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

1. Additions and Corrections for Closed Session:
There were no additions or corrections for Closed Session.

2. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding three items of significant exposure to litigation.
   CLOSED SESSION REPORT: The Board conferred with Counsel and provided direction on how to lessen that exposure to litigation.

   b. 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
   CLOSED SESSION REPORT: The Board provided direction to Mr. Honda and Ms. Covert how to address one remaining bargaining issue, within that, the Board met regarding Unit Y as part of the All Units designation and provided direction on how to proceed in potential negotiations in that matter.
c. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
   (1) Department of Fair Employment and Housing v. Monterey County, et al.; Paul Michael Breech, Real Party in Interest (MCSC Case No. M96824)
   CLOSED SESSION REPORT: The Board conferred with legal counsel and provided settlement authority, the settlement agreement will be available in through the office of County Counsel when fully executed.
   (2) Paul Breech v. County of Monterey (Workers’ Compensation Appeals Board Case Nos. SAL 114901 and SAL 114902)
   CLOSED SESSION REPORT: The Board did not discuss this item.

d. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators.
   (1) Property: County owned property at the corner of Laurel Drive and Constitution Boulevard, Salinas (APNs 003-851-021, -024, and -027)
   County negotiator: Wayne Tanda, RMA Director
   Negotiating parties: County of Monterey and the Salinas Regional Sports Authority
   Under negotiation: Price and Terms
   CLOSED SESSION REPORT: The Board conferred with the County negotiator and provided direction to Mr. Tanda on how to proceed in the negotiations.

e. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Natividad Medical Center CEO.
   CLOSED SESSION REPORT: This item was removed as there was no performance evaluation for the CEO of Natividad Medical Center.

10:30 A.M.

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

3. The Pledge of Allegiance was led by County Counsel Charles McKee.

4. Additions and Corrections: There were no additions or corrections.

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   · Supervisor Parker pulled Consent Item 28 for questions and Item 30 for comment. Director of Health Services Len Foster requested this item be trailed to later in the day to provide more details on the discrepancy in the year and the term of the agreement.
   · Supervisor Calcagno pulled Consent Item 31.
   Motion by Supervisor Salinas, seconded by Supervisor Parker to approve the Consent Calendar, with exception of Items 28, 30 and 31, which were trailed to later in the day. ALL AYES
6. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)

Motion by Supervisor Salinas, seconded by Supervisor Parker to approve the Monterey County Redevelopment Agency Consent Calendar. ALL AYES

Consent Calendar - Regular Item 30: Supervisor Parker questioned staff regarding Consent Item 30.

Motion #1: by Supervisor Armenta, seconded by Supervisor Salinas to refer Natividad Medical Center (NMC) Improvement Initiatives to the Health and Human Services Committee for quarterly updates, as a standard quarterly item, and return to the Board of Supervisors as recommended by the committee. ALL AYES

Motion #2: by Supervisor Parker, seconded by Supervisor Potter to approve Consent Item 30. ALL AYES

OTHER BOARD MATTERS:

7. Board Comments
   · Supervisor Parker invited the community to her office holiday party this afternoon from 4:00 p.m. to 7:00 p.m.
   · Supervisor Parker advised she attended a community event honoring County employee Diana Jimenez for her human rights work in Castroville.
   · Armenta requested, through the CAO, to have Elliott Robinson, Department of Social and Economic Services Director, give an oral update next Tuesday on emergency family shelter in Monterey County and handling a possible crisis for homelessness in the cold season (for the next two months), as well how to address sufficient capacity and an immediate remedy.
   · Supervisor Calcagno commended County employee Diana Jimenez for her humanitarian work in the Castroville.

8. CAO Comments and Referrals
   The County Administrative Officer advised of the following Board referral:
   1) Request for an update of a comprehensive review by Environmental Health - Water Resources in coordination with the Monterey Peninsula Water Management District for update/assessment on the long term cumulative impacts of individual wells amongst the fractured bedrock in the Carmel Woods area; responding departments will be Environmental Health and Water Resources Agency. (Potter)
   Natividad Medical Center (NMC) CEO Harry Weis introduced the newest member of the NMC management team Noella Crayton, Director of Corporate Compliance and Risk Management.

   · Supervisor Potter requested that, under the prerogative of the Chair, in the future, comments that defame individuals based upon race, color, creed or
religion not be acceptable in this forum. Supervisor Calcagno made a Board referral to the CAO to consider this as a policy issue to be brought before the full Board; Supervisor Calcagno also acknowledged the Constitutional right to free speech. Supervisor Salinas clarified that the Board’s silence during public comment is part of the democratic process and does not mean that Board members agree with comments made by public speakers.

**APPOINTMENTS**: Items 10 through 20 were heard concurrently.

10. Appointed Josie R. Duque to the Equal Opportunity Advisory Commission, term ending December 31, 2011. (Full Board)
   **Motion by Supervisor Parker, seconded by Supervisor Salinas. ALL AYES**

11. Appointed Ron Builta to the Carmel Valley Fire Protection District to fill an unexpired term ending November 30, 2011. (Supervisor Potter)
   **Motion by Supervisor Parker, seconded by Supervisor Salinas. ALL AYES**

12. Reappointed Kellie D. Morgantini to the Historic Resources Review Board, term ending December 12, 2012. (Supervisor Salinas)
   **Motion by Supervisor Parker, seconded by Supervisor Salinas. ALL AYES**

13. Reappointed Daniel J. Patterson, Bruce Dodson, and Paul Beckett to the South Monterey County Fire Protection District, terms ending December 12, 2013. (Supervisor Salinas)
   **Motion by Supervisor Parker, seconded by Supervisor Salinas. ALL AYES**

14. Appointed Ronald M. Holland to the Military & Veterans Affairs Advisory Commission to fill an unexpired term ending January 1, 2012. (Full Board)
   **Motion by Supervisor Parker, seconded by Supervisor Salinas. ALL AYES**

15. Appointed Juan Sanchez to the Fort Ord Veterans Cemetery Citizens’ Advisory Committee to fill an unexpired term ending December 31, 2010. (Full Board)
   **Motion by Supervisor Parker, seconded by Supervisor Salinas. ALL AYES**

16. Reappointed Don Cranford to the Northern Salinas Valley Mosquito Abatement District, term ending January 2, 2012. (Full Board)
   **Motion by Supervisor Parker, seconded by Supervisor Salinas. ALL AYES**

17. Appointed Philip Childress to the In-Home Supportive Services Advisory Committee to fill an unexpired term ending June 30, 2010. (Supervisor Potter)
   **Motion by Supervisor Parker, seconded by Supervisor Salinas. ALL AYES**

18. Appointed Dona Putnam to the Commission on the Status of Women, term ending February 1, 2012. (Supervisor Potter)
   **Motion by Supervisor Parker, seconded by Supervisor Salinas. ALL AYES**
19. Reappointed Harry Wiggins and Stephen Snodgrass to the Pajaro-Sunny Mesa Community Service District, terms ending November 30, 2013. (Supervisor Calcagno)

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

20. Appointed Stephen Caron to the Pajaro-Sunny Mesa Community Service District, term ending November 30, 2013. (Supervisor Calcagno)

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

SCHEDULED MATTERS:

S-1 California State Association of Counties (CSAC) 2009 Challenge Award Presentation and Reception.
Paul McIntosh, CSAC Executive Director, presented the 2009 CSAC Challenge Award for Natividad Medical Center’s “Revitalization of the Public Safety Net Hospital” to the Monterey County Board of Supervisors and Natividad staff.
Speakers: Supervisor Potter, Harry Weis, Board members.

11:45 A.M. Recessed to reception and 12:00 P.M. Joint Board Leadership Committee Meeting

RECONVENED

Consent Item 28 heard after the Board reconvened. (See Consent Item 28 for Board action.)

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

SCHEDULED MATTERS:

Sari Eastwood and Mariya Wasoki presented the report on Girls' Health in Girls Hands.
County Administrative Officer Lew Bauman stated these are elements of the County’s Public Health outreach and there will be follow-up to discuss and refine activities and programs.

The Board took no action.

S-3 a. Considered an appeal by Wayne Holman for Aromas Heritage Oaks LLC of the Planning Commission denial of a Combined Development Permit (Aromas Heritage Oaks; PLN980503) consisting of a 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); and

b. Considered adoption of a motion of intent and continuance of the public hearing to a date certain for staff to return with a Resolution with appropriate findings. (PLN980503/Aromas Heritage Oaks LLC, North County Area Plan)

- Alana Knaster, Chief Assistant Director of RMA, advised staff received a substantive submission from the applicant's attorney yesterday and requested a 90 day continuance to respond to the letter
- Deputy County Counsel Strimling concurred with the request for continuance to protect the record.

John Bridges, Attorney for the applicant agreed to staff’s request for continuance.

**Public Comment:** Cathy Chavez Miller; Carolyn Anderson; Marjorie Kay; Ed Mitchell; Klaus (**last name inaudible**); Jan Mitchell; Hans Jongens; Leslie Austin; David Freid.

**Motion by Supervisor Armenta, seconded by Supervisor Salinas to continue this matter for 90 days to March 2, 2010, pursuant to staff’s analysis and recommendation. 3 - 2 (Supervisor Calcagno and Supervisor Parker dissented)**

S-4 Considered, received and accepted the quarterly oral presentation on the Enterprise Resource Planning (ERP) Project.

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

S-5 Considered and adopted Resolution 09-443 to implement the Granite Ridge/Zone 2C Portable Water Subsidy Program (4/5th vote required).

**Public Comment:** Carolyn Anderson; Susie Petersen; Margie Kay for Judy Taylor; Ed Mitchell; Cathy Chavez Miller; Don Ask; Diane Russell; Jan Mitchell.

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

Closed Session Report (See Item 2a-e)

**ORDER FOR ADJOURNMENT**

APPROVED:

____________________________
LOUIS R. CALCAGNO, CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: __________________________
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

21. Agreement No. A-11581
   Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with Michael Sepulveda MD for Professional Internal Medicine Services at NMC in the aggregate amount not to exceed $160,000 and in an amount not to exceed $107,326 (an increase of $60,000) for the period July 1, 2009 to June 30, 2010.

22. Agreement No. A-11582
   Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement with Picis for software license and maintenance fees and professional services at NMC in an amount not to exceed $422,958 (an increase of $8,000) for the period November 1, 2009 to December 31, 2010.

23. Agreement No. A-11583
   Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the Agreement with Toyon Associates Inc. for Rural Floor Budget Neutrality Appeal Services at NMC in an amount not to exceed $300,000 for the period June 11, 2009 to June 30, 2012.

   Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with William Thayer Construction Inc. for Data Center Construction and Electrical services at NMC in an amount not to exceed $322,835.77 (an increase of $62,126.77) for the period June 1, 2009 to October 31, 2009.

HEALTH AND SOCIAL SERVICES:

25. Agreement No. A-11585
   a. Approved and authorized the Director of Health to sign a three-year term (Fiscal Year 2009-10, 2010-11 and 2011-12), Mental Health Services Agreement with EMQ Families First, for the provision of mental health services (Therapeutic Behavioral Services) in the amount of $125,000 for FY 2009-10, $250,002 for FY 2010-11, and $257,935 for FY 2011-12, for a total of $632,937 for the period January 1, 2010 through June 30, 2012; and
   b. Authorized the Director of Health to approve future amendments up to five percent (5%) of the annual amount, which does not significantly alter the scope of work or result in an increase to net county costs.
26. Agreement No. A-11586  
   a. Approved and authorized the Director of Health to sign a three-year term (Fiscal Year 2009-10, 2010-11 and 2011-12), Mental Health Services Agreement with ASPIRAnet for the provision of mental health services (Therapeutic Behavioral Services) in the amount of $125,000 for FY 2009-10, $250,000 for FY 2010-11, and $250,000 for FY 2011-12, for a total of $625,000 for the period January 1, 2010 through June 30, 2012; and  
   b. Authorized the Director of Health to approve future amendments up to five percent (5%) of the annual amount, which does not significantly alter the scope of work or result in an increase to net county costs.

27. Agreement No. A-11587  
   a. Approved and authorized the Director of Health to sign a three-year term (Fiscal Year 2009-10, 2010-11 and 2011-12), Mental Health Services Agreement with JDT Consultants, Inc. for the provision of mental health services (Therapeutic Behavioral Services) in the amount of $125,000 for FY 2009-10, $250,000 for FY 2010-11, and $250,000 for FY 2011-12, for a total of $625,000 for the period January 1, 2010 through June 30, 2012; and  
   b. Authorized the Director of Health to approve future amendments up to five percent (5%) of the annual amount, which does not significantly alter the scope of work or result in an increase to net county costs.

28. Authorized the Director of Health, on behalf of Monterey County, to execute and submit all necessary applications, contracts, payment requests, agreements, documents and amendments thereto for the purposes of amending existing Grant Agreement No. 07-664-550 between the State of California Environmental Protection Agency and the Monterey County Health Department to increase the grant amount by $16,262.95, for a total not to exceed $121,971.96, and to extend the term of the Agreement by 14 months, to May 1, 2011.  
   Allen Stroh clarified dates and agreement dates in the staff report.  
   **Motion by Supervisor Parker, seconded by Supervisor Salinas to approve staff recommendation. ALL AYES**

29. Accepted and approved the By-laws of the Monterey County Mental Health Commission as amended.

30. Received the report from the CEO of Natividad Medical Center (NMC) and the Director of Health regarding progress on the Improvement Initiatives intended to improve service quality and care coordination for patients served by Monterey County’s health care system.  
   **Motion #1:by Supervisor Armenta, seconded by Supervisor Salinas to refer Natividad Medical Center (NMC) Improvement Initiatives to the Health and Human Services Committee for quarterly updates, as a standard quarterly item, and return to the Board of Supervisors as recommended by the committee. ALL AYES**
Motion #2: by Supervisor Parker, seconded by Supervisor Potter to approve Consent Item 30. ALL AYES

31. Adopted Resolution No. 09-442 Amending Resolution No. 09-370 to:
   a. Authorized the Director of the Department of Social and Employment Services (DSES) to: perform as Responsible Agent in the implementation of the 2009 Homelessness Prevention and Rapid Re-Housing Program (HPRP) Standard Agreement with the California Department of Housing and Community Development in the amount of $1,600,000 and any subsequent amendments thereto; to perform any and all responsibilities in relationship to such contract; and, to act on the County’s behalf in all matters pertaining to this application; and
   b. Approved a Memoranda of Understanding (MOU) between the County of Monterey (County) and the Central Coast HIV/AIDS Services (CCHAS), a new partner-agency in the HPRP Program, to undertake the work and provide homeless prevention services for the HIV/AIDS population throughout the county.

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

GENERAL GOVERNMENT:

32. Board Budget No. 09/10-071
   Approved transfer of appropriations in the amount of $55,000 from Salaries and Benefits to Fixed Assets in Department 2810-Agricultural Commissioner, Unit 8001 for the purchase of two (2) light duty trucks.

33. Board Budget No. 09/10-072
   Approved a request from the Castroville Cemetery District for a dry period loan of $22,000 for the Fiscal Year ending June 30, 2010.

34. Agreement No. A-11588
   Approved Amendment No. 2, totaling $119,820 for a revised not-to-exceed amount of $214,746, to the CIBER, Inc. Audit Agreement to ensure proper policies and procedures are implemented so that Natividad Medical Center successfully operates its own independent data network.

35. Agreement No. A-11589
   a. Approved and authorized the Contracts/Purchasing Officer to sign Amendment No. 2 to Professional Services Agreement for Annual Software Maintenance and technical support for the CallXpress Voice Mail System for Main and NMC PBX systems, RightFax Software, and RightFax Customer Developer in an amount not to exceed $46,610.50 for the period of October 1, 2009 through September 30, 2010; and
   b. Approved and authorized the Auditor-Controller to make payments under the Agreement upon approval of the Information Technology Department.
36. a. Received the Certified Statement of Votes cast and results of the November 3, 2009 City/School/Special District Elections; and
b. Declared the results of the election to incorporate the Town of Carmel Valley.

36.1 Approved the Action Minutes of Tuesday, October 27, 2009 and Tuesday, November 3, 2009.

RMA - PUBLIC WORKS:

37. a. Accepted the Certificate of Completion for the Install Communications Tower Agricultural Commissioner’s Office-King City, 522 N. 2nd Street, King City, California, Project No. 8537; and
b. Authorized the Director of Public Works to execute and record the Notice of Completion.

38. Agreement No. A-10976
a. Approved Renewal to Construction Project Management Services Agreement No. A-10976 with Turner Construction to provide additional construction project management services for the Renovation of North Wing of Salinas Courthouse Project, in the amount of $999,777 for a total amount not to exceed $3,932,107 and extend the term through July 31, 2010; and
b. Authorized the Director of Public Works to execute Renewal to Construction Project Management Services Agreement No. A-10976 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

39. a. Approved the Road Maintenance Agreement with D’Arrigo Bros. Co. of California, a California corporation in compliance with Condition of Approval No. 18 of Development Permit No. PLN0020069, located on 20911 Harris Road, east of Spreckels Boulevard, Greater Salinas area;
b. Approved the Agreement for Construction of Road Improvements with D’Arrigo Bros. Co. of California, a California corporation in compliance with Mitigation No. 5 of Development Permit No. PLN0020069;
c. Approved the Mitigation Agreement with D’Arrigo Bros. Co. of California, a California corporation for payment of traffic mitigation fees in compliance with Mitigation No. 3 of Development Permit No. PLN0020069;
d. Authorized the Chair of the Board to execute the Road Maintenance Agreement, Agreement for Construction of Road Improvements, and Mitigation of Agreement;
e. Accepted the Grant Deed dedication of right-of-way along the Harris Road frontage of the D’Arrigo Bros. Co. of California, a California corporation property in compliance with Mitigation No. 5;
f. Directed the Clerk of the Board to submit the Grant Deed dedication of right-of-way along the Harris Road frontage of the D’Arrigo Bros. Co. of California, a California corporation to the Recorder for recordation; and
g. Directed the Clerk of the Board to submit the Road Maintenance Agreement, Agreement for Construction of Road Improvements, and Mitigation Agreement to the Recorder for filing.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

40. 2008CONST0011
Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
a. Authorized acceptance of the work for Project No. 09-721720, Japanese Schoolhouse Historic Restoration, community of Castroville;
b. Authorized the Director of Redevelopment and Housing to execute and record the Notice of Completion; and
c. Authorized the release of retention 35 days following the filing of the Notice of Completion, and satisfaction of all legal requirements, and upon approval of the Director of Redevelopment and Housing.

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