

**MONTEREY COUNTY BOARD OF SUPERVISORS
PAJARO COUNTY SANITATION DISTRICT
TUESDAY, APRIL 13, 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 54957.6, the Board will confer with labor negotiators.
 - (1) Designated representatives: Keith Honda and Patricia Covert; Employee organizations: All Units
 - b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation.
 - (1) Latonya Moore v. County of Monterey (MCSC Case No. M91935)
 - (2) Daniel P. Masto v. Natividad Medical Center, et al. (MCSC Case No. M103925)
 - (3) Stagecoach Territory, Inc. v. County of Monterey, et al. (MCSC Case No. M104908)
 - c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding ~~two~~ one item of significant exposure to litigation.

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 PAJARO COUNTY SANITATION DISTRICT

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.

10. [Adopt Resolution honoring the Alisal High School Boys Soccer Team as the 2010 Central Coast State \(CCS\) Division I Champions.](#) (Full Board)

11. [Adopt Resolution honoring the North Salinas High School Girls Basketball Team as the 2010 Central Coast State \(CCS\) Division I Champions.](#) (Full Board)

12. [Adopt Resolution honoring Carol Hayward upon her selection as one of Six Outstanding Woman of Monterey](#) County for 2010. (Full Board)

13. [Adopt Resolution honoring Jeannette Marie Pendergrass upon her selection as one of Six Outstanding Women of](#) Monterey County for 2010. (Full Board)

14. [Adopt Resolution honoring Sagrario Perea de Perez upon her selection as one of Six Outstanding Women of the](#) Monterey County for 2010. (Full Board)

15. [Adopt Resolution honoring Gloria Torrez Navarro upon her Selection as one of Six Outstanding Woman of Monterey](#) County for 2010. (Full Board)

16. [Adopt Resolution honoring Mary Dandridge upon her selection as one of Six Outstanding Woman of Monterey](#) County for 2010. (Full Board)

17. [Adopt Resolution honoring Sherrie Yokomizo McCullough upon her selection as one of Six Outstanding Women of](#) Monterey County for 2010. (Full Board)

18. [Adopt Resolution proclaiming the week of April 18 through the April 24, 2010, as "National Volunteer Week" in Monterey County.](#) (Full Board)
- 18.1 [Adopt Resolution proclaiming the Week of April 19, 2010, as Monterey County Work Zone Awareness Week.](#) (Full Board)

APPOINTMENTS:

19. [Reappoint Edward O. Fischer to the Parks Commission, term ending April 26, 2014.](#) (Supervisor Salinas)
20. [Reappoint Roger Soell to the Parks Commission, term ending April 26, 2014.](#) (Supervisor Parker)
21. [Reappoint Maria Orozco to the Monterey County Housing Advisory Committee, term ending April 21, 2012.](#) (Supervisor Salinas)
22. [Appoint Louann N. Raras to the Commission on the Status of Women, term ending February 1, 2013.](#) (Supervisor Salinas)
23. [Reappoint Frank Aguillon to the Military & Veterans Affairs Committee, term ending January 1, 2013.](#) (Supervisor Calcagno)

SCHEDULED MATTERS:

- S-1
 - a. [Conduct a public hearing under the requirements of the Tax Equity and Financial Responsibility Act \(TEFRA\) and](#) the Internal Revenue Code of 1986, as amended for the Cynara Court Affordable Housing Project located at 10860-10868 Merritt Street and 10201-10203 Merritt Street in Castroville being developed by Mid-Peninsula Housing Coalition; and
 - b. Adopt a resolution approving the issuance of up to \$11,700,000 in Private Activity Bonds by the California Municipal Finance Authority (CMFA) for the benefit of Mid-Peninsula Castroville Associates, L.P. to provide for the financing of the Project.
- S-2 [Consider continuance of the public hearing as requested by Monterey County staff, to May 4, 2010, on the application](#) from Mid-Valley Fire Protection District (GPZ09003) consisting of:
 - a. General Plan Amendment to change the General Plan Land Use Designation of 0.35 acres from "Public-Quasi-Public" to "Low Density Residential";
 - b. Amendment to the zoning ordinance to rezone 0.35 acres from "Public-Quasi-Public" zoning district to "Low Density Residential" district; and
 - c. Combined Development Permit consisting of: 1) Minor Subdivision Tentative Map to allow the division of a 1.98 acre parcel into two parcels of 0.35 acres (Parcel 1) and 1.63 acres (Parcel 2); and 2) a variance to allow a reduction of the minimum lot size from 1 acre to 0.35 acres in the "Low Density Residential" zoning district.

(General Plan Amendment - GPZ090003/Carmel Valley Fire Protection District, Carmel Valley Master Plan area)

S-3 Consider the following staff recommendations:

- a. Authorize the expenditure of \$155,000 from the County's Capital Projects Fund 402 to Aromas Water District for preparation of an Engineer's Report to include surveying, engineering and design fees, Appraisers Fee, LAFCO Report Fee and Environmental Document costs for the connection of Oak Ridge Mutual Water Company and portion of Via Del Sol Drive Area to the Aromas Water System;
- b. Transfer \$155,000 from County Capital Projects Fund 402, Unit 8174, Account 7521, Buildings and Improvements to Account 7201, Contributions to Other Agencies;
- c. Authorize the County Administrative Officer to execute an Agreement with the Aromas Water District outlining the Agreement Terms for Funding of specified work and repayment via successful Proposition 218 Assessment District; and
- d. Authorize, should Assessment District fail, the County funds provided to Aromas Water District will be deemed a County Contribution without repayment. (This item was moved from the Consent Calendar)

S-4 Consider the following staff recommendations:

- a. Authorize loan in the amount of \$195,900 to Monterey County Water Resources Agency from the County's Capital Project Fund 402 for preparation of Environmental Impact Report for the Granite Ridge Water Supply Project;
- b. Authorize repayment of this loan from the following sources, Proposition 84, successful Proposition 218 ballot proceeding, or repayment from Monterey County Water Resources Agency Ad Valorem Taxes or any of its other appropriate revenue sources. Terms of this loan to be developed by the County Administrative Office and the Water Resources Agency;
- c. Direct Auditor-Controller to set up loan repayment; and
- d. Amend FY 2009-10 Capital Project Fund 402 Budget to provide for transfer of funds to Monterey County Water Resources Agency Budget as indicated in the Board Order. (This item was moved from the Consent Calendar)

12:00 P.M.

Recess to Lunch Joint Board Leadership Meeting

1:30 P.M. RECONVENE

CLOSED SESSION Continue 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.
 - (1) Designated representatives: Keith Honda and Patricia Covert; Employee organizations: All Units

ORDER FOR ADJOURNMENT

(Supplemental Sheet)

CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER:

24. [Authorize the Purchasing Manager for Natividad Medical Center \(NMC\) to execute Amendment No. 2 to the](#) Agreement with Gallun Snow Associates Inc. for Interior Design and Design Master Planning Services at NMC in an amount not to exceed \$198,500 (an increase of \$60,000) for the period March 1, 2010 to June 30, 2010.
25. [Adopt Resolution to amend Personnel Policies and Practices Resolution No. 98-394 to:](#)
 - a. Add the classifications of Hospital Decision Support Manager and Hospital Decision Support Analyst;
 - b. Amend the Fiscal Year (FY) 2009-10 NMC Budget Unit 9600 to add one (1) FTE Hospital Decision Support Manager, and delete one (1) FTE Management Analyst III; and
 - c. Direct the Auditor-Controller's Office and the County Administrative Office to incorporate this budgetary change in the FY 2010-11 adopted budget.

HEALTH AND SOCIAL SERVICES:

26.
 - a. [Adopt Resolution to amend the Fiscal Year \(FY\) 2009-10 Department of Social & Employment Services, Budget Unit](#) SOC 006-001-5010-8256 to delete one (1.0) FTE Office Assistant III position and add one (1.0) FTE Principal Office Assistant position; and
 - b. Direct the Auditor-Controller to incorporate this change in the Department of Social & Employment Services FY 2009-10 Final Budget SOC 006-001-5010-8256.
27.
 - a. [Approve and amend the Fiscal Year \(FY\) 2009-10 Department of Social & Employment Services Adopted](#) Budget to add 18.0 FTEs;
 - b. Direct the Auditor-Controller to amend the Department of Social & Employment Services FY 2009-10 Adopted Budget SOC009-007-5010-8261 to increase appropriations and estimated revenues of \$6,140,394 and reflect position allocations as indicated on the accompanying Board Order (4/5th vote required); and

- c. Direct the Auditor-Controller's Office and the County Administrative Office to amend the FY 2009-10 Budget and incorporate approved changes in the FY 2010-11 adopted budget.
- 27.1 [a. Adopt Resolution adopting the Negative Declaration prepared on the proposed ordinance regarding polystyrene](#) foam food packaging;
- b. Adopt an Ordinance, as modified per the Board of Supervisors' direction on April 6, 2010, adding Chapter 10.42 to the Monterey County Code to establish regulations restricting the use of polystyrene foam food packaging by retail food providers in the unincorporated area of the County of Monterey; and
 - c. Direct the Auditor-Controller to establish an account pursuant to Chapter 1.22.180 of the Monterey County Code for the purpose of remitting penalties collected under this ordinance to the Health Department, Environmental Health Bureau. (Ordinance - PLN090146)

CRIMINAL JUSTICE:

28. [Approve and authorize the District Attorney to sign and submit applications, including any extensions or](#) amendments thereof, for continued funding for Fiscal Year 2010-11 from State agencies for five District Attorney's Office assistance and prosecution programs as identified in the Board Order.

GENERAL GOVERNMENT:

29. [Authorize the Registrar of Voters to consolidate and render specified election services to certain districts relating to the](#) conduct of the June 8, 2010 Consolidated Statewide Primary Election.
30. [Adopt Resolution to amend Personnel Policies and Practices Resolution No. 98-394 to add Section B.18](#) Lactation in the Workplace.
31. [a. Approve specifications for concrete multi-use improvements at Laguna Seca Recreation Area, Bid No. 10239;](#) and
- b. Authorize and direct the Clerk of the Board to advertise the "Notice to Bidders" in the Salinas Californian on April 16 and April 23, 2010; and
 - c. Set May 6, 2010 at 1:00 p.m for the opening of the bids.
32. [a. Approve and authorize the Contracts/Purchasing Officer to sign the "Agreement for the purchase of Mobile Data](#) Communications Infrastructure Equipment Utilizing Fiscal Year 2008 Federal Assistance to Firefighters Grant Funding" (AFG MOU) with the City of Monterey for the period of December 1, 2009 through six (6) months after notice of completion of the project has been recorded by the Preparedness Directorate's Office of Grant and Training;
- b. Approve and authorize the Contracts/Purchasing Officer to sign an "Agreement for End User Software License, Software Implementation Services and Software Maintenance" (Radio IP Agreement) with RadioIP Software, Inc. in the amount of \$36,143.75 for perpetual software licenses and

- software implementation services for a term of April 15, 2010 through December 31, 2010;
- c. Accept non-standard insurance, liability, and indemnification provisions in the RadioIP Agreement as recommended by the Director of Information Technology;
 - d. Approve and authorize the Contracts / Purchasing Officer to sign amendments to the RadioIP Agreement not to exceed a total cost of \$100,000 for additional licenses requested by end-users and for additional services as requested by the Director of Information Technology provided that all additional terms are approved by County Counsel;
 - e. Approve and authorize the Contracts/Purchasing Officer to sign up to 3 one year extensions to the RadioIP Agreement for software maintenance services;
 - f. Authorize the purchase of fixed assets totaling \$36,278;
 - g. Direct the Auditor-Controller's Office and the County Administrative Office to amend the FY 2009-10 Budget; and
 - h. Increase revenue and appropriations in Information Technology budget as detailed in the Board Order (4/5th vote required).
33. [Approve and adopt the Action Minutes of Tuesday, February 23, 2010.](#)
34. [Approve and adopt revisions to the Bylaws of the Equal Opportunity Advisory Commission.](#)
35. [a. Approve Amendment No. 3 extending the Management Agreement \("Interim Agreement"\) between Forever Resorts,](#) doing business as "Monterey Lake Resorts and Marinas, LLC", and the County of Monterey one year to operate the resort businesses at Lake Nacimiento and Lake San Antonio until April 23, 2011; and
- b. Authorize the Board Chair to sign Agreement Amendment No. 3.
36. [a. Approve and authorize the transfer of funds in the amount of \\$4,500 from Fund 020 Restricted Revenue](#) Designations to Fund 001 Budget Unit 8004 Clerk-Recorder's Fund to compensate RMA to assist Contracts/Purchasing to generate and advertise an RFP for the purpose of selecting a qualified security system design professional for the Assessor-County Clerk/Recorder Security Camera Project;
- b. Increase revenue and appropriations in the amount of \$4,500 in Fund 001 Budget Unit 8004 (4/5th vote required); and
 - c. Direct the Auditor-Controller to transfer funds and increase appropriations as detailed in the Board Order.
37. Item moved to Scheduled Matters, S-3.
38. Item moved to Scheduled Matters, S-4.

RMA - PUBLIC WORKS:

39. a. [Approve the transfer of \\$30,000 to the Lake San Antonio and San Lorenzo Park Improvements - Re-Roof](#) Buildings project from Capital Projects Fund, Fund 402, Unit 8174, Account 7521 (Unspecified-Needs Board Approval) and allocate to Facilities Project Fund, Fund 401, Unit 8184, Appropriation Unit RMA004;
- b. Direct the Auditor-Controller to move appropriations in the amount of \$30,000 within Capital Projects Fund, Fund 402, Unit 8174, Appropriation Unit RMA014, from Account 7521 (Unspecified - Needs Board Approval) to Account 7614 (Operating Transfers Out); and
- c. Direct the Auditor-Controller to amend the FY 2009-10 budget by increasing revenue and appropriations to Facilities Project Fund, Fund 401, Unit 8184, Appropriation Unit RMA004, Accounts 5940 and 6311, (Operating Transfers-In and Buildings and Improvements Maintenance, respectively) in the amounts of \$30,000 (4/5th vote required).

PAJARO COUNTY SANITATION DISTRICT:

40. a. [Set a Public Hearing on May 11, 2010, at 10:30 a.m. to consider protests and objections to a report of delinquent](#) accounts for the Pajaro County Sanitation District; and
- b. Direct the Clerk of the Board to publish a Notice of Public Hearing for the report of delinquent fees once no later than April 19, 2010, in The Californian and Monterey County Herald.

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