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

1. Additions and Corrections for Closed Session – There were no additions or corrections to Closed Session items.

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.
      Designated representative: Patricia Covert
      Employee organizations: All Units

   CLOSED SESSION REPORT: The Board conferred with labor negotiators, received information from labor negotiators and provided direction on these matters.

SA-1 b. Pursuant to Government Code section 54956.9(b) the Board will confer with legal counsel regarding one item of significant exposure to litigation.

   CLOSED SESSION REPORT: The Board conferred with legal counsel and provided direction on how to proceed.
10:30 A.M. RECONVENED

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

3. Pledge of Allegiance was led by Supervisor Potter.

4. Additions and Corrections: The Clerk of the Board announced agenda corrections and proposed additions which were acted on by the Board as provided in Section 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, the Board is asked to make the following additions and corrections:

AC-1 Adjourn in the memory of Diane Young

AC-2 to SA-2
Authorize Chair to sign a letter to Governor Arnold Schwarzenegger expressing the County’s extreme concern regarding adoption of a State budget which include deferral of State funding to County for social services and transportation programs and its corresponding negative impact on the County budget.

Motion to add Additions and Corrections made by Supervisor Salinas, seconded by Supervisor Potter. ALL AYES

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES

OTHER BOARD MATTERS:

6. Board Comments, Referrals, and Updates Received
   · Supervisor Armenta requested staff provide a status report, including analysis and recommendations, on his October 14, 2008 referral, regarding the County’s 1982 contracting-out policy within two weeks.
   · Supervisor Armenta requested staff return next week with a status report, on his previous referral from October 14, 2008, regarding how the County is handling temporary employees and to schedule a public hearing to receive information on this issue.

7. CAO Comments
   · County Administrative Officer, Lew Bauman, noted the Integrated Waste Management Board recently completed evaluation of the Environmental Health Division as our Certified Solid Waste Local Enforcement Agency (LEA). On January 6, 2009 they interviewed staff and analyzed LEA functions and made recommendations to the existing language in the operating agreements. The Health Department was recognized by the State for implementing an excellent program that successfully addressed all of the LEA duties and responsibilities and their staff expressed pleasure in the cooperation they
received from County staff. County Administrative Officer Bauman thanked Len Foster, Allen Stroh and all the staff at LEA.

County Administrative Officer, Lew Bauman, noted the Facilities Division, in an effort to reduce costs, initiated a project to improve mail operations County-wide, including methodology, equipment used and efficiencies. As a result of that effort, Facilities expects operating expenses will be reduced by $58,000.

8. Public Comment (Limited to 3 minutes per speaker):
   · John Flores encouraged the Board of Supervisors to support and participate in the U.S. Census and advised of the contributions counties would receive based on census results.
   · Julie Filice spoke on the issue of contracting-out and the impact on County employees during this economic crisis; she commented that employees could be displaced as a result of this policy. Ms. Filice also addressed the negotiated collective bargaining agreement in which employees received retirement benefits in lieu of COLAs.
   · Pat Kessler urged the Board to listen to the stories of ALBA farmers (Agriculture and Land Based Training Association) and support their efforts for equitable and respectful treatment by the ALBA organization.
   · Victor Almanzan, ALBA Farmer with Interpreter Paola Munoz, urged the Board to support the equitable treatment of farmers by ALBA. He requested the Board act as mediator between ALBA and the farmers and assist in finding representatives for the workers.
   · Irene Zamudio, with Interpreter, Paola Munoz, requested the Board help her maintain her contract with ALBA and continue to work. She is a single mother and needs to support her children.

9. Adopted Resolution No. 09-128 recognizing the Salinas Valley Memorial Healthcare System for their generous contribution to the Natividad Medical Foundation.
   Lew Bauman, County Administrative Officer, presented the Resolution recognizing the Salinas Valley Memorial Healthcare System for their generous contribution to the Natividad Medical Foundation, on behalf of the Board of Supervisors.
   Motion by Supervisor Potter, seconded by Supervisor Salinas. ALL AYES

SA-2 Authorize Chair to sign a letter to Governor Arnold Schwarzenegger expressing the County’s extreme concern regarding adoption of a State budget which include deferral of State funding to County for social services and transportation programs and its corresponding negative impact on the County budget.
   Motion by Supervisor Salinas, seconded by Supervisor Parker. ALL AYES

APPOINTMENTS:

NOTE: Agenda Items 10-16 were heard concurrently.
10. Appointed Kent L. Seavey to fill an unexpired vacancy of Enid Sales to the Historic Resources Review Board, for a term ending December 31, 2009. (Supervisor Potter)  
**Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES**

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

12. Appointed Paul Aschenbrenner to the Joint Citizen’s Advisory Committee representing Correctional Training Facility and Salinas Valley State Prison, for a term ending February 3, 2011. (Full Board)  
**Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES**

13. Reappointed Marilyn Bloom; John O’Brien; Robert Petty; and Marvin Wolf to the Area Agency on Aging Advisory Council, for terms ending January 1, 2012. (Full Board)  
**Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES**

14. Appointed Selina Irene Glater to fill a vacancy of Rhoda Grey to the Mental Health Commission, for a term ending May 31, 2011. (Supervisor Potter)  
**Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES**

15. Reappointed Mark Holbrook; Lance Monosoff; and Margaret Robbins to County Service Area (CSA) 50, for terms ending January 1, 2013. (Supervisor Potter)  
**Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES**

16. Reappointed John Adams to the Domestic Violence Coordinating Council, for a term ending January 6, 2013. (Supervisor Potter)  
**Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES**

**SCHEDULED MATTERS:**

S-1 Received and accepted the County Administrative Office’s report on the Sheriff’s Office Staffing Study update.  
**Motion by Supervisor Salinas, seconded by Supervisor Potter. ALL AYES**

S-2 Board Budget No. 08/09-114  
a. Board of Supervisors supported the Fiscal Year (FY) 2008-09 Mid-Year Budget Reduction Plans for the Planning Department, Building Services Department, and Resource Management Agency;
b. Directed staff to aggressively pursue efforts to vacate positions that may ultimately be deleted during FY 2008-09; and
c. Directed staff to report to the Board of Supervisors the success of their efforts by the end of March 2009.

Public Comment:
- Julie Filice, SEIU, commented on the "meet and defer" process; noted that this process provides an opportunity for the Union and staff to come up with cost saving ideas.
- Linda Valdez, SEIU 521, addressed actions in Building Services and staff duty changes; requested this item be pulled until Union can meet and confer.
- Ben Franklin, SEIU 521 Chapter President, requested the Board make sure the County speaks with the Union before any layoffs are implemented and all measures be taken to provide options to impact fewer employees; commented that the NMC CEO salary of $400,000 could be a concern to Union members.
- Bob Perkins, Salinas resident, commented that this is the worst time to impose new costs and regulations on citizens of the County.
- Delinda Robinson, Building Services Department employee, advised of cost saving measures in her department; recommended the Board consider incentives for early retirement throughout the County.

The Board additionally directed the Auditor-Controller, in consultation with Administration and the Union leadership, to determine an independent auditor to perform a financial audit on County; and

The Board directed County staff to actively engage with Union representatives and members in a productive and meaningful dialogue; and provide a schedule and structure of the sessions, to the Board, as well as the substance of the discussions.

**Motion by Supervisor Potter, seconded by Supervisor Salinas. ALL AYES**

**CONTINUED TO TUESDAY, FEBRUARY 10, 2009**

Receive and accept oral presentation on the Enterprise Resource Planning (ERP) Project.

**Motion by Supervisor Salinas, seconded by Supervisor Parker. ALL AYES**

County Counsel read out of Closed Session (see Agenda Item 2 a and SA-1)
ORDER FOR ADJOURNMENT

IN THE MEMORY OF DIANE YOUNG
UNOFFICIAL MAYOR OF PAJARO, CALIFORNIA

APPROVED:

/s/ Louis R. Calcagno
LOUIS R. CALCAGNO, CHAIR
BOARD OF SUPERVISORS

ATTEST:
GAIL T. BORKOWSKI
Clerk of the Board

BY: /s/ Gail T. Borkowski
CONSENT CALENDAR

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

HEALTH AND SOCIAL SERVICES:

17. Agreement No. A-11366; Board Budget No. 08/09-112
   a. Approved and authorized the Director of the Department of Social and Employment Services, or his designee, to sign an Agreement for $122,679 with Shelter Outreach Plus to provide Salinas, Monterey Peninsula and North County low-income residents with housing/homeless services, domestic violence services, and information and referral, for the period January 1, 2009 through December 31, 2009;
   b. Authorized the Director of the Department of Social and Employment Services, or his designee, to sign up to three (3) amendments to the 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; and
   c. Directed the Auditor-Controller to increase appropriations and estimated revenues in Budget Unit 592 by $76,054. (4/5th vote required)

18. Resolution No. 09-129 Proclaimed state of local emergency relating to the spread of HIV among injection drug users in Monterey County

19. Approved and authorized the Chair of the Board to sign a letter addressed to the State Water Quality Control Board that comments on the Draft Environmental Impact Report for proposed onsite wastewater treatment systems regulations and conditional waiver regulations pursuant to Assembly Bill 885.

CRIMINAL JUSTICE:

20. Approved the attached side letter between the County of Monterey and the Deputy Sheriff’s Association (DSA) to amend Personnel Policies and Practices Resolution (PPPR) Section A.2.3 Deputy Sheriff-Operations and Deputy Sheriff-Corrections Intradepartmental Transfers.

GENERAL GOVERNMENT:

21. Approved the recommendation of the Overall Economic Development Commission (OEDC) to fund the Fall Fiscal Year 2008-09 Development Set-Aside re-granting proposal submitted by the Arts Council for Monterey County (ACMC) in the amount of $128,980.
22. Approved the Action Minutes of Friday, November 21, 2008; Tuesday, December 9, 2008; Tuesday, December 16, 2008; and Tuesday January, 13, 2009; copies having been previously distributed to the Board of Supervisors.

23. Agreement Nos. A-11367; A-11368
   Approved and authorized the Contracts/Purchasing Officer to sign Master Agreements with Smokey Key Service (A-11367), and American Lock & Key (A-11368), to provide locksmith services on an as-needed basis for projects of $10,000 or less each, to the County of Monterey for the initial term of the date of signing the Agreements through June 30, 2010, including the option to extend each Agreement for three (3) additional one (1) year periods, with a yearly aggregate value estimated not to exceed $50,000 for each Agreement, in accordance with the terms and conditions set forth within each Agreement.

   a. Approved and authorized the Contracts/Purchasing Officer to sign a Master Agreement with Cinderella Carpet One, to provide tile/flooring installation services on an as-needed basis for projects of $10,000 or less each, to the County of Monterey for the initial term from the date of signing the Agreement through June 30, 2010, including the option to extend the Agreement for three (3) additional one (1) year periods, a yearly aggregate value estimated not to exceed $150,000 for each Agreement, in accordance with the terms and conditions set forth within each Agreement—Given the current County expenditure freeze, departments on a case-by-case basis, will determine the criticality of these services before entering into Agreements for services; and
   b. Authorized the Contracts/Purchasing Officer to sign similar additional Agreements for Tile/Flooring Installation Services with qualified contractors who meet the minimum requirements of the County of Monterey.

25. Agreement No. A-11370
   a. Approved and authorized the Contracts/Purchasing Officer to sign a Master Agreement with Cinderella Carpet One to provide carpet installation services on an as-needed basis for projects of $10,000 or less each, to the County of Monterey for the initial term from the date of signing the Agreement, through June 30, 2010, including the option to extend the Agreement for three (3) additional one (1) year periods, a yearly aggregate value estimated not to exceed $150,000 for each Agreement, in accordance with the terms and conditions set forth within each Agreement—Given the current County expenditure freeze, departments on a case-by-case basis, will determine the criticality of these services before entering into agreements for services; and
   b. Authorized the Contracts/Purchasing Officer to sign similar additional Agreements for Carpet Installation Services with qualified contractors who meet the minimum requirements of the County of Monterey.
26. Agreement No. A-11371
   a. Approved the California Department of Corrections and Rehabilitation Standard Agreement to allow inmate community service work crews to perform general clean-up services for the County’s Parks Department; and
   b. Authorized the Parks Director to execute the Agreement on behalf of the County.

27. Agreement No. A-11372; Board Budget No. 08/09-113
   a. Authorized the Contracts Purchasing Officer to ratify and execute a Non-Standard County Agreement for four Enhancement Proposals signed by the Director of Emergency Communications with Tiburon, Inc. to add mobile data, mapping and automatic vehicle location functionality to the County’s Computer Aided Dispatch (CAD) system in the amount of $319,154;
   b. Authorized the Contracts/Purchasing Officer to issue a sole source purchase order for the four additional Tiburon software modules, licenses plus ongoing maintenance and support;
   c. Increased appropriations and revenue in the amount of $359,154 in Budget Unit 152, including $319,154 from the City of Salinas’ COPS grant, as shown on the attached Board Order (4/5th vote required);
   d. Approved and authorized the receipt of $40,000 from the Users Advisory Council to Budget Unit 152 - Emergency Communication for the remaining cost of the upgrade (4/5th vote required); and
   e. Directed the Auditor-Controller to amend the Fiscal Year 2008-09 Budget Unit 152 to reflect the changes in Revenues and Appropriations, as shown on the attached Board Order.

RMA – PUBLIC WORKS:

28. Introduced ordinance, waived reading, and scheduled a hearing on Tuesday, February 24, 2009, at 10:30 a.m. to consider adoption of an Ordinance amending the Monterey County Code, Title 12, Sections 12.28.010 and 12.28.012, to replace an existing no parking at any time for commercial vehicles restriction with no parking at any time for all vehicles on the east side of Merritt Street (State Highway 183) between Union Street and Poole Street, in Castroville.

29. Introduced ordinance, waived reading, and scheduled a hearing on Tuesday, February 24, 2009, at 10:30 a.m. to consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to increase an existing 0.50 mile long speed zone on Reservation Road at Davis Road from 45 m.p.h. to 50 m.p.h., near Salinas.
30. Introduced ordinance, waived reading, and scheduled a hearing on Tuesday, February 24, 2009, at 10:30 a.m. to consider adoption of an Ordinance amending the Monterey County Code, Title 12, Sections 12.24.010 and 12.24.20, to establish a stop intersection at Sargents Road and a private road at milepost 5.86. Stops required on Sargents Road at both entrances to the private road and on the private road at the westbound entrance to Sargents Road, San Ardo area.

31. Approved the prioritization of expenditures from the 2007 Refunding and Public Facilities Financing Certificates of Participation issuance held in the Acquisition Fund by the trustee, as follows: 1) New Health Headquarters; 2) Salinas Courthouse North Wing; 3) Salinas Courthouse East and West Wings; and 4) Government Center Parking Structure.

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