

# 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**  
**TUESDAY, MARCH 13, 2007**  
**9:00 AM**

**NOTICE OF TELECONFERENCED MEETING**

Pursuant to Government Code section 54953, the afternoon session of the meeting will be teleconferenced to permit Supervisor Fernando Armenta to participate from the following location:

The Independence Room  
 J.W. Marriott Hotel-Washington D.C.  
 1331 Pennsylvania Avenue  
 Washington D.C.

A copy of the agenda for the meeting will be posted at the teleconference location, and then teleconference location will be accessible to the public.

**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 54957, the Board will provide a performance evaluation for the following public employment position:

1. Natividad Medical Center CEO

**BOARD ACTION: The performance evaluation was started and will be ongoing for a while.**

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

**BOARD ACTION: The Board approved a tentative settlement of 5 of the issues. One issue was not discussed.**

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. Claim of Yuriana Figueroa Villanueva  
 2. Claim of Brenda Carelis Arredondo Figueroa

3. Claim of Yuriana Arredondo Figueroa
4. Claim of Alberto Arredondo Nunez
5. Claim of Ricardo Arredondo Nunez
6. Claim of Pablo Poxtan-Cazarin
7. Claim of Raymundo Venegas-Morales
8. Claim of Carrie Haws

**BOARD ACTION: All eight of these claims were denied.**

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

1. Stott Outdoor Advertising vs. County of Monterey
2. LandWatch Monterey County, et al. vs. County of Monterey
3. Helping Our Peninsula's Environment vs. Monterey County Board of Supervisors
4. H-Y-H Corporation vs. County of Monterey
5. In re Monterey County Initiative Matter (Melendez vs. Board of Supervisors, Madrigal vs. County of Monterey)
6. Rangel and Buell vs. County of Monterey, et al.
7. Rancho San Juan Opposition Coalition vs. Board of Supervisors

**BOARD ACTION: Matter #1: The Board gave direction to County Counsel on how to resolve. #2: The Board provided direction to counsel. #3: The Board gave direction to County Counsel on procedural issues. #4, 5, 6 and 7: The Board received and update.**

e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators (Unit L); Keith Honda and Patricia Covert, designated representatives.

**BOARD ACTION: The Board gave direction to labor negotiators, Keith Honda and Patricia Covert on how to resolve. The Agreement should be ratified in short order.**

A/C-1 Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:

1. Lupe Garcia, et al. vs. Board of Supervisors of the County of Monterey, et al.

**BOARD ACTION: The Board gave direction on how to proceed and extended authority to contract with the Nossaman firm.**

**10:30 a.m.**

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

6300.000

- 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.

**BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Calcagno, and carried, the Board approved the following additions and corrections to the Agenda:**

S-1 A/C Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:

1. Lupe Garcia, et al. vs. Board of Supervisors of the County of Monterey, et al.

Under Appointments, please remove;

5. Appoint Brian Brennan to the Domestic Violence Coordinating Council for a term ending January 1, 2010. (Supervisor Calcagno)

**The following items will be pulled and voted on separately during the teleconference call this afternoon (due to 4/5<sup>th</sup> vote required):**

- S-12 Direct the Auditor Controller to increase expenses in the amount of \$484,703 in Fund 091, Budget Unit 960, Natividad Medical Center, and increase estimated Revenue in the amount of \$484,703 in Fund 091, Agency 960. (4/5<sup>th</sup> vote required)
  
19.
  - a. Approve and authorize the Health Department Budget Unit 413 to use designated reserve funds in the amount of \$398,000 for the purchase of equipment and services as outlined on Attachment A; and
  - b. Authorize the Auditor-Controller to decrease \$398,000 from Account 3815 Health Clinic Designation and increase Account 3800 General Fund Balance by \$398,000; and
  - c. Direct the Auditor-Controller to increase appropriations in the amount of \$398,000 as outlined in the Board Order. (4/5<sup>th</sup> vote required)
  
22.
  - a. Approve and authorize the Director of Health to receive \$316,948 in revenue from the Department of Alcohol and Drug Programs as part of the Substance Abuse Offender Treatment Program (OTP) for November 13, 2006 to October 31, 2007, and
  - b. Direct the Auditor-Controller to amend the FY 2006-07 Health Department, Behavioral Health Division Budget Unit 417 to increase estimated revenue and appropriations by \$118,385. (4/5<sup>th</sup> vote required)
  
34.
  - a. Approve and authorize the Chief Probation Officer to sign an agreement with the Superior Courts of California for the Collaborative Justice Substance Abuse Focus Grant from January 29, 2007 through June 30, 2007; and
  - b. Direct the Auditor-Controller to Amend Probation Budget Unit 255 to increase Fiscal Year 2006-07 estimated revenues and appropriations by \$67,654 (4/5<sup>th</sup> vote required).
  
43.
  - a. Receive information regarding the Elections Department's Help America Vote Act (HAVA) grant funds; and
  - b. Approve increased FY 2006-07 estimated revenue and appropriations by \$605,129 in Budget Unit 141-Elections for HAVA compliant voting equipment, and direct the Auditor-Controller to reflect these changes as detailed on the attached Board Order (4/5<sup>th</sup> vote required).
  
44.
  - a. Approve and authorize the Acting Registrar of Voters to sign a professional services agreement for an amount not to exceed \$250,000 with K&H to print and mail vote-by-mail ballots for the June 5, 2007 Special Election; and
  - b. Receive information regarding the Elections Department FY 2006-07 budget shortfall due to costs related to the June 5, 2007 Special Election; and
  - c. Approve the transfer of \$631,713 from General Fund Contingencies to the Elections Department, Budget Unit 141 to cover the additional expenditures (4/5<sup>th</sup> vote required).

49.
  - a. Adopt 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. Adopt 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).
  
50.
  - a. Approve and authorize a decrease in Fund Balance Designations - 3810, by \$20,000 and increase the available fund balance, Unreserved Fund Balance - 3800, by \$20,000 for County Service Area 15 - Sierra Village & Toro Park, Fund 115, Budget 910; and
  - b. Increase appropriations in Fund 115, Budget 920, Account 6315, Maintenance - Public Works by \$20,000; and
  - c. Direct the Auditor-Controller to transfer funds and increase appropriations as follows: transfer \$20,000 from Fund 115, Account 3810; transfer \$20,000 to Fund 115, Account 3800; and increase appropriations for Fund 115, Budget 920, account 6315, by \$20,000 (4/5<sup>th</sup> vote required).
  
3. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
  
4. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)

#### APPOINTMENTS:

**Upon motion of Supervisor Calcagno and seconded by Supervisor Salinas and carried 3/0 (Supervisors Armenta and Smith were absent from the vote), the Board approved the following appointments, except as noted:**

5. ~~Appoint Brian Brennan to the Domestic Violence Coordinating Council for a term ending January 1, 2010. (Supervisor Calcagno)~~
  
- 0401.880 6. **Appointed** Merri Bilek to the Monterey County In Home Supportive Services Public Authority for a term ending June 30, 2007. (Supervisor Potter)
  
- 0401.910 7. **Approved** Interim appointment of Dr. David Perrott to the Natividad Medical Center Board of Trustees. (Supervisor Smith)

#### OTHER BOARD MATTERS:

- 6300.000 8. **Board Comments and Referrals**  
Supervisor Calcagno made a referral through the Legislative Committee and through the Board. The issue was over the raising of the speed limits on the 101 – “Blood Alley” and on Highway 1 near the county lines of Watsonville and Santa Cruz. There is a proposal to increase the speed limits on these highways in order to allow for law enforcement to monitor the speed. The Supervisor would like to see this issue reviewed and have our lobbyists in Washington look into getting this County a specific exemption in order to guarantee a slower and safer speed along these two corridors. Further, the Supervisor would like to see the Board take action on this by way of a letter to the Governor and our Legislatures addressing the concerns. The Supervisor would like this agendized for the meeting next week.
  
- 6300.000 9. **Received** Board Referrals Update
  
- 0600.025 10. **CAO Comments**  
There were none.

- 2050.000 11. Public Comment (Limited to 3 minutes per speaker)  
No members of the Public came forward.

**BOARD ACTION: Upon motion of Supervisor Salinas and seconded by Supervisor Potter and carried 3/0 (Supervisors Armenta and Smith were absent from the vote), the Board approved the following Resolutions:**

- 2050.000 12. **Resolution No.: 07-059; Adopted** a Resolution of Proclamation honoring James Soares upon his completion of service to the Monterey County Military & Veterans Affairs Advisory Commission. (Supervisor Salinas)
- 2050.000 13. **Resolution No.: 07-060; Adopted** a Resolution of Proclamation requesting the California Department of Transportation to permit the temporary closure of portions of State Highway 183 on Sunday, May 20, 2007. (Supervisor Calcagno)
- 2050.000 14. **Resolution No.: 07-061; Adopted** a Resolution commending Bill Cassara, Monterey County Sheriff's Sergeant, upon his retirement from public service of over 26 years. (Full Board)

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**SCHEDULED MATTERS:**

- 0600.025 S-2 a. **Considered** approval of the response to the Monterey County Civil Grand Jury 2006 Final Report; and  
b. **Authorized** the County Administrative Office to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, on or before April 2, 2007.
- BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**

**The following items were trailed until the afternoon: S-3 through S-12.**

- 0601.525 S-3 **Approved** and **authorized** the CEO of Natividad Medical Center (NMC) to sign the application for the California Healthcare for Indigents Program Funding for FY 2006-2007.

**BOARD ACTION: Upon motion of Supervisor Calcagno and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**

- 0601.525 S-4 **Agreement No. A10829;**  
0125.000 a. **Authorized** the Purchasing Manager to sign an Agreement for Contingency Recruitment for all positions; Pursuant to the terms of the Request for Proposal (RFP No. 9962) in an amount not to exceed \$200,000 with the authority to open purchase orders and distribute these funds between all of the vendors under the Agreement; and  
b. **Waived** County Insurance Requirements for all vendors.

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**

- 0601.525 S-5 **Agreement No.: A-10392 Approved** Amendment No. 1 to the Agreement (No. A-10392) with Felix Huerta, MD extending the Agreement to June 30, 2007 in an amount not to

exceed \$172,265.50 for professional Internal Medicine/Hospitalist services at Natividad Medical Center for the period of February 25, 2007 through June 30, 2007.

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**

0601.585  
0125.000

S-6 **Agreement No. A-10830;**

- a. **Approved** the Agreement with Roderick Pagsolingan, D.P.M., in an amount not to exceed \$85,200 for Professional Podiatric Clinical Services at Natividad Medical Center (NMC) for the term of December 1, 2005 through November 30, 2007; and
- b. **Authorized** the Purchasing Manager to issue a Purchase Order to Roderick Pagsolingan, D.P.M. in an amount not to exceed \$21,300 for Professional Podiatric Services between January 1, 2007 and June 30, 2007; and
- c. **Waived** current County Insurance language requirements.

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**

0601.525

S-7

- a. **Authorized** the Purchasing Manager to make a one-time payment of \$29,000 to the University of California at San Francisco (UCSF) for Urology Clinic Services at Natividad Medical Center (NMC) from September 1, 2004 through December 31, 2006; and
- b. **Authorized** the Purchasing Manager to make a one-time payment of \$18,500 to UCSF for Pulmonary Clinic Services at NMC August 1, 2005 through December 31, 2006.

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisor Armenta and Smith were absent from the vote).**

0601.525  
0125.000

S-8

**Agreement No.: A-10470 Authorized** the Purchasing Manager for the County of Monterey to sign Amendment No. 1 to the Professional Services Agreement (No. 10470) entered into with Sweet/Renfer & Milanessa extending the term of the original Agreement for the period of March 1, 2007 to June 30, 2007 in an amount not to exceed \$270,000 for Urology Clinic and call services at Natividad Medical Center (NMC).

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**

0601.525

S-9

**Agreement No.: A-09818 Approved** Amendment No. 1 to the Agreement (No. A-09818) with Wayne Shen, MD extending the Agreement to June 30, 2007 in an amount not to exceed \$30,000 for professional Neurology services at Natividad Medical Center for the period of March 1, 2007 through June 30, 2007.

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**

0601.525  
0125.000

S-10

a. **Agreement No. 1: A-10831 and Agreement No.2 A-10832**

**Authorized** the Purchasing Manager for the County of Monterey to execute two Lease Agreements with Cardinal Health, Inc. for Pyxis Medication Supply Automation rental and support for **1. Newborn Nursery** and **2. Labor and Delivery Post Anesthesia Care Unit (PACU)** effective March 1, 2007 for 60 months in the amount of \$1,204 per month. The total amount of the Agreements is not to exceed \$72,240 for the term of March 1, 2007 to June 30, 2011; and

- b. **Waived** county insurance requirements.

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**

- 0601.525 S-11 a. **Agreement No.: A-10833 Authorized** the Purchasing Manager for Monterey County to execute the Agreement dated September 9, 2003 with Toyon Associates Inc, for Medicare Appeal Services for Fiscal Years ending 1994 through 2002 at Natividad Medical Center (NMC); and
- b. **Authorized** the Purchasing Manager for Monterey County to issue a one-time purchase order to Toyon Associates Inc. in the amount of \$484,703.25 as per the contingency agreement for Medicare Appeal Services for Fiscal Year ending 2001; and
- c. **Waived** current County insurance requirements.

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**

**Continued to March 20, 2007**

- S-12 Direct the Auditor Controller to increase expenses in the amount of \$484,703 in Fund 091, Budget Unit 960, Natividad Medical Center, and increase estimated Revenue in the amount of \$484,703 in Fund 091, Agency 960. (4/5<sup>th</sup> vote required)

**BOARD ACTION: Upon motion of Supervisor Calcagno and seconded by Supervisor Salinas, and carried 3/0, this matter was continued to Tuesday March 20, 2007.**

- ~~S-13 a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classifications of Health Information Management Coder I, Health Information Management Coder II, Health Information Management Coding Supervisor; and~~
- ~~b. Amend Personnel Policies and Practices Resolution No. 98-394 to re-title Medical Records Director to Director of Health Information Management and the Assistant Director of Medical Records to the Assistant Director of Health Information Management; and~~
- ~~c. Amend Personnel Policies and Practices Resolution No. 98-394 to Amend the salary string for Director of Surgical Services, Medical Staff Coordinator, Physical Therapist Assistant; and~~
- ~~d. Amend Natividad Medical Center Budget Unit 960 to approve the deletion of the following allocations: 1.0 Nursing Services Division Manager; and~~
- ~~e. Amend Natividad Medical Center Budget Unit 960 to approve the addition of the following allocations: 1.0 FTE Director of Surgical Services, 1.0 FTE NMC Information Systems Director, 4.0 FTE Health Information Management Coder II, 1.0 FTE Health Information Management Coding Supervisor~~

**12:00 p.m.**

~~Recess to Lunch- Fort Ord Committee meeting & Joint Board Leadership Committee meeting.~~

**1:30 p.m.**

- 0602.350 S-14 **Resolution No.: 07-071;**
- a. **Conducted** a Public Hearing to adopt resolution determining that the abandonment of portions of McDougall, Speegle, Pomeroy, and Preston streets are exempt from the California Environmental Quality Act; abandoning said public rights-of-way; and
- b. **Authorized** the Chair to execute a Quitclaim to convey any interest the County has in said property to Monterey County Office of Housing and Redevelopment; and
- c. **Directed** the Public Works Director to file a Notice of Exemption with the County Clerk; and
- d. **Directed** the Clerk of the Board to record the Quitclaim with the County Recorder.

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**

- 0602.200 S-15 **Held** a Public hearing to:
- Considered** the previously adopted Negative Declaration; and
  - Ordinance No.: 5060;** Adopted an ordinance to rezone a certain property (Assessor's Parcel Number 103-141-014-000) from "LDR/B-6-UR-D-S" (Low Density Residential, with Building Site, Urban Reserve, Design Control and Site Plan Review Overlays) to "LDR/B-7-UR-D-S" (Low Density Residential, with Building Site, Urban Reserve, Design Control and site Plan Review Overlays).
- (Rezone - GPZ070001/Garcia, 3940 Via Mar Monte, Greater Monterey Peninsula Area Plan)
- BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Salinas, and carried 3/0 (Supervisor Armenta and Smith were absent from the vote).**
- 0602.200 S-16 **Resolution No. 07-072** Public hearing to consider:
- Denied** the appeal and uphold the County fees for the Initial Study; and
  - Approved** a refund of the Appeal fees.
- (Appeal, Use Permit - PLN070026/O'Connell, 21444 Parrot Ranch Road, Carmel Valley, Cachagua Area)
- BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**

- S-17 **Continued to a Date Uncertain**  
Analyze Attorney General's Request for Staff to Evaluate Water Supplies in the North Monterey County Coastal Zone to Accommodate Build out Under the Land Use Plan and Propose a Process to Address Inadequate Supplies.  
(Evaluation - PD061169/Water Supply Evaluation, North Monterey County)  
**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote).**
- S-18 **Considered but did not adopt** a resolution to withdraw from the June 5, 2007 special election the County's measure concerning whether or not to repeal the 2006 County General Plan adopted by the Board of Supervisors on January 3, 2007.  
**BOARD ACTION: Upon motion of Supervisor Potter, the motion lacked a second and failed.**

Public Comment:

- Chris Fitz: Addressed the Board requesting that they remove the repeal measure.
- Tom Carvey: Addressed the Board requesting that they keep the original language as is.
- Jan Mitchell: Addressed the Board requesting that they remove the repeal measure.
- Julie Engell: Addressed the Board requesting that they remove the repeal measure.
- Hans Jongens: Addressed the Board requesting that they remove the repeal measure.
- Sheri Damon: Addressed the Board to advise that with a new lawsuit on this matter, to take action would only result in having further problems.
- Paula Lotz: Addressed the Board requesting that they remove the repeal measure.

## ORDER FOR ADJOURNMENT

### IN MEMORY OF WARNER DAVIS



**AND**

**RAY BELGARD**

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 Calcagno, and seconded by Supervisor Salinas, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote), the Board approved the following actions, unless otherwise noted: 19, 22, 34, 43, 44, 49, and 50 were pulled and voted on separately in the afternoon during the teleconference call involving Supervisor Armenta due to the 4/5<sup>th</sup> vote requirement.

**HEALTH AND SOCIAL SERVICES:**

- 0125.000    15.    a. **Agreement No.: A-10822 Approved** and **authorized** the Director of the Department of Social and Employment Services, or his designee, to sign an agreement for \$34,000 with Alisal Union School District/Alisal Community Healthy Start to provide

low-income people of Salinas with Spanish literacy services and information and referral/completion of forms for the period of January 1, 2007 through December 31, 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.

0602.550  
0125.000

16. a. **Agreement No.: A-10823 Approved and authorized** the Director of the Department of Social and Employment Services, or his designee, to sign an Affiliation Agreement with the University of Phoenix, College of Health and Human Services, for Internship Field Study Placement for the period of December 1, 2006 - December 31, 2008; and
- b. **Authorized** the Director of the Department of Social and Employment Services, or his designee, to sign all future amendments to the Affiliation Agreement.

0602.550

17. a. **Approved and designated** as surplus properties the following equipment: 1) one 1998 Electronic Pallet Jack, 2) one 2002 Dishwasher, 3) one Steam Table, 4) one Tilt Fry Pan, 5) twenty [20] Aladdin Covers, 6) twenty [20] Aladdin Trays, 7) two [2] Plate Warmers, 8) thirty [30] used Trays, and 9) sixty [60] new Trays & thirty [30] new Covers, all of which were purchased by Monterey County Area Agency on Aging; and
- b. **Approved** transfer of the electronic pallet jack to the Food Bank for Monterey County, a tax exempt 501c (3) organization; and
- c. **Approved** transfer of the dishwasher to the National Steinbeck Center, a tax exempt 501c (3) organization, and
- d. **Approved** transfer of the remainder of the equipment (No. 3- No. 9) to the Fresno/Madera Area Agency on Aging, a tax exempt 501c (3) organization.

0602.550  
0125.000

18. **Agreement No.: A-10824 Approved and Authorized** the Workforce Investment Board Executive Director to sign a Professional Services Agreement (PSA) in the amount of \$65,000, with Mercer Government Human Services Consulting for facilitating the process for achieving the goals of the Community, Network, Individual and Family - Successful Parolee Reentry Grant.

**Continued to Tuesday March 20, 2007:**

19. a. Approve and authorize the Health Department Budget Unit 413 to use designated reserve funds in the amount of \$398,000 for the purchase of equipment and services as outlined on Attachment A; and
- b. Authorize the Auditor-Controller to decrease \$398,000 from Account 3815 Health Clinic Designation and increase Account 3800 General Fund Balance by \$398,000; and
- c. Direct the Auditor-Controller to increase appropriations in the amount of \$398,000 as outlined in the Board Order. (4/5<sup>th</sup> vote required)

**BOARD ACTION: Upon motion of Supervisor Calcagno and seconded by Supervisor Salinas, and carried 3/0, this matter was continued to Tuesday March 20, 2007.**

0601.100  
0125.000

20. a. **Agreement No.: A-10825 Approved and authorized** the Director of Health to sign a Professional Services Agreement with Credit Consulting Services, Inc. in the amount of \$1,000.00 for the term of March 13, 2007 through March 30, 2009, with an option to extend the agreement for two (2) additional one (1) year periods for debt collection services; and

- b. **Authorized** the Director of Health to sign up to three future amendments to this agreement where the amendments do not significantly change the scope of work or change the approved amount.

- 0601.100 21. **Authorized** the Director of Health or his designee, on behalf of Monterey County, to execute and submit all necessary applications, contracts, payment requests, agreements, documents and amendments thereto for the purposes of securing Waste Tire Enforcement Grant funds for FY 06-07 in an amount not to exceed \$150,000, and for subsequent grant agreements for FY 07-08, FY 08-09, FY 09-10 and FY 10-11 in amounts not to exceed \$200,000 annually, and to implement and carry out the purposes specified in the grant applications.

**Continued to Tuesday March 20, 2007:**

22. a. Approve and authorize the Director of Health to receive \$316,948 in revenue from the Department of Alcohol and Drug Programs as part of the Substance Abuse Offender Treatment Program (OTP) for November 13, 2006 to October 31, 2007, and  
 b. Direct the Auditor-Controller to amend the FY 2006-07 Health Department, Behavioral Health Division Budget Unit 417 to increase estimated revenue and appropriations by \$118,385. (4/5<sup>th</sup> vote required)

**BOARD ACTION: Upon motion of Supervisor Calcagno and seconded by Supervisor Salinas, and carried 3/0, this matter was continued to Tuesday March 20, 2007.**

- 0125.000 23. **Agreement No.: A-10827 Approved and authorized** the Director  
 0601.100 of Health to sign an Agreement with Neil Kitchens, d.b.a. Paloma Guest Home in the annual amount of \$143,810 for Fiscal Year 2007-08, \$118,625 for Fiscal Year 2008-09, and \$118,625 for Fiscal Year 2009-10, for a total Agreement amount of \$381,060 to provide services to adults with severe psychiatric disabilities.
- 0125.000 24. **Agreement No.: A-09826; Approved and authorized** the  
 0601.100 Director of Health to sign an Amendment No. 1 to Agreement No.:A-09826; with Neil Kitchens, d.b.a. Paloma Guest Home, adding \$12,314 and increasing the total Agreement amount to \$340,814 for the period of July 1, 2004 through June 30, 2006, to provide services to adults with severe psychiatric disabilities.
- 0125.000 25. **Agreement No.: A-10198; Approved and authorized** the  
 0601.100 Director of Health to sign Amendment No.3 to Agreement No.: A-10198; with Beverly Health and Rehabilitation Services, Inc. d.b.a. San Jose Care and Guidance for services to adults with severe psychiatric disabilities, adding \$270,000 and increasing the total contract amount to \$1,925,484 for the period of July 1, 2005 through June 30, 2008.
- 0601.100 26. **Approved and authorized** the Director of Health or his designee to  
 act as Central Zone Administrator and Zone Treasurer of the Central Coast Recycled  
 Market Development Zone.
- 0601.100 27. a. **B.U. No.: 06/07-149; Resolution No.: 07-065; Amended**  
 0150.146 Personnel Policies and Practices Resolution No. 98- 394 to delete the classifications of Hazardous Materials Specialist I, II, III, and IV, and Recycling and Resource Recovery Assistant; and  
 b. **Approved and amended** FY06-07 Health Department Budget Unit 414 to: Reallocate 1.0 FTE Hazardous Material Specialist II position to 1.0 FTE Environmental Health Specialist II; reallocate 1.0 FTE Hazardous Materials Specialist III position to 1.0 FTE

Environmental Health Specialist III; reallocate 1.0 FTE Recycling & Resource Recovery Assistant to 1.0 FTE Environmental Health Specialist II; reallocate 1.0 FTE Secretarial Assistant to 1.0 FTE Office Assistant III position; and

- c. **Directed** the Auditor-Controller to amend FY06-07 Health Department Budget Unit 414 to reflect the changes in position count.

- 0601.100 28. **Agreement No.: A-10498 Approved** and **authorized** the Director  
0125.000 of Health to sign Amendment No.1 to the Professional Services Agreement with Brown-Miller Communications, Inc., increasing the amount by \$150,905 for a total amount of \$369,780, for the period of June 7, 2006 to September 21, 2008, for continued services providing technical assistance to staff to complete media buys for the Steps to a Healthier Salinas Initiative.
- 0601.100 29. a. **B.U. No.: 06/07-144 Approved** and **amended** Health Department Budget Unit 411  
to add 1.0 FTE Chronic Disease Prevention Coordinator and 1.0 FTE Research Analyst positions, funded by the Bioterrorism grant and CSA 74; and  
b. **Directed** the Auditor-Controller to amend Fiscal Year 2006-07 Health Department Budget Unit 411 to reflect the change in position count as outlined in the Board Order.
- 0601.100 30. a. **Agreement No.: A-10826 Approved** and **authorized** the  
0125.000 Director of Health to sign a Professional Services Agreement with the Alisal Union School District in the amount of \$37,000, for the period of January 30, 2007 through June 30, 2008, to develop a Wellness Policy and Implementation Plan in relation to the Steps to a Healthier Salinas Initiative; 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.
- 0150.146 31. **B.U. No.: 06/07-145 Approved** the transfer of \$25,325 from Salaries and Benefits to Fixed Assets in the Military & Veterans Affairs Department Budget Unit 565, for purchase of a replacement passenger van for the veterans' hospital transportation program and direct the Auditor-Controller to transfer the funds.
- 0601.100 32. **Resolution No. 07-069; B.U. No. 06/07-150;**  
5400.000 a. **Amended** the Personnel Policies and Practices Resolution No.  
0150.146 98-394 to add the recommended classifications of Animal Care Technician II, Senior Animal Care Technician and Senior Animal Control Officer; to re-title the classification of Animal Care Technician to Animal Care Technician I; re-title and increase the salary range of the classification of Supervising Animal Control Officer to Animal Services Supervisor; and  
b. **Amended** the Health Department Animal Control Budget Unit 296 to approve recommended reallocation of: 1.0 FTE Animal Control Officer to 1.0 FTE Senior Animal Care Technician, 1.0 FTE Animal Control Officer to 1.0 FTE Senior Animal Control Officer, 2.0 FTE Animal Care Technician to 2.0 FTE Animal Care Technician I and 4.0 FTE Animal Care Technician to 4.0 FTE Animal Care Technician II, to approve recommended re-title of: 2.0 FTE Supervising Animal Control Officer to 2.0 FTE Animal Services Supervisor; to approve recommended reclassification of 1.0 FTE Animal Care Technician to 1.0 FTE Office Assistant II; and  
c. **Directed** the Auditor-Controller to incorporate changes in the FY 2006-2007 Health Department Animal Control Budget Unit 296 to reflect the recommended change.
- 0601.100 33. **B.U. No.: 06/07-146; Agreement No.: A-10193;** Approved and

0150.146

authorized the Director of Health to sign, Amendment No. 3 to Agreement (No. A-10193) between the County of Monterey and Westmed Ambulance, Inc., to modify the terms of repayment related to financial assistance previously agreed to in an aggregate amount not to exceed one million dollars (\$1,000,000) solely for employee compensation and benefits, and other personnel costs.

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### **CRIMINAL JUSTICE:**

#### **Continued to Tuesday March 20, 2007:**

34. a. Approve and authorize the Chief Probation Officer to sign an agreement with the Superior Courts of California for the Collaborative Justice Substance Abuse Focus Grant from January 29, 2007 through June 30, 2007; and
- b. Direct the Auditor-Controller to Amend Probation Budget Unit 255 to increase Fiscal Year 2006-07 estimated revenues and appropriations by \$67,654 (4/5<sup>th</sup> vote required).

**BOARD ACTION: Upon motion of Supervisor Calcagno and seconded by Supervisor Salinas, and carried 3/0, this matter was continued to Tuesday March 20, 2007.**

### **GENERAL GOVERNMENT:**

- 0600.025 35. **Received** informational copies of the responses by the District Attorney and Sheriff to the Monterey County Civil Grand Jury 2006 Final Report.
- 0601.600 36. a. **Resolution No.: 07-068; Approved** the Request for Proposal to lease agricultural land at San Lorenzo County Park; and,  
b. **Directed** the Clerk to Board to solicit responsive proposals to be opened on Thursday, April 12, 2007, at 10:00 a.m.
- 0600.025 37. **Resolution No.: 07-068; Authorized** the Assistant County Administrative Officer, Human Resources, to bind a \$3,000,000 fiduciary insurance policy with the Chubb Corporation for the Monterey County Deferred Compensation Plan, at a cost of \$9,000 for one year.
38. **Approved** the Action Minutes for the meeting of Tuesday, January 9, 2007, copies having previously been distributed to each Board member.
39. **Approved** the Action Minutes for the meeting of Tuesday, January 16, 2007, copies having previously been distributed to each Board member.
40. **Approved** the Action Minutes for the meeting of Tuesday, January 23, 2007, copies having previously been distributed to each Board member.
41. **Approved** the Action Minutes for the meeting of Tuesday, February 6, 2007, copies having previously been distributed to each Board member.
42. **Approved** the Action Minutes for the meeting of Tuesday, February 13, 2007, copies having previously been distributed to each Board member.

**Continued to Tuesday March 20, 2007:**

43. a. **B.U. No.: 06/07-147**; Receive information regarding the Elections Department's Help America Vote Act (HAVA) grant funds; and
- b. Approve increased FY 2006-07 estimated revenue and appropriations by \$605,129 in Budget Unit 141-Elections for HAVA compliant voting equipment, and direct the Auditor-Controller to reflect these changes as detailed on the attached Board Order (4/5<sup>th</sup> vote required).

**BOARD ACTION: Upon motion of Supervisor Calcagno and seconded by Supervisor Salinas, and carried 3/0, this matter was continued to Tuesday March 20, 2007.**

**Continued to Tuesday March 20, 2007:**

44. a. Approve and authorize the Acting Registrar of Voters to sign a professional services agreement for an amount not to exceed \$250,000 with K&H to print and mail vote-by-mail ballots for the June 5, 2007 Special Election; and
- b. Receive information regarding the Elections Department FY 2006-07 budget shortfall due to costs related to the June 5, 2007 Special Election; and
- c. Approve the transfer of \$631,713 from General Fund Contingencies to the Elections Department, Budget Unit 141 to cover the additional expenditures (4/5<sup>th</sup> vote required).

**BOARD ACTION: Upon motion of Supervisor Calcagno and seconded by Supervisor Salinas, and carried 3/0, this matter was continued to Tuesday March 20, 2007.**

**RMA - PLANNING:**

- 0602.200 45. a. **Accepted** the Parcel Map for the Minor Subdivision of a 10.6 acre parcel into four parcels of approximately 2.5 acres, 2.5 acres, 2.5 acres, and 2.98 acres, the Road and Drainage Maintenance Agreement, the Notice of Water Conservation and Landscaping Requirements, the Minor Subdivision Water and Road Maintenance Agreement, the Environmental Health Deed Notification, Tax Report from the Tax Collector and the Parcel Map Guarantee; and
- b. **Authorized** the Chair to execute the Road and Drainage Maintenance Agreement; and
- c. **Directed** the Clerk of the Board to submit the Parcel Map, the Road and Drainage Maintenance Agreement, the Notice of Water Conservation and Landscaping Requirements, the Minor Subdivision Water and Road Maintenance Agreement and the Environmental Health Deed Notification to the County Recorder for filing; and
- d. **Directed** the Parks Department to deposit the recreation in Lieu Fee of \$ 450.00 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 - PLN000342/ Jones, 2080 San Miguel Canyon Road, Salinas, North County Area Plan)

- 0602.200 46. a. **Accepted** the Conservation and Scenic Easement Deed for the Wild Bird LLC for property located between Highway 1 and the Pacific Ocean at Grimes Point (APN: 420-201-012-000) Big Sur area, Coastal Zone; and
- b. **Authorized** the Chair of the Board of Supervisors to sign the Conservation and Scenic Easement Deed; and
- c. **Directed** the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing/recordation.
- (Conservation and Scenic Easement deed - PLN010266/Wild Bird LLC, Highway 1, Big Sur Coastal LUP area.)

- 0602.200 47. **Authorized** the Board Chair to sign a letter to the Monterey Peninsula Water Management District (MPWMD) regarding yield targets that would satisfy current replacement and estimated future water needs of the Monterey Peninsula.
- (Letter - PD070173/MPWMD Future Water Needs, District Wide)

0600.750

0602.200

S/A-1 **Resolution No. 07-079; Adopted** attached Resolution issuing the Board of Supervisors' report pursuant to Government Code 65858(d) describing measures taken to alleviate conditions that led to the adoption of Interim Ordinance No. 5057 applying certain uniform restrictions and regulations in the processing of discretionary development entitlements pending the County's study and consideration of ordinances and regulations implementing the 2006 General Plan and the June, 2007 election on the competing General Plan ballot measures.

(Ordinance – PLN050045/Interim Ordinance No.: 5057, County-wide)

**RMA - PUBLIC WORKS:**

0602.350 48. **Resolution No.: 07-070 Approved** initial listing of extended services and miscellaneous extended services for County Service Areas for FY 2007-08.

**Continued to Tuesday March 20, 2007:**

49. a. Adopt 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. Adopt 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).

**BOARD ACTION: Upon motion of Supervisor Calcagno and seconded by Supervisor Salinas, and carried 3/0, this matter was continued to Tuesday March 20, 2007.**

**Continued to Tuesday March 20, 2007:**

50. a. Approve and authorize a decrease in Fund Balance Designations - 3810, by \$20,000 and increase the available fund balance, Unreserved Fund Balance - 3800, by \$20,000 for County Service Area 15 - Sierra Village & Toro Park, Fund 115, Budget 910; and  
 b. Increase appropriations in Fund 115, Budget 920, Account 6315, Maintenance - Public Works by \$20,000; and  
 c. Direct the Auditor-Controller to transfer funds and increase appropriations as follows: transfer \$20,000 from Fund 115, Account 3810; transfer \$20,000 to Fund 115, Account 3800; and increase appropriations for Fund 115, Budget 920, account 6315, by \$20,000 (4/5<sup>th</sup> vote required).

**BOARD ACTION: Upon motion of Supervisor Calcagno and seconded by Supervisor Salinas, and carried 3/0, this matter was continued to Tuesday March 20, 2007.**

- 0602.350 51. a. **Resolution No.: 07-067; Adopted** Resolution declaring intent to enter into a twenty-year lease agreement with the Low Income Family Enrichment (LIFE) Foundation, a non-profit public benefit corporation, for approximately 80,015 square feet of space at 1000 South Main Street in Salinas (the Quadrangle Building) for use by the Department of Social and Employment Services, subject to the Life Foundation obtaining title to the property and financing through the City of Salinas; and  
 b. **Authorized** the Public Works Director and County Counsel to finalize the proposed lease and return to the Board for execution upon completion of all conditions.

**RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY**

**BOARD ACTION: upon motion of Supervisor Salinas, and seconded by Supervisor Calcagno, and carried 3/0 (Supervisors Armenta and Smith were absent from the vote), the Board approved the following actions, unless otherwise noted:**

- 5100.000 52. **2005 CONST 0003**  
 a. **Authorized** acceptance of work for Project No. 9820-03, Site Landscaping, for the Castro Plaza Project, community of Castroville; and

- b. **Authorized** the Director of Housing and Redevelopment Office  
to execute and record the Notice of Completion; and
- c. **Authorized** the release of retention 35 days following the filing  
of the Notice of Completion and upon approval of the Director of Housing and  
Redevelopment Office.

- 0125.000 53. **Agreement No.: A-10834 Approved** a \$25,000 Over-the-Counter Grant Agreement among the Community Housing Trust of Monterey County, Inc. (CHT), Monterey County Workforce Housing, Inc. (MCWH) and the Redevelopment Agency of the County of Monterey to develop materials and documents to implement a down payment assistance program and predevelopment loan program for low to moderate-income households.
- 5100.000 54. **Agreement No.: A-10828 Approved and authorized** the Chair of  
0125.000 the Board of Directors of the Redevelopment Agency to sign a Professional Services Agreement with Whitson and Associates Inc. d.b.a Whitson Engineers, in an amount not to exceed \$75,600 to provide consulting engineering and mapping services to support redevelopment activities in the Fort Ord Redevelopment Area. The term of this Agreement will be February 27, 2007 to June 30, 2008.
- 0150.146 55. a. **B.U. No.: 06/07-148; Amended** the FY 2006-07 Housing & Redevelopment Budget Unit 294 to delete one (1) FTE Senior Administrative Analyst and add one (1) FTE Civil Engineer; and  
b. **Directed** the Auditor Controller to Amend FY 2006-07 Housing & Redevelopment Budget Unit 294 to reflect the changes.