AGENDA
Tuesday, June 16, 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 mas pronto posible, y a lo mínimo 24 horas de antípoco 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.
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 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:
   (1) Property: APNs 117-341-002, 117-341-003 and 117-331-025, collectively known as 24 San Juan Road, in Pajaro;
   Agency negotiator: Jim Cook;
   Negotiating parties: Redevelopment Agency and Granite/PBC Pajaro LLC;
   Under negotiation: Price and Terms

b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
   (1) Property: The well site and easements/deed restrictions surrounding the well site at 225 Zabala Road, Salinas;
   Agency negotiators: Suzanne Sullivan and Yazdan T. Emrani;
   Negotiating parties: County of Monterey, Juan Gutierrez and Rosa Gutierrez;
   Under negotiation: Price and Terms

c. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
   (1) Maribel Dobbins (WC)
   (2) Dorothy West (WC)
d. 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

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)

6. CONSENT CALENDAR – MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)

OTHER BOARD MATTERS:

7. Board Comments, Referrals, and Updates

8. CAO Comments

9. 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.

10. Adopt Resolution in memoriam of Jose Rosillo, honoring his nineteen years of service on the Equal Opportunity Advisory Commission and for his volunteerism on behalf of the residents of Monterey County. (Supervisor Salinas)

11. Adopt Resolution of the Board of Supervisors to join with the Seaside City Council to proclaim June 19, 2009, as “Juneteenth Heritage Celebration Day in the City of Seaside.” (Supervisor Parker)

12. Adopt Resolution honoring Kurt P. Sliger, MD, MHA, FAAN, for his dedicated service to the Natividad Medical Center Board of Trustees. (Full Board)
13. Adopt Resolution honoring Liz Lorenzi, MHA, for her dedicated service to the Natividad Medical Center Board of Trustees. (Full Board)

14. Adopt Resolution honoring Commander Douglas P. Dahmen, upon his retirement from the Monterey County Sheriff’s Office for 29 years of public service. (Full Board)

APPOINTMENTS:


16. Reappoint Mike Scattini to the Castroville/Pajaro Redevelopment Project Area Citizens’ Advisory Committee, term ending December 31, 2012. (Supervisor Calcagno)

SCHEDULED MATTERS:

S-1 Acting as the Board of Directors of the Boronda County Sanitation District:
   a. Conduct a Public Hearing to adopt an Ordinance for the Boronda County Sanitation District to establish rates and a monthly billing system for water services for the Community of San Jerardo;
   b. Provide for delinquent water service charges; and
   c. Set forth policies, procedures, and requirements for provisions of water service.

S-2 Direct Planning Commission to consider possible amendments of the draft 2007 General Plan Update that would address wildfire protections and a draft Monterey County Community Wildfire Protection Plan (MCCWPP).
   (PD090290/Community Wildfire Protection Plan, County-wide)

S-3 Approve and adopt the Fiscal Year 2009-10 Department of Public Works-Roads and Bridges Work Program for the Road Fund (Fund 002, Unit 8195).

12:00 P.M.

Recess to Lunch – Joint Board Leadership Committee Meeting

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-4 Receive and accept the quarterly oral presentation on the Enterprise Resource Planning (ERP) Project.
a. Conduct a Public Hearing to hear all objections, protests, and recommended changes or corrections to Written Reports of Service Charges to be levied on County Service Areas for Fiscal Year (FY) 2009-10 and maintain service charge levels for all service areas;
b. Adopt Resolutions approving County Service Area Written Reports of Service Charges for FY 2009-10 for all County Service Areas except County Service Areas 17, 25, 34, 55, 57, 67, 69 and 100, where no service charges are collected on the tax rolls; and
c. Direct the Auditor-Controller to enter the amounts of the charges against the respective lots or parcels as they appear on the assessment roll for FY 2009-10 upon receipt of the Written Reports of Service Charges.

Acting as the Board of Supervisors of the Water Resources Agency of the County of Monterey:

S-6 Conduct a public hearing to adopt Zone 2C Fiscal Year 2009-2010 assessment charges for the Salinas Valley Water Project.

S-7 Conduct a public hearing to adopt the Fiscal Year 2009-2010 benefit assessments for Zones 1, 1A, 8, 9, 12, and 17.

S-8 Conduct a public hearing to approve the Fiscal Year (FY) 2009-2010 assessments, water delivery charges, and water service charges for Zone 2B, and FY 2009-2010 assessments for Zones 2Y and 2Z for the Castroville Seawater Intrusion Project and the Salinas Valley Reclamation Project.

S-9 Approve the Cooperative Planning and Joint Analysis for a Monterey Regional Water Supply Program Memorandum of Understanding (MOU).

S-10 Approve the Monterey Regional Water Supply Program Recycled Water Three-Way Memorandum of Understanding (MOU).
ORDER FOR ADJOURNMENT
IN MEMORY OF JOSE ROSILLO
TO TUESDAY, JUNE 23, 2009

Future Board Meetings:
Tuesday, July 7, 2009
Tuesday, July 14, 2009
Tuesday, July 21, 2009
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

17. Approve and authorize the Purchasing Manager of Natividad Medical Center (NMC) to execute Amendment No. 2 with Salinas Valley Memorial Healthcare System (SVMH) for Laboratory Testing Services at NMC in an amount not to exceed $120,000 (an increase of $30,000) for the term July 1, 2008 through June 30, 2009.

18. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with Beacon Partners for Consulting Services for the implementation of the Meditech Emergency Department Management (EDM) Module in an amount not to exceed $199,520 (an increase of $71,920) for the period September 1, 2008 through June 30, 2009.

19. a. Authorize the Purchasing Manager for Natividad Medical Center to consolidate the existing purchase orders with Cardinal Health, Inc., for Pyxis medication dispensing equipment rental, software and service support at Natividad Medical Center (NMC) in an amount not to exceed $373,223 (an increase of $115,116.35) for the period March 1, 2009 through June 30, 2009; based on expanded services, additional equipment, and in order to maintain continued Joint Commission compliance; and
b. Direct the Auditor-Controller to amend Fiscal Year 2008-2009 Natividad Medical Center Budget Unit 960 to increase revenues and appropriations by $115,116.35. (4/5th vote required)

HEALTH AND SOCIAL SERVICES:

20. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign Amendment No. 1 to Agreement A-11232 with Kinship Center to provide Adoptive Assistance Program wraparound services to eligible Monterey County youth and their families, adding $169,938 increasing the contract to $472,050, and extending the term through December 31, 2009; and
b. Authorize the Director of the Department of Social and 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%) of the original contract amount, and do not significantly change the scope of work.

21. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign two (2) agreements with CareAccess Silicon Valley, Inc., for a total of $11,760 for the maintenance of websites to access third-party software for the period July 1, 2009 through
22.  
   a. Approve and authorize the Health Department Budget Unit 413 to accept the Central Coast Alliance for Health Quality Based Incentive in the amount of $228,227;  
   b. Approve and authorize the Health Department Budget Unit 413 to accept the Healthy Families Risk Pool Settlement in the amount of $179,473; and  
   c. Direct the County Administrative Office and the Auditor-Controller's Office to amend the Fiscal Year 2008-09 Health Department Clinic Services Budget Unit 413 to increase revenue and appropriations by $357,700, as outlined in the Board Order. (4/5th vote required)

23.  
   a. Approve and authorize an increase in estimated revenue and appropriations for Fiscal Year (FY) 2008-09 in the Health Department's Mental Health Budget Unit 415 to reflect receipt of pass-through funds in the amount of $45,000 issued to Monterey County by the State Department of Mental Health (4/5th vote required);  
   b. Direct the Auditor-Controller's Office to issue a payment to the California Mental Health Director's Association in the amount of $45,000; and  
   c. Direct the Auditor-Controller to amend the FY 2008-09 Health Department Budget Unit 415 to reflect the change in estimated revenue and appropriations.

CRIMINAL JUSTICE:

24.  
   a. Approve and authorize the Chief Probation Officer to sign an amendment to extend an Agreement with First 5 Monterey County for the Child Advocate Program through June 30, 2010; and  
   b. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.


26. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 3 to the Professional Services Agreement (PSA) with William McLennan, attorney-at-law, for provision of legal services, increasing the contract by $20,000, for an amount not to exceed $127,000 for the existing term of November 15, 2007 to June 30, 2009.
GENERAL GOVERNMENT:

27. Approve the recommendation of the Overall Economic Development Commission (OEDC) to fund the Spring Fiscal Year 2008-09 Development Set-Aside regranting proposal submitted by the Arts Council for Monterey County (ACMC) in the amount of $56,100.

28. Approve and authorize the Chair to sign Amendment No. 2 to Agreement No. A-10489 between the Redevelopment Agency and the County of Monterey to:
   a. Provide increased financing in the amount of $1,684,400 for design and construction of the Hyland Drive/El Rancho Way Storm Drain and Street Improvement Project in Boronda for a total project cost not to exceed $3,584,400;
   b. Extend the term of the Agreement to December 31, 2012; and
   c. Authorize the Redevelopment and Housing Director to approve transfer of funds between items of expenditure within the maximum project budget of $3,584,400.

29. a. Approve and authorize the Emergency Services Manager to accept an Emergency Management Performance Grant from the Federal Emergency Management Agency (FEMA) in the amount of $97,831; and
   b. Direct the Auditor-Controller to amend the FY 2008-09 Office of Emergency Services Budget Unit 295 to increase estimated revenue and appropriations in the amount of $97,831. (4/5th vote required)

30. a. Approve the transfer of $14,000 from Salaries and Benefits to Fixed Assets in the Assessor's Budget Unit 118 for payment of expenses related to aerial photography of the Monterey Bay region for the use of member agencies of the Association of Monterey Bay Area Governments (AMBAG); and
   b. Direct the Auditor-Controller to transfer the funds as detailed in the Board Order.

31. Receive the Certified Statement of Votes cast and results of the May 19, 2009 Statewide Special Election.

32. Approve and authorize the Chair of the Board to enter into a Funding Agreement with the Redevelopment Agency in the amount of $350,000 to provide supplemental funding for homebuyer assistance related to the Neighborhood Stabilization Project within the Boronda Redevelopment Project Area.

33. Adopt Proclamation of local emergency due to the Dayton Fire Explosion and Hazardous Material Incident.
RMA - PLANNING DEPARTMENT

34. Introduce, waive first reading and set for adoption on June 23, 2009 at 1:30 p.m. a proposed ordinance of the County of Monterey repealing Sections 16.08.260, 16.08.270, 16.08.280, 16.12.130, 18.04.120, 18.06.050, 18.06.060, 18.06.080, 18.06.090, 18.06.100, 18.06.110, 18.06.130, 18.06.140, 18.08.040, 18.08.050, 18.12.040, 18.24.040, 18.28.020, 18.32.080, 18.38.030 And 18.52.140 of the Monterey County Code relating to fees, penalties, refunds, reimbursements, and charges of any kind collected by the Building Services Department.

(PD090250/County Master Fees)

RMA - PUBLIC WORKS:

35. a. Approve the Fiscal Year 2009-10 Local Transportation Fund application in the amount of $1,536,278 for the County's Local Transportation Fund contribution to various transportation programs; and
b. Authorize the Director of Public Works to execute and submit the FY 2009-10 Local Transportation Fund application to the Transportation Agency for Monterey County.

36. a. Authorize and direct the Auditor-Controller to recognize the un-appropriated $152,952.53 in Fund 114, Budget Unit 910, Account 3800 - Unreserved Fund Balance, as available for appropriations; and
b. Authorize and direct the Auditor-Controller to increase appropriations for Fund 114, Budget Unit 910, Account 6499 - Special Department Expense, by $152,952.53 (4/5th vote required).

37. Approve various employment Agreements:
a. Approve Employment Agreement for Gerald Williams (Attachment A);
b. Approve Employment Agreement for Anthony Mitre (Attachment B);
c. Authorize the Public Works Director to execute the Agreements; and
d. Direct the Auditor-Controller to implement the employment Agreements.

38. a. Adopt Resolution finding that the repairs and renovations in various shower stalls of the Monterey County Adult Detention Facilities, located at 1410 Natividad Road, Salinas continues to pose an emergency requiring immediate action without adopting plans and specifications and giving notice for bids to let contracts; and
b. Adopt Resolution ratifying the execution of emergency contracts and emergency actions taken by the Contracts/Purchasing Officer, or his designee, to respond to the emergency (4/5th vote required).

39. a. Approve Amendment No. 4 to Architectural Services Agreement No. A-08925 with Wald, Ruhnke & Dost Architects, LLP to provide additional construction administration services associated with the County Health Department Building, Project No. 8776, in the amount of $137,600 for a total
amount not to exceed $1,664,413 and extend the term through November 30, 2009; and
b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 4 to Architectural Services Agreement No. A-08925 and future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original Agreement amount and do not significantly alter the scope of work.

40.  
a. Adopt a Resolution to determine that the summary of abandonment of two portions of the public right-of-way of Railroad Avenue ("Parcels C and D") in the Community of Pajaro is exempt from the California Environmental Quality Act;
b. Authorize the Director of Public Works to file a Notice of Exemption with the County Clerk;
c. Adopt Resolution to summarily abandon the public right-of-way over the subject portions of Railroad Avenue subject to the reservation of easements for existing public utilities;
d. Adopt Resolution to quitclaim any County ownership or interest in "Parcel D" to the Pajaro Sunny Mesa Community Services District;
e. Authorize the Chair of the Board to execute the Quitclaim Deed; and
f. Direct the Clerk of the Board to submit the Quitclaim Deed and a certified copy of the resolutions to the County Recorder for recordation.

41.  
a. Approve a Cooperative Agreement with Caltrans for the preparation of project Plans, Specifications, and Engineer's Estimate including Right-of-Way acquisition and Construction for the State Route 1 Climbing Lane Project between Rio Road and Carmel Valley Road;
b. Authorize the Chair of the Board to execute the Cooperative Agreement; and
c. Direct the Clerk of the Board to submit the Cooperative Agreement to the County Recorder for filing.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

42. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Provide increased financing in the amount of $1,684,400 for design and construction of the Hyland Drive/El Rancho Way Storm Drain and Street Improvement Project in Boronda for a total project cost not to exceed $3,584,400;
b. Extend the term of the Agreement to December 31, 2012; and
c. Authorize the Redevelopment and Housing Director to approve transfer of funds between items of expenditure within the maximum project budget of $3,584,400.
43. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approve and authorize the Chair to enter into a Funding Agreement with the County in the amount of $350,000 to provide supplemental funding for homebuyer assistance related to the Neighborhood Stabilization Project within the Boronda Redevelopment Project Area; and
   b. Authorize the transfer of $350,000 from Fund 406 Budget Unit 943 into Fund 16 Budget Unit 575.

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Addendum for Tuesday, June 16, 2009

ADDITIONS

Adjourn in the memory of Patricia Frances Heily Gill of King City and Army Specialist Eduardo Silva of Greenfield.

TITLE CORRECTIONS

Under General Government:

33. **Adopt Proclamation of local emergency due to the Dayton Fire Explosion and Hazardous Material Incident.**
    
Adopt Resolution extending the proclamation of local emergency adopted June 2, 2009, in the aftermath of the Dayton fire, explosion, and hazardous materials incident, and authorizing and directing the County Administrative Officer, as Emergency Services Director, to further extend the proclamation administratively on June 30, 2009, if warranted. (4/5ths vote required)

Under Public Works:

39. a. Approve Amendment No. 4 to Architectural Services Agreement No. A-08925 with Wald, Ruhnke & Dost Architects, LLP to provide additional construction administration services associated with the County Health Department Building, Project No. 8776, in the amount of $137,600 for a total amount not to exceed $1,664,413 and extend the term through November 30, 2009; and

   b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 4 to Architectural Services Agreement No. A-08925, and future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original Agreement amount and do not significantly alter the scope of work.

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