AGENDA
Tuesday, March 3, 2009

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 anticiop 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.
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 Section 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 54956.8, 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

   b. Pursuant to Government Code section 54956.95, the Board will confer with legal counsel regarding liability claims:
      1. Lolita Machado

   c. Pursuant to Government Code section 54956.9(b), the Board will confer with real property negotiators.
      Property: County owned property at the corner of Laurel Drive and Constitution Boulevard (APNs 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

   d. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one item of significant exposure to litigation.
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 Section 54954.2 of the California Government Code.

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

OTHER BOARD MATTERS:

6. Board Comments, Referrals, and Updates

7. CAO Comments

8. 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.

9. Adopt Resolution recognizing the week of March 15 through March 21, 2009, as “Mediation Week in California.” (Supervisor Salinas)

10. Adopt Resolution honoring Chief Sidney Reade for her 33 years of service to the Carmel Valley Fire Protection District. (Supervisor Potter)

11. Adopt Resolution honoring an “Undisclosed Recipient” for receiving the 2009 Santa Cruz County Farm Bureau's Al Smith Friend of Agriculture Award. (Supervisor Calcagno)

12. Adopt Resolution honoring Monterey County Treasurer-Tax Collector, Lou Solton, for his dedicated service to the Natividad Medical Center Board of Trustees. (Supervisor Calcagno)

APPOINTMENTS:

13. Reappoint Robert Spencer to the Salinas Rural Fire Protection District, term ending March 1, 2013. (Supervisor Potter)

15. Appoint 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)

16. Appoint 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)

17. Appoint Vicki Briesacker; Larry Drury; Noemy Loveless; Eileen McCourt to the Child Care Planning Council, terms ending December 31, 2009. (Full Board)

18. Reappoint 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)

19. Appoint 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)

20. Reappoint Caroline Carney; Jessie Miranda and Alycia Young to the Child Care Planning Council, terms ending December 31, 2010. (Full Board)

**SCHEDULED MATTERS:**

S-1  a.Acknowledge 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. Adopt an Ordinance to amend Section 20.58.050.F of the Monterey County Code;
   c. Direct staff to transmit the adopted Ordinance to the California Coastal Commission to incorporate into the public file; and
   d. Direct 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)
S-2  a. Receive a presentation from the City of Salinas Enterprise Zone Manager on the Salinas Valley Enterprise Zone designation;
b. Adopt Resolution to approve the Memorandum of Understanding (MOU) between the California Enterprise Zone Program and the Salinas Valley Enterprise Zone (SVEZ); and
c. Authorize the Chair of the Board to sign the MOU between the California Enterprise Zone Program and the Salinas Valley Enterprise Zone (SVEZ).

S-3  Receive status report on public access to Board of Supervisors agendas and reports through the County's Clerk of the Board of Supervisors' Website.

12:00 P.M.
Recess to Lunch

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-4  a. Receive the Three-Year Financial Forecast for the period of 2008-09 through 2011-12; and
    b. Provide direction to staff.

ORDER FOR ADJOURNMENT TO WEDNESDAY, MARCH 4, 2009
SPECIAL MEETING OF THE BOARD OF SUPERVISORS

Future Board Meetings:
Tuesday, March 10, 2009 – No Meeting
Tuesday, March 17, 2009
Tuesday, March 24, 2009
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

21. Concur 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.

22. Concur 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.

23. Concur 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.

24. 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. Authorize 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. 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.
CRIMINAL JUSTICE:

26.  
   a. Approve and authorize 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. Approve and authorize the change in procedure of retroactive approval of disbursements from the Drug and Youth Gang Education Asset Forfeiture Fund.

27.  
   a. Approve 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. Direct the Auditor-Controller to amend the FY 2008-09 Budget Unit 256 to reflect the change in revenue and appropriations.

GENERAL GOVERNMENT:

28.  
   Approve and authorize 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.  
   Adopt Resolution to Approve a Zero Property Tax Transfer for the Proposed Annexation of Rancho Los Robles to the Pajaro County Sanitation District.

30.  
   Adopt Resolution 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.  
   Introduce, waive reading, and set for adoption on March 17, 2009 at 1:30 p.m. the attached ordinance of the County of Monterey adding Chapter 7.13 to the Monterey County Code relating to State Video Franchises.

32.  
   a. Acknowledge 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. Approve and authorize 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. Approve and authorize the Contracts/Purchasing Officer to sign Master Agreements with Reel Grobman & Associates and Tom Carleton AIA, 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. Authorize 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. Receive mid-year progress report on the County of Monterey Internship Program.

RMA - PLANNING DEPARTMENT:

35. Continue 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. a. Approve Plans and Special Provisions for the Slurry Seal 2009 Project (Contract No. 09-552904); and

b. Authorize the Clerk of the Board to advertise the "Notice to Contractors" in The Californian on March 9 and March 16, 2009.
37. a. Accept 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. Authorize the Director of Public Works to execute and record the Notice of Completion.

38. a. Award 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. Approve the Performance and Payment Bonds executed and provided by William A. Thayer Construction, Inc.;
   c. Authorize a contingency (not to exceed ten percent [10%] of the contract amount) to provide funding for approved contract change orders; and
   d. Authorize the Chair of the Board to execute the contract.

39. Support 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.
ITEMS REMOVED FROM AGENDA
THE FOLLOWING ITEMS HAVE BEEN REMOVED FROM THE AGENDA SINCE RELEASE OF THE AGENDA TO THE PUBLIC:

Under Public Works:
SA-2 39. Support 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 closure of portions of State Highway 183 on Sunday, May 17, 2009.

TITLE CORRECTIONS
THE FOLLOWING AGENDA ITEMS HAVE HAD CHANGES TO THEIR RECOMMENDED ACTIONS SINCE RELEASE OF THE AGENDA TO THE PUBLIC:

Under General Government:
SA-3 31. Introduce, waive reading, and set for adoption on March 17, 2009 at 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.

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