ROLL CALL:
Present: Supervisors Salinas (Chair), Armenta, Calcagno, Parker, and Potter.

1. Additions and Corrections for Closed Session: County Counsel announced an addition to Closed Session, and 2.a. now reads: Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two items of significant exposure to litigation.

CLOSED SESSION

2. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two items of significant exposure to litigation. (Added via Addendum)

CLOSED SESSION REPORT: The Board heard from counsel and provided direction on how to resolve these items. One item will be brought back to the Board next week for further consideration.
b. 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
   CLOSED SESSION REPORT: The Board conferred with labor negotiators and provided direction on how to proceed on budget related items on labor negotiations.

c. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
   (1) Stagecoach Territory, Inc. v. County of Monterey, et al. (MCSC Case No. M104908
   CLOSED SESSION REPORT: The Board heard an update on recent court hearings and about future court hearings that will occur.
   (2) Dorsami Reddy v. County of Monterey (MCSC Case No. M100570)
   CLOSED SESSION REPORT: The Board approved a tentative settlement, and if approved by all parties, the agreement will be available in the office of County Counsel.

ROLL CALL:
Present: Supervisors Salinas (Chair), Armenta, Calcagno, Parker, and Potter.

3. The Pledge of Allegiance was led by Clerk of the Board Gail T. Borkowski.

4. Additions and Corrections:
   The Clerk of the Board announced Agenda corrections and proposed additions, which were acted on by the Board as provided in Section 54954.2 of the California Government Code.

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   · Supervisor Parker pulled item 24
   · Supervisor Potter pulled item 29 to be heard as part of S-2
   · Supervisor Parker stated she did not have copy of plan for Item No. 24; she wants to be clear that modifications reflect things that happen because of unexpected infusions of money. Elliott Robinson responded.
   · Supervisor Armenta commented on item 29.
   Motion by Supervisor Potter, seconded by Supervisor Parker to approve the Consent Calendar, with the exception of item 29 which was heard in conjunction with Item S-2, and item 24 was continued to April 27, 2010. ALL AYES

6. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)
   Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES
OTHER BOARD MATTERS:

7. Board Comments
   · Supervisor Armenta announced his attendance at Agualitos Housing Project and complimented the Department of Social Services, Area Agency on Aging, and the Alisal School District for making it possible.
   · Supervisor Parker thanked Dr. Bauman for being the guest at Hot Drinks and Hot Topics last week; thanked Planning staff for their presence at the community meeting held at the Marian library on Sunday for GPU in which staff handled a range of topics very well.
   · Supervisor Calcagno condolences in memory of Norm Braga.
   · Supervisor Salinas attended Commission on Status of Women event with Supervisor Calcagno.

8. CAO Comments and Referrals
   County Administrative Officer Lew Bauman advised of the following referrals:
   1) Request for a Resolution for the old Monterey County Jail with intent of leveraging our position to apply for grants associated with this facility; referred to the Resource Management Agency (Parker/Armenta)
   2) Review of tobacco policies; report to Board on current tobacco control initiatives; referred to the Health Department (Parker).
   CAO Bauman advised Monterey County and the City of Salinas were notified of receipt of a national award from the American Public Works Association for the response to the Dayton Spill. CAO Bauman thanked County staff, Environmental Health, and all the members of the community that participated in the response.
   · Supervisor Salinas thanked County staff and community participants for their timely response to the emergency.

9. Public Comment
   Gary Richard Arnold and Hans Jongens

10. By Consensus, the Board received a presentation from the Alisal Healthy Start Family Resource Center regarding The California Endowment 10-year initiative, "Building Healthy Communities" in East Salinas.

11. Appointed Supervisors Armenta and Salinas to serve as an Ad Hoc Committee to study and collaborate with other agencies to make recommendations on governance options for implementation of Monterey County’s Comprehensive Violence Prevention, Intervention, Suppression and Reentry Framework.
    Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES

RESOLUTIONS:

12. Adopted Resolution No. 10-094 honoring the Big Sur International Marathon on their 25th Presentation, which will be celebrated on April 25, 2010.
    Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES
13. Adopted Resolution No. 10-095 honoring Todd Lueders, President/CEO of the Community Foundation for Monterey County. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES

14. Adopted Resolution No. 10-101 proclaiming the Month of May, 2010, as "Fruits and Vegetables Month" in Monterey County. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES

15. Adopted Resolution No. 10-096 honoring Jack T. Baillie as a recipient of the National Steinbeck Center’s 2010 Hall of Fame Award. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES

16. Adopted Resolution No. 10-097 honoring Tom Nunes as a recipient of the National Steinbeck Center’s 2010 Hall of Fame Award. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES

17. Adopted Resolution No. 10-098 honoring Bob Nunes as a Recipient of the National Steinbeck Center’s 2010 Hall of Fame Award. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES

18. Adopted Resolution No. 10-099 honoring Burton Anderson as the recipient of the National Steinbeck Center’s 2010 Education Award. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES

19. Adopted Resolution No. 10-100 honoring Richard R. Smith as a recipient of the National Steinbeck Center’s 2010 Valley of the World Ag Leader Award. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES

20. Adopted Resolution No. 10-100 honoring Claudia Alexander Smith as a recipient of the National Steinbeck Center’s 2010 Valley of the World Ag Leader Award. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES

20.1 Adopted Resolution No. 10-093 designating the Week of April 18 through April 24, 2010, as National Crime Victims’ Rights Week in Monterey County. (Added via Addendum)
   Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES

**APPOINTMENTS:**

21. Appointed Laura Harris to the Commission on Disabilities, term ending December 31, 2012. (Full Board)
    Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES
SCHEDULED MATTERS:

S-1 The Board received a presentation on Controlling Storm Run-off from Agricultural Land Research being conducted by Cooperative Extension Farm Advisors.

Items S-2 and Consent 29 heard concurrently.

S-2 Board Budget No. 09/10-135
a. Received and approved the Capital Improvement Program Five Year Plan 2010-11 through 2014-15; and
b. Approved the Capital Improvement Program Five Year Plan 2010-11 through 2014-15 for further consideration in the Fiscal Year 2009-10 Annual Budget process.

Motion by Supervisor Potter, seconded by Supervisor Armenta to approve staff recommendations; with additional directions to staff to: 1) return with recommended guidelines for operations of the Capital Improvement Committee (CIC); 2) return to the CIC and agendize a discussion of how better to utilize the CIC to refine the process of incorporating projects into the plan and eliminating timing issues; and 3) directed the General Manager of Water Resources Agency to bring back to CIC the authority the Water Resources Agency Board of Directors may have over capital projects. ALL AYES

RECESSED TO LUNCH – CONTINUED CLOSED SESSION

RECONVENED 1:30 P.M.

ROLL CALL:
Present: Supervisors Salinas (Chair), Armenta, Calcagno, Parker, and Potter.

SCHEDULED MATTERS:

NOTE: S-4 heard before S-3

S-3 Conducted a Public Hearing and adopted a Resolution of Intention No. 10-110 to take the following actions:
  a. Uphold the Appeal by Bruce Meyer from the Planning Commission approval of a Combined Development Permit (PLN040581/Moellentine); and
  b. Decline to Adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan; and
  c. Deny approval of Combined Development Permit (PLN040581/Moellentine) consisting of: Coastal Administrative Permit and Design Approval to demolish an existing 2,704 square foot single family residence and 426 square foot garage (3,130 square feet total), construct a new 4,884 square foot, 3-level single family residence with a 1,406 square foot subterranean garage, grading (400 cubic yards cut) [3,229 sq. ft. above grade; 1,655 sq. ft. lower habitable level; 1,406 sq. ft. is garage; 6,290 sq. ft. total all]; Variance to
reduce the east side setback from five feet to three feet, six inches along a private easement; retaining walls; and Coastal Development Permit to allow development with a positive archaeological report, subject to conditions. (Appeal - PLN040581/Moellentine, 26195 Scenic Road, Carmel, Carmel Area Land Use Plan); and

d. Directed staff to return with appropriate conditions and findings that cite the Local Coastal Plan (LCP) and Land Use Plan (LUP) and the need for consistency with those documents in regards to height and preservation of resources.

Dave Swiegert for appellant Bruce Meyer.

Public Comment: Bill Urbach; Karen Letendre; Bob Kent; David Eckles; James Sanders (opposed-did not speak); Marc Bromley (opposed-did not speak); Barbara Rainer; Karen Weinberg; Maureen Sanders; L. Bruce Meyer; Bruce Meyer; Valda Cotsworth; Renee Dalton; Dale Hekhurs; Mary Ann Matthews; Charles Snorf; Marguerite Meyer; John Pettley; John Kasunich.

Motion by Supervisor Potter, seconded by Supervisor Parker. 3 - 2 (Supervisors Armenta and Salinas dissented)

S-4 Granted applicant’s request for continuance to Tuesday, June 15, 2010 to consider the following actions:
a. Consider an appeal by Wayne Holman for Aromas Heritage Oaks LLC of 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; Use Permit for removal of approximately 367 protected oak trees (271 for roads and up to 96 on the individual lots); Use Permit for four inclusionary rental units; and grading (approximately 5,100 cubic yards cut and 5,100 cubic yards fill); and

b. Adopt Resolution of intent and continue the public hearing to a date certain for staff to return with a resolution granting or denying the appeal with appropriate findings. (PLN980503/Aromas Heritage Oaks LLC, North County Area Plan)

Bob Schubert, Planning Department, advised staff concurs with the applicants request for continuance.

Public Comment: Marjorie Kay; Kathy Chavez Miller; John Bridges on behalf of applicant.

Motion by Supervisor Armenta, seconded by Supervisor Potter. 3-2 (Supervisors Calcagno and Parker dissented)
CLOSED SESSION REPORT: (See 2 a-c)

ORDER FOR ADJOURNMENT

In Memory of Norm Braga

SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS

/s/ Simón Salinas

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: /s/ Gail T. Borkowski
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

22. Agreement No. A-11680 Approved and authorized the Interim Director of Health to sign an Agreement for Fiscal Year 2009-10 with ValueOptions, Inc. for the administration of outpatient specialty mental health services for Medi Cal eligible youth who are placed out-of County for a total Agreement amount not to exceed $50,000.

23. Agreement No. A-11565
   a. Approved and authorized the Interim Director of Health to sign Amendment No. 1 to the Professional Services Agreement with Medical Doctor Associates to increase the Agreement by $165,000 for FY 2009-10 and $75,000 for Fiscal Year 2010-11, for the referral of Locum Tenens Physician/Psychiatric Service Providers, for a revised total not to exceed $770,000 for the period of December 1, 2009 through June 30, 2012; and
   b. Authorized the Interim Director of Health to approve up to three (3) future Amendments to this Agreement where the Amendments do not exceed ten percent (10%) of the annual amount, and do not significantly alter the scope of work or result in an increase to Net County Contribution.

24. Continued to April 27, 2010 Concur with the Monterey County Workforce Investment Board (WIB) Executive Committee to:
   a. Approve the Workforce Investment Act Local Plan Modification for Program Year 2009-10; and
   b. Authorize the Chairperson of the Board of Supervisors to sign the local plan modification and local area grant recipient listing.

   Motion by Supervisor Potter, seconded by Supervisor Parker. ALL AYES

GENERAL GOVERNMENT:

25. Agreement No. A-11681
   a. Approved and authorized the Contracts/Purchasing Officer to execute an Agreement with Computer Generated Solutions, Inc. (CGS), effective from March 29, 2010 through March 28, 2015, for the CGS Unlimited Mailbox E-mail Archiving and e-Discovery solution system per County of Monterey Request For Proposal (RFP) No. 10199, with a total agreement amount not to exceed $138,300 of which $83,000 is allocated for Fiscal Year (FY) 2009-10, and an additional $13,860 allocated annually for FY 2010-11, FY 2012-13, FY 2013-14, and FY 2014-15; and
   b. Approved and authorized the Contracts/Purchasing Officer to amend the Agreement if necessary provided there is not a significant change in the scope
of work and the amendments do not exceed ten percent (10%) of the FY 2009-10 total Agreement amount.

26. Agreement No. A-11682 Approved and authorized the Contracts/Purchasing Officer to execute a Professional Services Agreement with Lapkoff & Gobalet Demographic Research, Inc. for the purpose of providing demographic analysis in the County’s Supervisorial Redistricting efforts in the amount not to exceed $150,000 for the period of May 1, 2010 through December 31, 2011.

RMA - PUBLIC WORKS:


28. 2010CONST005
   a. Approved Plans and Special Provisions for the Traffic Signal Maintenance 2010-11 project in Monterey County; and
   b. Authorized the Clerk of the Board to advertise the "Notice to Bidders" in The Californian on April 26 and May 3, 2010.

29.  a. Approved the transfer of $803,125 for Roof Repairs and Renovations; 855 E Laurel, Bldg A-Equipment & Storm Water Management; San Lucas Branch Library; and the Seaside-Community Benefits Elevator from Capital Projects Fund, Fund 402, Unit 8174, Account 7521 (Unspecified-Needs Board Approval) and allocate to Facilities Project Fund, Fund 401, Unit 8184, Appropriation Unit RMA004;
   b. Directed the Auditor-Controller to move appropriations in the amount of $803,125 within Capital Projects Fund, Fund 402, Unit 8174, Appropriation Unit RMA014, from Account 7521 (Unspecified - Needs Board Approval) to Account 7614 (Operating Transfers Out); and
   c. Directed the Auditor-Controller to amend the Fiscal Year 2009-10 budget by increasing revenue and appropriations to Facilities Project Fund, Fund 401, Unit 8184, Appropriation Unit RMA004, Accounts 5940 and 6311, (Operating Transfers-In, and Buildings and Improvements Maintenance, respectively) in the amounts of $803,125 (4/5th vote required).

Motion by Supervisor Potter, seconded by Supervisor Parker to approve staff recommendations; with additional direction to staff to return to the Capital Improvements Committee with project descriptions of the miscellaneous project components. ALL AYES
RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

30. Board Budget No. 09/10-136
Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey: Directed the Auditor-Controller to increase revenues and appropriations in the FY 2009-10 budgets for Debt Service Funds to allow tax increment collections to be transferred to Capital and Housing Set-Aside Funds as follows: 1) Castroville-Pajaro Debt Service Fund (Fund 271) by $800,000 (4/5th vote required); 2) Boronda Debt Service Fund (Fund 272) by $800,000 (4/5th vote required); 3) Fort Ord Debt Service Fund (Fund 273) by $10,000 (4/5th vote required); and 4) East Garrison Debt Service Fund (Fund 274) by $400,000 (4/5th vote required).

31. Agreement No. A-11683
Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey: Approved Amendment No. 3 to a Professional Services Agreement dated August 24, 2009, with RBF Consulting to increase the amount of the agreement by $60,000 for staff assistance related to the Redevelopment Project Areas including project management and permit processing assistance; total amount of the agreement not to exceed $160,000.

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