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

1. Additions and Corrections for Closed Session: County Counsel announced there were no agenda corrections or proposed additions 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 conferred with legal counsel regarding four items of significant exposure to litigation. 
   
   CLOSED SESSION REPORT: In all four matters the Board received an update from county counsel and provided direction on how to proceed to try and avoid litigation.

   b. Pursuant to Government Code section 54957.6, the Board conferred with labor negotiators.
   
   Designated representatives: Keith Honda and Patricia Covert
   
   Employee organizations: Units F, H, J, K, and R

   CLOSED SESSION REPORT: Among those things discussed the Board approved a settlement agreement regarding a PERB charge with those units and
SEIU on the educational systems program. Pursuant to counsel’s understanding both the labor organizations and the county and approved that settlement agreement.

c. Pursuant to Government Code section 54956.9(a), the Board conferred with legal counsel regarding existing litigation.
   (1) Highway 68 Coalition v. County of Monterey; MCSC Case no. M106390
   **CLOSED SESSION REPORT:** The Board received an update on the matter from County Counsel.

d. Pursuant to Government Code section 54957, the Board conferred regarding appointment to the position of Equal Opportunity Officer.
   **CLOSED SESSION REPORT:** The Board selected new Equal Opportunity Officer Irma Bough.

e. Pursuant to Government Code section 54956.9(b), the Board conferred with legal counsel regarding liability claims against the County of Monterey.
   (1) Barbara Grant
   **CLOSED SESSION REPORT:** The Board approved retaining outside counsel in this matter to defend the case in the County.

   (2) Pablo Magana Gutierrez, George Gutierrez, and Amparo Gutierrez
   **CLOSED SESSION REPORT:** The Board voted to 3-1-1 to deny the application for a late claim. Supervisor Armenta abstained and Supervisor Parker voted no.

   (3) Kenneth E. Packer
   **CLOSED SESSION REPORT:** The Board unanimously voted to deny the late claim application in this matter.

f. Pursuant to Government Code section 54956.9(c), the Board conferred with legal counsel regarding potential initiation of a litigation case.
   **CLOSED SESSION REPORT:** The Board authorized counsel to initiate litigation. Should County Counsel deem it appropriate to initiate the litigation, Counsel will make those pleadings available to any member of the public that desires them.

g. Pursuant to Government Code section 54957, the Board conferred regarding appointment to the position of Director of Health Services. (Added via Addendum)
   **CLOSED SESSION REPORT:** The Board heard from the CAO in this matter. If an appointment is made they will report the Board’s decision.

**ROLL CALL:**

3. Pledge of Allegiance was led by Charles McKee
4. **Additions and Corrections**

The Clerk of the Board announced agenda corrections which were acted on by the Board as provided in Sections 54954.2 of the California Government Code.

**Correction to Resolution – 4th Whereas**

19.1 Adopt Resolution in support of a one time exemption from the California Department of Transportation’s restriction on filming along Highway One in Big Sur during the summer months, for the California Travel and Tourism Commission television Commercial Shoot, during the first week of August, 2010. (Supervisor Potter) (Added via Addendum)

Amendment to 4th WHEREAS,

**WHEREAS:** The filming is anticipated to take place over one six hour period during the first week of August, with minimal traffic delays of 3 to 5 minutes as controlled by the California Highway Patrol: and

**Correction to Appointments – spelling**

24. Reappoint Lupe Palacio, Cesar Lara, Richard Gillis, Salvador Munoz and Judith Profeta to the Workforce Investment Board, terms ending July 27, 2013. (Full Board)

**Correction Regular Consent – Public Works – Correction to Notice of Public Hearing Date**

69. Introduce, waive the reading, and set August 24, 2010, at 10:30 a.m., to consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.015, to establish a 5 m.p.h. speed limit for vehicles over 20 tons at Turner Creek Bridge No. 536 (State No. 44C-0163) and Mill Creek Bridge No. 540 (State No. 44C-0164) on Palo Colorado Road, Big Sur Coastal area.

**The Attachment** for the Notice of Public Hearing regarding Palo Colorado Road over Mill Creek Ridge changing date of the public hearing from July 13, 2010 to August 24, 2010.

*By consensus, the Board accepted the corrections to the agenda.*

5. **CONSENT CALENDAR - REGULAR** (See Supplemental Sheet)

The following items were pulled for comment 39, 52, 66.1, 66.3. Item 72 was trailed until after S-6. County Counsel announced Item 66.2 will become effective after action is taken on Item 9.

**Motion by Supervisor Potter, seconded by Supervisor Armenta** Approved consent calendar except for items 39, 52, 66.1, 66.3 & 72  **ALL AYES**

See Consent Items 39, 52, 66.1, 66.3 & 72 for comments and motions.

6. **Board Comments**

- Supervisor Armenta announced appointment of Jessica Martinez as an aide in his office.
Supervisor Salinas announced an award received from the U. S. Census 2010 recognizing Monterey County as an outstanding partner in the 2010 census.

7. CAO Comments and Referrals
CAO Lew Bauman thanked Bob Egnew for service as Interim Health Director with Monterey County and welcomed Dr. Stallworth as the new Interim Health Director position.

8. Public Comment:
Robert Juhler, Bill Harris, Ron Kabat, Hans Jongens

OTHER BOARD MATTERS:

9. Announcement appointment of the County of Monterey Equal Opportunity Officer.
   · Supervisor Armenta, Chair of the Equal Opportunity Committee, introduced Irma Bough as the new Equal Opportunity Officer and thanked Bonita Monarque for her service as Interim Equal Opportunity Officer.

    · Supervisor Armenta advised that the amendment to Item 11 of the report is still in process and requested it return to the budget committee before a final conclusion is made on that matter.
      Motion by Supervisor Calcagno, seconded by Supervisor Armenta with clarification. ALL AYES

RESOLUTIONS: 11 through 19.2 heard concurrently

11. Adopted Resolution No. 10-219 honoring Joe Rosa, General Manager for the Pajaro/Sunny Mesa Community Services District, upon his retirement after twenty-four years of service. (Full Board)
      Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

12. Adopted Resolution No. 10-220 honoring Danilo Aranton, Deputy Sheriff, upon his retirement from the Monterey County Sheriff’s Office after twenty-three years of service. (Full Board)
      Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

13. Adopted Resolution No. 10-223 recognizing the 20th anniversary of the Americans with Disabilities Act. (Full Board)
      Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

14. Adopted Resolution No. No. 10-221 honoring Ed Fischer for his dedicated service to the Monterey County Rural Life Museum Board. (Supervisor Salinas)
Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

15. Adopted Resolution No. 10-224 honoring Jack Austin Hayes for his dedicated service to the Monterey County Rural Life Museum Board. (Supervisor Salinas)
Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

16. Adopted Resolution No. 10-225 honoring Joann Dunwoody for her dedicated service to the Monterey County Rural Life Museum Board. (Supervisor Salinas)
Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

17. Adopted Resolution No. 10-222 honoring Marie Goodwin for her dedicated service to the Monterey County Rural Life Museum Board. (Supervisor Salinas)
Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

18. Adopted Resolution No. 10-226 honoring Norris Beebe for his dedicated service to the Monterey County Rural Life Museum Board. (Supervisor Salinas)
Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

19. Adopted Resolution No. 10-227 honoring Richard Nample for his dedicated service to the Monterey County Rural Life Museum Board. (Supervisor Salinas)
Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

19.1 Adopted Resolution No. 10-228 in support of a one time exemption from the California Department of Transportation’s restriction on filming along Highway One in Big Sur during the summer months, for the California Travel and Tourism Commission television Commercial Shoot, during the first week of August, 2010. (Supervisor Potter) (Added via Addendum)
Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

19.2 Adopted Resolution No. 10-229 commending The City of Marina/On the Beach Skate Team for their contribution to the County of Monterey. (Supervisor Parker) (Added via Addendum)
Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

APPOINTMENTS: 20 through 27.2 heard concurrently

20. Reappointed Mark A. Lopez to the Mental Health Commission, term ending May 31, 2014. (Supervisor Salinas)
Motion by Supervisor Armenta, seconded by Supervisor Parker. ALL AYES

21. Reappointed Bruce Adams, Lynda Avey, Gretchen Cardinale and Mark Kennedy to CSA No. 15 Advisory Committee, terms ending January 1, 2013. (Supervisor Potter)
Motion by Supervisor Armenta, seconded by Supervisor Parker. ALL AYES
22. Reappointed Luther M. Hert to the Mental Health Commission, term ending May 31, 2013. (Supervisor Parker)
   **Motion by Supervisor Armenta, seconded by Supervisor Parker. ALL AYES**

23. Appointed Sheri Braden to the San Lucas Cemetery District to fill an unexpired term ending November 30, 2011. (Supervisor Salinas)
   **Motion by Supervisor Armenta, seconded by Supervisor Parker. ALL AYES**

   **Motion by Supervisor Armenta, seconded by Supervisor Parker. ALL AYES**

25. Appointed Ann Kilty and Tina Rosa to the Workforce Investment Board, Youth Council, terms ending July 27, 2012. (Full Board)
   **Motion by Supervisor Armenta, seconded by Supervisor Parker. ALL AYES**

26. Reappointed Shirley Jorgenson, Thomas Bailey and Barbara De Groodt to the Animal Control Advisory Board, terms ending July 1, 2013. (Full Board)
   **Motion by Supervisor Armenta, seconded by Supervisor Parker. ALL AYES**

27. Appointed Brian E. Turlington to the Workforce Investment Board, term ending July 27, 2013. (Full Board)
   **Motion by Supervisor Armenta, seconded by Supervisor Parker. ALL AYES**

27.1 Reappointed Alma McHoney to the Mental Health Commission for a term ending May 31, 2013 and Diana Jimenez to the Mental Health Commission, term ending May 31, 2012. (Supervisor Calcagno) (Corrected via Addendum)
   **Motion by Supervisor Armenta, seconded by Supervisor Parker. ALL AYES**

27.2 Reappointed Cecelia Correa and Ronald Holder to the Community Action Commission, term ending July 1, 2013 (Supervisor Calcagno)
   **Motion by Supervisor Armenta, seconded by Supervisor Parker. ALL AYES**

**SCHEDULED MATTERS:**

S-1 Received the 2009 annual Monterey County Crop Report from the Agricultural Commissioner.
   **Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES**

S-3 Conducted a public hearing and accepted the Homebuyer Assistance Study funded by a Community Development Block Grant (CDBG) Planning and Technical Assistance (PTA) Grant.
   **Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES**
S-2 Continued from June 8, 2010 to consider:

a. Considered an appeal by Michael Moeller from the January 26, 2010 Planning Commission denial of an application (PLN060251/Moeller) for a Lot Line Adjustment and new single family home;

b. Adopted Resolution No. 10-239 denied the application for a Combined Development Permit consisting of: (1) Coastal Development Permit for a Lot Line Adjustment consisting of an equal exchange of land between two legal lots of record resulting in no change of area: Lot 5 (APN: 243-181-005-00/00 192 San Remo Road) has 0.61 acres and Lot 6 (APN: 243-181-006-00/00 194 San Remo Road) has 0.85 acres; (2) Coastal Administrative Permit and Design Approval to allow the construction of a three-story 3,994 square foot single family dwelling with a 643 square foot three-car garage, 858 square feet of deck area, and grading (approximately 523 cubic yards of cut and 89 cubic yards of fill); (3) Coastal Development Permit for development on slopes in excess of 30%; (4) Coastal Development Permit for the removal of nine Monterey pine trees and eight coastal live oak trees;

c. Denied Fee Waiver request. (PLN060251/Moeller, 192 and 194 San Remo Drive, Carmel Area Land Use Plan, Coastal Zone)

Motion by Supervisor Potter, seconded by Supervisor Parker to deny the appeal, to deny the application for the CDP, and deny the fee waiver request and the lot line adjustment; adopted the staff provided findings and evidence, including revised change to Finding 1, Evidence 4L, to now read: “Said appeal was timely brought to a duly noticed public hearing before the Monterey County Board of Supervisors within 60 days from receipt of the appeal (April 6, 2010). The Board of Supervisors adopted a Resolution of Intent to deny the project and directed staff to return with appropriate findings. On May 11, the Board directed staff to continued the matter to June 8, 2010 with direction for staff to prepare appropriate findings and evidence for denial. On June 8, the Board directed staff to review new evidence relative to wastewater capabilities of Lot t and continued the matter to July 27, 2010 (see Finding 2e). 4 Ayes; 1 No - Supervisor Armenta

Recessed to Closed Session

1:30 p.m. Reconvened

SCHEDULED MATTERS

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

S-4 Considered and adopted Resolution No. 10-240 denying the appeal by Wayne Holman for Aromas Heritage Oaks LLC from the Planning Commission’s denial of a Combined Development Permit (Aromas Heritage Oaks; PLN980503) consisting of: 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.

(PLN980503/Aromas Heritage Oaks LLC, North County Area Plan)

**Public Comment:** John Bridges, Amy White, Kathy Chavez Miller, Jan Mitchell, Marjorie Kay, George Morton, Margie Weston (Westin), Hans Jongens, Molly Erickson, Diane Russell

**Motion by Supervisor Parker, seconded by Supervisor Potter to approve staff recommendation, with amendment to page 6 of the resolution, 10th line, add language at beginning of sentence, so it now reads:** “The Planning Commission and Board of Supervisors find that the recharge scheme is not verifiable and if the project’s infiltration and stormwater facilities are not properly maintained and the percentage of actual recharge of collected rain water is reduced to 85% or less, the water balance will be negative and the project would contribute to the ongoing decline in groundwater in the basin.” 3 AYES; 2 NOES Supervisor Armenta and Supervisor Salinas

S-5 

a. Considered the appeal of Kurt and Sue Jaggers from the discretionary decision by the Zoning Administrator denying a Variance from the 18-foot height limit;

b. Considered and approved the application (PLN090253/Jaggers) for a Combined Development Permit consisting of: 1) a Coastal Administrative Permit for the demolition of an existing 4,095 square foot single family dwelling with 248 square feet of deck and an attached 429 square foot garage, the construction of a new 5,080 square foot single family dwelling with an attached 670 square foot garage and 644 square feet of deck, and cisterns; 2) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 3) a Coastal Development Permit to allow development on slope greater than 30 percent; 4) a Variance from the 18-foot height limit to allow a height above average natural grade of approximately 21.7 feet (net reduction of approximately 1.6 feet from the existing residence); 5) Design Approval; and grading consisting of approximately 1,010 cubic yards of cut and 200 cubic yards of fill (net export of approximately 810 cubic yards); and

(Appeal, Discretionary Decision - PLN090253/Jaggers, 2741 Calle la Cruz, Carmel Meadows, Carmel Area Land Use Plan)

**Public Comment:** Anthony Lombardo

**Motion of intent by Supervisor Potter, seconded by Supervisor Calcagno to continue the item to August 31, 2010, and directed staff to return with findings and evidence reflecting the Board’s direction to support the applicant’s variance request and to approve the project as submitted. 4 Ayes; 1 No - Supervisor Armenta

S-6. 

Resolution No. 10-238; Construction No. 2010-006

a. Conducted a Public Hearing to Consider Modifications to Mitigation Monitoring and Reporting Program for the State Route 68 at San Benancio
Road Intersection Improvements by Substituting Equivalent or More Effective Mitigation Measures;

b. Considered and adopted Resolution No. 10-238 making Appropriate Findings and adopting the Mitigation Monitoring and Reporting Program for the State Route 68 at San Benancio Road Intersection Improvements;

c. Considered and approved Plans and Special Provisions for the State Route 68 at San Benancio Road Intersection Improvements, State Project No. EA 05-0H8220, Contract No. 10-111065;

d. Considered and authorized the Director of Public Works to sign the approved Plans and Specifications; and

e. Considered and authorized the Director of Public Works to advertise the "Notice to Bidders" in The Californian on January 17, 2011 and January 24, 2011, contingent upon passage of the State Budget.

Public comment: Mike Weaver, Jan Mitchell, Hans Jongens

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

Consent Item 72 Motioned by Supervisor Potter, seconded by Supervisor Armenta All Ayes

Closed Session Report: (See 2 a-g)

ORDER FOR ADJOURNMENT
IN MEMORY OF
Andres Salinas

APPROVED:

SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: _________________________
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

28. Agreement No. A-11786 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the Agreement with Hooper, Lundy & Bookman for Independent Consulting and Legal Services at NMC in an amount not to exceed $100,000 for the period April 1, 2010 to March 31, 2011.

29. Agreement No. A-11787 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with Ciber Inc. for Business Applications Project Manager Services at NMC in an amount not to exceed $175,000 (an increase of $75,000) for the period July 1, 2010 to December 3, 2010.

30. Agreement Nos. A-11788; A-11789; A-11790 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Interim Physicians, LLC (formerly known as Interim Physicians, Inc.) (A-11788) and Amendments with Medical Doctor Associates (A-11789) and Staff Care, Inc. (A-11790) to provide locum tenens physician services for fiscal year 2010-11.

31. Agreement No. A-11791 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the Agreement with Latham & Watkins for Independent Consulting and Legal Services at NMC in an amount not to exceed $100,000 for the period May 1, 2010 to April 30, 2011.

HEALTH AND SOCIAL SERVICES:

32. Agreement No. A-11792; A-11793
   a. Approved and authorized the Director of the Department of Social and Employment Services, or his designee, to sign an agreement with Door to Hope, Inc. (A-11792) for $281,801 for the period July 1, 2010 through June 30, 2011 for the provision of perinatal substance abuse prevention and intervention services to Monterey County children and their families;
   b. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign the First 5 Monterey County Fiscal Year 2010-11 Agreement (A-11793) to Distribute Funds in the amount of $36,194 as the County's match; and
   c. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign up to (3) amendments to this
agreement where the total amendments do not exceed ten percent (10%) and do not significantly change the scope of work.

33. Agreement No. A-11794
   a. Approved and authorized the Director of the Department of Social and Employment Services, or his designee, to sign an agreement for $168,755 with Moss Beach Homes, Inc. dba Aspiranet for the operation of the CHERISH Receiving Center for the period July 1, 2010 through June 30, 2011; and
   b. Authorized the Director of the Department of Social and Employment Services, or his designee, to sign up to (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.

34. Agreement No. A-11795; Board Budget No. 10/11-007
   a. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign an agreement with ACTION Council of Monterey County for $80,240 to provide short term non-recurring services to TANF (Temporary Assistance to Needy Families) eligible families for the period July 1, 2010 through September 30, 2010;
   b. Authorized 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; and
   c. Authorized the Auditor-Controller's Office to amend the Department of Social & Employment Services Fiscal Year 2010-11 Adopted Budget 001-SOC005-8262 to increase appropriations and estimated revenues of $80,240 as indicated in the Board Order (4/5th vote required)

35. Agreement No. A-11796
   a. Approved and authorized the Director of the Department of Social and Employment Services, or his designee, to sign a funding agreement from First 5 Monterey County in the amount of $980,346 for the period July 1, 2010 through June 30, 2011 to support the Comprehensive Approaches to Raising Educational Standards (C.A.R.E.S.) Program; and
   b. Authorized 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.

36. Agreement No. A-11797
   a. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign a contract with San Francisco State University for $119,025 for the provision of staff training and procurement of training resources for the period July 1, 2010 through June 30, 2011, including non-standard mutual indemnification; and
b. Authorized 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.

37. Agreement Nos. A-11798; A-11799
   a. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to execute two agreements with CareAccess Silicon Valley, Inc. for a total of $10,080 for the maintenance of websites to access third-party software, including non-standard Mutual Indemnification, Warranty and Liability provisions, for the period July 1, 2010 through June 30, 2011; and
   b. Authorized the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to these agreements, where the total amendments do not exceed ten percent (10%) of the original contract amounts, and do not significantly change the scopes of work.

38. Agreement No. A-11880
   a. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign an agreement with Industrial Employers Distribution Association for $21,930 for the provision of Employer-Employee labor relations services for the Monterey County Public Authority for In-Home Supportive Services for the period July 1, 2010 through June 30, 2011, including non-standard Mutual Indemnification provisions in Exhibit F; and
   b. Authorized 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.

39. Adopted Resolution No. 10-239 to approve the revised Terms of Reference for the Monterey County Integrated Waste Management Task Force, thereby effectuating changes designed to reorganize its membership and business practices for the purposes of improving representation and responsiveness.
   Motion by Supervisor Parker, seconded by Supervisor Armenta to approve staff recommendations, including clarification to Attachment 1 Exhibit A, the fourth line down on page 2: should read “one member representing the Monterey County Business Council.” ALL AYES

40. Agreement No. A-11801
   a. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign an agreement for $775,926 with ACTION Council of Monterey County to provide project leadership and coordination for Differential Response aka: Pathways to Safety for the period July 1, 2010 through June 30, 2011; and
   b. Authorized 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.

41. Agreement No. A-10929 approved and authorized the Contracts/Purchasing Officer to sign Amendment No. 3 to the Mental Health Services Agreement No. A-10929 with Allen/Loeb Associates for the final evaluation reports to include the three (3)-month grant extension for the Substance Abuse and Mental Health Services Administration (SAMHSA) Center for Substance Abuse Treatment (CSAT) grant for Homeless Program. Amendment No. 3 extends the term from Fiscal Year 2009-10 to October 31, 2010 and adds $8,075 for a revised total amount not to exceed $437,746.

42. Agreement No. A-10970 approved and authorized the Contracts/Purchasing Officer to sign Amendment No. 4 to Agreement A-10970 with ACTION Council of Monterey County, Inc., extending the current Agreement through Fiscal Year (FY) 2010-11 and increasing the amount by $30,500 for FY 2010-11 for a revised maximum total Agreement amount of $698,750 for program implementation, community education, and training services for the period July 24, 2007 through June 30, 2011.

43. Agreement No. A-10522 approved and authorized the Contracts/Purchasing Officer to sign Amendment No. 2 to Agreement A-10552 with Family Service Agency of the Central Coast, extending the current Agreement through Fiscal Year (FY) 2010-11 and increasing the amount by $137,000 for FY 2010-11 for a revised maximum total Agreement amount of $470,500 for suicide prevention services for Monterey County residents for the period July 1, 2006 through June 30, 2011.

44. a. Approved and authorized the Contracts/Purchasing Officer to sign Amendment No. 1 to Agreement A-11516 with Harmony at Home for the provision of counseling services to elementary school-aged children who have been exposed to domestic violence, Amendment No. 1 extends the term from June 30, 2010 through June 30, 2011 and adds $75,000 for a revised total amount not to exceed $150,000; and

   b. Authorized the Contracts/Purchasing Officer to approve future amendments up to ten percent (10%) of the annual amount, which does not significantly alter the scope of work or result in an increase in net county contribution.

45. Accepted and approved the By-Laws of the Monterey County Mental Health Commission as amended.

46. Agreement No. A-11802 approved and authorized the Director of Health to sign the revised California Mental Health Services Authority Joint Exercise of Powers Agreement.

47. Agreement No. A-11803

   a. Approved and authorized the Contracts/Purchasing Officer to sign a two fiscal year term Professional Services Agreement (July 1, 2010 to June 30, 2012) with
Psychiatrists Only, LLC to refer Locum Tenens Psychiatric Service Providers for the provision of mental health treatment services to adults and children with psychiatric impairments and disabilities in the annual amount of $90,000 for Fiscal Year (FY) 2010-11 and $90,000 for FY 2011-12 for a total Agreement amount of $180,000; and

b. Authorized the Contracts/Purchasing Officer, to sign up to three future amendments to this agreement where the amendments do not exceed ten percent (10%) and do not significantly change the scope of work or result in an increase of net county contribution.

48. Agreement No. A-11804
a. Approved the extension of the Workforce Investment Act (WIA) Title I Youth Follow-up subcontract with Unity Care Group in the amount of $105,000 for the period of July 1, 2010 to June 30, 2011; and
b. Authorized 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%), and do not significantly change the scope of work.

49. Agreement Nos. A-11805; A-11806
a. Approved the extension of the Workforce Investment Act (WIA) Title I Youth subcontracts with Turning Point of Central California (A-11805) and Unity Care Group, Inc. (A-11806) in the amount of $363,000 for the period of July 1, 2010 through June 30, 2011; and
b. Authorized 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%), and do not significantly change the scope of work.

50. a. Declared the 2007 Chevrolet Express 13 passenger van, vehicle identification number 1GAGH39U671189899, as surplus property and release all claims against and waive any outstanding ownership rights applicable to that vehicle; and
b. Authorized the Contracts/Purchasing Officer to release the van to Kinship Center in furtherance of its ongoing programs pursuant to the County's standard vehicle release procedure.

51. Agreement Nos. A-11807; A-11808; A-11809
a. Approved the extension of the Workforce Investment Act (WIA) Title I Adult subcontracts with Shoreline Workforce Development Services (A-11807) and Turning Point of Central California (A-11808), in the amount of $881,250 for the period of July 1, 2010 through June 30, 2011;
b. Approved the extension of the Workforce Investment Act (WIA) Title I Adult subcontract with Arbor Career Center (A-11809), in the amount of $18,750 for the period of July 1, 2010 through July 31, 2010; and
c. Authorized 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%), and do not significantly change the scope of work.

52. Agreement No. A-11810
   a. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign an agreement with Mexican American Opportunity Foundation for $134,223 to provide funding for child care and development services for children who are at risk of abuse, neglect, or exploitation, and are receiving child welfare services from the County of Monterey for the period July 1, 2010 through June 30, 2013; and
   b. Authorized 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.

Public Comment:
Jay Donato
Motion by Supervisor Parker, seconded by Supervisor Potter to approve staff recommendation, with additional direction to staff to send a letter to the Mexican American Opportunity Foundation to encourage progressive and positive communication and cooperation to find a peaceful solution to make sure employees are adequately compensated in benefits. ALL AYES

53. Agreement No. A-11811; Board Budget No. 10/11-008
   a. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign Amendment No. 2 to PSA No. 690 with Goodwill Industries of Santa Cruz, Monterey & San Luis Obispo Counties, a California Nonprofit Corporation dba Shoreline Workforce Development Services to continue a subsidized employment training program for CalWORKs families by adding $595,200, increasing the total contract amount to $3,961,626;
   b. Authorized the Director of the Department of Social & Employment Services, or his designee, to sign up to two (2) amendments to the 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; and
   c. Authorized the Auditor-Controller to amend the Department of Social & Employment Services Fiscal Year 2010-11 Adopted Budget to increase appropriations and estimated revenues of $595,200 in SCO005-001-5010-8262. (4/5th vote required).

CRIMINAL JUSTICE:
54. Agreement No. A-11811
   a. Approved and authorized the District Attorney to sign a contract for $54,000 with the Victim Compensation and Government Claims Board for Fiscal Years 2010-11 for the continuation of the "Criminal Restitution Compact Unit; and
b. Authorized the District Attorney to sign up to three future amendments to this agreement where the amendments do not exceed ten percent (10%) and do not significantly change the scope of the agreement.

55. Approved and authorized the Sheriff to process the retirement of two canines, Jack and Yantz, owned by Monterey County and to allow the canine handlers to purchase their assigned canine for the sum of $1.00 each in accordance with the Memorandum of Understanding between the County of Monterey and the Deputy Sheriff’s Association.

GENERAL GOVERNMENT:

56. Board Budget No. 10/11-009 Approved a request from the North County Fire Protection District for dry period loan of $3,850,000 for the Fiscal Year ended June 30, 2011.

57. Board Budget No. 10/11-00 Approved a request from the North County Recreation and Park District for dry period loan of $130,000 for the Fiscal Year ended June 30, 2011.

58. Approved the use of County Park facilities on August 8, 2010 for one function by Celebration Church in compliance with Monterey County Code 14.12.130.

59. Resolution No. 10-231
   a. Received and accepted the Treasurer's Report of Investments for the quarter ending June 30, 2010;
   b. Received and adopted Resolution amending the Treasurer’s investment policy for Fiscal Year 2010-11; and
   c. Delegated Investment Authority to the Treasurer-Tax Collector pursuant to California Government Code 53607.

60. Adopted Resolution No. 10-232 to approve the Extension Agreement of the Memorandum of Understanding between the Probation Association (Units M/N) and the County of Monterey for one (1) year effective July 1, 2010, through June 30, 2011.

61. Adopted Resolution No. 10-233 to approve the Extension Agreement of the Memorandum of Understanding between the Monterey County Registered Nurses Association (Unit S) and the County of Monterey for one year, effective July 1, 2010 through June 30, 2011.

62. Board Budget No. 10/11-01 Approved a request from the Greenfield Fire Protection District for dry period loan of $300,000 for the Fiscal Year ended June 30, 2011.

63. Agreement No. A-11812
a. Approved a Professional Services Agreement with the Monterey County Business Council (MCBC) for the term July 1, 2010 through June 30, 2011, in an amount not to exceed $91,800, to administer all aspects of the Competitive Clusters (C²); and
b. Authorized the Contracts/Purchasing Officer to execute the Agreement.

64. Agreement Nos. A-11813; A-11814; A-11815
a. Approved the FY 2010-11 Development Set-Aside (DSA) Work Plans submitted by the Monterey County Convention and Visitors Bureau (MCCVB), the Arts Council for Monterey County (ACMC), and the Monterey County Film Commission (MCFC), as recommended by the Overall Economic Development Commission (OEDC);
b. Authorized the Contracts/Purchasing Officer to execute an Agreement with the MCCVB (A-11813) for the term July 1, 2010 through June 30, 2011, in an amount not to exceed $897,423;
c. Authorized the Contracts/Purchasing Officer to execute an Agreement with the AMC (A-11814) for the term July 1, 2010 through June 30, 2011, in an amount not to exceed $236,920; and
d. Authorized the Contracts/Purchasing Officer to execute an Agreement with the MCFC (A-11815) for the term July 1, 2010 through June 30, 2011, in an amount not to exceed $113,674.

65. Board Budget No. 10/11-012
a. Approved and authorized re-designation of the County Administrative Office (CAO)-Risk Management/Benefits Unit 8051 from Risk Management Appropriation Unit CAO006 to Human Resources Appropriation Unit CAO003;
b. Approved Fiscal Year (FY) 2010-11 estimated revenue and appropriations of $9,336,500 in Fund 477-Benefits Internal Service Fund (4/5th vote required);
c. Approve and authorize transfer of $4,286,500 in appropriations and revenues from Self-Insurance Reserves Fund 017 to the Benefits Internal Service Fund 477 to more appropriately account for and report on the County's employee benefits funds;
d. Approved and authorized transfer of $3,348,003 in appropriations and revenues from Unit 8036-Insurance to the Benefits Internal Service Fund 477; and
e. Authorized the Auditor-Controller to incorporate these changes in the FY 2010-11 Adopted Budget as detailed in the Board Order, effective July 1, 2010.

66. Board Budget No. 10/11-013
a. Adopted Resolution No. 10-234 to amend Personnel Policies and Practices Resolution No. 98-394 to amend various sections to make changes consistent with the Enterprise Resource Planning project, as previously approved by the HR Committee, as indicated in Attachment A; and
b. Authorized the Auditor-Controller to implement the terms of this amendment.
66.1 Agreement Nos. A-11816; A-11817; A-11818; A-11819; A-11820
   a. Approved and authorized the Contracts/Purchasing Officer to execute the Agreements with Manpower Inc. California Peninsula, (A-11816), Comforce Staffing Services, (A-11817), Robert Half International, Inc., (A-11818), SFN Group Inc., (A-11819), and Select Staffing(A-11820) for the provision of temporary staffing services for the County of Monterey in the amount of $8,000,000 on an as-needed basis, for the initial term of two years from the date of execution through and including December 31, 2012.
   b. Approved and authorized the Contracts/Purchasing Officer the option to extend the Agreements for three additional one year period in accordance with the terms and conditions set within each Agreement, and although there is no ceiling amount stated in the Agreements, the aggregate amount to be spent for all Agreements issued under RFP No. 10129 shall not to exceed $20,000,000; and
   c. Authorized the Contracts/Purchasing Officer to execute similar additional Agreements for temporary staffing services with qualified contractors who meet the minimum requirements of the County of Monterey.

Public Comment: Jay Donato, Hans Jongens

Motion by Supervisor Parker, seconded by Supervisor Armenta as amended, including an active review by Human Resources and Budget Committee to look at alternatives beyond the one year. ALL AYES

66.2 Board Budget No. 10/11-014 Approved employment agreement with the County of Monterey Equal Opportunity Officer, with an effective date of August 1, 2010.

66.3 Resolution No. 10-235; Board Budget No. 10/11-015
   Adopted the restated local agency Resolution No. 10-109, originally approved on April 27, 2010, authorizing and approving the borrowing of funds for fiscal year 2010-11, the issuance and sale of a 2010-11 Tax and Revenue Anticipation Note ("TRAN") therefore increasing the maximum approved TRAN borrowing to the legal limit, but not to exceed $55 million through the issuance and sale of Tax and Revenue Anticipation Notes. The original financing team remains intact.

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

RMA - PLANNING DEPARTMENT:

67. Agreement Nos. A-11028; A-11088; A-11187
   Monterey County General Plan Update:
   a. Re-authorized expenditure of an additional amount not to exceed a total of $70,000 for the services of The Sohagi Law Group, PLC; Kimley-Horn and Associates; and IFC Jones & Stokes for tasks related to the completion of the General Plan Update and its associated Environmental Impact Report, and for participation in hearings before the Planning Commission and Board of Supervisors;
b. Re-Authorized the County Administrative Officer to determine the appropriate allocation of funds between the above-named consultants to enable completion of tasks; and
c. Authorized the Auditor-Controller to transfer $70,000 from General Fund Contingencies 001-CAO020-1050-8034-7811 to County Counsel 001 COU001-1210-8057-6606 (4/5th vote required).

67.1 Authorized the Chair to sign a letter of intent to participate in the Monterey Bay Partners - Sustainable Communities Planning Grant Application (REF100021/Sustainable Communities Grant Application) (Added via Addendum)

RMA - Building Services:
67.2 a. Received a status report on recent action by federal agencies with regard to Property Assessed Clean Energy (PACE) Programs;
b. Adopted Resolution No. 10-236 to support congressional action to authorize legislation allowing PACE programs;
c. Directed the Director of Building Services to submit a letter (Exhibit B) to Congress on behalf of the Board in support of legislation that guarantees local government the right to establish clean energy programs.
d. Directed the Director of Building Services to submit a letter (Exhibit C) to the California Energy Commission (CEC) on behalf of the Board in support of the continued financial support of the CaliforniaFIRST PACE program. (Added via Addendum)

RMA - PUBLIC WORKS:

68. Agreement No. A-11821; Construction No. 2010-012
a. Ratified Amendment No. 1 to Professional Services Agreement with EMC Planning Group, Inc. to provide an additional Biological Report for the coastal permit application package and preparation of a proof draft of the Natural Environment Study, Visual Impact Assessment, and Initial Study and Mitigated Negative Declaration for the Blackie Road Safety Improvements Project, Phase II, Project No. 142265, in the amount of $4,781.50 for a total amount not to exceed $56,164.50 for a term through December 31, 2011; and
b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 1 to Professional Services Agreement.

69. Introduced, waived the reading, and set August 24, 2010, at 10:30 a.m., to consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.015, to establish a 5 m.p.h. speed limit for vehicles over 20 tons at Creek Bridge No. 536 (State No. 44C-0163) and Mill Creek Bridge No. 540 (State No. 44C-0164) on Palo Colorado Road, Big Sur Coastal area.

70. Introduced, waived the reading, and set August 24, 2010, at 10:30 a.m., to consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.28.010, to establish no parking at any time on the northeast side of Merritt Street (State Highway 183) from a point 35 feet southeast of the centerline of Sanchez
Street, southeasterly for a distance of 46 feet; and Monterey County Code, Title 12, Section 12.28.065, to establish twenty-minute limited parking on the northeast side of Merritt Street (State Highway 183) from a point 81 feet southeast of the centerline of Sanchez Street southeasterly for a distance of 40 feet, Castroville area.

71. Agreement No. A-11822
   a. Approved Utility Agreement No. 2205-1 with AT&T California for the relocation of underground telephone lines into the proposed bridge conduit for one hundred percent (100%) of the actual net cost to AT&T California estimated to be in the amount of $13,230.00 for the construction of Lonoak Road Bridge Project; and
   b. Authorized the Director of Public Works to execute Utility Agreement No. 2205-1 and future amendments that do not significantly alter the scope of work.

Item 72 Heard after Item S-6

72. Agreement No. A-11823; Construction No. 2010-006
   a. Approved a Cooperative Agreement with Caltrans for the State Route 68 at San Benancio Road Intersection Improvements, State Project No. EA 05-0H8220, Contract No. 10-111065;
   b. Authorized the Chair to execute the Cooperative Agreement; and
   c. Directed the Clerk of the Board to submit the Cooperative Agreement to the County Recorder for filing.

Public Comment: Mike Weaver
MOTIONED BY SUPERVISOR POTTER, SECONDED BY SUPERVISOR ARMENTA. ALL AYES

73. Board Budget No. 10/11-016
   a. Adopted Resolution No. 10-237 finding that the damages caused by recent flooding discovered on July 19, 2010, in the North Wing of the Salinas Courthouse poses an emergency requiring immediate action without adopting plans and specifications or giving notice for bids to let the contracts; and ratifying the execution of emergency contracts and emergency actions taken by the Contracts/Purchasing Officer or his designee to respond to the emergency; and delegating authority to the Contracts/Purchasing Officer or his designee to execute additional emergency contracts as necessary (4/5th vote required); and
   b. Authorized the Auditor-Controller to move appropriations within appropriation Unit RMA015, Fund 404, Unit 8174 from Account 7521 – Undesignated – Needs Board Approval to Account 7551 – Construction in Progress to finance the emergency costs (4/5th vote required). (Added via Addendum)