

MONTEREY COUNTY

BOARD OF SUPERVISORS



Fernando Armenta
Louis R. Calcagno
Simón Salinas
Jane Parker
Dave Potter

1st District
2nd District (Chair)
3rd District (Vice-Chair)
4th District
5th District

Lew C. Bauman
County Administrative Officer

Charles J. McKee
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ACTION MINUTES

MONTEREY COUNTY BOARD OF SUPERVISORS

MONTEREY COUNTY WATER RESOURCES AGENCY

TUESDAY, FEBRUARY 23, 2010

9:00 A.M.

9:00 A.M.

ROLL CALL:

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

1. Additions and Corrections for Closed Session: There were no additions and corrections.
2. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators.
 - (1) Property: 312 East Alisal Street, Salinas County negotiator: 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 conferred with real property negotiator and provided direction to Mr. Tanda on how to proceed in negotiations.
 - (2) Property: County owned property at the corner of Laurel Drive and Constitution Boulevard, Salinas (APNs 003-851-021, -024, and -027) County negotiator: Wayne Tanda, RMA Director

Negotiating parties: County of Monterey and the Salinas Regional Sports Authority

Under negotiation: Price and Terms

Public Comment: Robert Taylor

CLOSED SESSION REPORT: The Board conferred with real property negotiator and provided direction to Mr. Tanda on how to proceed in negotiations.

(3) Property: APN 177-131-002-000 County negotiator: Wayne Tanda, RMA Director Negotiating parties: County of Monterey and George Helmers et al. by Warren Wayland Under negotiation: Price and terms

CLOSED SESSION REPORT: The Board conferred with real property negotiator and provided direction to Mr. Tanda on how to proceed in negotiations.

- b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding three items of significant exposure to litigation. (Item changed on Revisions)

CLOSED SESSION REPORT: The Board conferred with counsel and provided direction to counsel on how to proceed to avoid exposure to litigation.

- c. 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

CLOSED SESSION REPORT: The Board conferred with labor negotiators and provided direction to Mr. Honda and Ms. Covert on specific labor negotiations.

- d. Pursuant to Government Code section 54956.9(a), the Board of Supervisors of the Water Resources Agency will confer with legal counsel regarding existing litigation.

- (1) In the Matter of the Application of California-American Water Company (U 210 W) for a Certificate of Public Convenience and Necessity to Construct and Operate its Coastal Water Project to Resolve the Long-Term Water Supply Deficit in its Monterey District and to Recover All Present and Future Costs in Connection Therewith in Rates (PUC A.04-09-019)

PRIVILEGED AND CONFIDENTIAL - SETTLEMENT DISCUSSIONS - SUBJECT TO RULE 12.6 OF THE CPUC RULES OF PRACTICE AND PROCEDURE, CALIFORNIA EVIDENCE CODE SECTION 1152, RULE 408 OF THE FEDERAL RULES OF EVIDENCE, AND ALL OTHER SETTLEMENT PROTECTIONS - SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE, THE WORK PRODUCT DOCTRINE, AND JOINT DEFENSE PRIVILEGE, AND

THE COMMON PURPOSE DOCTRINE

CLOSED SESSION REPORT: The Board of Supervisors of the Water Resources Agency conferred with counsel and provided direction on how to proceed to try to resolve this matter.

ROLL CALL:

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

- S-1 Held Welcome Home Troops Ceremony.
Posting of colors by the Salinas Elks Lodge
The Pledge of Allegiance was led by Captain Sheila Allen.
Comments heard by Supervisors, County Counsel and the County Administrative Officer. Recessed to a reception

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, the Board is asked to make the following additions and corrections:

Title Additions to Agenda:

For items 56 through 60 being heard under the title of:

5.1 CONSENT CALENDAR - MONTEREY COUNTY
REDEVELOPMENT AGENCY (See Supplemental Sheet)

For Item 61 being heard under the title of:

5.2 CONSENT CALENDAR - MONTEREY COUNTY
WATERRESOURCES AGENCY (See Supplemental Sheet)

Remove Under Scheduled Matter:

- S-4 Continued hearing from February 9, 2010, consideration of adoption of an Ordinance of the County of Monterey amending Paragraph D of Section 2.32.030 of the Monterey County Code relating to the specific duties of the Purchasing Agent to lease, license and acquire any interest in real property, subject to the conditions set forth in the Paragraph.

Title Correction to Scheduled S-5

- S-5 Continued hearing ~~February 9, 2010~~, from January 26, 2010 to consider adopting:

- a. An Ordinance amending Title 21 to grant an automatic, one-time, extension of two (2) years for certain types of existing planning permits that have been approved and have not expired prior to January 1, 2008 provided no more than one prior extension has been granted and no extension request has been denied (Permit Extension Ordinance/Non-Coastal).
- b. Resolution of Intent to:

1. Adopt an ordinance amending Title 20 to grant an automatic, one-time, extension of two (2) years for certain types of existing planning permits that have been approved and have not expired prior to January 1, 2008 provided no more than one prior extension has been granted and no extension request has been denied (Permit Extension Ordinance/Coastal); and
2. Direct staff to submit the resolution together with materials sufficient for a thorough and complete review to the California Coastal Commission.
(PD090361/Permit Extensions, Countywide)

Motion by Supervisor Potter, seconded by Supervisor Armenta to approve additions and corrections. ALL AYES

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
 - Supervisor Parker commented on item 23.
 - Supervisor Calcagno commented on item 57.
 - Supervisor Calcagno commented on item 60.
 - Supervisor Parker commented on item 60.

Public Comment:

- Anne Leach, Vic Collins, and Dr. Clark commented on item 27.
- Supervisor Parker commented on item 31.

Motion by Supervisor Potter, seconded by Supervisor Parker with the exception of Item 48. ALL AYES

- 5.1 CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)

Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

- 5.2 CONSENT CALENDAR - MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet)

Motion by Supervisor Parker, seconded by Supervisor Potter. ALL AYES

48. Board Budget No. 09/10-106
 - a. Acknowledged the Redevelopment Agency's intent to meet its Supplemental Educational Revenue Augmentation Fund (SERAF) contribution allocation as specified in Section 33690 of the Health and Safety Code by utilizing Capital funds in the Castroville/Pajaro, Boronda, and Fort Ord project areas; and
 - b. Approved and authorized the Director of Redevelopment and Housing to inform the County Auditor that the 2010 payment to the County SERAF may be made from Redevelopment Agency funding.

Motion by Supervisor Parker, seconded by Supervisor Armenta ALL AYES

OTHER BOARD MATTERS:

6. Board Comments
 - Supervisor Potter commented on a hospital restructuring meeting held in San Joaquin County and advised Harry Weis and Lew Bauman also attended this meeting.

7. CAO Comments and Referrals
County Administrative Officer Bauman advised of the following Board referrals:
 - 1) Begin developing options to address the anticipated increase in the employer's contribution related to the Public Employees Retirement System (PERS); referred to Human Resources and Budget offices. (Parker/Armenta serving on the Human Resources Committee)
 - 2) With Planning Department concurrence, begin preparation of an ordinance to establish a new procedure for approving minor subdivisions which moves the final decision from a committee to the Planning Commission; assigned to Planning Department.
 - 3) Follow up on referral for banning use of polystyrene foam: This item will be introduced in March and return in early April for full consideration. (Parker)
8. Public Comment.
Roy Madsen; Eric Johnson; Ed Mitchell
9. Considered modifications to Board Committees as follows:
 - a. Disbanded the Jail Facility & Juvenile Hall Facility Committee;
 - b. Re-named the Ad Hoc Juvenile Hall Action Committee to the Juvenile Hall Ad Hoc Committee and appointed Supervisors Potter and Salinas for 2010;
 - c. Re-named the Jail Construction and Secure Community Reentry Facility Ad Hoc Committee to the Jail Construction Ad Hoc Committee and appointed Supervisors Armenta and Salinas for 2010; and
 - d. Appointed Supervisor Parker to the Juvenile Justice Coordinating Council for 2010.

Motion by Supervisor Calcagno, seconded by Supervisor Parker.
ALL AYES

RESOLUTIONS: Items 10 through 19 heard concurrently

10. Adopted Resolution No. 10-025 honoring Laurel Duvall upon her retirement as an Eligibility Supervisor for the Department of Social and Employment Services in the County of Monterey after 34 years of public service. (Full Board)
Motion by Supervisor Calcagno, seconded by Supervisor Armenta ALL AYES
11. Adopted Resolution No. 10-026 honoring Loma K. Livernois upon her retirement as a Program Manager II for the Department of Social and Employment Services in the County of Monterey after 40 years of public service. (Full Board)
Motion by Supervisor Calcagno, seconded by Supervisor Armenta ALL AYES
12. Adopted Resolution No. 10-027 honoring Woody Kelley as the recipient of the Monterey Peninsula Chamber of Commerce 2009 Robert C. Littlefield Award. (Supervisor Potter)
Motion by Supervisor Calcagno, seconded by Supervisor Armenta ALL AYES

13. Adopted Resolution No. 10-028 honoring David Armanasco as the recipient of the Monterey Peninsula Chamber of Commerce 2009 Citizen of the Year Award (Supervisor Potter)
Motion by Supervisor Calcagno, seconded by Supervisor Armenta ALL AYES
14. Adopted Resolution No. 10-029 honoring Jim Tunney as the recipient of the Monterey Peninsula Chamber of Commerce 2009 Ruth Vreeland Memorial Public Official of the Year Award. (Supervisor Potter)
Motion by Supervisor Calcagno, seconded by Supervisor Armenta ALL AYES
15. Adopted Resolution No. 10-030 honoring California State University of the Monterey Peninsula as the Monterey Peninsula Chamber of Commerce 2009 Business of the Year Award. (Supervisor Potter)
Motion by Supervisor Calcagno, seconded by Supervisor Armenta ALL AYES
16. Adopted Resolution No. 10-031 honoring Laura A. Davis as the Monterey Peninsula Chamber of Commerce 2009 Volunteer of the Year Award. (Supervisor Potter)
Motion by Supervisor Calcagno, seconded by Supervisor Armenta ALL AYES
17. Adopted Resolution No. 10-032 honoring Agnes Tebo in recognition for being named the NAACP President's Award Winner. (Full Board)
Motion by Supervisor Calcagno, seconded by Supervisor Armenta ALL AYES
18. Adopted Resolution No. 10-034 honoring the Peace Corps in recognition of National Peace Corps Week. (Full Board)
Motion by Supervisor Calcagno, seconded by Supervisor Armenta ALL AYES
19. Adopted Resolution No. 10-033 honoring Legal Services for Seniors in recognition of Legal Services for Seniors 25th Anniversary. (Full Board)
Motion by Supervisor Calcagno, seconded by Supervisor Armenta ALL AYES

APPOINTMENTS: Items 20 through 22 heard concurrently.

20. Appointed Daisy Rosas to the Community Action Commission, term ending July 1, 2012. (Supervisor Armenta)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

21. Reappointed Jim Slaten and Fredrick Hughes to the Monterey County Regional Fire District, formerly Salinas Rural Fire Protection District, terms ending March 1, 2014. (Full Board)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES
22. Reappointed Larry Barlow, Jerome McCready and Charley Rider, to the Castroville Cemetery District, terms ending March 30, 2013. (Supervisor Calcagno)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

SCHEDULED MATTERS:

- S-2 Recognized seventy-four (74) businesses in Monterey County, listed in Attachment A, that have obtained Green Business certification from the Monterey Bay Area Green Business Program since October 1, 2007.
- S-3
- Accepted report from the Board of Supervisors' Human Resources and Labor Committee (HRLC); and
 - Authorized the HRLC to further explore the option of transitioning Monterey County to an Approved Local Merit System (ALMS), by meeting with stakeholders; and
 - Authorized the HRLC to explore the option of implementing a classification system based on "broad-banding", by meeting with stakeholders; and
 - Directed the HRLC to report to the Board of Supervisors no later than the last meeting in May of 2010.
- Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES**

S-4 S-4 Removed during Additions and Corrections

~~Continued hearing from February 9, 2010, consideration of adoption of an Ordinance of the County of Monterey amending Paragraph D of Section 2.32.030 of the Monterey County Code relating to the specific duties of the Purchasing Agent to lease, license and acquire any interest in real property, subject to the conditions set forth in the Paragraph.~~

S-5 Continued to March 16, 2010

Continued hearing from January 26, 2010, to consider adopting:

- An Ordinance amending Title 21 to grant an automatic, one-time, extension of two (2) years for certain types of existing planning permits that have been approved and have not expired prior to January 1, 2008 provided no more than one prior extension has been granted and no extension request has been denied (Permit Extension Ordinance/Non-Coastal).
- Resolution of Intent to:
 - Adopt an ordinance amending Title 20 to grant an automatic, one-time, extension of two (2) years for certain types of existing planning permits that have been approved and have not expired prior to January 1, 2008 provided no more than one prior extension has been granted and no

extension request has been denied (Permit Extension Ordinance/Coastal); and

2. Direct staff to submit the resolution together with materials sufficient for a thorough and complete review to the California Coastal Commission. (PD090361/Permit Extensions, Countywide)

Carl Holm requested the Board continue the item for proper noticing and consider the following directions and options for projects; 1) projects approved January 2009 or 2) focus on projects approved between 2006 and 2009.

Motion by Supervisor Parker, seconded by Supervisor Potter to continue this item to March 16, 2010 for required noticing and provided direction to staff to focus on projects approved between 2006 and 2009. ALL AYES

Recessed to Lunch – Closed Session

RECONVENED 1:30 P.M.

ROLL CALL:

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

- S-6 Received a report on implementation of the C-IV computer system in the Department of Social and Employment Services (Board Referral No. 2010.05).

Motion by Supervisor Armenta, seconded by Supervisor Potter. ALL AYES

- S-7 Public hearing held; closed public hearing; and
- a. Certified FEIR for the Castroville Community Plan
 - b. Adopted Resolution No. 10-036 to amend the Castroville Community Plan by adding Design Guidelines and Development Standards as appendices to the Castroville Community Plan, and thus amend the 1982 General Plan and North County Area Plan (inland).
 - c. Adopted Ordinance 5153 amending Title 21 (Inland Zoning) of the Monterey County Code to: Create a new Community Plan (CP) zoning district; apply Community Plan Development Standards to areas of the County for which a Community Plan has been adopted; and amend Sectional Zoning District Map 21-104 to rezone the Castroville Community Plan inland areas from their former zoning to a "CP" District (Amendment to the Castroville Community Plan and amendment to Monterey County Zoning Ordinance - PLN090014/County of Monterey Redevelopment and Housing Office, inland areas within the Castroville Community Plan Boundaries)

Motion by Supervisor Calcagno, seconded by Supervisor Parker. ALL AYES

- S-8 Continued public hearing; closed public hearing; and
- a. Considered the appeals from Peter Fallon and Steve Dallas from the discretionary decision by the Planning Commission to approve a Coastal Administrative Permit to allow the conversion of an approved test well to a domestic production well; and
 - b. Considered the application (PLN080017/Chopin Enterprises LLP) for a Coastal Administrative Permit to allow the conversion of an approved test

well (PLN060263) to a domestic production well at 24479 San Juan Road, Carmel Woods. (Appeal, Discretionary Decision - PLN080017/Chopin Enterprises LLP, 24479 San Juan Rd., Carmel Woods, Carmel Area Land Use Plan)

- c. Considered continuing the item to a date certain, and providing direction to staff to return with findings and evidence reflecting the Board's direction.
- Glen Monzinga addressed the Board on behalf of the appellant, Mr. Fallon.
- John Bridges addressed the Board for the Applicant.

Public Comment: Robert Schulyer; Eric Dyer; Mitzie Dallas; Richard Le Warren Supervisor Armenta advised he will be attending meeting Legislative meeting in Washington, DC on March 16, 2010, on behalf of the Monterey-Salinas Transit Authority.

Motion by Supervisor Potter, seconded by Supervisor Calcagno, to approve a motion of intent to deny the appeals and approve the Coastal Administrative permit, with additional conditions, consistent with the following directions:

1. Staff to return on March 16, 2010 with the incorporation of new conditions regarding a) requiring any future habitable structural development to incorporate a dual plumbing system for fire suppression and potable use; b) requiring any future habitable structural development to incorporate back up generator power and on-site storage; c) applicant should place name on water waiting list; d) notice on title should state the fact that this property is on a well; and
2. Additionally directed staff to bring back interim ordinance that addresses amendments of Local Coastal Program regarding use of wells on small lots; and prohibits uses that are in conflict with regulations that are being studied in regard to clarifying wells on small lots; review and consider the Highland sewer model as possible path of implementation of moratorium while looking at larger hydro-geologic issues countywide; provide information on inoperative wells in area; level of County environmental review; and the appropriate level of hydrologic analysis. **ALL AYES**

S-9 Continued hearing held (from Tuesday, February 9), and adopted Resolution No. 10-037 to:

- a. Deny the appeal from the Planning Commission's determination that the Red Barn operations are in violation of Use Permits ZA-3117, ZA-3567-D, and ZA-3629-D;
- b. Find that the Red Barn operations are in violation of Use Permits ZA-3117, ZA-3567-D, and ZA-3629-D, as described in the above Recitals, for 1) outdoor retail sales outside the approved area, 2) landscaping not in conformance with the approved landscaping plan for ZA-3629-D, and 3) parking and storage of vehicles outside the approved area (ZA-3567-D);
- c. Determine that the uses allowed on the "Red Barn" property are those uses stated in the resolutions adopted for ZA-3117, ZA-3567-D, and ZA-3629-D, which are as follows:
 - Indoor and outdoor retail sales of new and used merchandise, beer bar, snack food bar, wine tasting and sales, and a relocated mobile home, as

- shown in the resolution for ZA-3117 (Assessor's Parcel Number 141-013-004, -005, and -011);
- Expansion of the parking lot onto the terrace area above (south of) the "Red Barn" area approved for use in ZA-3117, as shown in the resolution for ZA-3567-D (Assessor's Parcel Number 141-013-045—currently Assessor's Parcel Number 141-013-011);
 - Expansion of the parking lot to the parcel northeast of the "Red Barn" area approved for use in ZA-3117 and ZA-3567-D, as shown in the resolution for ZA-3629-D. The application stated it was for "Parking" (section 9) of about 950 spaces (section 13) as stated in Exhibit B, page 106, of the January 26, 2010 Board of Supervisors staff report (Assessor's Parcel Number 141-013-007).
- d. Modify the conditions of approval for Use Permits ZA-3117, ZA-3567-D and ZA-3629-D to include new conditions of approval, as attached hereto as **Attachment A** and hereby incorporated. The area approved for outside retail sales is as approved under Use Permit ZA-3117 and as depicted by dashed line on **Attachment B**, except as modified by the conditions of approval.

Public Hearing:


- Myron Doc Etienne, Belinda Taluban, and Christine Kemp addressed the Board on behalf of the appellant.

Public Comment: Carolyn Anderson; Hans Jongens; Rosalba Lopez with interpreter Paola; Lupe Valdez; Juan Valdez; Maria Valdez; Maria Alvarez; Unidentified male; Antonio Ranta, with interpreter Paola; Leonore Santos; Nora Martinez with interpreter Paola Munoz; Cesar Cortez; Fabio Ortiz; Dolores Ruiz; Rich LeWarne.

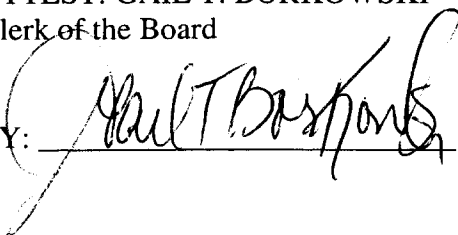
Motion by Supervisor Parker, seconded by Supervisor Calcagno. 3 - 2 (Supervisor Armenta and Supervisor Salinas dissented)

Recessed and continued Closed Session

Closed Session Report (See item 2a-d)


SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: 

(Supplemental Sheet)

CONSENT CALENDAR

HEALTH AND SOCIAL SERVICES:

23. Accepted the 2009 Annual Report from the Santa Cruz-Monterey-Merced Managed Medical Care Commission, also known as the Central California Alliance for Health.
24. Agreement No. A-11638
 - a. Approved and authorized the Director of Health to sign a three Fiscal Year (FY) term (FY 2009-10, 2010-11 and 2011-12) Mental Health Services Agreement with the County of Santa Cruz for the provision of Short-Doyle/Medi-Cal mental health services in the annual amount of \$15,000 for a total amount not to exceed \$45,000 for the period July 1, 2009 through June 30, 2012; and
 - b. Authorized the Director of Health to approve future amendments up to five percent (5%) of the annual amount, which does not significantly alter the scope of work or result in an increase to net county costs.
25. Agreement No. A-11639
 - a. Approved and authorized the Director of Health to sign Amendment No. 1 to the Agreement with the Kinship Center for the purpose of establishing a means of claiming Federal Financial Participation for Targeted Case Management Services through their Family Ties Program, in an amount not to exceed \$600,000, for the period of July 1, 2007 through June 30, 2012; and
 - b. Authorized the Director of Health to sign up to two additional Amendments, where the Amendments do not exceed five percent (5%) of the total amount of the Agreement, and do not significantly change the scope of services.
26. Agreement No. A-11497 Approved and authorized the Director of Health to sign Amendment No. 2 to Agreement A-11497 with Sun Street Centers to increase the existing Agreement amount of \$3,679,267 by \$511,739 to add prevention services awarded under RFP No. 1050*3 for a new Agreement amount of \$4,191,006.
27. Agreement No. A-11640
 - a. Approved and authorized the Director of Health to sign a three Fiscal Year (FY) term (FY 2009-10, 2010-11 and 2011-12) Alcohol and Drug Treatment Services Agreement with Sunrise House for the provision of alcohol and drug recovery services in the amounts of \$214,426 for FY 2009-10; \$364,133 for FY 2010-11; and \$364,133 for FY 2011-12, for a total Agreement amount of \$942,692 for the period March 1, 2010 through June 30, 2012; and
 - b. Authorized the Director of Health to approve future amendments up to five percent (5%) of the annual amount, which does not significantly alter the scope of work or result in an increase to net county costs.

28. Board Budget No. 09/10-100
- a. Approved and amended the Fiscal Year (FY) 2009-10 Health - Clinic Services Budget 4000, HEA007, to reallocate one (1.0) Vacant FTE Accounting Technician to one (1.0) FTE Management Analyst III and add the following positions: one (1.0) FTE Management Analyst III, one (1.0) FTE Senior Clinic Nurse, one (1.0) FTE Medical Assistant, one (1.0) FTE Nurse Practitioner III, and four (4.0) FTE Departmental Information Systems Specialists; and
 - b. Approved and amended the FY 2009-10 Health - Clinic Services Budget 4000, HEA007, to increase Appropriations and Estimated Revenues by \$170,549 resulting from an increase in patient revenues; and
 - c. Directed the Auditor-Controller to incorporate in the FY 2009-10 Health Department Adopted Budget the changes in position count, and in Appropriations and Estimated Revenues in Health HEA007 as outlined in the Board Order. (4/5th vote required)

CRIMINAL JUSTICE:

29. Approved recommended revision to the existing Records Retention Schedule for the Probation Department.
30. Approved an application and order for destruction of records for the Sheriff's Office.
31. Agreement No. A-11641 Approved and authorized the County Administrative Officer and the Sheriff to sign the Memorandum of Understanding between the South Bay Information Sharing System (SBISS) SOUTH BAY REGION NODE and the County of Monterey Sheriff's Office.
32. Board Budget No. 09/10-101
- a. Approved the transfer of \$17,500 from the Juvenile Ward Trust Fund 020 to Department 2550-Probation, Units 8163-Juvenile Hall and 8164-Youth Center; and
 - b. Approved and directed the Auditor-Controller to increase Fiscal Year 2009-10 estimated revenues and appropriations totaling \$17,500 in Department 2550-Probation, Units 8163-Juvenile Hall and 8164-Youth Center, for purchase of recreational equipment, clothing, supplies, and furnishings for juveniles in the Monterey County Youth Center and Juvenile Hall (4/5th vote required).

GENERAL GOVERNMENT:

33. a. Approved a request from the San Lucas Cemetery District for an exemption to the annual audit required by Government code Section 26909 and
- b. Authorized Preparation of Biennial Audits covering the Fiscal Years of 2009-11 and every two years thereafter (unanimous vote required).

34. Approved amendments to conflict of interest code of the Transportation Agency for Monterey County.
35. Approved the use of County Park facilities by Church Igelisa del Valle on August 15, 2010 for one function by Church Igelisa del Valle in compliance with Monterey County Code 14.12.130.
36. Approved the use of County Park facilities by Harbor Chapel on April 4, 2010 for one function by Harbor Chapel in compliance with Monterey County Code 14.12.130.
37. ~~Approved and authorized the County Librarian to sign a cooperative agreement between the City of Gonzales and the Monterey County Free Libraries regarding the construction of a Community Center/Library in the City of Gonzales.~~
(Item removed on Revisions)
38. Board Budget No. 09/10-102
Adopted Resolution No. 10-038 to amend Personnel Policies and Practices Resolution No. 98-394 to:
 - a. Added the classification of Principal Legal Analyst;
 - b. Re-titled the Principal Employee Relations Representative to Principal Labor and Employee Relations Representative;
 - c. Amended the FY 2009-10 County Counsel Budget Unit 1210 to reallocate one (1) FTE Principal Employee Relations Representative to one (1) FTE Principal Legal Analyst; and
 - d. Directed the Auditor-Controller to incorporate this change in the FY 2009-10 County Counsel Budget Unit 1210.
39. Board Budget No. 09/10-103
Adopted Resolution No. 10-039 to amend Personnel Policies and Practices Resolution No. 98-394 to:
 - a. Approved reclassification of one (1) FTE Senior Clerk-Confidential to one (1) FTE Risk and Benefits Specialist-Confidential;
 - b. Amended the Fiscal Year (FY) 2009-10 Risk Management Budget to delete one (1) FTE Senior Clerk-Confidential and add one (1) FTE Risk and Benefits Specialist-Confidential; and
 - c. Directed the Auditor-Controller to incorporate this change in the FY 2009-10 Risk Management Budget as indicated in the Board Order.
40. Board Budget No. 09/10-104
Approved and authorized the transfer of funds in the amount of \$22,400 from Salaries and Benefits to Fixed Assets in the Agricultural Commissioner's budget 2810 for the purchase of two (2) application servers and a network printer.

41. Adopted Resolution No. 10-040 to amend Personnel Policies and Practices Resolution No. 98-394 to:
 - a. Amended Section A.2.4 Difficult to Recruit Positions to include the Elections Department; and
 - b. Directed the Auditor-Controller to implement the terms of this amendment.
42.
 - a. Affirmed support of the California State Association of Counties (CSAC) - Principles for Reform 2010 and the Cities Counties Schools (CCS) Partnership - Joint Principles for State Budget and Fiscal Reform; and
 - b. Received the action minutes from the September 28, 2009; October 14, 2009; October 26 2009; November 10, 2009; November 30, 2009; December 3, 2009; and January 20, 2010, meetings of the Legislative Committee.
43. Agreement No. A-11642 Approved and authorized the Chair to sign a Memorandum of Agreement concerning the Realignment of the Multimodal Transit Corridor on the Former Fort Ord.
44. Agreement No. A-11643 Approved the Partnership Agreement between the Monterey County Office of Education and the Monterey County Administrative Office and the Monterey County Office of Emergency Services relating to the Monterey County Office of Education's "Readiness and Emergency Management for Schools" grant for 2010.
45. Adopted Resolution No. 10-041 to:
 - a. Repeal the Employer-Employee Relations Resolution No. 05-044; and
 - b. Adopt a new policy to be known as the Employer-Employee Relations Resolution of Monterey County.
46. Adopted Resolution No. 10-044 approving the form and authorizing the execution of a first amendment to lease Agreement, amending that certain lease Agreement, dated as of January 1, 1998, by and between the County of Monterey public improvement corporation and Monterey county and authorizing and directing certain actions with respect thereto, to, release properties previously encumbered by the Natividad Medical Center (NMC) bonds that were refunded.
47. Agreement No. A-11299 Approved and authorized the Contracts/Purchasing Officer to sign Amendment No. 1 to the Professional Services Agreement with the law firm of Duane Morris & Associates, increasing the total amount of the contract from \$100,000 to \$200,000, and extending the expiration date from February 28, 2010 to June 30, 2010, for risk management legal consulting and support services.

RMA - PLANNING DEPARTMENT:

48. This Item was heard following Item No. 5.2

49. Authorized the Chair to sign a letter to the California Public Utilities Commission expressing preference for a Pacific Gas and Electric Switching Facility location at the northeast corner of Crazy Horse Canyon and San Juan Grade Roads over alternative locations analyzed by PG&E. (REF100001/PG&E Switching Yard)

RMA - BUILDING DEPARTMENT:

50. Board Budget No. 09-10-107
- a. Approved transfer of \$225,000 from Capital Projects Fund 402, Unit 8174, Account 7521 (Unspecified-Needs Board Approval) to Building Services Fund 001, Unit 8170, Account 7531 (Equipment); and
 - b. Directed the Auditor Controller to move appropriations in the amount of \$225,000 within Fund 402, Unit 8174, from Account 7521 (Unspecified-Needs Board Approval) to Account 7614 (Operating Transfers Out); and
 - c. Directed the Auditor-Controller to increase revenue and appropriations in Fund 001, Unit 8170, Appropriation Unit RMA011, Accounts 5940 (Operating Transfers In) and 7531 (Equipment) by \$225,000 respectively (4/5th vote required).

RMA - PUBLIC WORKS:

51. 2009CONST006
- a. Accepted the Certificate of Completion for construction of the Espinosa Road Overlay Project, Project No. 09-140465, State Project No. EA 05-930188L, Federal Aid Project No. ESPL-5944 (095); and
 - b. Authorized the Director of Public Works to execute and record the Notice of Completion.
52. Agreement No. A-11044
- a. Approved Amendment No. 4 to Professional Services Agreement No. A-11044 with Turner Construction Company to continue to provide tasks associated with construction management services for the Monterey County Health Department Building Project, Project No. 8776, in the amount of \$219,466 for a total amount not to exceed \$1,319,454 for a term through June 30, 2010; and
 - b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 4 to Professional Services Agreement No. A-11044 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.
53. 2009CONST007
- a. Accepted the Certificate of Completion for the Foam Roof Restoration for Monterey County Sheriff's Office Men's and Women's Adult Detention and Rehabilitation Facilities, Project No. 8534, Bid No. 10181; and
 - b. Authorized the Director of Public Works to execute and record the Notice of Completion.

54. Agreement No. A-08925
- a. Ratified Amendment No. 6 to Architectural Services Agreement No. A-08925 with Wald, Ruhnke & Dost Architects, LLP to continue to provide tasks associated with construction administration services and furniture plans and installation for the Monterey County Health Department Building Project, Project No. 8776, in the amount of \$161,580 for a total amount not to exceed \$1,825,993 for a term through June 30, 2010; and
 - b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 6 to Architectural Services Agreement No. A-08925 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.
55. Agreement No. A-11644 Authorized the Director of Public Works to execute a Memorandum of Understanding between the County of Monterey, the Transportation Agency for Monterey County and the California State Department of Parks and Recreation for the purpose of allocating maintenance responsibilities for the Carmel Hill to River Trail Project.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

56. Agreement No. A-11645 Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey: Approved and authorized the Chair to sign a Memorandum of Agreement concerning the Realignment of the Multimodal Transit Corridor on the Former Fort Ord.
57. Agreement No. A-11646 Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey: Approved a lease agreement between the Redevelopment Agency and Clinica de Salud del Valle de Salinas for the Pajaro Medical/Dental Clinic Project located at the Pajaro Senior Center.
58. Agreement No. A-11647 Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey: Approved a grant agreement in the amount of \$134,690 between the Redevelopment Agency and Clinica de Salud del Valle de Salinas for the Pajaro Medical/Dental Clinic Project.
59. Board Budget No. 09/10-108 Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
- a. Determined the Redevelopment Agency's intent to meet its Supplemental Educational Revenue Augmentation Fund (SERAF) contribution allocation as specified in Section 33690 of the Health and Safety Code by utilizing Capital funds in the Castroville/Pajaro, Boronda, and Fort Ord project areas; and
 - b. Requested that the County Board of Supervisors authorize execution of a letter informing the County Auditor of the Agency's intent.

60. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
 - a. Adopted Resolution No. 10-035 authorizing submittal to the California Department of Parks and Recreation an application for grant funding in the amount of \$5,000,000 under the Statewide Park Development and Community Revitalization Program of 2008 (Proposition 84) for the proposed Pajaro Neighborhood Park; and
 - b. Authorized the Director of Redevelopment and Housing to make minor modifications to and sign the grant application submittal documents as well as any contracts, amendments and other documents related to the application and grant funding.

RMA - MONTEREY COUNTY WATER RESOURCES AGENCY:

61. Board Budget No. 09/10-109 Acting as the Board of Supervisors of the Monterey County Water Resources Agency: Approved a payment not to exceed \$60,000 to FISHBIO for the purchase of two (2) Rotary Screw Traps and amend the Agency's Fiscal Year 2009-2010 Fund 114 Fixed Asset Budget to accommodate the payment.

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