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 más pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

**All documents submitted** by the public must have no less than ten (10) copies.

The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting.

Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board’s Office located at 168 W. Alisal St., 1st Floor, Salinas, California. during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5.
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 Sections 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) The Bankruptcy of Falcon Cable Company dba Charter Communications (USBC NY SD Case No. 09-11435(JMP)

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

   c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding liability claims against the County of Monterey
      (1) Susan Dakis
      (2) Annie Giammanco
      (3) Vince Giammanco
      (4) Maria J. Ramirez

   d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
      (1) Designated representatives: Keith Honda and Dianne Dinsmore;
      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 Sections 54954.2 of the California Government Code.
5. CONSENT CALENDAR – REGULAR (See Supplemental Sheet)

Recess as the Monterey County Board of Supervisors

Convene as the Board of Supervisors of the Monterey County Water Resources Agency

MONTEREY COUNTY WATER RESOURCES AGENCY

Roll Call

6. CONSENT CALENDAR – MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet, Item 27)

Adjournment

Reconvene as the Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS

CEREMONIAL RESOLUTIONS:

7. Adopt Resolution commemorating the re-opening of the La Scuola building as the future home of the North Monterey County Chamber of Commerce, Artichoke Festival, and the California Artichoke Advisory Board. (Supervisor Calcagno)

APPOINTMENTS:

8. Appoint one member of the Board of Supervisors to serve as Director and one member of the Board of Supervisors to serve as Alternate on the 2011 Board of Directors of the California State Association of Counties (CSAC).
9. Reappoint Celia Castaneda and Tom Folliard to the In Home Supportive Services (IHSS) Advisory Committee, terms ending June 30, 2013. (Full Board)

OTHER BOARD MATTERS:

10. Board Comments
11. CAO Comments and Referrals

12. 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.

**SCHEDULED MATTERS:**

S-1 Public hearing to:
   a. Evaluate the Monterey County Historic Resource Review Board's (HRRB) recommendations on the 2010 Mills Act Historic Property Contract applications;
   b. Rank the 2010 Mills Act Historic Property Contract Applications; and
   c. Authorize staff to negotiate Historic Property Contracts with the owner(s) of the Joan Baez house located at 40 Miramonte Road, Carmel Valley (Assessor's Parcel Number: 187-041-062-000) and with the owner(s) of the Captain's Inn, located at 899 Moss Landing Road, Moss Landing (Assessor's Parcel Number: 133-212-007-000).

(Mills Act Historic Property Contract Applications 2010 - Gideon/Captain's Inn, PLN100457, Moss Landing; and Blattberg/Baez house, PLN100458, Carmel Valley)

12:00 P.M.

Recess to Lunch – Continued Closed Session

1:30 P.M.

**Roll Call**

**SCHEDULED MATTERS:**

S-2 Receive and accept the Fiscal Year 2009-10 Budget End of Year Report from the County Administrative Office and provide direction to staff.


S-4 Consider approving and authorizing the Chief Executive Officer for Natividad Medical Center (NMC) to execute a tax-exempt lease agreement in an amount not to exceed $30,000,000 for financing of Capital Equipment needs budgeted in the Fiscal Year 2010-11 NMC operating budget.
ORDER FOR ADJOURNMENT
IN MEMORY OF HENRY “HANK” HUGHES
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

13. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement with Beacon Partners for Meditech Billing and Accounts Receivable (B/AR) Module Support services at NMC in an amount not to exceed $193,080 (an increase of $95,880) for the period October 1, 2010 through June 30, 2011.

14. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Cloud Solutions, Inc. for Systems Engineer and Wireless Engineer Services at NMC in an amount not to exceed $91,200 for the period October 1, 2010 through February 28, 2011.

15. a. Approve and amend the Fiscal Year (FY) 2010-11 Natividad Medical Center Budget Unit 9600 to delete 1.00 FTE Secretary-Confidential and add 1.00 FTE Principal Office Assistant;
b. Approve to reclassify one (1) incumbent into the Principal Office Assistant Classification at Natividad Medical Center; and
c. Direct the County Administrative Office to incorporate approved changes into the FY 2010-2011 Natividad Medical Center Budget Unit 9600 to reflect the change in position count.

HEALTH AND SOCIAL SERVICES:

16. Adopt an amendment to Section 2.65.040.E of the Monterey County Code eliminating the six (6) year term limit for In-Home Supportive Services Advisory Committee members.

17. a. Approve and authorize the Contracts/Purchasing Officer to sign a 340B Prime Vendor Participation Agreement with Apexus, Inc. for discounted outpatient pharmaceuticals for the term December 1, 2010 to November 30, 2011 with additional automatically renewing one (1) year terms; and
b. Accept the deviations from the County's standard insurance and indemnification provisions.

CRIMINAL JUSTICE:


GENERAL GOVERNMENT:

20. Adopt Resolution to support the expansion of the Salinas Valley Enterprise Zone (SVEZ) to include the Castroville Industrial Park.

**RMA - PLANNING DEPARTMENT:**

21. a. Approve Amendment No. 9 to Professional Services Agreement No. A-10367 with EMC Planning Group, Inc. (EMC) where the Base Budget is increased by $54,123 to $194,199 with a Contingency increase of $8,118 to $29,130, for a total amount not to exceed $223,329 to provide additional services associated with the Environmental Impact Report (EIR) for the Pajaro Valley Golf Course (PLN980571) in North County, Coastal Zone, for a term through June 30, 2012;

b. Approve Amendment No. 9 to Reimbursement Agreement No. A-10368 with BJCR, Inc. where the Base Budget is increased by $54,123 to $194,199 and the County Surcharge is increased by $18,943 to $67,969, with a Contingency increase of $8,118 to $29,130, for a total amount not to exceed $291,298 to allow reimbursement to Monterey County for costs incurred by EMC and County departments to provide additional services associated with the EIR for the Pajaro Valley Golf Course (PLN980571) in North County, Coastal Zone, for a term through June 30, 2012; and

c. Authorize the Director of Planning to execute Amendment No. 9 to Professional Services Agreement No. A-10367, Amendment No. 9 to Reimbursement Agreement No. A-10368 and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

(PD060200/EMC Planning Group, Inc., County-wide)


(PLN100299/Williamson Contract Applications – 2011, County-wide)

**RMA - PUBLIC WORKS:**

23. a. Approve the transfer of appropriations totaling $174,000 from Capital Projects Fund, Appropriation Unit RMA014, to Road Fund, Appropriation Unit RMA012, for the Castroville Railroad Bicycle/Pedestrian Crossing Project (4/5th vote required); and

b. Authorize the Auditor-Controller to move appropriations totaling $174,000 within Capital Projects Fund, Appropriation Unit RMA014, from Account 7521 (Unspecified - Needs Board Approval) to Account 7614 (Operating Transfers Out).

24. a. Approve the transfer of appropriations totaling $100,790 from Capital Projects Fund, Appropriation Unit RMA014 to Facilities Project Fund, Appropriation Unit RMA004, for the Pajaro Mansion Windows, Siding and Paint Project (4/5th vote required); and
b. Authorize the Auditor-Controller to move appropriations totaling $100,790 within Capital Projects Fund, Appropriation Unit RMA014, from Account 7521 (Unspecified - Needs Board Approval) to Account 7614 (Operating Transfers Out).

25.  
   a. Approve the transfer of appropriations totaling $100,000 from Capital Projects Fund, Appropriation Unit RMA014, to Facilities Project Fund, Appropriation Unit RMA004, for the Sheriff's Rehabilitation Main Building-Visitor Annex located at 1410 Natividad Rd., Salinas (4/5th vote required); and
   b. Authorize the Auditor-Controller to move appropriations totaling $100,000 within Capital Projects Fund, Appropriation Unit RMA014, from Account 7521 (Unspecified - Needs Board Approval) to Account 7614 (Operating Transfers Out).

26. Item deleted.

MONTEREY COUNTY WATER RESOURCES AGENCY:

27. Acting as the Board of Supervisors of the Monterey County Water Resources Agency:
   Approve a clerical error correction to October 12, 2010 Board Report titled: Approve the Monterey County Water Resources Agency winning bids and signed grazing leases at Nacimiento and San Antonio Reservoirs and authorize the Monterey County Water Resources Agency Board of Supervisors Chair to sign each lease, so that the bid amount for Nacimiento Lease No. 3A/3B reads $11,350, the amount of the successful bid for Four Seasons Ranch.

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BOARD OF SUPERVISORS
Supplemental / Addendum for
Tuesday, November 2, 2010
View Addendum & Supplemental reports at:

http://www.co.monterey.ca.us/cob/BOS%20Supplemental_addendum/default.asp

ADDENDUM

Under Closed Session
2.  e. Pursuant to Government Code section 54956.87, and Health and Safety Code section 1462, the Board will confer with the Natividad Medical Center CEO regarding trade secrets concerning a proposed new service, program, or facility.
Under Regular Consent – Public Works
26.1 a. Accept a status report on the Resolution to support the Architectural Heritage Association in their fund-raising efforts to restore the historic Old Jail; and
   b. Continue this item to a date uncertain.

SUPPLEMENTAL

Under Closed Session:
2. b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two items one item of significant exposure to litigation

Under Scheduled Matters:
S-1 Address Correction
   Public hearing to:
   a. Evaluate the Monterey County Historic Resource Review Board’s (HRRB) recommendations on the 2010 Mills Act Historic Property Contract applications;
   b. Rank the 2010 Mills Act Historic Property Contract Applications; and
   c. Authorize staff to negotiate Historic Property Contracts with the owner(s) of the Joan Baez house located at 40 Miramonte Road, Carmel Valley (Assessor’s Parcel Number: 187-041-062-000) and with the owner(s) of the Captain’s Inn, located at 899 8122 Moss Landing Road, Moss Landing (Assessor’s Parcel Number: 133-212-007-000).
   (Mills Act Historic Property Contract Applications 2010 – Gideon/Captain’s Inn, PLN100457, Moss Landing; and Blattberg/Baez house, PLN100458, Carmel Valley)

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