

**MONTEREY COUNTY BOARD OF SUPERVISORS  
PAJARO COUNTY SANITATION DISTRICT  
MONTEREY COUNTY REDEVELOPMENT AGENCY  
TUESDAY, MAY 11, 2010  
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 54956.8, the Board of Directors of the Redevelopment Agency will confer with real property negotiators. (1) Property: the "Parker Flats" area of the former Fort Ord  
Negotiators: Jim Cook for the Agency; Monterey Downs LLC for the developer  
Under negotiation: Price and terms
  - b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
    - (1) Richard Moore (WC608592285)
    - (2) Stagecoach Territory, Inc. v. County of Monterey, et al. (MCSC Case No. M104908)
    - (3) Fred Garcia v. County of Monterey, et al. (MCSC Case No. M105571)
  - c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding a liability claim against the County of Monterey.
    - (1) Barbara Grant
  - d. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding potential initiation of a litigation case.

**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)
6. CONSENT CALENDAR MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)

**OTHER BOARD MATTERS:**

7. Board Comments
8. CAO Comments and Referrals
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.

**APPOINTMENTS:**

10. [Reappoint J. Michael Klein to the Mental Health Commission, term ending May 31, 2014. \(Supervisor Salinas\)](#)
11. [Appoint Thomas Davis to the Military & Veterans Affairs Advisory Commission to fill an unexpired term ending January 1, 2011. \(Supervisor Parker\)](#)
12. [Appoint Mark Weller to the Community Action Commission to fill an unexpired term ending July 1, 2011. \(Supervisor Parker\)](#)
13. [Reappoint Chris Daniel to the Assessment Appeals Board, term ending June 1, 2013. \(Supervisor Potter\)](#)
14. [Reappoint Russ Jeffries to the Assessment Appeals Board term ending June 1, 2013. \(Supervisor Armenta\)](#)
15. Item deleted.

16. [Appoint Susan Leddy to the In-Home Supportive Services Advisory Committee to fill an unexpired term ending June 30, 2010. \(Supervisor Salinas\)](#)

**SCHEDULED MATTERS:**

- S-1 [Acting as the Board of Directors of the Pajaro County Sanitation District:](#)
- a. Conduct a Public Hearing to consider protests and objections to a report of delinquent accounts for the Pajaro County Sanitation District; and
  - b. Consider adopting a resolution providing that past due sewer service charges for the Pajaro County Sanitation District be added to the County's tax rolls.
- S-2 [Consider ratification of the following actions approved on Tuesday, April 27, 2010:](#)  
Approve a Contract to Purchase Permanent Easement, Public Utility Overhead Easement and Temporary Construction Easement (2897 square feet, 4195 square feet, and 4195 square feet, respectively) with Brian McEldowney (727 Monterey-Salinas Highway, APN 161-061-003), in the amount of \$32,300, for Right-of-Way for the State Route 68 at San Benancio Road Intersection Improvement Project, Project No. 10-111065; and authorizing the Director of Public Works to execute the Contract to Purchase Permanent Easement, Public Utility Overhead Easement and Temporary Construction Easement, in the amount of \$32,300.
- S-3 [Consider ratification of the following actions approved on Tuesday, April 27, 2010:](#)  
Approve a Contract to Purchase Permanent Easements, and Temporary Construction Easement (18,927 square feet, 31,555 square feet, respectively) with the Domain corporation, a California corporation, and Islandia 29 LP, a Delaware limited partnership (APN 161-011-084), in the amount of \$6,800, for Right-of-Way for the State Route 68 at San Benancio Road Intersection Improvements, Project No. 10-111065; and authorizing the Director of Public Works to execute the Contract to Purchase Permanent Easements, and Temporary Construction Easement (18,927 square feet, 31,555 square feet, respectively) with the Domain corporation, a California corporation, and Islandia 29 LP, a Delaware limited partnership (APN 161-011-084).

**12:00 P.M.**

Recess to Lunch

**1:30 P.M. RECONVENE**

**ROLL CALL:**

**SCHEDULED MATTERS:**

- S-4 [Continued from April 6, 2010, to consider adopting Resolution to:](#)

- a. Deny an appeal by Michael Moeller from the January 26, 2010 Planning Commission denial of an application (PLN060251/Moeller) for a Lot Line Adjustment and new single family home;
- b. Deny the application for a Combined Development Permit consisting of: (1) Coastal Development Permit for a Lot Line Adjustment consisting of an equal exchange of land between two legal lots of record resulting in no change of area: Lot 5 (APN: 243-181-005-000/192 San Remo Road) has 0.61 acres and Lot 6 (APN: 243-181-006-000/194 San Remo Road) has 0.85 acres; (2) Coastal Administrative Permit and Design Approval to allow the construction of a three-story 3,994 square foot single family dwelling with a 643 square foot three-car garage, 858 square feet of deck area, and grading (approximately 523 cubic yards of cut and 89 cubic yards of fill); (3) Coastal Development Permit for development on slopes in excess of 30%; (4) Coastal Development Permit for the removal of nine Monterey pine trees and eight coastal live oak trees; and
- c. Deny a Fee Waiver request.  
(PLN060251/ Moeller, 192 and 194 San Remo Drive, Carmel Area Land Use Plan, Coastal Zone, APN: 243-181-005-000, 243-181-006-000)

## **ORDER FOR ADJOURNMENT**

### **CONSENT CALENDAR**

#### **NATIVIDAD MEDICAL CENTER:**

17. [Authorize the Purchasing Manager for Natividad Medical Center \(NMC\) to execute Amendment No. 1 to the](#) Agreement with HealthPort Technologies LLC for Professional Management and Operation services at NMC in an amount not to exceed \$230,000 (an increase of \$30,000) for the period April 12, 2010 to June 30, 2011.
18. [Authorize the Purchasing Manager for Natividad Medical Center \(NMC\) to execute an Agreement with HT Systems for](#) HT Systems Patient Secure Biometric Patient Identity Management System Installation and Maintenance Services at NMC in an amount not to exceed \$175,000 for the period May 1, 2010 to April 30, 2013.
19. [Authorize the Purchasing Manager for Natividad Medical Center \(NMC\) to execute Amendment No. 4 to the](#) Agreement (A-10748) with Jennifer L. D'Attilio MS for Speech Language Pathology Services at NMC in an amount not to exceed \$711,000 (an increase of \$255,000) for the period April 1, 2010 and extending the term date to June 30, 2011.
20. [Authorize the Purchasing Manager for Natividad Medical Center \(NMC\) to execute Amendment No. 2 to the Agreement](#) with Paragon Mechanical Inc. for Preventative Maintenance, repair and parts for Chillers and VFD Services at NMC in an amount not to exceed \$226,000 (an increase of \$45,000 in Fiscal Year

2009/2010) and \$90,000 in Fiscal Year 2010/2011, for the period March 1, 2010 to June 30, 2011.

**HEALTH AND SOCIAL SERVICES:**

21.
  - a. [Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign](#) Amendment No. 1 to Agreement A-11481 with Meals on Wheels of the Salinas Valley for the provision of home-delivered meals to seniors for Fiscal Year (FY) 2009/10, adding \$56,578, increasing the total contract amount to \$322,469; 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 ten percent (10%) of the original contract amount, and do not significantly change the scope of work; and
  - c. Direct the County Administrative Office and the Auditor-Controller to amend the Department of Social and Employment Services Budget Unit 8268 for FY2009-10, increasing appropriations and estimated revenues in the amount of \$56,578 as detailed in the attached Board Order. (4/5th vote required)

**GENERAL GOVERNMENT:**

22. [Approved and adopt the Action Minutes of Tuesday, March 23, 2010, Tuesday, April 6, 2010, and Tuesday, April 13, 2010.](#)
23.
  - a. [Adopt Resolution approving Monterey County's participation in the State of California, Department of Justice](#) Electronic Recording Delivery System (ERDS) Program requiring the submittal of an application for system certifications to the ERDS Program;
  - b. Adopt Resolution approving Monterey County's participation in the California Electronic Recording Transaction Network Authority (CERTNA) and authorizing the County Recorder, or his designee to: 1. Represent Monterey County on the CERTNA Board of Directors; 2. Participate in a Multi-County electronic Recording Delivery System (ERDS) for Type 1 and Type 2 instruments, and, when applicable, the return functions of the State ERDS as established and operated by CERTNA; 3. Issue payments to CERTNA for the County's per document membership fee as established annually by the CERTNA Board of Directors in an amount not to exceed the Government Code Section 27397(c)(1) fees collected locally; and 4. In conjunction with the CERTNA Board of Directors, conduct all negotiations, execute and submit all documents necessary for the establishment and maintenance of an ERDS and management of CERTNA;
  - c. Approve the Amendment of Article XIII of the Master Fee Resolution to set and authorize the collection of an additional one dollar (\$1.00) for each real property instrument that is recorded by the County Recorder for electronic recording, pursuant to Government Code Section 27397(c)(1) and to be effective July 1, 2010; and

- d. Direct the Auditor-Controller to establish a Restrictive Revenue account to account for the Electronic Recording Delivery System (ERDS) revenues and expenses.

24. [Adopt Resolution to support the State of California Enterprise Zone Program.](#)

24.1 [Approve goals for the Health and Human Services Committee.](#)

**RMA - PLANNING DEPARTMENT:**

- 25.
  - a. [Approve the Parcel Map to allow a subdivision of a 20.39 acre parcel into four separate parcels of: 5.10 acres \(Parcel A and D\); 5.11 acres \(Parcel B\); and 5.08 acres \(Parcel C\).](#)
  - b. Accept the Parcel Map Guarantee and Tax Clearance letter from the Tax Collector.
  - c. Approve and Authorize the Chair to sign the Conservation and Scenic Easement Deed.
  - d. Approve and Authorize the Chair to sign the Subdivision Improvement Agreement.
  - e. Authorize release of \$51,609.85 from Bank of America to Living Trust of Nader and Homejra Daliri.
  - f. Authorize release of \$20,612.53 from First National Bank to Bjorn H Olsen and Dale R. Leclerc.
  - g. Direct the Clerk of the Board to submit the Parcel Map, TAMC Fee Notice, Building Permit Traffic Fee Notice, Water Conservation Notice, Conservation and Scenic Easement Deed, Subdivision Improvement Agreement, and Deed of Trust & Assignments of Rents, Deed Notification-Percolation Report, and Deed Notification Septic Design to the County Recorder for filing.  
(PLN050469/Saddle Road Group, 12173 Saddle Road, Salinas, Greater Monterey Peninsula Area)

**RMA - PUBLIC WORKS:**

- 26.
  - a. [Approve and amend the Fiscal Year \(FY\) 2009-10 RMA-Public Works Department, Fleet Management Budget](#) Unit 8185, to reallocate two (2) 0.75 (part-time) Shuttle Driver position allocations to one (1) 1.0 (FTE) and one (1) 0.50 (part-time) Shuttle Driver positions;
  - b. Direct the Auditor-Controller to incorporate this change in the FY 2009-10 RMA-Public Works Department Fleet Management Budget Unit 8185.
  - c. Direct the Auditor-Controller's Office and the County Administrative Office to amend the 2009-10 Budget and incorporate approved changes in the FY 2010-11 Adopted Budget.
- 27.
  - a. [Approve and authorize the Contracts/Purchasing Officer to execute a five \(5\) year Standard Lease Agreement,](#) effective January 1, 2010, with B & A Farahmand Family Trust, at 1370-B South Main Street in Salinas, California,

- for 12,011 rentable square feet for use by the Monterey County Elections Department;
- b. Direct the Auditor-Controller to make lease payments of \$23,421.45 per month and in accordance with the terms of the Standard Lease Agreement; and
  - c. Authorize the optional extension of the Standard Lease Agreement for an additional second and third term at three (3) years each under the same terms and conditions if deemed by the Contracts/Purchasing Officer to be in the best interest of the County.
28. [a. Approve Plans and Special Provisions for construction of the San Miguel Canyon Road Signal Coordination, Project](#) No. 10-135065; and
- b. Authorize the Clerk of the Board to advertise the "Notice to Bidders" in The Californian on May 17 and May 24, 2010.

**RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY**

29. [Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:](#)
- a. Approve an Exclusive Negotiating Agreement (ENA) with Monterey Downs, L.L.C for the development of approximately 450 acres in the Parker Flats area of the former Fort Ord; and
  - b. Direct the Auditor-Controller's Office and the County Administrative Office to amend the FY 2009-10 Budget to increase revenues and appropriations in Fund 173, Unit 8213 (Fort Ord Redevelopment Project) by \$40,000 (4/5<sup>th</sup> vote required)

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