

# BOARD OF SUPERVISORS

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

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Salinas, CA 93902	

## ACTION MINUTES

**MONTEREY COUNTY BOARD OF SUPERVISORS**  
**MONTEREY COUNTY REDEVELOPMENT AGENCY**  
**BORONDA COUNTY SANITATION DISTRICT**  
**MONTEREY COUNTY WATER RESOURCES AGENCY**  
**TUESDAY, FEBRUARY 27, 2007**  
**9:00 AM**

### 9:00 a.m.

6300.00 S-1 Closed Session under Government Code section 54950, relating to the following items:

~~a. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following public employment position:~~

- ~~1. Natividad Medical Center CEO~~

b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one item of significant exposure to litigation.

**BOARD ACTION: The Board gave direction to counsel.**

c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding the following significant exposure to litigation/liability claims:

1. Jonah Burgess

**BOARD ACTION: The Board denied this claim.**

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

1. Preserve Our Valley vs. County of Monterey, et al.

**BOARD ACTION: The Board approved a tentative settlement agreement. The final documents will be made available through County Counsel's office once the settlement has been properly executed.**

e. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one item of significant exposure to litigation.

**BOARD ACTION: The Board gave direction.**

- f. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
  - 1. Water World Resorts, Inc. vs. County of Monterey, et al.
  - 2. Lake San Antonio Resorts, Inc. vs. County of Monterey, et al.
  - 3. In re Monterey County Initiative Matter (Melendez vs. Board of Supervisors, Madrigal vs. County of Monterey)
  - 4. Rangel and Buell vs. County of Monterey, et al.
  - 5. Rancho San Juan Opposition Coalition vs. Board of Supervisors

**BOARD ACTION: The Board approved two agreements on matters 1 and 2. For matters 3, 4, and 5, the Board received an update regarding a potential impact of the pending matters for the June ballot.**

- g. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators regarding the following:
  - 1. The Department of Social and Employment Services lease area of the Quadrangle facility (1000 South Main Street, Salinas, California); Negotiator: George Salcido for the County of Monterey.

**BOARD ACTION: The Board approved a tentative leased template.**

**10:30 a.m.**

- 1. Pledge of Allegiance  
The Pledge of allegiance was led by County Administrative Officer Lew Bauman.

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6300.00

- 2. 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.

**There are no additions or corrections.**

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

**APPOINTMENTS:**

**Upon motion of Supervisor Salinas, seconded by Supervisor Smith, and carried 4/0 with Supervisor Calcagno absent from this vote, the Board approved the following appointments, except as noted.**

- 0401.750 7. **Reappointed** Frank Gomes to the Fish & Game Advisory Commission for a term ending February 1, 2010. (Supervisor Calcagno)
- 0401.750 8. **Reappointed** Kevin Kreyenhagen to the Fish & Game Advisory Commission for a term ending February 1, 2010. (Supervisor Potter)

- 0401.750 9. **Reappointed** John Pack to the Fish and Game Advisory Commission for a term ending February 1, 2010. (Supervisor Salinas)
- 0401.750 10. **Reappointed** Jud Vandevere to the Fish & Game Advisory Commission for a term ending February 1, 2010. (Supervisor Potter)
- 0804.250 11. **Reappointed** Ron Panziera to the Soledad Cemetery District Board for a term ending February 1, 2011. (Supervisor Salinas)
- 0803.950 12. **Appointed** Roy Beal to the San Ardo Water District Board for a term ending November 30, 2007. (Supervisor Salinas)
- 0650.015 13. **Appointed** Mark Kennedy to the CSA #15 Advisory Committee for a term ending January 1, 2010. (Supervisor Potter)
- 0803.375 14. **Appointed** Gage Dayton to the Moss Landing County Sanitation District Board for a term ending March 24, 2010. (Supervisor Calcagno)
- 0803.375 15. **Appointed** Fire Chief Chris Orman to the Moss Landing County Sanitation District Board for a term ending March 24, 2010. (Supervisor Calcagno)
- 0804.050 16. **Appointed** Vivian Rodriguez to the San Lucas County Water District Board for a term ending November 30, 2009. (Supervisor Salinas)

**OTHER BOARD MATTERS:**

- 6300.00 17. Board Comments and Referrals
- a. Supervisor Armenta: The Supervisor advised that he had received a request from the City of Salinas that the County of Monterey and the City of Salinas form a sub-committee for issues and or concerns regarding ALCO. Further, that it had been requested that both he and Supervisor Salinas represent the County in this matter. The Supervisor raised a concern that consequently the meetings might become Brown Act meetings. The Supervisor requested the involvement of Water Resources and Environmental Health as well. The next meeting was to be within the next couple of weeks.
- All of the Board of Supervisors concurred with this request. County Counsel, Charles McKee was in agreement with the precautionary recommendation by the City to agendaize as an open meeting. However, County Counsel advised that he was not certain at this point whether or not the Brown Act would apply in this matter and would have to further research this issue prior to providing direction.
- 6300.00 18. Received Board Referrals Update
- 0600.00 19. CAO Comments  
There were no comments made by the County Administrative Officer.
- 2050.00 20. Public Comment (Limited to 3 minutes per speaker)
- a. Hans Jongens: Addressed the Board as a follow up to his public comment at the prior Board meeting regarding an editorial by Jay Brown. Mr. Jongens advised that he took exception to being called a “moron” and would still like this matter solved. Mr. Jongens also addressed the Board to advise that transfat was a health issue and he requested that the Board require all businesses to get rid of all transfat.

**BOARD ACTION: Upon motion of Supervisor Smith, seconded by Supervisor Salinas, and carried 4/0, with Supervisor Calcagno absent from this vote. The Board approved the following Resolutions:**

- 2050.00 21. **Resolution No.: 07-047; Adopted** a resolution commending Otha L. Morgan, Monterey County Deputy Sheriff, upon his retirement from public service of over 26 years. (Full Board)
- 2050.000 22. **Resolution No.:07-049; Adopted** a resolution commending Sgt. Robert E. Oen, Monterey County Deputy Sheriff, upon his retirement from public service of over 32 years. (Full Board)
- 2050.000 23. **Resolution No.: 07-046; Adopted** a Resolution honoring M. Janis "Jan" Rawson, upon her retirement after over 43 years of public service with the County of Monterey. (Full Board)
- 2050.000 24. **Resolution No.: 07-048; Adopted** a Resolution commending Sylvia Waldrup-Quarles for her exemplary record of service with the Equal Opportunity Advisory Commission. (Full Board)

**SCHEDULED MATTERS:**

- 2800.000 S-2 **Ordinance No.: 5058; Considered** adoption of an ordinance amending Monterey County Code, Title 12, Sections 12.28.010 and 12.28.020, to establish no parking at any time on the south side of Merritt Street (State Highway 183) from a point 65 feet east of the extension of the centerline of Walsh Street, westerly to State Highway 156, in Castroville.

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

- 0602.025 S-3 **Ordinance No.: 5059; Considered** adoption of an ordinance amending the Monterey County Code, Title 12, Section 12.28.010, to establish no parking at any time on the south side of Crazy Horse Canyon Road from a point 415 feet west of the centerline of Executive Drive (a private road), westerly for a distance of 100 feet, in the Prunedale area.

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

- 0600.025 S-4 **Received** a status report on local issues of significance to Monterey County budgets, and potential impacts related to the Governor's proposed Fiscal Year 2007-08 State Budget and the Proposed Federal Budget for 2008.

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

- 0600.025 S-5 a. **B.U. No.: 06/07-142 Received** the Fiscal Year 2006-07 Mid-Year Financial status Report; and  
0150.144 b. **Approved** Budget changes to various Budget Units to fund negotiated employee salary and benefit increases, employee termination benefits, and employee leave coverage; and  
c. **Increased** estimated Revenues and Appropriations by \$305,400 in Fund 028, Budget Unit 808- Other Financing Uses, to fund debt service for the Master Plan Certificates of Participation (4/5<sup>th</sup> vote required).

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

- 0600.025 S-6 **Received** updated Three-Year Financial Forecast Report for Fiscal Year 2007-08 through Fiscal Year 2009-10. Year

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

- 0600.025 S-7 a. **Received** Report on Budget Principles and Strategies for Development of the FY 2007-08 Budget; and  
 b. **Provided** direction to staff.

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

**12:00 p.m.**

Recess to Lunch- Legislative Committee meeting

**1:30 p.m.**

S-8 **Continued** from February 6, 2007 and **Continued to March 13, 2007**; Public Hearing to consider:

- a. Deny the appeal and uphold the County fees for the Initial Study; and  
 b. Approve a refund of the Appeal fees.

(Appeal, Use Permit - PLN060271/O'Connell, 21444 Parrot Ranch Road, Carmel Valley, Cachagua Area)

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

S-9 **Continued to March 20, 2007**; Public Hearing to consider:

- a. Deny Appeal; and  
 b. Approve Combined Development Permit consisting of:  
 1. Coastal Administrative Permit to construct a 5,159 square foot, 2-story single family residence with an attached garage, well and septic system; and  
 2. Coastal Development Permit to remove seven protected trees (4 oak trees and 3 pine trees); and  
 3. Design Approval.

(Appeal - PLN050447/Reynolds, 74 Corona Road, Carmel Highlands, Carmel Area, Coastal Zone.)

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

- 0600.500 S-10 **Resolution No.: 07-055 Considered** whether to (a) entirely repeal \_\_\_\_\_ or rescind Resolution No. 07-007 or (b) **adopted a resolution \_\_\_\_\_ calling for an election on June 5, 2007 to submit to the voters of \_\_\_\_\_ Monterey County the question of whether or not to adopt the \_\_\_\_\_ 2006 County General Plan enacted by the Board of \_\_\_\_\_ Supervisors on January 3, 2007.**

**BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Smith, and carried 5/0. The board approved option (b) and directed staff to explore options for simplifying the ballot language and to bring this matter back Tuesday March 13, 2007 for discussion and possible action.**

Public Comment:

- a. Chris Fitz: Mr. Fitz addressed the board requesting simpler language for the June ballot. The ballot measure should be a simple yes or no vote. Mr. Fitz argued that the "repeal" measure confuses everything. He further argued that it was confusing and it was not legal because you cannot repeal a measure that does not exist because it has been stayed.  
 b. Brian Finnegan: Addressed the Board in response to Mr. Fitz's public comment. Mr. Finnegan argued that it cannot be removed because it is not on the Agenda. Further, that the

referendum is not out of the legal woods yet – that it has been challenged because it had not been circulated in Spanish.

**BOARD ACTION: County Counsel Charles McKee advised the Board that he is in agreement with Mr. Finnegan in that it cannot be removed but that the Board can direct that the matter be brought back.**

- c. Hans Jongens: Addressed the Board advising that there were only two measures. Further that he still takes issue to being called a “moron” as referenced in his public comment earlier this month when he referenced an editorial by Jay Brown. Mr. Jongens further advised that the people should have a right to vote but that English is the language of this country.
- d. Julie Engel: Addressed the Board to advise that she attended the hearing that was held this morning and that she did not believe that there was any question regarding the initiative being on the ballot.
- e. Jan Mitchell: Addressed the Board to advise that all of the membership fully supports the LandWatch position.

0601.100  
0125.000

- S-11 a. **Agreement No.: A-10193; Approved** Amendment No. 2 to Agreement (A-10193) between the County of Monterey and Westmed Ambulance, Inc., substantially in the form attached with a change in paragraph 5 to provide that the County shall pay Westmed Ambulance, Inc., \$150,000 per year for the provision of ambulance service in Big Sur; and
  - b. **Authorized** the Director of Health to sign the aforementioned Amendment No. 2 substantially in the form attached with a change in paragraph 5 to provide that the County shall pay Westmed Ambulance, Inc., \$150,000 per year for the provision of ambulance service in Big Sur; and
  - c. **Directed** the Department of Health – Emergency Medical Services to develop and submit to the Board for approval a Request for Proposal (RFP) for the provision of ambulance and paramedic services not later than December 31, 2007; explore alternative methods of governance for the provision of ambulance and paramedic services, including but not limited to a Joint Powers Authority (JPA); and report back to the Board in 90 days.

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Armenta, and carried 5/0. The Board also directed the Director of Health to come back to the Board within 30 days and advise what kind of subsidy would be needed in order to keep Westmed operational. In addition, the Board directed the Director of Health to come back before the Board within the next 90 days with plans to develop a new request for proposals for new ambulance services. {As referenced in paragraph (c)}**

Public Comment:

The following members of the public spoke in support of the new amendment to Amendment No. 2:

- a. Kirk Gafill
- b. William Benda, M.D.
- c. Frank Pinney – Submitted a letter to the Board as well.

The following members of the public addressed the Board regarding non-profit alternatives:

- d. River Gurtin
- e. Martha Karstens
- f. Jon Pariser
- g. Virginia Shannon
- h. Mark Angel – Submitted a letter to the Board as well.

The following members of the public addressed the Board regarding various concerns or issues on this matter:

- i. Fire Chief, Michael Urquides: Salinas Rural Fire District - ALS Paramedic Training.
- j. Richard Hillbun: EMS Task Force – disapproval thereof as a citizen.
- k. Chief Sidney Reade: Chair of the EMS Counsel and Task Force – in support of the recommendations.
- l. Tracy Villanueva: Patient Advocacy.
- m. Mike Kaplan: Inquired as to the Measure A Fund.
- n. Steve Negro: Comments in review: These issues have been a battle for the past 16 years.

0125.000 S-12 **Agreement No.: A-10461 Approved and authorized** the Purchasing Manager for the County of Monterey to sign Amendment No. 4 to the Professional Services Agreement (No. A10461) entered into with Jessica Simmons for the period of March 1, 2006 to June 30, 2007 increasing the amount of the Agreement from \$175,000 to \$250,000 for Medical Staff Consulting Services at Natividad Medical Center (NMC).

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

- ~~S-13 a. Receive the Speltz & Weis, a Huron Consulting Group Company presentation on the Needs Assessment and the 2007-2010 Business Plan Report for Natividad Medical Center (NMC); and~~
- ~~b. Consider acceptance of the reports.~~

## ORDER FOR ADJOURNMENT IN MEMORY OF LUZ CADENA

APPROVED:

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\_\_\_\_\_  
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 4/0 with Supervisor Calcagno absent from the vote. The Board approved the following actions, unless otherwise noted:**

#### HEALTH AND SOCIAL SERVICES:

0601.100 25. **Proclaimed** state of local emergency relating to the spread of HIV among injection drug users in Monterey County.

0601.100 26. **Resolution No.: 07-052; Accepted** 2006 Annual Report of the Santa Cruz-Monterey Managed Medical Care Commission, also known as the Central Coast Alliance for Health.

0601.100 27. a. **B. U. No.: 06/07-138; Amended** Health Department Budget Unit 411 to reallocate the following positions: 3.0 FTE Public Health Nurse III to 3.0 FTE Supervising Public

Health Nurse, 2.0 FTE Public Health Nurse II to 2.0 FTE Chronic Disease Prevention Coordinator, 3.0 FTE Community Service Aide III to 3.0 FTE Chronic Disease Prevention Specialist II, and 1.0 FTE Community Service Aide IV to 1.0 FTE Office Assistant III; and

- b. **Amended** Personnel Policies and Practices Resolution No. 98-394 to re-title the classification of Health Education Clinic Assistant to Public Health Licensed Vocational Nurse and link the salary to the Licensed Vocational Nurse classification; and
- c. **Directed** the Auditor-Controller to amend the adopted FY 2006-07 Health Department Budget Units 411 and 440 to reflect the change in position count as outlined in the attached Board Order.

- 0125.000 28. a. **Agreement No.: A-10812; Approved and authorized** the Director of Health to sign Standard Agreement No. 05-75529-000 with the State Department of Mental Health for the development and implementation of Monterey County's Mental Health Services Act Three Year Community Services & Supports Program and Expenditure Plan, for a maximum amount of \$10,804,742; and
- b. Authorized the Director of Health to sign up to three future amendments to this Agreement where the amendments do not exceed an aggregate amount of \$1,080,474 and do not significantly change the scope of work.

- 0601.100 29. a. **Agreement No.: A-10816; Approved** Amendment No. 1 to the Employment Agreement with Hugh Robert Holtrop, M.D in an amount not to exceed \$1,500 for a period of ninety (90) days commencing on January 8, 2007 with an option to extend term for one (1) additional thirty (30) day term to serve as Acting Chief of OB/GYN Services for Natividad Medical Center; and
- b. **Directed** the Auditor-Controller to issue compensation to Hugh Robert Holtrop, M.D in the amount of \$500 per month for a period of ninety (90) days commencing on January 8, 2007 with an option to extend compensation for one (1) additional thirty (30) day term.

- 0602.550 30. **Concurred** with the Monterey County Workforce Investment Board (MCWIB) to accept \$500,000 from the California Employment Development Department, Workforce Investment Act Title I Governor's Discretionary funds for a local workforce development project titled, "Apprenticeships, Internships and Training for Veterans in Monterey County."

- 0150.146 31. **B. U. No.: 06/07-139; Concurred** with the Monterey County Workforce Investment Board (MCWIB) to:
- a. **Accepted** \$528,705 from the California Employment Development Department, Workforce Investment Act Title I Governor's Discretionary funds for a local workforce development project titled, "Certified Nursing Assistant (CNA) Pipeline Training"; and
  - b. **Authorized** the Auditor Controller to increase Estimated Revenue and Appropriations to Fund 007, Budget Unit 565, Office for Employment Training in the amount of \$528,705. (4/5<sup>th</sup> vote required)

- 0602.550 32. **Resolution No.: 07-053; B. U. No.: 06/07-136;**
- a. **Approved and amended** Personnel Policies and Practices Resolution No. 98-394 to add the classifications of Staff Trainer I, Staff Trainer II and Supervising Staff Trainer for Social Services; and



- b. **Approved** and **amended** Personnel Policies and Practices Resolution No. 98-394 to delete the classification of Staff Specialist; and Development
- c. **Approved** reclassification of seven (7.0) FTE in Budget Unit from Staff Development Specialist to Staff Trainer II; and 501
- d. **Approved** reclassification of one (1.0) FTE in Budget 501 Employment & Training Supervisor to Supervising Staff Trainer; and
- e. **Approved** the reallocation of three (3.0) FTE in Budget 501 from Eligibility Supervisor to Staff Trainer II; and
- f. **Directed** the Auditor-Controller to amend FY 2006-07 Budget Unit 501 to reflect the changes.

### CRIMINAL JUSTICE:

- 0125.000 33. **Agreement No.: A-10366; Approved** and **Authorized** the Purchasing Manager to sign Amendment No.1 to extend Agreement No. A-10366 with Partners for Peace to provide services and use facility space in concurrence with the Silver Star Gang Prevention and Intervention grant through June 30, 2008.
- 0125.000 34. **Agreement No.: A-10230; Approved** and **authorized** the Purchasing Manager to sign Amendment No. 1 to extend Agreement No. A-10230 with Renaissance Resources - West to measure and analyze outcomes from the Silver Star Gang Prevention and Intervention grant through August 30, 2007.

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### GENERAL GOVERNMENT:

- 0601.600 35. a. **Approved** Patrol Services Agreement with the California Highway Patrol for the 2007 Lake San Antonio Wildflower Festival; and  
b. **Authorized** Director of Parks to Execute the Agreement and any amendments not to exceed 5% of the Agreement amount.
- 0125.000 36. **B. U. No.: 06/07-137; Agreement No.: 10813;**  
0150.016 a. **Approved** and **authorized** the Purchasing Manager to sign a contract with Neal, Gerber, Eisenberg LLP for a not-to-exceed amount of \$100,000 for specialized technology legal services associated with the upgrade and replacement of the County's Financial, Budget Preparation and HR / Payroll Systems; and  
b. **Increased** Appropriations in Fund 029, Budget Unit 167 by \$100,000 (4/5<sup>th</sup> vote required); and  
c. **Transferred** \$100,000 from Fund 029, Budget Unit 167 to Fund 001, Budget Unit 850; and  
d. **Increased** Appropriations in the County Administrative Office Budget Unit (105) by \$100,000 (4/5<sup>th</sup> vote required); and  
e. **Encumbered** contract in Budget Unit 105 for \$100,000
- 0125.000 37. a. **Agreement No.: A-10818; Approved** a Professional Services  
0600.750 Agreement with SimulTrans, L.L.C., in an amount not to exceed \$31,914 to provide translation services for the Monterey County General Plan, Environmental Impact Report Executive Summary, and General Plan Initiative from January 17, 2007 to June 30, 2007; 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.

0601.175 38. **Resolution No.: 07-056; Approved** the recommendations of the  
0402.800 Monterey County Overall Economic Development Commission  
(OEDC) and amendment of the OEDC Bylaws.

0125.000 39. **Agreement No.: A-10819; Approved and authorized** the  
0600.025 Assistant County Administrative Officer to sign Amendment No.1 to the Professional Services Agreement (PSA) with Harvey M. Rose, Accountancy Corporation to amend the services provided to include an analysis of mandates in the areas of human resources and procurement (contracts and related procedures, and insurance requirements), separating legal requirements from preference; and to provide recommendations designed to speed the contract approval process and improve Natividad Medical Center's ability to obtain competitively priced contracts; and to increase the amount of the Agreement from \$24,955 to \$65,000 (an increase of \$40,045).

0125.000 40. a. **Agreement No.: A-10814; Approved** Loan Agreement with  
Interim, Inc. for \$150,000 for the rehabilitation of the Pearl Street  
Housing facility in the City of Monterey; and  
b. **Authorized** the Housing and Redevelopment Director to execute  
the Agreements, related documents, and amendments thereto. The Loan  
Agreement and related documents are for a 30-year fixed term and provide  
for repayment at no interest within that period. The final loan payment and all  
balances will be due July 1, 2037.

0125.000 41. a. **Agreement No.: A-10820; Approved** a Professional Services  
5100.00 Agreement with Freitas + Freitas, Engineering and Planning Consultants, Inc. in an amount not to exceed \$40,000 to provide consulting management and planning services for affordable and workforce housing programs; and  
b. **Authorized** the Housing and Redevelopment Director (or Designee) to execute the Agreement. The term of this Agreement will be February 27, 2007 - December 31, 2007.

0600.025 42. **Resolution No.: 07-054; Board concurred** with the County  
0601.350 Administrative Officer's appointment of Acting County Librarian.

**RMA - PLANNING:**

0125.000 43. a. **Agreement No.: A-10367; Approved** Amendment No. 2 in the amount of \$20,950  
which includes an increase of \$18,217 to the base budget plus an increase of \$2,733 in contingencies, for a total base budget of \$79,349 plus a total of \$11,903 in contingencies, for a total amount not to exceed \$91,252 of the Professional Services Agreement with EMC Planning Group, Inc. (EMC) to provide an Environmental Impact Report (EIR) for the Pajaro Valley Golf Course (PLN980571) in North County, Coastal Zone; and  
b. **Approved** Amendment No. 2 in the amount of \$27,326 which includes an increase of \$18,217 to the base budget plus an increase of \$2,733 in contingencies and an increase of \$6,376 for surcharge, for a total base budget of \$79,349 plus a total of \$11,903 in contingencies and a total of \$27,772 for surcharge, for a total amount not to exceed \$119,024 of the Reimbursement Agreement with BJCR, Inc. to reimburse EMC to

provide an EIR for the Pajaro Valley Golf Course (PLN980571) in North County, Coastal Zone; and

- c. **Authorized** the Interim Director of Planning to execute Amendment No. 2 to the Professional Services Agreement, Amendment No. 2 to the reimbursement Agreement and future amendments that do not significantly alter the scope of work or change the approved agreement amounts.

(Contract - PD060200/EMC Planning Group, Inc., County-wide)

- 0125.000 44. a. **Agreement No.: A-10518; Approved** Amendment No. 2 in the amount of \$9,373 which includes an increase of \$8,150 to the base budget plus an increase of \$1,223 in contingencies, for a total base budget of \$83,840 plus a total of \$12,577 in contingencies, for a total amount not to exceed \$96,417 of the Professional Services Agreement with LSA Associates, Inc. (LSA) for completion of an Environmental Impact Report (EIR) for the Proposed Avila General Plan Amendment, Zone Change, Subdivision and Variance located at 870, 874, and 884 River Road in Salinas (PLN980516); and
- b. **Approved** Amendment No. 2 in the amount of \$9,373 which includes an increase of \$8,150 to the base budget plus an increase of \$1,223 in contingencies, for a total base budget of \$83,840 plus a total of \$12,577 in contingencies, for a total amount not to exceed \$96,417 of the Reimbursement Agreement with Joseph Samoske and Sandra Samoske and Mused Mohsin and Terry Mohsin to reimburse LSA for completion of an EIR for the Proposed Avila General Plan Amendment, Zone Change, Subdivision and Variance; and
- c. **Authorized** the Interim Director of Planning to execute Amendment No. 2 to the Agreements and future amendments that do not significantly alter the scope of work or change the approved Agreement amounts; and
- d. **Directed** the Interim Director of Planning to waive the 35% Administrative Fee for EIR processing based on Applicants paying hourly fees for processing of an Extraordinary Development Application.
- (Contract - PD060592/LSA Associates, County Wide)

- 0700.000 45. a. **Approved** the Agricultural Buffer Easement Deed between the  
0602.200 County of Monterey and Aromas Community Park Foundation pursuant to Planning Commission Resolution No. 03001, Condition 20; and
- b. **Authorized** the Chair to sign the Agricultural Buffer Easement Deed between the County of Monterey and Aromas Community Park Foundation pursuant to Planning Commission Resolution No. 03001, Condition 20 and direct the Clerk to record the Easement Deed with the County Recorder.
- (Agricultural Buffer Easement Deed - PLN970585/Aromas Community Park, North County Planning Area)

### **RMA - PUBLIC WORKS:**

- 0602.350 46. a. **2007 CONST 003; Approved** Plans and Specifications for the  
Repair/Upgrade Fire Alarm System, Sheriff's Public Safety Building, 1414  
Natividad Road, Salinas, Project No. 05-100; and
- b. **Authorized** the Clerk of the Board to advertise the "Notice to Contractors" in the Californian on March 9 and March 16, 2007.
- 0602.350 47. a. **Authorized** acceptance of the work to replace steam kettles at the County Jail Facility, Project No. 06-014; and
- b. **Authorized** the Public Works Director to execute and record the Notice of Completion.

- 0125.000 48. a. **Agreement No.: A-10817; Approved** Amendment No. 1 in the amount of \$15,532 for a total amount not to exceed \$35,432 and extend the term of the Professional Services Agreement with Z-Con Specialty Services, Inc. to May 31, 2007 for additional cleaning services for the interior of the Old Monterey County Jail; and  
 b. **Authorized** the Purchasing Manager to execute the Amendment and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.
- 0602.350 49. a. **B. U. No.: 06/07-140; Resolution No.: 07-057; Accepted** the Certificate of Completion for construction to Repair and Address Water Intrusion at the Agriculture Commissioners Building, Project No. 05-121; and  
 b. **Authorized** the Public Works Director to execute and record the Notice of Completion; and  
 c. **Directed** the Auditor-Controller's Office to transfer appropriations within the Facilities Maintenance Project Budget Fund 009 Budget Unit 166, Account 6310 (Maintenance - Facilities & Construction) to Account 6782 (Ag Commissioner's Office - Abbott Street) to cover project costs in the amount of \$238,237 (4/5<sup>th</sup> vote required).
- 0602.350 50. a. **2005 CONST 0075; Authorized** acceptance of the work to Repair Concrete - North Wing Americans with Disabilities Act Ramp, Project No. 04- 066; and  
 b. **Authorized** the Public Works Director to execute and record the Notice of Completion; and  
 c. **Authorized** the release of retention within 35 days following the filing of the Notice of Completion and upon approval by the Public Works Director.
- 0602.350 51. a. **Agreement No.: A-10821; Approved** a Cooperative Agreement with Caltrans for the preparation of Plans, Specifications, and Estimates, right-of-way acquisition, and construction of the State Route 68 and Laureles Grade Project; and  
 b. **Authorized** the Chair to execute the Cooperative Agreement; and  
 c. **Directed** the Clerk of the Board to submit the Cooperative Agreement to the County Recorder for filing.
- 0602.350 52. a. **Approved** submittal of a Moyer grant application to the Monterey Bay Air Pollution Control District for a total amount not to exceed \$1 million; and  
 b. **Authorized** the Public Works Director or his designee to act as agent for the County in processing and signing all documentation to secure these funds.
- 0602.350 53. **Approved** an increase in the amount of \$180,000 in contingency funding for construction of the Replacement of Sandholdt Road Bridge over Moss Landing Slough, State Bridge No.: 44C-0108, County No. 112, Federal-Aid Project No. STPLZ-5944(034), Project No. 05-220465.
- 0125.000 54. a. **Agreement No.: A-10258; Approved** Amendment No. 1 in the amount of \$50,000 for a total amount not to exceed \$172,008 and extend the term of the Professional Services Agreement with Wood Rodgers, Inc. to March 31, 2007 for additional construction management services for the San Miguel Canyon Road/Hall Road Intersection Improvements, Project No. 06-152065; and  
 b. **Authorized** the Purchasing Manager to execute the Amendment and future amendments that do not significantly alter the scope of work or change the approved

Agreement amount.

- 0602.350 55. a. **Resolution No.: 07-058; Adopted** a resolution finding that the closure of the North Wing of the Monterey County Courthouse continues to pose an emergency requiring immediate action; 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 (4/5<sup>th</sup> vote required).
- 0602.350 56. a. **Approved** submittal of a High Risk Rural Roads grant application to Caltrans for a total amount not to exceed \$900,000; and
- b. **Authorized** the Public Works Director or his designee to act as agent for the County in processing and signing all documentation to secure these funds.
- 0125.000 57. a. **Agreement No.: A-01960 Approved** Amendment No. 6 in the amount of \$7,939.84 for a total amount not to exceed \$519,037.84 to the Professional Services Agreement with Advanced Engineering Design for additional services associated with the Spreckels Boulevard/Reservation Road Bicycle Path and Bridge Project; and
- b. **Authorized** the Public Works Director or his designee to execute the Amendment and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

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#### **RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY**

**BOARD ACTION: Upon motion of supervisor Smith, and seconded by Supervisor Salinas, and unanimously carried 4/0 with Supervisor Calcagno absent from the vote. The Board approved the following actions, unless otherwise noted:**

- 0125.000 58. a. **Agreement No.: A-10815; Approved** a Professional Services Agreement with Freitas + Freitas, Engineering and Planning Consultants, Inc. in an amount not to exceed \$60,000 to provide consulting management and planning services to support redevelopment activities in the Fort Ord Redevelopment Area; and
- b. **Authorized** the Housing and Redevelopment Director (or Designee) to execute the Agreement. The term of this Agreement will be February 27, 2007 - December 31, 2007.

#### **BORONDA COUNTY SANITATION DISTRICT**

**BOARD ACTION: Upon motion of supervisor Smith, and seconded by Supervisor Salinas, and unanimously carried 4/0 with Supervisor Calcagno absent from this vote. The Board approved the following actions, unless otherwise noted:**

- 0602.350 59 a. **B. U. No.: 06/07-141; Approved** and authorized a decrease in  
0150.146 Fund Balance Designations - 3810 by \$50,000; and increase the available fund balance Unreserved Fund Balance - 3800, by \$50,000 for the Boronda County Sanitation District, Fund 392, Budget 910; and
- b. **Increased** appropriations for Fund 392, Budget 910, Account 6315, Maintenance - Public Works, by \$50,000 (4/5<sup>th</sup> vote required).

#### **MONTEREY COUNTY WATER RESOURCES AGENCY**

