AGENDA
Tuesday, September 21, 2010

*** Open Session to Commence at 10:00 A.M. ***

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 interprete, 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 interprete. Los pedidos se deberán hacer lo más pronto posible, y a lo mínimo 24 horas de anticipación 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.

Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board’s Office located at 168 W. Alisal St., 1st Floor, Salinas, California, during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5.
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 Sections 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) Stagecoach Territory, Inc. v. County of Monterey, et al. (MCSC Case no. M104908)
      (2) Mark Tavares (WC 608-533705)
      (3) Wendall Gutter v. David Hendry, et al. (MCSC Case no. M102632)

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

Continuance of Closed Session to be held at the conclusion of the Board’s Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board.

10:00 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 Sections 54954.2 of the California Government Code.
5. **CONSENT CALENDAR – REGULAR** (See Supplemental Sheet)

**Recess as the Monterey County Board of Supervisors**

**Convene as the Board of Directors of the Monterey County Redevelopment Agency**

**MONTEREY COUNTY REDEVELOPMENT AGENCY**

**Roll Call**

6. **CONSENT CALENDAR – MONTEREY COUNTY REDEVELOPMENT AGENCY** (See Supplemental Sheet, Item 23-25)

**Adjournment**

**Reconvene as the Monterey County Board of Supervisors**

**MONTEREY COUNTY BOARD OF SUPERVISORS**

**OTHER BOARD MATTERS:**

7. Adopt Resolution honoring Gary Wrightman, Deputy Sheriff, upon his retirement from the Sheriff's Office of the County of Monterey after 24 years of service. (Full Board)

8. Adopt Resolution honoring Manuela Z. Maya, LULAC Council No. 2995 of District XII, for her tremendous contribution in supporting the creation of "El Comite Fiestas Patrias" an effort to help raise scholarship money for local high school students aspiring to attend college. (Supervisor Armenta)

**OTHER BOARD MATTERS:**

9. Board Comments

10. CAO Comments and Referrals

11. 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.

**SCHEDULED MATTERS:**

S-1 Conduct a public hearing and:

a. Adopt Resolution to approve the transfer of $83,000 in Community Development Block Grant (CDBG) Program Income allocated to the San Lucas Water System Feasibility Study into pre-development activities for the San Lucas Water System Improvement Project; and
b. Adopt a resolution to approve the transfer of $100,000 in Community Development Block Grant (CDBG) Program Income from the Small Business Revolving Loan Account into the San Lucas Water System Improvement Project.

S-2  
a. Set a Public Hearing for October 26, 2010 to Consider County initiated Notice of Non-Renewal of six (6) Williamson Act and Farmland Security Zone Contracts due to not meeting the program requirements or according to Property Owner requests; and
b. Direct Staff to return on October 26, 2010, with a Resolution for County initiated Notice of Non-Renewal for six (6) Williamson Act and Farmland Security Zone Contracts due to not meeting the program requirements or according to Property Owner requests.
(Notice of Non-Renewal – PLN100300/Williamson Act and Farmland Security Zone Contracts 2011)

S-3  
Continued public hearing (continued from September 14) on the draft 2010 Monterey County General Plan and its Environmental Impact Report. (General Plan Update - PLN070525/County of Monterey)

12:00 P.M.

Recess to Lunch – Continue Closed Session

1:30 P.M.

SCHEDULED MATTERS:

S-3  
Continued public hearing (continued from September 14) on the draft 2010 Monterey County General Plan and its Environmental Impact Report. (General Plan Update - PLN070525/County of Monterey)

S-4  
Workshop for the Board of Supervisors to:
   a. Receive a presentation from the community working group and interested parties on a Monterey County Community Wildfire Protection Plan (MCCWPP); and
   b. Direct staff on how to proceed in processing the Community Wildfire Protection Plan.
( PD090290/Community Wildfire Protection Plan, County-wide)

ORDER FOR ADJOURNMENT
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

12. Authorize the Auditor-Controller to approve increased appropriations and estimated revenues totaling $4,045,122 in Fiscal Year 2010-11 Adopted Budget in Appropriations Unit SOC005, Social Services and Appropriations Unit SOC009, Office for Employment Training for the Adult and Summer Youth Subsidized Employment Programs (4/5th vote required).

13. Authorize a loan from Fund 402 Capital Projects in the amount of $174,994 for Fund 008 Community Action Partnership in the amount of $169,369 and Fund 005 In-Home Support Services Public Authority in the amount of $5,625 for Fiscal Year 2009-10 (4/5th vote required).

CRIMINAL JUSTICE:

14. Accept and approve the Fiscal Year 2008-09 Children's Council of Monterey County Annual Report to the Board of Supervisors.

GENERAL GOVERNMENT:

15. Approve Board of Supervisors Action Minutes of Tuesday, July 13, 2010; Tuesday, July 27, 2010 and Tuesday, August 24, 2010.


17. Approve revisions to the form of the resale documents related to repayment of Neighborhood Stabilization Program loans in the event of a foreclosure.

18. Approve a request from the Soledad Cemetery District for an exemption to the annual audit required by Government Code Section 26909 and authorize preparation of a biennial audit covering Fiscal Year 2010-11 and each year thereafter (unanimous vote required).

19. a. Grant Debt Manager authority to execute documents to facilitate refunding of the remaining Natividad Medical Center Improvement Project, Series "E" Certificates of Participation; and

b. Adopt Resolution approving the form and authorizing the execution of certain lease financing documents in connection with the offering and sale of Certificates of Participation relating thereto, and authorizing and directing certain actions with respect thereto.
20. Adopt Resolution to:
   a. Amend the Fiscal Year (FY) 2010-11 County Administrative Office- Human
      Resources Unit 1050-CAO003-8049 to reallocate one Senior Employee
      Relations Representative to one Senior Personnel Analyst; and
   b. Authorize the Auditor-Controller to incorporate this change in the FY 2010-11
      County Administrative Office- Human Resources Unit 1050-CAO003-8049.

21. a. Approve and authorize the Contracts/Purchasing Officer to sign the
     Agreement for the Use of Grant Funding with the City of Seaside to permit
     use of Assistance to Firefighters Grant (AFG) funds to purchase equipment,
     and services necessary for the Next Generation Radio Project (NGEN); and
   b. Authorize the Auditor-Controller to increase revenue and appropriations in the
      NGEN Project Fund as detailed in the Board Order (4/5th vote required).

RMA - PLANNING DEPARTMENT:

22. Monterey County General Plan Update:
   a. Authorize expenditure of an additional amount not to exceed a total of
      $50,000 for the services of The Sohagi Law Group, PLC; Kimley-Horn and
      Associates; and Jones & Stokes Associates, Inc. for tasks related to the
      completion of the General Plan Update and its associated Environmental
      Impact Report, and for participation in hearings before the Board of
      Supervisors;
   b. Authorize the County Administrative Officer to determine the appropriate
      allocation of funds between the above-named consultants to enable
      completion of tasks and, if necessary, execute appropriate amendments to
      Professional Services Agreement Nos. A-11088 (ICF Jones & Stokes) and A-
      11187 (Kimley-Horn and Associates) to augment the amount payable within
      this funding limit and extend the term of the Agreements;
   c. Authorize County Counsel to execute an appropriate amendment to
      Agreement No. A-111028 for Specialized Attorney Services with The Sohagi
      Law Group, PLC to augment the amount payable within this funding limit,
      and process payments for all consultants pursuant to this action; and
   d. Authorize the Auditor Controller to transfer $50,000 from General Fund
      Contingencies 001-CAO020-1050-8034-7811 to County Counsel 001-
      COU001-1210-8057-6606 (4/5th vote required).

RMA - PUBLIC WORKS:

22.1 a. Approve an Agreement with Advanced Applied Engineering, Inc. to provide
      professional services for inspection and evaluation of County roads for the
      Pavement Management Information System (RFP#10237), in an amount not
      to exceed $298,770 for the initial term of one year from execution of the
      Agreement, 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. Authorize the Contracts/Purchasing Officer to execute the 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.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

23. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   Approve and authorize the Chair to sign a Professional Services Agreement with Carlson, Barbee & Gibson, Inc. for an amount not to exceed $173,780, with a term ending December 31, 2012, to provide preliminary civil engineering services to assist the Agency in developing a project scope and environmental review in preparation of potential Board approval for street and storm drain improvements to Madison Lane in the Boronda Redevelopment Project Area.

24. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   Direct the Auditor-Controller to amend the Fiscal Year 2010-11 budget to increase appropriations in East Garrison Capital Fund 174 Unit 8212 by $329,012 and to increase estimated revenues and appropriations in Fort Ord Capital Fund 173 Unit 8213 by $690,413 (4/5th vote required).

25. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approve Amendment No. 5 to the Professional Services Agreement dated March 1, 2007 with Keyser Marston and Associates Inc. (KMA) to extend the term of the agreement to March 3, 2011 to complete financial consulting services related to development projects in redevelopment project areas, the total amount of the agreement not to exceed $160,000; and
   b. Authorize Contracts/Purchasing Manager to execute future amendments that do not significantly alter the Scope of Work or change the approved contract amount.

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Supplemental for Tuesday, September 21, 2010
View Supplemental Documents at:
SUPPLEMENTAL

Corrections to Closed Session:
2. a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
   (3) Wendall Gutter v. David Hendry Henry, CSC Case no. M102632

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

Under Scheduled Matters:
S-3 Report Submitted
a. Continued public hearing (continued from September 14) on the draft 2010 Monterey County General Plan and its Environmental Impact Report. (General Plan Update - PLN070525/County of Monterey)

Under Regular Consent General Government:
19. Revised Resolution Submitted
   a. Grant Debt Manager authority to execute documents to facilitate refunding of the remaining Natividad Medical Center Improvement Project, Series "E" Certificates of Participation; and
   b. Adopt Resolution approving the form and authorizing the execution of certain lease financing documents in connection with the offering and sale of Certificates of Participation relating thereto, and authorizing and directing certain actions with respect thereto.

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