12 PM Lunch Meeting title revised.
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 más pronto posible, y a lo mínimo 24 horas de anticipio 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(a), the Board will confer with legal counsel regarding existing litigation.
      (2) LandWatch Monterey County v. County of Monterey; MCSC case no. M109434
      (3) The Open Monterey Project v. Monterey County Board of Supervisors; MCSC case no. M109441
      (4) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey; MCSC case no. M109442
      (5) Salinas Valley Water Coalition, et al. v. County of Monterey; MCSC case no. M109451

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

   c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
      (1) Todd Arcoleo
      (2) Jennifer and Isabella Arcoleo
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.

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 as the Monterey County Board of Supervisors

Convene as the Board of Directors of the Monterey County Redevelopment Agency

MONTEREY COUNTY REDEVELOPMENT AGENCY

ROLL CALL:

6. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet, Item 73 & 74)

Adjournment

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

MONTEREY COUNTY WATER RESOURCES AGENCY

ROLL CALL:

7. CONSENT CALENDAR - MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet, Item 75-76)

Adjournment

Reconvene as the Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS
CEREMONIAL RESOLUTIONS:

8. Adopt Resolution honoring Patricia Wagner upon her Retirement from the County of Monterey after 41 years of Public Service. (Full Board)

9. Adopt Resolution honoring Louis G. Solton, Treasurer-Tax Collector, upon his retirement from Monterey County after 27 years of Public Service (Full Board)

10. Adopt Resolution Commending Sheriff Mike Kanalakis, Monterey County Sheriff's Office upon his retirement after 34 years of Public Service. (Full Board)

11. Adopt Resolution commending Chief Deputy Raymond E. McLaughlin, Monterey County Sheriff's Office upon his retirement after 25 years of Public Service. (Full Board)

12. Adopt Resolution Commending Undersheriff Nancy M. Cuffney, Monterey County Sheriff's Office upon her retirement after 33 years of Public Service (Full Board)

13. Adopt Resolution Commending Chief Deputy Steven R. Deering, Monterey County Sheriff's Office upon his retirement after 32 years of Public Service (Full Board)

14. Adopt Resolution honoring Mark Sliger upon his retirement from the County of Monterey after 25+ years of Public Service. (Full Board)

15. Adopt Resolution Recognizing the Achievements of an "Undisclosed Recipient" upon their retirement from the County of Monterey (Full Board)

RECESS

Recess to reception honoring retirees.

APPOINTMENTS:

16. Acknowledge the retirement of Louis G. Solton as elected Treasurer-Tax Collector effective December 17, 2010 and appoint Mary A. Zeeb as interim Treasurer-Tax Collector effective December 18, 2010

17. Acknowledge the retirement of Mike Kanalakis as elected Sheriff-Coroner effective December 31, 2010, and appoint Scott Miller as interim Sheriff-Coroner effective December 31, 2010, at 12:01 a.m.

18. Reappoint Thomas Davis to the Military & Veterans Affairs Advisory committee term ending January 1, 2014. (Supervisor Parker)
19. Appoint Jose Mendez to the Monterey County Planning Commission to fill an unexpired term ending January 23, 2014. (Supervisor Armenta)

20. Reappoint David Hart to the Monterey County Water Resources Agency Board of Directors term ending December 31, 2014. (Full Board)

OTHER BOARD MATTERS:

21. Board Comments, Referrals, and Updates

22. CAO Comments

23. 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.


25. Review current Ad Hoc and Standing Committees; and
   a. Approve revised Definitions and Policy language related to Standing Committees;
   b. Determine whether the committees will continue, be disbanded, or change designation, as provided in the approved Definitions and Policy Language for Board Created Ad Hoc and Standing Committees; and
   c. Direct staff to provide follow-up information as requested by the Board of Supervisors.

SCHEDULED MATTERS

S-1  a. Receive and accept the preliminary General Fund Contribution Planning Estimates Worksheet, and
   b. Provide direction to staff.

12:00 P.M. LUNCH – BOARD OF SUPERVISORS AND MONTEREY COUNTY WATER RESOURCES AGENCY BOARD OF DIRECTORS JOINT BOARD LEADERSHIP COMMITTEE MEETING

1:30 P.M. RECONVENE

ROLL CALL:
SCHEDULED MATTERS

S-2 Receive a briefing from the County Administrative Office (CAO) and Management Partners, Inc. (MPI) on the development and implementation of the County's Performance Management System

S-3

a. Consider the staffing options presented for the General Plan Implementation Plan; and
b. Direct staff to take the necessary steps to develop a more detailed cost estimate to implement the Board's preferred option for completion of the General Plan Implementation Plan. (General Plan Implementation Plan - REF100051 - Inland area of County)

S-4 Public Hearing for the Board of Supervisors to consider:

a. Adopting an interim ordinance as an urgency measure that establishes a General Plan consistency determination process for discretionary and ministerial permits, pending adoption of applicable programs and ordinances to implement the 2010 Monterey County General Plan; or
b. Providing direction to staff to draft a detailed interim ordinance pending adoption of applicable programs and regulations to implement the General Plan.

(General Plan Interim Ordinance - REF100050/County of Monterey-4/5th vote required) (continued from December 7, 2010, Item S-7)

S-5 Continued public hearing from November 30, 2010, to:

a. Grant the appeal of William McKiernan from the August 26, 2010 discretionary decision by the Zoning Administrator to approve the Combined Development Permit (PLN090364/Pelio)

b. Categorically exempt the Combined Development Permit (PLN090364/Pelio) pursuant to Sections 15301(d), 15301(e), and 15303 of the California Environmental Quality Act (CEQA) Guidelines; and

c. Approve the Combined Development Permit, based on Findings and Evidence subject to Conditions of approval, and deny the applicant's request for the caretaker unit located at the southwest end (rear) of the subject property. The Combined Development Permit consists of: 1) a Coastal Administrative Permit to allow the construction of a new second story and remodel of an existing single family dwelling, the reconstruction of an existing detached accessory structure, and associated grading; 2) a Coastal Development Permit to allow the conversion of 900 square feet of the existing 2-car garage/storage accessory structure into a caretaker unit; 3) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 4) a Variance to exceed the Pescadero Watershed coverage limitations.
S-6 Continued Public Hearing:
Consider further continuance of the public hearing on a Petitioner/Freeholder initiated Petition to vacate/abandon a 0.74 mile segment of an unimproved County Road commonly known as Old Stage Road, and variously known in the past as Los Angeles Stage Road, Monterey/Los Angeles Road, Old El Camino Real, Bee Rock Road or Old County Road in the Bradley area of South Monterey County, and Petitioner/Freeholder fee waiver request.

S-7 Consider adopting Resolution approving and authorizing the Chair of the Board of Supervisors to sign the Monterey County Community Wildfire Protection Plan (MCCWPP) - (Community Wildfire Protection Plan - PD090290, Countywide) (continued from December 7, 2010, Item S-5)

CLOSED SESSION REPORT:

ORDER FOR ADJOURNMENT
(Supplemental Sheet)

CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

26. a. Adopt Resolution finding that there was sufficient cause to take actions on an emergency basis for necessary repairs to a decayed high voltage pole cross arm support and creation of an Emergency Purchase Order (EPO*182) for J M Electric in the amount of $15,214.42 for emergency electrical repairs performed on November 5, 2010 (invoice #2271) at Natividad Medical Center (NMC)
   b. Ratify the execution of the purchase order and emergency actions taken by the NMC Purchasing Manager in response to the identified emergencies (4/5th vote required).

27. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with Aureus Radiology, LLC in an amount not to exceed $200,000, an increase of $100,000, for Diagnostic Imaging, Cardio-Pulmonary, Radiology, Occupational/Physical Therapy, and Pharmacy Registry Services at Natividad Medical Center for the period January 1, 2011 to December 31, 2011.

28. a. Adopt Resolution finding that there was sufficient cause to take actions on an emergency basis for necessary repairs to a failed sewer pump and creation of an Emergency Purchase Order (EPO*185) for Disaster Kleenup Specialists Monterey Bay Inc. in the amount of $99,135.33 for emergency cleaning and remediation repairs performed over a two week period beginning September 6, 2010 (invoice #03216W) at Natividad Medical Center (NMC); and
   b. Ratify the execution of the purchase order and emergency actions taken by the NMC Purchasing Manager in response to the identified emergencies (4/5th vote required).

29. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Agreement with FujiFilm Medical Systems USA, Inc. for Software/Hardware Support Services at NMC in an amount not to exceed $113,000 for the period January 1, 2011 to August 30, 2013.

30. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an amendment to the Master Agreement in the amount of $250,000 for Nurse Registry Services (RFP # 10093), from $1,265,030 to $1,515,030 for the period December 1, 2010 to June 30, 2011.
31. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment #1 to the Agreement with Stericycle Inc. for Removal of Pharmaceutical, Pathological, Biological and Chemo Waste Services at NMC in an amount not to exceed $200,000 (an increase of $100,000) for the period September 1, 2010 to June 30, 2011.

32. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment #2 to the Agreement with PSM Medical Imaging Specialists (PSM) for continued Radiology, Picture Archiving and Communication System (PACS) Administration and Support Services at NMC in an amount not to exceed $390,500 (an increase of $220,500) for the period January 1, 2011 to December 31, 2011.

33. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Professional Medical Services Agreement with Ventana Faculty Medical Associates of Monterey County to provide Family Medicine Services at NMC in an amount not to exceed $990,000 for the period January 1, 2011 to December 31, 2011.

**HEALTH AND SOCIAL SERVICES:**

34. Approve and authorize the Director of Health to sign Amendment 2 to the Mental Health Services Agreement A-11450 with Youth Connection of Ventura County dba Casa Pacifica for the provision of mental health services. Amendment 2 adds $156,670 (FY 2010-11 $67,399 and FY 2011-12 $89,271), for a revised total amount not to exceed $1,086,583 for the period September 27, 2010 through June 30, 2012.

35. a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 3 to Mental Health Services Agreement No. A-11196 with Davis Guest Home, Inc. for the provision of mental health treatment services to adults with severe psychiatric disabilities. Amendment No. 3 adds $263,250 for a revised Fiscal Year 2010-11 amount of $756,000 and a total amount not to exceed of $1,908,602; and
   b. Authorize the Contracts/Purchasing Officer, to approve future amendments to this Agreement where the amendments do not exceed 10% of the original contract amount and do not significantly change the scope of work or result in an increase in net county contribution.

36. Approve and authorize the Director of Health to sign Amendment 1 to the Mental Health Services Agreement A-11548 with Victor Treatment Centers Inc. for the provision of mental health services. Amendment 1 adds $34,056 (FY 2010-11 $17,028 and FY 2011-12 $17,028), for a revised total amount not to exceed $625,356 for the period July 1, 2010 through June 30, 2012.
37. a. Approve and authorize the Director of Health to sign a three fiscal year term Mental Health Services Agreement (FY 2010-11, 2011-12 and 2012-13) with Edgewood Center for Children and Families in the amount of $68,781 for FY 2010-11, $82,855 for FY 2011-12, and $82,855 for FY 2012-13 for a total Agreement amount of $234,491; and 
b. Authorize the Director of Health, to sign up to three future amendments to this Agreement where the amendments do not exceed 10% of the annual amount, and do not significantly change the scope of work, or result in an increase in net county contribution.

38. a. Approve and Amend the FY 2010-11 Health - Clinic Services Budget 4000, HEA007, to reallocate one (1.0) FTE Clinic Physician II to one (1.0) FTE Contract Physician; and 
b. Direct the Auditor-Controller's Office and the County Administrative Office to amend the FY 2010-11 Budget as outlined in the Board Order.

39. Approve a change to Article III, Section 3.2 of the In Home Supportive Services (IHSS) Advisory Committee bylaws eliminating a staggered term cycle and eliminating term limits for the members.

40. a. Consider and authorize Department of Social and Employment Services to participate in the Enhanced In-Home Supportive Services (IHSS) Anti-Fraud Program in Fiscal Year 2010-11; and 
b. Approve the Department's Fiscal Year 2010-11 Plan for Fraud Investigation and Program Integrity Efforts and authorize the Chair to sign the transmittal to the California Department of Social Services requesting allocation of funds of $269,753.

41. a. Authorize the Contracts/Purchasing Officer to approve and sign a Professional Services Agreement with James Stubblefield, M. D., for the period of December 01, 2010 through November 30, 2011 for Medical Director services for the Emergency Medical Services Agency, in the total amount of $80,100 upon receipt of all required and updated documents and certificates of professional liability insurance; 
b. Authorize the Auditor-Controller's Office to process payment for work completed prior to approval of the Agreement; 
c. Authorize the modification of the County standard insurance requirements pertaining to General Liability Insurance and Business Automobile Liability Insurance; and 
d. Authorize the Director of Health to approve future amendments up to five percent (5%) of the annual amount, which do not significantly alter the scope of work or result in an increase to Net County Costs.

42. a. Direct the Military and Veteran's Affairs Officer to provide the County Medal of Honor to the family of Monterey County resident who dies while serving on Active duty as a member of the Armed Forces;
b. Direct staff on behalf of the Board of Supervisors to issue letters of condolences and purchase flowers for the family when any employee or their immediate family members dies while serving on active duty as a member of the Armed Forces; and

c. Direct the Chair to appeal to the Governor of California for a proclamation that the National flag shall be flown at half-staff within the County of Monterey when any employee or their immediate family member (or any resident of the County of Monterey) dies while serving on active duty as a member of the Armed Forces, following all protocols for lowering of the flag.

CRIMINAL JUSTICE:

43. a. Authorize the Auditor-Controller to amend PRO001-Probation Department's Budget to increase estimated revenue and appropriations in the amount of $773,702 during Fiscal Year 2010-11 (4/5th vote required); and

b. Authorize the Contracts/Purchasing Officer to sign Amendment No.1 to Agreement No. A-11556 with Behavioral Interventions, Inc. for a no-cost extension through June 30, 2012 to continue services to adult offenders participating in the Day Reporting Center.

44. Approve and authorize the Chief Probation Officer to accept a grant award in the amount of $100,000 from the California Emergency Management Agency for the Probation Specialized Supervision Program during the period October 1, 2010 to September 30, 2011, and sign all grant-related documents and amendments.

45. a. Approve and authorize the Chief Probation Officer to accept a grant award in the amount of $1,500,000 from the US Department of Health and Human Services for the Silver Star Gang Prevention and Intervention Program during the period September 30, 2010 to February 29, 2012, and sign all grant-related documents and amendments; and

b. Authorize the Auditor-Controller to amend PRO001-Probation Department's Budget to increase estimated revenue and appropriations in the amount of $752,376 for services funded by the grant in Fiscal Year 2010-11 (4/5th vote required).

46. a. Approve and authorize the Sheriff to accept a grant award from the Justice Assistance Grant (JAG) Program through California Emergency Management Agency (Cal EMA) for Marijuana Suppression Program grant funding for Fiscal Year 2010-11 in the amount of $275,000; and

b. Authorize the Auditor-Controller to increase appropriations and estimated revenues in the amount of $275,000 in the Sheriff's Office Budget Unit as detailed in the attached Board Order (4/5th Vote Required)

47. Approve and authorize the Sheriff on behalf of the Joint Gang Task Force (Task Force) to accept a grant award with the Federal Department of Justice, Office of
Justice Program’s Bureau of Justice Assistance FY 2010 Congressionally Selected Award in the amount of $500,000.

**GENERAL GOVERNMENT:**

48. Adopt Resolution authorizing the Board of Supervisors Chair to sign a Memorandum of Understanding with the Monterey Salinas Transit District confirming its membership in the Monterey County Operational Area Authority and Inter-Jurisdictional Emergency Management Coordination System, administered through the Monterey County Office of Emergency Services.

49. Approve and Authorize the Contracts/Purchasing Officer to sign Amendment No. 3 to the Professional Services Agreement with the law firm of Duane Morris & Associates, increasing the total amount of the contract from $200,000 to $250,000, and extending the expiration date from December 31, 2010 to December 31, 2011, for risk management legal consulting and support services.

50. Adopt Resolution to approve the Memorandum of Understanding (MOU) between Unit S Monterey County Registered Nurses' Association (MCRNA) and the County of Monterey effective July 1, 2010 through June 30, 2011.

51. a. Adopt Resolution requesting the Tax Collector to schedule APN 261-122-018-000, commonly known as 415 Hyland Drive, for public auction, based upon a request from the Board of Directors of the Redevelopment Agency; and

b. Acknowledge and approve the written plan adopted by the Redevelopment Agency describing how the property will be used for low-income housing.

52. Adopt Resolution to approve tentative settlement letters of understanding negotiated with Unit S Monterey County Registered Nurses' Association (MCRNA), Units Q and V Monterey County Park Rangers' Association (MCPRA) and Units M and N Monterey County Probation Association (MCPA) regarding pay issues that surfaced as a result of the implementation of the new Advantage HRM/Payroll system.

53. Consider accepting receipt of the 2009-2010 Annual Report for the Redevelopment Agency of the County of Monterey

54. a. Approve and authorize the Contracts/Purchasing Officer to sign a Professional Services Agreement with DELTAWRX Management Consultants for project management and related services for the Monterey County Next Generation Radio System Project (NGEN) in an amount not to exceed $570,000 for the period of December 15, 2010 through June 15, 2013 subject to final, non-substantive changes agreeable to County and to be approved by County Counsel;
b. Approve and authorize the Contracts/Purchasing Officer to sign up to three (3) amendments to this agreement, where the total amendments do not exceed ten percent (10%) of the original contract amounts, and do not significantly change the scope of work upon approval of County Counsel and the Director of Emergency Communications provided that funds are available in the NGEN Project Fund (EME002);

c. Approve and authorize the transfer of $205,422 from the Capital Projects Fund 402 Unit 8174 to the NGEN Radio Project Fund 405 Budget Unit (BU) 1520 to pay the County share of NGEN soft costs for FY 2010/2011; and

d. Authorize the Auditor-Controller to increase revenue and appropriations in the NGEN Radio Project Fund (EME002) by $500,000 (4/5th vote required)

55. Authorize the Auditor-Controller to allow District Attorney Investigators to accumulate a maximum of 480 hours of compensatory time-off, clarifying the Board's Order of July 12, 2005, item 42.

RMA - PLANNING DEPARTMENT:

56. a. Approve Amendment No. 3 to Professional Services Agreement No. A-11509 with LSA Associates, Inc. where the Base Budget is increased by $11,471 for a total amount not to exceed $81,471 to provide additional services for completion of a Final Environmental Impact Report (FEIR) for the Corral de Tierra Neighborhood Retail Village Subdivision (PLN020344) in the Corral de Tierra/San Benancio area, for a term through December 31, 2010; and

b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 3 to Professional Services Agreement No. A-11509 and future amendments to this Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount. (Amendment - PD060592/LSA Associates, Inc., County-wide)

57. a. Approve Amendment No. 10 to Professional Services Agreement No. A-10267 with Pacific Municipal Consultants (PMC) where the Base Budget is increased by $11,508 to $172,689 with no increase to the Contingency amount of $20,190, for a total amount not to exceed $192,879 to provide additional services associated with the Environmental Impact Report (EIR) for the Harper Canyon Subdivision (PLN000696), north of San Benancio Road in Salinas, and extend the term through February 15, 2011; and

b. Approve Amendment No. 10 to Reimbursement Agreement and Funding Agreement No. A-10269 with Harper Canyon Realty, LLC where the Base Budget is increased by $11,508 to $172,689 and the County Surcharge is increased by $4,028 to $60,441, with no increase to the Contingency amount of $20,190, for a total amount not to exceed $253,320 to allow reimbursement and funding to Monterey County for costs incurred by PMC and County departments to provide additional services associated with the EIR for the Harper Canyon Subdivision (PLN000696), north of San Benancio Road in Salinas, and extend the term through February 15, 2011; and
c. Authorize the Director of Planning to execute Amendment No. 10 to Professional Services Agreement No. A-10267, Amendment No. 10 to Reimbursement Agreement and Funding Agreement No. A-10269 and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.
(Amendment - PD060591/Pacific Municipal Consultants, Countywide)

58. Consider approving and authorizing the Chair of the Board of Supervisors to execute a Historic Property Contract with Yohn C. Gideon and Melanie A. M. Gideon, trustees of the Gideon Trust, owners of the Captain's Inn located at 8122 Moss Landing Road, Moss Landing (Assessor's Parcel Number: 133-212-007-000) (Mills Act Historic Property Contract Applications - Gideon/Captain's Inn, PLN100457, Moss Landing)

59. Consider approving and authorizing the Chair of the Board of Supervisors to execute a Historic Property Contract with Roger Blattberg and Anne S. Blattberg, owners of the Joan Baez residence located at 40 Miramonte Road, Carmel Valley (Assessor's Parcel Number: 187-041-062-000) (Mills Act Historic Property Contract Applications - Blattberg/Baez residence, PLN100458, Carmel Valley)

60. a. Accept the Tax Clearance Certification, and the Parcel Map Guarantee; Permit Approval Notice, Mitigation Monitoring and/or Reporting Plan, and Conservation and Scenic Easement Deed;
b. Authorize the Chair of the Board of Supervisor to sign the Conservation and Scenic Easement Deed;
c. Find that the final map is in substantial compliance with the tentative map for Phase V of the Tehama (Canada Woods) Standard Subdivision;
d. Approve the Final Map for Tehama Phase V (Canada Woods) Standard Subdivision (PC95065); and
e. Direct the Clerk to the Board to submit the Final Map, Permit Approval Notice, Mitigation Monitoring and/or Reporting Plan, and Conservation and Scenic Easement Deed to the County Recorder for recording.
(Final Map - PC95065/Tehama Phase V (Canada Woods), northerly of Carmel Valley Road adjacent to and southerly of the Canada Woods North Subdivision (a.k.a. Tehama), Carmel Valley Master Plan)

61. a. Accept a Final Map for Phase II of the Kennedy Standard Subdivision consisting of dividing a 125.25-acre parcel into nine 5.1 acre parcels, one 39.35-acre parcel and a 40-acre remainder parcel;
b. Accept the Parcel Map Guarantee and Property Tax Clearance Certificate (Subdivision);
c. Approve Inclusionary Housing Agreement and Subdivision Improvement Agreement; and
d. Direct the Clerk of the Board to submit the Final Map, Inclusionary Housing Agreement and Subdivision Improvement Agreement to the County Recorder for recording.
62. a. Accept the Deed of Open Space and Conservation and Scenic Easement;
b. Authorize the Chair to execute the Deed of Open Space and Conservation and Scenic Easement; and
c. Direct the Clerk of the Board to submit the Deed of Open Space and Conservation and Scenic Easement to the County Recorder for recordation.

(Final Map-PLN060014/Kennedy, approximately 2.5 miles from intersection of Murphy Road and Lockwood-Bradley Road (South County Area Plan))

63. RMA - PUBLIC WORKS:

64. Adopt Resolution:
   a. Accepting the Certificate of Completion for construction of the Laureles Grade/State Route 68 Intersection Improvements, Project No. 09-112065; and
   b. Authorizing the Director of Public Works to execute and record the Notice of Completion.

65. Adopt Resolution to terminate the emergency authorized to implement flood remediation repairs at the North Wing of the Salinas Courthouse, located at 240 Church Street, Salinas, California.

66. Adopt Resolution:
   a. Finding that there was sufficient cause to take actions on an emergency basis for necessary repairs to the Transformer Switch at the former Natividad Hospital (Contractor - JM Electric), Fire Suppression System at 168 W Alisal (Contractor - Roto Rooter), Boiler Repair in the Salinas Courthouse West Wing (Contractor - San Jose Boiler Works), and Water Damage Repairs to the Agricultural Commissioner Building Annex (Contractors - Disaster Kleenup Specialists and Ream Construction); and
   b. Ratifying the execution of purchase orders and emergency actions taken by the Contracts/Purchasing Officer in response to the identified emergencies (4/5th vote required).

67. a. Ratify Professional Services Agreement with Thomas Theobald to provide litigation support services regarding past construction practices used at the Renovation of the North Wing of the Salinas Courthouse, Project No. 8772,
for a total amount not to exceed $33,750, for the term August 1, 2010 to November 15, 2010; and
b. Authorize the Contracts/Purchasing Officer to execute the Professional Services Agreement.

68. Reject all bids for the Procurement (Delivery and Application) of Asphalt Emulsion for Seal Coat 2010 Project, Contract No. 11-551120 in certain County road work, but authorize the performance of maintenance work for the Parks Department Roads with County forces under the direction and supervision of the Director of Public Works.

69. a. Approve Utility Agreement No. 2205.2 with Pacific Gas and Electric Company for the relocation of electric distribution poles for 100% of the actual net cost to Pacific Gas and Electric Company estimated to be in the amount of $39,949.00 for the construction of Lonoak Road Bridge Replacement Project; and
b. Authorize the Director of Public Works to execute Utility Agreement No. 2205.2 and future amendments that do not significantly alter the scope of work.

70. a. Approve and authorize the Director of Public Works or his designee to execute a Right of Way Contract with The State of California Department of Transportation for property located along State Route 1, south of Gorda, at Post Mile 0.3, for State Highway purposes; and
b. Authorize the Director of Public Works or his designee to execute the Easement Deed; and
c. Authorize the Director of Public Works or his designee to submit the Easement Deed for Recordation on behalf of the County.

71. a. Approve Amendment No. 2 to the Cooperative Agreement #05-CA-0200 with Caltrans for the preparation of Project Report and Environmental Documentation for the State Route 1 Climbing Lane Project between Rio Road and Carmel Valley Road;
b. Authorize the Chair of the Board to execute Amendment No. 2 to the Cooperative Agreement #05-CA-200;
c. Direct the Clerk of the Board to submit Amendment No. 2 to the County Clerk-Recorded for filing; and
d. Authorize the Director of Public Works to execute all future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

72. a. Approve a Professional Services Agreement with TRC Engineers, Inc. to provide preliminary engineering and environmental services for Phase 1 of the Castroville Railroad Crossing Bicycle/Pedestrian Path (RFQ/RFP #10197), Project No. 862265, Federal Aid Project No. STPLHSR-5944 (058), in an amount not to exceed $329,510 for the initial term of one year from execution
of the Agreement through December 28, 2011, including the option to extend the Agreement for two (2) additional one (1) year periods, in accordance with the terms and conditions of the Agreement; and
b. Authorize the Contracts/Purchasing Officer to execute the Professional Services Agreement and future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original Agreement amount and do not significantly alter the scope of work.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

73. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Request the Board of Supervisors to adopt Resolution requesting the Tax Collector to schedule APN 261-122-018, commonly known as 415 Hyland Drive, for public auction;
   b. Approve the written plan describing how the property will be used; and
   c. Direct staff of the Redevelopment Agency to request that the subject property be transferred to the Redevelopment Agency prior to completion of the public auction process.

74. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approve the 2009-2010 Annual Report for the Redevelopment Agency of the County of Monterey; and
   b. Authorize submittal of the Annual Report to the State of California.

MONTEREY COUNTY WATER RESOURCES AGENCY:

75. Acting as the Board of Supervisors of the Water Resources Agency:
   a. Authorize the Chair of the Board of Supervisor of the Monterey County Water Resources Agency to sign the Agreement Re: Drainage and Flood Control System for the Tehama V Subdivision; and
   b. Direct the Clerk of the Board to submit the Agreement Re: Drainage and Flood Control System to the County Recorder for recording.
   (Final Map - PC95065/Canada Woods (a.k.a Tehama V) Located Northerly of Carmel Valley Road adjacent to and southerly of the Canada Woods North Subdivision (a.k.a. Tehama) Carmel Valley Master Plan)

76. Acting as the Board of Supervisors of the Water Resources Agency:
   a. Ratify the execution of the Drainage and Flood Control Systems Agreement for the Kennedy Subdivision by the Chair of the Board of Supervisors, recorded on February 26, 2010; and
   b. Approve and Authorize the Chair of the Board of Supervisors of the Monterey County Water Resources Agency to sign the Dedicated Groundwater Monitoring Well Easement; and
c. Direct the Clerk of the Board to submit the Dedicated Groundwater Monitoring Well Easement to the County Recorder for recording.
(Final Map-PLN060014/Kennedy located approximately 2.5 miles from the intersection of Murphy and Lockwood-Bradley Road, South County Area Plan)

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Supplemental / Addendum for Tuesday, December 14, 2010

View Addendum reports at:

http://www.co.monterey.ca.us/cob/BOS%20Supplemental_addendum/default.aspx

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**ADDENDUM**

**Item Added Under Consent – Regular – Health and Social Services**

42.1 Introduce, waive the reading, and set January 11, 2011 at 10:30 a.m. to consider adoption of an ordinance amending Section 10.70.080 and repealing Section 10.70.120 of the Monterey County Code relating to indoor smoking restrictions.

**Item Added Under Consent – Regular - General Government**

55.1 a. Authorize the County Debt Manager to execute all documents necessary to complete financing of the Natividad Medical Center Equipment Leasing Project (NMC Project); and
b. Adopt a Resolution of the Board of Supervisors of the County of Monterey authorizing the execution and delivery by the County of a lease agreement and an acquisition fund and control agreement to finance (and reimburse for prior expenditures related to) medical equipment and improvements for Natividad Medical Center and authorizing execution of necessary documents and certificates and related actions.

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**SUPPLEMENTAL**

**MATERIALS SUBMITTED**

(See link above)

**Under Scheduled Matters - Revised Materials**

S-7 Revised Monterey County Community Wildfire Protection Plan (MCCWPP) related to:
Consider adopting Resolution approving and authorizing the Chair of the Board of Supervisors to sign the Monterey County Community Wildfire Protection Plan (MCCWPP) - (Community Wildfire Protection Plan - PD090290, Countywide). (continued from December 7, 2010, Item S-5)