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 anticipio 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.
MONTEREY COUNTY BOARD OF SUPERVISORS
BORONDA COUNTY SANITATION DISTRICT
TUESDAY, AUGUST 31, 2010
9:00 AM

AGENDA

9:00 A.M.

ROLL CALL:

1. Additions and Corrections for Closed Session:

   The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in 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) LandWatch, et al. v. County of Monterey; MCSC Case No. M82969
      (2) Helping Our Peninsula's Environment v. Monterey County; MCSC Case No. M82972.

   b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two items 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. 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 Directors of the Boronda County Sanitation District

BORONDA COUNTY SANITATION DISTRICT

Roll Call

6. CONSENT CALENDAR – BORONDA COUNTY SANITATION DISTRICT
   (See Supplemental Sheet, Item 34)

Adjournment

Reconvene as the Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS

OTHER BOARD MATTERS:

7. Board Comments

8. CAO Comments and Referrals

9. 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.

10. Adopt Resolution proclaiming September 17 through 23, 2010, as "Constitution Week" in the County of Monterey. (Full Board)

APPOINTMENTS:

11. Appoint George W. Haines to the Monterey County Regional Fire District to fill an unexpired term ending March 1, 2013. (Supervisor Potter)

12. Reappoint Steve McShane to the Housing Advisory Committee, term ending August 26, 2012. (Supervisor Parker)

13. Appoint James Griffith to the Emergency Medical Care Committee to fill an unexpired term ending June 30, 2012. (Full Board)

14. Appoint Annalisa Mitchell to the Commission on the Status of Women to fill an unexpired term ending February 1, 2011. (Supervisor Parker)
15. Reappoint Linda Payne and Nancy Upadhye to the Mental Health Commission, terms ending May 31, 2013. (Supervisor Armenta)

15.1 Appoint Stella Lauerman to the Commission on disabilities, term ending December 31, 2012. (Full Board)

**SCHEDULED MATTERS:**

S-1 Consider adoption of Resolution proclaiming the month of September, 2010, as "National Preparedness Month" to promote emergency preparedness in Monterey County.

S-2 Consider adoption of Resolution to: (Continued from a closed hearing on July 27, 2010)
   a. Grant the appeal by Kurt and Sue Jaggers from the April 8, 2010, discretionary decision by the Zoning Administrator to deny a Variance to the 18-foot height limit;
   b. Categorically exempt the Combined Development Permit (PLN090253/Jaggers) per Section 15302 of the CEQA Guidelines; and
   c. Approve the application for a Combined Development Permit (PLN090253/Jaggers) 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).

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

S-3 Receive a report from the County Administrative Officer on Board Referral No. 2010.16 - Customer Service Review.

S-4 Receive an Oral Report from the Auditor-Controller, Treasurer-Tax Collector and County Administrative Office on the County’s Cash Balance and Impact of Delay of Adoption of the California State Budget.

S-5 Approve and Authorize the Temporary Delegation of Authority from the County Administrative Officer to Department Heads for the Purposes of Approving Hiring Decisions and Purchase of Fixed Assets in Accordance with the Position
Allocations and Appropriations Contained in the Fiscal Year 2010-11 Budget, and Institute Salary Savings Targets for County Departments.

12:00 P.M.

Recess to Lunch

1:30 P.M.

SCHEDULED MATTERS:

S-6  a. Conduct public hearing to receive a report on the draft 2010 Monterey County General Plan and its Environmental Impact Report, and receive the Planning Commission recommendation;
    b. Provide direction to staff regarding the format and schedule for the public hearing; and
    c. Continue the public hearing to September 14, 2010.
    (General Plan Update - PLN070525/County of Monterey)

ORDER FOR ADJOURNMENT
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

16. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an amended Scope of Services with Reel Grobman & Associates from County Master Agreement for Professional Design Services at NMC’s Specialty Clinic in an amount not to exceed $185,340 (an increase of $86,340) for the period July 1, 2010 through June 30, 2011.

HEALTH AND SOCIAL SERVICES:

17. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign an MOU with Monterey County Office of Education for leveraging of Title IV-E Administrative funding to support Foster Youth Services; 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 MOU amount, and do not significantly change the scope of responsibility.

18. Approve and authorize the Directors of the Departments of Health and Social & Employment Services, or their designees, to sign Memoranda of Understanding between County of Monterey and George L. Mee Memorial, Salinas Valley Memorial and Natividad Medical Center Hospitals to ensure compliance with Penal Code Section 11165.13 and Health and Safety Code Sections 1255.7 regarding substance-exposed infants and abandoned newborns.

CRIMINAL JUSTICE:

19. a. Approve and authorize the District Attorney to accept award of a Life and Annuity Consumer Protection Grant from the Department of Insurance; and
   b. Authorize the Auditor-Controller to increase estimated revenues and appropriations totaling $160,013 in DIS001, District Attorney (4/5th vote required).

20. a. Approve and Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Lease Agreement A-11578 with Crocker Corner Partnership for the 20 East Alisal Street, First Floor building in Salinas, for use and consolidation of the Probation Department’s Adult Division;
   b. Approve Plans and Specifications, Project Schedule, and Cost Breakdown and Payment Method;
   c. Authorize the Auditor-Controller to transfer $125,000 in funds from Capital Projects Fund 402, Project No. 8827 Probation-Additional Administrative Office Space for additional project costs; and
d. Authorize the Auditor-Controller to increase revenue and appropriations in the amount of $125,000 in Fund 001, PRO001-Probation budget for fiscal year 2010-11 (4/5th vote required).

**GENERAL GOVERNMENT:**


22. Approve Amendment to Conflict of Interest Code of the County Counsel of Monterey County.

23. Approve the 2010-11 Secured Roll Tax Rates.

24. Approve and authorize the Auditor Controller to increase Revenues and Appropriations in Community Development Grants (Fund 013, Unit 8200) by $460,750.

25. 
   a. Award construction contract to Garcia Engineering, in the amount of $133,391 for the base bid on the Island Group Area Improvements at Laguna Seca Recreation Area, Bid No.10251;
   b. Authorize the Chair of the Board to sign the contract; and
   c. Authorize the Director of Parks to approve change orders to up ten percent (10%) of the bid.

26. 
   a. Award construction contract to Mill Construction, in the amount of $79,989 for the base bid and $6,904 for Alt. No. 1 on the Island Group Area Building Improvements at Laguna Seca Recreation Area, Bid No.10252;
   b. Authorize the Chair of the Board to sign the contract; and
   c. Authorize the Director of Parks to approve change orders to up ten percent (10%) of the bid.


**RMA - PLANNING DEPARTMENT:**

29. 
   a. Accept the Conservation and Scenic Easement Deed for the Blackstock property;
   b. Authorize the Chair of the Board of Supervisors to execute the Conservation and Scenic Easement Deed; and
   c. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for recording.
   (Conservation and Scenic Easement Deed - PLN090130/Blackstock, 1134 Madre Lane, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone)
30. a. Accept the Conservation and Scenic Easement Deed for the Peter Pan Investors, LLC;
    b. Authorize the Chair of the Board of Supervisors to execute the Conservation and Scenic Easement Deed; and
    c. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for recording.

   (Conservation and Scenic Easement Deed - PLN990376/Peter Pan Investors, LLC, 226 Peter Pan Road, Carmel Area Land Use Plan)

**RMA - PUBLIC WORKS:**

31. a. Approve Plans and Special Provisions for the Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat 2010 Project (Contract No. 11-551120); and
    b. Authorize the Clerk of the Board to advertise the "Notice to Bidders" in The Californian on September 10 and September 17, 2010.

32. a. Approve the transfer of $68,412.88 from Appropriation Unit RMA014 to the Assessor/County Clerk-Recorder, Recorder's GC Code 27361 (c) Fees - Modernization, Fund 020, Account 2751, for a refund of unused monies related to the First Floor Recorder-County Clerk and Assessor Area Remodel, Project No. 8814, Bid Package No. 10081 (4/5th vote required); and
    b. Authorize the Auditor-Controller to move appropriations totaling $68,412.88 within Appropriation Unit RMA014, Capital Projects Fund, from Project Account 7551 to 7614 (Construction in Progress, and Operating Transfers Out, respectively) (4/5th vote required).

33. Make a finding that there is an unmet transit need that is reasonable to meet in the County unincorporated areas in Fiscal Year 2010-11.

**BORONDA COUNTY SANITATION DISTRICT:**

34. Acting as the Board of Directors of the Boronda County Sanitation District: Authorize the Director of Public Works, or his designee, to sign all documents to approve an Intertie Agreement (Agreement) between the Boronda County Sanitation District (BCSD) and Foothill Estates, Inc. to provide for two (2) sources of water supply for the San Jerardo Water System (System) and the Foothill Estates, Inc. Water System (hereafter, collectively referred to as "Water Systems").

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See Addendum next page
MONTEREY COUNTY
BOARD OF SUPERVISORS

Addendum for Tuesday, August 31, 2010
View Addendum reports at:

http://000sweb.co.monterey.ca.us/cob/BOS%20Supplemental_Addendum/default.asp

Addition to Closed Session:
2. a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
   (4) Yevgeniy Pinchuk v. City of Los Angeles; CSCA 2nd Appellate District, Division Two, Case No. B219213

Addition to Regular Consent – Public Works
33.1 Adopt Resolution:
   a. Declaring an emergency as defined by California Public Contract Code Section 1102 due to the broken sanitary sewer at the Monterey County Adult Detention Facility kitchen;
   b. Finding that the emergency will not permit a delay resulting from a formal solicitation of bids and that the action is necessary to respond to the emergency;
   c. Finding that the repairs are necessary to permit the continued conduct of county operations or services;
   d. Authorizing emergency sanitary sewer repairs at the Monterey County Adult Detention Facility kitchen, located at 1410 Natividad Road, Salinas CA, without adopting plans and specifications and giving notice for bids to let contracts; and
   e. Authorizing the Contracts/Purchasing Manager, or his designee, to enter into contracts and issue purchase orders to accomplish the required emergency work and ratifying the execution of emergency contracts and actions taken by the Contracts/Purchasing Manager, or his designee, to respond to the emergency (4/5th vote required).

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