AGENDA
Tuesday, April 14, 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 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.
MONTEREY COUNTY BOARD OF SUPERVISORS
TUESDAY, APRIL 14, 2009
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 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 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
      1. Clifford L. Jackson v. Monterey County Jail, et al. (USDC Case No. C07-01202)
      2. Dorsami Reddy v. Skanska USA Building, Inc., et al. (MCSC Case No. M81383)
      4. Franklin J. Lunding, et al. v. County of Monterey (MCSC Case No. M96219)
      6. Steven Davies (WC)
      7. Lynn Lincoln (WC)
      8. Monterey County Deputy Sheriffs' Association v. County of Monterey, et al. (MCSC Case No. M97873)
     10. SEIU Local 521 v. County of Monterey (PERB Charge No. SF-CE-637-M)

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

   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
2. Designated representatives: Elliott Robinson and Fran Buchanan
   Employee organization: IHSS Unit

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, the Board will confer regarding
   discipline, dismissal, or release of a public employee.

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 Section 54954.2 of the
   California Government Code.

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

OTHER BOARD MATTERS:

6. Board Comments, Referrals, and Updates

7. CAO Comments

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. Adopt Resolution honoring the Monterey County Branch of the National
   Association for the Advancement of Colored People (NAACP) on their 100th
   Birthday Anniversary celebrated on February 21, 2009. (Supervisor Potter)

10. Adopt Resolution proclaiming the week of April 13, 2009 through April 17, 2009, as
    "Environmental Health Week" in Monterey County. (Full Board)

11. Adopt Resolution proclaiming the week of April 19 through the 25, 2009, as
    "Safety Seat Checkup Week" in Monterey County. (Full Board)
12. Adopt Resolution honoring an “undisclosed recipient” of Countywide academic achievement competition. (Supervisor Potter)

13. Adopt Resolution proclaiming the week of April 12, 2009 through April 18, 2009, as “Public Safety Dispatchers Week” in Monterey County. (Full Board)

**APPOINTMENTS:**


15. Appoint Ruby Urueta to the Commission on the Status of Women, to fill an unexpired term ending February 1, 2010. (Supervisor Salinas)

16. Appoint Supervisor Dave Potter to the Monterey County Workforce Investment Board representing Title I Adult, Dislocated Worker and Youth Programs, term ending April 14, 2012. (Full Board)

17. Reappoint John Sargenti to the Fish & Game Advisory Commission, term ending February 1, 2012. (Supervisor Calcagno)

**SCHEDULED MATTERS:**

S-1 Accept an oral presentation on the Emergency Medical Services Agency (EMS) First Annual Report.

**12:00 P.M.**

Recess to Lunch – Continue Closed Session

---

**ORDER FOR ADJOURNMENT**

**IN MEMORY OF ROBERT TOWNSEND**

**TUESDAY, APRIL 21, 2009**

---

Future Board Meetings:
Monday, April 27, 2009 – Special Meeting
Tuesday, April 28, 2009
Tuesday, May 5, 2009
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

18. Approve and authorize the Purchasing Manager of Natividad Medical Center (NMC) to execute Amendment No. 5 to the Agreement (No. 20-009) with Salinas Valley Radiologists, Inc., in an amount not to exceed $930,000 (an increase of $154,000) for radiology reading and interpretation services at Natividad Medical Center between June 30, 2008 and May 31, 2009.

19. Approve and authorize the Natividad Medical Center Chief Executive Officer to sign an Employment Contract with a new Hospital Chief Financial Officer at Natividad Medical Center.

20. Approve and authorize the Natividad Medical Center Chief Executive Officer to sign an Employment Contract with a new Hospital Chief Information Officer at Natividad Medical Center.

21. Receive an update from Natividad Medical Center (NMC) regarding the March 31, 2009 request by the Board of Supervisors that NMC consider SEIU representation on the NMC Board of Trustees.

HEALTH AND SOCIAL SERVICES:

22. Authorize a five-signature letter from the Board of Supervisors to the Director of the California Department of Public Health requesting the inclusion of Monterey County in the Healthy Food Purchase Pilot program.

23. Proclaim state of local emergency relating to the spread of HIV among injection drug users in Monterey County.

24. a. Approve the amended Schedule of Fees and Charges for Health Department services;
   b. Adopt the fees as the Amended Article I d of the Monterey County Fee Resolution effective April 28, 2009; and
   c. Approve the attached Monterey County Master Fee Resolution modifying Article I d. (4/5th vote required)

25. Approve and authorize the Director of Health to sign Amendment No. 1 to Mental Health Services Agreement No. A-11273 with CF Merced Behavioral, LLC dba Country Villa Merced Behavioral Health Center for services to adults with severe psychiatric disabilities, increasing the Agreement in the amount of $204,447 for Fiscal Year 2008-09 for a total Agreement amount of $911,106.

26. Approve and authorize the Director of Health to accept a donation from the Children's Miracle Network in the amount of $2,500 for the provision of
transportation costs for low-income children and their families to attend medical care appointments.

27. Approve and authorize the Director of Health to execute on behalf of the County of Monterey standard Agreements, and any amendments thereto, for continued funding from local, State, and Federal agencies for designated programs.

28. a. Approve a recommendation from the Director of Health to disband the Monterey County HIV/AIDS Advisory Committee; and
b. Adopt Resolution disbanding the Monterey County HIV/AIDS Advisory Committee.

29. Approve and authorize the Director of the Department of Social and Employment Services, or his designee, to sign and submit applications for continued funding, and sign final funding Agreements and amendments from State agencies for designated programs for Fiscal Year (FY) 2009-10 and Calendar Year 2009/2010.

30. a. Approve modification to RFP No. 10156 for the countywide provision of ambulance and paramedic services as identified in this report;
b. Authorize the Contracts/Purchasing Officer to incorporate the approved modification into RFP No. 10156 and, if necessary, extend the RFP submission deadline; and
c. Authorize the Director of Health to approve an extension of the existing interim agreement with American Medical Response-West for a period of up to 90 days, subject to the same terms and conditions.

CRIMINAL JUSTICE:

31. Approve and authorize the District Attorney to sign and submit a grant application to the California Emergency Management Agency (CalEMA) for funding a Violence Against Women Vertical Prosecution (VAW-VV) Program for Fiscal Year (FY) 2009-10.

32. Approve the bylaws of the Community Restorative Justice Commission.

33. a. Approve the transfer of funding in the amount of $78,100 from Fund 010, Budget Unit 173 to Fund 001, Budget Unit 256-Juvenile Institutions and Alternative Programs to enhance security at the Youth Center; and
b. Approve and direct the Auditor-Controller to increase Fiscal Year (FY) 2008-09 estimated revenues and appropriations in the amount of $78,100 in Budget Unit 256- Juvenile Institutions and Alternative Programs (4/5th vote required).

34. Approve and authorize the District Attorney to sign and submit applications, including any extensions or amendments thereof, for continued funding for Fiscal Year (FY) 2009-10 from State agencies for five District Attorney's Office assistance and prosecution programs as identified in the Board Order.
35. a. Approve increased estimated revenues and appropriations in the amount of $42,319 from the CalGRIP grant for the City at Peace Project in Budget Unit 256-Juvenile Institutions and Alternative Programs during Fiscal Year (FY) 2008-09 (4/5th vote required); 
b. Direct the Auditor-Controller to amend the Fiscal Year (FY) 2008-09 Budget Unit 256 to reflect the change in revenue and appropriations; 
c. Approve and authorize the Vice-Chair of the Board of Supervisors to sign the Memorandum of Understanding with the City of Salinas for the City at Peace Project through March 31, 2010; and 
d. 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.

36. Approve and authorize the Sheriff’s Office to apply for a grant for ten (10) fully funded entry-level Deputy Sheriff positions with the Office of Community Oriented Policing Services (COPS) Hiring Recovery Program (CHRP) for a three (3) year period in the amount of approximately $3,350,000.

37. a. Approve and authorize the Purchasing Manager to sign Amendment No. 1 with First Alarm Security & Patrol, Inc., to increase the Agreement amount by $85,000 for a total of $150,000 to provide unarmed and armed uniformed guard services of inmates at medical facilities for Fiscal Year 2008-09; and 
b. Authorizes the Purchasing Manager to sign future amendments increasing the amount payable under the Agreement with First Alarm Security & Patrol, Inc., without further approval by the Board of Supervisors, provided that any such amendment, either individually or cumulatively with other such amendments, shall not increase the total amount payable to First Alarm under paragraph 2 of the contract by more than $15,000 over the sum of $150,000.

GENERAL GOVERNMENT:

38. a. Approve the borrowing of funds for Fiscal Year (FY) 2009-10 through issuance and sale of Tax and Revenue Anticipation Notes at the maximum legal amount, but not to exceed $60 million by means of a direct, stand alone, issuance; and 
b. Approve the Financing Team recommended by the Debt Manager.

39. a. Approve the local agency Resolution and approve the borrowing of funds for Fiscal Year (FY) 2009-10 through the issuance and sale of Tax and Revenue Anticipation Notes at the maximum legal amount, but not to exceed $60 million through participation in the California Communities Cash Flow Financing Program; and 
b. Approve expenditure of up to $13,500 during FY 2008-09 to obtain a short term rating for the County from one of the Nationally Recognized Statistical Ratings Organizations.
40. Approve the use of San Lorenzo Park on June 28, 2009 and September 13, 2009 for two functions by Grace Lutheran Church in compliance with Monterey County Code 14.12.130.

41. a. Adopt Resolution to authorize the Director of Parks to file an application with the State Office of Historic Preservation (SOHP) for a grant in the amount of $25,000 for Fiscal Year 2009-10 to fund an historic resources survey of North County, and
b. Authorize the Director of Parks or his authorized deputy as the agent to coordinate, process, and execute all contracts, agreements, amendments, and ancillary documents within the scope of the application to accept the grant.

42. a. Authorize the Information Technology Department to expend $280,000 of accumulated Fiscal Year 2008-09 budgetary expenditure savings for the purpose of responding to Natividad Medical Center's request for an additional three (3) months of technology services; and
b. Authorize Information Technology to bill Natividad Medical Center $280,000 for the services provided during the three month extension.

43. a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to Agreement between The Corporation for Education Network Initiatives in California and the County of Monterey; and
b. Approve and authorize the Director of Information Technology to authorize additional of installation equipment as permitted under this Amended Agreement provided that no costs are borne by the County.

RMA - PLANNING DEPARTMENT:

44. a. Amend the Fiscal Year (FY) 2008-09 Planning Department, Budget Unit 293 to reallocate one (1) Senior Planner and (.5) of an Associate Planner, to two (2) Land Use Technicians; and
b. Direct the Auditor-Controller to reflect this change in the FY 2008-09, Planning Department, Budget Unit 293.
(PD090304/Personnel Amendments)

45. a. Accept the Conservation and Scenic Easement Deed for William C. and Shelby Jo Butzlaff/PC96001 for property located easterly of State Highway One, approximately 2 miles south of the Bixby Creek Bridge, Big Sur (APN: 418-021-003-000) Big Sur area, Coastal Zone;
b. Authorize the Vice-Chair of the Board of Supervisors to sign the Conservation and Scenic Easement Deed; and
c. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing/recordation.
(Conservation and Scenic Easement Deed -PC96001/Butzlaff, easterly of State Highway One, approximately 2 miles south of the Bixby Creek Bridge, Big Sur Coastal LUP area)
46. a. Accept the Parcel Map for the Minor Subdivision of one (1) .705 acre parcel into two parcels of .253 acres (lot 1) and .452 acres (lot 2), the Tax Report from the Tax Collector and the Subdivision Guarantee; and
b. Direct the Clerk of the Board to submit the Parcel Map to the County Recorder for filing.

(Parcel Map - Fortugaliza/PLN070649, 1128 & 1130 Fontes Lane, Salinas, Greater Salinas Area)

RMA - PUBLIC WORKS:

47. a. Approve an Agreement between the County of Monterey and California Water Service Company for the installation of an underground fire service main for the new Health Department Headquarters Building, Project No. 8776, in the amount of $29,985; and
b. Authorize the Vice-Chair of the Board to execute the Agreement, including minor amendments that do not affect the substance of the Agreement.

48. a. Accept the Certificate of Completion for the Construct Improvements - Information Technology Building, 1590 Moffett Street, Salinas, Project No. 852365; and
b. Authorize the Director of Public Works to execute and record the Notice of Completion.

49. a. Accept the Certificate of Completion for the construction of the Information Technology Fleet Parking Lot Improvements, 1590 Moffett Street, Salinas, Project No. 859502; and
b. Authorize the Director of Public Works to execute and record the Notice of Completion.

50. a. Approve a Real Property Purchase Agreement and a Right of Entry and Temporary Construction Easement with Jonathan C. Wooster and Margaret Jane Wooster, Trustees of the 1993 Wooster Revocable Trust U/D/T dated 2/1/93 as to the fee estate, in the amount of $7,800 for the construction of the Lonoak Road Bridge at Lewis Creek, County Bridge No. 402, State Bridge No. 44C-0158, Federal Aid Project No. BRLOZB-5944(035), Project No. 09-220565 east of King City; and
b. Authorize the Director of Public Works to execute the Real Property Purchase Agreement and a Right of Entry and Temporary Construction Easement (Jonathan C. Wooster APN No. 31-04-05 in San Benito County and APN No. 419-141-015 in Monterey County) and the Certificate of Acceptance and Consent to Recordation on behalf of the County.

51. a. Approve a Cooperative Agreement with San Benito County for Construction of the Lonoak Road Bridge at Lewis Creek Project, County Bridge No. 402, State Bridge No. 44C-0158;
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.

52. 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).

53. a. Approve the California Department of Transportation Disadvantaged Business Enterprise Program Implementation Agreement for Local Agencies; and
   b. Authorize the Director of Public Works to sign the Agreement.

54. a. Adopt Resolution approving submittal of a grant application to the State of California Department of Public Health for Economic Recovery funding in an amount not to exceed $4,000,000 pursuant and subject to all of the terms and provisions of the American Recovery and Reinvestment Act (ARRA) and amendments thereto; and
   b. Authorize and direct the Director of Public Works, to act as the agent for the County in processing and signing all documentation to secure these funds.

###

-See Addendum following page-
AGENDA ADDENDA
THE FOLLOWING ITEMS HAVE BEEN ADDED TO THE AGENDA SINCE RELEASE OF THE AGENDA TO THE PUBLIC:

Under Consent Calendar:
Probation:

37.1  a. Consider the rejection of a conditional award in the amount of $3,879,017 from the Corrections Standards Authority - SB 81 Local Youthful Offender Rehabilitative Facilities funding for the construction of a new juvenile detention facility; and
    b. Approve the withdrawal of Monterey County’s Grant Application from consideration.

ITEMS REMOVED FROM AGENDA
THE FOLLOWING ITEMS HAVE BEEN REMOVED FROM THE AGENDA SINCE RELEASE OF THE AGENDA TO THE PUBLIC:

Under 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.

   6. Steven Davies (WC)
   7. Lynn Lincoln (WC)

Under Consent Calendar:
General Government:

43.  a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to Agreement between The Corporation for Education Network Initiatives in California and the County of Monterey; and
b. Approve and authorize the Director of Information Technology to authorize additional of installation equipment as permitted under this Amended Agreement provided that no costs are borne by the County.

TITLE CORRECTIONS

THE FOLLOWING AGENDA ITEMS HAVE HAD CHANGES TO THEIR RECOMMENDED ACTIONS SINCE RELEASE OF THE AGENDA TO THE PUBLIC:

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.
   2. Dorsami Reddy v. Skanska USA Building, Inc., et al. (MCSC Case No. M81383) – (Santa Clara County Superior Court Case No. 109 CV 138855)

###