AGENDA
Tuesday, February 15, 2011

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.
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 deberán hacer lo más pronto posible, y a lo mínimo 24 horas de antelación para 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
TUESDAY, FEBRUARY 15, 2011
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 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
          (MCSC case no. M103586)
      (2) Gerald Pate v. County of Monterey (MCSC case no. M100633)
   b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
      (1) Designated representatives: Keith Honda and Dianne Dinsmore
          Employee Organizations: All Units
   c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators.
      (1) Property: 20 East Alisal Street, Salinas
          County negotiator: Lew C. Bauman, County Administrative Officer
          Negotiating parties: The County of Monterey and Croker Corner Partnership
          Under negotiation: Price and terms

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)

Recess

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

MONTEREY COUNTY REDEVELOPMENT AGENCY

ROLL CALL

6. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet, see item 52.)

Adjournment

Reconvene at the Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS

CEREMONIAL RESOLUTIONS

7. Adopt Resolution commending Captain Pat Hunton on her retirement from over twenty-eight years of dedicated service with the Monterey County Sheriff’s Office and Public Service. (Full Board)

8. Adopt Resolution honoring Mike Bernal upon his selection as 2011 Cattleman of the Year. (Supervisor Salinas)

9. Adopt Resolution honoring Byron Lynn upon his selection as 2010 King City Chamber of Commerce and Agriculture Citizen of the Year. (Supervisor Salinas)

10. Adopt Resolution honoring Valley Catering upon their selection as the 2010 King City Chamber of Commerce and Agriculture Business of the Year. (Supervisor Salinas)
11. Adopt Resolution honoring Earl Cauley upon his selection as the 2010 King City Chamber of Commerce and Agriculture Friend of the Community. (Supervisor Salinas)

12. Adopt Resolution proclaiming February 2011 as “African American History Month” in Monterey County. (Full Board)

13. Adopt Resolution recognizing Rabobank, N.A. as the 2010 Soledad-Mission Chamber of Commerce Business of the Year. (Supervisor Salinas)

14. Adopt Resolution recognizing Frank Trevino as the 2010 Soledad-Mission Chamber of Commerce Friend of the Chamber. (Supervisor Salinas)

15. Adopt Resolution recognizing Lucy Jensen as the 2010 Soledad-Mission Chamber of Commerce Citizen of the Year. (Supervisor Salinas)

APPPOINTMENTS

16. Reappoint Robert Greene to the Commission on Disabilities, term ending December 31, 2013. (Full Board)

17. Appoint Blanca Cantu to the Area Agency on Aging Advisory Council, term ending January 1, 2013. (Supervisor Armenta)

18. Reappoint Freda Escobar and Maria Castillo to the Equal Opportunity Advisory Commission, terms ending December 31, 2013. (Full Board)

19. Reappoint Marlene J. Thomason to the Cholame Valley Cemetery District, term ending February 1, 2015. (Supervisor Salinas)

20. Reappoint Ronald Panzier to the Soledad Cemetery District, term ending February 1, 2015. (Supervisor Salinas)

21. Appoint Esther Rubio to the Child Care Planning Council, to fill a vacant term ending December 31, 2011. (Full Board)

22. Appoint Jan Phillips Paulsen to the Child Care Planning Council, to fill a vacant term ending December 31, 2012. (Full Board)

23. Appoint Clair Richardson, M.C. to the Child Care Planning Council, to fill a vacant term ending December 31, 2011. (Full Board)

24. Reappoint Jayanti Addleman to the Equal Opportunity Advisory Commission, term ending December 31, 2013. (Full Board)
OTHER BOARD MATTERS

25. Board Comments

26. CAO Comments and Referrals

27. 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.

SCHEDULED MATTERS

S-1 a. Receive status report on 2010-2011 Monterey County Strategic Initiatives and Key Objectives; and  
    b. Provide further direction to staff as necessary.

S-2 a. Receive information regarding the Public Defender’s Truancy Court staffing and offender treatment program placement services provided by Monterey County Placements;  
    b. Provide direction for the second half of the fiscal year regarding Public Defender staffing of the Truancy Court and Monterey County Placement contract.

S-3 a. Accept an oral presentation from Ray Bullick, Director of Health, regarding Public Health Strategic Planning in Monterey County; and  
    b. Provide direction to return to the Board of Supervisors with draft strategic plan upon completion of community assessment and review with stakeholders.

12:00 P.M. RECESS TO LUNCH

Monterey County Board of Supervisors and Monterey County Water Resources Agency Joint Board Leadership Meeting

1:30 P.M. RECONVENE

ROLL CALL

SCHEDULED MATTERS

S-4 a. Conduct a public hearing under the requirements of Tax Equity and Financial Responsibility Act and the Internal Revenue Code of 1986, as amended; and,
b. Adopt a resolution approving the issuance of up to $14,000,000 in Private Activity Bonds by the California Municipal Finance Authority (CMFA) for the benefit of MP Manzanita Associates, Limited Partnership to provide for the financing of the Project.

S-5 Consider options and provide direction to staff for:
   a. Drafting an ordinance which would establish a deadline of three years for applicant action on discretionary land use permit applications; and
   b. Acting on discretionary land use permit applications where there has been insufficient activity by the applicant to progress the matter.
      (Discretionary Permits/Board Referral 2010.26 - REF100058, Countywide)

S-6 Approve the 2011 Annual Housing Report including funding recommendations.

S-7 Conduct a public hearing and:
   a. Adopt Resolution that authorizes the submittal of an application to the Department of Housing and Urban Development for a Neighborhood Stabilization 3 Program (NSP3) grant in the amount of $1,284,794 to purchase, rehabilitate, and resell abandoned and/or foreclosed homes and to assist with the redevelopment of vacant blighted properties;
   b. Authorize the Director of the Redevelopment and Housing Office to make minor modifications to and sign the grant application submittal documents including required certifications and execute any and all contracts and agreements and all other documents as required to undertake the NSP3 program.; and
   c. Authorize the Director or Assistant Director of the Redevelopment and Housing Office to sign all required NSP 3 reports, including Requests for Funds.

S-8 a. Conduct a public hearing under the requirements of Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended; and,
   b. Adopt Resolution approving the issuance of up to $120,000,000 of bonds in one or more series, by the ABAG Finance Authority for Nonprofit Corporations (“ABAG-FANC”) for the benefit of Episcopal Senior Communities, (the “Corporation”), a nonprofit public benefit corporation, a portion of which will be used to, among other things, finance, refinance indebtedness used to finance, or reimburse the cost of the acquisition, construction, expansion, remodeling, renovation, furnishing and equipping (the “Financing”) of certain continuing care facilities owned or operated by the Corporation ( the “Facilities”) located in the County of Monterey (the “County”).

ADJOURNMENT
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

28. Approve Amendment No. 2 to the Agreement with Aureus Radiology, LLC in an amount not to exceed $600,000, an increase of $400,000, for Diagnostic Imaging, Cardio-Pulmonary, Radiology, Occupational/Physical Therapy, and Pharmacy Registry Services at Natividad Medical Center for the period January 1, 2011 to December 31, 2011.

29. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 3 to the Agreement with Beacon Partners for Meditech Billing and Accounts Receivable (B/AR) Module Support services at NMC in an amount not to exceed $343,080 (an increase of $150,000) for the period February 1, 2011 to June 30, 2011.

30. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an increase of $1,500,000.00 to the Master Agreement for Nurse Registry Services (RFP No. 10093) from $1,515,030 to $3,015,030 for the period December 1, 2010 to June 30, 2011.

31. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement with Kronos Inc for Incorporated Software, Equipment and Services at NMC in an amount not to exceed $2,478,790 (an increase of $58,410) for the period October 1, 2010 to September 30, 2011.

HEALTH AND SOCIAL SERVICES

32. a. Adopt Resolution to amend the FY 2010-11 Department of Social and Employment Services Budget to delete one (1.0) FTE Office Assistant II and add one (1.0) FTE Accounting Technician; and
   b. Authorize the County Administrative Office to incorporate this change in the FY 2010-11 Department of Social and Employment Services Budget SOC005 and incorporate the change in the FY 2011-2012 adopted budget.

33. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign funding agreement #2M-1011-32 for $27,918 from the California Department of Aging for the Medicare Improvements for Patients and Providers Act of the Health Insurance Counseling and Advocacy Program for the period January 1, 2011 through June 30, 2012; and
   b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to this agreement, where
the total amendments do not exceed 10% of the original contract amount, and
do not significantly change the scope of work.

34. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 3 to the Membership Agreement with Oregon Community Health Information Network, Inc. for additional health information use and disclosure.

35. a. Approve and authorize the Contracts/Purchasing Officer to sign a Primary Care Physician Services Agreement with Central California Alliance for Health to provide reimbursement for healthcare services provided by the Clinic Services Bureau Budget Unit 4000 HEA 007; and
b. Approve and authorize the Contracts/Purchasing Officer to sign a Referral Physician Services Agreement with Central California Alliance for Health to provide reimbursement for healthcare referral services provided by the Clinic Services Bureau Budget Unit 4000 HEA 007; and
c. Authorize the Contracts/Purchasing Officer to sign up to three (3) future Amendments to these Agreements that do not materially change the scope of work or the anticipated revenues.

CRIMINAL JUSTICE

36. Approve an application and order for destruction of records for the Sheriff's Office.

37. Approve recommended revision No. 2 to the existing Records Retention Schedule for the Probation Department.

38. a. Ratify authorization for the Chief Probation Officer to sign and submit a grant application to First 5 Monterey County in the amount of $110,000 for the Probation Department's Child Advocate Program during Fiscal Year 2011-12;
b. Authorize the Chief Probation Officer to sign the Grant Agreement with First 5 Monterey County; and
c. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.

GENERAL GOVERNMENT

39. Adopt Resolution appointing David L. Krauss as Interim Emergency Services Manager pursuant to Government Code Section 21221 and requesting CalPERS to grant an employment extension per Subsection (h) of Section 21221.


42. Adopt Resolution to:
   a. Authorize the Treasurer-Tax Collector to Sell Specified Tax Defaulted Property at Public Auction via the Internet in Accordance with Revenue and Taxation Code section 3691 et. seq. for at least the Minimum Bid.
   b. Authorize the Treasurer-Tax Collector to Re-offer any Unsold Properties at a Reduced Minimum Bid at the Conclusion of the Sale or within a 90-day period.

43. a. Ratify the December 30, 2010 execution of Amendment No. 1 to Professional Services Agreement between the County of Monterey and Aviat U.S., Inc. for turnkey installation and configuration of four microwave radio links for the NGEN Radio Systems Project in an amount not to exceed $116,027 for the term of December 1, 2010 through June 30, 2011;
   b. Accept non-standard indemnification provisions for a Professional Services Agreement over $100,000 as recommended by the Director of Emergency Communications;
   c. Approve and authorize the Contracts/Purchasing Officer to sign up to three (3) amendments to this agreement, where the total amendments do not exceed ten percent (10%) of the original contract amounts, and do not significantly change the scope of work upon approval of County Counsel and the Director of Emergency Communications provided that funds are available in the NGEN Project Fund (EME002);
   d. Authorize the Auditor-Controller to increase revenue and appropriations in the NGEN Radio Project Fund (EME002) by $397,051 (4/5th vote required).

44. a. Make findings that the Redevelopment Agency funding for the design, acquisition and installation of street light and bus shelter improvements will be of significant benefit to the Boronda Redevelopment Project Area; that no other reasonable means of financing the improvements are available to the community; and that the payment of funds for the design, acquisition and installation of the improvements will assist in the elimination of one or more blighting conditions, and is consistent with the adopted Implementation Plan for the Boronda Redevelopment Project; and
   b. Approve and authorize the Chair to sign a Funding Agreement concerning the funding of street light and bus shelter improvements in the Boronda Redevelopment Area.

45. a. Adopt Resolution to approve Side Letter Agreements regarding Section 13.1.C Flexible Benefits Plan, County Elective Contributions addressing flexible credits for part-time employees in Units H and S; and
   b. Authorize the Auditor-Controller to implement the terms of these agreements.
46. a. Approve the Plans and Special Provisions for the Hyland Drive/El Rancho Way Street and Storm Drain Improvement Project, community of Boronda; and
b. Authorize the Clerk of the Board to advertise the "Notice to Bidders" in The Californian for ten consecutive days.

47. a. Approve and authorize the Contracts/Purchasing Officer to execute Statement of Work No. 6 in the amount of $304,000 for a total contract amount not to exceed $9,914,009.50 to: reconfigure the existing Advantage HRM system based on four agreements and one grievance settlement letter of understanding with SEIU Local 521, grievance settlements for the Overtime Calculations for Parks, Nurses and Probation, Side Letter Agreements with the Probation Officer's Association and SEIU Local 521 - Unit K (Social Workers), a change to the maximum accumulation of compensatory time-off for District Attorney Investigators, and a Side Letter Agreement regarding Flexible Benefit credits for part-time employees in Units H and S; and implement the Sick Leave Bank application;
b. Fund the additional "as needed" CGI hours included in the June 29, 2010 adopted Board Order totaling, $200,000; and
c. Approve the transfer of $550,000 from General Fund Contingencies to the Capital Automation Project fund and increase appropriations and estimated revenue in the Capital Automation Fund (403-1110-1111-8006), Appropriation Unit AUD006. (4/5th Vote Required)

RMA - PLANNING DEPARTMENT

48. a. Accept the Conservation and Scenic Easement Deed;
b. Authorize the Chair of the Board of Supervisors to execute the Conservation and Scenic Easement Deed; and
c. Direct 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-PLN990331/Connolly, 1207 Sombria Court, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone.

RMA – PUBLIC WORKS

49. a. Approve Plans and Special Provisions for the Davis Road Overlay Project, Project No. 11-141065; and
b. Authorize the Clerk of the Board to advertise the "Notice to Bidders" in The Californian for ten consecutive days commencing February 22, 2011.

50. a. Introduce, waive the reading, and set March 1, 2011, at 1:30 p.m. to consider adoption of an ordinance amending Chapter 7.32 of the Monterey County Code providing for the uniform regulation of taxicabs within the jurisdiction of the Monterey County Regional Taxi Authority;
b. Authorize the Chair of the Board to execute the Monterey County Regional Taxi Authority Joint Powers Agreement, allowing the County of Monterey to participate in the Monterey County Regional Taxi Authority; and
c. Authorize the Clerk of the Board to publish a Notice of Public Hearing in The Californian on February 22, 2011.

51. Adopt Resolution to terminate the emergency authorized to implement remediation repairs at the Monterey County Adult Detention Shower Facilities, Pods D and R, located at 1410 Natividad Road, Salinas, California.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

52. As the Board of Directors of the Monterey County Redevelopment Agency:
   a. Make findings that the Redevelopment Agency funding for the design, acquisition and installation of street light and bus shelter improvements will be of significant benefit to the Boronda Redevelopment Project Area; that no other reasonable means of financing the improvements are available to the community; and that the payment of funds for the design, acquisition and installation of the improvements will assist in the elimination of one or more blighting conditions, and is consistent with the adopted Implementation Plan for the Boronda Redevelopment Project; and
   b. Approve and authorize the Chair to sign a Funding Agreement concerning the funding of street light and bus shelter improvements in the Boronda Redevelopment Area.

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MONTEREY COUNTY
BOARD OF SUPERVISORS

Supplemental / Addendum for Tuesday, February 15, 2011
View Addendum reports at:

[http://www.in.co.monterey.ca.us/cob/Supplemental_Addendum%202011/](http://www.in.co.monterey.ca.us/cob/Supplemental_Addendum%202011/)

ADDENDUM

Add Under Ceremonial Resolutions
15.1 Adopt Resolution commending Jackie Craighead, as a recipient of the National Association for the Advancement of Colored People 2011 President’s Award. (Full Board)
15.2 Adopt Resolution commending Parniest Rivers Glover, as a recipient of the National Association for the Advancement of Colored People 2011 Lifetime Service Award. (Full Board)

CORRECTION

Correction Under Regular Consent – General Government
42. Adopt Resolution to:
   c. Authorize the Treasurer-Tax Collector to Sell 37 Specified Tax Defaulted Property at Public Auction via the Internet in Accordance with Revenue and Taxation Code section 3691 et. seq. for at least the Minimum Bid.
   d. Authorize the Treasurer-Tax Collector to Re-offer any Unsold Properties at a Reduced Minimum Bid at the Conclusion of the Sale or within a 90-day period.

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