AGENDA

Tuesday, February 1, 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, favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un intérprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de antípico 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

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 items of significant exposure to litigation.

   b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
      (1) County of Santa Clara v. Atlantic Richfield, et al. (Santa Clara County Superior Court case no. CV788657; Sixth Appellate District case no. H031540; California Supreme Court case no. S163681)
      (2) Highway 68 Coalition v. County of Monterey (MCSC case no M106390)

   c. Pursuant to Government Code section 54957, the Board will provide performance evaluation for the Natividad Medical Center CEO.

Continuance of Closed Session to be held at the conclusion of the Board’s Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board.

10:30 A.M. RECONVENE

ROLL CALL

3. Pledge of Allegiance

4. Additions and Corrections

The Clerk of the Board will announce agenda corrections and proposed additions which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.
5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

Recess

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

MONTEREY COUNTY REDEVELOPMENT AGENCY

ROLL CALL

6. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet, items 28 and 29)

Adjournment

Reconvene as the Monterey County Board of Supervisors

Monterey County Board of Supervisors

CEREMONIAL RESOLUTIONS

7. Adopt Resolution Proclaiming February 11, 2011 "2-1-1 Day" in recognition of the health and human service information referral services offered throughout the County of Monterey by 2-1-1 Monterey County. (Full Board)

8. Adopt Resolution commending Beverly Roth Kovacs, Social Worker V, on her retirement from over thirty-six years of dedicated public service with the Monterey County Department of Social and Employment Services, Family and Children's Services Branch. (Full Board)

APPOINTMENTS

9. Appoint Chris Cullen to the Fish & Game Advisory Commission term ending February 1, 2014. (Supervisor Potter)

OTHER BOARD MATTERS

10. Board Comments

11. CAO Comments and Referrals

12. 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.

13. Review current designations of Ad Hoc and Standing Committees; and
   a. Approve designations for Board committees for 2011, as recommended in Attachment B; and
   b. Provide further direction to staff.

14. Consider and approve appointments of Board of Supervisors members to various boards, committees and commissions for Calendar Year 2011.


**SCHEDULED MATTERS**

S-1 Receive a preliminary report on the Governor's FY 2011-12 State Budget Proposal. (Continued from January 25, 2011)

S-2 a. Receive and accept the County of Monterey Cost Savings Committee report; and
   b. Direct Budget staff in the Administrative Office to explore the feasibility of implementing a Budget Savings Incentive Plan.

12:00 P.M. RECESS TO LUNCH

1:30 P.M. RECONVENE

**ROLL CALL**

**SCHEDULED MATTERS**

S-3 Receive an oral report from Monterey County's federal representative, Congressman Sam Farr.

**ADJOURNMENT**
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

16. a. Authorize and approve the Department of Social and Employment Services to develop and submit a Volunteer Income Tax Assistance (VITA) "Earn It! Keep It! Save It!" Grant Program application to the California Department of Community Services and Development for $85,228;
   b. Authorize the Director of the Department of Social and Employment Services, or his designee, to sign an agreement with the California Department of Community Services and Development if grant is awarded; and
   c. Authorize the Director of the Department of Social and Employment Services, or his designee, to sign up to three (3) amendments to the California Department of Community Services and Development 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.

17. Approve and amend the FY 2010-11 Health - Clinic Services Budget 4000, HEA007, Unit 8105, to reallocate one (1.0) FTE Patient Services Representative II to one (1.0) FTE Medical Assistant.

GENERAL GOVERNMENT:

18. Authorize the Assessor to use the County website to provide value notices pursuant to Section 621 of the California Revenue and Taxation Code.

19. a. Accept the recommendation of the Monterey County Fish and Game Commission to award a funding grant to purchase 100 California State Fish and Game Warden Stamps; and
   b. Approve the distribution of Fish and Game grant funds in the amount of $500.00 for a specific grant project for Fiscal Year 2010-2011.

20. Adopt Resolution to approve two settlement letters of understanding negotiated with SEIU Local 521, Unit K (Social Services) and Monterey County Probation Association (MCPA), Unit N, regarding pay issues that surfaced as a result of the implementation of the new payroll system.

21. a. Adopt Resolution to amend Personnel Policies and Practices Resolution No. 98-394 to amend Section A.25.6 Pay Off as indicated in attachment A; and
   b. Authorize the Auditor-Controller to implement the terms of this amendment.

22. Authorize a 4th step salary position placement of the newly appointed Assistant Treasurer-Tax Collector.
23. Approve and authorize the Chair of the County Board of Supervisors to execute a Settlement and Mutual Release Agreement in the amount of $33,380.40 to settle a disputed claim regarding the amount of compensation due and owing for work performed by Consumer Electric, Inc. at Natividad Medical Center between September 1, 2010 through November 30, 2010

24. a. Adopt Resolution to approve Side Letter Agreements regarding Sections 13.1.C Flexible Benefits Plan, County Elective Contributions and 13.2 Alternative Benefit Option addressing flexible credits for part-time employees in Units H and S; and
b. Authorize the Auditor-Controller to implement the terms of these agreements.

25. a. Make findings that Redevelopment Agency funding for the design and construction of the proposed Madison Lane Street and Storm Drain Improvement Project will be of significant benefit to the Boronda Redevelopment Project Area; that no other reasonable means of financing the improvements are available to the community; and that the payment of funds for the cost of the improvement will assist in the elimination of one or more blighting conditions, and is consistent with the adopted Implementation Plan for the Boronda Redevelopment Project; and
b. Approve and authorize the Chair to sign a Funding Agreement between the County and the Redevelopment Agency of the County of Monterey to fund the proposed Project.

RMA – PLANNING:

26. Monterey County 2010 General Plan:
   a. Authorize expenditure of an additional amount not to exceed a total of $52,509 for the services of The Sohagi Law Group, PLC, for tasks related to the completion of the 2010 General Plan and its associated Environmental Impact Report, and for participation in hearings before the Board of Supervisors;
   b. Authorize expenditure of an additional amount not to exceed a total of $40,647 for the services of Jones & Stokes Associates, Inc. for tasks related to the completion of the 2010 General Plan and its associated Environmental Impact Report, participation in hearings before the Board of Supervisors, and support during litigation regarding the 2010 General Plan;
   c. Authorize the County Administrative Officer to execute an amendment to Professional Services Agreement No. A-11088 (Jones & Stokes Associates) to augment the amount payable as authorized above and extend the term of the Agreement until the conclusion of all litigation related to the 2010 General Plan;
   d. Authorize the County Administrative Officer to execute an amendment to Professional Services Agreement No. A-11187 (Kimley-Horn and Associates) solely for the purpose of extending the term of the Agreement
until the conclusion of all litigation related to the 2010 General Plan for support during such litigation;

e. Authorize County Counsel to execute an appropriate amendment to Agreement No. A-111028 for Specialized Attorney Services with The Sohagi Law Group, PLC, to augment the amount payable as authorized above, and process payments for all consultants pursuant to this action; and,

f. Authorize the Auditor Controller to transfer $93,156 from General Fund Contingencies 001-CAO020-1050-8034-7811 to County Counsel 001-COU001-1210-8057-6606 (4/5 vote required).

RMA - PUBLIC WORKS:

27. Adopt Resolution:
   a. Accepting the Certificate of Completion for the Rehabilitate Fire Doors-1412 Natividad Project No. 8530, Bid No. 10231; and
   b. Authorizing the Director of Public Works to execute and record the Notice of Completion.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

28. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approve a resolution authorizing submittal of a grant application to the California Department of Resources Recycling and Recovery (CalRecycle) for funding in the amount of $149,781 under the Tire Derived Product Grant (TDP) for the proposed Pajaro Neighborhood Park synthetic turf, landscaping and playground surfaces; and
   b. Authorize the Director of the Redevelopment and Housing Office to make modifications to and sign the grant application submittal documents as well as any contracts, amendments and other related documents to the application and grant funding.

29. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Make findings that Redevelopment Agency funding for the design and construction of the proposed Madison Lane Street and Storm Drain Improvement Project will be of significant benefit to the Boronda Redevelopment Project Area; that no other reasonable means of financing the improvements are available to the community; and that the payment of funds for the cost of the improvement will assist in the elimination of one or more blighting conditions, and is consistent with the adopted Implementation Plan for the Boronda Redevelopment Project; and
   b. Approve and authorize the Chair to sign a Funding Agreement between the County and the Redevelopment Agency of the County of Monterey to fund the proposed Project.