AGENDA
Tuesday, October 27, 2009

**** Special Meeting ****

Closed Session start time is scheduled for 8:30 A.M.

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 antelación para 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.
SPECIAL MEETING
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, OCTOBER 27, 2009
8:30 AM

AGENDA

8:30 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 will confer with real property negotiators.

      (1) Property: County franchise for solid waste and recycling services
      Negotiating parties: To be determined
      Under negotiation: Price and terms
      County negotiator: Allen Stroh

      (2) Property: County owned property at the corner of Laurel Drive and Constitution Boulevard (APNs 003-851-021, -024, and -027)
      County Negotiator: Wayne Tanda, RMA Director
      Negotiating Parties: County of Monterey and the Salinas Regional Sports Authority
      Under negotiation: Price and Terms

      (3) Property: Portion of Toro Park near Highway 68 (Portion of APN 161-011-071-000).
      Negotiating parties: County of Monterey and Mark Kelton, Bollenbacher & Kelton.
      Under negotiation: Applicant's request to acquire access to proposed subdivision through portion of Toro Park adjacent to Highway 68.
      County negotiator: To be determined.

   b. Pursuant to Government Code sections 54956.9(b) and 54956.9(c), the Board will confer with legal counsel regarding one item of significant exposure to litigation and/or potential initiation of litigation.
c. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding potential initiation of three litigation cases.

d. Pursuant to Government Code section 54957, the Board will confer regarding recruitment for and/or appointment to the position of Equal Opportunity Officer.

e. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following public employee positions:
   (1) County Administrative Officer
   (2) Natividad Medical Center CEO

f. 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

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.

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)

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

7. CONSENT CALENDAR – MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet)

OTHER BOARD MATTERS:

8. Board Comments

9. CAO Comments and Referrals
10. 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.

11. Receive Budget Committee Report and Action Minutes for the 4th Quarter of Fiscal Year 2008-09.

APPOINTMENTS:

12. Appoint Natalie Garcia to the Monterey County Workforce Investment Board, term ending October 27, 2011. (Full Board)

13. Appoint Maria Castillo to the Monterey County Workforce Investment Board, term ending October 27, 2012. (Full Board)

14. Reappoint Judy Morales to the Youth Council of the Monterey County Workforce Investment Board, term ending October 27, 2011. (Full Board)

15. Consider appointment of a Member and Alternate Member to the Seaside Groundwater Basin Watermaster Board, term ending December 31, 2011 or until the Board makes another appointment. (Full Board)

SCHEDULED MATTERS:

S-1 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to establish a 45 m.p.h. speed limit on a portion of Blackie Road in Prunedale.

S-2 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to establish a 30 m.p.h. speed limit on a portion of Outlook Drive in High Meadows, Carmel area.

S-3 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to increase an existing speed limit on Reservation Road from 40 m.p.h. to 55 m.p.h., near Marina.

S-4 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to establish a 55 m.p.h. speed limit on a portion of San Juan Road, Aromas area.

S-5 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.24.020, to establish a stop intersection at Sylvan Road and Manor Road. Stop required on the southern leg of Manor Road at the entrance to Sylvan Road, Monterey area.
S-6  Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to establish a 40 m.p.h. speed limit on Tustin Road in Prunedale.

S-7  a.  Conduct a public hearing on Unmet Transit Needs in the unincorporated area of the County in preparation for the Fiscal Year 2010-11 Local Transportation Funds allocation; and
b.  Consider referring all comments received to the relevant transit operators and the Department of Public Works for analysis.

11:30 A.M.

Recess to Lunch – Ribbon Cutting Ceremony at the Monterey County Health Department.

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-8  Continued public hearing to:
   a.  Consider Resolutions/Agreements for County-initiated Notice of Non-Renewal of all or part of eight (8) Williamson Act Land Conservation Contracts and Farmland Security Zone Contracts due to not meeting Williamson Act Program and County Contract requirements.
   b.  Provide direction to staff for developing a Monitoring and Enforcement Program for Williamson Act Land Conservation Contracts and Farmland Security Zone Contracts.
(PD091035/Williamson Act Non-Renewals 2010)

S-9  Receive a report on the July 17 through 18, 2009, Local Government Summit on Governance and Fiscal Reform - "Rebuilding Government From the Ground Up" sponsored by the CCS Partnership and other State governmental reform efforts.

S-10  a.  Receive a report on the status of permit fees for alternative energy systems;
   b.  Direct staff regarding which subsidy option the Board deems appropriate: 1) no subsidy 2) a fee subsidy of $750, 3) a fee subsidy of another amount;
   c.  Direct staff regarding which priority permitting option the Board deems appropriate: 1) no priority permitting, 2) priority permitting;
   d.  Direct Building Services to modify fee schedule and prepare appropriate resolutions to reflect any Board approved changes; and
   e.  Direct Building Services and the CAO-Analysis and Budget Division to make appropriate budgetary actions necessary to balance the budget.
ORDER FOR ADJOURNMENT
TO TUESDAY, NOVEMBER 3, 2009

Future Board Meetings:
Tuesday, November 10, 2009 – No Meeting
Tuesday, November 17, 2009 – No Meeting
Tuesday, November 24, 2009 – No Meeting
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

16. Approve and authorize the Director of Emergency Medical Services (EMS) Agency to accept a grant in the amount of $12,833 from the California Emergency Medical Services (EMS) Authority, to facilitate the transfer of Emergency Medical Services data to the EMS Authority in the specified XML format.

17. a. Amend Health Department Budget 4000, HEA003, to reallocate 2.0 FTE Public Health LVN to 2.0 FTE Public Health Nurse II; and
   b. Direct the Auditor-Controller to amend the adopted Fiscal Year 2009-10 Health Department Budget 4000, HEA003, to reflect the change in position count as outlined in the Board Order (4/5th vote required).

18. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign Amendment No. 1 to Professional Services Agreement No. 626 with Peacock Acres Inc. to continue the Transitional Housing Program Plus (THP-Plus) for eligible emancipated foster and probation youth, adding $461,175 for the period July 1, 2009 through June 30, 2010, increasing the total amount of the contract to $560,505; and
   b. Authorize the Director of the Department of Social & 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.

19. a. Approve the Area Agency on Aging 2008-09 Year-End Report; and
   b. Authorize the Chair to sign the Year-End Report Transmittal Letter.

CRIMINAL JUSTICE:

20. a. Approve and authorize the District Attorney to accept a grant previously applied for from the Department of Insurance (DOI) in the amount of $300,000; and
   b. Direct the Auditor-Controller to amend the Fiscal Year 2009-10 District Attorney Fund 001, Budget Unit 2240, Unit 8063, Appropriations Unit DIS001 to increase revenues and appropriations as in the amount of $104,771 as detailed in the Board Order. (4/5th vote required).

21. a. Approve and authorize the District Attorney to accept a Federal Justice Assistance Grant (JAG) in the amount of $22,867 from the Edward Byrne Memorial Justice Assistance Grant Program;
   b. Increase Fiscal Year (FY) 2009-10 estimated revenue and appropriations by $22,867 in the District Attorney's Budget 2240, Unit 8063, Appropriations Unit DIS 001; and
c. Direct the Auditor-Controller to increase FY 2009-10 revenue and appropriations totaling $22,867 in District Attorney Budget Unit 2240, Unit 8063, Appropriations Unit DIS 001. (4/5\textsuperscript{th} vote required)

22. a. Approve and authorize the District Attorney to accept Federal Grant Funds in the amount of $223,804 from the California Emergency Management Agency (CalEMA); and  
b. Direct the Auditor-Controller to increase Fiscal Year 2009-10 revenue and appropriations totaling $223,804 in District Attorney Fund 001, Budget 2240, Unit 8063, Appropriations DIS001. (4/5\textsuperscript{th} vote required).

23. a. Approve and authorize the District Attorney to accept a grant previously applied for from the Department of Insurance (DOI) in the amount of $500,000; and  
b. Direct the Auditor-Controller to amend the Fiscal Year 2009-10 District Attorney Fund 001, Budget Unit 2240, Unit 8063, Appropriations Unit DIS001 to increase revenues and appropriations in the amount of $50,000 as detailed in the Board Order (4/5\textsuperscript{th} vote required).

**GENERAL GOVERNMENT:**


25. a. Receive a memo dated September 24, 2009, providing federal legislative updates from the County's federal legislative advocate, Troutman Sanders LLP;  
b. Receive memos dated September 22, 2009, providing state legislative updates from the County's state legislative advocate, JEA & Associates; and  
c. Receive the action minutes from the August 24, 2009, meeting of the Legislative Committee.

26. a. Approve the request of Richard and Regina Steres to rent their Inclusionary Housing Unit to a qualified household for a maximum of 5 years; and  
b. Authorize the Redevelopment and Housing Director to execute the Inclusionary Rental Agreement between the Steres and the County of Monterey.


28. a. Approve and authorize the Contracts/Purchasing Officer to sign the Renew and Extend Agreement for Shared Dispatch Space, Equipment, Associated Costs and Services between the County of Monterey and American Medical Response West (AMR) to extend the term of the Agreement through January 31, 2010; and  
b. Approve and authorize the Contracts/Purchasing Officer to sign additional extensions to this Agreement as needed through the award of a five (5) year ambulance service contract.
29.  
   a.  Receive and adopt the Treasurer's revised Investment Policy for Fiscal Year 2009-10;  
   b.  Receive and accept the Treasurer's Report of Investments for the quarter ending September 30, 2009; and  
   c.  Receive the Treasury Oversight Committee Compliance Audit for the year ended June 30, 2009.

30.  
   a.  Adopt Resolution approving the form of and authorizing the execution and delivery of a purchase and sale Agreement and related documents with respect to the sale of the County of Monterey's Proposition 1A receivable from the State, totaling $10,357,226; and  
   b.  Direct and authorize certain other actions in connection therewith.

**RMA - PLANNING DEPARTMENT:**

31.  
   a.  Accept and authorize the Chair to execute the Conservation and Scenic Easement Deed; and  
   b.  Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing.  
      (Conservation and Scenic Easement Deed-PLN060296/Christensen, 383 San Benancio Road, Salinas)

**RMA - BUILDING DEPARTMENT:**

32.  
   a.  Extend end date of the previously approved contract of $180,000 to the Office of Administrative Hearings, the sole provider, to preside over Building Services and Health Departments' administrative hearings for code enforcement cases from October 31, 2009 to June 30, 2010;  
   b.  Authorize the Building Services Director to sign amendment to the contract extending the period of the contract from October 31, 2009 to June 30, 2010.

**RMA - PUBLIC WORKS:**

33.  
   a.  Approve Amendment No. 6 to Professional Services Agreement No. A-09966 with Wood Rodgers, Inc. to provide additional services associated with the development of a Project Report and Environmental Document to complete Caltrans requirements for the Project Approval and Environmental Determination Phase of project development for the Highway 68 - Corral de Tierra Road Intersection Improvements, Project No. 114065, in the amount of $88,685 for a total amount not to exceed $507,472 and extend the term through January 31, 2011; and  
   b.  Authorize the Contracts/Purchasing Officer to execute Amendment No. 6 to Professional Services Agreement No. A-09966 as the final amendment to this Agreement.

34.  Approve and authorize the Director of the Department of Public Works, or designee, to sign Amendment No. 2 to the Interim Filtration Agreement with John W. Richardson, Federal Receiver, for the San Jerardo Water System for the
continued operation of an interim water filtration system to serve the Community of San Jerardo, extending the maximum term of the agreement through December 31, 2010 and increasing the funding by $351,000 for a total Agreement amount not to exceed $1,068,500.

35. a. Approve Amendment No. 3 to Construction Project Management Services Agreement No. A-10976 with Turner Construction to provide additional construction project management services for the Monterey County Government Center North Wing Renovation Project, in the amount of $625,335 for a total amount not to exceed $3,557,665 and extend the term through September 30, 2010; and

b. Authorize the Director of Public Works to execute Amendment No. 3 to Construction Project Management Services Agreement No. A-10976 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

36. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:

a. Approve Modification Agreement Number 3 revising the terms of an existing affordable housing loan to incorporate the outstanding interest into a new principal amount of $169,902.74 affecting an Agreement dated June 20, 2001 between the Redevelopment Agency of the County of Monterey and South County Housing Corporation; and

b. Authorize the Director of the Redevelopment and Housing Office to sign the Modification Agreement and all related documents.

MONTEREY COUNTY WATER RESOURCES AGENCY:

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

a. Adopt Resolution approving the form of and authorizing the execution and delivery of a purchase and sale Agreement and related documents with respect to the sale of Monterey County Water Resources Agency's Proposition 1A receivable from the State, totaling $158,716; and

b. Direct and authorize certain other actions in connection therewith.

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MONTEREY COUNTY BOARD OF SUPERVISORS

Addendum for Tuesday, October 27, 2009
Item Removed Under Closed Session:
2. b. Pursuant to Government Code sections 54956.9(b) and 54956.9(c), the Board will confer with legal counsel regarding one item of significant exposure to litigation and/or potential initiation of litigation.

Item Added Under Closed Session:
2. c. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding potential initiation of three four litigation cases.

Item Added Under Other Board Matters:
11.1 Adopt Resolution Honoring Leslie Bruhn as the recipient of the Professional Women’s Network of the Monterey Peninsula 2009 Woman of the Year award. (Supervisor Potter)

Item Corrected Under Appointments:
12. Appoint Natalie Garcia to the Youth Council of the Monterey County Workforce Investment Board, term ending October 27, 2011. (Full Board)

Item Added Under Consent Criminal Justice:
23.1 a. Approve and authorize the Chief Probation Officer to accept an award in the amount of $1,440,888 for the period August 1, 2009 to July 31, 2011 from the US Department of Justice to implement a Day Reporting Center (DRC) for adult offenders;
 b. Authorize the Contracts/Purchasing Officer to sign an agreement in the amount of $1,305,600 with Behavioral Interventions, Inc. for the 2-year grant period, for the provision of services to adult offenders participating in the DCR;
 c. Approve increased estimated revenues and appropriations in the amount of $394,504 in the Probation Department’s Budget 2550 during Fiscal Year 2009-10 (4/5th vote required); and
 d. Direct the Auditor-Controller to amend Probation’s Budget for Fiscal Year 2009-10 to reflect the change in revenue and appropriations.

Item Added Under Consent Public Works:
35.1 a. Authorize the Director of Public Works to negotiate final terms of a Memorandum of Understanding between the County of Monterey, the Monterey County Water Resources Agency, the Monterey Peninsula Water Management District, the California State Department of Parks and Recreation, and the Big Sur Land Trust for the purpose of coordinating planning activities for the proposed Carmel River Floodplain Restoration Project in substantial compliance with the attached draft;
 b. Authorize the Director of Public Works to execute the Memorandum of Understanding;
 c. Direct the Clerk of the Board to submit the Memorandum of Understanding to the County Recorder for filing; and
d. Authorize the Director of Public Works to sign the Cost Estimate for the Project Study Report.

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