AGENDA
Tuesday, January 12, 2010
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 54956.8, the Board will confer with real property negotiators.
      (1) Property: County exclusive franchise for solid waste and recycling services
      County negotiator: John Ramirez
      Negotiating Parties: To be determined
      Under negotiation: Price and terms

      (2) Property: 312 East Alisal Street, Salinas
      County negotiator: Wayne Tanda, RMA Director
      Negotiating Parties: The County of Monterey and the City of Salinas
      Under negotiation: Price and terms

   b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
      (1) County of Santa Clara, et al. v. Atlantic Richfield, et al. (Santa Clara County Superior Court case no. CV788657/Sixth District Court of Appeal case no. H031540/CA Supreme Court case no. S163681)

   c. Pursuant to Government Code section 54957, the Board will confer with legal counsel regarding discipline, dismissal, or release of a public employee

   d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators
      Designated representatives: Keith Honda and Patricia Covert
Employee organizations: All Units

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

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. a. Nominate and elect members of the Monterey County Board of Supervisors to serve as:
   1. Chair; and
   2. Vice Chair
   b. Presentation of plaque to outgoing Chairman Louis Calcagno:
      1. Comments by outgoing Chair; and
      2. Comments by incoming Chair.

5. 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.

6. CONSENT CALENDAR – REGULAR (See Supplemental Sheet)

7. CONSENT CALENDAR – REDEVELOPMENT 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. Adopt Resolution honoring Deputy Alejandro “Alex” Aguayo as the Monterey County Sheriff’s Office “2009 Deputy of the Year.” (Full Board)

12. Adopt Resolution honoring the *American Red Cross Northern California Blood Services* in recognition of “National Blood Donor Month.” (Full Board)

**APPOINTMENTS:**

13. Reappoint Barbara Rainer to the Historic Resources Review Board, term ending December 31, 2012. (Supervisor Potter)

14. Appoint David Krauss to the Emergency Medical Services Council to fill an unexpired term ending June 30, 2011, (Full Board)

15. Reappoint Larry Drury to the Child Care Planning Council, term ending December 31, 2011. (Full Board)

16. Appoint Megan Mosquera, Maria Magana, Karen Vallaire, Lauryn Rodriguez to the Child Care Planning Council, terms ending December 11, 2011. (Full Board)

17. Appoint Catherine Nyznyk to the Child Care Planning Council to fill an unexpired term ending December 31, 2010. (Full Board)

18. Appoint Jennifer Mancera to the Child Care Planning Council to fill an unexpired term ending December 31, 2011. (Full Board)


**SCHEDULED MATTERS:**

S-1 a. Consider and adopt definitions and policy language for Board created Ad Hoc and Standing Committees as outlined in Attachment A;

b. Consider and approve modifications to designated Standing, Ad Hoc and Miscellaneous Board committees and appointments as outlined in Attachment B;

c. Consider and approve disbanding and/or altering certain committees as outlined in Attachment C; and

d. Consider and approve appointments of Board of Supervisors members to various boards, committees and commissions for Calendar Year 2010 as outlined in Attachment D.

S-2 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to increase the limit of an existing speed zone on Bradley Road from 35 m.p.h. to 40 m.p.h., in the Community of Bradley.

S-3 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to lengthen the existing 50 m.p.h. speed limit on Corral de
Tierra Road and establish new 40 m.p.h. and 35 m.p.h. speed limits on two additional sections of Corral de Tierra Road, San Benancio area.

S-4 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, to amend Section 12.28.010 (PARKING PROHIBITED - AT ALL TIMES) to provide 30 feet of space to establish a 20-minute-limit passenger loading zone; and, add Section 12.66.020 to establish the 30-foot, 20-minute-limit passenger loading zone on the west side of Highlands Drive from a point 352 feet south of the centerline of Fern Canyon Road, southerly for a distance of 30 feet, in Carmel Highlands.

S-5 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.24.020, to establish a stop intersection at Fontes Lane and Randall Road. Stop required on Randall Road at the entrance to Fontes Lane, in the Community of Boronda.

S-6 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 San Benancio Road, San Benancio area.

12:00 P.M.

Recess to Lunch – Joint Board Leadership Meeting

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-7 a. Consider receiving an initial report on the proposed process for supervisorial redistricting following the 2010 U.S. Census; and
   b. Consider directing staff to place an item on the February 9, 2010 Board of Supervisors Agenda to appoint a fifteen (15) member Citizens’ Redistricting Advisory Committee.

S-8 Public hearing to consider a denial of an application by the Carmel Valley Fire Protection District for:
   a. General Plan Amendment to change General Plan Land Use Designation of 0.35 acres from "Public-Quasi-Public" to "Low Density Residential";
   b. Zoning ordinance to rezone 0.35 acres from "Public-Quasi-Public" zoning district to "Low Density Residential" district; and
   c. Combined Development Permit consisting of: 1) Minor Subdivision Tentative Map to allow the division of a 1.98- acre parcel into two parcels of 0.35 acres (Parcel 1) and 1.63 acres (Parcel 2); and 2) A variance to allow a reduction of the minimum lot size from 1 acre to 0.35 acres in the "Low Density Residential" zoning district.
S-9 Consider and accept an oral presentation on the status of Pandemic Influenza in Monterey County from the Monterey County Health Officer.

S-10 Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Consider approval of the 2008-09 Annual Report for the Redevelopment Agency of the County of Monterey; and

S-11 Consider accepting the 2008-09 Annual Report for the Redevelopment Agency of the County of Monterey.

ORDER FOR ADJOURNMENT
IN MEMORY OF CALVIN REAVES
TO TUESDAY, JANUARY 26, 2010

Future Board Meetings:
Friday, January 15, 2010 – Special Closed Session Meeting
Tuesday, January 19, 2010 – No Meeting
Friday, January 29, 2010 – Special Closed Session Meeting
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

20. Adopt Resolution amending Personnel Policies and Practices Resolution No. 98-394 to:
   a. Add the classification of Hospital Revenue Cycle Examiner;
   b. Reallocate two (2) FTE Patient Account Rep II to two (2) FTE Hospital Revenue Cycle Examiner;
   c. Reclassify two (2) incumbents from Patient Account Rep II to Hospital Revenue Cycle Examiner; and
   d. Direct the Auditor/Controller to make the above changes to NMC's Fiscal Year 2009-10 Adopted Budget, Unit 960.

HEALTH AND SOCIAL SERVICES:

21. a. Approve and amend the Fiscal Year (FY) 2009-10 Department of Social & Employment Services Adopted Budget to reallocate one (1.0) FTE Management Analyst II to one (1.0) FTE Associate Personnel Analyst; and
   b. Direct the Auditor-Controller to amend the Department of Social & Employment Services FY 2009-10 Adopted Budget SOC005-001-5010-8262, to reflect the position allocation changes as indicated in the Board Order.

22. a. Amend Health Department Budget 4000, HEA004, to reallocate vacant 1.0 FTE Public Health LVN to 1.0 FTE Chronic Disease Prevention Specialist II; and
   b. Direct the Auditor-Controller to amend the adopted Fiscal Year 2009-10 Health Department Budget 4000, HEA004, to reflect the change in position count as outlined in the Board Order.

23. a. Approve the American Recovery and Reinvestment Act (ARRA) funded Layoff Aversion contract with the Monterey County Business Council in the amount of $250,000 for the period of January 1, 2010 to December 31, 2010; 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 dollar amount, extend beyond two (2) additional years, and does not significantly change the scope of work.

CRIMINAL JUSTICE:

24. a. Approve and authorize the Chief Probation Officer to sign three (3) Memoranda of Understanding in the amounts of $190,308, $137,995, and $214,032 with the Monterey County Office of Education for collaborative services with the Boronda Community School, the Silver Star Resource
Center, Independent Study Program, and the Salinas/Seaside Community Schools during Fiscal Year 2009-2010; and
b. 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.

25. a. Approve and authorize the Chief Probation Officer to sign the Memorandum of Understanding with the Monterey County Office of Education for the High Risk Youth Education and Public Safety Program - Through and Beyond Program to receive funds in the amount of $185,909 from July 1, 2009 through June 30, 2010; and
b. 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.

GENERAL GOVERNMENT:

26. Approve and authorize the Contracts Purchasing Officer to execute Amendment No. 1 to Agreement No: A-11416 with Daniels House Otto Construction in the amount of $358,000 for a total amount not to exceed $2,032,000 to provide additional construction services associated with the renovation of Agricultural Commissioner Building 1428-1432, Abbott Street.

27. Approve the Board of Supervisors Action Minutes of Tuesday, November 17, 2009; Tuesday December 1, 2009; Tuesday December 8, 2009; and December 15, 2009.

28. Approve a Request from the Soledad-Cemetery District for an Exemption to the Annual Audit Required by Government Code Section 26909 and authorize preparation of a Biennial Audit covering the Fiscal Years of 2007 through 2009 (unanimous vote required).

29. Authorize the Director of Parks to accept work and file Notice of Completion for the Fluid Applied Roofing System to the Skip Barber Building at Laguna Seca, Bid No. 10131.

30. Approve the application from Joseph N. Walter to add the Butterfly House to the County's Local Official Register of Historic Resources, as recommended by the County's Historic Resources Review Board.

RMA - PLANNING DEPARTMENT:

32. a. Approve the Minor Subdivision Parcel Map to divide a 7.35 acre parcel into four 1 acre parcels and one 3.35 acre remainder parcel;
b. Accept the Parcel Map Guarantee and Tax Report from the Tax Collector;
c. Approve and authorize the Chair to execute the Subdivision Improvement Agreement; and
   (Parcel Map - Freeman/PLN070032, North Highway 101 between Moro Road and Highway 101, Salinas, North County Area Plan)

RMA - PUBLIC WORKS:

33. a. Accept the Certificate of Completion for the Youth Center Site Work and Infrastructure Project, Project No. 8815, located at 970 Circle Drive, Salinas, California; and
b. Authorize the Director of Public Works to execute and record the Notice of Completion.

34. a. Approve the transfer of $875,000 from Capital Projects Fund, Fund 402, Unit 8174, Account 7521 (Unspecified-Needs Board Approval) and allocate to Facilities Project Fund, Fund 401, Unit 8184, Appropriation Unit RMA004;
b. Direct the Auditor-Controller to move appropriations in the amount of $875,000 within Capital Projects Fund, Fund 402, Unit 8174, Appropriation Unit RMA014, from Account 7521 (Unspecified - Needs Board Approval) to Account 7614 (Operating Transfers Out); and
c. Direct the Auditor-Controller to amend the FY 2009-10 by increasing revenue and appropriations to Facilities Project Fund, Fund 401, Unit 8184, Appropriation Unit RMA004, Accounts 5940 and 6311, (Operating Transfers-In and Buildings and Improvements Maintenance, respectively) in the amounts of $875,000 (4/5th vote required).
d. Authorize the Director of Public Works or his designee, upon confirmation within the allocated amount to reallocate funds to high priority projects at his/her discretion.

35. a. Approve the transfer of $1,500,000 from Capital Projects Fund, Fund 402, Unit 8174, Account 7521 (Unspecified-Needs Board Approval) and allocate $1,500,000 to the Boronda County Sanitation District - San Jerardo Distribution Project, Fund 157, Unit 8197, Appropriation Unit RMA046;
b. Direct the Auditor-Controller to move appropriations in the amount of $1,500,000 within Capital Projects Fund, Fund 402, Unit 8174, Appropriation Unit RMA014, from Account 7521 (Unspecified - Needs Board Approval) to Account 7614 (Operating Transfers Out);
c. Direct the Auditor-Controller to amend the Fiscal Year (FY) 2009-10 budget to the Boronda County Sanitation District - San Jerardo Distribution Project, Fund 157, Unit 8197, Appropriation Unit RMA046 by increasing Revenue Accounts 5940 (Operating Transfer-In) in the amount of $276,000 for a total of $1,500,000; and

d. Direct the Auditor-Controller to amend the FY 2009-10 budget of the Boronda County Sanitation District - San Jerardo Distribution Project, Fund 157, Unit 8197, Appropriation Unit RMA046, by increasing Appropriation Account 6613 (Professional and Other Services) in the amount of $276,000 for a total of $2,804,760 (4/5th vote required).

36. a. Accept the Certificate of Completion for construction of the San Miguel Canyon Road Overlay Project in Prunedale from State Highway 101 to Hall Road, Project No. 09-140765, Contract No. 09-140765; and

b. Authorize the Director of Public Works to execute and record the Notice of Completion.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

37. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
Approve and authorize the Chair of the Board to sign an updated Memorandum of Agreement among the Fort Ord Reuse Authority, the County, and Union Community Partners East Garrison, LLC concerning Certain Roadway Funding Obligations (FORA development fee credits) for the East Garrison development project.

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MONTEREY COUNTY

BOARD OF SUPERVISORS

Revisions for Tuesday, January 12, 2009

Item Modified Under Closed Session:

2. Closed Session under Government Code section 54950, relating to the following items:

d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators
   Designated representatives: Keith Honda and Patricia Covert
   Employee organizations: All Units, Units A, B, J, H, S, M, and Q
**Item Revised under Scheduled Matters:**
S-1 Revised Attachment D

**Item Removed Under Consent – General Government:**
26. Approve and authorize the Contracts Purchasing Officer to execute Amendment No. 1 to Agreement No: A-11416 with Daniels House Otto Construction in the amount of $358,000 for a total amount not to exceed $2,032,000 to provide additional construction services associated with the renovation of Agricultural Commissioner Building 1428-1432, Abbott Street.

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