AGENDA
Tuesday, December 16, 2008

****PLEASE NOTE CHANGE IN MEETING START TIME****
8:30AM

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 www.co.monterey.ca.us/cttb/agenda, 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 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.
SPECIAL MEETING:
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
TUESDAY, DECEMBER 16, 2008
8:30 – 9:00 A.M.

REGULAR SCHEDULED MEETING:
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, DECEMBER 16, 2008

AGENDA

8:30 A.M.

ROLL CALL:

CLOSED SESSION

1.   Additions and Corrections to 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.

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.
       Property: All Monterey County Superior Court facilities, locations: 240 Church Street, Salinas; 1200 Aguajito Road, Monterey; 250 Franciscan Way, King City; 3180 Del Monte Boulevard, Marina; and 1422 Natividad Road, Salinas.
       Agency Negotiator: Patricia Maitland
       Negotiating parties: The County of Monterey and the Administrative Office of the Courts, State of California
       Under negotiation: Terms and conditions

   b.   Pursuant to Government Codes section 54957, the Board will confer regarding appointment to the position of Natividad Medical Center CEO.

   c.   Pursuant to Government Code section 54956.8, the Board of Directors of the Redevelopment Agency Board will confer with real property negotiators.
       Property: Fort Ord Veteran's Cemetery parcel
       Agency negotiator: Kay Reimann
Negotiating Parties: Redevelopment Agency; City of Seaside; FORA
Under negotiation: Terms and conditions

d. Pursuant to Government Code section 54956.9(b), the Board will confer with real property negotiators.
Property: The public rights of way in Waste Management Company's "Western Franchise" and "Northeastern Franchise" areas of the County.
Agency Negotiator: Len Foster
Negotiating Parties: County of Monterey and Waste Management Corporation
Under negotiation: Terms and conditions

e. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding potential initiation of one litigation case.

f. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
1. The Preserve Golf Club vs. County of Monterey
2. Guadalupe "Jose" Martinez (WC)

g. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators. Designated representative: Keith Honda
Employee organizations: All Units

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

10:30 A.M. RECONVENE

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 - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)

6. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

7. CONSENT CALENDAR – MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet)
OTHER BOARD MATTERS:

8. Board Comments, Referrals, and Updates

9. CAO Comments

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 the Board of Supervisors meeting schedule for calendar year 2009.

12. Adopt Resolution honoring Charles Harriman, Senior Road Maintenance Worker to the Public Works Department, upon his retirement from Monterey County for over twenty-three years of public service. (Full Board)

13. Adopt Resolution honoring Bryce Hori, Assistant Engineer to the Public Works Department, upon his retirement from Monterey County for over thirty-six years of public service. (Full Board)

14. a. Adopt Resolution honoring Ila Mettee-McCutchon for her service to Monterey County as the 4th District Supervisor (Full Board);
     b. Farewell remarks by Supervisor Mettee-McCutchon; and
     c. Recess to lobby for a reception honoring Supervisor Mettee-McCutchon.

APPOINTMENTS:

15. Reappoint Steven Harrison, M.D. to the Santa Cruz-Monterey Managed Medical Care Commission, dba, Central Coast Alliance for Health for a term ending January 1, 2013. (Full Board)

16. Appoint Richard Barratt to the Military and Veterans Affairs Advisory Commission to fill the vacancy of Ralph Norm Channel for a term ending January 1, 2011. (Supervisor Potter)

17. Appoint Edith Johnsen to the Central Coast Veterans Cemetery Citizen's Advisory Committee filling the new ex-officio position for a term ending at the pleasure of the Board. (Full Board)

18. Appoint Ted J. Gilbert to the Cholame Valley Cemetery District for a term ending February 1, 2012. (Supervisor Salinas)
SCHEDULED MATTERS:

S-1 a. Approve Fiscal Year (FY) 2008-09 Mid-Year Budget modifications to rebalance the County Budget due to State Budget Impacts, Quarter Funding Issues, Non-Program Revenue and Program Revenue reductions and Investment Losses;

b. Approves the use of $4,530,519 of FY 2006-07 Fund Balance rollover (4/5th vote required);

c. Direct the Auditor-Controller to amend the FY 2008-09 Adopted Budget to reflect elimination of vacant positions, increases and decreases in appropriations and revenues, use of contingencies and use of prior year fund balance as outlined in the Board Order with any changes directed by the Board (4/5th vote required);

d. Authorize the establishment of employee seniority ranking lists;

e. Authorize activation of the County’s Inplacement Program;

f. Direct staff to meet with the employee labor organizations to develop strategies to minimize employee layoffs;

g. Direct the Departments of Planning and Building Services to submit a reduction plan to the Budget Committee and Board by January 2009 that aligns their operations within the departmental revenue resources available and establishes a sustainable level of service; and,

h. Consider directing staff to contract for independent financial analysis services aimed at assessing the County’s financial position, including fund balances and reserves, current and future cash flow needs and current and future revenue flows, etc., and to bring forward to the Budget Committee cost and timelines.

S-2 a. Acknowledge receipt of Coastal Commission letter certifying a map amendment to Monterey County's Local Coastal Program Initiated by File PLN040079 (Petersen);

b. Adopt an Ordinance to amend Sheet 20-4 of Section 20.08.060 of Title 20 of the Monterey County Code (Monterey County Coastal Implementation Plan) to rezone a 23-acre parcel (APN: 133-014-020-000) from RDR/B-7 to RDR/10;

c. Direct staff to transmit the adopted Ordinance with revised map to the California Coastal Commission to incorporate into the public file; and

d. Direct staff to transmit a Final Local Action Notice (FLAN) to the California Coastal Commission for the Petersen project (PLN040079) approved by the County Planning Commission on October 26, 2005.

(Zoning change and map amendment - PLN040079/Petersen, 16770 Blackie Road, Salinas, North County Land Use Plan Area)

12:00 P.M.

Recess to Lunch
12:30 P.M.

Joint meeting between the Monterey County Board of Supervisors and Natividad Medical Center Board of Trustees in the Monterey Room, located at 168 W. Alisal Street, Second Floor, Salinas, California.

Closed Session
Pursuant to Government Code Section 54957, the Board of Supervisors and the Board of Trustees will confer regarding appointment to the position of Natividad Medical Center CEO.

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-3 Adopt Resolution formally memorializing the County Health Department Headquarters Building (presently under construction), at 1270 Natividad Road, Salinas, California, in honor of late County Supervisor, Gerald "Jerry" C. Smith (unanimous vote required).

S-4 Authorize the Contracts/Purchasing Officer to release a Request for Proposal (RFP No. 10156) for countywide provision of "advanced life support" ambulance service.

S-5 a. Receive an oral presentation regarding the Monterey County Juvenile Justice Complex (Complex);
   b. Adopt Resolution authorizing the Chief Probation Officer to sign and submit an application for funding in the amount of $35 million under SB 81 Local Youthful Offender Rehabilitative Facility Construction Funding Program (Juvenile Detention Center);
   c. Direct staff to return April 2009 for consideration and determination of funding approach (e.g. voter approved Assessment Bond, General Obligation Bond, Public Safety Tax, General Tax, etc.) for County contribution, Operations expenditures and Debt Service requirements toward the Juvenile Detention Center and Complex given the financial condition of the County's General Fund; and
d. Provide Board with information on any outstanding issues.

S-6 Reintroduce, waive first reading, and set for adoption on Tuesday, January 13, 2009, an Ordinance of the County of Monterey, State of California, to add Chapter 1.22 (Administrative Remedies for Code Enforcement) for administrative procedures that govern the imposition, enforcement, collection, and administrative review of administrative fines or penalties for violations of the Monterey County Code.
(Ordinance - PLN040372/Administrative Draft Procedures, County-wide)
S-7  

a. Approve the recommendation from the Natividad Medical Center (NMC) Board of Trustees to reorganize Monterey County healthcare delivery services through a two-phase reorganization plan: Phase I will be the creation of the Monterey County Integrated Healthcare System to include Natividad Medical Center and the County Health Department’s Clinic Services Division (all of the County’s primary care clinics), and Phase II will be the creation of and implementation of the Monterey County Health Services Agency (HSA) in January 2010 to include the Integrated Healthcare System and the following divisions and services of the Health Department involved in the direct delivery of healthcare to our County residents: Behavioral Health, Community Health, Office of the Health Officer, and Emergency Medical Services (EMS) with the remaining divisions and services of the Health Department not included in the HSA—Environmental Health, Animal Services, Public Guardian and Public Administrator—to either be reassigned to other County agencies/departments or would form their own department;  
b. Direct the CAO, the NMC CEO, and the Director of the Health Department to present an implementation plan for the Integrated Healthcare System to the County Board on 1/13/09;  
c. Direct staff to implement the Integrated Healthcare System plan immediately upon Board approval on 1/13/09;  
d. Appoint Wellspring interim management as interim leadership of the Integrated Healthcare System; and  
e. Appoint the permanent NMC leadership as leadership of the Integrated Healthcare System.

S-8  

Consider denial of an appeal and approval of a Coastal Development Permit for a Minor Subdivision and Water Offset Program to subdivide 20 acres creating four parcels of 3 acres, 3 acres, 3 acres and 11 acres.  
(Appeal - PLN080185/Spanish Congregation, 125 Sill Road [Kinghall Road], Las Lomas, North County area, Coastal Zone)

ORDER FOR ADJOURNMENT 
TO TUESDAY, JANUARY 13, 2009

Future Board Meetings:  
Tuesday, December 23, 2008 – No Meeting  
Tuesday, December 30, 2008 – No Meeting  
Tuesday, January 6, 2009 – No Meeting  
Tuesday, January 13, 2009 – Regular Meeting
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

19. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to sign an Agreement with Doctor Diesel in an amount not to exceed $3,100 per year or $6,200 for the term July 1, 2008 through June 30, 2010 for inspection, repair, maintenance of underground fuel tanks at NMC and;
   b. Modify County insurance requirements.

HEALTH AND SOCIAL SERVICES:

20. Approve and authorize the Military & Veterans Affairs Officer to sign annual Certificate of Compliance (subvention) and Certificate of Participation (Medi-Cal Cost Avoidance) Agreements.

21. Approve and adopt a tentative Agreement with Service Employees International Union (SEIU) Local 6434, representing In-Home Supportive Services Providers Unit for a new Memorandum of Understanding (MOU), for the period March 1, 2009 through February 29, 2012.

22. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign two (2) Agreements with CareAccess Silicon Valley, Inc., for a total of $11,760, for the maintenance of websites to access third-party software, for the period July 1, 2008 through June 30, 2009, including Mutual Indemnification provisions in Exhibits K and L (Section 7), respectively; and
   b. Authorize 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 scope of work.

23. a. Approve and authorize the Chair of the Board to sign a Notice of Intent for Monterey County to participate in the Child Abuse Prevention, Intervention and Treatment (CAPIT), Community Based Child Abuse Prevention (CBCAP), and Promoting Safe and Stable Families (PSSF) programs for State Fiscal Years 2008-11;
   b. Designate the Child Abuse Prevention Council as the entity providing oversight of the County Children's Trust Fund (CCTF); and
   c. Approve and authorize the Director of Social and Employment Services to submit CAPIT/CBCAP/PSSF Three-year Plan 2008 to the California Department of Social Services.

24. Proclaim state of local emergency relating to the spread of HIV among injection drug users in Monterey County.
25. a. Concur with the Monterey County Workforce Investment Board (WIB) to submit the ninth year modification of the WIB's five-year plan to the State of California;  
b. Authorize Chair of the Board to sign six (6) copies of the modification.

26. a. Approve and authorize the Director of the Department of Social and Employment Services, or his designee, to sign Amendment No. 1 to Agreement No. A-11197 with the ACTION Council of Monterey County to provide project leadership and coordination for Differential Response (aka: Pathways to Safety), adding $113,949 and increasing the contract to $747,527 for the period July 1, 2008 through June 30, 2009;  
b. Authorize the Director of the Department of Social and 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. Direct the Auditor-Controller to increase appropriations and estimated revenues in Budget Unit 501 by $113,949 (4/5th vote required).

27. Concur with the Monterey County Child Care Planning Council Executive Committee to approve submission of a grant for $6,600,000 to First 5 Monterey County to continue an Early Childhood Workforce Development Incentive Program, from July 1, 2009 to June 30, 2015.

28. a. Approve and authorize the Director of Health to use funds from the Northeastern Franchise Agreement Liability Account No. 061-2748 to finance the cost of consulting services related to the development of a new Request for Proposal for exclusive solid waste collection, transportation, recycling and diversion services in the Unincorporated County; and  
b. Direct the Auditor-Controller to increase revenue and appropriations for Budget Unit 414 by $100,000 (4/5th vote required).

CRIMINAL JUSTICE:

29. a. Approve and authorize the District Attorney to accept a grant previously applied for from the Department of Insurance (DOI) in the amount of $195,229; and  
b. Direct the Auditor-Controller to amend the Fiscal Year 2008-09 District Attorney Budget Unit 224 to increase revenues and appropriations in the amount of $56,485 as detailed in Board Order (4/5th vote required).

30. a. Approve an increase in Cal-ID Program appropriations and estimated revenues in Sheriff’s Budget Unit 230 for the purchase of software license providing an open data base connectivity (ODBC) between County Criminal Justice Information System (CJIS) and DataWorks Plus PhotoManager application, a photo identification system, in the amount of $40,000; and
b. Direct the Auditor-Controller to increase appropriations and estimated revenues in Sheriff's Budget Unit 230 as detailed in the Board Order (4/5th vote required).

GENERAL GOVERNMENT:

31. Approve and authorize the Assistant County Administrative Officer to sign Addendum No. 1 to the Memorandum of Understanding dated July 1, 2004 between the Superior Court of California, County of Monterey and the County of Monterey related to Services to be provided and reimbursement for services.


33. Approve and authorize Delegation of Authority to the Assistant County Administrative Officer, or designee, to negotiate and execute any and all necessary documents to implement the intent of the Transfer Agreement(s) for the following Court Facilities: Salinas Courthouse - North Wing, Marina Courthouse, Monterey Courthouse, King City Courthouse, and Juvenile Courthouse pursuant to the Trial Court Facilities Act of 2002 as amended (AB 1732 & AB 1491) (the "Act"), from the County of Monterey to the Judicial Council of California, Administrative Office of the Courts following approval by County Counsel and the County Administrative Officer as to consistency with the Act. Delegation of authority shall expire on January 1, 2009.

34. a. Authorize the Parks Director to approve and execute the Memorandum of Understanding with the California State Department of Boating and Waterways for Park Rangers to attend the Marine Law Enforcement Training Program as related to boating in Fiscal Year 2008-09; and
b. Authorize the Parks Director to execute and submit all necessary documentation to obtain reimbursement from the California State Department of Boating and Waterways, to the extent that such funding is available.

35. Extend the proclamation of local emergency adopted September 23, 2008, in the aftermath of the Basin Complex Fire and authorize and direct the County Administrative Officer as Director of Emergency Services to further extend the proclamation if the local emergency continues to exist, subject to ratification by the Board of Supervisors at its regular meeting on January 13, 2009 (4/5th vote required).

36. a. Approve and authorize Chair of the Board to sign "Agreement RE 2007 Community Oriented Policing Services (COPS) Technology Grant Between Monterey County and City Of Salinas" to permit the use of COPS Grant funding for public safety communications projects including $180,000 for the purchase of radio frequencies;
b. Approve and authorize the Contracts/Purchasing Officer to sign the "Frequency Purchase Agreement" between County of Monterey and Repeater
Communications Corporation of California upon written approval from the COPS Grant Authority for purchase of radio frequencies for the NGEN project at a cost of $300,000;

c. Approve and authorize transfer of $120,000 from the Emergency Communications Reserve Fund (Fund 80) to Budget Unit 151-Telecommunications for purchase of these frequencies; and
d. Direct the Auditor-Controller to increase estimated revenue and appropriations by $300,000 in Budget Unit 151-Telecommunications as detailed in the Board Order (4/5th vote required).

37. a. Authorize expenditure of an amount not to exceed a total of $180,000 for the services of both The Sohagi Law Group, PLC and ICF Jones & Stokes for tasks related to the completion of the General Plan Update and its associated Environmental Impact Report;
b. Authorize the County Administrative Officer to determine the appropriate allocation of funds between the consultants to enable completion of tasks and, if necessary, execute an amendment to Professional Services Agreement No. A-11088 with ICF Jones & Stokes to augment the amount payable within this funding limit and extend the term of the Agreement; and
c. Approve and authorize Chair of the Board to sign Amendment No. 2 to Agreement No. A-11028 for Specialized Attorney Services with The Sohagi Law Group, PLC.

38. a. Authorize the Assessor to charge fees pursuant to Section 63.1 (j) (2) of the California Revenue & Taxation Code to process claim forms for exemption from real property reassessment; and
b. Authorize the Assessor to add fees pursuant to Section 5.33 of the Monterey County Code, Article XIII of the Monterey County Fee Resolution relating to the Assessor-County Clerk-Recorder.

RMA - PLANNING DEPARTMENT:

39. a. Approve the 2009 Application for Establishment of an Agricultural Preserve and Land Conservation Contract by Alvin C. Mortensen and Karen R. Mortensen, Trustees of the Mortensen Family Trust (AgP No. 2009 - 007);
b. Authorize Chair to execute an Agricultural Preserve Land Conservation Contract; and
c. Direct the Clerk of the Board to record the Agricultural Preserve Land Conservation Contract.
   (PLN080438/Williamson Act Agricultural Preserve and Land Conservation Contract Application, South County Area Plan)

40. a. Accept an Irrevocable Offer to Dedicate an Open Space Easement, Recorded Instrument No. 9731835, at Reel 3528 pages 40-71, Recorded 6/5/97(PD070661) executed by Myron E. Etienne, as Executor of the Estate of Douglas E. Madsen, Grantor, for property located on the east side of Highway 1, Lafler Canyon area (APN: 420-201-004-000) Big Sur area, Coastal Zone;
b. Authorize Chair of the Board to sign Certificate of Acceptance; and
c. Direct the Clerk of the Board to submit the signed Certificate of Acceptance
to the County Recorder for filing/recordation.
(Open Space Easement - PD070661/Douglas E. Madsen, Big Sur)

41.  a. Accept an Irrevocable Offer to Dedicate an Open Space Easement, Recorded
     Instrument No. 64408, at Reel 2304 pages 541-578, Recorded 12/1/88
     (PD070662) executed by Mr. & Mrs. Lee Brandenburg and James J. Hill, III
     located at Pescadero Point, South side of 17 Mile Drive, (APN: 008-451-010-
     000) Pebble Beach area, Coastal Zone;
     b. Authorize Chair of the Board to sign Certificate of Acceptance; and
     c. Direct the Clerk of the Board to submit the signed Certificate of Acceptance
to the County Recorder for filing/recordation.
(Open Space Easement - PD070662/Mr. & Mrs. Lee Brandenburg and James Hill,
III, Pescadero Point, South side of 17 Mile Drive, Pebble Beach)

42.  a. Accept an Offer to Dedicate an Open Space Easement, for property located at
     61550 Highway 1, Big Sur, executed by Big Sur Preservation Alliance, (APN:
     422-011-027-000) Big Sur area, Coastal Zone;
     b. Authorize Chair of the Board to sign the Conservation and Scenic Easement
        Deed; and
     c. Direct the Clerk to the Board to submit the Conservation and Scenic Easement
        Deed to the County Recorder for filing/recordation.
(Conservation and Scenic Easement Deed - PD081080 / Big Sur Preservation
Alliance, 61550 Highway 1 (Big Sur LUP area)

43.  a. Approve Parcel Map for a Minor Subdivision (PLN060503/Petersen) to
     subdivide a 23.02 acre parcel into two parcels consisting of 11.51 acres each;
     b. Accept Tax Clearance Letter and Parcel Map Guarantee; and
     c. Direct the Clerk of the Board to submit the Parcel Map for recording.
(Parcel Map - PLN060503/Petersen, 16770 Blackie Road, Salinas (North County
LUP area)

RMA - PUBLIC WORKS:

44.  a. Approve a Cooperative Agreement with Caltrans for the State Route 1/Salinas
     Road Interchange Project;
     b. Authorize the Chair to execute the Cooperative Agreement; and
     c. Direct the Clerk of the Board to submit the Cooperative Agreement to the
        County Recorder for filing.

45.  a. Adopt Resolution finding that the repairs and renovations in various shower
     stalls of the Monterey County Adult Detention Facilities, located at 1410
     Natividad Road, Salinas continues to pose an emergency requiring immediate
     action without adopting plans and specifications and giving notice for bids to
     let contracts; and
b. Adopt Resolution ratifying the execution of emergency contracts and emergency actions taken by the Contracts/Purchasing Officer, or his designee, to respond to the emergency (4/5th vote required).

46. Introduce, waive the reading, and set January 13, 2009, at 10:30 a.m. to consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to establish 45 m.p.h., 55 m.p.h., and 35 m.p.h. speed limits on three (3) segments of Carmel Valley Road, Carmel Valley area.

47. Reject all bids for the construction of a new Telecommunications Radio Building located on Mount Toro.


49. Authorize increasing the scope of the Jail Expansion Project to include a Conceptual Master Plan for the entire Laurel/Natividad site utilizing available funding.

50. Direct the Auditor-Controller to make the following changes:
   a. Transfer $600,000 from the Parking Structure-Government Center, Fund 030, Budget Unit 174, Account 3800 (Unreserved Fund Balance), Project No. 8777, to Fund 009, Budget Unit 166, Account 6310 (Maintenance Facilities & Construction);
   b. Transfer appropriations of $600,000 within Fund 010, Budget Unit 173, from Account 6701 to Budget Unit 166, Fund 009, Account 6310 (Maintenance-Facilities and Construction); and
   c. Increase appropriations by $600,000 in Budget Unit 166, Fund 009, to fund Emergency Repairs to the County Jail’s Men and Women’s Showers, Project No. 8516, for a budget not to exceed $1,600,000 (4/5th vote required)

51. a. Approve Amendment No. 2 to Professional Services Agreement (PSA) No. A-10076 with Dokken Engineering, Inc. to provide utility design services for the Highway 68 - Laureles Grade Road Intersection Improvements, Project No. 112065, in the amount of $14,000 for a total amount not to exceed $167,145, and extend the term through April 30, 2009; and
   b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 2 to PSA No. A-10076 and future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original Agreement amount and do not significantly alter the scope of work.
RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

52. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approve a Memorandum of Agreement (MOA) regarding habitat management on portions of the landfill site at the former Fort Ord that requires the Agency to convey and record a Conservation Easement affecting portions of property adjacent to the Fort Ord Landfill, upon the approval of an amended Incidental Take Permit by the California Department of Fish and Game and the payment of consideration by Cypress Marina Heights, L.P.; and
   b. Authorize Chair of the Board of Directors of the Redevelopment Agency to execute the Memorandum of Agreement.

53. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey, authorize Chair of the Board of Directors of the Redevelopment Agency to approve Amendment No. 2 to Agreement No. A-11093 with Royston, Hanamoto, Alley & Abey to extend the term of the agreement to August 31, 2009.

54. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approve 2007-08 Annual Report for the Redevelopment Agency of the County of Monterey; and
   b. Authorize submittal of Annual Report to the State of California.

MONTEREY COUNTY WATER RESOURCES AGENCY:

55. Approve letter to US Army Corps of Engineers and other federal agencies stressing need for immediate action to reduce risk to life, property and public infrastructure resulting from fire induced flooding and debris flow hazards in the Arroyo Seco and Salinas River watersheds.

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Supplemental Agenda for Tuesday, December 16, 2008

AGENDA ADDENDA
THE FOLLOWING ITEMS HAVE BEEN ADDED TO THE AGENDA SINCE RELEASE OF THE AGENDA TO THE PUBLIC:

Under Consent Calendar:

Natividad Medical Center:
SA-1 a. Approve and Authorize the Purchasing Manager to execute an Agreement between Zynx Health Incorporated and Natividad Medical Center (NMC) for the period, November 1, 2008 through October 31, 2013, to provide evidenced-based order sets (ZynxOrder) and care paths (ZynxCare) in an amount not to exceed $495,000; and
b. Direct the Auditor-Controller to amend the Fiscal Year 2008-09 Natividad Medical Center Budget Unit 960 to reflect the changes in appropriations as outlined in the Board Order (4/5th vote required).

Public Works:
SA-2 a. Approve Modification No. 4 to Project Agreement No. 04R011050700034 with USDA Forest Service for road work on Tassajara, Miller Canyon, Scout Camp, Church, Arroyo Seco, Indians, Lucia Adobe and Nacimiento Ferguson Roads, Los Padres National Forest;
b. Authorize the Director of Public Works to execute the Modification No. 4 Project Agreement; and
c. Direct the Clerk of the Board to submit the Modification No. 4 Project Agreement to the County Recorder for filing.

SA-3 a. Approve a resolution authorizing the Chair of the Board to accept the transfer from the Fort Ord Reuse Authority ownership of Parcel E11a, a 148-acre parcel adjacent to Intergarrison and Reservation roads, and E11b.6.2, a 16-acre parcel located within the area designated as “East Garrison II”;
b. Approve and authorize staff to negotiate a Memorandum of Agreement to transfer from the County of Monterey to the U.S. Bureau of Land Management ownership of Parcel E11b.6.2;
c. Direct staff to submit the Quitclaim Deed to the Recorder for recordation;
d. Approve and authorize the Resource Management Agency, Public Works Department, Facilities and Mail Services Budget Unit 106 to act as the interim lead agency;
e. Approve and authorize funding for necessary services related to property management for these parcels in an amount not to exceed $50,000 for Fiscal Year 2008-09 appropriations, from Budget Unit 850; and
Supplemental Agenda for Tuesday, December 16, 2008

f. Direct staff to return to the Board no later than January 27, 2009, with identified funding alternatives to address recurring costs associated with the acquisition of the property, and a recommendation for the identified lead County Department to assume primary responsibility for Parcel E11a.

Under Adjournment:

SA-4 Adjourn in Memory of Supervisor Thomas W. Mayfield, Stanislaus County Chairman of the Board of Supervisors.

TITLE CORRECTIONS

THE FOLLOWING AGENDA ITEMS HAVE HAD CHANGES TO THEIR TITLES OR RECOMMENDED ACTIONS SINCE RELEASE OF THE AGENDA TO THE PUBLIC:

Under Closed Session:

SA-5 2. e. Pursuant to Government Code sections 54956.9(b) and 54956.9(c), the Board will confer with legal counsel regarding one item of significant exposure to litigation and/or potential initiation of litigation.

SA-6 2. h. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two items of significant exposure to litigation.

Under Scheduled Matters:

SA-7 S-8 a. Continue the public hearing to January 27, 2009; or
b. Grant the project applicant’s request to hold the public hearing on December 16, 2008, and if the Board holds the hearing, consider adoption of a Resolution to:
   1. Deny the appeal;
   2. Adopt the Mitigated Negative Declaration with errata and approve the Mitigation Monitoring and Reporting Plan; and
   3. Approve a Coastal Development Permit consisting of a Tentative Parcel Map creating four parcels of 3 acres, 3 acres, 3 acres, and 11 acres, subject to the recommended conditions.
(Appeal - PLN080185/Jehovah Witnesses South Spanish Congregation, 125 Sill Road, Las Lomas)

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