AGENDA
Tuesday, April 10, 2012

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.
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 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, APRIL 10, 2012
9:00 AM

AGENDA

ROLL CALL

CLOSED SESSION

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 v. County of Monterey (Monterey County Superior Court case no. M109434)
      (2) The Open Monterey Project v. Monterey County Board of Supervisors (Monterey County Superior Court case no. M109441)
      (3) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey (Monterey County Superior Court case no. M109442)
      (4) Salinas Valley Water Coalition, et al. v. County of Monterey (Monterey County Superior Court case no. M109451)
   b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter 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) Lawrence Brown
      (2) Melissa Knight-Fine
      (3) James and Carol Byers
      (4) Cedric Johnson
   d. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Natividad Medical Center CEO.
e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
   (1) Designated representatives: Izetta Birch and Brette Neal
   Employee Organizations: All Units

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

CLOSED SESSION

f. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
   (1) In the Matter of the Application of California-American Water Company (Application 04-09-019)
   (2) Ag Land Trust v. Monterey County Water Resources Agency, et al. (Monterey County Superior Court case no. M110691)

   g. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

   h. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding one matter of potential initiation of 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. 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 proclaiming April 8 through April 14, 2012 as "Public Safety Dispatchers Week" in Monterey County. (Supervisor Potter)
7. Adopt Resolution proclaiming the week of April 15th-April 21st as "Celebrating People in Action" in Monterey County and honoring Natividad Medical Center's Volunteer Auxiliary for 52 years of volunteerism. (Supervisor Potter)

APPOINTMENTS

8. Appoint Nick Brockman to the Fish & Game Advisory Commission, to fill an unexpired term ending February 1, 2015. (Supervisor Parker)

9. Appoint Paul Miller and David Delfino to the Pajaro-Sunny Mesa, Community Services District, terms ending November 30, 2015. (Supervisor Calcagno)

10. Appoint Chief Philip Penko to the Community Restorative Justice Commission, term ending February 14, 2014. (Full Board)

11. Appoint Nick Chiulos to the Fort Ord Reuse Authority Board of Directors as an alternate, term ending at the pleasure of the Board. (Supervisor Potter)

OTHER BOARD MATTERS

12. Board Comments

13. CAO Comments and Referrals

14. Public Comment (Limited 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 status report on budget requests from County departments and development of the Fiscal Year 2012-13 Recommended Budget.

12:00 P.M. RECESS TO LUNCH- CONTINUE TO CLOSED SESSION

1:30 P.M. RECONVENE

MONTEREY COUNTY BOARD OF SUPERVISORS

ROLL CALL
SCHEDULED MATTERS

S-2 Consider adopting an Ordinance amending Subsection B of Section 2.12.040 of the Monterey County Code to provide for the appointment of the Director of Human Resources by the County Administrative Officer.

S-3 Consider adoption of an Ordinance to amend Sections 5.16.010 and 5.16.020 of the Monterey County Code related to claims against the County.

ADJOURNMENT

In Memory of Rod Mills and Peter Douglas
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

15. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Jackson & Coker Locum Tenens to provide referrals of locum tenens providers for multiple specialties at NMC in amount not to exceed $200,000 for the period April 1, 2012 to March 31, 2014.

16. a. Approve the Plans and Specifications for the Natividad Medical Center, Project No. 9600-12 - Radiology Equipment Replacement, Bid No. NMC-1005 for contractors to bid on construction; and
b. Authorize the Clerk of the Board to advertise the "Notice to Contractors" in The Californian on April 16th and April 23rd 2012.

HEALTH AND SOCIAL SERVICES

17. a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment 2 to the Professional Services Agreement A-11518 with the University Corporation at Monterey Bay for dedicated staffing and to establish a scholarship fund specifically for Masters of Social Work ("MSW") students at California State University Monterey Bay. Amendment 2 extends the term by one fiscal year to June 30, 2013, and adds $40,000 ($135,212 for Fiscal Year (FY) 2009-10, $234,827 for FY 2010-11, $59,161 for FY 2011-12, and $800 for FY 2012-13) for a revised total Agreement amount not to exceed $430,000; and
b. Approve and authorize the Contracts/Purchasing Officer to sign a Consulting Agreement with the California Institute for Mental Health effective March 1, 2012 to June 30, 2012. The Agreement will provide funding to the County to fund the contract between the County Health Department and the University Corporation at Monterey Bay for the MSW program at California State University Monterey Bay in the amount of $40,000, and will fund educational and training activities for the Southern Bay Area Regional Partnership in the amount of $80,000, for a total Agreement amount not to exceed $120,000.

18. Approve and authorize the Director of Health to sign Amendment No. 6 to Agreement A-11498 with Community Human Services to increase the Agreement amount by $20,880 in FY 2011-12 for a new total Agreement amount not to exceed $4,600,884 for the provision of alcohol and drug treatment residential and outpatient services.

19. Approve and authorize the Director of Health to sign Amendment No. 1 to the Mental Health Services Agreement A-11985 with Psynergy Programs, Inc. for provision of mental health services for Monterey County adult residents with
severe psychiatric disabilities. Amendment No. 1 adds $72,000 ($295,257.44 for Fiscal Year (FY) 2011-12, $297,507.44 for FY 2012-13, and $297,507.44 for FY 2013-14) for a total Agreement amount of $890,272.32.

20. Approve and authorize the Director of Health to accept a donation from the Children's Miracle Network, a program of the Salinas Valley Memorial Hospital Foundation, in the amount of $4,800 to support transportation-related client assistance.

21. a. Reallocate 1.0 FTE Environmental Health Specialist II to 1.0 FTE Accountant I, Environmental Health Budget 4000-8117; and
b. Reallocate 1.0 FTE Management Analyst II to 1.0 FTE Management Analyst III, Environmental Health Budget 4000-8117; and
c. Authorize the County Administrative Office to incorporate approved position changes in the Fiscal Year (FY) 2011-12 Budget and the FY 2012-13 Adopted Budget.

22. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign a Memorandum of Understanding between the California Department of Child Support Services and Monterey County Department of Social & Employment Services for on-line access to the California Child Support Automated Systems (CCSAS) for a period of 36 months.

23. Approve and authorize the Director of Department of Social and Employment Services, or his designee, to sign and execute standard funding agreements and amendments for continued funding from state agencies for designated programs on behalf of the County for Fiscal Year 2012-13 and Calendar Year 2013.

GENERAL GOVERNMENT

24. a. Adopt Resolution to authorize the Parks Director to file an application with the California State Office of Historic Preservation (SOHP) for a grant in the amount of $25,000 for Fiscal Year 2012-13 to fund a context statement for Pebble Beach historic resources; and
b. Authorize the Parks Director, or his designee, to coordinate, process, and execute all contracts, agreements, amendments, and ancillary documents within the scope of the application to accept the grant.

25. a. Approve specifications for annual maintenance and repair of Parks Department roadways at Laguna Seca Recreation Area, for calendar year 2012 (January 1, 2012 through December 31, 2012), Bid No.10365;
b. Authorize solicitation of bids; and
c. Authorize and direct the Clerk of the Board to advertise the "Notice to Bidders" in the local newspaper, The Californian, on April 16, 2012 and on April 23, 2012.
26.  
a. Approve Amendment No.1 to the Concession Agreement between Monterey County Parks Department and Sea Otter Classic, Inc at the Laguna Seca Recreation Area, renewing and extending the term through January 1, 2013; and
b. Authorize the Chair of the Monterey County Board of Supervisors to sign the Amendment.

27.  
Authorize the Registrar of Voters to consolidate and render election services to the cities of Greenfield and Soledad relating to the conduct of the June 5, 2012 Presidential Primary Election.

28.  
Authorize the Registrar of Voters to execute Agreement Number 11G27110 with the Secretary of State's office to receive Help America Vote Act (HAVA) Section 271 grant funds in the amount of $5,000.

29.  
a. Amend the Fiscal Year (FY) 2011-12 Auditor-Controller Budget 1110 and Units 8372 and 8374, to add one Auditor-Controller Analyst I to each unit;
b. Authorize the County Administrative Office to incorporate approved position changes in the FY 2011-12 Budget and the FY 2012-13 Adopted Budget.; and
c. Increase appropriations and estimated revenue/reimbursement totaling $56,000 in Appropriation Unit AUD001 - Auditor-Controller. (4/5ths vote required)

30.  
a. Amend the Fiscal Year (FY) 2011-12 Auditor-Controller Budget 1110, Unit 8373 to add one Enterprise Resource Planning Business Analyst;
b. Authorize the County Administrative Office to incorporate approved position changes in the FY 2011-12 Budget and the FY 2012-13 Adopted Budget; and
c. Increase appropriations and estimated revenue/reimbursement totaling $29,000 in Appropriation Unit AUD001 - Auditor-Controller. (4/5ths vote required)

31.  
Approve Action Minutes of the Board of Supervisors meetings of Tuesday, February 7, 2012; Tuesday, February 14, 2012; Tuesday, February 28, 2012 and Tuesday March 20, 2012.

**RMA - PLANNING DEPARTMENT**

32.  
a. Consent to the grant by Post Ranch LP and Onesimo, LLC of a two-year extension of an Irrevocable Offer to Dedicate Public Access Easements and Declaration of Restrictions at Post Ranch in Big Sur;
b. Authorize the Chair of the Board of Supervisors to execute the consent to the two-year extension; and
c. Direct the Clerk of the Board to submit the signed extension to the County Recorder for recordation prior to April 17, 2012.
(OTD Extension - REF110050/Post Ranch LP, 47100 Highway 1, Big Sur Coast Land Use Plan)
RMA - BUILDING DEPARTMENT

33. Adopt Resolution to amend Personnel Policies and Practices Resolution No. 98-394 to:
   a. Amend Section A.10.1 Department Heads Designated to re-title the Chief Building Official as indicated in Attachment A;
   b. Correct Steps 4 and 5 of the salary for the Chief Building Official as indicated in the attached Resolution; and
   c. Direct the Human Resources Department to incorporate the changes.

RMA - PUBLIC WORKS

34. a. Award a contract to Valley Slurry Seal Company, the lowest responsible bidder, for the Slurry Seal 2012 Project, Contract No. 12-551222, in the total amount of $379,280.64;
   b. Approve the Performance and Payment Bonds executed and provided by Valley Slurry Seal Company;
   c. Authorize a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders; and
   d. Authorize the Director of Public Works to execute the contract, and subject to the terms of the Public Contract Code approve change orders to the contract that do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

35. Acting on behalf of County Service Area No. 45 - Oak Hills:
   a. Authorize the Auditor-Controller to amend the FY 2011-12 Budget for County Service Area 45 - Oak Hills Open Space, Fund 075, Appropriation Code RMA071, by increasing appropriations for Account 6311, Buildings & Improvements Maintenance - External by $32,260 (4/5ths vote required); and
   b. Authorize the Auditor-Controller's Office to incorporate approved appropriation and estimated revenue modifications to the FY 2011-12 Budget, and the County Administrative Office to reflect these approved changes in the FY 2012-13 Adopted Budget.

36. a. Authorize the Auditor-Controller to increase appropriations and estimated revenues in the amount of $296,789 to the Resource Management Agency's Administration Fleet Appropriation Unit 001-3000-RMA007-8185 for contracted fuel purchases with the Monterey County Office of Education (4/5th vote required); and
   b. Authorize the Auditor-Controller's Office to incorporate approved appropriation and estimated revenue modifications to the Fiscal Year (FY) 2011-12 Budget, and the County Administrative Office to reflect these approved changes in the FY 2012-13 Adopted Budget.
37. a. Award a contract to Graham Contractors, Inc., the lowest responsible bidder, for the Crack Seal 2012 Project, Contract No. 12-551225, in the total amount of $243,836.64;
b. Approve the Performance and Payment Bonds executed and provided by Graham Contractors, Inc.;
c. Authorize a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders; and
d. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

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Addendum for Tuesday, April 10, 2012

View Addendum reports at:

http://www.co.monterey.ca.us/cob/Supplemental_Addendum%202012/

ADDENDUM

**Add Under Appointments**

11.1 Appoint Jerry Hernandez to the Successor Agency Oversight Committee, term ending June 30, 2016. (Full Board)

**Add Under Adjournment in Memory**

John Myers

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