The Clerk of the Board will issue a Supplemental Agenda on the Friday preceding this meeting. To see if there are any changes, please go to the County’s website at, http://monterey.granicus.com/ViewPublisher.php?view_id=5 or call the Clerk of the Board office at 755-5066. Urgency items, submitted after posting of the Supplemental Agenda and/or Regular Agenda, may be read in by the Clerk of the Board at the beginning of the meeting.
MEETING PROCEDURES

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901.

As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

The agenda is divided into two sections:

REGULAR CALENDAR: These items include significant financial and administrative actions, and items of special interest, usually approved by a single majority vote for each program. The regular calendar also includes “Scheduled Matters,” which are noticed hearings, work sessions and public hearings.

CONSENT CALENDAR: These matters include routine financial and administrative actions, appear in the supplemental section by program areas, and are usually approved by a single majority vote.

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Walk to the rostrum and wait for recognition by the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board’s action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

TO ADDRESS THE BOARD DURING PUBLIC COMMENT: Please complete a Speaker Request Form, available on the rostrum, and submit it to the Clerk of the Board before the commencement of that agenda item. Public comments shall not pertain to matters on the agenda.

DOCUMENT DISTRIBUTION: Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

INTERPRETATION SERVICE POLICY: The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for translation assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un intérprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un intérprete. Los pedidos se deben 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.
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, MARCH 23, 2010
9:00 AM

AGENDA

9:00 A.M.

ROLL CALL:

1. Additions and Corrections for Closed Session:

   The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in 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 54957, the Board will provide a performance evaluation for the Natividad Medical Center CEO.

   b. Pursuant to Government Code section 54957, the Board will confer regarding recruitment for the position of Equal Opportunity Officer.

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

   d. Pursuant to Government Code section 54956.9(a), the Board will confer regarding existing litigation.

      (1) Clifford L. Jackson v. Monterey County Jail, et al. (USDC Case No. C07-01202)

      (2) Dorsami Reddy v. Skanska USA Building, Inc., et al. (MCSC Case No. M81383)

      (3) County of Monterey v. Nova Partners, et al. (MCSC Case No. M96829)

      (4) In the Matter of the Application of California-American Water Company (U 210 W) for a Certificate of Public Convenience and Necessity to Construct and Operate its Coastal Water Project to Resolve the Long-Term Water Supply Deficit in its Monterey District and to Recover All Present and Future Costs in Connection Therewith in Rates (PUC A.04-09-019)

   PRIVILEGED AND CONFIDENTIAL - SETTLEMENT DISCUSSIONS - SUBJECT TO RULE 12.6 OF THE CPUC RULES OF PRACTICE AND PROCEDURE, CALIFORNIA EVIDENCE CODE SECTION

(5) SEIU Local 521 v. County of Monterey (PERB UPC No. SF-CE-696-M)
(6) M. Sapiens Group Grievance (SEIU Case No. 57501-521; State Mediation and Conciliation Service Case No. ARB-09-0308)
(7) Joseph Palazzolo (WC)

e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators
   (1) Designated representatives: Keith Honda and Patricia Covert; Employee organizations: All Units

f. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding potential initiation of one litigation case.

g. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators.
   (1) Property: 312 East Alisal Street, Salinas
       County negotiator: Wayne Tanda, RMA Director
       Negotiating parties: The County of Monterey and the City of Salinas
       Under negotiation: Price and terms

h. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding the following item of significant exposure to litigation/liability claim:
   (1) Claim of Maryellen Stanton

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.

10:30 A.M.

ROLL CALL:

3. Pledge of Allegiance

4. Additions and Corrections

The Clerk of the Board will announce agenda corrections and proposed additions which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.
5.  CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

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

OTHER BOARD MATTERS:

7.  Board Comments

8.  CAO Comments and Referrals

9.  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.

10.  Adopt Resolution honoring Robert S. Brower on being named the 2009 Hospitality Professional of the Year by the Monterey County Hospitality Association. (Full Board)

11.  Adopt Resolution of support for Assembly Bill 1791, which would permit redevelopment agencies with jurisdiction over portions of the former Fort Ord to use tax increment funds to support certain commercial projects. (Full Board)

12.  Adopt Resolution honoring Pastor Herb and Margo Valero in recognition of their outstanding contributions over the last 20 years to Victory Outreach. (Supervisor Salinas)

13.  Adopt Resolution proclaiming the week of March 22 through 26, 2010, as "Tsunami Awareness and Preparedness Week" in Monterey County.

APPOINTMENTS:

14.  Reappoint Mario Salazar and John Pinio to the Commission on Disabilities, terms ending December 31, 2012. (Full Board)

15.  Appoint Esther Rubio to the Monterey County Children and Families Commission, term ending March 23, 2011. (Full Board)

15.1 Appoint David Tavares to the Pajaro-Sunny Mesa Community Services District, term ending November 30, 2011. (Supervisor Calcagno)
SCHEDULED MATTERS:

S-1  a. Consider approval of the response to the Monterey County Civil Grand Jury 2009 Final Report;
    b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by April 9, 2010; and

S-2  a. Consider approval of a Supervisorial Redistricting Work Program for the purpose of redistricting in 2011 and direct staff to implement the program;
    b. Approve formation of a Citizen Redistricting Advisory Committee and Citizen Redistricting Advisory Committee By-laws; and
    c. Consider approval and direct the Auditor-Controller to transfer appropriations of $30,167 from General Fund Contingencies to County Administrative Office (CAO) Intergovernmental & Legislative Affairs Division (4/5th vote required).

S-3  Acting as the Board of Supervisors of the Water Resources Agency of the County of Monterey:
Receive the Monterey County Water Resources Agency Board of Directors July through December Quarterly Reports for Fiscal Year 2009-10.

12:00 P.M.

Recess to Lunch – Continued Closed Session

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-4  Receive a presentation from youth researchers involved in the Office for Employment Training 2009 Summer Youth Employment Program - Youth in Focus Action Research Project.

S-5  Receive an oral presentation from the Health Department's Clinic Services Director highlighting the County's Federally Qualified Health Center Look-Alike Clinics.

S-6  Public hearing to consider:
    a. Granting the appeal by Marjorie Kay from the Minor Subdivision Committee's adoption of a Mitigated Negative Declaration and approval of a Coastal Development Permit PLN080185 (ZA06672/Jehovah Witnesses South Spanish Congregation); and
b. Denying Coastal Development Permit (PLN080185/Jehovah Witnesses South Spanish Congregation) consisting of a Tentative Parcel Map creating four parcels of 3 acres, 3 acres, 3 acres, and 11 acres.
(Appeal - PLN080185/Jehovah Witnesses South Spanish Congregation, 125 Sill Road, Las Lomas) (Continued from Tuesday, March 24, 2009)

ORDER FOR ADJOURNMENT
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

16. a. Authorize the Director of Health to sign an Agreement with Community Hospital of the Monterey Peninsula, Inc., with a term from March 30, 2010 to March 29, 2013, to authorize Adrian L. Strand, M.D. to provide professional services at the Outpatient Immunology Services Department on a part-time basis in an amount not to exceed $148,200; and

b. Authorize the Director of Health to approve up to three (3) future Amendments to this Agreement where the Amendments do not exceed ten percent (10%) of the annual amount, and do not significantly alter the scope of work or result in an increase to Net County Contributions.

17. a. Approve and authorize the Director of Health to sign a Mental Health Services Agreement with Daystar Residential, Inc. for the provision of day treatment medication support, and mental health services for Monterey County's youth in the annual amount of $58,400 for Fiscal Year (FY) 2010-11, FY 2011-12, and FY 2012-13, for a total contract amount of $175,200; and

b. Authorize the Director of Health to sign up to three future amendments to this Agreement where the amendments do not exceed five percent (5%) of the original contract amount and do not significantly change the scope of work.

GENERAL GOVERNMENT:

18. Approve Action Minutes of the Board of Supervisors meetings of Tuesday, February 9, 2010; Friday, February 26, 2010; and Tuesday, March 2, 2010.

19. a. Approve and authorize the Contracts/Purchasing Officer to execute County Master Agreements with Central Coast Sign Language Interpreters, Language Line Services, Inc., Language Quest, Medialocate, and Richard Schneider Enterprises, Inc., for the provision of language translation/interpretation and/or sign language services for the County of Monterey on an as-needed basis for the initial term of two years from the date of execution through and including February 29, 2012, and to include the option to extend the Master Agreements for three (3) additional one (1) year periods in accordance with the terms and conditions set within each Agreement, and, the aggregate amount to be spent for all Agreements issued under RFP No. 10184 shall not exceed $500,000;

b. Authorize the Contracts/Purchasing Officer to exercise the options therein for three (3) additional one (1) year periods in accordance with the terms and conditions set within each Agreement and

c. Authorize the Contracts/Purchasing Officer to execute similar additional Agreements for language translation/interpretation and/or sign language services with qualified contractors who meet the minimum requirements of the County of Monterey.
RMA - PLANNING DEPARTMENT:

20. a. Approve Amendment No. 4 to Professional Services Agreement No. A-11225 with Denise Duffy & Associates, Inc. (DDA) where the Base Budget is increased by $66,510 to $384,840 with a Contingency increase of $9,977 to $57,726, for a total amount not to exceed $442,566 to provide additional services associated with the Environmental Impact Report (EIR) for the Villas de Carmelo (PLN070497) in Carmel, Coastal Zone, for a term through September 30, 2010;  
b. Approve Amendment No. 4 to Funding Agreement No. A-11226 with Carmel Hospital Development, LLC where the Base Budget is increased by $66,510 to $384,840 and the County Surcharge is increased by $31,307 to $138,563, with a Contingency increase of $9,977 to $57,726, for a total amount not to exceed $581,129 to allow funding to Monterey County for costs incurred by DDA and County departments to provide additional services associated with the EIR for the Villas de Carmelo (PLN070497) in Carmel, Coastal Zone, for a term through September 30, 2010; and  
c. Authorize the Director of Planning to execute Amendment No. 4 to Professional Services Agreement No. A-11225, Amendment No. 4 to Funding Agreement No. A-11226 and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

(PSA - PD060228/Denise Duffy and Associates)

RMA - PUBLIC WORKS:

21. a. Approve Amendment No. 3 to Professional Services Agreement No. A-10741 with LSA Associates, Inc., to provide additional environmental services to conduct cultural resource studies in order to prepare a Historical Resources Evaluation Report as required by Caltrans and update the Contractor's billing rates for the Davis Road Bridge Replacement Project, County No. 208, at Salinas River, Project No. 360065, Federal Aid Project No. BRLS-5944 (068), including the widening of Davis Road to four lanes between Blanco Road and Reservation Road in Monterey County in the amount of $20,680 for a total amount not to exceed $416,925 for a term through March 31, 2011; and  
b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 3 to Professional Services Agreement No. A-10741 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

22. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:  
a. Adopt Resolution Certifying the Final EIR, including adopting Mitigation Monitoring and Reporting Plan, CEQA Findings, and a Statement of Overriding Considerations for the Pajaro Park;
b. Adopt Resolution finding that the conveyance of APN 117-221-034 is exempt from CEQA;

c. Approve and authorize the Chair to sign a Real Property Acquisition and Donation Agreement with Granite/PBC Pajaro, LLC for conveyance of 5.8 acres of land located at 24 San Juan Road in Pajaro (APN 117-341-002, 117-341-003, 117-331-025, and 117-221-034); Authorize the Director of Redevelopment and Housing to accept and record the Grant Deed conveying the property; and

d. Direct the Auditor-Controller to move appropriations within Fund 171, Unit 8210, in the amount of $200,000 from Object 6613 - Other Professional and Special Services, to Object 7511 - Land.

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MONTEREY COUNTY

BOARD OF SUPERVISORS

Addendum for Tuesday, March 23, 2010

**Items Removed Under Closed Session:**

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

2. d. Pursuant to Government Code section 54956.9(a), the Board will confer regarding existing litigation.

(4) In the Matter of the Application of California-American Water Company (U 210 W) for a Certificate of Public Convenience and Necessity to Construct and Operate its Coastal Water Project to Resolve the Long-Term Water Supply Deficit in its Monterey District and to Recover All Present and Future Costs in Connection Therewith in Rates (PUC A.04-09-019)


**Item Added Under Closed Session:**

2. Closed Session under Government Code section 54950, relating to the following items:
i. Pursuant to Government Code section 54956.9(a), the Board of Supervisors of the Water Resources Agency will confer with legal counsel regarding existing litigation.

   (1) In the Matter of the Application of California-American Water Company (U 210 W) for a Certificate of Public Convenience and Necessity to Construct and Operate its Coastal Water Project to Resolve the Long-Term Water Supply Deficit in its Monterey District and to Recover All Present and Future Costs in Connection Therewith in Rates (PUC A.04-09-019)


Item Added Under Other Board Matters:


   (Supervisor Calcagno)

Item Revision Under Scheduled Items:

S-2   a. Consider approval of the response to the Monterey County Civil Grand Jury 2009 Final Report;

   b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by April 9, 2010; and


   There were no changes made to either the Board Report or Order. The final Board response to the 2009 Civil Grand Jury Report includes revisions to Section 2.

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