Board-Supervisor Salinas)

8. Adopt Resolution honoring Chief Warrant Officer 5/Special Agent Gregory D. Lee, United States Army Reserve Criminal Investigation Command, resident of Monterey County, upon his retirement after 39 years of distinguished military service. (Full Board-Supervisor Potter)

9. Adopt Resolution proclaiming September 8 through September 14, 2011 as “Monterey County Literacy Week” in Monterey County. (Full Board-Supervisor Potter)

10. Adopt Resolution proclaiming October 7 through October 23, 2011, as “Binational Health Week”. (Chair Parker)

11. Adopt Resolution commending Leslie Payne upon her retirement from the Monterey County Free Libraries for her 11 years of dedicated service as Managing Librarian. (Full Board-Supervisor Parker)

APPOINTMENTS

12. Appoint Pete Perez to the Greenfield Public Recreation District, term ending December 31, 2012. (Supervisor Salinas)

13. Reappoint Manuel Morales and Mike Manfre to the Agricultural Advisory Committee, terms ending June 30, 2014. (Full Board)

14. Reappoint Brian Contreras to the Parks Commission, term ending April 26, 2015. (Supervisor Armenta)

15. Reappoint Linda Sanchez to the Mental Health Commission, term ending May 31, 2014. (Supervisor Armenta)

16. Appoint Ryan Flagg to the In-Home Supportive Services Advisory Committee, term ending September 13, 2014. (Full Board)

17. Appoint Elliott Robinson to the Community Corrections Partnership’s Executive Committee, per Penal Code Section 1230 and 1231. (Full Board)
18. Appoint Nancy Valdez to the Equal Opportunity Advisory Commission, term ending December 31, 2013. (Full Board)

OTHER BOARD MATTERS

19. Board Comments
20. CAO Comments and Referrals
21. Public Comment (Limited 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 Consider adoption of an Ordinance of the Monterey County Code, subject to pending litigation, to allow the Redevelopment Agency of the County of Monterey to continue to exist by the County's agreement to make annual community remittance payments to the State funded entirely from tax increment.

S-2 Receive an oral presentation regarding poverty in Monterey County.

S-3 a. Receive a presentation from the Monterey County Children's Council; and
b. Accept the Fiscal Year (FY) 2009-2010 Children's Council of Monterey County Annual Report to the Board of Supervisors.

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

Monterey County Board of Supervisors and Natividad Medical Center Board of Trustees Joint Board Leadership Committee Meeting

1:30 P.M. RECONVENE

MONTEREY COUNTY BOARD OF SUPERVISORS

ROLL CALL

SCHEDULED MATTERS

S-4 Consider adoption of an Ordinance to increase the Planning Commissioner compensation to $450 per month in Fiscal Year (FY) 2011-12 and raise it to a level of $650 per month over four fiscal years.
S-5  a. Accept an oral presentation regarding the 2010 results for the Literacy Campaign from the Community Foundation of Monterey County; and  
b. Accept an oral presentation from the new non-profit, Literacy Campaign for Monterey County, outlining their future strategic plans for the Literacy Campaign.

S-6  Consider adoption of an Ordinance amending Chapter 7.08 of the Monterey County Code relating to bingo.


S-8  Receive a report from the Office of the Auditor-Controller regarding the successful marketing of its $42,855,000 Tax Revenue Anticipation Note (TRAN) issuance for Fiscal Year 2011-12.

ADJOURNMENT

In Memory of Pastor Richard Nance
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

22. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 6 to the Agreement (A-11717) with Automatic Door Systems Inc. for Automatic Door Maintenance and Repair Services at NMC in an amount not to exceed $170,000 in the aggregate and $25,000 for the period July 1, 2011 to June 30, 2012.

23. Adopt Resolution:
   a. Declaring an emergency as defined by California Public Contract Code Section 1102 due to failure of the Dietary Dept. walk-in refrigerator transformer at Natividad Medical Center (NMC) (Contractors - Consumer Electric, Quinn Power Systems) (4/5ths vote required);
   b. Finding that the emergency will not permit a delay resulting from a formal solicitation of bids and that the action is necessary to respond to the emergency (4/5ths vote required);
   c. Finding that the repairs are necessary to permit the continued conduct of County operations or services (4/5ths vote required);
   d. Authorizing emergency repairs at NMC without adopting plans and specifications and giving notice for bids to let contracts (4/5ths vote required); and
   e. Authorizing the NMC Purchasing Manager, or his designee, to issue an emergency purchase order to accomplish the required emergency work, and ratifying the execution of the emergency purchase requisition and purchase order and actions taken by the NMC Purchasing Manager, or his designee, to respond to the emergency. (4/5ths vote required)

24. Adopt Resolution:
   a. Declaring an emergency as defined by California Public Contract Code Section 1102 due to failure of the Magnetic Resonance Imaging (MRI) room cooling unit at Natividad Medical Center (NMC) (Contractor-Polar Refrigeration) (4/5ths vote required);
   b. Finding that the emergency will not permit a delay resulting from a formal solicitation of bids and that the action is necessary to respond to the emergency (4/5ths vote required);
   c. Finding that the cooling unit repairs are necessary to permit the continued conduct of County operations or services (4/5ths vote required);
   d. Authorizing emergency repairs at NMC without adopting plans and specifications and giving notice for bids to let contracts (4/5ths vote required); and
   e. Authorizing the NMC Purchasing Manager, or his designee, to issue an emergency purchase order to accomplish the required emergency work, and ratifying the execution of the emergency purchase requisition and purchase
order and actions taken by the NMC Purchasing Manager, or his designee, to respond to the emergency. (4/5ths vote required)

25. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the renewal Agreement with Monterey Bay GI Consultants for gastroenterology services at NMC in an amount not to exceed $250,000 in the aggregate for the period September 1, 2011 to August 31, 2012 which includes $208,000 for Fiscal Year 2012.

26. Adopt Resolution:
   a. Declaring an emergency as defined by California Public Contract Code Section 1102 due to failure of the Nurse Call and Code Blue System at Natividad Medical Center (NMC) (Contractor- Audac) (4/5ths vote required);
   b. Finding that the repairs are necessary to permit the continued conduct of County operations or services (4/5ths vote required);
   c. Authorizing the NMC Purchasing Manager, or his designee, to issue an emergency purchase order to accomplish the required emergency work, and ratifying the execution of the emergency purchase requisition and purchase order and actions taken by the NMC Purchasing Manager, or his designee, to respond to the emergency. (4/5ths vote required)

27. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 5 to the Agreement (SC*961) with RFI Enterprises Inc. for Inspection and Repair of Smoke Alarm and Fire Sprinkler Services at NMC in an amount not to exceed $110,000 in the aggregate and $15,000 for the period July 1, 2011 to June 30, 2012.

HEALTH AND SOCIAL SERVICES

28. Approve and authorize the Contracts/Purchasing Officer to donate a 1999 Chevrolet Suburban to the Big Sur Volunteer Fire Brigade.

29. Approve and authorize the Director of Health to sign Amendment No. 1 to Agreement A-11746 with Interim, Inc. for mental health services and supportive housing for clients with severe psychiatric disabilities for a revised amount of $6,285,744 for Fiscal Year 2011-12, for a total maximum contract amount of $19,015,282.

CRIMINAL JUSTICE
30. a. Adopt Resolution authorizing an extension of the Monterey County Abandoned Vehicle Abatement Service Authority (MCAVASA) fee until April 2022.
   b. Approve and authorize the Sheriff or designee to sign a Joint Powers Agreement to participate in the MCAVASA program.

31. Approve and authorize the Sheriff to apply for a grant application in the amount of $229,587 with the California Emergency Management Agency (Cal EMA) to continue funding for the Narcotics Enforcement Unit County of Monterey (NEUCOM) Program for the period of July 1, 2011 to June 30, 2012.

32. a. Authorize the Probation Department and the Sheriff's Office to initiate preliminary activities for the implementation of the Public Safety Realignment Act of 2011, taking effect on October 1, 2011;
   b. Authorize the Chief Administrator's Office (CAO) to add 1.0 FTE Probation Officer III and 1.0 FTE Probation Officer II in Budget 2550-Probation; and
   c. Authorize the CAO's Office to add 1.0 FTE Deputy Sheriff-Corrections in Budget 2300-Sheriff's Office.

GENERAL GOVERNMENT

33. Accept the Monterey County Agricultural Advisory Committee Annual Report covering the period of July 1, 2010, through June 30, 2011.

34. a. Approve and authorize the Contracts/Purchasing Officer to execute Statement of Work No. 7 in the amount of $70,300 to support the development, project management and testing of Win-CAMS interfaces to Advantage Financial pursuant to a Master Services Agreement with CGI Technologies for a total amended amount of $10,169,659.50; and
   b. Approve the increase of appropriations and interfund reimbursement totaling $70,300 in the Capital Automation Fund (403-1110-8006), Appropriation Unit AUD006. (4/5ths vote required)

35. a. Award contract to West Star Environmental, Inc. in the amount of $63,715 to replace the Environmental Vapor Recovery (EVR) system to fuel tanks at Monterey County Resorts Lake Nacimiento and Lake San Antonio, Bid No. 10308;
   b. Authorize the Contracts/Purchasing Officer to sign the Agreement; and
   c. Authorize the Director of Parks to approve change orders up to ten percent (10%) of the bid.

36. Approve and authorize the Contracts/Purchasing Officer to execute Statement of Work No. 9 in the amount of $15,200 to support the development of two interfaces for Natividad Medical Center pursuant to a Master Services Agreement with CGI Technologies for a total amended amount of $10,184,859.50.
37. Adopt Resolution to approve the Tentative Agreement with Unit D dated August 26, 2011, for a term of one year, for the Memorandum of Understanding between the Monterey County Public Defenders Association (Unit D) and the County of Monterey, effective July 1, 2011 to June 30, 2012.

38. Adopt Resolution to approve the Interim Agreement with Unit S dated August 22, 2011, for a term of one year for the Memorandum of Understanding (MOU) between the Monterey County Registered Nurses' Association (Unit S) and the County of Monterey, effective July 1, 2011 to June 30, 2012.

39. a. Adopt a Resolution to amend Personnel Policies and Practices Resolution No. 98-394 to:
   1. Add the classification of Economic Development/Workforce Investment Board Director and change the salary as indicated; and
   2. Add the classification of Economic Development/Workforce Investment Board Director to Section A.10.1 Department Heads Designated; and
   b. Authorize the Auditor-Controller Office to incorporate this change in the FY 2011-12 Economic Development Department, Budget Unit 1070-8221 Adopted Budget.

40. a. Adopt Resolution of Intention to approve an amendment to the Contract between the County of Monterey (County) and the Public Employees' Retirement System (PERS) to provide that a Different Level of Benefits (Government Code Section 20475) consisting of 3% @ 55 Full Formula (Government Code Section 21363.1) with Three-Year Final Compensation (Government Code Section 20037) is applicable to Monterey County Safety Retirement Group employees hired after November 4, 2011;
   b. Introduce, waive reading and set for adoption on October 4, 2011 at 10:30 a.m. an Ordinance approving the above-described amendment to the retirement contract between the County and PERS;
   c. Authorize the Chair to sign the Resolution of Intention and the Certification of Compliance with Government Code Section 20475 (PERS-CON-30); and
   d. Authorize the Clerk of the Board to sign the Certification of Governing Body's Action (PERS-CON-12) and Certification of Compliance with Government Code Section 7507 (PERS-CON-12A).

RMA - PUBLIC WORKS

41. a. Approve renewal to the Professional Services Agreement with Chicago Title Company to continue to provide tasks associated with preliminary title reports, title insurance and escrow services within the County of Monterey in the amount of $25,000 for a total amount not to exceed $50,000 and renew the term from August 1, 2011 through August 1, 2012; and
   b. Authorize the Contracts/Purchasing Officer to execute the renewal to the Professional Services Agreement and future amendments that do not significantly alter the scope of work or change the approved renewal amount.
42. Acting on behalf of County Service Area 44 – Corral De Tierra Oaks:
   a. Authorize the Auditor-Controller to amend the Budget for County Service Area 44 – Corral De Tierra Oaks Fund 073, Appropriation Code RMA069, for FY 2011-12 by decreasing the Unappropriated Fund Balance Account by $40,000 and by increasing the Unreserved Fund Balance Account by $40,000 in County Service Area 44 – Corral De Tierra Oaks for installation of pavement and drainage improvements; and
   b. Authorize the Auditor-Controller to amend the Budget for County Service Area 44 – Corral De Tierra Oaks, RMA069, for FY 2011-12 by increasing appropriations for Account 6512, Buildings and Improvements Maintenance – Internal, by $40,000. (4/5ths vote required)

MONTEREY COUNTY WATER RESOURCES AGENCY

43. Approve a one-year lease agreement with Heritage Ranch Owners Association for 25 acres of lakefront property used by the Association to anchor docks and meet requirements set forth in the Monterey County Water Resources Agency Dock Ordinance.

44. Approve Amendment No. 1 to the employment agreement with the General Manager of the Monterey County Water Resources Agency modifying the scope, term, severance and communication.

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Addendum for Tuesday, September 13, 2011
View Addendum reports at:

[http://www.co.monterey.ca.us/cob/Supplemental_Addendum%202011/](http://www.co.monterey.ca.us/cob/Supplemental_Addendum%202011/)

ADDENDUM

11.1 Adopt Resolution honoring Captain (Ret) Gordon R. Nakagawa, a distinguished Monterey County veteran for his years of service to the country and the county upon the occasion of his end in service. (Full Board, Supervisor Parker)

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