AGENDA
Tuesday, January 13, 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 anticipio 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.
9:00 A.M.

ROLL CALL:

1. Swearing-In Ceremony for incoming and returning Supervisors.

2. a. Elect members of the Board of Supervisors to serve as Chair and Vice Chair of the Monterey County Board of Supervisors for the 2009 calendar year.
   b. Presentation of plaque to outgoing Chairman Fernando Armenta.

RECESS:

Recess to reception honoring sworn-in Supervisors.

CLOSED SESSION:

3. 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.

4. Closed Session under Government Code section 54950, relating to the following items:

   a. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators.
      Property: That property shown on Page 15 of the Official Plan Line of Highway 68, more particularly described in a grant deed recorded on October 17, 1991, and located at Reel 2706, Page 550 of the official records of Monterey County.
      Agency negotiator: Leslie J. Girard
      Negotiating parties: County of Monterey and Cypress Community Church
      Under negotiation: Price and terms

   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, the Board will provide a performance evaluation for the Natividad Medical Center CEO.
d. Pursuant to Government Code section 54957, the Board will confer regarding appointment to the position of Natividad Medical Center CEO.

e. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.

10:30 A.M.

ROLL CALL:

5. Pledge of Allegiance

6. 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.

7. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

OTHER BOARD MATTERS:

8. Board Comments, Referrals, and Updates

9. CAO Comments

10. 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.

11. Approve recommended appointments of Board Members to boards, committees and commissions for the 2009 calendar year.

12. Ratify Resolution to commemorate the retirement of Daniel M. Ortega, Chief of Police, from the City of Salinas Police Department.

SCHEDULED MATTERS:

S-1 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.48.035, to establish an 8-ton residence district weight limit on Burns Road, Crown Avenue, Elsa Circle, Enfield Road, Grace Circle, Hall Circle, Merritt Street, and Royal Drive, Royal Estates Subdivision near King City.
S-2 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.12.010, to establish 45 m.p.h., 55 m.p.h., and 35 m.p.h. speed limits on three segments of Carmel Valley Road, Carmel Valley area.

S-3 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.28.010, to establish no parking at anytime on the northwest side of Paseo de Vaquero from a point 45 feet southwest of the centerline of San Benancio Road, southwesterly for a distance of 100 feet in Ambler Park, San Benancio area.

S-4 Consider adoption of an Ordinance amending the Monterey County Code, Title 12, Section 12.28.012, to establish no parking at anytime for commercial vehicles on both sides of Rio Road from Carmel Rancho Boulevard generally east to its terminus, Carmel area.

12:00 P.M.

Recess to Lunch

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-5 Receive a verbal status report from the CEO of Natividad Medical Center (NMC) and the Director of Health regarding the progress of the implementation planning for the Monterey County Integrated Healthcare System which includes NMC and the County Health Department's Clinic Services Division.

S-6 Second reading and consider adoption of an Ordinance of the County of Monterey, State of California, to add Chapter 1.22 (Administrative Remedies for Code Enforcement), for administrative procedures that govern the imposition, enforcement, collection, and administrative review of administrative fines or penalties for violations of the Monterey County Code.
(Ordinance-PLN040372/Administrative Procedures, County-Wide)

ORDER FOR ADJOURNMENT
TO TUESDAY, JANUARY 27, 2009

Future Board Meetings:
Tuesday, January 20, 2009 – No Meeting
Tuesday, January 27, 2009
Tuesday, February 3, 2009
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

13. a. Approve and authorize the Purchasing Manager of Natividad Medical Center to execute an Amendment No. 1 to the Agreement between Natividad Medical Center and the Natividad Medical Foundation for Professional Services in an amount not to exceed $835,000, an increase of $425,000, for the period January 1, 2009 to December 31, 2009 to provide philanthropic services, defined as "fundraising, community outreach in connection with fundraising, preparing and submitting foundation grant applications, administering current/future foundation grants, and providing administrative and fiscal oversight expertise of secured federal grant awards" in support of NMC's Strategic Plan: Vision 2010; and

b. Direct the Auditor-Controller to amend Fiscal Year 2008-2009 Natividad Medical Center Budget Unit 960 to reflect the changes in appropriations as outlined in the Board Order. (4/5th vote required)

HEALTH AND SOCIAL SERVICES:

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

15. a. Approve amended Schedule of Fees and Charges for Health Department services; and

b. Adopt the fees as the Amended Article I b. of the Monterey County Fee Resolution effective February 01, 2009; and

c. Approve the Monterey County Master Fee Resolution modifying Article I b.

CRIMINAL JUSTICE:

16. Approve yearly update to the application, criteria and disqualifiers recommended by the Probation Department for the Supervised Home Confinement Program, as mandated by Penal Code 1203.016(d)(1).

GENERAL GOVERNMENT:

17. Approve the Action Minutes of Monday, June 9, 2008; Tuesday, October 7, 2008; Tuesday, October 14, 2008; Tuesday, October 21, 2008; Tuesday, October 28, 2008; Tuesday, November 4, 2008; Tuesday November 18, 2008; copies having been previously distributed to the Supervisors.

18. Adopt Resolution to approve a zero property tax transfer for the proposed annexation of the San Jerardo Cooperative property and well site intended to serve the San Jerardo Community (Assessor's Parcel Nos. 149-031-023 and 107-003-028) to the Boronda County Sanitation District.
19. a. Amend Personnel Policies and Practices Resolution No. 98-394 to re-title Treasury Officer III to Investment Officer;  
b. Reallocation of one (1) Treasury Officer III to one (1) Investment Officer in Budget Unit 117-Treasurer-Tax Collector; and  
c. Direct the Auditor-Controller to incorporate this change in the Fiscal Year 2008-09 Treasurer-Tax Collector Budget Unit 117.

20. a. Amend the Fiscal Year 2008-09 County Administrative Office/Risk and Benefits Division Budget Unit 195 to delete one (1) Senior Risk and Benefits Analyst and add (1) one Supervising Risk and Benefits Analyst to reflect changes in staffing needed to support the Enterprise Resource Planning Project; and  
b. Direct the Auditor-Controller to amend Budget Unit 195-Risk Management to reflect the position change.

21. a. Approve amendments to the Monterey County Investment Policy modifying Treasury oversight Committee membership; and  
b. Approve the composition and membership of the Monterey County Treasury Oversight Committee as nominated by the Treasurer.

22. a. Approve increased Fiscal Year (FY) 2008-09 estimated revenue and appropriations of $810,310 in Elections-Budget Unit 141 for the August 26, 2008 Salinas Valley Memorial Healthcare System's Special All Mail Ballot Bond election and the March 3, 2009 Special School elections and to recognize reimbursement of costs by local districts (4/5th Vote Required); and  
b. Direct the Auditor-Controller to reflect these changes as detailed in the Board Order.

23. a. Approve and authorize the Monterey County Free Libraries' (MCFL) acceptance of grant funds of $60,000 from the Community Foundation for Monterey County, for the 2009 calendar year, for expanded literacy services; and  
b. Approve continued allocation of one (1) half-time Literacy Assistant position, paid with grant funds, for the 2009 calendar year.

24. a. Ratify the Extension of the Proclamation of Local Emergency signed by the County Administrative Officer on January 6, 2009; and  
b. Extend this proclamation of local emergency adopted September 23, 2008, in the aftermath of the Basin Complex Fire for an additional fourteen days. (4/5th vote required)

25. a. Reallocation of two (2) "to be determined" allocations to Auditor-Controller Analyst I in Budget Unit 111 - Auditor-Controller; and  
b. Direct the Auditor-Controller to incorporate these changes in the Fiscal Year 2008-09 Auditor-Controller's Budget Unit 111.
RMA - PLANNING DEPARTMENT:

26. a. Accept the Parcel Map to allow a minor subdivision of one 5 acre parcel into two 2.5 acre parcels.
   
b. Accept the Parcel Map Guarantee and Tax Report from the Tax Collector.
   
c. Direct the Clerk to the Board to submit the Parcel Map to the County Recorder for filing.
   
   (PLN060375/Bartelbaugh, 8871 Holly Hill Drive, Prunedale, North County Non-Coastal area)

27. a. Accept the Conservation and Scenic Easement Deed for the designation of 5.29 acres of Assessor's Parcel Number 189-301-002-000 for restricted development and use so as to preserve the open space, scenic and natural resource values present on the property;
   
b. Authorize the Chair of the Board to execute the Conservation and Scenic Easement Deed;
   
c. Authorize the Chair of the Board to sign the Certificate of Acceptance; and
   
d. Direct the Clerk to the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing.
   
   (PLN070139/MS Resolution No. 08006, 25 Esquiline Rd, Carmel Valley, CA, Carmel Valley Master Plan)

RMA - PUBLIC WORKS:

28. a. Approve and authorize the Contracts/Purchasing Officer to renew Sublease Agreement A-10100 through March 31, 2010, with Vin Vision, Inc., for 2,000 square feet of general office space located at 417-A Salinas Road, Watsonville, California, for use by the Agricultural Commissioner's Office;
   
b. Direct the Auditor-Controller to make lease payments of $1,591.81 per month, effective May 1, 2008, and in accordance with the terms of the agreement; and
   
c. Authorize the optional extension of the Sublease Agreement for an additional one (1) year period under the same terms and conditions if deemed by the Contracts/Purchasing Officer to be in the best interest of the County.

29. a. Approve and authorize the Contracts/Purchasing Officer to renew Lease Agreement A-06834 through March 31, 2010, with Stainbrook Investments, LLC, for 3,000 square feet of office/shop/warehouse space located at 1610 Moffett Street, Salinas, California, for use by the Information Technology Department;
   
b. Direct the Auditor-Controller to make lease payments of $1,979.27 per month, effective June 1, 2008, and in accordance with the terms of the Agreement; and
   
c. Authorize the optional extension of the Lease Agreement for two (2) additional three (3) year periods under the same terms and conditions if deemed by the Contracts/Purchasing Officer to be in the best interest of the County.
30. a. Approve a Cooperative Agreement with Caltrans for the State Route 68/San Benancio Road Intersection Improvement Project;
b. Authorize the Chair of the Board to execute the Cooperative Agreement; and
c. Direct the Clerk of the Board to submit the Cooperative Agreement to the County Recorder for filing.

31. a. Re-declare the identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods located near the City of Carmel as surplus real property and no longer necessary for county or other public purposes;
b. Adopt a Notice of Intention pursuant to Government Code section 25526.5 for the sale of the identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods located near the City of Carmel and direct the County Clerk to publish a Public Notice of Intent to Sell Surplus Property; and
c. Authorize the Contracts/Purchasing Officer to execute the Offer and Agreement to Purchase Real Property, Quitclaim Deed and any other necessary transfer documents to complete the sale.

32. 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)

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