AGENDA
Tuesday, May 12, 2009

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 interprete, 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 interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de antemano 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.
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 Section 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 54957.6, the Board will confer with labor negotiators:
      (1) Designated representatives: Keith Honda and Patricia Covert;
      Employee organizations: All Units
   b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
      (1) Frank Lunding & Planning 2020, et al. vs. County of Monterey & Carmel Valley Forum, et al. (MCSC Case No. M96219)

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, Referrals, and Updates

8. CAO Comments

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. Modify the Board of Supervisors Meeting Schedule to Add Tuesday, June 30, 2009 as a Regularly Scheduled Meeting and Cancel the Tuesday, July 7, 2009 Board meeting in recognition of Independence Day.

11. Adopt Resolution proclaiming the week of May 17 through May 23, 2009, as "National Public Works Week." (Full Board)

12. Adopt Resolution proclaiming the week of May 10 through May 16, 2009, as "Bike Week" in Monterey County. (Full Board)

13. Adopt Resolution proclaiming the week of May 17 through May 23, 2009, as “Classified School Employee Week” in the County of Monterey. (Full Board)

14. Adopt Resolution proclaiming May 13, 2009, as “Day of the Teacher” in Monterey County. (Full Board)

15. Adopt Resolution proclaiming May, 2009, as "Foster Care Month." (Full Board)

16. Adopt Resolution recognizing expansion of the Mexican American Opportunity Foundation in Monterey County. (Supervisor Armenta)

16.1 Adopt Resolution commemorating the celebration of the Golden Jubilee of the Castroville Artichoke Festival. (Supervisor Calcagno)

APPOINTMENTS:

17. Reappoint Alan Styles to the Housing Authority of Monterey County Commission, term ending April 1, 2013. (Supervisor Armenta)

18. Reappoint Ralph Villar to the Military and Veterans Affairs Advisory Commission, term ending January 1, 2012. (Supervisor Armenta)
SCHEDULED MATTERS:

S-1 Conduct a Public Hearing to consider:
   a. Adopt Resolution to approve the transfer of $70,000 in Community Development Block Grant Program Income from the Small Business Revolving Loan Fund into the 2008 Community Development Block Grant General Allocation Grant for the Sunflower Gardens project; and
   b. Direct the Auditor Controller to amend the Fiscal Year 2008-09 budget to increase estimated revenues and appropriations in Fund 16, Budget Unit 575 by $70,000 (4/5 th vote required).

12:00 P.M.
Recess to Lunch

1:30 P.M. RECONVENE

ROLL CALL:

SCHEDULED MATTERS:

S-2 a. Direct preparation of the Moss Landing Community Plan Update;
   b. Direct processing of specific project applications within Moss Landing concurrently with the update of the Community Plan; and
   c. Direct preparation of an Environmental Impact Report associated with the Moss Landing Community Plan update and projects within will be processed simultaneously, where the direct cost of the EIR, and half the administrative cost, will be paid for by the project proponents.
   (PD080541/Mossing Landing Community Plan, North County Coastal Land Use Plan, Coastal Zone)

S-3 a. Accept a report on options relating to extending permit expiration timelines;
   b. Concur with the Planning Director’s action to extend the expiration time period for new discretionary planning permits for projects approved during 2009 and 2010, excluding subdivisions, and to return with a report in November 2010 to determine if, based on the economic situation, the Board wishes to extend this program;
   c. Provide direction to staff to draft and process an ordinance, with Planning Commission recommendation, granting an automatic extension of two (2) years for existing permits that have been approved and have not expired prior to January 1, 2009, or another date selected by the Board;
   d. Provide direction to staff to hold applications for extensions of permits that have or will expire after the January 1, 2009 deadline until final action on this matter by the Board of Supervisors; and
   e. Provide direction to staff to return with a report regarding collection of fees relative to the option(s) selected by the Board of Supervisors on this matter.
   (PD090361/Permit Extensions, County-wide)
a. Conduct a Public Hearing on the Initial Study and Mitigated Negative Declaration for the San Miguel Canyon Road and Castroville Boulevard Intersection Improvement Project; and
b. Certify a Mitigated Negative Declaration for the San Miguel Canyon Road and Castroville Boulevard Intersection Improvement Project.

ORDER FOR ADJOURNMENT
TO TUESDAY, MAY 19, 2009

Future Board Meetings:
Tuesday, May 26, 2009 – No Meeting
Tuesday, June 2, 2009
Monday, June 8, 2009 – Budget Hearings
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

19. Approve and authorize the Purchasing Manager of Natividad Medical Center to execute amendment No. 5 to the Agreement with RehabCare Group, Inc., for management and professional services of NMC Rehabilitation Programs in an amount not to exceed $8,680,000 for the period May 1, 2009 through June 30, 2012.

20. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with AT&T for Managed Internet Services at NMC in an amount not to exceed $102,000 for the period April 1, 2009 through March 30, 2012.

21. Approve and authorize the Chair of the Board of Supervisors to execute a Lease Agreement with Hartnell Community College District for leased premises at Natividad Medical Center (NMC), Building 400, Suite 300 for the term January 1, 2009 through December 31, 2011.

22. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Databank IMX for Post Warranty Renewal for 3 Kodak Scanners, Model i660 in an amount not to exceed $20,000 for the period February 27, 2009 through February 26, 2010.

HEALTH AND SOCIAL SERVICES:

23. Proclaim state of local emergency relating to the spread of HIV among injection drug users in Monterey County.

24. Concur with the Monterey County Workforce Investment Board (WIB) to accept $6,843,806 in American Recovery & Reinvestment Act (ARRA) formula funds for Adult, Youth and Dislocated Worker program activities.

25. Concur with the Monterey County Workforce Investment Board (WIB) to approve a Memorandum of Understanding with the Workforce Collaborative of California's Central Coast (WCCCC).

CRIMINAL JUSTICE:

26. Approve transfer of appropriations in the amount of $8,752 from Services and Supplies to Fixed Assets in Budget Unit 255-Probation for the purchase of a rack-mountable server for scheduled replacement of existing hardware during Fiscal Year 2008-09.
27. a. Approve increased estimated revenues and appropriations in the amount of $44,500 in Budget Unit 256, Juvenile Institutions and Alternative Program during Fiscal Year (FY) 2008-09 (4/5th vote required); 
b. Approve the reallocation of 0.5 FTE vacant Probation Aide position to 0.5 FTE Senior Cook in Budget Unit 256-Juvenile Institutions and Alternative Programs; and
c. Direct the Auditor-Controller's Office and the County Administrative Office to amend the FY 2008-09 Budget and incorporate approved changes in the FY 2009-10 Adopted Budget.

28. Approve and authorize the Sheriff to accept a contribution of three (3) surplus surgical medical beds in the value of $15,000 from Salinas Valley Memorial Healthcare System.

**GENERAL GOVERNMENT:**


30. a. Approve a Subrecipient Agreement in the amount of $75,000 between the County of Monterey and the Housing Resource Center of Monterey County for administration of a foreclosure prevention services program; and
b. Authorize the Redevelopment and Housing Director to execute the Subrecipient Agreement and make minor revisions to the Subrecipient Agreement provided the overall feasibility of the objectives of this Agreement is not in jeopardy, no additional funds are required from the County, and no material term of this Agreement is altered.

31. a. Receive the County of Monterey Internship Pilot Program Annual Report for 2008-09; and
b. Approve continuation of the County of Monterey Internship Pilot Program through October 31, 2009.

32. a. Approve the Right of Entry Agreement between Monterey County Parks Department (Laguna Seca Recreation Area) and FORA (Fort Ord Reuse Authority); and
b. Authorize the Parks Director to sign the Agreement.

33. a. Award construction contract to Cook Coatings in the amount of $39,200 for the base bid for the Roofing Surface of the Skip Barber Racing School Facility at Laguna Seca Recreation Area, Bid No. 10131;
b. Authorize the Chair of the Board to sign the contract;
c. Authorize the Director of Parks to approve change orders up to ten percent (10%) of the bid; and
d. Direct the Auditor-Controller to encumber $39,200 in Budget Unit 750 for the bid, alternate and change order contingencies.
34. a. Award annual construction contract to Granite Construction, low bidder, in an amount not to exceed $100,000 for Annual Maintenance of Park Roadways at Laguna Seca Recreation Area, for Calendar Year 2009 (January 1, 2009 through December 31, 2009), Bid No. 10187; and
   b. Authorize the Chair of the Board to sign the contract.

35. a. Receive information regarding the Elections Department, Budget Unit 141 Fiscal Year (FY) 2008-09 budget shortfall due to costs related to the May 19, 2009 Statewide Special Election;
   b. Approve a request to transfer FY 2008-09 appropriations in the amount of $949,816 from General Fund Contingencies to the Elections Department (4/5th vote required); and
   c. Direct the Auditor-Controller's Office to incorporate approved changes in the FY 2008-09 Budget as detailed in the Board Order.

36. Amend the Bylaws of the Monterey County 457(b) Deferred Compensation Administrative Committee Section 7.a. to change the quarterly meeting date from the third Wednesday of the last month of each quarter to the third Wednesday of the second month of each quarter.

RMA - PLANNING DEPARTMENT:

37. a. Adopt a Resolution to approve findings, evidence and conditions to facilitate a Lot Line Adjustment between three (3) legal lots of record, under Land Conservation Contract Number 73-12 with no net decrease in acreage under Williamson Act Land Conservation Contract;
   b. Authorize the Chair of the Board to execute new or amended Williamson Act Land Conservation Contracts, rescinding a portion of Land Conservation Contract Number 73-12 for Sea Mist LLC, Desert Mist LLC and TMV Lands to reflect the newly reconfigured parcels, and simultaneously execute new Land Conservation Contracts between the County of Monterey and Sea Mist LLC, Desert Mist LLC and TMV Lands, to incorporate new legal descriptions, based on the reconfigured parcels, to reflect current ownership interests, and incorporate any legislative changes to State Williamson Act provisions and current Agricultural Preserve Policies or Procedures (PLN080167, Sea Mist, Salinas, Toro and Central Salinas Valley Area); and
   c. Direct the Clerk of the Board to record the new or amended contracts.

RMA - PUBLIC WORKS:

38. Adopt Resolution regarding the emergency repairs and renovations:
   a. Finding that the repairs and renovations in various shower stalls of the Monterey County Adult Detention Facilities, located at 1410 Natividad Road, Salinas continues to pose an emergency requiring immediate action without
adoption of plans and specifications and giving notice for bids to let contracts; and

b. Ratifying the execution of emergency contracts and emergency actions taken by the Contracts Purchasing Officer, or his designee, to respond to the emergency (4/5<sup>th</sup> vote required).

39. a. Approve plans and special provisions for the Espinosa Road Overlay Project, Project No. 09-140465; and

b. Authorize the Clerk of the Board to advertise the "Notice to Contractors" in The Californian on May 18 and May 26, 2009.

40. a. Receive written reports for County Service Areas containing service charges; and

b. Set for Public Hearing on June 16, 2009 at 1:30 p.m., to consider protests and objections to said Written Reports; and

c. Direct the Clerk of the Board to publish a Notice of Public Hearing for said Written Reports once a week, for two successive weeks, beginning no later than May 16, 2009, in The Californian, Monterey County Herald, and The Rustler.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

41. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:

a. Approve an Amendment to an existing Loan Agreement increasing the loan amount by $1,203,000 for a total loan of $1,743,000 with Mid-Peninsula Castroville Associates for the development of property on Merritt Street in Castroville for the Cynara Court I affordable housing project; and

b. Authorize the Redevelopment and Housing Director to execute the Amendment and related documents as authorized in the Agreement.

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