

BOARD OF SUPERVISORS

Fernando Armenta	1 st District (Vice Chair)	Lew C. Bauman
Louis R. Calcagno	2 nd District	County Administrative Officer
Simón Salinas	3 rd District	
Jerry Smith	4 th District	Charles J. McKee
Dave Potter	5 th District (Chair)	County Counsel

Darlene Drain	Phone: (831) 755-5066
Clerk of the Board	FAX: (831) 755-5888
P. O. Box 1728	Home Page: www.co.monterey.ca.us
Salinas, CA 93902	

ACTION MINUTES

**MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, FEBRUARY 13, 2007
9:00 AM**

9:00 a.m.

6300.000 S-1 Closed Session under Government Code Section 54950, relating to the following items:

- a. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two items of significant exposure to litigation.

BOARD ACTION: The Board conferred with Counsel and gave direction.

- b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:

1. Omni Resources, LLC vs. County of Monterey, et al.
2. In re Monterey County Initiative Matter (Melendez vs. Board of Supervisors, Madrigal vs. County of Monterey)
3. Rangel and Buell vs. County of Monterey, et al.
4. Rancho San Juan Opposition Coalition vs. Board of Supervisors
- S/A-1 5. LandWatch Monterey County, et al. vs. County of Monterey (GPU 2006)
6. Helping Our Peninsula's Environment vs. Monterey County Board of Supervisors (GPU 2006)
7. Public Utilities Commission Resolution No. W-4630/Alisal Water Co. (ALCO) Advice Letter (AL) 107.
8. United States vs. Alisal Water Co., US District Court Case No. C97-20099JF.

BOARD ACTION: The Board conferred with Counsel and gave direction. In particular the Board authorized Counsel in matters 5 & 6 to retain outside counsel. Pertaining to matters 7 & 8 the board allowed letters to go forward as reported in open session but directed no further involvement.

- c. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
- a. Patricia Bernardi, et al. vs. County of Monterey

BOARD ACTION: The Board gave direction on how to try and settle this matter.

S/A-2 d. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following public employment position:

1. Agricultural Commissioner

BOARD ACTION: The Board provided a performance evaluation for this public employment position and gave the Agricultural Commissioner high marks.

S/A-3 Pursuant to Government Code section 54957, the Board will confer with legal counsel regarding one item of public employee discrimination complaint, discipline and/or dismissal.

BOARD ACTION: The Board discussed this matter but took no action.**10:30 a.m.**

1. Pledge of Allegiance
The Pledge of Allegiance was led by County Counsel Charles McKee.

6300.000 2. Report out of Closed Session
County Counsel Charles McKee reported out of Closed Session.

-
6300.000 3. 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.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Armenta, and carried 5/0, the Board approved the following additions and corrections to the Agenda:

A/C-1 Ratify and consider extending the County Administrative Officer's Proclamation of Local Emergency for actions taken on the Carmel River.

-

4. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
5. CONSENT CALENDAR – MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)
6. CONSENT CALENDAR – MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet)

APPOINTMENTS:

Upon motion of Supervisor Salinas, seconded by Supervisor Armenta, and carried 5/0, the Board approved the following appointments, except as noted:

- 0400.435 7. **Reappointed** Kathleen Adamson to the Area Agency on Aging Advisory Committee for a term ending January 1, 2010. (Supervisor Potter)
- 0800.200 8. **Appointed** Bill Herbert to the Carmel Highlands Fire Protection District for a term ending June 30, 2010. (Supervisor Potter)
- 0801.200 9. **Appointed** Margot Turner to the Gonzales Cemetery Board for a term ending April 14, 2008. (Supervisor Salinas)

- 0400.975 10. **Reappointed** Bob Bogardus to the CSA #50 Citizen's Advisory Committee for a term ending January 1, 2010. (Supervisor Potter)
- 0400.975 11. **Reappointed** Larry Levine to the CSA #50 Citizen's Advisory Committee for a term ending January 1, 2010. (Supervisor Potter)
- 0400.775 12. **Appointed** Bruce Adams, replacing Richard Bawcom, to the CSA#15 Advisory Committee for a term ending January 1, 2010. (Supervisor Potter)
- 0401.750 13. **Reappointed** Charles Nelson to the Fish & Game Advisory Commission for a term ending February 1, 2010. (Supervisor Armenta)
- 0401.865 14. **Reappointed** Kellie Morgantini to the Historic Resources Review Board for a term ending December 31, 2009. (Supervisor Salinas)
- 0401.865 15. **Reappointed** Salvador Munoz to the Historic Resources Review Board for a term ending December 31, 2009. (Supervisor Armenta)
- 0401.865 16. **Reappointed** Enid Sales to the Historic Resources Review Board for a term ending December 31, 2009. (Supervisor Potter)
- 0401.865 17. **Appointed** Jeff Norman to the Historic Resources Review Board for a term ending December 31, 2009. (Supervisor Potter)
- 0403.770 18. **Reappointed** Bruce Evans to the Military & Veterans Affairs Advisory Commission for a term ending January 1, 2010. (Full Board)
- 0403.770 19. **Appointed** Ralph Channell to the Military and Veterans Affairs Advisory Commission for a term ending January 1, 2008. (Supervisor Potter)
- 0403.770 20. **Appointed** Eddie Padrozo to the Military & Veterans Affairs Advisory Commission for a term ending January 1, 2009. (Full Board)
- 0403.525 21. **Reappointed** Wendy Brickman to the Monterey County Workforce Investment Board for a term ending April 14, 2010. (Full Board)
- 0403.825 22. **Reappointed** Teresa Sullivan to the Monterey County Workforce Investment Board for a term ending April 14, 2010. (Full Board)
- 0403.825 23. **Reappointed** Lourdes Uranday to the Monterey County Workforce Investment Board for a term ending April 14, 2010. (Full Board)
- 0403.825 24. **Appointed** Anthony Aniello to the Monterey County Workforce Investment Board for a term ending February 13, 2010. (Full Board)
- 0403.850 25. **Appointed** Lennon Dawson to the Youth Council of the Monterey County Workforce Investment Board for a term ending February 13, 2009. (Full Board)
- 0403.850 26. **Appointed** Guadalupe Gundersen to the Youth Council of the Monterey County Workforce Investment Board for a term ending February 13, 2009. (Full Board)

-

-

OTHER BOARD MATTERS:

- 6300.000 27. Board Comments and Referrals
- a. Supervisor Armenta: Wanted to discuss a point in clarification. Supervisor Armenta advised the Board that he had consulted with Chairman Potter about the comments Supervisor Armenta made during last weeks Board meeting regarding the issue with Local Transportation funding between MST, the County and TAMC- he consulted the Chairman and Chairman has directed a sub-committee of Chairman Potter and the Supervisor, to become involved with staff and the process.
 - b. Supervisor Smith advised no referral and that he concurred with Supervisor Armenta's comments.
 - c. Chair Potter: Advised that he would simply ask that we recognize that we have certain ambulance operational issues, and that there is this significant funding shortfall in certain areas. That we take a look at the Big Sur area specifically and also our Lakes area, there are parcels of land that are owned by governmental agencies that did not actually participate financially in supporting that emergency service since they are State and Federal Lands. He would like to see that this item be referred to the Legislative Committee so that we can discuss the possibilities of figuring out a way to assess either the day use fees, the over night camping fees, to tag on a small amount of money made there to help offset those shortfalls in those areas. The Chair further advised that he does believe that this issue has urgency written all over it.
- 6300.000 28. Received Board Referrals Updates
- 0600.025 29. CAO Comments
The County Administrative Officer, Lew Bauman acknowledged Bob McElroy on his retirement from the Monterey County Free Libraries for his dedicated service as the County Librarian.
The Board of Supervisors also each expressed their appreciation to Mr. McElroy.
- 2050.000 30. Public Comment (Limited to 3 minutes per speaker)
- a. Hans Jongens: Addressed the Board regarding water contaminates issues. Mr. Jongens submitted a copy of a newspaper article regarding trans-fats that were to be phased out of L.A. In addition, he submitted a letter with a copy of Letters to the Editor regarding the General Plan and Referendum.
- 0600.025 S/A-5. **Considered** letter to California Public Utilities Commission re: proposed Alisal Water Co. (ALCO) service area expansion to provide water service to future City of Salinas growth areas.
BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 5/0.
- 0600.025 S/A-6. **Considered** letter to Federal court Judge Jeremy Fogel and/or US Environmental Protection Agency re: proposed Alisal Water Co. (ALCO) service area expansion to provide water service to future City of Salinas growth areas.
BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 5/0.
- Public Comment:
- a. Tom Adcock with ALCO, addressed the Board to request that S/A-5 and S/A-6 be tabled. Mr. Adcock advised that they would be meeting with the City of Salinas today at 2 p.m. and

would like to have the opportunity to work over those issues prior to having to work with these issues.

- b. Vanessa Vallarta: City Attorney for the City of Salinas. Ms. Vallarta addressed the Board to advise that the City was in favor of the staff recommendations and letters. Ms. Vallarta advised that she did not believe tabling this matter would be prudent.

2050.000 S/A-7. **Resolution No.: 07-043; Adopted** a Resolution of Proclamation Honoring Investigator David Norum, Monterey County District Attorney Office On the Occasion of Being selected as the Monterey County Peace Officer of the Year Small Department 2006.
BOARD ACTION: Upon motion of Supervisor Smith, and seconded by Supervisor Salinas, and carried 5/0.

2050.000 S/A-8. **Resolution No.: 07-042; Adopted** a Resolution of Proclamation Honoring Deputy Dan Mitchell, Monterey County Sheriff's Department On the Occasion of Being selected as the Monterey County Peace Officer of the Year Large Department 2006.
BOARD ACTION: Upon motion of Supervisor Smith, and seconded by Supervisor Salinas, and carried 5/0.

-
-
-

SCHEDULED MATTERS:

0600.025 S-2 **Authorized** the County Administrative Office to initiate direct negotiations with CGI for the upgrade of the existing Financial System, and replacement of the existing Budget Preparation and Human Resources (HR)/Payroll Systems.
BOARD ACTION: Upon motion of Supervisor Smith, and seconded by Supervisor Armenta, and carried 5/0.

-
0602.250

0602.500 S-3 a. **B.U. No.: 06/07-132; Received** status report on the Monterey County/Salinas Joint Gang Task Force and the Silver Star Gang Prevention and Intervention Program and consider potential funding options to backfill and bridge funding for Fiscal Year 2006-07 Federal funding shortfall; and
b. **Received** an update on the status of the third year funding request and the pending fourth year funding application; and
c. **Provided** support to bridge the funding for the Fiscal Year 06-07 due to the Federal funding shortfall estimated at approximately \$1 million dollars.
BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Calcagno, and carried 5/0.

-
12:00 p.m.

Recess to Lunch- Fort Ord Committee meeting and Joint Board Water Resources Agency Leadership Meeting

1:30 p.m.

1350.000

2800.000 S-4 Public Hearing to

- a. **Ordinance No.: 5057; Adopted** an Interim Ordinance pursuant to Government Code Section 65858 applying certain interim restrictions and regulations in the processing and approval of discretionary development entitlements as defined pending the County's study and consideration of appropriate ordinances and regulations implementing the 2006 General Plan with findings pertaining to the promotion and protection of the public health, safety and welfare;
- b. **Directed** staff to return on March 27, 2007 with a recommendation on whether to extend, modify or amend this Ordinance.
- c. **Set** March 27, 2007 as a date for a public hearing to consider whether to extend, modify or amend this Ordinance.

(Interim Ordinance – PLN050045/General Plan, County Wide)

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Smith, and carried 5/0.

The following members of the public addressed the Board in opposition to the Interim Ordinance:

- a. Tom Carvey
- b. Brian Finnegan
- c. Paul Hart
- d. Aaron Johnson
- e. Michael Cling
- f. Paul Mugan
- g. Greg Blackwell
- h. Matt Cassedy
- i. John Bridges
- j. Paula Kennedy
- k. Dale Leclerc
- l. Bjorn Olsson
- m. Sheri Damon
- n. Bob Perkins
- o. Beverly Bryant
- p. Joel Panzer
- q. Lawson Little

- 0600.750 S/A-4 a. **Received** the Registrar's certification of results of examination of signatures on the referendum against Resolution 07-007; and
- b. **Provided** direction to staff.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 5/0. The Board requested staff to come back February 27, 2007 to call for the Election of June 5, 2007.

BOARD ACTION: County Counsel Charles McKee requested a motion for reconsideration of Consent items #50 and #51 to correct one more use of the word plaintiff – to be omitted. Upon motion of Supervisor Calcagno and seconded by Supervisor Salinas, the matter was reconsidered. Upon motion of Supervisor Salinas, seconded by Supervisor Armenta, the Board approved the removal of the word plaintiff.

ORDER FOR ADJOURNMENT

APPROVED:

-

Chair

ATTEST:

LEW C. BAUMAN, Clerk of the Board

By: _____
Deputy

(Supplemental Sheet)

CONSENT CALENDAR

BOARD ACTION: Upon motion of Supervisor Smith, and seconded by Supervisor Armenta, and unanimously carried 5/0, the Board approved the following actions unless otherwise noted: #50 and #51 were pulled for corrections which were read and voted on collectively.

HEALTH AND SOCIAL SERVICES:

- 0125.000
0602.550 31. a. **Agreement No.: A-10807; Approved and authorized** the Director of the Department of Social & Employment Services, or his designee, to sign an agreement for \$39,237 with Women's Crisis Center to provide domestic violence counseling and information and referral/completion of forms to low income households in Salinas for the period of January 1 through December 31, 2007; and
b. **Authorized** the Director of the Department of Social & Employment Services, or his designee, to sign all future amendments to this agreement not exceeding 5% of the contract amount and a three (3) month extension.
- 0125.000
0601.100 32. a. **Agreement No.: A-10804; Approved and authorized** the Director of Health to sign a Professional Services Agreement with Prevention Institute in the amount of \$40,000, to provide vision and direction for the Steps Initiative as identified by the Executive Committee and Subcommittee workgroups for the period of December 5, 2006 through September 21, 2007; and
b. **Authorized** the Purchasing Manager to sign up to three future amendments to this Agreement where the amendments do not exceed 10% and do not significantly change the scope of work.
- 00601.100 33. **Agreement No.: A-10811; Approved and authorized** the Director of Health to sign a Memorandum of Understanding with the Monterey County Office of Education (MCOE) for the Through and Beyond - Transition to Success Program effective July 1, 2006 through June 30, 2007. The MCOE will pay the County \$91,582 to provide collaborative support services to eligible youth to facilitate optimum academic, vocational and behavioral success.
- 0125.000
0602.550 34. a. **Agreement No.: A-10805; Approved and authorized** the Director of the Department of Social & Employment Services, or his designee, to sign an agreement for \$37,725 with Cooperative Personnel Services to provide an organizational assessment of the Department of Social and Employment Services for the period of February 1, 2007 through June 30, 2007; and approve indemnity provision, Exhibit D; and
b. **Authorized** the Director of the Department of Social & Employment Services, or his designee, to sign all future amendments to the agreement not exceeding 5% of the contract amount and a three (3) month extension.
- 0150.146
0125.000
0602.550 35. a. **B.U. No.: 06/07-133; Agreement No.: A-10809; Approved and authorized** the Director of the Department of Social and Employment Services, or his designee, to sign an agreement for \$50,000 with United Way of Monterey County to serve as fiscal agent for the 2007 Homeless Census Update for the period of December 1, 2006 through June 30, 2007; and
b. **Authorized** the Director of the Department of Social and Employment Services, or his designee, to sign all future amendments to this agreement not exceeding 5% of the contract amount and a three (3) month extension; and

- c. **Directed** the Auditor-Controller to amend the FY 2006-2007 Department of Social & Employment Services Budget Unit 592 to increase appropriations and estimated revenue of \$50,000. (4/5th vote required)

0602.550

0403.825

36. **Concurred** with the Monterey County Workforce Investment Board to:
- Accepted** \$100,000 from the California Department of Corrections and Rehabilitation for a local Intergovernmental Partnership Grant planning project titled, "Community, Network, Individual, Family - Successful Parolee Reentry in Monterey County"; and
 - Approved** and authorize the Workforce Investment Board Executive Director to sign an agreement with the California Department of Corrections and Rehabilitation.

0602.550

0403.825

37. **Concurred** with the Monterey County Workforce Investment Board (WIB) to accept \$55,000 in Workforce Investment Act (WIA) 15 Percent High Concentrations of Eligible Youth funds from the State of California Employment Development Department to provide additional assistance to local areas that have high concentrations of eligible high-risk youth.

CRIMINAL JUSTICE:

0125.000

0602.250

38. **Agreement No.: A-10390; Approved and authorized** the Purchasing Manager to sign Amendment No. 2 to extend Agreement No. A-10390 with Partners for Peace for a mentoring program supporting the Silver Star Gang Prevention and Intervention grant through August 31, 2007.

0125.000

0602.250

39. **Agreement No.: A-10233; Approved and authorized** the Purchasing Manager to sign Amendment No. 2 to extend Agreement No. A-10233 with Second Chance Youth Program for community outreach services, community education, and gang prevention programs supporting the Silver Star Gang Prevention and Intervention grant through August 31, 2007.

0150.146

0602.500

40. **B.U. No.: 06/07-129; Approved** increase of appropriations and estimated revenues in the amount of \$6,650 to purchase an enclosed trailer to transport four quad runners for the Multi-Agency Detail Commercial Auto Theft (MADCAT) program in Sheriff's Budget Unit 230. (4/5th vote required)

0150.146

0602.250

41. a. **B.U. No.: 06/07-134; Approved** increased estimated revenues and appropriations in the amount of \$69,169 in Budget Unit 256-Institutions and Alternative Programs (4/5th vote required); and
- b. **Approved** and authorized the Chief Probation Officer to sign Memoranda of Understanding with Salinas Union High School District and with the Santa Rita Union School District for their participation in the Campus Probation Officer Program for Fiscal Year 2006-07; and
- c. **Approved** addition of one FTE Probation Officer II position in Budget Unit 256-Institutions and Alternative Programs.

0602.500

42. **Approved** an application and order for destruction of records for the Sheriff's Office. (4/5th vote required)

- 0150.146
0602.500 43. a. **B.U. No.: 06/07-135; Authorized** the Sheriff's Office to donate \$1,000 the Salinas High School (SHS) Sober Grad Night and \$5,000 to the Rancho Cielo youth project out of the Sheriff's Drug and Youth Gang Education Funds; and
b. **Increased** estimated revenue and appropriations in Sheriff's Budget Unit 230 in the amount of \$6,000. (4/5th vote required)
- 0150.146
0602.500 44. a. **B.U. No.: 06/07-130; Approved** an increased in appropriations and estimated revenues by \$205,000 in Sheriff's Budget Unit 230 for the purchase of eight vehicles and ten Mobile Data Systems with miscellaneous hardware and licenses; and
b. **Directed** Auditor-controller to transfer the funds and to increase appropriations and estimated revenues in Sheriff's Budget Unit 230 as detailed in the Board Order (4/5th vote required).

GENERAL GOVERNMENT:

- 5100.000 45. **Resolution No.: 07-050; Approved** a resolution accepting and authorizing the Chair of the Board to sign an acceptance of a Quitclaim Deed transferring ownership of land and improvements on the former Fort Ord designated as Parcel E2b.3.1.2 (Building 1021, CID Building) from the Fort Ord Reuse Authority to the County of Monterey.
- 5100.000 46. **Approved Resolution No.: 07-051;**
a. **Accepted** and authorized the Chair of the Board to sign an acceptance of a Quitclaim Deed transferring ownership of land on the former Fort Ord designated as Parcel E11a.1 (Intergarrison Road Connector), Parcel E18.2.2 (a portion of 7th Avenue at Gigling Rd.), and Parcels L20.7.1 through L20.7.5 (South Boundary Road from York Rd. to Laguna Seca Park) from the Fort Ord Reuse Authority to the County of Monterey; and
b. **Accepted** Parcel E11a.1 (Intergarrison Road Connector) and Parcel E18.2.2 (a portion of 7th Avenue at Gigling Rd.) into the County-maintained road system.
- 0601.600 47. a. **Agreement No.: A-10810; Approved** School Bus Rental Agreement between San Antonio School District and Monterey County Parks Department for the 2007 Wildflower Festival; and
b. **Authorized** Parks Director to Execute the Agreement and any amendments not to exceed 5% of the Agreement amount.
- ~~48. — a. Amend Personnel Policies and Practices Resolution No. 98-394 to add section A.50 Monterey County Pre-Employment Drug Testing Policy; and
b. Adopt a new countywide Monterey County Pre-Employment Drug Testing Policy.~~
-
- 0602.025 49. a. **Received** a report on the potential impacts of the conversion of hotel rooms into timeshares and individually owned hotel rooms on the County's Transient Occupancy Tax (TOT) revenues and other County assessments (County Service Area (CSA) 74); and
b. **Directed** staff to prepare ordinance and code amendments to allow continued receipt of TOT revenues from future hotel room conversions and return to Board of Supervisors for action.

County Counsel Charles McKee advised the Board of the Corrections: to the December 5th minutes, S-3 the following will be added: "After a brief discussion by the Board and comments by Anthony Lombardo, applicant's counsel, the Board continued this matter to December 19, 2006. To the December 19, 2006 minutes S-2 the following was corrected: the word plaintiff was removed from the first paragraph. The first paragraph to read as follows: Molly Erickson, Land Use Planner with the offices of Michael Stamp speaks next. Ms. Erickson references three (3) letters that were submitted to the Board. The first two were dated December 18, 2006 and faxed at 16:33 and 17:20. The third letter dated December 19, 2006 was submitted to the Clerk of the Board prior to the Hearing. Ms. Erickson addressed the Board concerning issues of lots of record and information regarding the water allocation for the project. Under the Public Comment (c) was amended to read as follows: Stephanie Pintar- Ms. Pintar is an employee of the Monterey Peninsula Water Management District. Mr. Pintar addressed the Board on a number of topics including the use of the words "allocation" and "credit" interchangeably by staff.

50. **Approved** Action Minutes for the meeting of Tuesday December 5, 2006, copies having been previously distributed to each Board member and corrections made.

51. **Approved** Action Minutes for the meeting of Tuesday December 19, 2006, copies having been previously distributed to each Board member and corrections made.

0150.146

0601.350

52. a. **B.U. No.: 06/07-131; Approved** and authorize the County Librarian and County Purchasing Officer to accept grant funds of \$69,640 from the Community Foundation for Monterey County, for the 2007 calendar year, for expanded literacy services; and
- b. **Directed** the Auditor-Controller to increase FY 2006-07 allocated positions in Fund 003, Budget Unit 611-County Library to add 0.5 Literacy Program Assistant position to support this grant program; and
- c. **Directed** the Auditor-Controller to increase FY2006-07 estimated revenue and appropriations by \$69,640 in Fund 003, Budget Unit 611-County Library. (4/5th vote required)

5100.000

- 53/60. **Approved** and **authorized** the Chair of the Board to:
- a. **Agreement No.: A-10489; Signed** Amendment No. 1 to Agreement No.: A-10489; between the County of Monterey and the Redevelopment Agency of the County of Monterey to finance construction management services for Phase II of the Hyland Drive/El Rancho Way Storm Drain and Street Improvement Project in Boronda and extend the term of the Agreement to December 31, 2008; and
- b. **Approved** an amended Design: Phase I Budget, reducing project design costs from \$296,008 to \$288,008. Cost of construction is estimated to be \$1,611,992; total cost of the project not to exceed \$1,900,000.

0600.025

A/C-1 **Resolution No.: 07-044; Ratified** and considered extending the County Administration Officer's Proclamation of Local Emergency for actions taken on the Carmel River.

RMA - PLANNING:

0125.000

54. a. **Agreement No.: A-10806; Approved** a Professional Services Agreement with Resource Design Technology, Inc., in an amount not to exceed \$50,000 to provide Annual Mine Inspections, Financial Assurance Verification and Staff Services from October 1, 2006 to October 1, 2009; and
- b. **Authorized** the Purchasing Manager to execute the Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.
(Contract - PD060230/Resource Design Technology)

- 0602.200 55/61. a. **Accepted** the Parcel Map for the Minor Subdivision of a 50.2 acre parcel into two parcels of approximately 19.7 and 30.6 acres, Conservation and Scenic Easement Deed, Tax Report from the Tax Collector, Parcel Map Guarantee, Road and Drainage Agreement, Permit Approval Notice and the Water Resources/Environmental Health Agreement; and
- b. **Directed** the Chair to sign the Conservation and Scenic Easement Deed; and
- c. **Directed** the Chair of the Water Resources Agency to sign the Road and Drainage Agreement; and
- d. **Directed** the Clerk of the Board to submit the Parcel Map, Conservation and Scenic Easement Deed, Road and Drainage Agreement, Permit Approval Notice and the Water Resources/Environmental Health Notice to the County Recorder for filing; and
- e. **Directed** the Parks Department to deposit the recreation in Lieu Fee of \$ 750.00 into the Recreation-In-Lieu Fee Trust Account No. 080-3473 to be used for financing parks and recreation programs and facilities in the area.
(Parcel Map – PLN030040/Liggett, 29001 Robinson Canyon Road, Carmel Valley, Carmel Valley Master Plan)

RMA - PUBLIC WORKS:

- 0602.350 56. **Approved** release of the Labor and Materials Security for the Hidden Woods Subdivision in the form of a Set-Aside Letter issued by the Community Bank in the amount of \$375,139 (located off Langley Canyon Road, Prunedale area).
57. a. **Set** a public hearing on March 13, 2007, at 1:30 p.m., to consider a request for abandonment of portions of McDougall, Speegle, Pomber, and Preston streets, Castroville area; and
- b. **Directed** the Clerk of the Board to publish a Notice of Public Hearing in The Herald and The Californian, once a week for two successive weeks; and
- c. **Directed** the Public Works Department to post copies of the Notice of Public Hearing in the area proposed to be abandoned.
- 0125.000 58. a. **Agreement No.: A-10808; Approved** a Professional Services Agreement with Professional Service Industries, Inc., in the amount not to exceed \$44,276 to provide abatement consulting services for the Health Department at 1270 Natividad Road, Salinas; and
- b. **Authorized** the Purchasing Manager to execute the Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.
- 0602.350 59. a. **Resolution No.: 07-045; Adopted** a resolution ratifying the County Administrative Officer's proclamation of a local emergency for the Monterey County Government Center complex in Salinas, California, in order to maintain the facilities and services of Superior Court and the County of Monterey that are dependent on the North Wing; and
- b. **Adopted** a resolution ratifying the execution of emergency contracts and emergency actions taken by the Public Works Director or his designee to respond to the emergency. (4/5th vote required).

MONTEREY COUNTY REDEVELOPMENT AGENCY:

BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and unanimously carried 5/0, the Board approved the following actions unless otherwise noted:

- 5100.000 60/53. **Approved** and authorize the Chair of the Board to:
- a. **Agreement No.: A-10489; Signed** Amendment No. 1 to Agreement No.: A-10489; between the Redevelopment Agency and the County of Monterey to finance construction management services for Phase II of the Hyland Drive/El Rancho Way Storm Drain and Street Improvement Project in Boronda and extend the term of the Agreement to December 31, 2008; and
 - b. **Approved** an amended Design: Phase I Budget, reducing project design costs from \$296,008 to \$288,008. Cost of construction is estimated to be \$1,611,992; total cost of the project not to exceed \$1,900,000.

MONTEREY COUNTY WATER RESOURCES AGENCY:

BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Calcagno, and unanimously carried, the Board approved the following actions unless otherwise noted:

- 0602.200 61/55. a. **Accepted** the Parcel Map for the Minor Subdivision of a 50.2 acre parcel into two parcels of approximately 19.7 and 30.6 acres, Conservation and Scenic Easement Deed, Tax Report from the Tax Collector, Parcel Map Guarantee, Road and Drainage Agreement, Permit Approval Notice and the Water Resources/Environmental Health Agreement; and
- b. **Directed** the Chair to sign the Conservation and Scenic Easement Deed; and
 - c. **Directed** the Chair of the Water Resources Agency to sign the Road and Drainage Agreement; and
 - d. **Directed** the Clerk of the Board to submit the Parcel Map, Conservation and Scenic Easement Deed, Road and Drainage Agreement, Permit Approval Notice and the Water Resources/Environmental Health Notice to the County Recorder for filing; and
 - e. **Directed** the Parks Department to deposit the recreation in Lieu Fee of \$ 750.00 into the Recreation-In-Lieu Fee Trust Account No. 080-3473 to be used for financing parks and recreation programs and facilities in the area.
(Parcel Map – PLN030040/Liggett, 29001 Robinson Canyon Road, Carmel Valley, Carmel Valley Master Plan)