AGENDA
Tuesday, February 14, 2012
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 interprete, 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 interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo 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
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, FEBRUARY 14, 2012
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.

   The public may comment on Closed Session items prior to the Board’s recess to Closed Session.

CLOSED SESSION

2. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
      (1) LandWatch Monterey County, et al. v. County of Monterey, et al. (Monterey County Superior Court case no. M113552)
   b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
   c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
      (1) Yvonne Lattimore
      (2) Pam Henry
   d. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Equal Opportunity Officer.
   e. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding potential initiation of one litigation matter.
   f. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Natividad Medical Center CEO.

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. The public may comment on Closed Session items prior to the Board’s recess to Closed Session.
10:30 A.M. RECONVENE

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)

CEREMONIAL RESOLUTIONS

6. Adopt Resolution commending Valerie Barnes, M.D. on her retirement with 24 years of dedication service to Natividad Medical Center. (Supervisor Potter)

7. Adopt Resolution recognizing Jaci Pappas as 2012 Big Sur Volunteer Extraordinaire. (Supervisor Potter)

8. Adopt Resolution Honoring Janet Marie Buttgereit upon her selection as the 2011 King City Chamber of Commerce and Agriculture Friend of the Community. (Supervisor Salinas)

9. Adopt Resolution honoring Mikel Ann Miller upon her selection as the 2011 King City Chamber of Commerce and Agriculture Citizen of the Year. (Supervisor Salinas)

10. Adopt Resolution honoring Rava Ranches upon their selection as the 2011 King City Chamber of Commerce and Agriculture Business of the Year. (Supervisor Salinas)

APPOINTMENTS

11. Appoint Chief Paul Miller to the Emergency Medical Care Committee, to fill an unscheduled vacancy, term ending June 30, 2012. (Full Board)

12. Appoint Chief Vicki Myers to the Mental Health Commission to fill an unscheduled vacancy term ending May 31, 2013. (Full Board)

13. Appoint Brent Reitz to the Moss Landing County Sanitation District Citizens' Advisory Committee, term ending March 24, 2013. (Supervisor Calcagno)

14. Reappoint Randy Bangs and Mark Gonzalez to the Youth Council of the Monterey County Workforce Investment Board, terms ending February 14, 2014. (Full Board)
15. Reappoint Phoebe Helm to the Monterey County Workforce Investment Board, term ending February 14, 2015. (Full Board)

16. Reappoint Elliott Robinson to the Monterey County Workforce Investment Board, term ending February 14, 2014. (Full Board)

17. Appoint Kimberly Schnader to the Monterey County Workforce Investment Board to fill an unscheduled vacancy, term ending May 25, 2013. (Full Board)

18. Appoint Chief Earl Larson to the Juvenile Justice Coordinating Council, term ending at the pleasure of the Board. (Full Board)

**Recess**

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

**MONTEREY COUNTY WATER RESOURCES AGENCY**

**ROLL CALL**

19. Reappoint Mike Scattini or appoint Bardin Bengard to the Monterey County Water Resources Agency, term ending December 31, 2015. (Full Board)

**Adjourn**

**Reconvene as Monterey County Board of Supervisors**

**MONTEREY COUNTY BOARD OF SUPERVISORS**

**OTHER BOARD MATTERS**

20. Board Comments

21. CAO Comments and Referrals

22. Public Comment (Limited up to 3 minutes per speaker at the discretion of the Chair)

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.

**SCHEDULED MATTERS**

S-1 Receive a report regarding registration and use of methyl iodide, provide direction to staff, and take appropriate action.
12:00 P.M. RECESS TO LUNCH- CONTINUED CLOSED SESSION

1:30 P.M. RECONVENE

MONTEREY COUNTY BOARD OF SUPERVISORS

SCHEDULED MATTERS

S-2 Public hearing to consider the following actions:

a. Rescind certification of the Environmental Impact Report prepared for the Monterey-Salinas Transit (MST)/Whispering Oaks Business Park project;

b. Adopt an ordinance to repeal Ordinance No. 5181, which would have rezoned certain property in the County unincorporated Fort Ord Master Plan area in connection with the MST/Whispering Oaks Business Park project;

c. Rescind approval of a Combined Development Permit consisting of:
   1) A Standard Subdivision Phased Vesting Tentative Map dividing two parcels of 30.3 acres and 85.2 acres (Assessor’s Parcel Numbers 031-101-041-000 and 031-101-056-000) into 16 buildable lots including a 24.4 acre lot and 15 smaller lots ranging in size from 1 acre to 3 acres, a roadway parcel (approximately 7.4 acres), a drainage detention and percolation parcel (approximately 1.7 acres), and three Open Space parcels (approximately 59 acres);
   2) A General Development Plan establishing Allowed Uses, Conditional Uses allowed, and site development standards and design criteria for the proposed Whispering Oaks Business Park;
   3) A General Development Plan and Use Permit to allow development of the Monterey-Salinas Transit (MST) administrative and maintenance facility containing the following: A) a 36,000 square foot three-story administrative building; B) a 96,450 square foot two-story bus maintenance building; C) an 18,620 square foot fuel/brake/tire building with underground tanks attached by a canopy to an 8,373 square foot bus wash/steam cleaning building; and D) approximately 15 acres of paved parking to accommodate up to 281 busses and 388 automobiles;
   4) A Use Permit to allow the removal of approximately 2,400 Coast Live Oak trees on Lot 1 (MST parcel);
   5) A Use Permit to allow the removal of approximately 1,000 Coast Live Oaks on Lots 2 through 16, and for infrastructure improvements; and
   6) An Administrative Permit and Design Approval for development within the Site Plan Review (“S”) zoning district; and

d. Rescind the Mitigation Monitoring and Reporting Plan for the MST/Whispering Oaks Business Park project.

e. Rescind allocation of 92.7 acre feet of water per year to the MST/Whispering Oaks Combined Development Permit.

( Monterey-Salinas Transit Bus Maintenance and Operations Facility and Whispering Oaks Business Park – PLN110231/MST and Monterey County, Former Army Landfill site, Fort Ord Master Plan area)

ADJOURNMENT
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

23. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Medical Information Technology Inc. for CCD Exchange Suite, PDI Integration (1), Syndromic Surveillance, Immunizations Reporting, Electronic Lab/Mic Reporting, and Electronic Path/BK Reporting Services at NMC in an amount not to exceed $141,292 for the period February 28, 2012 to January 31, 2013.

HEALTH AND SOCIAL SERVICES

24. a. Amend the Fiscal Year (FY) 2011-12 Health - Clinic Services Budget 4000, HEA007, Unit 8103 to reallocate one (1.0) FTE Clinic Physician II to one (1.0) FTE Contract Physician; and
b. Amend the FY 2011-12 Health - Clinic Services Budget Unit 4000, HEA007, Unit 8102 to reallocate two (2.0) Patient Services Representative II to two (2.0) FTE Medical Assistant; and
c. Direct the County Administrative Office to incorporate approved changes in the FY 2011-12 Budget as outlined in the Board Order.

25. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign a Memorandum of Understanding between the Monterey County Special Education Local Plan Area (hereinafter "SELPA"), on behalf of its member local education agencies, and the Monterey County Department of Social and Employment Services (hereinafter "DSES") to remit to DSES up to $705,841 for costs for residential board and care and wraparound services provided to AB 3632 eligible SELPA students with disabilities pursuant to their individualized education plans ("IEPs") from July 1, 2010 through June 30, 2011.

GENERAL GOVERNMENT

26. 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 (CY) 2011, Bid No. 10289.

27. Amend the Monterey County Public Finance Policy approved April 29, 2008 to update certain policies and to delete reference to duplicative Debt Advisory Committee.

28. Exercise the Board of Supervisors option under California Government Code 53853 to notify certain school districts that it will not authorize the issuance of tax and revenue anticipation notes ("TRANs") of the Districts and to provide such notification by February 15, 2012.
29. a. Approve and authorize the Contracts / Purchasing Officer to sign a "Wireless Communication Site Lease Agreement" with Pacific Gas and Electric (PG&E) for the period of March 1, 2012 through February 28, 2017 to permit PG&E to sublease tower space at the Huckleberry Hill radio communications site and
b. Authorize an auto-renewal clause as recommended by the Director of Emergency Communications.

30. a. Approve an increase in Fiscal Year (FY) 2011-12 estimated revenue and appropriations of $23,775.00 in the Clerk-Recorder's Appropriation Unit ACR002; (4/5ths vote required); and
b. Authorize the Auditor-Controller to amend the FY 2011-12 Budget to reflect these actions and transfer funds from Clerk-Recorder Modernization Account 020-2751 to the Clerk-Recorder Appropriation Unit ACR002.

31. a. Approve and authorize the Chair to execute an Agreement in the amount of $27,679.32, including non-standard insurance and indemnification provisions, retroactive to July 1, 2011 and effective through the period of June 30, 2014, between Iron Mountain Information Management, Inc. and the County of Monterey for the offsite vaulted retention, preservation, and protection of Monterey County's official/vital microfilm/microfiche records;
b. Approve an increase in Fiscal Year (FY) 2011-12 estimated revenue and appropriations of $27,679.32 in the Clerk/Recorder's Appropriation Unit ACR002; (4/5ths vote required); and
c. Authorize the Auditor-Controller to amend the FY 2011-12 Budget to reflect these actions and transfer funds from the Clerk-Recorder Modernization Account 020-2751 to the Clerk-Recorder Appropriation Unit ACR002.

32. Adopt Resolution to amend Personnel Policies and Practices Resolution No. 98-394 (PPPR) to revise sections related to salary associated with broadband classifications.

33. a. Adopt Resolution supporting the designation of the Fort Ord federal public lands managed by the Bureau of Land Management as a National Monument; and
b. Direct the Intergovernmental and Legislative Affairs Division to send the resolution and a letter from the Chair of the Board to the President of the United States.

34. Receive a report on the Governor's Fiscal Year 2012-13 Proposed Budget.

RMA - PUBLIC WORKS

35. a. Approve $5,000 in Utilities Unit 8182 for a Pacific Gas and Electric Company California Solar Initiative Program Reservation Request application fee; and
b. Authorize the Acting Director of Public Works or his designee to approve the Pacific Gas and Electric Company California Solar Initiative Application Fee invoice in the amount of $5,000.

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