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.
      (1) Alameda County Medical Center, et al. v. Kathleen Sebelius (USDC D.C. Case No. 1:09-cv-01465-JDB)
      CLOSED SESSION REPORT: The Board authorized the County to officially join this matter and to retain outside counsel to represent the County in this case.
      (2) Mark Tavares (WC 608-533705)
      CLOSED SESSION REPORT: The Board provided tentative settlement direction and if settlement is authorized by both parties, the settlement agreement will be available through the office of County Counsel.
(3) Stagecoach Territory, Inc. v. County of Monterey, et al. (MCSC Case No. M104908)

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

(4) The Sapiens Group Grievance (State Mediation and Conciliation Service no. ARB-09-0308)

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

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

CLOSED SESSION REPORT: The Board conferred with counsel and provided direction to counsel on how to proceed.

c. Pursuant to Government Code section 4957.6, the Board will confer with labor negotiators:

   (1) Designated representatives: Keith Honda and Dianne Dinsmore
   Employee organizations: All Units

CLOSED SESSION REPORT: The Board conferred with labor negotiators and provided direction to Mr. Honda and Ms. Dinsmore on how to proceed.

d. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Equal Opportunity Officer (Added via Addendum)

CLOSED SESSION REPORT: The Board provided an initial performance evaluation for the Equal Opportunity Officer to set goals and expectations for this position.

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

3. The Pledge of Allegiance was led by County Administrative Officer Lew Bauman.

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

Due to the need for immediate consideration by the Board of matters which arose after the posting of today’s agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following additions and corrections:

Correction Under Appointments:

8.1 Appoint J. Michael Klein to the Mental Health Commission with a term ending May 31, 2013. (Full Board)
Remove Under Regular Consent – Public Works:
23. Adopt Resolution 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.

Motion by Supervisor Parker, seconded by Supervisor Armenta approve Additions and Corrections. ALL AYES

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
Don Ask pulled items 14 and 18.

Motion by Supervisor Parker, seconded by Supervisor Armenta to approve Consent Calendar – Regular with the exception of items 14 and 18.
Eric Lauritzen responded to questions regarding item 14 and 18.

Motion by Supervisor Calcagno, seconded by Supervisor Armenta to approve items 14 and 18. ALL AYES

Recessed as the Monterey County Board of Supervisors

Convened as the Board of Directors of the Monterey County Redevelopment Agency

6. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet, Item 27)

Motion by Director Calcagno, seconded by Director Parker to approve Consent Calendar Monterey County Redevelopment Agency (Item 27). ALL AYES

Adjournment as Board of Directors of the Monterey County Redevelopment Agency

Reconvened as the Monterey County Board of Supervisors

OTHER BOARD MATTERS:

7. Adopted Resolution No. 10-269 proclaiming the week of October 4 through October 10, 2010, as "Binational Health Week" in Monterey County. (Full Board)

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

APPOINTMENTS:

8. Appointed Salvador Vasquez to the Pajaro Valley Water Management Agency Board to fill an unexpired term ending December 1, 2010. (Supervisor Calcagno)

Motion by Supervisor Parker, seconded by Supervisor Calcagno. ALL AYES
8.1 Appointed J. Michael Klein to the Mental Health Commission with a term ending May 31, 2013. (Full Board)

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

OTHER BOARD MATTERS:

9. Board Comments
   - Supervisor Armenta announced he will be attending the American Public Transportation Annual Conference on behalf of Monterey-Salinas Transit (MST) in San Antonio, Texas. He will then travel to Washington, DC to join the City of Salinas for a Department of Justice National Forum on youth violence. He provided the Board with a copy of the agenda for the Washington visit. He advised he will be absent from the Board meeting next Tuesday, October 5th.

   - Supervisor Parker thanked the volunteers that joined her for Coastal Clean-up Day. She thanked Doug Smith for being her guest at Hot Drinks & Hot Topics. She announced Supervisor Calcagno will be her next guest on Monday, October 4th.

10. CAO Comments and Referrals: None.

11. Public Comment
    Thelma McIntosh; Dr. Brenda Steeley; Tom Sears; Joe Vierra; Cameron D. Garcia; Caroline Singleton; Jason Hall; Cathy Hernandez; Hans Jongens.

SCHEDULED MATTERS:

S-1 Conducted a public hearing and:
   a. Adopted Resolution of Intention No. 10-276 to amend the Local Coastal Program. The amendment to the Local Coastal Program would consist of: 1) an amendment to the North County Land Use Plan - Coastal to change a land use designation on the northerly portion of the property from Resource Conservation (RC) to Medium Density Residential with a Building Site Zoning District Overlay (MDR B-6); and 2) an ordinance amending the North County Coastal Implementation Plan zoning map (Sectional District Map 20, Sheet 1 of Title 20) to change the zoning on the northerly portion of the property from Resource Conservation to Medium Density Residential; and
   b. Directed staff to transmit the resolution to the Coastal Commission for certification. (PLN100319/Stevens, 149 Hillcrest Road, Royal Oaks, North County Land Use Plan)

Motion by Supervisor Calcagno, seconded by Supervisor Armenta. ALL AYES
S-2 Board Budget No. 10/11-041
a. Received a follow-up report on the Road Fund regarding the impact from the loss of Local Transportation Funds to the Fiscal Year (FY) 2010-11 Road and Bridges budget, Fund 002, Unit 8195, including the three-year forecast reflecting the on-going impact of the loss of Local Transportation Funds; and
b. Approved the FY 2010-11 Amended Adopted Public Works Work Program for the Road Fund (Fund 002, Unit 8195) and related adjustments to budgeted revenue and appropriations (4/5th vote required); and
c. Directed the Department of Public Works to return to the Board with potential solutions/options for addressing the projected revenue shortfall in conjunction with the Mid-year Report.

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

S-3 Received a status report regarding the Ad Hoc Interagency Anti-Gang Governance Review Committee.

Public comment: Erica Smith

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

S-4 Received report on the City of Salinas/Community Alliance for Safety and Peace (CASP) Strategic Work Plan.

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

S-5 Received a report on the Summer Youth Employment Program operated by the Department of Social and Employment Services - Office for Employment Training (OET).

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

Recessed to Lunch - Continue Closed Session

SCHEDULED MATTERS:

1:30 P.M. Reconvened

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

S-6 Continued public hearing (continued from September 21) on the draft 2010 Monterey County General Plan and its Environmental Impact Report. (General Plan Update - PLN070525/County of Monterey)

Chapter 9-D Greater Monterey Peninsula Area Plan and South County Area Plan
Motion by Supervisor Potter, seconded by Supervisor Calcagno, to move this element forward, as presented by staff, for inclusion at a later date in the General Plan. ALL AYES

Chapter 9-G North County Inland Area Plan
Public Comment: Margie Kay; Janie Alvarez Sandoval; Mari Kloeppel Nancy Isakson; Bill Carrothers; Carolyn Anderson.
Motion by Supervisor Calcagno, seconded by Supervisor Potter and to move this element forward, as presented by staff, for inclusion at a later date in the General Plan. ALL AYES

Chapter 9-C Central Salinas Valley Area Plan
Public comments: Sherwood Darrington; Amy White.
Motion by Supervisor Calcagno, seconded by Supervisor Parker to move this element forward, as presented by staff, for inclusion at a later date in the General Plan. ALL AYES

Chapter 9-I Toro Area Plan
Public Comment: Mike Weaver.
Motion by Supervisor Armenta, seconded by Supervisor Potter to move this element forward, as presented by staff, for inclusion at a later date in the General Plan. ALL AYES

Chapter 9-J Agricultural and Winery Corridor Plan “Farm-to-Market”
Public Comment: Kirk Golnick; Steve McIntyre; Rene Boskoff; John Reyes; Luann Meador; Julie Engell; Jan Mitchell; Christopher Bunn; Bill Carrothers; Ed Mitchell; Eric Martella; Molly Erickson; Scott Scheid; Sherwood Darrington; Joyce Yates; Hans Jongens.
Motion by Supervisor Armenta, seconded by Supervisor Calcagno to move this element forward, as presented by staff, for inclusion at a later date in the General Plan. ALL AYES

Definitions - Long Term Water Supply
Public Comment: Ed Mitchell; Bill Carrothers; Mari Kloeppel; Carolyn Anderson; Hans Jongens; Nancy Isakson; Amy White; Diane Russell; Christopher Bunn; Julie Engell; Brian Clark; Tom Rowley; Jan Mitchell; Molly Erickson.
First Amended Motion to Main Motion by Supervisor Potter, seconded by Supervisor Parker to adopt Option B for the definition of Long Term Water Supply, and include language for the definition of Long Term Sustainable Water Supply, specific to the completion and operation of new projects. 3-2 (Supervisors Armenta and Salinas dissented)

Second Amended Motion to Main Motion by Supervisor Parker, seconded by Supervisor Potter to replace language in Exhibit A – Water Supply, on page 3 of PS 3.1. Subparagraph 4)c., which reads: “the benefits of the proposed
development clearly outweigh any adverse impact to the groundwater basin”, with the RHNA (Regional Housing Needs Allocation) language which specifies that development is necessary to meet the County’s housing requirement. 2-3 (Supervisors Armenta, Calcagno, and Salinas dissented) MOTION FAILED

Main Motion by Supervisor Armenta, seconded by Supervisor Calcagno to adopt Option B of the definition of Long Term Water Supply in PS 3.2, as amended to include language in Option B for the definition of Long Term Sustainable Water Supply, specific to the construction and operation of new projects, proposed by staff. 4-1 (Supervisor Parker dissented) ALL AYES

Chapter 10.0 Glossary
Motion by Supervisor Calcagno, seconded by Supervisor Armenta to move the Glossary forward, with approved definition of Long Term Water Supply and delete definition of previously uncultivated lands. ALL AYES

Motion by Supervisor Armenta, seconded by Supervisor Salinas to make no further additional changes to PS 3.14 or PS 3.15. 3-2 (Supervisors Parker and Potter dissented)

Public Service Element
Motion by Supervisors Armenta, seconded by Supervisor Parker to move this element forward for inclusion at a later date in the General Plan, including proposed changes directed by the Board. ALL AYES

Motion by Supervisor Potter, seconded by Supervisor Armenta to continue hearing on the General Plan to Tuesday, October 12, at 1:30 p.m. and directed staff to return with the General Plan and Final Environmental Impact Report, necessary findings and resolutions for consideration and Potential action, consistent with tentative direction already taken by the Board. ALL AYES

CLOSED SESSION REPORT: See (2a – d)

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:

12. Board Budget No. 10/1-042
   Adopted Resolution No. 10-272 to amend Personnel Policies and Practices
   Resolution No. 98-394 to:
   a. Add the classifications of Clinical Nurse Specialist, Supervising Clinic Nurse,
      Supervising Therapist, and Nurse Practitioner III-Per Diem with attached
      wage ranges;
   b. Approve and amend the Fiscal Year (FY) 2010-2011 Natividad Medical
      Center Budget Unit 9600 to add the following allocation(s): 1.0 FTE
      Supervising Clinic Nurse and 1.0 FTE Supervising Therapist; and
   c. Direct the County Administrative Office to incorporate approved changes into
      the FY 2010-2011 Natividad Medical Center Budget Unit 9600 to reflect the
      change in position count.

13. Agreement No. A-11859 Authorized the Purchasing Manager for Natividad
    Medical Center (NMC) to execute an Agreement with Vista Staffing Solutions
    Inc. to provide referrals of locum tenens providers for multiple specialties at
    NMC in amount not to exceed $200,000 for the period September 1, 2010 through
    August 31, 2011.

GENERAL GOVERNMENT:

14. a. Authorized the Agricultural Commissioner to execute, on behalf of the
    County of Monterey, Standard Agreements and any Amendments thereto,
    with Federal, State and local agencies for designated programs performed by
    the department for a period of three years ending June 30, 2013; and
    b. Approved and authorized the Agricultural Commissioner, or his designee, to
       sign up to (3) amendments to each agreement where the total amendments do
       not exceed fifteen percent (15%) for each agreement and do not significantly
       change the scope of work.

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

15. Board Budget No. 10/11-043
   a. Adopted Resolution No. 10-273 to amend the Fiscal Year (FY) 2010-11
      Assessor’s budget 1180, Unit 8003 to delete one Appraiser III and one Office
      Assistant II and add one Supervising Appraiser; and
   b. Authorized the County Administrative Office to incorporate approved changes
      in the Assessor’s FY 2010-11 Budget 1180, Unit 8003.
16. **Board Budget No. 10/11-044**
   Approved and authorized the Auditor-Controller to amend the Fiscal Year 2010-11 budget to increase revenue and appropriations in Community Development Grants (Fund 013, Unit 8200) by $1,648,992.

17. Authorized the Registrar of Voters to consolidate and render specified election services to certain cities and districts relating to the conduct of the November 2, 2010 Consolidated General Election.

18. Appointed nominees to governing boards of various districts that have insufficient nominees to cause an election on November 2, 2010.
   **Motion by Supervisor Calcagno, seconded by Supervisor Armenta. ALL AYES**

19. **Board Budget No. 10/11-045**
   Adopted Resolution No. 10-274 to amend Personnel Policies and Practices Resolution No. 98-394 to:
   a. Add the classifications of Elections Program Manager, Elections Services Specialist I and Elections Services Specialist II, with the salary ranges designated below, and delete the classification of Election Services Specialist; and
   b. Amend the Fiscal Year (FY) 2010-11 Elections Budget Unit ELE001 to approve the reallocation and reclassification of five (5) FTE Election Services Specialists to five (5) FTE Elections Program Managers; and
   c. Authorize the County Administrative Office to incorporate approved actions in Elections Unit 1410-8064, FY 2010-11 adopted budget.

20. **Board Budget No. 10/11-046**
   a. Approved and authorized the County Librarian to purchase a $300,000 bookmobile and laptops in FY2010-2011, allowing the library to continue the delivery of library services to the rural areas of south Monterey County;
   b. Increased FY2010-2011 revenue and appropriations by $300,000 in the County Library Budget Unit 6110 as detailed on the attached Board Order (4/5th vote required), and
   c. Authorized the Auditor-Controller to make the related changes in BU6110 County Library.

21. **Agreement No. A-11860; Board Budget No. 10/11-047**
   a. Approved, ratified and authorized the County Librarian to sign a Memorandum of Understanding (Attachment A) with and accept grant funds of $20,000 from the Community Hospital of the Monterey Peninsula for the Fiscal Year 2010-11, to purchase health and wellness resources for the Marina Branch Library.
   b. Increased FY 2010-11 revenue and appropriations by $20,000 in the County Library Budget Unit 6110 as detailed in the Board Order (4/5th vote required), and
c. Authorized the Auditor-Controller to make the related changes in BU6110-County Library.

**RMA - PLANNING DEPARTMENT:**

22. a. Approved Amendment No. 5 to Professional Services Agreement No. A-10268 with Cascade Software Systems, Inc. to continue to provide services associated with program maintenance and program modifications to the Windows-based Cost Accounting Management System (Win-CAMS) for the Resource Management Agency, in the amount of $35,000 for a total amount not to exceed $333,700 and extend the term through December 31, 2011; and

b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 5 to Professional Services Agreement No. A-10268 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount. (PD061223/Cascade Software Systems, Inc., County-wide)

**RMA - PUBLIC WORKS:**

23. **Removed from Agenda during Additions and Corrections**

Adopt Resolution 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.

24. Construction No. 2007-0006

a. Adopted Resolution No. 10-275 to accept the Certificate of Completion for the Health Department Building, Project No. 8776, Bid Package No. 9945-01; and

b. Authorized the Director of Public Works to execute and record the Notice of Completion.

25. a. Set a Public Hearing for October 26, 2010, at 1:30 p.m. to consider approving the Petitioner/Freeholder proposed vacation/abandonment of 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;

b. Directed the Clerk of the Board to publish a Notice of Public Hearing in The King City Rustler and the San Luis Obispo Tribune, on October 4 and October 11, 2010, and notify Petitioners and Interested Parties fifteen days prior to the Hearing at the addresses listed on the petition;

c. Directed the Department of Public Works to post copies of the Notice of Public Hearing in the area of the County Road which has been proposed to be vacated; and

d. Considered a waiver of the road abandonment fee.
26. a. Approved Amendment No. 5 to Professional Services Agreement No. A-11714 with Mill Construction Company, Inc. to continue to provide tasks associated with construction management consulting services for the Renovation of the North Wing of the Salinas Courthouse, Project No. 8772, and provide additional services in support of the Court’s move in the amount of $50,850 for a total amount not to exceed $212,850 and extend the term through October 31, 2010; and
   b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 5 to Professional Services Agreement No. A-11714.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

27. Board Budget No. 10/11-048
   Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey: Authorized the Director of the Redevelopment and Housing Office to extend the time for repayment of $240,193 from Castroville-Pajaro Redevelopment Capital Fund 171, to the County’s Neighborhood Stabilization Program (NSP1) from September 30, 2010 to December 31, 2010

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