ACTION MINUTES
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY

TUESDAY, SEPTEMBER 14, 2010
9:00 A.M.

ROLL CALL:
Present: Supervisors Salinas (Chair), Armenta, Calcagno*, Parker, and Potter.
* Arrived prior to Closed Session

1. Additions and Corrections for Closed Session:

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) Omni Resources LLC v. Monterey County; USDC case no. 06-05420HRL
      CLOSED SESSION REPORT: The Board took no action and provided direction to staff.

      (2) Latonya Moore v. County of Monterey; MCSC case no. M91935
      CLOSED SESSION REPORT: The Board took no action and provided direction to staff.
b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one item of significant exposure to litigation.

**CLOSED SESSION REPORT:** The Board took no action and provided direction to staff.

c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators. Designated representatives: Keith Honda and Dianne Dinsmore Employee organizations: All Units

**CLOSED SESSION REPORT:** The Board took no action and provided direction to staff.

d. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
   (1) Property: 312 East Alisal Street, Salinas County negotiators: 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 took no action and provided direction to staff.

**Public comment:**
- Evelyn Epstein requested she be allowed to speak regarding the Red Barn; County Counsel McKee advised that item was not on the agenda. Evelyn submitted a letter to the board.
- County Counsel Mckee advised item 39 was removed via the supplemental agenda posted on Friday.

**10:30 A.M.**

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

3. The Pledge of Allegiance was led by Supervisor Parker.

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 was asked to make the following additions and corrections:**

**REMOVE - MONTEREY COUNTY FINANCING AUTHORITY:**
44. Acting as the Board of Directors of the Monterey County Financing Authority:
   Approve augmentations to the Monterey County Financing Authority Fiscal Year 2010-2011 Budget including:
a. Increase estimated revenue in Fund 313, Department 9033, Unit 8267, Appropriations Code WRA 026, Revenue Account Code 4675 (Rent Income) by $2,143,913 (4/5th vote required);
b. Increase appropriations in Fund 313, Department 9300, Unit 8267, Appropriations Code WRA 026, Expenditure Account Code 7041 (Bond Principal Payment) by $550,000 (4/5th vote required);
c. Increase appropriations in Fund 313, Department 9300, Unit 8267, Appropriation Code WRA 026, Expenditure Account Code 7061 (Interest on Bonds) by $1,586,913 (4/5th vote required); and
d. Increase appropriations in Fund 313, Department 9300, Unit 8267, Appropriation Code WRA 026, Expenditure Account Code 6613 (Other Professional & Special Services) by $7,000 (4/5th vote required).

ADJOURNMENT - Adjourn in Memory of Peggy Bates

By consensus, the Board approved the Additions and Corrections.

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
   Supervisor Calcagno commented on item 34.
   Hans Jongens pulled items 35 and 37.
   Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

   Recessed as the Monterey County Board of Supervisors

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

6. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet, Item 43)
   Motion by Supervisor Armenta, seconded by Supervisor Calcagno. ALL AYES

   Adjournment as Monterey County Redevelopment Agency

7. CONSENT CALENDAR - MONTEREY COUNTY FINANCING AUTHORITY
   (See Supplemental Sheet, Item 44) This item deleted as item 44 was removed from the agenda.

   Reconvened as the Monterey County Board of Supervisors

OTHER BOARD MATTERS:

8. Received an oral report on the adult literacy status and the New Literacy Coalition.
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES
RESOLUTIONS: 9 through 11 heard concurrently

9. Adopted Resolution No. 10-256 recognizing the 200th Anniversary of Mexico’s Independence. (Supervisor Salinas)
   Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

10. Adopted Resolution No. 10-270 proclaiming September 26 through October 2, 2010, as "Sea Otter Awareness Week" in Monterey County. (Supervisor Salinas)
    Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

11. Adopted Resolution No. 10-255 honoring Jacob’s Heart cancer support services for children and commemorating the 12th anniversary of the Kidrageous Carnival in Watsonville, CA. (Supervisor Calcagno)
    Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

12. Adopted Resolution No. 10-271 proclaiming September 19 through 26, 2010, as "Childhood Cancer Awareness Week" in Monterey County. (Supervisor Salinas)
    Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES

APPOINTMENTS: 13 through 19 heard concurrently

13. Appointed Noah Schumpert to the Domestic Violence Coordinating Council to fill an unexpired term ending January 13, 2013. (Supervisor Parker)
    Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES

14. Appointed Melissa Dulflock to the Resource Conservation District to fill an unexpired term ending November 30, 2010. (Full Board)
    Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES

15. Reappointed Carolyn Hinds, Denika Boardman and Yolanda Harris to the In-Home Supportive Services Committee, terms ending June 30, 2013. (Full Board)
    Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES

16. Appointed Sheila Lee Prader to the Historic Resources Review Board to fill an unexpired term ending December 31, 2011. (Supervisor Calcagno)
    Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES

17. Appointed Juan Martinez to the Monterey County Housing Advisory Committee, term ending September 14, 2012. (Supervisor Salinas)
    Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES
18. Appointed Bill Petrovich to the Monterey County Water Resources Board to fill an unexpired term ending December 31, 2011. (Supervisor Salinas)
Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES

19. Appointed Ray Bullick to the Central California Alliance for Health Committee to fill an unexpired term ending December 31, 2011. (Full Board)
Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES

OTHER BOARD MATTERS - continued.

20. Board Comments
   · Supervisor Armenta advised he will submit a referral next week on the feasibility of developing a Veteran’s drop-in center in the city of Salinas. Supervisor Armenta encouraged Department Heads, staff and the community to attend the forum hosted by Monterey Health Department, Division of Behavioral Health, on September 24th from 9 am – 12:00 p.m., in the Board chambers which will explore a variety of psycho-social issues and needs, particularly in the area of gang violence.

21. CAO Comments and Referrals
   · Dr. Bauman announced the Monterey County Employee Giving Campaign which runs from September 15, 2010 through October 8, 2010. Dr. Bauman advised that last year the campaign generated nearly $250,000 for community non-profits and related services to the community.

22. Public Comment:
Rachel Oci as; Marilyn Linds; Emanuel; Ramiro (Medrano); Cecile Mills; Steve Ecklund; Hans Jongens

SCHEDULED MATTERS:

S-1 Received oral report from Monterey County’s federal legislative advocate, Brent R. Heberlee of Nossaman LLP.
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

S-2 Continued to October 19, 2010
   a. Receive status report on 2010 Monterey County Strategic Initiatives and Key Objectives; and
   b. Provide further direction to staff as necessary.
By consensus the Board continued this matter to October 19, 2010 for Public Safety and Resource Management Agency presentations. ALL AYES

Recessed to Lunch – Continued Closed Session

1:30 P.M. RECONVENED
ROLL CALL:
Present: Supervisors Calcagno (Chair), Armenta, Salinas, Parker, and Potter.

S-3 Board Budget No. 10/11-026
a. Held a public hearing to consider the Fiscal Year 2010-11 Citizens’ Option for Public Safety (COPS) Program funding requests for the District Attorney’s and Sheriff’s Offices, pursuant to Government Code 30061; and
b. Authorized Auditor-Controller to increase appropriations and estimated revenue by $102,580 in DIS001, District Attorney’s Office; $105,394 in SHE001, Sheriff’s Office Administration and Enforcement Bureau; and $102,581 in SHE003, Sheriff’s Office Custody Operations Bureau (4/5th vote required).

Motion by Supervisor Armenta, seconded by Supervisor Parker. 4 - 0 (Supervisor Calcagno Absent)


Motion by Supervisor Armenta, seconded by Supervisor Potter continued matter to September 21, 2010. 4 - 0 (Supervisor Calcagno Absent)

S-5 Conducted public hearing (continued from August 31) on the draft 2010 Monterey County General Plan and its Environmental Impact Report. (General Plan Update - PLN070525/County of Monterey)

Introduction, Chapter 1.0 - Land Use Element, Chapter 2.0 - Circulation Element

Public Comment: Mike Weaver, Jan Mitchell, Dale Agron, Kirk Golnick, Molly Erickson.

Motion by Supervisor Potter, seconded by Supervisor Calcagno to move these elements forward, as presented by staff, for inclusion at a later date in the General Plan. ALL AYES

Chapter 4.0 - Safety Element, Chapter 6.0 - Agriculture, Chapter 7.0 – Economic Development

Public Comment: Virginia Jameson, Bryant Clark, Christopher Bunn.

Motion by Supervisor Potter, seconded by Supervisor Parker to move these elements forward, as presented by staff, for inclusion at a later date in the General Plan, with additional direction to staff to add text to Chapter 6.0 – Agricultural Policy AG 2.6 with respect to organic farming. ALL AYES

Chapter 9-A - Cachagua Area Plan, Chapter 9-E – Fort Ord Master Plan, Chapter 9-F – Greater Salinas Area Plan

Public Comment: Mike Weaver, Molly Erickson.

Motion by Supervisor Potter, seconded by Supervisor Armenta move these elements forward, as presented by staff, for inclusion at a later date in the General Plan. ALL AYES
Chapter 5.0 – Public Services Element- Long Term Water Supply

**Public Comment:** Ed Mitchell, Mari Kloeppel, Nancy Isakson, Margie Kay, Pam Silkwood, Doug Kasunich, Jim Eagle, Amy White, Dick Zechentmayer, Rene Boscoff, Steve Collins, Julie Engell, Molly Erickson, Ron Chesshire, Diane Russell, Christopher Bunn, Virginia Jameson, Christine Williams.

4:30 P.M. Recessed to Continued Closed Session

6:00 P.M RECONVENED

Roll Call
Present: Supervisors Salinas (Chair), Armenta, Calcagno, Parker, and Potter

**SCHEDULED MATTERS - continued:**

S-6 Continued public hearing from morning session on the draft 2010 Monterey County General Plan and its Environmental Impact Report. (General Plan Update - PLN070525/County of Monterey)

Chapter 5.0 – Public Services Element–Long Term Water Supply Definition – (continued from the morning)

**Continued Public Comment:** Bill, Jan Mitchell; Amy White, Bill Carrothers, Richard Smith, Nancy Isakson, Tracy Roberts, Dirk Gianini, Christopher Bunn, Mike Scatini, Richard Feddick commented on items from the morning agenda. (continued to September 21, 2010)

Chapter 9-B Carmel Valley Master Plan

**Public Comment:** Margaret Robbins, Mr. Kaminsky, Hans Jongens, Christine Williams, Molly Erickson, Pam Silkwood, Bill Carrothers, Male, Don Ask, Jim Dasa.

**Motion by Supervisor Potter, seconded by Supervisor Parker to move this element forward, as presented by staff, leave traffic methodology as it is, include language on monitoring, and incorporate additional policy language in CV 1.1—“All policies, ordinances, and decisions regarding Carmel Valley shall be consistent with the goal of preserving Carmel Valley’s rural character”, CV 1.1A – “In order to preserve the rural character of Carmel Valley, development shall follow a rural architectural theme with design review”, and CV 1.x – Updates to the Master Plan shall include a public forum with the local citizen advisory committee to provide recommendations that reflect a comprehensive cross section of local attitudes toward the future of the valley as a living environment”, regarding the rural character of Carmel Valley, for inclusion at a later date in the General Plan. ALL AYES

Motion by Supervisor Potter, seconded by Supervisor Armenta to continue the public hearing on the General Plan, including the Public Services Element to Tuesday, September 21, 2010.
CLOSED SESSION REPORT: (See 2 a – d)

ORDER FOR ADJOURNMENT

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:

23. Board Budget No. 10/11-028
   Adopted Resolution No. 10-257 to amend the Personnel Policies and Practices
   Resolution No. 98-394 to:
   a. Added the following classification: Nuclear Medicine Technologist-Per
      Diem;
   b. Adjusted the salary ranges for the following classifications: Senior
      Sonographer, Radiologic Technologist-Per Diem, and Sonographer-Per Diem;
   c. Revised Section A.9: standby, as indicated in attachment A.

24. Agreement No. A-11847 Authorized the Purchasing Manager for Natividad
    Medical Center (NMC) to execute Amendment No. 1 to the Agreement with
    Coyote Creek Consulting Inc for Project Management Documentation and
    Technical Consulting Services at NMC in an amount not to exceed $135,000 (an
    increase of $35,000) for the period September 1, 2010 to June 30, 2011.

25. Agreement No. A-11848 Authorized the Purchasing Manager for Natividad
    Medical Center (NMC) to execute Amendment No. 2 to the Agreement with
    Armanasco Public Relations Inc. (APR) for strategic public relations services at
    NMC in an amount not to exceed $205,000 (an increase of $50,000) for the period
    July 1, 2010 to June 30, 2011.

26. Agreement Nos. A-11849; A-11850 Authorized the Purchasing Manager for
    Natividad Medical Center (NMC) to execute Agreements with multiple patient
    care provider groups (Central Coast Nephrology and Salinas Valley Plastic
    Surgery Associates) to provide patient care services at NMC in a total amount not
    to exceed $350,000 for the period September 1, 2010 to August 31, 2011.

27. Agreement No. A-10169 Authorized the Purchasing Manager for Natividad
    Medical Center (NMC) to execute Amendment No. 6 to the Agreement with
    Healthcare Financial Services for Medical Record Scanning, Coding Abstracting,
    Productivity, Operations Analysis and Interim Staffing Services at NMC in an
    amount not to exceed $4,334,000 (an increase of $410,000) for the period
    September 1, 2010 to June 30, 2011.

HEALTH AND SOCIAL SERVICES:

28. Agreement No. A-11851; A-11852
   a. Approved and authorized the Director of the Department of Social &
      Employment Services, or his designee, to sign contracts with the Alliance on
      Aging and Legal Services for Seniors for a total amount of $498,589 to
provide services to Monterey County seniors for the period July 1, 2010 through June 30, 2011; and
b. Authorized the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to these agreements, where the total amendments do not exceed ten percent (10%) of the original contract amounts, and do not significantly change the scopes of work.

29. Agreement Nos. A-11853; A-11854
   a. Approved and authorized the Director of the Department of Social & Employment Services, or his designee, to sign two (2) contracts with the Regents of the University of California, U.C. Davis Extension, for a total amount of $117,760, for the provision of staff training for the period July 1, 2010 through June 30, 2011, including non-standard mutual indemnity; and
   b. Authorized the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to these agreements, where the total amendments do not exceed ten percent (10%) of the original contract amounts, and do not significantly change the scopes of work.

CRIMINAL JUSTICE:

30. Board Budget No. 10/11-029
   a. Authorized the issuance of lay-off notice to one impacted employee on September 21, 2010 with an effective date of October 12, 2010;
   b. Authorized County negotiators to meet with the Union upon request of the Union; and
   c. Directed the County Administrative Office - Human Resources Division to collaborate with the Sheriff’s Office to place the at risk employee into a vacant position within the County.

GENERAL GOVERNMENT:

31. Board Budget No. 10/11-030
   Increased appropriations in Fund 403 - Capital Projects Automation Fund, AUD006, by $611,760 offset by Unreserved Fund Balance totaling $611,760 to fund contract costs of Advantage HRM/Payroll Project carried over from 2009-10. (4/5th vote required)

32. Board Budget No. 10/11-031
   a. Adopted Resolution No. 10-258 to reclassify one Office Assistant III FTE to one Accounting Technician FTE and amend the Fiscal Year 2010-11 County Administrative Office/Finance Division allocated positions to delete one (1) Office Assistant III and add one (1) Accounting Technician FTE; and
   b. Authorized the Auditor-Controller to incorporate this change in the FY 2010-11 County Administrative Office/Finance 1050-CAO001-8045 budgeted positions.
33. Received the action minutes from the June 7, 2010 and July 28, 2010 meetings of the Legislative Committee.

34. Received a response from the Elections Department to Referral No. 2010.15 regarding the release of election results.

**RMA - PLANNING DEPARTMENT:**

35. Adopted Resolution No. 10-259 supporting the development of a Joint Land Use Study (JLUS) for Camp Roberts. (REF100035/JOINT LAND USE STUDY FOR CAMP ROBERTS)

**RMA - PUBLIC WORKS:**

36. Board Budget No. 10/11-032
   a. Approved the Fiscal Year (FY) 2010-11 Local Transportation Fund (LTF) application in the amount of $1,447,726 for County LTF contributions to various transportation programs; and
   b. Authorized the Director of Public Works to execute and submit the FY 2010-11 Local Transportation Fund application to the Transportation Agency for Monterey County.

37. Agreement No. A-11286
   a. Approved Amendment No. 2 to Professional Services Agreement No. A-11286 with Wood Rodgers, Inc., to provide additional services associated with environmental clearance and design for the Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment, Project No. 866865, in the amount of $139,359.75 for a total amount not to exceed $1,203,955.79 for a term through December 30, 2011; and
   b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 2 to Professional Services Agreement No. A-11286 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

38. (Corrected via Supplemental)
   a. Adopted Resolution No. 10-260 accepting the Certificate of Completion for maintenance of the construction Traffic Signal Maintenance 2007-8 Project; and
   b. Authorized the Director of Public Works to execute and record the Notice of Completion.

39. (Removed via Supplemental)
   a—Set a Public Hearing for October 12, 2010 at 10:30 a.m. to consider approving the Petitioner/Freeholder proposed vacation/abandonment of a 0.74 mile segment of an unimproved County Road commonly known as Old Stage Road and variously known in the past as Los Angeles Stage Road, Monterey/Los
Angeles Road, Old El Camino Real, Bee Rock Road or Old County Road in the Bradley area of South Monterey County;

b. Direct the Clerk of the Board to publish a Notice of Public Hearing fifteen days prior to the hearing in The King City Rustler and the San Luis Obispo Tribune;

c. Direct the Department of Public Works to post copies of the Notice of Public Hearing in the area of the County Road which has been proposed to be vacated; and

d. Consider a waiver of the road abandonment fee.

40. Adopted Resolution No. 10-261 finding that the recent flood damages to the North Wing of the Salinas Courthouse continue to pose an emergency requiring immediate remedial action (4/5th vote required).

41. Adopted Resolution No. 10-262 to terminate the emergency that authorized sanitary sewer repairs at the Monterey County Adult Detention Facility kitchen, located at 1410 Natividad Road, Salinas, California.

42. Resolution No. 10-261
   a. Approved the transfer of $97,000 from Appropriation Unit RMA014, Capital Projects Fund, to Appropriation Unit RMA097, County Disposal Sites, for the Big Sur Recycling Center;
   b. Authorized the Auditor-Controller to move appropriations in the amount of $97,000 within Appropriation Unit RMA014, Capital Projects Fund, from Account 7521 (Unspecified - Needs Board Approval) to Account 7614 (Operating Transfers-Out); and
   c. Authorized the Auditor-Controller to amend the FY 2010-11 budget by increasing revenue and appropriations to County Disposal Sites, Appropriation Unit RMA097, Accounts 5940 and 6613, (Operating Transfers-In and Other Professional & Special Services, respectively) in the amount of $97,000 (4/5th vote required).

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

43. Agreement No. A-11855 Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey: Approved and authorized the Chair to sign Amendment No. 2 to PSA with Whitson Engineers in an amount not to exceed $22,900, for a total contract amount not to exceed $106,400, for additional engineering services relating to implementation of the MST/Whispering Oaks development project.

MONTEREY COUNTY FINANCING AUTHORITY:

44. Removed via Additions and Corrections:
   Acting as the Board of Directors of the Monterey County Financing Authority: Approve augmentations to the Monterey County Financing Authority Fiscal Year
2010-2011 Budget including:

a. Increase estimated revenue in Fund 313, Department 9033, Unit 8267, Appropriations Code WRA 026, Revenue Account Code 4675 (Rent Income) by $2,143,913 (4/5th vote required);

b. Increase appropriations in Fund 313, Department 9300, Unit 8267, Appropriations Code WRA 026, Expenditure Account Code 7041 (Bond Principal Payment) by $550,000 (4/5th vote required);

c. Increase appropriations in Fund 313, Department 9300, Unit 8267, Appropriation Code WRA 026, Expenditure Account Code 7061 (Interest on Bonds) by $1,586,913 (4/5th vote required); and

d. Increase appropriations in Fund 313, Department 9300, Unit 8267, Appropriation Code WRA 026, Expenditure Account Code 6613 (Other Professional & Special Services) by $7,000 (4/5th vote required).

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