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 antícuo 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 REDEVELOPMENT AGENCY
TUESDAY, SEPTEMBER 29, 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) Steven Davies (WC)

   b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators.
      Designated representative: Keith Honda; Employee organizations: Unit X

   c. 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: 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)

OTHER BOARD MATTERS:

6. Board Comments
7. CAO Comments and Referrals
8. 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.

APPOINTMENTS:

9. Appoint Virdette Brumm to the Mental Health Commission to fill an unexpired term, term ending May 31, 2011. (Supervisor Potter)
10. Appoint Paul Ingram to the Carmel Valley Recreation and Park District to fill an unexpired term, term ending December 31, 2009. (Full Board)

SCHEDULED MATTERS:

S-1 a. Receive reports and provide direction on recommendations and options concerning the impacts to Monterey County resulting from the Fiscal Year 2009-10 State Budget Amendments enacted on July 28, 2009 from the following departments:
   1. Department of Social and Employment Services:
      Receive and accept the follow-up report on the impacts to the Department of Social & Employment Services resulting from the FY 2009-10 State Budget Amendments enacted July 28, 2009.
   2. Health Department:
a. Receive and accept a report on the impacts to Monterey County Health Department programs resulting from the FY 2009-10 State Budget Amendments enacted July 28, 2009; and,
b. Approve Plan of Action to mitigate the State Impacts as summarized in the Board Order.

3. Sheriff’s Office:
   Receive the Sheriff’s Office report on the State budget impact due to the one day per month closure of the Superior Court.

4. Resource Management Agency – Public Works Department:
   Receive a follow-up report regarding the impact on available operational cash due to the State’s payment deferrals for the Highway Users Tax Account (HUTA) and Proposition 42, including scenarios for potential prolonged deferrals.

5. Redevelopment and Housing Office:
   Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Receive a report on the impact of the FY 2009-10 State Budget Amendments on the Redevelopment Agency of the County of Monterey; and
   b. Direct staff to prepare a loan for Board consideration from the Fort Ord Housing Set-Aside Fund 177 to the Fort Ord Capital Fund 173, in an amount equal to the Fort Ord portion of the ERAF shift, to be repaid by June 30, 2015.

6. County Administrative Office/Auditor-Controller’s Office:
   a. Receive report and consider options to address impacts of the State’s FY 2009-10 suspension of Proposition 1A, enabling the State to “borrow” local property tax revenues;
   b. Conceptually approve Monterey County’s participation in the “California Statewide Communities Development Authority Proposition 1A Securitization Program For Cities, Counties, and Special Districts,” pending approval of still needed “clean-up” legislation, Senate Bill (SB) 67;
   c. Direct staff to return to the Board at the earliest scheduled meeting date after Securitization Program participation documents become available, but not later than November 3, 2009, to adopt a Resolution of Approval for a purchase and sale agreement of Monterey County’s Proposition 1A receivables, estimated at $10.6 million;
   d. Authorize borrowing from internal funds such as the Workers’ Compensation Liability Fund as a loan to backfill the General Fund’s Proposition 1A suspension funding gap, to be repaid with interest at the same rate as the State’s repayment of Proposition 1A borrowed funds, protecting current levels of service in the event that Securitization is not available; and
   e. In the event that the Securitization Program does not become an available option, direct the Auditor-Controller’s Debt Manager to develop documents necessary to effect borrowing from one or more
internal fund, such as the Workers’ Compensation Liability Fund, to backfill an amount equivalent to the total Proposition 1A suspension impact on the General Fund, estimated at $9.9 million, and to return to the Board before December 31, 2009 with recommendations to finalize the borrowing and transfer of internal funds.

7. Resource Management Agency – Planning Department/County Administrative Office:
   a. Receive a report on impacts to Monterey County resulting from the State action to discontinue Williamson Act subventions to Counties;
   b. Direct staff to explore opportunities to mitigate the loss of subventions with land owners, and/or development of a Williamson Act Assessment District as potential mechanisms for partial backfill of agricultural land subventions in the event that efforts for Williamson Act funding restoration are not successful; and
   c. Direct staff to report back to the Board before the end of January 2010 with additional recommendations to mitigate remaining budget impacts. (PD090954/Williamson Act Subventions)

b. Direct the Social and Employment Services Department, Health Department, Sheriff’s Office, Planning Department and County Administrative Office to report to the Board’s Budget Committee and Board of Supervisors additional recommendations to mitigate the remaining State budget impacts and necessary budgetary action to rebalance the County’s FY 2009-10 Budget.

c. Direct Public Works to continue to monitor Road Fund cash flow and provide updates to Board’s Budget Committee.

12:00 P.M.

Special Closed Session at Natividad Medical Center, 1441 Constitution Bld., Salinas CA, 93906, Steinbeck Room, Second Floor.

11. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the County Administrative Officer.
   b. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the County Counsel.
ORDER FOR ADJOURNMENT
TO TUESDAY, OCTOBER 6, 2009

Future Board Meetings:
Tuesday, October 13, 2009
Tuesday, October 20, 2009
Tuesday, October 27, 2009
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

12.  Approve and authorize the Contracts/Purchasing Officer for Monterey County to increase the not to exceed dollar amounts of the County Master Agreements listed on Attachment A for services performed at Natividad Medical Center (NMC) for the period July 1, 2009 through June 30, 2010.

HEALTH AND SOCIAL SERVICES:

13.  Approve and authorize an application to California Community Services and Development for an Earned Income Tax Credit Grant in the amount of $46,420, application was due and submitted August 17, 2009.


GENERAL GOVERNMENT:

15.  a. Accept the recommendation of the Monterey County Fish and Game Commission to award one (1) funding grant; and  
     b. Approve the distribution of Fish and Game grant funds in the amount of $2,000 for a specified grant project for Fiscal Year 2009 - 2010.

16.  a. Approve a second amendment to Agreement No. A-09340 between the County of Monterey and the Veteran's Transition Center;  
     b. Approve a second restated promissory note; and  
     c. Authorize the Director of the Redevelopment and Housing Office to sign the Amendment and all related documents.

17.  Approve an amendment to Loan Agreement No. A-06877 between the County of Monterey and Franciscan Workers of Junipero Serra; and Authorize the Director of the Redevelopment and Housing Office to sign the Amendment and all related documents.

18.  Introduce, waive reading, and set October 13, 2009 at 10:30 a.m. for adoption of an Ordinance to restore Subparagraph B to Section 2.27.010 of the Monterey County Code to describe the services provided by the Resource Management Agency.

(PLN090215/County of Monterey, County-wide)
RMA - PLANNING DEPARTMENT:

19. a. Adopt Resolution to approve findings, evidence and conditions to facilitate a lot line adjustment between three separate parcels under Farmland Security Contract Nos. 00-011 and 00-012 with no net decrease in acreage under Williamson Act Land Conservation Contract; as shown on the proposed lot line adjustment map on file in Planning File No. PLN070051; and
   b. Authorize the Chair of the Board to execute new or amended Farmland Security Zone Contracts rescinding a portion of the existing Farmland Security Zone Contract Nos. 00-011 and 00-012 to reflect the newly reconfigured parcels, and simultaneously execute new or amended Farmland Security Zone Contracts between the County and D'Arrigo Brothers Company of California, reflecting the new legal descriptions and 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 - PLN070051/D'Arrigo Brothers, Harris Road, Spreckels area, Greater Salinas Area Plan)

RMA - PUBLIC WORKS:

20. a. Determine that the prevention of illegal dumping on public land on the former Fort Ord along and adjacent to Inter-Garrison Road is necessary for the protection of the public; and
   b. Authorize the Director of Public Works to temporarily restrict vehicular access to a portion of Inter-Garrison Road by locking the existing steel gate located approximately 350 feet east of Schoonover Road.

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Addendum for Tuesday, September 29, 2009

Items Added Under 9 A.M. Closed Session:
2. c. (3) Real Prop negotiations
   Property: 20 East Alisal Street
   Parties: County and Croker Corner Partnership
Agency negotiator: Wayne Tanda
Under negotiation: Price and terms

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

**Item Added Under Consent Natividad Medical Center:**

12.1 Authorize the Purchasing Manager for Natividad Medical Center to execute Amendment #3 to the Agreement between Natividad Medical Center and The Marblehead Group, LLC for continued Consultative Services in an amount not to exceed $890,500 for the full term of the Agreement, an increase of $331,500 for the term October 1, 2009 through June 30, 2010.

**Item Added Under Consent General Government:**

18.1 a. Approve the transition of the Board of Supervisors Ad Hoc Committee for Human Resources and Labor to a regular Board of Supervisors Committee, named the Human Resources Committee; and
b. Appoint Supervisor Armenta Chair of the Board of Supervisors Human Resources Committee and Supervisor Parker Vice-Chair of the Board of Supervisors Human Resources Committee

**Item Added Under Consent Public Works:**

20.1 a. Accept the Moonglow Estates Subdivision Improvements as completed;
b. Approve release of the Faithful Performance Security issued by the Travelers Casualty and Surety Company of America (Bond No. 1036 80971) for infrastructure improvements in the amount of $163,000;
c. Approve release of the Labor and Materials Security (Bond No. 1036 80971) in the amount of $81,500; and
d. Approve release of the Monument Bond (Bond No. 1036 80972) in the amount of $12,500.

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**ADDITIONS AND CORRECTIONS TO AGENDA**

*Tuesday, September 29, 2009*

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, the Board is asked to make the following additions and corrections:

**CORRECTION UNDER NATIVIDAD MEDICAL CENTER:**
12. Revised Attachment A submitted correcting Dollar Variance for Fernandes & Sons and K & D Landscaping

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