TUESDAY, DECEMBER 14, 2010
9:00 A.M.

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

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

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.
      (2) LandWatch Monterey County v. County of Monterey; MCSC case no. M109434
      (3) The Open Monterey Project v. Monterey County Board of Supervisors; MCSC case no. M109441
      (4) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey; MCSC case no. M109442
      (5) Salinas Valley Water Coalition, et al. v. County of Monterey; MCSC case no. M109451

CLOSED SESSION REPORT: The Board heard from counsel on items 2.a.1 through 2.a.5 and provided direction on how to proceed.
b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one item of significant exposure to litigation.

CLOSED SESSION REPORT: The Board provided direction to counsel on how to proceed to avoid litigation.

c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding liability claims against the County of Monterey.

(1) Todd Arcoleo
(2) Jennifer and Isabella Arcoleo

CLOSED SESSION REPORT: The Board voted unanimously to deny the claims of Todd Arcoleo and Jennifer and Isabella Arcoleo.

3. The Pledge of Allegiance was led by Lee Blankenship.

4. Additions and Corrections: The Clerk of the Board announced agenda corrections and proposed additions which may were acted on by the Board as provided in Sections 54954.2 of the California Government Code:

Add Under Ceremonial Resolutions:
15.1 Adopt a Proclamation commemorating the grand opening and dedication of the Aromas Town Square Park on December 17, 2010. (Supervisor Calcagno)

Remove from Regular Consent – Health and Social Services:
42. a. Direct the Military and Veteran's Affairs Officer to provide the County Medal of Honor to the family of Monterey County resident who dies while serving on Active duty as a member of the Armed Forces;

b. Direct staff on behalf of the Board of Supervisors to issue letters of condolences and purchase flowers for the family when any employee or their immediate family members dies while serving on active duty as a member of the Armed Forces; and

c. Direct the Chair to appeal to the Governor of California for a proclamation that the National flag shall be flown at half-staff within the County of Monterey when any employee or their immediate family member (or any resident of the County of Monterey) dies while serving on active duty as a member of the Armed Forces, following all protocols for lowering of the flag.

Motion by Supervisor Armenta, seconded by Supervisor Calcagno. ALL AYES

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

Note: Items 6 and 7 were heard prior to Item 5.

6. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet, Item 73 & 74) Adjournment
Convene as the Board of Directors of the Monterey County Water Resources
Motion by Supervisor Armenta, seconded by Supervisor Calcagno.  ALL AYES

7. CONSENT CALENDAR - MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet, Item 75-76) Adjournment
Reconvene as the Monterey County Board of Supervisors
Motion by Supervisor Parker, seconded by Supervisor Armenta.  ALL AYES

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
Jay Donato pulled items #55 for comments. County Administrative Officer Lew Bauman responded.
Supervisor Parker requested item 55.1 be trailed to the afternoon.
Motion by Supervisor Calcagno, seconded by Supervisor Armenta to approve the Consent Calendar – Regular, with the exception of items 55 and 55.1.  ALL AYES

Motion by Supervisor Potter, seconded by Supervisor Armenta to approve item 55.  ALL AYES

CEREMONIAL RESOLUTIONS 8 through 15.1 heard concurrently.

8. Adopted Resolution No. 10-319 honoring Patricia Wagner upon her Retirement from the County of Monterey after 41 years of Public Service. (Full Board)
Motion by Supervisor Parker, seconded by Supervisor Armenta.  ALL AYES

9. Adopted Resolution No. 10-320 honoring Louis G. Solton, Treasurer-Tax Collector, upon his retirement from Monterey County after 27 years of Public Service (Full Board)
Motion by Supervisor Parker, seconded by Supervisor Armenta.  ALL AYES

10. Adopted Resolution No. 10-321 Commending Sheriff Mike Kanalakis, Monterey County Sheriff’s Office upon his retirement after 34 years of Public Service. (Full Board)
Motion by Supervisor Parker, seconded by Supervisor Armenta.  ALL AYES

11. Adopted Resolution No. 10-322 commending Chief Deputy Raymond E. McLaughlin, Monterey County Sheriff’s Office upon his retirement after 25 years of Public Service. (Full Board)
Motion by Supervisor Parker, seconded by Supervisor Armenta.  ALL AYES

12. Adopted Resolution No. 10-323 Commending Undersheriff Nancy M. Cuffney, Monterey County Sheriff’s Office upon her retirement after 33 years of Public Service (Full Board)
Motion by Supervisor Parker, seconded by Supervisor Armenta.  ALL AYES
13. Adopted Resolution No. 10-324 Commending Chief Deputy Steven R. Deering, Monterey County Sheriff’s Office upon his retirement after 32 years of Public Service (Full Board)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

14. Adopted Resolution No. 10-325 honoring Mark Sliger upon his retirement from the County of Monterey after 25+ years of Public Service. (Full Board)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

15. Adopted Resolution No. 10-326 Recognizing the Achievements of Darlene Dunham upon her retirement from the County of Monterey (Full Board)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

15.1 Adopted Resolution No. 10-327 a Proclamation commemorating the grand opening and dedication of the Aromas Town Square Park on December 17, 2010. (Supervisor Calcagno) (Added via Additions and Corrections)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

RECESSED TO RECEPTION HONORING RETIREEs

RECONVENED

APPOINTMENTS: 16 through 20 heard concurrently

16. Acknowledged the retirement of Louis G. Solton as elected Treasurer-Tax Collector effective December 17, 2010 and appoint Mary A. Zeeb as interim Treasurer-Tax Collector effective December 18, 2010
   Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

17. Acknowledged the retirement of Mike Kanalakis as elected Sheriff-Coroner effective December 31, 2010, and appoint Scott Miller as interim Sheriff-Coroner effective December 31, 2010, at 12:01 a.m.
   Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

18. Reappointed Thomas Davis to the Military & Veterans Affairs Advisory committee term ending January 1, 2014. (Supervisor Parker)
   Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

19. Appointed Jose Mendez to the Monterey County Planning Commission to fill an unexpired term ending January 23, 2014. (Supervisor Armenta)
   Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

20. Reappointed David Hart to the Monterey County Water Resources Agency Board of Directors term ending December 31, 2014. (Full Board)
   Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES
OTHER BOARD MATTERS:

21. Board Comments, Referrals, and Updates: None.

22. CAO Comments
   · County Administrative Officer Lew Bauman acknowledged CAO and Clerk of the Board staff for the retiree reception preparations. He announced the 2011 retirements of Assistant County Administrative Officer Rosie Pando and Resource Management Agency Director Wayne Tanda.
   · Supervisors Salinas thanked the Board office staff for organizing a nice thank you event for the Clerk of the Board staff. He thanked the Clerk of the Board staff for their work this past year.

23. Public Comment
   · Hans Jongens

   Motion by Supervisor Calcagno, seconded by Supervisor Potter. ALL AYES

25. Review current Ad Hoc and Standing Committees; and
   a. Approved revised Definitions and Policy language related to Standing Committees;
   b. Determine whether the committees will continue, be disbanded, or change designation, as provided in the approved Definitions and Policy Language for Board Created Ad Hoc and Standing Committees; and
   c. Directed staff to provide follow-up information as requested by the Board of Supervisors.
   Motion by Supervisor Parker, seconded by Supervisor Armenta approving revised Definitions and Policy language as outlined in Attachment A; and directed staff to provide follow-up information and recommendations in January 2011. ALL AYES

12:00 P.M. RECESSED TO LUNCH BOARD OF SUPERVISORS AND MONTEREY COUNTY WATER RESOURCES AGENCY BOARD OF DIRECTORS JOINT BOARD LEADERSHIP COMMITTEE MEETING

1:30 P.M. RECONVENED

SCHEDULED MATTERS

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

S-5 Item S-5 heard after lunch reconvene.
Continued to January 25, 2011: Continued public hearing (from November 30, 2010) to:

a. Grant the appeal of William McKiernan from the August 26, 2010 discretionary decision by the Zoning Administrator to approve the Combined Development Permit (PLN090364/Pelio)
b. Categorically exempt the Combined Development Permit (PLN090364/Pelio) pursuant to Sections 15301(d), 15301(e), and 15303 of the California Environmental Equality Act (CEQA) Guidelines; and
c. Approve the Combined Development Permit, based on Findings and Evidence subject to Conditions of approval, and deny the applicant’s request for the caretaker unit located at the southwest end (rear) of the subject property. The Combined Development Permit consists of: 1) a Coastal Administrative Permit to allow the construction of a new second story and remodel of an existing single family dwelling, the reconstruction of an existing detached accessory structure, and associated grading; 2) a Coastal Development Permit to allow the conversion of 900 square feet of the existing 2-car garage/storage accessory structure into a caretaker unit; 3) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; 4) a Variance to exceed the Pescadero Watershed coverage limitations. (Appeal, Discretionary Decision - PLN090364/Pelio, 3346 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan)

· Anna Quenga, Planning Department, advised the Applicant requested a continuance to find an appropriate location for garage and storage displaced by the Board's previous action.

Public comment: John Bridges, Dale Ellis.

Motion by Supervisor Potter, seconded by Supervisor Parker to continue this item to January 25, 2011. ALL AYES

Item 55.1 trailed from the morning:
Motion by Supervisor Parker, seconded by Supervisor Armenta to approve staff recommendation. ALL AYES

Item S-6 heard after motion on Item 55.1

S-6 Continued to January 11, 2011: Public Hearing to:
Consider further continuance of the public hearing on a Petitioner/Freeholder initiated Petition to vacate/abandon a 0.74 mile segment of an unimproved County Road commonly known as Old Stage Road, and variously known in the past as Los Angeles Stage Road, Monterey/Los Angeles Road, Old El Camino Real, Bee Rock Road or Old County Road in the Bradley area of South Monterey County, and Petitioner/Freeholder fee waiver request.

· Les Girard, Assistant County Counsel requested a continuance to

Public comment: Jake Spencer

Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

S-1 a. Received and accepted the preliminary General Fund Contribution Planning Estimates Worksheet, and
b. Provide direction to staff.  
**Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES**

S-2 Received a briefing from the County Administrative Office (CAO) and Management Partners, Inc. (MPI) on the development and implementation of the County’s Performance Management System

**Public comment:** Julie Engell.

· Supervisor Armenta announced a ribbon cutting for permanent water source for residents in San Jerardo on Friday December 17th at 9 am

**Motion by Supervisor Potter, seconded by Supervisor Parker to approve staff recommendations; and directed staff to return with a report, in two or three months, that details savings, efficiency improvements and program developments and measurements in one selected department. ALL AYES**

S-3 a. Considered the staffing options presented for the General Plan Implementation Plan; and

b. Directed staff to take the necessary steps to develop a more detailed cost estimate to implement the Board’s preferred option for completion of the General Plan Implementation Plan. (General Plan Implementation Plan - REF100051 - Inland area of County)

**Public comment:** Julie Engell.

**Motion by Supervisor Parker, seconded by Supervisor Potter, to approve staff recommendation Option 1- Short Term Option and staff will return with specific details, timelines and recommended agency, groups and stakeholders. ALL AYES**

S-4 **Public Hearing held:**

a. Adopted Interim Ordinance 5171 as an urgency measure that establishes a General Plan consistency determination process for discretionary and ministerial permits, pending adoption of applicable programs and ordinances to implement the 2010 Monterey County General Plan; or

b. Provided direction to staff to draft a detailed interim ordinance pending adoption of applicable programs and regulations to implement the General Plan. (General Plan Interim Ordinance - REF100050/County of Monterey-4/5th vote required) (continued from December 7, 2010, Item S-7)

· Mike Novo, Planning Department Director advised there is correction to Exhibit C (CEQA Addendum), at the first bullet, so that it now reads: “The interim ordinance does not result in any change to the approved 2010 General Plan.”

**Public comment:** Julie Engell; Joel Panzer, Joel Ellis

**Motion by Supervisor Armenta, seconded by Supervisor Calcagno to approve staff recommendation and Option 2 - Simple Interim Urgency Ordinance. ALL AYES**

S-7 Considered and adopted Resolution No. 10-340 approving and authorizing the Chair of the Board of Supervisors to sign the Monterey County Community Wildfire Protection Plan (MCCWPP) - (Community Wildfire Protection Plan -
PD090290, Countywide) (continued from December 7, 2010, Item S-5)

Public comment: Tom Hopkins; Pam Silkwood; Julie Engell; Butch Cronlin; Rick Hutchinson; Don Ask; Sherry Tune; Dick Ravich; Frank Penny; Seth Parker; Kelly O'Brien

Motion by Supervisor Armenta, seconded by Supervisor Calcagno to approve staff recommendation; and modified No. 4 of the Resolution, so that it now reads: “Appendices of the MCCWPP provide supplemental information. Appendix J includes comment letters that do not have the same force and applicability as the adopted MCCWPP.” ALL AYES

Closed Session Report: (see 2a-c)

ORDER FOR ADJOURNMENT

APPROVED:

/s/ Simón Salinas
SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: /s/ Gail T. Borkowski
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

26. a. Adopted Resolution No. 10-329 finding that there was sufficient cause to take actions on an emergency basis for necessary repairs to a decayed high voltage pole cross arm support and creation of an Emergency Purchase Order (EPO*182) for J M Electric in the amount of $15,214.42 for emergency electrical repairs performed on November 5, 2010 (invoice #2271) at Natividad Medical Center (NMC)
b. Ratified the execution of the purchase order and emergency actions taken by the NMC Purchasing Manager in response to the identified emergencies (4/5th vote required).

27. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement with Aureus Radiology, LLC in an amount not to exceed $200,000, an increase of $100,000, for Diagnostic Imaging, Cardio-Pulmonary, Radiology, Occupational/Physical Therapy, and Pharmacy Registry Services at Natividad Medical Center for the period January 1, 2011 to December 31, 2011.

28. a. Adopted Resolution No. 10-330 finding that there was sufficient cause to take actions on an emergency basis for necessary repairs to a failed sewer pump and creation of an Emergency Purchase Order (EPO*185) for Disaster Kleenup Specialists Monterey Bay Inc. in the amount of $99,135.33 for emergency cleaning and remediation repairs performed over a two week period beginning September 6, 2010 (invoice #03216W) at Natividad Medical Center (NMC); and
b. Ratified the execution of the purchase order and emergency actions taken by the NMC Purchasing Manager in response to the identified emergencies (4/5th vote required).

29. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the Agreement A-11898 with FujiFilm Medical Systems USA, Inc. for Software/Hardware Support Services at NMC in an amount not to exceed $113,000 for the period January 1, 2011 to August 30, 2013.

30. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute an amendment to the Master Agreement No. A-11899 in the amount of $250,000 for Nurse Registry Services (RFP # 10093), from $1,265,030 to $1,515,030 for the period December 1, 2010 to June 30, 2011.

31. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No.1 to the Agreement A-11900 with Stericycle Inc. for
32. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement A-11829 with PSM Medical Imaging Specialists (PSM) for continued Radiology, Picture Archiving and Communication System (PACS) Administration and Support Services at NMC in an amount not to exceed $390,500 (an increase of $220,500) for the period January 1, 2011 to December 31, 2011.

33. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the Professional Medical Services Agreement No. A-11901 with Ventana Faculty Medical Associates of Monterey County to provide Family Medicine Services at NMC in an amount not to exceed $990,000 for the period January 1, 2011 to December 31, 2011.

HEALTH AND SOCIAL SERVICES:

34. Approved and authorized the Director of Health to sign Amendment 2 to the Mental Health Services Agreement A-11450 with Youth Connection of Ventura County dba Casa Pacifica for the provision of mental health services. Amendment 2 adds $156,670 (FY 2010-11 $67,399 and FY 2011-12 $89,271), for a revised total amount not to exceed $1,086,583 for the period September 27, 2010 through June 30, 2012.

35. a. Approved and authorized the Contracts/Purchasing Officer to sign Amendment No. 3 to Mental Health Services Agreement No. A-11196 with Davis Guest Home, Inc. for the provision of mental health treatment services to adults with severe psychiatric disabilities. Amendment No. 3 adds $263,250 for a revised Fiscal Year 2010-11 amount of $756,000 and a total amount not to exceed of $1,908,602; and

b. Authorized the Contracts/Purchasing Officer, to approve future amendments to this Agreement where the amendments do not exceed 10% of the original contract amount and do not significantly change the scope of work or result in an increase in net county contribution.

36. Approved and authorized the Director of Health to sign Amendment 1 to the Mental Health Services Agreement A-11548 with Victor Treatment Centers Inc. for the provision of mental health services. Amendment 1 adds $34,056 (FY 2010-11 $17,028 and FY 2011-12 $17,028), for a revised total amount not to exceed $625,356 for the period July 1, 2010 through June 30, 2012.

37. a. Approved and authorized the Director of Health to sign a three fiscal year term Mental Health Services Agreement No. A-11902 (FY 2010-11, 2011-12 and 2012-13) with Edgewood Center for Children and Families in the amount
of $68,781 for FY 2010-11, $82,855 for FY 2011-12, and $82,855 for FY 2012-13 for a total Agreement amount of $234,491; and
b. Authorized the Director of Health, to sign up to three future amendments to this Agreement where the amendments do not exceed 10% of the annual amount, and do not significantly change the scope of work, or result in an increase in net county contribution.

38. Board Budget No. 10/11-062
   a. Approved and Amended the FY 2010-11 Health - Clinic Services Budget 4000, HEA007, to reallocate one (1.0) FTE Clinic Physician II to one (1.0) FTE Contract Physician; and
   b. Authorized the Auditor-Controller’s Office and the County Administrative Office to amend the FY 2010-11 Budget as outlined in the Board Order.

39. Approved a change to Article III, Section 3.2 of the In Home Supportive Services (IHSS) Advisory Committee bylaws eliminating a staggered term cycle and eliminating term limits for the members.

40. a. Considered and authorized Department of Social and Employment Services to participate in the Enhanced In-Home Supportive Services (IHSS) Anti-Fraud Program in Fiscal Year 2010-11; and
   b. Approved the Department’s Fiscal Year 2010-11 Plan for Fraud Investigation and Program Integrity Efforts and authorize the Chair to sign the transmittal to the California Department of Social Services requesting allocation of funds of $269,753.

41. a. Authorized the Contracts/Purchasing Officer to approve and sign a Professional Services Agreement with James Stubblefield, M. D., for the period of December 01, 2010 through November 30, 2011 for Medical Director services for the Emergency Medical Services Agency, in the total amount of $80,100 upon receipt of all required and updated documents and certificates of professional liability insurance;
   b. Authorized the Auditor-Controller’s Office to process payment for work completed prior to approval of the Agreement;
   c. Authorized the modification of the County standard insurance requirements pertaining to General Liability Insurance and Business Automobile Liability Insurance; and
   d. Authorized the Director of Health to approve future amendments up to five percent (5%) of the annual amount, which do not significantly alter the scope of work or result in an increase to Net County Costs.

42. REMOVED DURING ADDITIONS AND CORRECTIONS
   a. Direct the Military and Veteran’s Affairs Officer to provide the County Medal of Honor to the family of Monterey County resident who dies while serving on Active duty as a member of the Armed Forces;
b. Direct staff on behalf of the Board of Supervisors to issue letters of condolences and purchase flowers for the family when any employee or their immediate family members dies while serving on active duty as a member of the Armed Forces; and
c. Direct the Chair to appeal to the Governor of California for a proclamation that the National flag shall be flown at half staff within the County of Monterey when any employee or their immediate family member (or any resident of the County of Monterey) dies while serving on active duty as a member of the Armed Forces, following all protocols for lowering of the flag.

42.1 Introduced, waive the reading, and set January 11, 2011 at 10:30 a.m. to consider adoption of an ordinance amending Section 10.70.080 and repealing Section 10.70.120 of the Monterey County Code relating to indoor smoking restrictions. (Added via Addendum)

3. Agreement No. A-11556; Board Budget No. 10/11-063
   a. Authorized the Auditor-Controller to amend PRO001-Probation Department’s Budget to increase estimated revenue and appropriations in the amount of $773,702 during Fiscal Year 2010-11 (4/5th vote required); and
   b. Authorized the Contracts/Purchasing Officer to sign Amendment No.1 to Agreement No. A-11556 with Behavioral Interventions, Inc. for a no-cost extension through June 30, 2012 to continue services to adult offenders participating in the Day Reporting Center.

44. Approved and authorized the Chief Probation Officer to accept a grant award in the amount of $100,000 from the California Emergency Management Agency for the Probation Specialized Supervision Program during the period October 1, 2010 to September 30, 2011, and sign all grant-related documents and amendments.

45. Board Budget No. 10/11-064
   a. Approved and authorized the Chief Probation Officer to accept a grant award in the amount of $1,500,000 from the US Department of Health and Human Services for the Silver Star Gang Prevention and Intervention Program during the period September 30, 2010 to February 29, 2012, and sign all grant-related documents and amendments; and
   b. Authorized the Auditor-Controller to amend PRO001-Probation Department’s Budget to increase estimated revenue and appropriations in the amount of $752,376 for services funded by the grant in Fiscal Year 2010-11 (4/5th vote required).

46. Board Budget No. 10/11-065
   a. Approved and authorized the Sheriff to accept a grant award from the Justice Assistance Grant (JAG) Program through California Emergency Management Agency (Cal EMA) for Marijuana Suppression Program grant funding for Fiscal Year 2010-11 in the amount of $275,000; and
b. Authorized the Auditor-Controller to increase appropriations and estimated revenues in the amount of $275,000 in the Sheriff’s Office Budget Unit as detailed in the attached Board Order (4/5th Vote Required)

47. Approved and authorized the Sheriff on behalf of the Joint Gang Task Force (Task Force) to accept a grant award with the Federal Department of Justice, Office of Justice Program’s Bureau of Justice Assistance FY 2010 Congressionally Selected Award in the amount of $500,000.

**GENERAL GOVERNMENT:**

48. Adopted Resolution No. 10-331 authorizing the Board of Supervisors Chair to sign a Memorandum of Understanding with the Monterey Salinas Transit District confirming its membership in the Monterey County Operational Area Authority and Inter-Jurisdictional Emergency Management Coordination System, administered through the Monterey County Office of Emergency Services.

49. Approved and authorized the Contracts/Purchasing Officer to sign Amendment No. 3 to the Professional Services Agreement with the law firm of Duane Morris & Associates, increasing the total amount of the contract from $200,000 to $250,000, and extending the expiration date from December 31, 2010 to December 31, 2011, for risk management legal consulting and support services.

50. Adopted Resolution No. 10-332 to approve the Memorandum of Understanding (MOU) between Unit S Monterey County Registered Nurses’ Association (MCRNA) and the County of Monterey effective July 1, 2010 through June 30, 2011.

51. a. Adopted Resolution No. 10-333 requesting the Tax Collector to schedule APN 261-122-018-000, commonly known as 415 Hyland Drive, for public auction, based upon a request from the Board of Directors of the Redevelopment Agency; and

   b. Acknowledged and approved the written plan adopted by the Redevelopment Agency describing how the property will be used for low-income housing.

52. Board Budget No. 10/11-066

   Adopted Resolution No. 10-334 to approve tentative settlement letters of understanding negotiated with Unit S Monterey County Registered Nurses’ Association (MCRNA), Units Q and V Monterey County Park Rangers’ Association (MCPRA) and Units M and N Monterey County Probation Association (MCPA) regarding pay issues that surfaced as a result of the implementation of the new Advantage HRM/Payroll system.

53. Received the 2009-2010 Annual Report for the Redevelopment Agency of the County of Monterey
54. Board Budget No. 10/11-067; Agreement No. A-11902
a. Approved and authorized the Contracts/Purchasing Officer to sign a Professional Services Agreement with DELTAWRX Management Consultants for project management and related services for the Monterey County Next Generation Radio System Project (NGEN) in an amount not to exceed $570,000 for the period of December 15, 2010 through June 15, 2013 subject to final, non-substantive changes agreeable to County and to be approved by County Counsel;
b. Approved and authorized the Contracts/Purchasing Officer to sign up to three (3) amendments to this agreement, where the total amendments do not exceed ten percent (10%) of the original contract amounts, and do not significantly change the scope of work upon approval of County Counsel and the Director of Emergency Communications provided that funds are available in the NGEN Project Fund (EME002);
c. Approved and authorized the transfer of $205,422 from the Capital Projects Fund 402 Unit 8174 to the NGEN Radio Project Fund 405 Budget Unit (BU) 1520 to pay the County share of NGEN soft costs for FY 2010 / 2011; and
d. Authorized the Auditor-Controller to increase revenue and appropriations in the NGEN Radio Project Fund (EME002) by $500,000 (4/5th vote required)

55. Board Budget No. 10/11-068
Authorized the Auditor-Controller to allow District Attorney Investigators to accumulate a maximum of 480 hours of compensatory time-off, clarifying the Board’s Order of July 12, 2005, item 42.
Motion by Supervisor Potter, seconded by Supervisor Armenta to approve item 55. ALL AYES

55.1 a. Authorized the County Debt Manager to execute all documents necessary to complete financing of the Natividad Medical Center Equipment Leasing Project (NMC Project); and
b. Adopted Resolution No. 10-335 of the Board of Supervisors of the County of Monterey authorizing the execution and delivery by the County of a lease agreement and an acquisition fund and control agreement to finance (and reimburse for prior expenditures related to) medical equipment and improvements for Natividad Medical Center and authorizing execution of necessary documents and certificates and related actions. (Added via Addendum)
Motion by Supervisor Parker, seconded by Supervisor Armenta to approve staff recommendation. ALL AYES

RMA - PLANNING DEPARTMENT:

56. a. Approved Amendment No. 3 to Professional Services Agreement No. A-11509 with LSA Associates, Inc. where the Base Budget is increased by $11,471 for a total amount not to exceed $81,471 to provide additional services for completion of a Final Environmental Impact Report (FEIR) for
57. a. Approved Amendment No. 10 to Professional Services Agreement No. A-10267 with Pacific Municipal Consultants (PMC) where the Base Budget is increased by $11,508 to $172,689 with no increase to the Contingency amount of $20,190, for a total amount not to exceed $192,879 to provide additional services associated with the Environmental Impact Report (EIR) for the Harper Canyon Subdivision (PLN000696), north of San Benancio Road in Salinas, and extend the term through February 15, 2011; and

b. Approved Amendment No. 10 to Reimbursement Agreement and Funding Agreement No. A-10269 with Harper Canyon Realty, LLC where the Base Budget is increased by $11,508 to $172,689 and the County Surcharge is increased by $4,028 to $60,441, with no increase to the Contingency amount of $20,190, for a total amount not to exceed $253,320 to allow reimbursement and funding to Monterey County for costs incurred by PMC and County departments to provide additional services associated with the EIR for the Harper Canyon Subdivision (PLN000696), north of San Benancio Road in Salinas, and extend the term through February 15, 2011; and

c. Authorized the Director of Planning to execute Amendment No. 10 to Professional Services Agreement No. A-10267, Amendment No. 10 to Reimbursement Agreement and Funding Agreement No. A-10269 and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts. (Amendment - PD060591/Pacific Municipal Consultants, Countywide)

58. Approved and authorized the Chair of the Board of Supervisors to execute a Historic Property Contract with Yohn C. Gideon and Melanie A. M. Gideon, trustees of the Gideon Trust, owners of the Captain’s Inn located at 8122 Moss Landing Road, Moss Landing (Assessor’s Parcel Number: 133-212-007-000) (Mills Act Historic Property Contract Applications - Gideon/Captain’s Inn, PLN100457, Moss Landing)

59. Approved and authorized the Chair of the Board of Supervisors to execute a Historic Property Contract with Roger Blattberg and Anne S. Blattberg, owners of the Joan Baez residence located at 40 Miramonte Road, Carmel Valley (Assessor’s Parcel Number: 187-041-062-000) (Mills Act Historic Property Contract Applications - Blattberg/Baez residence, PLN100458, Carmel Valley)
60. a. Accepted the Tax Clearance Certification, and the Parcel Map Guarantee; Permit Approval Notice, Mitigation Monitoring and/or Reporting Plan, and Conservation and Scenic Easement Deed;  
b. Authorized the Chair of the Board of Supervisor to sign the Conservation and Scenic Easement Deed;  
c. Made findings that the final map is in substantial compliance with the tentative map for Phase V of the Tehama (Canada Woods) Standard Subdivision;  
d. Approved the Final Map for Tehama Phase V (Canada Woods) Standard Subdivision (PC95065); and  
e. Directed the Clerk to the Board to submit the Final Map, Permit Approval Notice, Mitigation Monitoring and/or Reporting Plan, and Conservation and Scenic Easement Deed to the County Recorder for recording. (Final Map - PC95065/Tehama Phase V (Canada Woods), northerly of Carmel Valley Road adjacent to and southerly of the Canada Woods North Subdivision (a.k.a. Tehama), Carmel Valley Master Plan)  

61. a. Accepted a Final Map for Phase II of the Kennedy Standard Subdivision consisting of dividing a 125.25-acre parcel into nine 5.1 acre parcels, one 39.35-acre parcel and a 40-acre remainder parcel;  
b. Accepted the Parcel Map Guarantee and Property Tax Clearance Certificate (Subdivision);  
c. Approved Inclusionary Housing Agreement and Subdivision Improvement Agreement; and  
d. Directed the Clerk of the Board to submit the Final Map, Inclusionary Housing Agreement and Subdivision Improvement Agreement to the County Recorder for recording. (Final Map-PLN060014/Kennedy, approximately 2.5 miles from intersection of Murphy Road and Lockwood-Bradley Road (South County Area Plan)  

62. a. Accepted the Deed of Open Space and Conservation and Scenic Easement;  
b. Authorize the Chair to execute the Deed of Open Space and Conservation and Scenic Easement; and  
c. Directed the Clerk of the Board to submit the Deed of Open Space and Conservation and Scenic Easement to the County Recorder for recordation. (Deed of Open Space and Conservation and Scenic Easement - REF100053/Big Sur Preservation Alliance, 62245 Highway 1, Big Sur, Big Sur Land Use Plan area)  

RMA - PUBLIC WORKS:  

63. 2009CONST10; Adopt Resolution No. 10-336:  
a. Accepting the Certificate of Completion for construction of the Countywide Guardrail Project, State Project No. EA 05-930139, Federal Aid Project No. HSIPL-5944 (090), Project No. 10-113965; and
b. Authorizing the Director of Public Works to execute and record the Notice of Completion.

64. 2008CONST010; Adopted Resolution No. 10-337:
a. Accepting the Certificate of Completion for construction of the Laureles Grade/State Route 68 Intersection Improvements, Project No. 09-112065; and
b. Authorizing the Director of Public Works to execute and record the Notice of Completion.

65. Adopted Resolution No. 10-338 to terminate the emergency authorized to implement flood remediation repairs at the North Wing of the Salinas Courthouse, located at 240 Church Street, Salinas, California.

66. Adopted Resolution No. 10-339:
a. Finding that there was sufficient cause to take actions on an emergency basis for necessary repairs to the Transformer Switch at the former Natividad Hospital (Contractor - JM Electric), Fire Suppression System at 168 W Alisal (Contractor - Roto Rooter), Boiler Repair in the Salinas Courthouse West Wing (Contractor - San Jose Boiler Works), and Water Damage Repairs to the Agricultural Commissioner Building Annex (Contractors - Disaster Kleenup Specialists and Ream Construction); and
b. Ratifying the execution of purchase orders and emergency actions taken by the Contracts/Purchasing Officer in response to the identified emergencies (4/5th vote required).

67. Agreement No. A-11903; 2010CONST010
a. Ratified Professional Services Agreement with Thomas Theobald to provide litigation support services regarding past construction practices used at the Renovation of the North Wing of the Salinas Courthouse, Project No. 8772, for a total amount not to exceed $33,750, for the term August 1, 2010 to November 15, 2010; and
b. Authorized the Contracts/Purchasing Officer to execute the Professional Services Agreement.

68. Rejected all bids for the Procurement (Delivery and Application) of Asphalt Emulsion for Seal Coat 2010 Project, Contract No. 11-551120 in certain County road work, but authorize the performance of maintenance work for the Parks Department Roads with County forces under the direction and supervision of the Director of Public Works.

69. Agreement No. A-11904
a. Approved Utility Agreement No. 2205.2 with Pacific Gas and Electric Company for the relocation of electric distribution poles for 100% of the actual net cost to Pacific Gas and Electric Company estimated to be in the amount of $39,949.00 for the construction of Lonoak Road Bridge Replacement Project; and
b. Authorized the Director of Public Works to execute Utility Agreement No. 2205.2 and future amendments that do not significantly alter the scope of work.

70. a. Approved and authorized the Director of Public Works or his designee to execute a Right of Way Contract with The State of California Department of Transportation for property located along State Route 1, south of Gorda, at Post Mile 0.3, for State Highway purposes; and
b. Authorized the Director of Public Works or his designee to execute the Easement Deed; and items needs action taken
c. Authorized the Director of Public Works or his designee to submit the Easement Deed for Recordation on behalf of the County.

71. Agreement No. A-11905
a. Approved Amendment No. 2 to the Cooperative Agreement #05-CA-0200 with Caltrans for the preparation of Project Report and Environmental Documentation for the State Route 1 Climbing Lane Project between Rio Road and Carmel Valley Road;
b. Authorized the Chair of the Board to execute Amendment No. 2 to the Cooperative Agreement #05-CA-200;
c. Directed the Clerk of the Board to submit Amendment No. 2 to the County Clerk-Recorded for filing; and
d. Authorized the Director of Public Works to execute all future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

72. Agreement No. A-11906
a. Approved a Professional Services Agreement with TRC Engineers, Inc. to provide preliminary engineering and environmental services for Phase 1 of the Castroville Railroad Crossing Bicycle/Pedestrian Path (RFQ/RFP #10197), Project No. 862265, Federal Aid Project No. STPLHSR-5944 (058), in an amount not to exceed $329,510 for the initial term of one year from execution of the Agreement through December 28, 2011, including the option to extend the Agreement for two (2) additional one (1) year periods, in accordance with the terms and conditions of the Agreement; and
b. Authorized the Contracts/Purchasing Officer to execute the Professional Services Agreement 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.
73. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Board of Supervisors adopted Resolution No. 10-341 requesting the Tax Collector to schedule APN 261-122-018, commonly known as 415 Hyland Drive, for public auction;
   b. Approved the written plan describing how the property will be used; and
   c. Directed staff of the Redevelopment Agency to request that the subject property be transferred to the Redevelopment Agency prior to completion of the public auction process.

74. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approved the 2009-2010 Annual Report for the Redevelopment Agency of the County of Monterey; and
   b. Authorized submittal of the Annual Report to the State of California.

75. Acting as the Board of Supervisors of the Water Resources Agency:
   a. Authorize the Chair of the Board of Supervisor of the Monterey County Water Resources Agency to sign the Agreement Re: Drainage and Flood Control System for the Tehama V Subdivision; and
   b. Directed the Clerk of the Board to submit the Agreement Re: Drainage and Flood Control System to the County Recorder for recording. (Final Map - PC95065/Canada Woods (a.k.a. Tehama V) Located Northerly of Carmel Valley Road adjacent to and southerly of the Canada Woods North Subdivision (a.k.a. Tehama) Carmel Valley Master Plan)

76. Acting as the Board of Supervisors of the Water Resources Agency:
   a. Ratified the execution of the Drainage and Flood Control Systems Agreement for the Kennedy Subdivision by the Chair of the Board of Supervisors, recorded on February 26, 2010; and
   b. Approved and authorized the Chair of the Board of Supervisors of the Monterey County Water Resources Agency to sign the Dedicated Groundwater Monitoring Well Easement; and
   c. Directed the Clerk of the Board to submit the Dedicated Groundwater Monitoring Well Easement to the County Recorder for recording. (Final Map-PLN060014/Kennedy located approximately 2.5 miles from the intersection of Murphy and Lockwood-Bradley Road, South County Area Plan)