9:00 A.M.

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

1. Additions and Corrections for Closed Session:

   Charles McKee, County Counsel, announced a correction to Closed Session Item corrections and proposed additions, which were acted on by the Board as provided in Section 54954.2 of the California Government Code.

   AC-1 2. c. Government Code section 54956.9 (b) corrected to Government Code section to 54956.8.

2. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54956.8, the Board of Directors of the Redevelopment Agency will confer with real property negotiators.
      Property: The Ord Market area of the former Fort Ord
      Agency negotiator: Jim Cook
      Under negotiation: Terms

   CLOSED SESSION REPORT: The Board provided direction to Mr. Jim Cook on how to proceed in potential negotiations.
b. Pursuant to Government Code section 54956.95, the Board will confer with legal counsel regarding liability claims:
   1. Lolita Machado

   CLOSED SESSION REPORT: The Board rejected the liability claim of Lolita Machado.

c. Pursuant to Government Code section 54956.8 the Board will confer with real property negotiators. Property: County owned property at the corner of Laurel Drive and Constitution Boulevard (APN’s 003-851-021, -024, and -027)
   County Negotiator: Wayne Tanda, RMA Director
   Negotiating Parties: County of Monterey and the Salinas Regional Sports Authority
   Under negotiation: Price and Terms

   CLOSED SESSION REPORT: The Board conferred with real property negotiators and provided direction to Mr. Wayne Tanda on how to proceed.

d. 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 provided direction to Counsel on how to proceed in that matter to try to avoid litigation.

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

3. Pledge of Allegiance was led by Supervisor Armenta.

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.

AC-2 PULLED AND CONTINUED CONSENT ITEM 29 TO MARCH 17, 2009
29. Adopt Resolution to Approve a Zero Property Tax Transfer for the Proposed Annexation of Rancho Los Robles to the Pajaro County Sanitation District.
   Motion by Supervisor Potter, seconded by Supervisor Armenta to accept Additions and Corrections ALL AYES

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   Supervisor Parker pulled the following Consent Items for discussion 25; 34 and SA-1.
   Members of the Public requested items 21 and 22 be pulled for discussion.
   Motion by Supervisor Parker, seconded by Supervisor Armenta approved all Consent Items excluding Items 21; 22; 25; SA-1 and 34. ALL AYES

   PUBLIC COMMENT ON CONSENT ITEMS: See items 21, 22, 25, 34, and SA-1.
OTHER BOARD MATTERS:

6. Board Comments, Referrals, and Updates Received
   · Supervisor Armenta submitted a letter to the Board of Supervisors today, from Monterey Bay Central Labor Council AFL-CIO, requesting Monterey County's support of a Resolution of the Employee Free Choice Act, with a request to return in two weeks for support of the Resolution.
   · Supervisor Parker announced the Budget Workshop meetings on March 4, 2009 and March 17, 2009. Supervisor Parker invited the public to attend a meeting on March 8, 2009 from 3 p.m. to 5:00 p.m., at the Marina Library, on the Budget impacts and to receive public feedback on priorities to bring back to the Board for deliberation.
   · Supervisor Calcagno commented on a budget committee report on the parking issue at the County. He apologized to Public Works staff and commended staff for their work, but criticized the lack of effort by everyone to end the parking problems at the County building.

7. CAO Comments – Lew Bauman confirmed that parking at the County building will be at top priority.

8. Public Comment (Limited to 3 minutes per speaker)
   · Bob Perkins, Executive Director, Monterey County Farm Bureau, stated the Directors of the Farm Bureau opposes a County business license program and urged the Board to abandon a possible business license program. He also commented on Inspection Warrants.
   · Sylvia Waldrup Quarles, President Monterey County Branch of the NAACP, thanked 4th District Supervisor Parker and staff for their support and sponsorship given to the NAACP and submitted an American Legacy magazine to Board members. She commented on the 2006 Health Disparity Profile, and the sponsorship of the first public program by the NAACP. She advised there has been no follow-up report on that program.
   · LaVonne Stone, Executive Director of the Ford Ord Environmental Justice Network, requested information on the formation of committees. She stated environmental justice is a health concern in Monterey County and especially of the low income community. She requested an environmental justice committee be formed under the County's jurisdiction.
   · Hans Jongens commented on various economic issues including the request of Monterey Bay Central Council for the Board's support of a Resolution of the Free Choice Act.

9. Adopted Resolution No. 09-151 recognizing the week of March 15 through March 21, 2009, as "Mediation Week in California." (Supervisor Salinas)
   Motion by Supervisor Parker, seconded by Supervisor Potter.  ALL AYES

10. Adopted Resolution No. 09-143 honoring Chief Sidney Reade for her 33 years of service to the Carmel Valley Fire Protection District. (Supervisor Potter)
    Motion by Supervisor Parker, seconded by Supervisor Potter.  ALL AYES
11. Adopted Resolution No. 09-145 honoring Louis R. Calcagno for receiving the 2009 Santa Cruz County Farm Bureau’s Al Smith Friend of Agriculture Award. (Supervisor Calcagno)
Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES

12. Adopted Resolution No. 09-146 honoring Monterey County Treasurer-Tax Collector, Lou Solton, for his dedicated service to the Natividad Medical Center Board of Trustees. (Supervisor Calcagno)
Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES

APPOINTMENTS:

13. Reappointed Robert Spencer to the Salinas Rural Fire Protection District, term ending March 1, 2013. (Supervisor Potter)
Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve.
ALL AYES

Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve.
ALL AYES

15. Appointed Chris Orman to the North Monterey County Recreation and Park District Board of Directors, to fill the unexpired term of Polly Jimenez, term ending November 30, 2010. (Supervisor Calcagno)
Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve.
ALL AYES

16. Appointed Fire Chief Chris Orman to the Emergency Medical Services Council to fill the unexpired term of Fire Chief Mike Urquides, term ending June 30, 2010. (Full Board)
Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve.
ALL AYES

17. Appointed Vicki Briesacker; Larry Drury; Noemy Loveless; Eileen McCourt to the Child Care Planning Council, terms ending December 31, 2009. (Full Board)
Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve.
ALL AYES

18. Reappointed Denise Noel; Judy O’Mara; Jeanne Garcia; Ron Graddy; and Maria Guerrero to the Child Care Planning Council, terms ending December 31, 2009. (Full Board)
Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve.
ALL AYES
19. Appointed Debi Diaz; Ana Duran; Theresa Ikstrums; Pat Maldonado; Debra McAlahaney-Dodson; Yvonne Rickets; Gail Root; Jerry Speraw; and Shannan Watkins to the Child Care Planning Council, terms ending December 31, 2010. (Full Board)
Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve.
ALL AYES

20. Reappointed Caroline Carney; Jessie Miranda and Alycia Young to the Child Care Planning Council, terms ending December 31, 2010. (Full Board)
Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve.
ALL AYES

SCHEDULED MATTERS:

S-1 a. Acknowledged receipt of Coastal Commission certification of the proposed amendment of the certified Local Coastal Program Implementation Plan to modify Section 20.58.050.F of the Monterey County Code to eliminate the covered parking requirement for new residential development in residential zoning districts other than High Density and Medium Density Residential Districts;
b. Adopted Ordinance 5127 to amend Section 20.58.050.F of the Monterey County Code;
c. Directed staff to transmit the adopted Ordinance to the California Coastal Commission to incorporate into the public file; and
d. Directed staff to transmit a Final Local Action Notice (FLAN) to the California Coastal Commission for the amendment of Section 20.58.050.F of the Monterey County Code. (Amendment - PLN060514/Amendments to Chapter 20.58, North Coast Coastal, Big Sur Coastal, Carmel Area and Del Monte Forest Land Use Plans)
PUBLIC COMMENT:
· Hans Jongens questioned the need to eliminate covered parking in the coastal zone.
Motion by Supervisor Potter, seconded by Supervisor Salinas. ALL AYES

S-2 a. Received a presentation from the City of Salinas Enterprise Zone Manager on the Salinas Valley Enterprise Zone designation;
b. Adopted Resolution No. 09-155 to approve the Memorandum of Understanding (MOU) between the California Enterprise Zone Program and the Salinas Valley Enterprise Zone (SVEZ); and
c. Authorized the Chair of the Board to sign the MOU between the California Enterprise Zone Program and the Salinas Valley Enterprise Zone (SVEZ).
PUBLIC COMMENT:
· Mary Ann Leffel complemented all those involved in the Salinas Valley Enterprise Zone project and how it fits into the Monterey County Business Council model, as well as the benefits to the Salinas Valley and the surrounding region.
Motion by Supervisor Parker, seconded by Supervisor Salinas. ALL AYES
S-3  Received status report on public access to Board of Supervisors agendas and reports through the County’s Clerk of the Board of Supervisors’ Website.

PUBLIC COMMENT:
   · Bob Perkins Executive Director Monterey County Farm Bureau, expressed his appreciation for the implementation of access to reports on-line and encouraged the Board to adopt the practice that all relevant documents are made available, including public comments submitted to the Board.

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

Recessed to Lunch

1:30 P. M. RECONVENED

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

SCHEDULED MATTERS:

S-4  Board Budget No. 08/09-122
   a. Received the Three-Year Financial Forecast for the period of 2008-09 through 2011-12; and
   b. Directed staff to return with a detailed analysis of how they use realignment funds in covering other health care costs.

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

Charles McKee, County Counsel read out of Closed Session (See Item 2 a-d)

ORDER FOR ADJOURNMENT
TO SPECIAL MEETING OF MARCH 4, 2009

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

HEALTH AND SOCIAL SERVICES:

21. Concurred with the Monterey County Workforce Investment Board (WIB) Executive Committee to accept $72,890 in additional job training economic stimulus grant funds from the Governor’s Workforce Investment Act (WIA) 25 Percent Dislocated Worker Additional Assistance fund.

Public Comment:
· LaVonne Stone, Executive Director of the Fort Ord Environmental Justice Network, expressed concerns related to environmental health. She asked where her organization fits in with regard to the economic stimulus grant funds from the Governor’s Workforce Reinvestment Act and which jobs are being generated under the dislocated workers assisted fund.

This Item voted on concurrently with 22; 25; 34 SA-1
Motion by Supervisor Parker, seconded by Supervisor Salinas approved
ALL AYES

22. Agreement No. A-10858
Concurred with the Monterey County Workforce Investment Board (WIB) recommendation to:
   a. Approve and authorize the execution of Amendment No. 1 to the Agreement between the County of Monterey and Shoreline Workforce Development Services in an amount not to exceed $470,487, an increase of $209,851, for the period of April 1, 2007 through June 30, 2009, to provide recruitment, assessment and enrollment of ninety-six (96) Workforce Investment Act (WIA) eligible adults in the field of Certified Nursing Assistant (CNA), plus set aside $97,920 of the total contract amount for disbursement to employers for On-the-Job Training contracts; and
   b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to this Agreement, where the total amendments do not exceed ten percent (10%), and do not significantly change the scope of work.

Public Comment:
· Lavonne Stone, Executive Director of the Fort Ord Environmental Justice Network, expressed concern about how the funds will be used and how her organization and members of her community will benefit.

This Item voted on concurrently with 21; 25; 34 SA-1
Motion by Supervisor Parker, seconded by Supervisor Salinas approved
ALL AYES
23. Concurred with the Monterey County Workforce Investment Board to approve the acceptance of $500,000 in Workforce Investment Act (WIA) Discretionary fifteen percent (15%) grant funds from the State of California Employment Development Department (EDD) for the Governor’s Gang Reduction, Intervention and Prevention initiative.

   a. Approve and authorize the Director of Health to sign a Mental Health Services Agreement with Psynergy Programs, Inc., at Cielo Vista in Greenfield for residential services to adults with severe psychiatric disabilities in the annual amounts of $123,080 for the period of January 1, 2009 through June 30, 2009; $248,200 for July 1, 2009 through June 30, 2010; and $248,200 for July 1, 2010 through June 30, 2011, for a total maximum Agreement amount of $619,480; and
   b. Authorized the Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original Agreement amount, and do not significantly change the scope of work.

25. CONTINUED TO MARCH 17, 2009
   Approve and authorize the Emergency Medical Services Agency Director to submit the revised Monterey County EMS Plan to the California State Emergency Medical Services Authority.

Public Comment:
- Supervisor Parker requested item 25 be pulled and continued to March 17, 2009.

This Item voted on concurrently with 21; 22; 34 SA-1
Motion by Supervisor Parker, seconded by Supervisor Salinas approved ALL AYES

CRIMINAL JUSTICE:

26. a. Approved and authorized the Sheriff’s Office to fund community youth grants from the Sheriff’s Drug and Youth Gang Education Asset Forfeiture Fund for various non-profit organizations and schools in Monterey County to combat drug abuse and divert gang activity in an amount not to exceed $22,000 in Fiscal Year 2008-09; and
   b. Approved and authorized the change in procedure of retroactive approval of disbursements from the Drug and Youth Gang Education Asset Forfeiture Fund.

27. Board Budget No. 08/09-123
   a. Approved increased estimated revenues and appropriations in the amount of $250,138 in Budget Unit 256-Juvenile Institutions and Alternative Programs from the Youth Offender Block Grant during Fiscal Year (FY) 2008-09 (4/5th vote required); and
   b. Directed the Auditor-Controller to amend the FY 2008-09 Budget Unit 256 to reflect the change in revenue and appropriations.
GENERAL GOVERNMENT:

28. Approved and authorized delegation of authority to the Assistant County Administrative Officer, or designee, to negotiate and execute any and all necessary documents to implement the intent of the Transfer Agreement(s) for the following Court Facilities: Salinas Courthouse - North Wing, Monterey Courthouse, King City Courthouse, and Juvenile Courthouse pursuant to the Trial Court Facilities Act of 2002, from the County of Monterey to the Judicial Council of California, Administrative Office of the Courts following approval by County Counsel as to form and legality, and approval by the County Administrative Officer, delegation of authority shall expire on April 1, 2009.

29. WITHDRAWN AND CONTINUED TO MARCH 17, 2009
AC-2
Adopt Resolution to Approve a Zero Property Tax Transfer for the Proposed Annexation of Rancho Los Robles to the Pajaro County Sanitation District.

30. Adopted Resolution No. 09-156 to approve the recommendation of the Monterey-Salinas Transit Joint Powers Agency (JPA) to pursue legislative change to the Public Utilities Code to create the Monterey-Salinas Transit District.

31. Introduced, waived reading, and set for adoption on March 17, 2009 at 1:30 p.m.
SA-3
9:00 a.m. the attached ordinance of the County of Monterey adding Chapter 7.13 to the Monterey County Code relating to State Video Franchises.

32. Board Budget No. 08-09-124
a. Acknowledged the Redevelopment Agency’s intent to meet its ERAF contribution allocation as specified in Section 33685 of the Health and Safety Code by utilizing Capital funds in the Castroville/Pajaro, Boronda, and Fort Ord project areas; and
b. Approved and authorized the Director of Redevelopment and Housing to inform the County Auditor that the 2009 payment to the County Educational Revenue Augmentation Fund may be made from Redevelopment Agency funding.

33. a. Approved and authorized the Contracts/Purchasing Officer to sign Master Agreements with Reel Grobman & Associates (Agreement No. A-11380) and Tom Carleton AIA (Agreement No. A-11381), to provide professional Architectural Services on an as-needed basis for projects of $100,000 or less each, to the County of Monterey for the initial term of the date of signing the Agreements, through October 31, 2009, including the option to extend the Agreements for two (2) additional one (1) year periods, with a yearly aggregate value estimated not to exceed $2,000,000 for the Agreements, in accordance with the terms and conditions set within each Agreement; and
b. Authorized the Contracts/Purchasing Officer to sign similar additional Agreements for Architectural Services with qualified contractors who meet the minimum requirements of the County of Monterey.
34. Received mid-year progress report on the County of Monterey Internship Program.

Public Comment:
· Supervisor Parker thanked the staff members who have worked on the internship program. Supervisor Parker further commented on the rate structure for IT support and how the internship program would provide an opportunity to include retirees or dislocated workers for training.

This Item voted on concurrently with 21; 22; 25; SA-1
Motion by Supervisor Parker, seconded by Supervisor Salinas approved
ALL AYES

SA-1 Delegated County Counsel the authority to waive Conflicts of Interest for lawyers that are representing the county or have represented the county in the past so that they can represent potentially adverse clients.

Public Comment:
· Supervisor Parker requested written notice be given to the Board before waiving of conflict of interest; by providing written notice to Board to see if there are objections or issues.

This Item voted on concurrently with 21; 22; 25; 34
Motion by Supervisor Parker, seconded by Supervisor Salinas approved
ALL AYES

RMA – PLANNING DEPARTMENT:

35. Continued to March 17, 2009 adoption of Resolution to:
a. Approve a lot line adjustment between four (4) separate parcels, a portion of which is under Land Conservation Contracts Nos. 68-101, 68-56-101, and 72-33-44, with no net decrease in acreage under Williamson Act contract; as shown on the proposed lot line adjustment map on file in Planning File No. PLN080525;

b. Authorize the Chair of the Board to execute new or amended Land Conservation Contracts in order to rescind a portion of existing Land Conservation Contract Nos. 68-101, 68-56-101, and 72-33-44 as it applies to the reconfigured, contracted parcels only, and simultaneously execute new or amended Land Conservation Contract No. 68-101A, 68-56-101A, and 72-33-44A for the reconfigured, contracted parcels between the County and San Bernabe Vineyards, LLC, reflecting the new legal descriptions, any new ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and

c. Direct the Clerk of the Board to record the new or amended contracts. (Lot Line Adjustment - PLN080525/San Bernabe Vineyards, LLC, 53001 Oasis Road, King City, Central Salinas Valley Area Plan)
RMA – PUBLIC WORKS:

36. 2009CONST002
   a. Approved Plans and Special Provisions for the Slurry Seal 2009 Project
      (Contract No. 09-552904); and
   b. Authorized the Clerk of the Board to advertise the "Notice to Contractors" in
      The Californian on March 9 and March 16, 2009.

37. Resolution No. 09-157; 2008CONSY0007
   a. Accepted the Certificate of Completion for the Procurement (Delivery and
      Application) of Asphalt Emulsion - Various Roads for the Seal Coat 2008
      Project, Contract No. 09-550917; and
   b. Authorized the Director of Public Works to execute and record the Notice of
      Completion.

38. Agreement No. A-11382; 2008CONST0016
   a. Awarded a contract in the total amount of $124,400 to William A. Thayer
      Construction, Inc., the lowest responsible bidder, for the Natividad Medical
      Center, Building 400 Second Floor, Behavioral Health Tenant Improvement,
      Project No. 8831, Bid Package No. 10154;
   b. Approved the Performance and Payment Bonds executed and provided by
      William A. Thayer Construction, Inc.;
   c. Authorized a contingency (not to exceed ten percent [10%] of the contract
      amount) to provide funding for approved contract change orders; and
   d. Authorized the Chair of the Board to execute the contract.

39. SA-2 WITHDREW
    Supported the request of the North Monterey County Chamber of Commerce to
    the California Department of Transportation to permit the temporary closure of
    portions of State Highway 183 on Sunday, May 17, 2009 to permit the temporary

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