AGENDA
Tuesday, November 30, 2010

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.
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.
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(b), the Board will confer with legal counsel regarding four items of significant exposure to litigation.

   b. Pursuant to Government Code 54956.9(c), the Board will confer with legal counsel regarding potential initiation of one litigation case.

   c. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
      (1) In re: Lyondell Chemical Co., et al., Debtors (Case No. 09-10023 (REG), U.S. Bankruptcy Court (SD NY))
      (2) County of Santa Clara, et al. vs. The Superior Court of Santa Clara County; Atlantic Richfield Company, et al., Real Parties in Interest (Santa Clara County Superior Court case no. CV 788657; Sixth Appellate District case no. H031540; Supreme Court of California case no. S163681)

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

   e. Pursuant to Health and Safety Code section 1462 and Government Code section 37606, the Board will confer regarding trade secrets concerning a proposed new service, program or facility.
f. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
   (1) Designated representatives: Keith Honda and Dianne Dinsmore
   Employee organizations: L, M, N, Q, S, and V

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 Boronda County Sanitation District

BORONDA COUNTY SANITATION DISTRICT

Roll Call

6. CONSENT CALENDAR – BORONDA COUNTY SANITATION DISTRICT
   (See Supplemental Sheet, Item 30)

Adjournment

Convene as the Board of Directors of the Moss Landing County Sanitation District

MOSS LANDING COUNTY SANITATION DISTRICT

Roll Call

7. CONSENT CALENDAR – MOSS LANDING COUNTY SANITATION DISTRICT (See Supplemental Sheet, Item 31)

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

MONTEREY COUNTY WATER RESOURCES AGENCY

Roll Call

8. CONSENT CALENDAR – MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet, Item 32)

Adjournment

Reconvene as the Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS

APPOINTMENTS:


10. Appoint Alma McHoney to the Equal Opportunity Commission term ending at the Pleasure of the Board. (Supervisor Calcagno)

11. Reappointment George McInnis, Swarup Wood and Robert Shingai to the Monterey County Solid Waste Hearing Panel, each to serve an additional four-year term ending November 30, 2014.

OTHER BOARD MATTERS:

12. Board Comments

13. CAO Comments and Referrals

14. 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.


SCHEDULED MATTERS:

S-1 Public Hearing to:

a. Take action on two (2) Applications to establish Agricultural Preserve and Land Conservation Contracts and seventeen (17) Applications to establish Farmland Security Zones and Contracts effective January 1, 2011;
b. Approve Applications for fifteen (15) Farmland Security Zones and Contracts and two (2) Applications to establish Agricultural Preserve and Land Conservation Contracts;
c. Continue to 2012 two (2) Applications for a Farmland Security Zone Contract;
d. Authorize Chair to execute Farmland Security Zone Contracts and Land Conservation Contracts; and
e. Direct the Clerk of the Board to record the Farmland Security Zone Contracts and Land Conservation Contracts.

(PLN100299/Williamson Act Contract Applications, County-wide)

S-2 Accept an oral presentation by the Director of Health on the American Medical Response (AMR) Ambulance contract including ambulance response times, contract compliance, and enforcement activities in North County for the first six (6) months.

12:00 P.M.

Recess to Lunch – Continued Closed Session

1:30 P.M.

Roll Call

SCHEDULED MATTERS:

S-3 a. Receive report and consider recommendation by the Legislative Committee to adopt the 2011 Legislative Program documents (2011 Legislative Platform and 2011 Legislative Principles and Priorities);
b. Receive annual legislative report from Monterey County's federal legislative advocate, Brent R. Heberlee of Nossaman LLP; and
c. Receive annual legislative report from Monterey County's state legislative advocate, John E. Arriaga of JEA & Associates.

S-4 a. Conduct a public hearing under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended for the Society for the Prevention of Cruelty to Animals of Monterey County (SPCAMC), a non profit public benefit corporation, to finance a construction and renovation project; and
b. Adopt Resolution approving the issuance of up to $5,000,000 in taxable or tax-exempt revenue bonds by the California Enterprise Development Authority (CEDA) for the benefit of the Society for the Prevention of Cruelty to Animals of Monterey County to provide for the financing of the project.

S-5 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)

ORDER FOR ADJOURNMENT

IN MEMORY OF
JIM MANASSERO
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

16. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Agreement with Versaworks Inc. for Information Technology Professional Services at NMC in an amount not to exceed $832,000 for the period November 1, 2010 to June 30, 2011.

17. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Second Amendment to Professional Medical Services Agreement with Precision Orthopedics to provide Orthopedic Services at NMC in an amount not to exceed $1,200,000 for the period December 1, 2010 to November 30, 2011.

HEALTH AND SOCIAL SERVICES:

18. a. Approve and authorize the Monterey County Veteran's Services Officer to sign a Memorandum of Understanding with the California Department of Veterans Affairs (CDVA) for the provision of a Collaborative Lead Associate Governmental Program Analyst for the CDVA's Central Coast Regional Collaborative; and

   b. Authorize the Monterey County Veteran's Services Officer to sign up to three (3) amendments to this M.O.U. that do not significantly change the scope of work.

GENERAL GOVERNMENT:

19. Approve the recommendations of the Association of Monterey Bay Area Governments (AMBAG) Board of Directors and amendment of the AMBAG Bylaws.

20. Item deleted.

21. Authorize acceptance of work and file a combined Notice of Completion for the second and third (final) quarters of the annual maintenance of park roadways at Laguna Seca Recreation Area for calendar year 2010, Bid No. 10225.

22. a. Authorize Director of Parks to accept work and file Notice of Completion for Island Group Area Building Improvements at Laguna Seca Recreation Area, Bid No. 10252; and

   b. Authorize the Purchasing Manager to increase the contract with Mill Construction for an additional $4,233.00 in the Parks Department, Account 001-7500-7516-6780 for an unanticipated Change Order for a new adjusted contract total of $91,126.
23.  a. Authorize Director of Parks to accept work and file Notice of Completion for The Island Group Area Improvements at Laguna Seca Recreation Area, Bid No. 10251; and  
    b. Authorize the Purchasing Manager to increase the contract with Garcia Engineering for an additional $10,551.47 in the Parks Department, Account 001-7500-7516-6780 for an unanticipated Change Order, for an adjusted contract total amount of $143,942.47.

24.  a. Approve and authorize the Deputy Chief Park Ranger/South County Operations Manager to sign two (2) Standard Grant Agreements with the Department of Boating and Waterways for patrol boat equipment (Agreement No. 10-204-769 for $38,000) and new patrol boat (Agreement No. 09-204-750 for $80,000); and  
    b. Authorize the Contracts/Purchasing Officer to approve the purchases up to the approved grant amounts $38,000.00 and $80,000 respectively.

25.  Adopt Resolution to approve four tentative agreements and one tentative grievance settlement letter of understanding negotiated with SEIU Local 521 regarding pay issues that surfaced as a result of the implementation of the new Advantage HRM/Payroll system.

**RMA - PLANNING DEPARTMENT:**

26.  a. Accept and authorize the Chair of the Board of Supervisors to execute a Revised Conservation and Scenic Easement Deed; and  
    b. Direct the Clerk of the Board to submit the Revised Conservation and Scenic Easement Deed to the County Clerk for recordation.  
       (Conservation and Scenic Easement Deed - REF100046/17160 Wilson Way, Royal Oaks, North County Area Plan)

27.  a. Approve Amendment No. 7 to Reimbursement Agreement No. A-11242 with September Ranch Partners to increase the County Surcharge by $28,160 for a total amount not to exceed $54,735 to allow reimbursement to County of Monterey for costs incurred by the Resource Management Agency - Planning Department for production costs and County staff time associated with preparation of the Final Revised Water Demand Analysis, and process the project application for the September Ranch Subdivision (PLN050001) east of Highway 1 on the north side of Carmel Valley Road, for a term through January 31, 2011; and  
    b. Authorize the Director of Planning to execute Amendment No. 7 to Reimbursement Agreement No. A-11242 and future amendments to this Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.  
       (Amendment - PLN050001/September Ranch)
RMA - PUBLIC WORKS:

28. Adopt Resolution:
   a. Accepting the Certificate of Completion for construction of San Miguel Canyon Road Signal Coordination, Project No. 10-135065; and
   b. Authorizing the Director of Public Works to execute and record the Notice of Completion.

29. a. Approve Renewal to Professional Services Agreement with AMEC Geomatrix, Inc. to continue to provide tasks associated with groundwater contamination monitoring and gas monitoring; and waste discharge requirement reporting services for the closed County landfills located at Bradley, San Ardo, and Lake San Antonio North Shore in the amount of $63,600 for a total amount not to exceed $160,400 and extend the term through June 30, 2011; and
   b. Authorize the Contracts/Purchasing Officer to execute the Renewal to the Professional Services Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

BORONDA COUNTY SANITATION DISTRICT:

30. Acting as the Board of Directors of the Boronda County Sanitation District:
   a. Approve and authorize the Director of Public Works, or his designee, to execute the proposed Purchase and Sale Agreement for the San Jerardo Water System between the County of Monterey, Boronda County Sanitation District and John W. Richardson, Federal Receiver, for the San Jerardo Water System;
   b. Approve and authorize the transfer of the Federal Receiver's Vendor Agreements/Amendments for Operation and Maintenance of the San Jerardo Water System with MCSI to the County of Monterey, Boronda County Sanitation District; and
   c. Approve and authorize the Contracts/Purchasing Officer to approve a sole source exemption for MCSI on an interim, temporary basis pending completion of the Request for Proposal process for the long-term Operation and Maintenance of the San Jerardo Water System.

MOSS LANDING COUNTY SANITATION DISTRICT:

31. Acting as the Board of Directors of the Moss Landing County Sanitation District:
   a. Approve Agreement with the Castroville Community Services District (CCSD) for CCSD to provide Operation and Maintenance (O&M) Services for the wastewater collection system in the Moss Landing County Sanitation District (DISTRICT); and
   b. Authorize the Chair to execute the Agreement, related documentation necessary to effectuate the Agreement, and future amendments that do not
significantly alter the scope of work or change the approved Agreement amount.

MONTEREY COUNTY WATER RESOURCES AGENCY:

32. Acting as the Board of Supervisors of the Monterey County Water Resources Agency:
   Accept the Monterey County Floodplain Management Plan 2010 Annual Report.

###

MONTEREY COUNTY
BOARD OF SUPERVISORS

Addendum for Tuesday, November 30, 2010
View Addendum reports at:

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

ADDENDUM

Under Scheduled Matters:
S-6 Consider continuing the appeal of William McKiernan, of the August 26, 2010 discretionary decision by the Zoning Administrator to approve the Combined Development Permit (PLN090364/Pelio), to a future hearing. (Continued from November 9, 2010)

###