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

1. Additions and Corrections for Closed Session: County 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, the Board is asked to make the following additions and corrections:

ADDITION UNDER CLOSED SESSION:
2. Closed Session under Government Code section 54950, relating to the following items:
   d. Pursuant to Government Code section 54956.9(b), the Board will confer regarding one two items of significant exposure to litigation.
Motion by Supervisor Parker, seconded by Supervisor Armenta: ALL AYES
2. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding potential initiation of one litigation case.
   CLOSED SESSION REPORT: The Board conferred with counsel and did not authorize initiating litigation in this matter; however the Board gave authority to counsel to monitor this matter and communicate to any parties involved.

   b. 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
   CLOSED SESSION REPORT: The Board conferred with the real property negotiator and provided direction to Mr. Tanda as to how to proceed in negotiations.

   c. 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
   CLOSED SESSION REPORT: The Board conferred with labor negotiators and provided direction to Mr. Honda tentatively, how to proceed. This item will return to the Board on March 16, 2010 for further consideration.

   d. Pursuant to Government Code section 54956.9(b), the Board will confer regarding two items of significant exposure to litigation. (Revised on Additions and Corrections)
   CLOSED SESSION REPORT: The Board conferred with counsel on two items and provided direction to counsel on how to proceed to limit exposure to liability.

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

3. The Pledge of Allegiance was led by Clerk of the Board Gail T. Borkowski.

4. Additions and Corrections: None.

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   · Commander James Suriano commented on Item 13.
   · Supervisor Parker advised she did not receive a copy of the Memorandum of Understanding for Item 13 in her packet and requested the matter be continued.
Motion by Supervisor Parker, seconded by Supervisor Armenta to approve the Consent Calendar, with the exception of Item 13, which was continued to March 16, 2010. ALL AYES

OTHER BOARD MATTERS:

6. Board Comments:
   · Supervisor Armenta advised several Board members will be attending the NACo Legislative conference next week in Washington, DC. He also advised he will be absent on March 16, 2010 as he will be attending the APTA Legislative Conference on behalf of the Monterey-Salinas Transit Board of Directors.

7. CAO Comments and Referrals
   County Administrative Officer Lew Bauman advised of the following Board referral:
   1) Review fee structure for temporary food vendor permits and research a fee waiver or reduced fee for non-profit organizations; assigned to Environmental Health. (Salinas)

8. Public Comment
   Hans Jongens

9. Oral report received from the Health and Human Services Strategic Initiatives group from the Board of Supervisors Special Meeting Workshop on Tuesday, February 16, 2010, at California State University Monterey Bay.
   · Elliott Robinson, Director of DSES presented the oral report.

APPOINTMENTS: 10 through 11.1 heard consecutively.

10. Reappointed Eric Heckman to the Commission on Disabilities, term ending December 31, 2012. (Full Board)
    Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

11. Reappointed Mary Orradre to the San Ardo Cemetery District, term ending December 31, 2012. (Supervisor Salinas)
    Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

11.1 Appointed Wayne Clark to the Monterey County Children and Families Commission, serving at the pleasure of the Board of Supervisors. (Full Board)
    Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

11.2 Appoint Jeannette Selina Vera-Morga and Jessica Nicholas to the Community Restorative Justice Commission as Co-Student Representatives, terms ending March 2, 2013. (Full Board)-(Removed via Addendum)
SCHEDULED MATTERS:

S-1 Approved 2010 Annual Housing Report including funding recommendations.  
**Public Comment:** Dana Cleary; Manny Huerta; Robert Smith; Hans Jongens  
**Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES**

S-2 Approved and adopted the County of Monterey Equal Opportunity for Persons with Disabilities and Reasonable Accommodation Policy.  
**Public Comment:** John Pinio  
**Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES**

S-3 **Granted the request of staff to continue this item to April 20, 2010 to consider:** the appeal by Wayne Holman for Aromas Heritage Oaks LLC from the Planning Commission denial of a Combined Development Permit (Aromas Heritage Oaks; PLN980503) consisting of:  
a. Standard Subdivision to divide approximately 79.5 acres into 32 parcels ranging in size from 1.0 acres to 15.91 acres, including one lot (Lot 32) with four inclusionary rental units;  
b. Use Permit for removal of approximately 367 protected oak trees (271 for roads and up to 96 on the individual lots);  
c. Use Permit for four inclusionary rental units; and  
d. Grading (approximately 5,100 cubic yards cut and 5,100 cubic yards fill).  
(PLN980503/Aromas Heritage Oaks LLC, North County Area Plan)  
(Previously continued from December 8, 2009)  
**Motion by Supervisor Calcagno, seconded by Supervisor Armenta. ALL AYES**

CLOSED SESSION REPORT (see item 2.a. – d.)

ORDER FOR ADJOURNMENT  
_In Memory of Dave Kenyon_  

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

ATTEST: GAIL T. BORKOWSKI  
Clerk of the Board

BY:  /s/ Gail T. Borkowski____
CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

12. Agreement No. A-11649 Approved and authorized the Director of Health to sign a Professional Services Agreement with Addendum No. 1 with Independent Review Consulting, Inc. to provide review of grant application(s) for the protection of human subjects for the County of Monterey for the term Fiscal Year (FY) 2009-10 through FY 2011-12 in the total contract amount of $14,100.

13. **Continued to March 16, 2010**
Authorize the Emergency Medical Services (EMS) Director to sign a Memorandum of Agreement (MOA) with the U.S. Army Garrison Fort Hunter Liggett to provide medical direction for Fort Hunter Liggett’s Advance Life Support (ALS) paramedic level service and ambulance transport.

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

14. Agreement No. A-11650 Authorized the Contracts/Purchasing Officer to sign Amendment No. 1 to the Agreement with VNA Community Inc., to increase the Agreement by $150,000 for a revised total of $250,000, for the provision of qualified medical professionals to administer H1N1 vaccine at immunization clinics within Monterey County for the period of November 7, 2009 through June 30, 2010.

CRIMINAL JUSTICE:

15. Approved and authorized the Sheriff to apply for the Anti-Drug Abuse Recovery Act Program (ADA RAP) grant in the amount of $313,492 and the California Multi-Jurisdictional Methamphetamine Enforcement Team (Cal-MMET) Recovery Act Program in the amount of $40,580 through the California Emergency Management Agency (Cal EMA) to enhance the ongoing programs for the Narcotics Enforcement Unit County of Monterey (NEUCOM) and Cal-MMET for the period of March 1, 2010 to February 28, 2012.

GENERAL GOVERNMENT:

16. a. Approved specifications for annual maintenance and repair of Parks Department roadways at Laguna Seca Recreation Area, for calendar year 2010 (January 1, 2010 through December 31, 2010), Bid No.10225, and authorize solicitation of bids;

b. Authorized and direct the Clerk of the Board to advertise the "Notice to Bidders" in The Californian on March 8 and March 15, 2010.
17. Board Budget No. 09/10-110
   a. Approved the Transfer of Automation System Designations totaling $632,171 to Available Fund Balance and increase Appropriations in the Fund 001 - Other Financing Sources, CAO017; and
   b. Increased appropriations in Fund 403 - Capital Projects Automation Fund, AUD006, by $832,171 offset by an Operating Transfer In totaling $632,171 and use of available fund balance totaling $200,000 to fund additional costs of Advantage HRM/Payroll Project (4/5th vote required).

18. Authorized the Registrar of Voters to render limited election services to the City of Carmel-by-the-Sea for the April 13, 2010 General Municipal Election.

19. Board Budget No. 09/10-111
   a. 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 Fiscal Year (FY) 2009-10;
   b. Approved and authorized an increase in FY 09-10 estimated revenue and appropriations by $52,359 in Emergency Communications Budget Unit 1520-8065 as detailed in the Board Order (4/5th vote required); and
   c. Increased revenue and appropriations in the NGEN Radio Project Fund as detailed in the Board Order (4/5th vote required).

19.1 Approved the Board of Supervisors meeting Action Minutes of Tuesday, January 26, 2010 and Tuesday, February 2, 2010.

RMA - PLANNING DEPARTMENT:

20. a. Accepted and authorized the Chair of the Board of Supervisors to execute the Conservation and Scenic Easement Deed;
    b. Directed the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing and recordation. (Conservation and Scenic Easement Deed - PLN070121/Gonzalo and Gloria Fernandez, 283 Maher Road, Royal Oaks, North County Land Use Plan, Coastal Zone)

21. Board Budget No. 09/10-112
   a. Found that a $1 million Cash Deposit, which the Rancho San Carlos Partnership, LP deposited with the County in 2005 to secure its performance of the indemnification condition of approval for Phase E of the Santa Lucia Preserve, is appropriate to release per the terms of the indemnification agreements between the County and the Rancho San Carlos Partnership; and
   b. Authorized the Resource Management Agency Planning Director to release to the Preserve Golf Club, Inc. the sum of $1,160,095.82, comprised of the Cash Deposit of $1 million plus accrued interest of $160,095.82, pursuant to an
assignment agreement between the Rancho San Carlos Partnership, LP and the Preserve Golf Club, Inc.

RMA - PUBLIC WORKS:

22. 2008CONST008  
   a. Accepted the Certificate of Completion for the First Floor Recorder-County Clerk and Assessor Area Remodel, Project No. 8814, Bid Package No. 10081; and  
   b. Authorized the Director of Public Works to execute and record the Notice of Completion.

23. Introduced, waived the reading, and set March 16, 2010, at 1:30 p.m. to consider adoption of an ordinance of the Monterey County Code to add Chapter 16.14, Urban Stormwater Quality Management and Discharge Control. (Added via Addendum)