AGENDA
Tuesday, February 24, 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 www.co.monterey.ca.us/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 más pronto posible, y a lo mínimo 24 horas de antípoco 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.
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, FEBRUARY 24, 2009
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 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 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
      1. County of Monterey vs. Nova Partners, Inc., et al. (MCSC case no. M96829)

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

   c. 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

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, Referrals, and Updates

8. CAO Comments

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 the week of February 23 through March 2, 2009, as "Peace Corps Week" in Monterey County. (Supervisor Calcagno)

11. Adopt Resolution proclaiming the week of March 1 through March 7, 2009, as “Weights and Measures Week” in Monterey County. (Full Board)

12. Adopt Resolution recognizing Harry Gamotan for his service as President of Monterey County Chapter of SEIU Local 817. (Supervisor Calcagno)

13. Adopt Resolution honoring Ruth Lopes upon her selection as the 2008 Cattlewoman of the Year. (Supervisor Salinas)

APPOINTMENTS:

14. Appoint Sid Williams to the Military & Veterans Affairs Advisory Commission to fill the unexpired term of Mack H. Jacobs, ending January 10, 2010. (Full Board)

15. Reappoint Marleen Burch to the Historic Resources Advisory Board, for a term ending December 31, 2011. (Supervisor Calcagno)

16. Reappoint Glorietta Rowland to the Commission on the Status of Women, for a term ending February 1, 2011. (Supervisor Calcagno)

17. Reappoint Dave Kegebein to the Pajaro Valley Water Management Agency Board of Directors, for a term ending December 1, 2010. (Supervisor Calcagno)
SCHEDULED MATTERS:

S-1  
   a. Conduct a public hearing and adopt a Resolution to approve the transfer of $75,000 in Community Development Block Grant (CDBG) Program Income into the CDBG Planning and Technical Assistance (PTA) Grant for the San Lucas water system improvement study;  
   b. Accept a CDBG PTA Grant award in support of a water system improvement study for the community of San Lucas and a housing study to develop a Home Buyer Assistance Program; and  
   c. Direct the Auditor Controller to amend the Fiscal Year 2008-09 budget to increase estimated revenues and appropriations in Fund 16, Budget Unit 575 by $146,400 (4/5th vote required).

S-2  
   Approve 2009 Annual Housing Report, including funding recommendations.

S-3  
   Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Sections 12.28.010 and 12.28.012, to replace an existing no parking at any time for commercial vehicles restriction, with no parking at any time for all vehicles on the east side of Merritt Street (State Highway 183) between Union Street and Poole Street, in Castroville.

S-4  
   Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to increase an existing 0.50 mile long speed zone on Reservation Road at Davis Road from 45 m.p.h. to 50 m.p.h., near Salinas.

S-5  
   Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Sections 12.24.010 and 12.24.020, to establish a stop intersection at Sargents Road and a private road at milepost 5.86. Stops required on Sargents Road at both entrances to the private road and on the private road at the westbound entrance to Sargents Road, San Ardo area.

12:00 P.M.

Recess to Lunch

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-6  
   a. Receive a budget briefing covering the County's Fiscal Year 2009-10 Budget process and timeline of key actions; and  
   b. Provide direction to staff.

S-7  
   a. Approve and authorize the Director of Health to execute "AMENDMENT NO. 5 AND EXTENSION OF AGREEMENT" to the current franchise Agreement entitled "Agreement between the County of Monterey and USA
Waste of California, Inc., dba Carmel Marina Corporation for Collection of Refuse, Recyclables and Greenwaste from Residential and Commercial Customers in Unincorporated Northeastern Monterey County," extending the Agreement term to June 30, 2012;

b. Approve the amended Rate Schedule;

c. Approve and authorize the Director of Health to use funds from the Northeastern Franchise Agreement Liability Account No. 061-2748 to make five (5) payments totaling $3,300,000 to USA Waste of California, Inc., dba Carmel Marina Corporation, per the provisions of Amendment No. 5; and

d. Direct the Auditor-Controller to increase estimated revenues and appropriations for Budget Unit 414 by $1,800,000 for Fiscal Year 2008-09 (4/5th vote required).

ORDER FOR ADJOURNMENT TO TUESDAY, MARCH 3, 2009

Future Board Meetings:
Tuesday, March 10, 2009 – No Meeting
Tuesday, March 17, 2009
Tuesday, March 24, 2009
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

18. a. Approve Amendment No. 5 to the Agreement with Aureus Radiology, LLC in an amount not to exceed $1,148,800, (an increase of $200,000) for Diagnostic Imaging & Cardio-Pulmonary Services at Natividad Medical Center for the period January 1, 2009 to June 30, 2009; and
   b. Direct the Auditor-Controller to amend Fiscal Year 2008-09 Natividad Medical Center Budget Unit 960 to increase appropriations by $200,000 (4/5th vote required).

19. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to sign Amendment No. 1 with advanced Waste Solutions, Inc., in an amount not to exceed $180,000 (an increase of $140,000) for the period January 1, 2009 to June 30, 2009 for Regulated Medical Waste (RMW) audit, transportation and treatment services at NMC; and
   b. Direct the Auditor-Controller to amend Fiscal Year 2008-09 Natividad Medical Center Budget Unit 960 to increase appropriations by $140,000 (4/5th vote required).

HEALTH AND SOCIAL SERVICES:

20. a. Approve and accept funds of $2,168.22 from a lawsuit settlement designated for child protection services agencies; and
   b. Deposit the funds into the Best Friends Fund account with the Action Council of Monterey County to support families receiving services from Family & Children Services.

21. Accept 2008 Annual Report from the Santa Cruz-Monterey Managed Medical Care Commission, also known as the Central Coast Alliance for Health.

22. Proclaim state of local emergency relating to the spread of HIV among injection drug users in Monterey County.

CRIMINAL JUSTICE:

23. a. Approve and authorize the Sheriff to accept a cash donation in the amount of $1,000 from Steven Bellone and Paul Bellone, of Castroville for ongoing expenditures at the Castroville Community Field Office (CFO); and
   b. Authorize the Sheriff to send a thank you letter.

24. ITEM DELETED.
25.  a. Adopt Resolution increasing probation services fees and amending Article XVIII of the Monterey County Fee Resolution relating to fees charged by the Probation Department; and  
b. Incorporate the updated Fee Schedule in that Article.

GENERAL GOVERNMENT:

26.  a. Approve and authorize the Chair of the Board to sign Amendment No. 1 to the Implementation Agreement between the Fort Ord Reuse Authority and the County of Monterey; and  
b. Direct the Clerk to the Board to record the Amendment.

27.  Approve Resolution designating County staff positions to authorize and execute documents and applications for the purpose of obtaining financial assistance under the Californian Emergency Management Agency (CalEMA) Homeland Security Grant Program.

28.  Approve recommendation of the Overall Economic Development Commission (OEDC) to adopt the Monterey County Business Council (MCBC) Local Branding Logos, "Monterey County - Quality Products" and "Monterey County - Quality Services" on all OEDC literature.

29.  a. Approve amended program guidelines for the CDBG Freeze Rental Assistance Program; and  
b. Approve Amendment No.1 to the Sub-recipient Agreement between the County of Monterey and the Monterey County Housing Advocacy Council for implementation of the Freeze Rental Assistance Program which incorporates the amended program guidelines.

30.  Approve the Action Minutes of Tuesday, January 27, 2009; and Tuesday, February 3, 2009, having been previously distributed to all Board members.


32.  Ratify Proclamation of Local Emergency issued by the County Administrative Officer on February 15, 2009, for conditions present in the Carmel Lagoon (4/5th vote required).

33.  Approve Unit R (SEIU Resident Physician MOU) Mediator's Recommended Settlement covering the period January 1, 2009 through December 31, 2011.

RMA - PUBLIC WORKS:

34.  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).

35. a. Approve plans and special provisions for the new addition and remodel of the Agricultural Commissioner, 1428 Abbott Street, Salinas, CA, Bid No. 10165; and
b. Authorize the Clerk of the Board to advertise the "Notice to Contractors" in the Californian on March 2 and March 9, 2009.

MONTEREY COUNTY WATER RESOURCES AGENCY


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MONTEREY COUNTY
BOARD OF SUPERVISORS

Supplemental Agenda for Tuesday, February 24, 2009

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

Under Closed Session:

SA-1 2. d. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Natividad Medical Center CEO.

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