AGENDA
Tuesday, January 25, 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 de 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  
TUESDAY, JANUARY 25, 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

Closed Session under Government Code section 54950, relating to the following items:

2. a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
   (1) David Sabih v. County of Monterey, et al.; MCSC case no. M93135
   (2) LandWatch Monterey County v. County of Monterey; MCSC case no. M109434
   (3) The Open Monterey Project v. Monterey County Board of Supervisors; MCSC case no. M109441
   (4) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey; MCSC case no. M109442
   (5) Salinas Valley Water Coalition, et al. v. County of Monterey; MCSC case no. M109451
   (6) Daniel J. Mitchell v. County of Monterey; USDC CAND case no. C08-01166JW

   b. Pursuant to Government Code section 54957, the Board will confer regarding one matter of public employee discipline.

   c. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the County Counsel.

   d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
      (1) Designated representatives: Keith Honda and Dianne Dinsmore
          Employee Organizations: Units A, B, and C.
e. Pursuant to Government Code section 54956.87 and Health and Safety Code section 1462, the Board will confer with the Natividad Medical Center CEO regarding trade secrets concerning a proposed new service, program, or facility.

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. - RECONVENE

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)

CEREMONIAL RESOLUTIONS:

6. Adopt Resolution honoring Probation Division Manager Douglas L. Rieffel upon his retirement from Monterey County after 41 years of service. (Supervisor Parker)

7. Adopt Resolution Honoring American Red Cross of Northern California Blood Services in Recognition of National Blood Donor Month (Full Board)

8. Adopt Resolution Commending Stephen R. Hooper for his 36 years of dedicated Service in the Department of Child Support Services as a Child Support Attorney (Full Board)

APPOINTMENTS:


10. Reappoint Kevin L. Jones and Joseph Hernandez to the North Monterey County Recreation & Park District Board of Directors terms ending November 30, 2014. (Supervisor Calcagno)

11. Appoint Angelita Partido to the Area Agency on Aging Advisory Council term ending January 1, 2014. (Supervisor Calcagno)
12. Appoint John Pack to the Fish and Game Advisory Commission to fill an unexpired term ending February 1, 2012. (Supervisor Parker)

13. Reappoint Sheree Goldman to the Domestic Violence Coordinating Council, term ending January 1, 2015. (Supervisor Potter)

14. Reappoint Bill Nye to the Fort Ord Veteran Cemetery Citizens Advisory Committee, term ending January 4, 2013. (Supervisor Potter)

15. Reappoint Ryan Anthony Flagg and Pat Jones to the Area Agency on Aging Advisory Council, terms ending January 1, 2014. (Full Board)

16. Reappoint Sean M. Graham to the North Monterey County Recreation & Park District with a term ending November 30, 2014. (Supervisor Calcagno)

17. Reappoint Victor Lanini to the Monterey County Fish and Game Advisory Commission with a term ending February 1, 2014. (Supervisor Salinas)

18. Reappoint Mike Parrish to the Community Service Area (CSA) 15 Advisory Committee with a term ending January 1, 2014. (Supervisor Potter)

OTHER BOARD MATTERS:

19. Board Comments

20. CAO Comments and Referrals

21. 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 and 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. Ratify District Appointments to the Citizen Redistricting Advisory Committee; and
       b. Receive report on the Supervisorial Redistricting Project.

S-2 Conduct a public hearing and accept the Hydrogeologic Characterization and Test Well Feasibility Analysis for the San Lucas County Water District funded by a Community Development Block Grant (CDBG) Planning and Technical Assistance (PTA) Grant.

S-3 Receive a preliminary report on the Governor's FY 2011-12 State Budget Proposal.
12:00 P.M. RECESS TO LUNCH – CONTINUED CLOSED SESSION

1:30 P.M. RECONVENE

ROLL CALL

SCHEDULED MATTERS:

S-4 Continued hearing from December 14, 2010 (Public Hearing closed), to:
   a. Grant the appeal of William McKiernan from the August 26, 2010 discretionary decision by the Zoning Administrator to approve the Combined Development Permit (PLN090364/Pelio)
   b. Categorically exempt the Combined Development Permit (PLN090364/Pelio) pursuant to Section 15301(d), 15301(e), and 15303 of the CEQA Guidelines; and
   c. Approve the Combined Development Permit, based on Findings and Evidence subject to conditions of approval, and deny the applicant’s request for the caretaker unit located at the southwest end (rear) of the subject property. The Combined Development Permit consists of: 1) a Coastal Administrative Permit to allow the construction of a new second story and remodel of an existing single family dwelling, the demolition of an existing detached accessory structure and the construction of a new 974 square foot garage with a 636 square foot storage area, and associated grading; 2) a Coastal Development Permit to allow the construction of a 846 square foot caretaker unit above the garage/storage area; 3) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; and 4) a Variance to exceed the Pescadero Watershed coverage limitations and to allow the caretaker unit to exceed the 15-foot height limitation. (Appeal, Discretionary Decision – PLN090364/Pelio, 3346 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan)

S-5 Public hearing to consider the adoption of an interim ordinance as an urgency measure to extend Interim Ordinance No. 5171 with a minor modification for 10 months and 15 days, until and through December 14, 2011, establishing a process to determine 2010 General Plan consistency for specified discretionary and ministerial permits, pending the adoption of applicable programs and ordinances to implement the 2010 Monterey County General Plan. (General Plan Interim Ordinance – REF100050/County of Monterey – 4/5 vote required)

S-6 a. Adopt the General Plan Implementation Plan Work Program; and
   b. Direct staff to return with Budget Augmentation for FY 2010-2011. (General Plan Implementation Plan/REF100051, Inland area of County)

ORDER FOR ADJOURNMENT
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

22. a. Approve and amend the FY 2010-11 Natividad Medical Center Budget Unit 9600 to add the following allocations: 2.00 FTE Pharmacist; and
   b. Direct the County Administrative Office to incorporate approved changes into the FY 2010-11 Natividad Medical Center Budget Unit 9600 to reflect the change in position count.

HEALTH AND SOCIAL SERVICES:

23. a. Approve and authorize the Director of the Department of Social & Employment Services to sign an Agreement with Aspiranet, Inc. for the provision of Intensive Treatment Foster Care (ITFC) within Monterey County; and
   b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign amendments to the Agreement that do not significantly modify the scope of work or extend the Agreement beyond January 1, 2014.

24. a. Accept the Freeman Minor Subdivision Water System Improvement Project (PLN 070032) as complete and direct the Director of Health to execute and record the proposed Notice of Completion;
   b. Approve release of a portion of the Faithful Performance Security in the amount of $35,114.46 held in Comerica Bank Certificate of Deposit account 890750000012503, retaining the amount of $12,615.09 in the Certificate of Deposit for the Warranty Security; and
   c. Approve release of the Labor and Materials Security in the amount of $23,864.78 held in Comerica Bank Certificate of Deposit account 890750000012503 after at least 60 days have elapsed since recordation of the proposed Notice of Completion in accordance with Government Code section 66499.7(h), if no liens have been filed.

25. a. Approve and authorize the Contracts/Purchasing Officer to sign an Agreement with each of the following awardees of Request for Proposal #10255: Allen/Loeb Associates, Capacity Consulting, Davis Y. Ja and Associates, Gary Bess Associates, Harder+Company Community Research, Hatchuel Tabernik & Associates, Lebron Consulting Group, and Resource Development Associates for the provision of evaluation and/or grant writing services, in an aggregate amount not to exceed $600,000 for the initial term of the Agreements to commence upon date of final signature through October 31, 2012; and
   b. Approve and authorize the Contracts/Purchasing Officer to exercise the option to extend the Agreements for an additional one-year term in accordance with
the terms and conditions set forth within each Agreement and Request for Proposal #10255.

**GENERAL GOVERNMENT:**

26. Approve amendments to conflict of interest code of the Agricultural Commissioner of Monterey County.

27. Approve the conflict of interest code of the Department of Child Support Services of Monterey County.

28. Adopt a Resolution to Approve a Zero Property Tax Transfer for the Proposed Annexation of the Carmel Valley Athletic Club to the Carmel Area Wastewater District.

29. Adopt resolution amending Article V of the Monterey County Master Fee Resolution relating to Parks Department user charges for park use and rentals, effective February 1, 2011.

30. a. Adopt a Resolution of Necessity determining that the public interest and necessity require the acquisition of a temporary construction easement over the frontage of 415 Hyland Drive (APN 261-122-018) to construct the Hyland Drive/El Rancho Way Street and Storm Drain Improvement Project in the community of Boronda (4/5th vote required); and
   b. Direct the filing of eminent domain proceedings and making of deposit.


32. Approve an increase in appropriations and estimated revenue totaling $45,000 in Annual Audits AUD002 (001-1110-1111-8010) to fund a professional services agreement with MGT of America for the SB90 State Mandate Reimbursement program for fiscal year 2010-11. (4/5th vote required)

33. a. Approve and authorize the County Librarian to accept grant funds from the Community Foundation for Monterey County for a grant award of $60,000 for the 2011 calendar year, for expanded literacy services.
   b. Approve continued allocation of one half-time Literacy Assistant position, paid with grand funds, for the 2011 calendar year.

34. Receive the action minutes from the October 11, 2010 and November 8, 2010 meetings of the Legislative Committee.

**RMA - PLANNING DEPARTMENT:**

35. a. Approve a Professional Services Agreement with Jones & Stokes Associates, Inc. (aka ICF International) where the Base Budget is $78,513 with a
Contingency of $11,777, for a total amount not to exceed $90,290, to begin preparation of an Environmental Impact Report (EIR) for the Pebble Beach Company Project (PLN100138) in Pebble Beach, for a term through April 15, 2011;

b. Approve a Funding Agreement with The Pebble Beach Company where the Base Budget is $78,513 with a Contingency of $11,777 and the County fee is $3,170, for a total amount not to exceed $93,460, to allow funding to Monterey County for costs incurred by Jones & Stokes Associates, Inc. (aka ICF International) to begin preparation of an Environmental Impact Report (EIR) for the Pebble Beach Company Project (PLN100138) and to reimburse County for the cost of contract administration, for a term through April 15, 2011; and

c. Authorize the Director of Planning to execute the Professional Services Agreement, Funding Agreement and future amendments to these Agreements that do not significantly alter the scope of work or change the approved Agreement amounts.

(PD061136/Jones and Stokes Associates, Inc. (aka ICF International), County wide)

RMA - PUBLIC WORKS:

36. Adopt a Resolution:
   a. Declaring an emergency as defined by California Public Contract Code Section 1102 due to water intrusion at the Monterey County Adult Detention Shower Facilities, Pods D and R, located at 1410 Natividad Road, Salinas CA;
   b. Finding that the emergency will not permit a delay resulting from a formal solicitation of bids and that the action is necessary to respond to the emergency;
   c. Finding that the repairs are necessary to permit the continued conduct of county operations or services;
   d. Authorizing emergency water intrusion repairs at the Monterey County Adult Detention Shower Facilities, Pod D and R, located at 1410 Natividad Road, Salinas CA, without adopting plans and specifications and giving notice for bids to let contracts; and
   e. Authorizing the Contracts/Purchasing Manager, or his designee, to enter into contracts and issue purchase orders to accomplish the required emergency work and ratifying the execution of emergency contracts and actions taken by the Contracts/Purchasing Manager, or his designee, to respond to the emergency (4/5th vote required).

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MONTEREY COUNTY
BOARD OF SUPERVISORS
Supplemental / Addendum for Tuesday, January 25, 2011
View Addendum reports at:

http://www.co.monterey.ca.us/cob/BOS%20Supplemental_addendum/default.asp

ADDENDUM

2. a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
   (7) Monterey County Deputy Sheriffs' Association v. County of Monterey, et al.; MCSC case no. M97873

CORRECTION

S-6 Title Correction
   a. Consider adoption of the General Plan Implementation Work Program;
   b. Direct staff to continue to work with CAO Budget Office to develop an appropriate financing plan; and
   c. Direct staff to establish a tracking and reporting system.
   (General Plan Implementation Plan/REF1000512, Inland area of County)

MATERIALS SUBMITTED
   (See link above)

S-6 a. Consider adoption of the General Plan Implementation Work Program;
   b. Direct staff to continue to work with CAO Budget Office to develop an appropriate financing plan; and
   c. Direct staff to establish a tracking and reporting system.
   (General Plan Implementation Plan/REF1000512, Inland area of County)

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