AGENDA
Tuesday, November 8, 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.
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(b), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.

Acting as Board of Directors of the Monterey County Redevelopment Agency:

CLOSED SESSION

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

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

CLOSED SESSION

   c. Pursuant to Government Code section 54957, the Board will confer regarding appointment to the position of Interim Water Resources Agency General Manager.

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)

APPOINTMENTS


OTHER BOARD MATTERS

7. Board Comments

8. CAO Comments and Referrals

9. 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 Receive a 2011 California State Association of Counties Challenge Award for the Kick Start Ex-Offender Re-Entry Employment Program.

S-2 a. Consider adoption of an Ordinance adding Chapter 2.33 to the Monterey County Code to establish the position of County Fire Warden;
   b. Approval of a Memorandum of Understanding (MOU) in support of the Monterey County Fire Warden Office;
   c. Appointment of the Cal Fire Chief for the San Benito-Monterey area to serve as the designated Fire Warden and Fuel Mitigation Officer;
   d. Authorizing the Chair of the Board of Supervisors to execute the MOU; and
   e. Directing staff to take such further actions as may be necessary or appropriate to implement that intent and purposes of the MOU.

12:00 P.M. RECESS TO LUNCH

1:30 P.M. RECONVENE

MONTEREY COUNTY BOARD OF SUPERVISORS

ROLL CALL
SCHEDULED MATTERS

S-3  Public hearing continued from October 18, 2011 (public testimony portion closed), to consider adoption of a Resolution to:
   a. Approve Owner/Applicant Jack Barbieri et al (Barbieri) request to shorten the term of Land Conservation Contract No. 71-47 as applicable to the Barbieri property (11.8 acres) to ten (10) years and to revise the corresponding Owner Initiated Notice of Non-Renewal and Amended Notice of Non-Renewal to provide for a ten (10) year period which shall relate back to the original Notice of Non-Renewal recording date of August 30, 2002 as applicable to a portion of Williamson Act Agricultural Preserve No. 71-47 (APN 137-161-015-000; 11.8 acres);
   b. Amend Board Resolution No. 05-303 as applicable to the Barbieri property to provide for a ten (10) year term;
   c. Authorize the Chair to execute a new or amended Land Conservation Contract and corresponding Amendment to Owner Initiated Notices of Non-Renewal as applicable to the Barbieri property;
   d. Direct the Clerk of the Board to record new or amended Land Conservation Contract and Amendment to Owner Initiated Notices of Non-Renewal; and
   e. Authorize Planning Director to offer similar terms to landowners within Agricultural Preserve No. 71-47 (APN 137-161-016-000; 13.02 acres and APN 137-161-017-000; 114.94 acres)
(Williamson Act - PLN110238/Jack Barbieri, et al., 1652 Old Stage Road, Central Salinas Valley Area Plan.)

S-4  Public hearing to consider:
   a. Adoption of a Resolution to certify the Environmental Impact Report and adopt Statement of Overriding Considerations;
   b. Adoption of a Resolution to: deny the appeal by Omni Resources LLC from the January 26, 2011 decision of the Monterey County Planning Commission; approve the Combined Development Permit for the project consisting of 1) Use Permit 2) General Development Plan; and 3) Design Approval for development of a 99,970 square foot retail center known as the Corral de Tierra Neighborhood Retail Village and 4) Lot Line Adjustment to modify the lot line between two existing parcels (5.6 acres and 5.38 acres in area) to create Parcel A (1.12 acres) and Parcel B (9.86 acres), subject to the recommended conditions; and adopt the Mitigation Monitoring and Reporting/Condition Compliance Plan; and
   c. Adoption of a Resolution denying the Applicant's request to rezone the Property to remove the "B-8" Overlay Zoning District from the subject site's overall "LC-B-8-D" zoning classification.
(Appeal, Discretionary Decision - PLN110077 (an appeal of PLN020344) Omni Resources, LLC, 5 Corral de Tierra Road, Salinas, Toro Area Plan)

ADJOURNMENT
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

10. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 3 to the Agreement (A-10289) with Aureus Radiology for Ancillary Registry Services at NMC in an amount not to exceed $800,000 in the aggregate and $200,000 for the period January 1, 2012 to December 31, 2012.

11. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 3 to the Agreement (No. A-11883) with HealthStream Inc. for Web Based Clinical Education Content Services at NMC, extending the Agreement to June 30, 2014 and adding $244,933.16 (of which $49,757.04 is for Fiscal Year 2011-12) for a revised total Agreement amount not to exceed $386,676.16 in the aggregate.

12. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement with Hooper, Lundy & Bookman, Inc. for Legal Services at NMC in an amount not to exceed $650,000 in the aggregate (an increase of $300,000) and extend the term to June 30, 2012.

13. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Renewal to the Agreement with Hydrex Pest Control for pest control services at NMC in an amount not to exceed $109,000 in the aggregate and $23,000 for the period July 1, 2011 to June 30, 2012.

14. a. Approve the Plans and Special Provisions for the Natividad Medical Center (NMC) Medical Surgical Physician Workroom Remodel and Administrative Office Refinish projects for contractors to bid on construction.; and b. Authorize the Clerk of the Board to advertise the "Notice to Contractors" in The Californian.

15. a. Approve the Plans and Special Provisions for the Natividad Medical Center (NMC) Seismic Upgrade (NPC-2/NPC-3) projects for contractors to bid on construction; and b. Authorize the Clerk of the Board to advertise the "Notice to Contractors" in The Californian.

16. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Smith and Enright Landscape Inc. per the Request for Proposal (RFP) No. 9600-19 for Landscape Maintenance Services at NMC in an amount not to exceed $325,987 in the aggregate (December 1, 2011 through November 30, 2014) including $98,784 for the period December 1, 2011 to November 30, 2012.
HEALTH AND SOCIAL SERVICES

17. Approve and authorize the request to the Judicial Council of California to increase the portion of the filing fee distribution to support the Alternative Dispute Resolution (ADR) Program in Monterey County from $3.00 to $8.00 per filing fee.

18. a. Approve and authorize the addition of 6 FTE Eligibility Worker II, 2 Eligibility Worker III, One Eligibility Supervisor, one Social Services Aide II, and 4 Office Assistant II;
   b. Authorize the Auditor-Controller to amend appropriations and estimated revenues in SOC 005 in the amount of $713,378 (4/5ths vote required); and
   c. Authorize the Auditor-Controller and the County Administrative Office to amend the position count in SOC 005.

19. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign the Fiscal Year 2011-12 annual amendment, and all future annual amendments, to the Memorandum of Understanding (MOU) with Monterey County Office of Education for leveraging of Title IV-E Foster Care Administrative funds, and to establish current fiscal year financial obligations of both parties.

20. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign Amendment No. 1 to the agreement with Community Human Services adding $150,000 to continue support for the Family-to-Family Initiative through June 30, 2012, increasing the total contract amount to $210,000; 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 10% of the original contract amount, and do not significantly change the scope of work.

CRIMINAL JUSTICE

21. a. Authorize the Sheriff and County Administrative Officer (CAO) to accept a grant award in the amount of $2,369,759 from the U.S. Department of Justice Office of Community Oriented Policing Services (COPS) Hiring Program (CHP) for the period of September 1, 2011 through August 31, 2014 to hire additional Deputy Sheriffs;
   b. Authorize the Sheriff to sign future grant modifications or amendments that do not significantly change the scope of work or result in an increase in County General Fund Contribution;
   c. Authorize the County Administrative Office to add seven (7.0) FTE Deputy Sheriff-Operations positions as detailed in the Board Order; and
   d. Authorize the Auditor-Controller to increase appropriations and estimated revenue as detailed in the Board Order. (4/5ths votes required)

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Supplemental for Tuesday, November 8, 2011

View Supplemental reports at:

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

MATERIALS SUBMITTED
(See link above)

S-3 Public hearing continued from October 18, 2011 (public testimony portion closed), to consider adoption of a Resolution. Williamson Act - PLN110238/Jack Barbieri, et al., 1652 Old Stage Road, Central Salinas Valley Area Plan.

Exhibit B – Aerial Photo

S-4 Appeal, Discretionary Decision - PLN110077 (an appeal of PLN020344) Omni Resources, LLC, 5 Corral de Tierra Road, Salinas, Toro Area Plan

Exhibit I – Letter from Regional Water Quality Control Board
Exhibit H – Soil & Groundwater Investigation Report

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