AGENDA
Tuesday, October 6, 2009

The Clerk of the Board will issue a Supplemental Agenda on the Friday preceding this meeting. To see if there are any changes, please go to the County’s website at, http://monterey.granicus.com/ViewPublisher.php?view_id=5 or call the Clerk of the Board office at 755-5066. Urgency items, submitted after posting of the Supplemental Agenda and/or Regular Agenda, may be read in by the Clerk of the Board at the beginning of the meeting.
MEETING PROCEDURES

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901.

As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

The agenda is divided into two sections:

REGULAR CALENDAR: These items include significant financial and administrative actions, and items of special interest, usually approved by a single majority vote for each program. The regular calendar also includes “Scheduled Matters,” which are noticed hearings, work sessions and public hearings.

CONSENT CALENDAR: These matters include routine financial and administrative actions, appear in the supplemental section by program areas, and are usually approved by a single majority vote.

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Walk to the rostrum and wait for recognition by the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board’s action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

TO ADDRESS THE BOARD DURING PUBLIC COMMENT: Please complete a Speaker Request Form, available on the rostrum, and submit it to the Clerk of the Board before the commencement of that agenda item. Public comments shall not pertain to matters on the agenda.

DOCUMENT DISTRIBUTION: Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

INTERPRETATION SERVICE POLICY: The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for translation assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un intérprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un intérprete. Los pedidos se deberán hacer lo más pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

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

The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting.
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 Section 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: 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
      (2) Property: 20 East Alisal Street, Salinas
         County negotiator: Wayne Tanda, RMA Director
         Negotiating parties: The County of Monterey and Croker Corner Partnership
         Under negotiation: Price and terms
      (3) Property: County owned property at the corner of Laurel Drive and Constitution Boulevard (APNs 003-851-021, -024, and -027)
         County negotiator: Wayne Tanda, RMA Director
         Negotiating parties: The County of Monterey and the Salinas Regional Sports Authority
         Under negotiation: Price and terms

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 Section 54954.2 of the California Government Code.

5. CONSENT CALENDAR – REGULAR (See Supplemental Sheet)

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

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 honoring Susan Todd for her distinguished service as an Eligibility Supervisor for the County of Monterey Department of Social and Employment Services. (Full board)

11. Presentation of Measure K, Salinas Safe Neighborhoods/Essential Services Measure (General Transactions and Use Tax), presented by Mayor Dennis Donohue, City of Salinas.

APPOINTMENTS:

12. Appoint Lilia Chagolla to the Monterey County Commission on Disabilities to fill an unexpired term, term ending December 31, 2011. (Full Board)


14. Appoint Mike Miller to the Agricultural Advisory Commission to fill an unexpired term, term ending June 30, 2012. (Supervisor Parker)

SCHEDULED MATTERS:

S-1 Adopt an Ordinance to amend Chapter 16.16 of the Monterey County Code and update floodplain management regulations.
12:00 P.M.

Recess to Lunch

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-2  a. Consider the appeal from the Planning Commission's denial of the claim of Vested Rights and denial of a request for Waiver of Application Fees;
b. Consider the Carmel Presbyterian Church's claim of Vested Right in its Combined Development Permit (PLN965481) for a Community Life Center; and
c. Consider applicant's request for waiver of fees for the application for a Vested Rights Determination. (Appeal, PLN090070/Carmel Presbyterian Church terminus of Rio Road and East Val Verde Drive, Carmel Valley, Carmel Valley Master Plan Area)

S-3 Accept an oral presentation from the Deputy Health Officer regarding Implementation of a Countywide Breastfeeding policy.

S-4 a. Receive status report on Telephone Emergency Notification System (TENS) and the AlertMontereyCounty outreach campaign;
b. Ratify Amendment No. 1 to the Agreement for Professional Services with Twenty First Century Communications signed by the Director of Emergency Communications to extend the term through July 7, 2012 at a cost not to exceed $250,000 for service for Fiscal Year (FY) 2009/10 and increases of up to five percent (5%) per year after that;
c. Approve an auto renewal clause as recommended by the Director of Emergency Communications; and
d. Increase FY 2009/10 estimated revenue and appropriations in BU 1520 - Emergency Communications by $50,000 to account for community donations collected for the AlertMontereyCounty Outreach Campaign, and the appropriate expenditures associated with this revenue (4/5th vote required).

ORDER FOR ADJOURNMENT
TO TUESDAY, OCTOBER 13, 2009

Future Board Meetings:
Tuesday, October 20, 2009
Tuesday, October 27, 2009
Tuesday, November 3, 2009
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

15. Approve and authorize the Director of Health, to submit on behalf of the County of Monterey, the revised application to the State Department of Alcohol and Drug for continued funding of the Substance Abuse Offender Treatment Program which requires a County match of ten percent (10%) as specified by the State each year.

16. Concur with the Monterey County Workforce Investment Board’s (WIB) Executive Committee to accept $44,981 in Governor’s Workforce Investment Act (WIA) fifteen percent (15%) funds to support the California Department of Corrections & Rehabilitation (CSCR) New Start Program.

GENERAL GOVERNMENT:


18. a. Approve the Monterey County Comprehensive Violence Prevention, Intervention, Suppression and Reentry Framework; and
   b. Authorize the Chair to sign a joint letter of submittal with the Mayor of the City of Salinas to Congressman Sam Farr.

19. a. Approve a Memorandum of Understanding between the County of Monterey and the Superior Court of California, County of Monterey, the purpose of which is to memorialize the County Treasurer-Tax Collector, Revenue Division’s responsibility for the collection of delinquent fees, fines, forfeitures, penalties and assessments arising from criminal, traffic and minor offense cases; and
   b. Authorize the Chair of the Board of Supervisors to sign Memorandum of Understanding.

20. a. Adopt Resolution amending Monterey County Fee Resolution relating to current user fees and fines for the Monterey Free Libraries effective January 1, 2010; and
   b. Approve an amnesty period for existing fines and penalties for the months of November and December 2009.

RMA - PLANNING DEPARTMENT:

21. a. Accept the Conservation and Scenic Easement Deed for the property located at 904 La Terraza Court (Assessor's Parcel Number: 173-074-038-000), Monterey;
   b. Authorize the Chair of the Board of Supervisors to sign the Conservation and Scenic Easement Deed; and
c. Direct the Clerk of the Board to record the Conservation and Scenic Easement Deed with the County Recorder.
(Conservation and Scenic Easement Deed - DA080291/Robedeau, 904 La Terraza Court, Monterey)

22. a. Approve a Lot Line Adjustment between four separate lots of record under Land Conservation Contract No. 70-1 and Contract No. 89-2, established by County Resolution No. 70-37-1 and County Resolution No. 89-84, with no net decrease in acreage under Williamson Act Contracts; as shown on the proposed Lot Line Adjustment map on file in Planning File No. PLN090163, subject to the Findings and Evidence in Exhibit B, and Conditions of Approval in Exhibit C;

b. Adopt Resolution authorizing the Chair to execute new or amended Land Conservation Contracts in order to rescind a portion of the existing Land Conservation Contract No. 70-1 and Contract No. 89-2, as they apply to the reconfigured, contracted parcels only and simultaneously execute new or amended Land Conservation Contract Nos. 70-1C and 89-2A, for the reconfigured, contracted parcels between the County and Henry Alexander LP, reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and

c. Direct the Clerk of the Board to record the new or amended Contracts.
(Lot Line Adjustment - PLN090163/Henry Alexander Ranch LP, between Sargents and Rowell Canyon Roads, San Ardo, South County Area Plan)

**RMA - PUBLIC WORKS:**

23. Introduce, waive the reading, and set October 27, 2009, at 10:30 a.m. to consider adoption of an ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to increase an existing speed limit on Reservation Road from 40 m.p.h. to 55 m.p.h., near Marina.

24. Introduce, waive the reading, and set October 27, 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 a 40 m.p.h. speed limit on Tustin Road in Prunedale.

25. Introduce, waive the reading, and set October 27, 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 a 30 m.p.h. speed limit on a portion of Outlook Drive in High Meadows, Carmel area.

26. Introduce, waive the reading, and set October 27, 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 a 45 m.p.h. speed limit on a portion of Blackie Road in Prunedale.
27. Introduce, waive the reading, and set October 27, 2009, at 10:30 a.m. to consider adoption of an ordinance amending the Monterey County Code, Title 12, Section 12.24.020, to establish a stop intersection at Sylvan Road and Manor Road. Stop required on the southern leg of Manor Road at the entrance to Sylvan Road, Monterey area.

28. Introduce, waive the reading, and set October 27, 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 a 55 m.p.h. speed limit on a portion of San Juan Road, Aromas area.

29. a. Set a public hearing for unmet transit needs in the unincorporated area of Monterey County on October 27, 2009, at 10:30 a.m., in preparation for Fiscal Year 2010-11 Local Transportation Fund allocations; and
b. Direct the Clerk of the Board to publish a Notice of Public Hearing ten days prior to the hearing in The Californian, The Monterey County Herald, and King City Rustler.

30. 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).

31. a. Approve submittal of three Highway Safety Improvement Program grant applications to Caltrans for a total amount not to exceed $900,000 for any one project; and
b. Authorize the Director of Public Works, or his designee, to act as the agent for the County in processing all documentation to secure these funds.

32. a. Approve Plans and Special Provisions for the installation of pipeline, construction of well site improvements, core system improvements, and secondary source improvements for the San Jerardo Water System Project, Project No. 09-859968; and
b. Authorize the Clerk of the Board to advertise the "Notice to Contractors" in The Californian on October 9 and October 16, 2009.

MONTEREY COUNTY WATER RESOURCES AGENCY

33. Accept a Gift Deed of 16 acres of vacant land, donated by Elmer Sweet, the vacant land is located at lake San Antonio. APN 424-061-022, granted to the Monterey County Water Resources Agency (MCWRA).

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Addendum for Tuesday, October 6, 2009

Item Added Under Other Board Matters:
11.1 Adopt a Proclamation declaring the Month of October as International Walk to School Month in the County of Monterey; and declaring October 7th as International Walk to School Day in the Community of Castroville, CA (Supervisor Calcagno)

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