### BOARD OF SUPERVISORS

Fernando Armenta  
1st District  
Lew C. Bauman  
County Administrative Officer

Louis R. Calcagno  
2nd District (Chair)  
Charles J. McKee  
County Counsel

Simón Salinas  
3rd District (Vice-Chair)

Jane Parker  
4th District

Dave Potter  
5th District

Gail T. Borkowski  
Clerk of the Board

Phone: (831) 755-5066

P. O. Box 1728  
Salinas, CA 93902

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### ACTION MINUTES

MONTEREY COUNTY BOARD OF SUPERVISORS  
MONTEREY COUNTY WATER RESOURCES AGENCY

TUESDAY, JULY 14, 2009  
9:00 A.M.

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**9:00 A.M.**

**ROLL CALL:**

Present: Supervisors Salinas (Vice Chair), Armenta, and Potter

Absent: Supervisors Calcagno and Parker

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1. Additions and Corrections for Closed Session: There were no additions or corrections for 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 a liability claim against the County of Monterey.

   (1) Veronica Valdez

   **CLOSED SESSION REPORT:** The Board conferred with legal counsel and provided settlement authority to County Counsel and if the item is settled, the settlement agreement will be available to the any member of the public once it is finalized.

   b. Pursuant to Government Code section 54957, the Board will confer with labor negotiators.
(1) Designated representatives: Keith Honda, Patricia Covert and Jonathan Holtzman; Employee organizations: Units A, B, C, D, E, and S.

CLOSED SESSION REPORT: The Board conferred with labor negotiators and provided direction to the negotiators on how to proceed in negotiations.

c. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.

CLOSED SESSION REPORT: The Board provided direction to Counsel regarding the settlement proposal; no final action was taken for any settlement proposal.

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

CLOSED SESSION REPORT: The Board conferred with Counsel and provided authority to Counsel to initiate litigation and to try to resolve this matter short of litigation.

10:30 A.M.

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

3. County Administrative Officer Lew Bauman led the Pledge of Allegiance.

4. Additions and Corrections: There were no additions or corrections.

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   Motion by Supervisor Potter, seconded by Supervisor Armenta. 3-0 (Supervisor Calcagno and Supervisor Parker Absent)

6. CONSENT CALENDAR - MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet, Item No. 27)
   Motion by Supervisor Potter, seconded by Supervisor Armenta. 3-0 (Supervisor Calcagno and Supervisor Parker Absent)

OTHER BOARD MATTERS:

7. Board Comments
   Supervisor Armenta made a referral to the County Administrative Office to research the request of Financial Marketing Concepts to offer county residents “a coast to coast prescription County discount cards” and whether this is something that can be considered supporting for the County of Monterey.
8. CAO Comments and Referrals
County Administrative Officer Lew Bauman advised of two referrals from Supervisor Parker:
1) Request for a County-wide Breast feeding policy, additional strategies and report to inform strategies to be forwarded to the Health Department.
2) Request for Board packet materials to be expedited to the Board offices and larger reports exceeding 50 pages be sent to Supervisors at least 10 days in advance of the Board meeting. The CAO will work with the Clerk of the Board to bring this to Department heads and follow up on these referrals.

9. Public Comment (Limited to 3 minutes per speaker):
Bill Freeman, Marjorie Kay, Ed Mitchell, and Hans Jongens

RESOLUTIONS

10. Adopted Resolution No. 09-339 proclaiming the week of July 19 through 25, 2009, as "Probation Services Week." (Full Board)
Motion by Supervisor Potter, seconded by Supervisor Armenta. 3-0
(Supervisor Calcagno and Supervisor Parker Absent)

11. Adopted Resolution No. 09-338 honoring Community Human Services for 40 years of service providing professional and affordable Mental Health Counseling and Substance Abuse Recovery Services to residents of Monterey County. (Supervisor Calcagno)
Motion by Supervisor Potter, seconded by Supervisor Armenta. 3-0
(Supervisor Calcagno and Supervisor Parker Absent)

12. Authorized Chair of the Board to sign and resubmit a letter to the Speaker of the California State Assembly nominating Supervisor Dave Potter to a seat on the California Coastal Commission. (Full Board)
Motion by Supervisor Armenta, seconded by Supervisor Salinas to approve staff recommendation to authorize the Chair of the Board to sign and resubmit a letter to the Speaker of the California State Assembly nominating Supervisor Dave Potter to a seat on the California Coastal Commission, emphasizing Dave Potter’s experience as the Chair of the County’s Legislative Committee and as lead Supervisor for Monterey County in dealing with legislative affairs at both the State and Federal levels.
3-0 (Supervisor Calcagno and Supervisor Parker Absent)

13. Received Budget Committee Report and Action Minutes for the 3rd Quarter of Fiscal Year 2008-09.
Motion by Supervisor Armenta, seconded by Supervisor Potter. 3-0
(Supervisor Calcagno and Supervisor Parker Absent)
APPOINTMENTS:

14. Appointed Steve McCullough to the Commission on Disabilities. (Supervisor Potter)
   
   Motion by Supervisor Armenta, seconded by Supervisor Potter. 3-0
   (Supervisor Calcagno and Supervisor Parker Absent)

Recessed to Lunch - Joint Board Leadership Committee Meeting

1:30 P.M. RECONVENED

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

SCHEDULED MATTERS

S-1 Board Budget No. 09/10-006
a. Conducted a public hearing and adopted Resolution No. 09-348 that authorizes the submittal of an application to the Department of Housing and Urban Development for a Neighborhood Stabilization Program 2 (NSP 2) grant in the amount of $16,066,308 to purchase, rehabilitate and resell foreclosed homes, and to provide financial assistance to homebuyers, and that authorizes the committal of a local match from the County Building Services Department in the amount of $316,800 and $498,833 from the County Behavioral Health Division;

b. Approved a Consortium Agreement between the County and the City of Salinas designating the County as the Lead Applicant;

c. Authorized the Redevelopment and Housing Office Director to make minor modifications and sign the grant application submittal documents, and authorize the County Administrative Officer to sign the all required certifications; and

d. Authorized the Redevelopment and Housing Office Director to sign all required NSP 2 reports, including Requests for Funds.

   Public comment: Bill Carrothers, Joe Vierra, Stacy Smith, Hans Jongens, and Joel Alvarez.

   Motion by Supervisor Potter, seconded by Supervisor Armenta. 3-0
   (Supervisor Calcagno and Supervisor Parker Absent)

S-2 Resolution No. 09-354 Conducted a public hearing and:

a. Approved an addendum to the Hidden Hills Estates and Hidden Ridge Estates Final Environmental Impact Report (EIR No. 80-111) certified July 14, 1981; and

b. Approved a Combined Development Permit consisting of: 1) an Amendment to the Hidden Hills Estates Subdivision Final Map; 2) Administrative Permit
and Design Approval for development of a new 1,200 square foot detached 3-car garage and a new 850 square foot caretaker unit in a Visual Sensitivity or "VS" Zoning District; 3) Use Permit for ridgeline development; and 4) Administrative Permit for a new 850 square foot detached Caretaker Unit. (Combined Development Permit Application - PLN080370/Hardbrodt, 11431 Saddle Road, Monterey, Greater Monterey Peninsula Area Plan)

Motion by Supervisor Potter, seconded by Supervisor Armenta. 3-0 (Supervisor Calcagno and Supervisor Parker Absent)

S-3 Resolution No. 09-353. Conducted a public hearing and:

a. Considered the Addendum to the Environmental Impact Report (EIR) for the Santa Lucia Preserve (EIR 94-005); and
b. Approved a Map Amendment (Tate/PLN090032) of the Santa Lucia Preserve Phase A Subdivision Map. (Map Amendment - PLN090032/ Charles Tate, 14 Rancho San Carlos Road, Carmel, Greater Monterey Peninsula Area Plan)

(Originally Consent Item 24)

Public comment: Joel Panzer, for applicant Charles Tate.

Motion by Supervisor Potter, seconded by Supervisor Armenta to approve staff recommendation and add language to Condition No. 11 as follows: "should further geological investigation occur, the geologist determines that the zone boundaries can be adjusted, the geologist shall submit their findings in writing to the Director of Planning for review and approval, without subsequent public hearings or modifications to the map."

3-0 (Supervisor Calcagno and Supervisor Parker Absent)

ORDER FOR ADJOURNMENT IN MEMORY OF KEITH BADHAM TO TUESDAY, JULY 21, 2009

APPROVED:

LOUIS R. CALCAGNO, CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: __________________________
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

15. Agreement No. 11487
   a. Approved and authorized the Director of the Department of Social & Employment Services to sign an Agreement for $761,403 with the ACTION Council of Monterey County to provide project leadership and coordination for Differential Response aka: Pathways to Safety and Wraparound redesign for the period July 1, 2009 through June 30, 2010; and
   b. Authorized 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.

16. Agreement No. A-11488
   a. Approved and authorized the Director of the Department of Social and Employment Services to sign an Agreement totaling $191,622.00 with Aspiranet for the operation of the CHERISH Receiving Center; and
   b. Authorized the Director of the Department of Social and Employment Services, or his designee; to sign up to (3) amendments to this Agreement where the total amendments do not exceed ten percent (10%) and do not significantly change the scope of work.

17. Agreement No. A-11489 Approved and authorized the Chair to sign an Agreement with the Central California Alliance for Health to provide health plan benefits for eligible IHSS providers for the period July 1, 2009 through June 30, 2011, including the Termination provision in Exhibit A-I, Sections 4.0 through 5.2, and Mutual Indemnification provisions in Exhibit A-I, Sections 9.14 and 9.15, with the first twelve (12) months funding of $2,347,865 July 1, 2009 through June 30, 2010.

18. Agreement No. A-11490
   a. Approved and authorized the Director of the Department of Social and Employment Services, or his designee, to sign an Agreement with Door to Hope, Inc. for $282,080 for the period July 1, 2009 through June 30, 2010 for the provision of perinatal substance abuse prevention and intervention services to Monterey County children and their families; and
   b. Approved and authorized 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%) and do not significantly change the scope of work.
19. Agreement No. A-11491
   a. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign a contract with San Francisco State University in the amount of $161,000 for the provision of staff training and procurement of training resources for the period July 1, 2009 through June 30, 2010, including mutual indemnification (Exhibit F), and insurance modifications (Exhibit E); and
   b. Authorized 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.

19.1 Authorized the Contracts and Purchasing Officer to sign all deed transfer related documents, amendments, and approve the costs associated with the property transfer for the parcel identified as Building 3070 located at 298 12th Street, Marina, in the former Ft. Ord.

CRIMINAL JUSTICE:

20. Agreement No. A-11492
   a. Approved and authorized the District Attorney to sign a contract for $54,000 with the Victim Compensation and Government Claims Board for Fiscal Year 2009-10 for the continuation of the "Criminal Restitution Compact Unit; and
   b. Authorized the District Attorney to sign up to three future amendments to this agreement where the amendments do not exceed ten percent (10%) and do not significantly change the scope of the Agreement.

21. a. Approved and authorized the District Attorney to submit a joint grant application with the City of Salinas, City of Monterey and City of Seaside to the Federal Government under the Justice Assistance Grants (JAG) Program for Fiscal Year 2009-10 in the amount of $25,408 to purchase computer equipment and security identification cards. No cash match is required; and
   b. Authorized the County Administrative Officer to sign a Memorandum of Agreement as well as a joint application for the grant with the City Managers of Salinas, Monterey and Seaside.

GENERAL GOVERNMENT:

22. Approved Action Minutes of Monday, June 8, 2009; Tuesday, June 9, 2009 and Tuesday, June 16, 2009.

23. Adopted Resolution No. 09-351 proclaiming County support for the 2010 United States Census and authorizing the Chair of the Board to sign the Resolution on behalf of the County.
RMA - PLANNING DEPARTMENT:

24. Moved to Scheduled item S-3

RMA - PUBLIC WORKS:

25. Agreement no. A-11493
   a. Approved a Contract to Purchase Permanent Easement for Right of Way and a
      Permanent Easement Grant Deed for Right of Way with Jesus R. Vasquez,
      (99.13 square feet, 17095 El Rancho Way, APN 261-121-025), in the amount
      of $1,625; Frances Cabrera Trull, (88.44 square feet, 17105 El Rancho Way,
      APN 261-122-027), in the amount of $1,150; William Fred Berg and Diane
      Jeannette Berg, Trustees of the William Fred Berg and Diane Jeanette Berg
      2006 Trust (25.00 square feet, 17110 El Rancho Way, APN 261-131-033), in
      the amount of $300; and Steven V. Carroll, (64.00 square feet, 419 Hyland
      Drive, APN 261-122-017), in the amount of $1,000, for the Hyland Drive and
      El Rancho Way Storm Drain and Street Improvements Project, Project No.
      09-1567; and
   b. Authorized the Director of Public Works to execute the Contract to Purchase
      Permanent Easement for Right of Way and a Permanent Easement Grant Deed
      for Right of Way (Jesus R. Vasquez, 99.13 square feet, 17095 El Rancho
      Way, APN 261-121-025; Frances Cabrera Trull, 88.44 square feet, 17105 El
      Rancho Way, APN 261-122-027; William Fred Berg and Diane Jeannette
      Berg, Trustees of the William Fred Berg and Diane Jeanette Berg 2006 Trust,
      25.00 square feet, 17110 El Rancho Way, APN 261-131-033; and Steven V.
      Carroll, 64.00 square feet, 419 Hyland Drive, APN 261-122-017), and the
      Certificate of Acceptance and Consent to Recordation on behalf of the
      County.

26. Agreement No. A-11494
   a. Approved and authorized the Contracts/Purchasing Officer to execute a three-
      year Standard Lease Agreement with Goldman Land and Development
      Company for 3,500 square feet of space located at 1356 Dayton Street, Unit
      H, Salinas, California, for use by the Health Department;
   b. Directed the Auditor-Controller to make lease payments in the amount of
      $1,925 per month, and in accordance with the terms of the agreement; and
   c. Authorized the optional extension of the Standard Lease Agreement for two
      additional two-year periods under the same terms and conditions, if deemed
      by the Contracts/Purchasing Officer to be in the best interest of the County.

RMA - MONTEREY COUNTY WATER RESOURCES AGENCY:

27. Board Budget No. 09/10-007 Acting as the Board of Supervisors of the Water
    Resources Agency of the County of Monterey: Approved a payment of $291,537
    to San Luis Obispo County for the Monterey County Water Resources Agency’s
    portion of the replacement cost of a Log Boom and Flow Meter at Nacimiento
Reservoir and amend the Agency’s Fiscal Year 2009-10 Fund 130 (Hydroelectric Fund) Fixed Asset Budget to accommodate the payment.

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