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

TUESDAY, OCTOBER 21, 2008
9:00 A.M.

9:00 A.M.

ROLL CALL:
Present: Supervisors Armenta, Salinas, Mettee-McCutcheon
Absent: Supervisors Calcagno, Potter

NOTE: Supervisor Potter arrived prior to going into Closed Session; Supervisor Calcagno joined during Closed Session.

CLOSED SESSION

S-1 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.

RESULTS OF CLOSED SESSION: The Board provided performance evaluation, reviewed goals and objectives providing input and continue evaluation.
b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding four items of significant exposure to litigation.

**RESULTS OF CLOSED SESSION:** The Board conferred with legal counsel, received staff reports for each item and provided direction to staff on how to proceed in those items.

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

**RESULTS OF CLOSED SESSION:** The Board received report from staff and provided direction in that matter.

d. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
   1. Patricia Bernardi, et al. vs. County of Monterey (M73763/H031648)
   2. In re: Washington Mutual, Inc. (U.S. Bankruptcy Court, Delaware, 08-12229)
   3. In re: Lehman Brothers Holdings, Inc. (U.S. Bankruptcy Court, New York, 08-13555)

**RESULTS OF CLOSED SESSION:** The Board provided direction on how to proceed in Item No. 1. In the matters of No. 2 and 3 the Board received information and provided direction to staff on how to proceed in those matters.

1. No Additions or Corrections to Closed Session Items

**10:30 A.M. RECONVENED**

**ROLL CALL:**
Present: Supervisors Armenta, Calcagno, Salinas, Mettee-McCutcheon.
Absent: Supervisor Potter (present during Public Comment under Consent Items)

2. Pledge of Allegiance was led by Jack Stewart

3. No Additions and Corrections

4. **CONSENT CALENDAR – REGULAR** (See Supplemental Sheet)

Jan Mitchell requested Consent Item 24 be pulled for comment.

**Consent Item 24: PUBLIC COMMENT**

- Jan Mitchell, representing the Prunedale Neighbors Group and the Prunedale Preservation Alliance, expressed concern with Ordinance No. 5080, 5085, and 5090 expiring on Oct. 31, 2008, and encouraged the Board to avoid expiration of this moratorium or replace with a new moratorium until the General Plan is finalized.

   Carl Holm, Planning Department, responded.
The Board requested County staff report back on October 28 regarding the potential for alternative options.

**Motion by Supervisor Salinas, seconded by Supervisor Potter approving the Consent Calendar as presented. ALL AYES**

5. CONSENT CALENDAR – MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)
   **Motion by Supervisor Salinas, seconded by Supervisor Calcagno. All Ayes**

6. CONSENT CALENDAR – MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet)
   **Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes**

**OTHER BOARD MATTERS:**

7. Board Comments, Referrals, and Updates. No Comments.

8. CAO Comments. No comments

9. Public Comment (Limited to 3 minutes per speaker)
   - Ed Mitchell, representing Prunedale Neighbors Group, spoke regarding the proposed Carlsen Estates Subdivision and associated fire code violations, missing fire suppression tanks, and read a letter into the record. Mr. Mitchell further urged the Board to have the fire suppression tanks built before next fire season, and requested this issue be agendized for a status report.
   - Elizabeth Tovar, as interpreted by Benigno Delgado, stated she cares for her father who needs 24 hour care, but gets paid for 5 hours, and requested any type of help from the Board.
   - Joe Dalton, in-home care giver, requested wage increase be given to in-home care workers.
   - Maria Gomez, as interpreted by Benigno Delgado, requested help by raising her wages as an in-home care worker.
   - Lucia Rodriguez, asked the Board for a wage increase of a dollar for in-home care workers.
   - Dora Melchor, in-home care giver, asked for support of the Board for a wage increase.
   - Benigno Delgado summarized the program and wages and benefits, and urged the Board to move quickly on a wage increase.

10. Adopted Resolution No. 08-309 commemorating the selection of Ms. Wendy Brinkman of Oak Hills, CA, as the 2008 Professional Women’s Network Woman of the Year. (Calcagno)
    **Motion by Supervisor Calcagno, seconded by Supervisor Mettee-McCutchen. All Ayes**
11. Adopted Resolution No. 08-310 proclaiming October of 2008, as "National Domestic Violence Awareness Month." (Full Board)
   Motion by Supervisor Salinas, seconded by Supervisor Calcagno. All Ayes
   
   APPOINTMENTS: Items 12-14 were heard concurrently.

12. Reappointed Vivian Brennand to the Youth Council of the Monterey County Workforce Investment Board representing Monterey County Housing Authority for a term ending October 21, 2010. (Full Board)
   Motion by Supervisor Salinas, seconded by Supervisor Mettee-McCutchon. All Ayes

   Motion by Supervisor Salinas, seconded by Supervisor Mettee-McCutchon. All Ayes

14. Appointed Sonia Jaramillo to the Commission on the Status of Women to fill a vacancy of Rocio Gonzalez-Hunt for a term ending February 1, 2009. (Supervisor Salinas)
   Motion by Supervisor Salinas, seconded by Supervisor Mettee-McCutchon. All Ayes

County Counsel provided a Report out of Closed Session (see Items S-1, a-d)

   SCHEDULED MATTERS

S-2 Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Received a presentation on the Central Coast Veterans Cemetery Master Plan;
   b. Recommended the Central Coast Veterans Cemetery Master Plan to the California Department of Veterans Affairs for incorporation in the application process for the State Cemetery Grant Program; and
   c. Directed staff to work with the City of Seaside to prepare an agreement for the roles, responsibilities and schedules of performances relating to the funding of the endowment fund.

   Public Comment:
   · Bill Nye, - Encouraged the Board to participate.
   · Edith Johnsen, Retired Monterey County Supervisor, expressed support of staff recommendations and urged the approval by the Board.
   · Norm Channell, Retired Navel Officer, 5th District representative of the Advisory Committee and Military Affairs Board, urged the Board to approve staff recommendation.
James Bogan, 4th District Citizen National Committee, introduced members of the Committee.

Motion by Supervisor Mettee-McCutcheon, seconded by Supervisor Armenta. All Ayes

S-3 Received an oral presentation from the Pinnacles National Monument Staff.

ORDER FOR ADJOURNMENT

APPROVED:

/s/ Louis R. Calcagno
CHAIR, FERNANDO ARMENTA
LOUIS R. CALCAGNO
BOARD OF SUPERVISORS

ATTEST:

NICHOLAS E. CHIULOS
Interim Clerk of the Board

BY: /S/ Denise Hancock
Denise Hancock, Deputy
CONSENT CALENDAR

Motion by Supervisor Salinas, seconded by Supervisor Potter - All Ayes

NATIVIDAD MEDICAL CENTER:

15. Agreement No. A-11063 - Authorized the Contracts/Purchasing Officer for Monterey County to execute Amendment No. 1 to the Agreement between Natividad Medical Center and Quick Leonard Kieffer, for continued Consultative Services in an amount not to exceed $600,000 (an increase of $200,000) for the term November 1, 2008, through April 30, 2009.

HEALTH AND SOCIAL SERVICES:

16. Agreement No. A-11307
   a. Approved funding for the Oregon Community Health Information Network Agreement in the amount of $320,000 for Fiscal Year (FY) 2008-09, $330,000 for FY 2009-10 and $340,000 for FY 2010-11, for a total amount of $990,000; and
   b. Authorized the Contracts/Purchasing Officer to approve contract increases up to ten percent (10%) each fiscal year, based on increased patient visit counts.

GENERAL GOVERNMENT:

17. Approved amendments to the conflict of interest code of the County Administrative Office of Monterey County

18. a. Accepted the recommendation of the Monterey County Fish and Game Commission to award a funding grant to Monterey Bay Salmon and Trout Project; and
   b. Approved the distribution of Fish and Game grant funds in the amount of $6,000 for a specified grant project for Fiscal Year 2008-09.

19. Resolution No. 08-322; Board Budget No. 08/09-063
   a. Amended the Fiscal Year (FY) 2008-09 Human Resources Budget Unit 125 to delete one (1.0) Employee Relations Representative II and add one (1.0) Senior Secretary - Confidential; and
   b. Directed the Auditor-Controller to incorporate this change in the FY 2008-09 Human Resources Budget Unit 125, effective October 25, 2008.

SA-1  a. Ratified County Administrative Officer’s Letter of Request to the Secretary of the Treasury, Henry Paulson, Jr., requesting recovery of Troubled Assets under the Emergency Economic Stabilization Act of 2008, Troubled Assets Relief Program (TARP); and  
   b. Authorized the County Administrative Officer or Chair of the Board to sign joint letter with other public entities seeking recovery of troubled assets under TARP.

**RMA - PLANNING DEPARTMENT:**

   a. Approved Amendment No. 5 to the Professional Services Agreement No. A-10238 with Michael Brandman Associates, Inc. (MBA), where the Base Budget is increased by $16,698 to $245,378, for a total amount not to exceed $279,680, for preparation of an Environmental Impact Report (EIR) for the Heritage Oaks Subdivision (PLN980503) in North County, for a term through June 30, 2009;  
   b. Approved Amendment No. 5 to the Reimbursement Agreement No. A-10246 with Aromas Heritage Oaks, LLC, where the Base Budget is increased by $16,698 to $245,378, for a total amount not to exceed $359,718, to allow reimbursement to Monterey County for costs incurred by MBA and County departments for preparation of an EIR for the Heritage Oaks Subdivision (PLN980503) in North County, for a term through June 30, 2009; and  
   c. Authorized the Director of Planning to execute Amendment No. 5 to the Professional Services Agreement No. A-10238, Amendment No. 5 to the Reimbursement Agreement No. A-10246 and future amendments that do not significantly alter the scope of work or change the approved Agreement amounts. (Contract - PD060227/Michael Brandman Associates, Inc., County-wide)

22. Adopted Resolution No. 08-312 of Support for the Ag Land Trust’s application to the California Conservation Farmland Conservation Program (CFCP), for grant funding for the purchase of an Agricultural Conservation Easement ("Easement") over the A. Gill Ranch. (Resolution - PD080826/A. Gill Ranch, Central Salinas Valley Area, Non-Coastal Zone)

23. Adopted Resolution No. 08-313 of Support for the Ag Land Trust’s application to the California Farmland Conservation Program (CFCP), for grant funding for the purchase of an Agricultural Conservation Easement ("Easement") over the Turri Ranch. (Resolution - PD080827/Turri Ranch, Central Salinas Valley Area, Non-Coastal Zone)

24. Adopted Resolution No. 08-314 to issue a report pursuant to Government Code Section 65858(d) describing the measures taken to alleviate the condition which led to the adoption of Interim Ordinance No. 5080, as modified and extended by
Ordinance Nos. 5085 and 5090, temporarily applying certain uniform restrictions and regulations in the processing of discretionary development entitlements and restricting new applications for standard subdivisions and projects requiring a general plan or zoning amendment, pending the County’s consideration of further amendments to the 2006 General Plan. (Interim Ordinance -PD080861/General Plan Update, Countywide, non-coastal).

RMA - PUBLIC WORKS:

25. Approved release of Labor and Materials Bond No. 867330S issued by Indemnity Company of California for improvements within the Boronda Oaks Subdivision.

26. Agreement No. A-11308; 2008CONST0009
   a. Awarded a contract in the total amount of $188,097 to Knowlton Construction, the lowest responsible bidder, for the IT Fleet Parking Lot Improvements, Information Technology Building, Project No. 859502, Bid No. 10124;
   b. Approved the Performance and Payment Bonds executed and provided by Knowlton Construction;
   c. Authorized a contingency (not to exceed ten percent (10%) of the contract amount) to provide funding for the approved contract; and
   d. Authorized the Acting Public Works Director to execute the contract.

27. Agreement No. A-10864
   a. Approved Amendment No. 1 to Professional Services Agreement No. A-10864 with Wood Rodgers, Inc., to provide additional services associated with Phase 1 - Project Report and Environmental Documentation and Phase 2 - Plans, Specifications and Engineer’s Estimate for State Highway 1 Climbing Lane between Carmel Valley Road and Rio Road, Project No. 09-869065, in the amount of $24,545 for a total amount not to exceed $455,935 and extend the term through October 31, 2010; and
   b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 1 to Professional Services Agreement No. A-10864 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:
Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes

28. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey, adopt the Fort Ord Veterans Cemetery Citizen’s Advisory Committee proposed revised bylaws, which adds an ex-officio member who represents families of deceased veterans.
29. Agreement No. A-10483 - Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey, approve and authorize the Chair to sign Amendment No. 2 to the Professional Services Agreement dated April 1, 2006 with Carey & Co. Inc., to provide additional architectural design services for the Japanese Schoolhouse Historic Restoration Project in an amount not to exceed $22,695 for a total not to exceed $185,185.

RMA- MONTEREY COUNTY WATER RESOURCES AGENCY
Motion by Supervisor Potter, seconded by Supervisor Salinas. All Ayes

30. a. Approved the Monterey County Water Resources Agency (MCWRA) reorganization;
    b. Amended Personnel Policies and Practices Resolution No. 98-394 (PPPR) to re-title five (5) classifications and adjust their salary ranges, and add four (4) new classifications as detailed in the attached Board Order;
    c. Reclassify and reallocate positions as detailed in the attached Board Order;
    d. Approved and amended PPPR Section A.9.7 Water Resources Professional Engineer Pay Premium to reflect the new titles for the Water Resources Engineer series and add the Water Resources Hydrologist and Water Resources Biologist series, as detailed in Attachment C;
    e. Approved the changes to the Hydrologist and Senior Hydrologist wage ranges retroactive to the first full pay period in October of 2007, as indicated in the attached Board Order; and
    f. Directed the Auditor-Controller to amend Fiscal Year 2008-09 Budget Unit 930, Water Resources Agency, to reflect these changes.

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