

**MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY WATER RESOURCES AGENCY
PAJARO COUNTY SANITATION DISTRICT
TUESDAY, MAY 24, 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

2. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators.
Designated representatives: Keith Honda and Dianne Dinsmore
Employee organizations: All Units
 - b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
 - (1) Isilda Amaral (WC 608-617584)
 - (2) Gary Wrightman (WC 608-641620 & WC 608-439758)
 - c. Pursuant to Government Code section 54957, the Board will confer regarding discipline, dismissal, or release of a public employee.

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)

Recess

Convene as the Board of Supervisors of the Monterey County Water Resources Agency

MONTEREY COUNTY WATER RESOURCES AGENCY

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

Adjournment

Reconvene as the Monterey County Board of Supervisors

MONTEREY COUNTY BOARD OF SUPERVISORS

CEREMONIAL RESOLUTIONS

7. [Adopt Resolution proclaiming Leroy B. Keely as the 2011 Recipient of the Area Agency on Aging Advisory Council](#) John McCune Senior Recognition Award. (Chair Parker)
8. [Adopt Resolution honoring "Undisclosed Recipient" upon her selection as the 2011 Ag Against Hunger Outstanding](#) Ag Woman of the Year. (Chair Parker)
9. [Adopt Resolution Commending Virginia Y. Quidileg for thirty-eight years of dedicated service in the Department of](#) Child Support Services as an Accounting Technician upon her retirement. (Full Board, Supervisor Parker)
10. [Adopt Resolution Commending Thomas P. O'Brien for twenty-four years of dedicated service in the Department of](#) Child Support Services as a Child Support Attorney upon his retirement. (Full Board, Supervisor Parker)
11. [Adopt Resolution to recognize Louri Ruiz for twenty-eight years of distinguished service as an Eligibility Supervisor for the](#) County of Monterey Department of Social and Employment Services upon her retirement. (Full Board, Supervisor Parker)

12. [Adopt Resolution commending Loretta Rider, Associate Personnel Analyst to the Resource Management Agency](#), for her dedicated service of thirty one years to the County of Monterey upon her retirement. (Full Board, Supervisor Parker)
- 12.1 [Adopt Resolution commending Sam Downing upon his retirement for his 40 years of leadership in the Salinas Valley Memorial](#) Healthcare System. (Full Board-Supervisor Calcagno)

APPOINTMENTS

13. [Appoint one of two nominees to the Monterey County Water Resources Agency which were submitted by the](#) City Selection Committee, Mayor Carmelita Garcia (City of Pacific Grove) or Mayor Fred Ledesma (City of Soledad), term ending December 31, 2013. (Full Board)

OTHER BOARD MATTERS

14. Board Comments
15. [CAO Comments and Referrals](#)
16. 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.

SCHEDULED MATTERS

- S-1 [Acting on behalf of County Service Area 75 - Chualar:](#)
 - a. Conduct a Public Hearing to hear the report of delinquent fees and consider any protests or objections to the report by landowners liable to be assessed for delinquent fees for the County Service Area 75 - Chualar;
 - b. Consider adopting a resolution confirming the report of delinquent fees for the County Service Area 75 - Chualar, as identified in Exhibit A, and authorizing the delinquent fees as set forth in the confirmed report to constitute special assessments against the respective parcels of land to be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected; and
 - c. Consider authorizing the Clerk of the Board of Supervisors to file a certified copy of the confirmed report with the Auditor-Controller.

- S-2 [Receive report from the Community Foundation of Monterey County entitled First Glance: Quality of Life of Women and Girls.](#)

Recess

Convene as the Board of Directors of the Pajaro County Sanitation District

PAJARO COUNTY SANITATION DISTRICT

- S-3 [Acting as the Board of Directors of the Pajaro County Sanitation District:](#)
- a. Conduct a Public Hearing to hear the report of delinquent accounts, and consider any protests and objections to the report by landowners liable to be assessed for delinquent fees for the Pajaro County Sanitation District;
 - b. Consider adopting a resolution confirming the report of delinquent fees for the Pajaro County Sanitation District; as identified in Exhibit A, and authorizing the delinquent fees as set forth in the confirmed report to constitute special assessments against the respective parcels of land to be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected; and
 - c. Consider authorizing the Clerk of the Board of Supervisors to file a certified copy of the confirmed report with the Auditor-Controller.

Adjournment as Board of Directors of the Pajaro County Sanitation District

12:00 P.M. RECESS TO LUNCH

1:30 P.M. RECONVENE

MONTEREY COUNTY BOARD OF SUPERVISORS

ROLL CALL

SCHEDULED MATTERS

- S-4 [Public hearing to consider:](#)
- a. Adoption of a Negative Declaration for amendments to Title 21 and Title 20 to implement the 2009-2014 Housing Element;
 - b. Adoption of an ordinance to amend Title 21 (non-coastal zoning) of the Monterey County Code to implement the 2009-2014 Housing Element of the Monterey County General Plan, to provide regulations and development standards for Requests for Reasonable Accommodation, Accessory Dwelling Units, Agricultural Employee Housing, Employee Housing, Residential Care Facilities, Transitional Housing and Transitional Housing Development, Supportive Housing, Single Room Occupancy Facilities, Homeless Shelters, and density bonuses and incentives and to revise the definition of family; and

- c. Direct staff to initiate preparation of an ordinance to establish a process that would allow property owners to make their homes accessible to people with disabilities.

(Housing Ordinance Amending Title 21 Non-Coastal Zoning

Ordinance REF100052, County of Monterey, County-wide) (Non-Coastal Areas)

- S-5
- a. [Public hearing to adopt Resolution of a non-refundable processing fee of \\$40.00, effective July 1, 2011, for filing](#) an Application for Changed Assessment to appeal property tax assessments, with provision for fee waiver due to financial condition;
 - b. Adopt Resolution approving Rules of Procedure of the Monterey County Assessment Appeals Board; and
 - c. Authorize the County Administrative Office to incorporate estimated revenue and appropriations in the amount of \$52,000 in the Clerk of the Board's Fiscal Year (FY) 2011-12 Adopted Budget. (4/5ths vote required)

ADJOURNMENT

(Supplemental Sheet)

CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

- 17. Item deleted
- 18. Item deleted
- 19. [Authorize the Purchasing Manager for Natividad Medical Center \(NMC\) to execute Amendment No. 4 to the](#) Agreement (A-11938) with Cynthia Harlowe for Professional Consulting Services at NMC in an amount not to exceed \$200,000 in the aggregate and \$50,000 for the period July 1, 2011 to June 30, 2012.
- 20. [Authorize the Purchasing Manager for Natividad Medical Center \(NMC\) to execute Amendment No. 4 to the](#) Agreement with Gallun Snow Associates, Inc. for interior design & design master planning services at NMC in an amount not to exceed \$498,499 in the aggregate and \$150,000 for the period July 1, 2011 to June 30, 2012.
- 21. [Authorize the Purchasing Manager for Natividad Medical Center \(NMC\) to execute Amendment No. 5 to the](#) Agreement with Pharmedium Services for Compounding Pharmaceutical Supplies and IV Solution Services at NMC in an amount not to exceed \$360,000 in the aggregate and \$60,000 for the period July 1, 2011 to June 30, 2012.

22. [Authorize the Purchasing Manager for Natividad Medical Center \(NMC\) to execute Amendment No. 3 to the](#) Agreement with Quality Assurance Services, Inc. for Radiation Physicist Services at NMC in an amount not to exceed \$120,000 in the aggregate and \$30,000 for the period July 1, 2011 to June 30, 2012.
23. [Authorize the Purchasing Manager for Natividad Medical Center \(NMC\) to execute Amendment No. 2 to the](#) Agreement with Quinn Power Systems for maintenance for caterpillar diesel electric sets and emergency six (6) power generator services at NMC in an amount not to exceed \$140,000 in the aggregate and \$40,000 for the period July 1, 2011 to June 30, 2012.
24.
 - a. [Approve the Amended and Restated Agreement for Acute Rehabilitation Services \("Agreement"\) between the](#) County of Monterey ("County"), on behalf of Natividad Medical Center ("NMC"), and RehabCare Group Management Services, Inc., to provide management and rehabilitation services for the NMC Acute Rehabilitation Unit (ARU), for a total amount not to exceed \$4,088,525 for the term July 1, 2010 through June 30, 2012.
 - b. Authorize the NMC Purchasing Manager to execute the Agreement for a total amount not to exceed \$4,088,525 for the term July 1, 2010 through June 30, 2012.

HEALTH AND SOCIAL SERVICES

25. [Approve and authorize the Chair to sign the Calendar Year \(CY\) 2012-2013 Community Action Plan.](#)
26.
 - a. [Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign](#) Amendment No. 1 to Agreement No. A-11851 with the Alliance on Aging for the provision of services to Monterey County Seniors for the period July 1, 2010 to June 30, 2011, adding \$55,311, increasing the total contract amount to \$419,349; 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.
27.
 - a. [Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign](#) Amendment No. 1 to Agreement No. A-11852 with Legal Services for Seniors for the provision of services to Monterey County Seniors for the period July 1, 2010 to June 30, 2011, adding \$17,005, increasing the total contract amount to \$151,556; 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.

28. [Authorize the Auditor-Controller to amend the Fiscal Year \(FY\) 2010-11 Health Department Public Guardian HEA008](#) Budget to increase estimated revenue and appropriation in the amount of \$178,760. (4/5ths vote required).
29. [Approve and authorize the Director of Health to retroactively sign a Fiscal Year \(FY\) 2009-10 Mental Health Services Agreement with Red Rock Canyon School](#) for a total Agreement amount of \$22,260.

CRIMINAL JUSTICE

30. [Approve advanced step placement for Max Houser at Step 4 of the Undersheriff salary range and Chuck Monarque at Step 5 of the Chief Deputy Sheriff salary range, effective June 4, 2011, pursuant to Sections A.1.11.1 and A.1.11.5 of the Personnel Policies and Practices Resolution 98-394.](#)

GENERAL GOVERNMENT

31.
 - a. [Award construction contract to Garcia Engineering, low bidder, in the amount of \\$64,561 for Turn One Improvements](#) at Laguna Seca Recreation Area, Bid No.10293;
 - b. Authorize the Chair of the Board to sign the contract; and
 - c. Authorize the Director of Parks to approve change orders up to ten percent (10%) of the bid.
32.
 - a. [Approve and authorize the Contracts/Purchasing Officer to sign a County Master Agreement with AshBritt Environmental, Inc., to provide Post-Disaster Debris Removal and Disposal Services for the County of Monterey, on an as-needed basis for the initial term of one \(1\) year in accordance with the terms and conditions set forth within the Agreement;](#)
 - b. Authorize the Contracts/Purchasing Officer to exercise the options therein for four (4) additional one (1) year periods in accordance with the terms and conditions set within the Agreement; and
 - c. Authorize the Contracts/Purchasing Officer to execute similar additional Agreements for Post-Disaster Debris Removal and Disposal Services with qualified contractors who meet the minimum requirements of RFP No. 10227.
33. [Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 3 to the Professional Services Agreement with Bickmore Risk Services, increasing the total amount of the contract from \\$100,000 to \\$190,000, and extending the expiration date from August 30, 2011 to June 30, 2012, to provide program assessment, gap analysis, workers' compensation and general liability third party administrator program services assessment and continue to provide annual actuarial analysis of workers' compensation and self-insurance programs,](#)

including estimation of outstanding liabilities, projected aggregate costs, departmental cost allocations, and related actuarial projects for the program services.

34.
 - a. [Award annual construction contract to Norcal Contractor, low bidder, in an amount not to exceed \\$150,000 for the](#) annual maintenance of park roadways at Laguna Seca Recreation Area, for the calendar year ending December 31, 2011, Bid No. 10289; and
 - b. Authorize the Chair of the Board to sign the contract.
35. [Approve the application from Joel and Shanna Fineberg to add the Louise G. Rose House to the County's Local Official](#) Register of Historic Resources, as recommended by the County's Historic Resources Review Board.
36. [Adopt Resolution designating County staff positions to authorize and execute documents and applications for the](#) purpose of obtaining financial assistance with the Fiscal Year (FY) 2011 Emergency Management Performance Grant.
37.
 - a. [Approve and authorize the Contracts/Purchasing Officer](#) to execute a Professional Services Agreement with D&S Communications in the amount of \$385,410 for the contract period commencing with the signing of the Agreement through September 13, 2013 for the provision of yearly maintenance services and technical support of the Ericsson phone system; and
 - b. Authorize the Contracts/Purchasing Officer to sign up to two future amendments extending the Agreement for two (2) one year periods where the annual maintenance costs during any single extension period do not exceed \$128,470 per year and the amendment does not significantly change the scope of work.
38.
 - a. [Approve and authorize the Contracts/Purchasing Officer to execute Statement of Work No. 4](#) in the amount of \$161,500 to reconfigure the existing Advantage HRM system as directed by the Board of Supervisors and develop an advanced training manual for grant reporting, to add Amendment 1 in the amount of \$6,650 for investment wave modifications, to add Amendment 11 in the amount of \$11,700 for accounting modifications and to add Convey Taxport in the amount of \$5,500 for newly adopted federal 1099 reporting requirements for a total amended amount of \$10,099,359.50; and
 - b. Approve the transfer of \$161,500 from General Fund Contingencies to the Capital Automation Project fund and increase appropriations and estimated revenue in the Capital Automation Fund (403-1110-8006), Appropriation Unit AUD006. (4/5ths vote required)
39. [Adopt Resolution:](#)
 - a. Approving the Office of Emergency Services to submit an application for the Homeland Security Fiscal Year (FY) 2011 Grant Program; and

- b. Designating and authorizing as Monterey County representatives, the appropriate Auditor-Controller staff, Emergency Services Manager and Planner to execute grant documents.
- 40. [Approve and adopt the Climate-Friendly Purchasing Policy as written and presented by the County's](#) Contracts/Purchasing Division of the County Administrative Office.
- 41. [Receive the action minutes from the January 20, February 1, February 28 and March 28, 2011 meetings of the](#) Legislative Committee.
- 42. [Set June 6, 2011 at 9:00 a.m. or thereafter for a public hearing to consider adoption of the](#) Fiscal Year 2011-12 Appropriation Limits pursuant to Article XIII B of the California Constitution.
- 43. [Adopt Resolution to:](#)
 - a. Amend Personnel Policies and Practices Resolution No. 98-394 to amend Section A.2.4 Difficult to Recruit Positions to include the Workers Compensation Manager position in the County Administrative Office-Risk Management Division; and
 - b. Authorize the Auditor-Controller to implement the terms of this amendment.
- 44. [a. Award contract to Canterbury Manufactured Homes in the amount of \\$204,220 to provide Five Modular Living](#) Units for Monterey County Parks, Lake Nacimiento and Lake San Antonio, Bid No. 10306;
 - b. Authorize the Chair of the Board to sign the contract; and
 - c. Authorize the Director of Parks to approve change orders up to 10% of the bid.

RMA - PLANNING DEPARTMENT

- 45. [a. Accept an Irrevocable Offer to Dedicate a Vertical Public Access Easement, Recorded Instrument No. 40659, at Reel 2530 Pages 422-444,](#) recorded on July 10, 1990 and executed by the State of California through its Director of General Services and the California Coastal Conservancy;
 - b. Authorize the Chair of the Board of Supervisors to sign the Certificate of Acceptance; and
 - c. Direct the Clerk of the Board to submit the signed Certificate of Acceptance to the County Recorder for filing/recording.(Vertical Public Access Easement- REF110014/State of California, west of Highway 1 at Abalone Point north of Kasler Point, Big Sur Coast Land Use Plan area)
- 46. [a. Approve the Parcel Map for a minor subdivision to divide an 80.71 acre parcel into two parcels of 40.41 acres](#) (Parcel 1) and 40.30 acres (Parcel 2);

- b. Direct the Clerk of the Board to transmit to the County Recorder the Parcel Map for recordation, along with payment of the required recordation fee and Parcel Map Guarantee;
 - c. Direct the Clerk of the Board to transmit to the County Recorder the Flood Plain Notice for recordation; and
 - d. Direct the Clerk of the Board to transmit to the County Recorder the Property Tax Clearance Certification (Subdivision) for filing. (Wilkinson Parcel Map - PLN060460/Wilkinson, 67525 Jolon Road, Lockwood, South County Area Plan)
47. [a. Accept the Conservation and Scenic Easement Deed for the Holman Ranch Holdings property;](#)
- b. Authorize the Chair to execute the Conservation and Scenic Easement Deed; and
 - c. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for recordation.
- (Conservation and Scenic Easement Deed - PLN080450/Holman Ranch Holdings, LLC, 60 Holman Road, Carmel Valley, Carmel Valley Master Plan Area)

RMA - PUBLIC WORKS

48. [a. Accept Spreckels Subdivision Improvements as completed;](#)
- b. Approve the release of the Encroachment Permit Bond No. SU5021823 issued by Arch Insurance Company for roadway improvements in the amount of \$2,302,933; and
 - c. Accept Nacional Avenue, portions of First Street, Second Street, Third Street, Fourth Street, and Fifth Street into the County's maintained road system.
49. [a. Approve Plans and Special Provisions for the Carmel Valley Road Overlay Project, Contract No. 11-141165; and](#)
- b. Authorize the Clerk of the Board to advertise the "Notice to Bidders" in *The Californian* for ten consecutive times commencing May 30, 2011.
50. [a. Award a contract to Telfer Oil Company, the lowest responsible base bidder, for the Procurement \(Delivery and Application\) of Asphalt Emulsion for the Seal Coat 2010 Project, Contract No. 11-551120; in the total amount of \\$702,596.66;](#)
- b. Approve the Performance and Payment Bonds executed and provided by Telfer Oil Company;
 - c. Authorize a contingency (not to exceed 10% of the Contract amount) to provide funding for approved contract change orders; and
 - d. Authorize the Director of Public Works to execute the contract and subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount and do not significantly change the scope of work.

51.
 - a. [Receive Written Reports for County Service Areas containing service charges;](#)
 - b. Set a Public Hearing on June 14, 2011, at 10:30 a.m., to consider protests and objections to said Written Reports; and
 - c. Authorize the Clerk of the Board to publish a Notice of Public Hearing for said Written Reports once a week, for two successive weeks, beginning no later than May 30, 2011, in *The Californian* and *Monterey County Herald*.

MONTEREY COUNTY WATER RESOURCES AGENCY

52.
 - a. [Set a date for a public hearing on June 14, 2011 at 1:30 PM to consider approving the Fiscal Year \(FY\) 2011-12](#) assessments and water delivery and water service charges for Zone 2B and FY 2011-12 assessments for Zones 2Y and 2Z for the Castroville Seawater Intrusion Project and the Salinas Valley Reclamation Project; and
 - b. Direct the Clerk to the Board to publish a hearing notice in *The Californian* and the *King City Rustler* at least ten days prior to the date set for the hearing.
53.
 - a. [Set a date for a public hearing on June 14, 2011](#) at 1:30 PM to consider adopting Zone 2C Fiscal Year 2011-12 assessment charges for the Salinas Valley Water Project; and
 - b. Direct the Clerk to the Board to publish a hearing notice in *The Californian* and the *King City Rustler* at least ten days prior to the date set for the hearing.
54.
 - a. [Set a date for a public hearing on June 14, 2011](#) at 1:30 PM to consider adopting the Fiscal Year 2011-12 benefit assessments for Zones 1, 1A, 8, 9, 12, and 17; and
 - b. Direct the Clerk to the Board to publish a hearing notice in *The Californian*, *The Soledad Bee*, *The Register-Pajaronian* and the *King City Rustler* at least ten days prior to the date set for the hearing.

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