AGENDA  
Tuesday, March 2, 2010
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 anticipó 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.
MONTEREY COUNTY BOARD OF SUPERVISORS
TUESDAY, MARCH 2, 2010
9:00 AM

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(c), the Board will confer with legal counsel regarding potential initiation of one litigation case.

   b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators.
      (1) Property: 312 East Alisal Street, Salinas
         County negotiator: Wayne Tanda, RMA Director
         Negotiating parties: The County of Monterey and the City of Salinas
         Under negotiation: Price and terms

   c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators
      (1) Designated representatives: Keith Honda and Patricia Covert; Employee organizations: All Units

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

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)

OTHER BOARD MATTERS:

6. Board Comments

7. CAO Comments and Referrals

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. Oral report from the Health and Human Services Strategic Initiatives group from the Board of Supervisors Special Meeting Workshop on Tuesday, February 16, 2010, at California State University Monterey Bay.

APPOINTMENTS:

10. Reappoint Eric Heckman to the Commission on Disabilities, term ending December 31, 2012. (Full Board)

11. Reappoint Mary Orradre to the San Ardo Cemetery District, term ending December 31, 2012. (Supervisor Salinas)

11.1 Appoint Wayne Clark to the Monterey County Children and Families Commission, serving at the pleasure of the Board of Supervisors. (Full Board)

11.2 Appoint Jeannette Selina Vera-Morga and Jessica Nicholas to the Community Retororative Justice Commission as Co-Student Representatives, terms ending March 2, 2013. (Full Board)

SCHEDULED MATTERS:

S-1 Consider approval of 2010 Annual Housing Report including funding recommendations.

S-2 Consider approval and adoption of the County of Monterey Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy.
S-3  Continued from Tuesday, December 8, 2009:
Consider staff request to continue the public hearing to April 6, 2010 on the
appeal by Wayne Holman for Aromas Heritage Oaks LLC from the Planning
Commission denial of a Combined Development Permit (Aromas Heritage Oaks;
PLN980503) consisting of:
a. Standard Subdivision to divide approximately 79.5 acres into 32 parcels
   ranging in size from 1.0 acres to 15.91 acres, including one lot (Lot 32) with
   four inclusionary rental units;
b. Use Permit for removal of approximately 367 protected oak trees (271 for
   roads and up to 96 on the individual lots);
c. Use Permit for four inclusionary rental units; and
   d. Grading (approximately 5,100 cubic yards cut and 5,100 cubic yards fill).
(PLN980503/Aromas Heritage Oaks LLC, North County Area Plan)

ORDER FOR ADJOURNMENT
IN THE MEMORY OF DAVE KENYON
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

12. Approve and authorize the Director of Health to sign a Professional Services Agreement with Addendum No. 1 with Independent Review Consulting, Inc. to provide review of grant application(s) for the protection of human subjects for the County of Monterey for the term Fiscal Year (FY) 2009-10 through FY 2011-12 in the total contract amount of $14,100.

13. Authorize the Emergency Medical Services (EMS) Director to sign a Memorandum of Agreement (MOA) with the U.S. Army Garrison Fort Hunter Liggett to provide medical direction for Fort Hunter Liggett's Advance Life Support (ALS) paramedic level service and ambulance transport.

14. Authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to the Agreement with VNA Community Inc., to increase the Agreement by $150,000 for a revised total of $250,000, for the provision of qualified medical professionals to administer H1N1 vaccine at immunization clinics within Monterey County for the period of November 7, 2009 through June 30, 2010.

CRIMINAL JUSTICE:

15. Approve and authorize the Sheriff to apply for the Anti-Drug Abuse Recovery Act Program (ADA RAP) grant in the amount of $313,492 and the California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET) Recovery Act Program in the amount of $40,580 through the California Emergency Management Agency (Cal EMA) to enhance the ongoing programs for the Narcotics Enforcement Unit County of Monterey (NEUCOM) and Cal-MMET for the period of March 1, 2010 to February 28, 2012.

GENERAL GOVERNMENT:

16. a. Approve specifications for annual maintenance and repair of Parks Department roadways at Laguna Seca Recreation Area, for calendar year 2010 (January 1, 2010 through December 31, 2010), Bid No.10225, and authorize solicitation of bids;
   b. Authorize and direct the Clerk of the Board to advertise the “Notice to Bidders” in The Californian on March 8 and March 15, 2010.

17. a. Approve the Transfer of Automation System Designations totaling $632,171 to Available Fund Balance and increase Appropriations in the Fund 001 - Other Financing Sources, CAO017; and
   b. Increase appropriations in Fund 403 - Capital Projects Automation Fund, AUD006, by $832,171 offset by an Operating Transfer In totaling $632,171
and use of available fund balance totaling $200,000 to fund additional costs of Advantage HRM/Payroll Project (4/5\textsuperscript{th} vote required).

18. Authorize the Registrar of Voters to render limited election services to the City of Carmel-by-the-Sea for the April 13, 2010 General Municipal Election.

19. a. 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 Fiscal Year (FY) 2009-10;
   b. Approve and authorize an increase in FY 09-10 estimated revenue and appropriations by $52,359 in Emergency Communications Budget Unit 1520-8065 as detailed in the Board Order (4/5\textsuperscript{th} vote required); and
   c. Increase revenue and appropriations in the NGEN Radio Project Fund as detailed in the Board Order (4/5\textsuperscript{th} vote required).

19.1 Adopt the Action Minutes of Tuesday, January 26, 2010 and Tuesday, February 2, 2010.

**RMA - PLANNING DEPARTMENT:**

20. a. Accept and authorize the Chair of the Board of Supervisors to execute the Conservation and Scenic Easement Deed;
   b. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing and recordation.
   (Conservation and Scenic Easement Deed - PLN070121/Gonzalo and Gloria Fernandez, 283 Maher Road, Royal Oaks, North County Land Use Plan, Coastal Zone)

21. a. Find that a $1 million Cash Deposit, which the Rancho San Carlos Partnership, LP deposited with the County in 2005 to secure its performance of the indemnification condition of approval for Phase E of the Santa Lucia Preserve, is appropriate to release per the terms of the indemnification agreements between the County and the Rancho San Carlos Partnership; and
   b. Authorize the Resource Management Agency Planning Director to release to the Preserve Golf Club, Inc. the sum of $1,160,095.82, comprised of the Cash Deposit of $1 million plus accrued interest of $160,095.82, pursuant to an assignment agreement between the Rancho San Carlos Partnership, LP and the Preserve Golf Club, Inc.

**RMA - PUBLIC WORKS:**

22. a. Accept the Certificate of Completion for the First Floor Recorder-County Clerk and Assessor Area Remodel, Project No. 8814, Bid Package No. 10081; and
   b. Authorize the Director of Public Works to execute and record the Notice of Completion.
ADDENDUM TO AGENDA

Tuesday, MARCH 2, 2010

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, the Board is asked to make the following additions and corrections:

ADDITION:
Under Regular Consent – Public Works:
23. Introduce, waive the reading, and set March 16, 2010, at 1:30 p.m. to consider adoption of an Ordinance of the Monterey County Code to add Chapter 16.14, Urban Storm Water Quality Management and Discharge Control.

CORRECTION:
Remove Under Appointments:
11.2 Appoint Jeannette Selina Vera-Morga and Jessica Nicholas to the Community Restorative Justice Commission as Co-Student Representatives, terms ending March 2, 2013. (Full Board)

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