ACTION MINUTES
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY WATER RESOURCES AGENCY

TUESDAY, OCTOBER 5, 2010
9:00 A.M.

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

1. Additions and Corrections for Closed Session: County Counsel confirmed the deletion of item 2.c. via the Supplemental/Addendum.

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) Jeff and Marie Gibbs v. Carmel Unified School District, et al. (Office of Administrative Hearings Case No. 2010 040 968)
      CLOSED SESSION REPORT: The Board provided direction to staff in this matter.

      (2) Latonya Moore v. County of Monterey (MCSC case No. M91935)
      CLOSED SESSION REPORT: The Board received an update on the status of litigation and provided direction to staff.
b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding three items of significant exposure to litigation.

CLOSED SESSION REPORT: The Board received information on two matters and provided direction to staff on how to handle those matters. In regards to the third matter involving the Monterey Anesthesia Professionals and an exposure to litigation, the Board authorized settlement of some claims in this matter and upon execution of the settlement and release agreement a copy will be available in the office of the County Counsel.

e. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
   (1) Property: Monterey County Courthouse, West Wing, 240 Church Street, Salinas, California County negotiator: Wayne Tanda, Director of the Resource Management Agency; Negotiating parties: The County of Monterey and the Administrative Office of the Court; Under negotiation: Price and terms (Removed via Addendum) Removed via Supplemental/Addendum

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

3. The Pledge of Allegiance was led by Assistant County Counsel Lee Blankenship.

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:

Remove Under Other Board Matters:
5.1 Adopt a resolution proclaiming October 2010 as Disability Employment Awareness Month in Monterey County. (Supervisor Calcagno)

Remove Under Scheduled Items:
S-1 Receive an oral presentation from the Monterey County Business Council (MCBC) regarding the status of the Monterey County Competitive Clusters (C2) Project.

Remove Under Consent Regular – General Government:
13. Approve and authorize delegation of authority to the Assistant County Administrative Officer, or designee, to negotiate and execute any and all necessary documents to implement the intent of the amendment to the Transfer Agreement for the North Wing Court Facility pursuant to the Trial Court Facilities Act of 2002, from the County of Monterey to the Judicial Council of California, Administrative Office of the Courts following approval by County Counsel as to form and legality, and approval by the County Administrative Officer, delegation of authority shall expire on January 31, 2011.
Adjourn in the Memory of:
Jean Marie Greene. (Supervisor Salinas)

Motion by Supervisor Calcagno, seconded by Supervisor Parker. 3-0
(Supervisor Armenta and Supervisor Potter Absent)

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
Motion by Supervisor Parker, seconded by Supervisor Calcagno. 3-0
(Supervisor Armenta and Supervisor Potter Absent)

OTHER BOARD MATTERS:

5.1 Adopt Resolution proclaiming October 2010 as Disability Employment
Awareness Month in Monterey County. (Supervisor Calcagno) (Added via
Addendum) (Continued to October 12, 2010 via Additions and Corrections)

6. Board Comments:
Supervisor Parker expressed her appreciation for Supervisor Calcagno serving as
her guest at Hot Drinks and Hot Topics on October 4th.

7. CAO Comments and Referrals: None.

8. Public Comment
Hans Jongens; Eric Peterson

SCHEDULED MATTERS:

S-1 Receive an oral presentation from the Monterey County Business Council
(MCBC) regarding the status of the Monterey County Competitive Clusters (C2)
Project. (Removed from the agenda via Additions & Corrections)

S-2 Board Budget No. 10/11-049 Received an Oral Report from the Auditor-
Controller, Treasurer-Tax Collector and County Administrative Office on the
County’s Cash Balance and Impact of Delay of Adoption of the California State
Budget.
Motion by Supervisor Calcagno, seconded by Supervisor Parker. 3-0
(Supervisor Armenta and Supervisor Potter Absent)

S-3 Considered the schedule for the public hearing on the draft 2010 Monterey
County General Plan and its Environmental Impact Report (continued from
September 28 to October 12, 2010). (General Plan Update - PLN070525/County
of Monterey) (Added via Addendum)
Motion by Supervisor Parker, seconded by Supervisor Calcagno indicating
the Board’s intention to continue the public hearing on the draft 2010
Monterey County General Plan and its Environmental Impact Report
from October 12, 2010 to October 26, 2010 for the purpose of taking final
action and acknowledging staff will request clarification of two (2) issues on
October 12th. 3-0 (Supervisor Armenta and Supervisor Potter Absent)
Report of Closed Session (See item 2 a-b)

ORDER FOR ADJOURNMENT
In memory of Jean Marie Greene

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:

9. Agreement A-11861 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Monterey County Orthopedic Associates in an amount not to exceed $860,000 for Professional Orthopedic services at NMC for the period November 1, 2010 through October 31, 2011.

10. Agreement No. A-11862 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with John Schatz MD to provide Cardiology Services at NMC in an amount not to exceed $238,000 for the period October 1, 2010 through September 30, 2011.

11. Agreement No. A-11863; A-11864 Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute Agreements with Spin Recruitment Advertising and Schipper Design for Recruitment Advertising Services at NMC per RFP No. 9600-5 in an amount not to exceed $200,000 for the period August 1, 2010 through June 30, 2011.

HEALTH AND SOCIAL SERVICES:

12. a. Accepted the Monterey County Department of Social and Employment Services, Family and Children’s Services Branch 2010 Self Assessment as part of the California Outcomes and Accountability System; and

   b. Authorized the Department of Social and Employment Services to submit the approved plan to the California Department of Social Services and the Office of Child Abuse Prevention.

GENERAL GOVERNMENT:

13. Approve and authorize delegation of authority to the Assistant County Administrative Officer, or designee, to negotiate and execute any and all necessary documents to implement the intent of the amendment to the Transfer Agreement for the North Wing Court Facility pursuant to the Trial Court Facilities Act of 2002, from the County of Monterey to the Judicial Council of California, Administrative Office of the Courts following approval by County Counsel as to form and legality, and approval by the County Administrative Officer, delegation of authority shall expire on January 31, 2011.

   Removed via Additions & Corrections

14. Agreement No. A-11865 Approved and authorized the Contracts Purchasing Officer to sign a Professional Services Agreement with Management Partners, Inc. to assist in the development and implementation of a Performance Management System, effective from October 2010 through March 2012, agreement amount not to exceed $153,900, inclusive of expenses.