

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
Clerk of the Board
P. O. Box 1728
Salinas, CA 93902

Phone: (831) 755-5066
FAX: (831) 755-5888
Home Page: www.co.monterey.ca.us

ACTION MINUTES
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, MARCH 20, 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 54957, the Board will provide a performance evaluation for the following public employment positions:

1. Natividad Medical Center CEO
2. Child Support Services Director

BOARD ACTION: The Board received comments and provided direction on the performance evaluation for Natividad Medical Center CEO. The performance evaluation for the Child Support Services Director was pulled and not action taken.

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

1. California Department of Transportation vs. County of Monterey, et al. (Rancho San Juan litigation)
2. H-Y-H Corporation vs. County of Monterey (Rancho San Juan litigation)
3. ~~Omni Resources, LLC vs. Monterey County, et al.~~
4. Preserve Our Valley vs. County of Monterey, et al.
5. George Riley, et al. vs. County of Monterey, et al. (Cal-Am desalination plant litigation)
6. In re Monterey County Initiative Matter (Melendez vs. Board of Supervisors, Madrigal vs. County of Monterey)
7. Rangel and Buell vs. County of Monterey, et al.
8. Rancho San Juan Opposition Coalition vs. Board of Supervisors
9. Lupe Garcia, et al. vs. Board of Supervisors of the County of Monterey, et al.

BOARD ACTION: On matters 1 and 2, the Board approved a tentative settlement agreement. On item 4, the Board approved a tentative settlement. There was no read out for item 5. On matters 6, 7, 8, and 9, the Board received and update and provided direction.

S/A-1 Pursuant to Government Code Section 54957, the Board will consider the discipline or dismissal of a public employee and/or to hear complaints against a public employee.

BOARD ACTION: The Board received information and provided direction to staff.

S/A-2 Pursuant to Government Code Section 54956.9(a), the Board will confer with legal counsel concerning one item of significant exposure to litigation.

BOARD ACTION: This matter was pulled and no action taken.

10:30 a.m.

1. Pledge of Allegiance
The Pledge of Allegiance was led this morning by Supervisor Armenta.

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 Calcagno, and seconded by Supervisor Armenta, and carried 4/0 (Supervisor Smith was absent from this meeting), the Board approved the following additions and corrections to the Agenda:

A/C-1 Adopt a Resolution of Proclamation honoring Gino “Gene” Sbrana, on the occasion of being presented the National Steinbeck Center’s 3rd Annual Valley of the World Awards “2007 Hall of Fame Award.” (Supervisor Potter)

A/C-2 Adopt a Resolution of Proclamation honoring Joe Nucci, on the occasion of being presented the National Steinbeck Center’s 3rd Annual Valley of the World Awards “2007 Hall of Fame Award”. (Supervisor Potter)

A/C-3 Adopt a Resolution of Proclamation honoring Ardinello “Art” Sbrana, on the occasion of being presented the National Steinbeck Center’s 3rd Annual Valley of the World Awards “2007 Hall of Fame Award” (Supervisor Potter)

A/C-4 Adopt a Resolution of Proclamation honoring Connie Quinlan, on the occasion of being presented the National Steinbeck Center’s 3rd Annual Valley of the World Awards “2007 Hall of Fame Award” (Supervisor Potter)

A/C-5 Adopt a Resolution of Proclamation honoring W.B. ”Butch” Lindley, on the occasion of being selected as the National Steinbeck Center’s 3rd Annual Valley of the World Awards “2007 Hall of Fame Award” (Supervisor Potter)

A/C-6 Adopt a Resolution of Proclamation honoring Enrico “Dick” Sbrana, on the occasion of being selected as the National Steinbeck Center’s 3rd Annual Valley of the World Awards “2007 Hall of Fame Award” (Supervisor Potter)

S/A-3 Considered Interim Committee and Commission Assignments.
Interim Committees and Commission Assignments

Board Subcommittees

Fort Ord
Voting Rights

Interim Member

Calcagno
Salinas

Agencies, JPA’s

AMBAG
FOR A
Cultural Council (alternate)
LAFCO
Mental Health Commission
MBUAPCD
MRWMD

Calcagno (Armenta as alternate)
Salinas
Salinas
Potter, (Armenta as alternate)
Armenta, (Salinas alternate)
Armenta, (Potter as alternate)
Potter

MST (alternate) Salinas

NMC
Restorative Justice Commission Salinas
Santa Cruz Managed Medical Care Commission (Central Coast Alliance for Health) Calcagno

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

APPOINTMENTS:

Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 4/0 (Supervisor Smith was absent from this meeting), the Board approved the following appointments, except as noted:

- | | | |
|----------|-----|---|
| 0402.250 | 6. | Appointed Thomas B. Dornbach to the Mental Health Commission for a term ending May 31, 2010. (Supervisor Smith) |
| 0401.880 | 7. | Appointed Tom Folliard to the In-Home Supportive Services Public Authority Advisory Committee for a term ending June 30, 2007. (Full Board) |
| 0403.425 | 8. | Appointed Ruth Ramirez to the Social Services Commission for a term ending July 1, 2011. (Supervisor Calcagno) |
| 0402.800 | 9. | Appointed Vince Ferrante to the Monterey County Overall Economic Development Commission for a term ending June 30, 2009. (Supervisor Calcagno) |
| 0402.800 | 10. | Re-appointed Greg Burch to the Monterey County Overall Economic Development Commission for a term ending June 30, 2008. (Supervisor Calcagno) |
| 0400.761 | 11. | Re-appointed Antonio Ojeda to the Boronda Redevelopment Project Area Citizen's Advisory Committee for a term ending January 1, 2011. (Supervisor Calcagno) |
| 0400.761 | 12. | Re-appointed Paul Schiveley to the Boronda Redevelopment Project Area Citizen's Advisory Committee for a term ending January 1, 2011. (Supervisor Calcagno) |
| 0401.300 | 13. | Re-appointed Julie Oliver to the Castroville/Pajaro Redevelopment Project Area Citizen's Advisory Committee for a term ending January 1, 2011. (Supervisor Calcagno) |
| 0401.300 | 14. | Re-appointed George Pielenz, Jr. to the Castoville/Pajaro Redevelopment Project Area Citizen's Advisory Committee for a term ending January 1, 2011. (Supervisor Calcagno) |
| 0401.300 | 15. | Re-appointed Diane Young to the Castroville/Pajaro Redevelopment Project Area Citizen's Advisory Committee for a term ending January 1, 2011. (Supervisor Calcagno) |
| 0401.300 | 16. | Re-appointed Tony Alameda to the Castroville/Pajaro Redevelopment Project Area Citizen's Advisory Committee for a term ending January 1, 2011. (Supervisor Calcagno) |
| 0401.300 | 17. | Re-appointed Arthur Melendez to the Castroville/Pajaro Redevelopment Project Area Citizen's Advisory Committee for a term ending January 1, 2011. (Supervisor Calcagno) |
| 0401.850 | 18. | Re-appointed Linda Saylor to the Historical Advisory Commission for a term ending February 1, 2011. (Supervisor Salinas) |

OTHER BOARD MATTERS:

- | | | |
|----------|-----|--|
| 6300.000 | 19. | Board Comments and Referrals <ol style="list-style-type: none"> a. Supervisor Armenta: The Supervisor advised the all present that the Vietnam Veteran's Memorial arrived this morning at approximately 8:00a.m. The memorial is approximately 22 tons. The dedication will be on Memorial Day. b. Supervisor Calcagno: The Supervisor followed up on his referral from last week's meeting regarding his concerns over the increase in speed limits on highways 101 and 1. The Supervisor had requested a letter from the Legislative Committee but did not see the matter on today's |
|----------|-----|--|

- agenda. Interim Intergovernmental Affairs Director Nick Chiulos addressed the Supervisor's concern. Mr. Chiulos advised that this referral was to be discussed at the Legislative meeting at noon today and that he would present as a scheduled item listed on today's agenda at 1:30 p.m.
- c. Supervisor Potter: The Supervisor advised that he had discussions this week with Chief Reed and Chief of Police Michael Kline regarding a subcommittee for the EMS Provider Service. Chair Potter volunteered as one representative and requested that there be another to serve. Supervisor Calcagno volunteered Supervisor Salinas who was in agreement to sit on this newly formed sub-committee.

- 6300.000 20. **Received** Board Referrals Update
- 0600.025 21. CAO Comments
There were no comments today by the County Administrative Officer.
- 2050.000 22. Public Comment (Limited to 3 minutes per speaker)
a. Hans Jongens: Mr. Jongens addressed the Board regarding parking problems when trying to come to this facility. In addition, Mr. Jongens addressed the Board regarding concerns over the diminishing Bee population as a result of genetically modified crops and the use of pesticides and fungicides.
- 2050.000 23. **Resolution No.: 07-064; Adopted** a Resolution of Proclamation honoring Enid Sales for a lifetime dedicated to historic preservation. (Supervisor Potter)
BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Calcagno and carried 4/0 (Supervisor Smith was absent from this meeting).
- 2050.000 24. **Resolution No.: 07-063; Adopted** a Resolution commending the Santa Cruz County Farm Bureau's Al Smith Friend of Agriculture Award recipient for 2007. (Supervisor Calcagno)
BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Calcagno and carried 4/0 (Supervisor Smith was absent from this meeting).
- 2050.000 25. **Resolution No.: 07-062; Adopted** a Resolution honoring George E. Boutonnet as the Recipient of the Valley of the World Awards. (Supervisor Calcagno)
BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Calcagno and carried 4/0 (Supervisor Smith was absent from this meeting).
- 2050.000 A/C-1 **Resolution No.: 07-073; Adopted** a Resolution of Proclamation honoring Gino "Gene" Sbrana, on the occasion of being presented the National Steinbeck Center's 3rd Annual Valley of the World Awards "2007 Hall of Fame Award." (Supervisor Potter)
BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Calcagno and carried 4/0 (Supervisor Smith was absent from this meeting).
- 2050.000 A/C-2 **Resolution No.: 07-074; Adopted** a Resolution of Proclamation honoring Joe Nucci, on the occasion of being presented the National Steinbeck Center's 3rd Annual Valley of the World Awards "2007 Hall of Fame Award". (Supervisor Potter)
BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Calcagno and carried 4/0 (Supervisor Smith was absent from this meeting).
- 2050.000 A/C-3 **Resolution No.: 07-075; Adopted** a Resolution of Proclamation honoring Ardinello "Art" Sbrana, on the occasion of being presented the National Steinbeck Center's 3rd Annual Valley of the World Awards "2007 Hall of Fame Award" (Supervisor Potter)
BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Calcagno and carried 4/0 (Supervisor Smith was absent from this meeting).

2050.000 A/C-4 **Resolution No.: 07-076; Adopted** a Resolution of Proclamation honoring Connie Quinlan, on the occasion of being presented the National Steinbeck Center’s 3rd Annual Valley of the World Awards “2007 Hall of Fame Award” (Supervisor Potter)
BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Calcagno and carried 4/0 (Supervisor Smith was absent from this meeting).

2050.000 A/C-5 **Resolution No.: 07-077; Adopted** a Resolution of Proclamation honoring W.B. ”Butch” Lindley, on the occasion of being selected as the National Steinbeck Center’s 3rd Annual Valley of the World Awards “2007 Hall of Fame Award” (Supervisor Potter)
BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Calcagno and carried 4/0 (Supervisor Smith was absent from this meeting).

2050.000 A/C-6 **Resolution No.: 07-078; Adopted** a Resolution of Proclamation honoring Enrico “Dick” Sbrana, on the occasion of being selected as the National Steinbeck Center’s 3rd Annual Valley of the World Awards “2007 Hall of Fame Award” (Supervisor Potter)
BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Calcagno and carried 4/0 (Supervisor Smith was absent from this meeting).

6300.000 S/A-3 **Considered** Interim Committee and Commission Assignments.
 Interim Committees and Commission Assignments

Board Subcommittees

Fort Ord
 Voting Rights

Interim Member

Calcagno
 Salinas

Agencies, JPA’s

AMBAG
 FOR A
 Cultural Council (alternate)
 LAFCO
 Mental Health Commission
 MBUAPCD
 MRWMD

Calcagno (Armenta as alternate)
 Salinas
 Salinas
 Potter, (Armenta as alternate)
 Armenta, (Salinas alternate)
 Armenta, (Potter as alternate)
 Potter

MST (alternate) Salinas

NMC
 Restorative Justice Commission Salinas
 Santa Cruz Managed Medical Care Commission (Central Coast Alliance for Health) Calcagno

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Armenta and carried 4/0 (Supervisor Smith was absent from this meeting).

SCHEDULED MATTERS:

0601.525 S-2 **BU No.: 06/07-157; Directed** the Auditor Controller to increase
 0150.146 expenses in the amount of \$484,703 in Fund 091, Budget Unit 960,
 0600.050 Natividad Medical Center, and increase estimated Revenue in the amount of \$484,703 in Fund 091,
 Agency 960. (4/5th vote required)

BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta and carried 4/0 (Supervisor Smith was absent from this meeting).

S-3 a. ~~Receive recommendations from The Board of Trustees of Natividad Medical Center, (NMC) that the Board of Supervisors accept the Needs Assessment and the 2007-2010 Business Plan for NMC as prepared by the Huron Consulting Group; and~~

- ~~b. Provide direction to staff to complete negotiations with the Huron Consulting Group for consulting services necessary to implement the Business Strategies contained in the 2007-2010 Business Plan.~~

0150.146
0601.525

S/A-4

BU No. 06/07-154; Resolution No. 07-066

- a. **Approved** and amend Personnel Policies and Practices Resolution No. 98-394 to add classifications and re-title classifications for Natividad Medical Center positions as outlined in the Board Order; and
- b. **Approved** and amended Personnel Policies and Practices Resolution No. 98-394 to amend the salary level for Director of Surgical Services, Medical Staff Coordinator, Physical Therapist Assistant; and
- c. **Approved** and amend the Natividad Medical Center Budget Unit 960 to add and delete clinical and non-clinical positions, for a net increase of 5.0 FTE; and
- d. **Directed** the Auditor-Controller to amend the FY 2006-07 Natividad Medical Center Budget Unit 960 to reflect the change in position count as outlined in the Board Order.

BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 4/0 (Supervisor Smith was absent from this meeting).

0602.750

S-4

Resolution No.: 07-080 Adopted a Resolution of the Board of

Supervisors

authorizing the execution and delivery by the County of a Ground Lease, a Lease Agreement, a Trust Agreement, Escrow Agreements, a Certificate Purchase Agreement and a Continuing Disclosure Agreement with respect to the execution and delivery of County of Monterey Certificates of Participation (2007 Refunding and Public Facilities Financing), authorizing the execution and delivery of such Certificates evidencing principal in an aggregate amount not to exceed \$159 million, authorizing the distribution of an Official Statement in connection therewith and authorizing execution of necessary documents and Certificates and related actions.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas and carried 4/0 (Supervisor Smith was absent from this meeting).

S-5

Continued to May 1, 2007:

Consider appeal of the Zoning Administrator's approval of combined development permit to allow a coastal administrative permit.

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

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Salinas, and carried 4/0 (Supervisor Smith was absent from this meeting).

12:00 p.m.

Recess to Lunch- Legislative Committee meeting

1:30 p.m.

1900.000

S-6

Received oral report and consider recommendations from the Legislative Committee meeting of March 20, 2007.

S-7

Continued to April 10, 2007:

Consider adoption of the Fort Ord Redevelopment Project Area 5-Year Implementation Plan.

0601.100

S-8

Considered providing direction to staff to return with proposed amendments to Chapter 10.72 of the Monterey County Code regarding "Desalinization Treatment Facility" to:

- a. Change the public entity requirement to a requirement that owners and operators possess technical, managerial, and financial capability; and
- b. Clarify the technical, managerial, and financial criteria; and
- c. Clarify the regulatory scope of the ordinance.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried, the Board received the report.

Public Comment:

- a. George Riley: Addressed the Board to advise that there should be a public dialogue on this matter. Mr. Riley further advised that he was in favor of public ownership.
- b. Nancy McClintock: Addressed the Board to advise that this was a rational ordinance/law and not to change it.
- c. Jud Vandervere: Addressed the Board to advise that he was in favor of public ownership.
- d. Manual Fierro: Addressed the Board to advise that he did not want to see the ordinance changed.
- e. Kevin Tilden: Addressed the Board in support of staff’s recommendations.
- f. Aaron Johnson: Addressed the Board in support of staff’s recommendations.
- g. Judi Lehman: Addressed the Board in support of public ownership.
- h. Ron Weitzman: Addressed the Board in support of public ownership.
- i. Marc Del Piero: Addressed the Board to submit 3 pages from the Action Minutes dated August 1, 1989 for agenda item S-9, a copy of a Board Report for the Board of Supervisors meeting of November 7, 1989 from the Health Department, and a copy of the Ordinance No. 3439 Adopted by the Board of Supervisors November 28, 1989. Mr. Del Piero further submitted two articles. The first a copy of an article (newspaper not identified) titled; Supervisors pass first desalinization ordinance in state. The second titled Possibility of desalting ocean water considered in Monterey.
- j. Darby Moss Worth: Addressed the Board in opposition to private control. That there should be no change in the intent of the law.
- k. Helen Rose: Addressed to the Board in support of public control.
- l. Nelson Vega: Addressed the Board in support of public control.
- m. Andy Clarke: Addressed the Board in support of holding the same level of accountability whether by public control or private. Further that either way a desalinization site should be free of any environmental hazards.
- n. Sarah Corbin: Addressed the Board regarding cumulative environmental impacts.
- o. Nancy Pratt: Addressed the Board regarding privatization of the desal plant.
- p. Barbara May: Attorney for G. Riley and M. Fierro – addressed the Board regarding ordinance 10.72.

**ORDER FOR ADJOURNMENT
IN MEMORY OF GERALD FRANKLIN LANINI**

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 Salinas, and seconded by Supervisor Calcagno, and carried 4/0 (Supervisor Smith was absent from this meeting), the Board approved the following actions unless otherwise noted: #36 and #39 were pulled and continued to the March 27, 2007 meeting.

HEALTH AND SOCIAL SERVICES:

- 0601.100 26. **Agreement No.: A-10838 Approved** and **authorized** the Director
0125.000 of Health to execute on behalf of the County of Monterey standard agreements,
and any amendments thereto, for continued funding from local, State, and Federal agencies for
designated programs.
- 0601.150 27. a. **Amended** Health Department Behavioral Health Division Budget Unit 415 to approve two (2)
new allocations of Management Analyst II and one (1) new allocation each of Management
Analyst III, Behavioral Health Services Manager II, and Senior Health Educator; and
b. **Approved** an increase in estimated revenue and appropriations in the amount of \$182,534 from
Prop 63 Mental Health Services Act; and
c. **Directed** the Auditor-Controller to amend the FY 2006-07 Health Department Behavioral
Health Division Budget Unit 415 to reflect the change in position count and to increase
estimated revenue and appropriations in the amount of \$182,534 as outlined in the Board Order
(4/5th vote required).
- 0601.100 28. **BU No.: 06/07-158**
0150.146 a. **Approved and authorized** 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. **Authorized** 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. **Directed** the Auditor-Controller to increase appropriations in
the amount of \$398,000 as outlined in the Board Order. (4/5th
vote required)
- 0125.000
0601.150 29. a. **Agreement No.: 10837 Approved** and **authorized** 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. **Directed** 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. (4/5th vote required)

CRIMINAL JUSTICE:

- 0600.600 30. **Approved** and **authorized** the District Attorney to sign and submit
applications for continued funding from various state agencies for designated
programs in FY 2007-08.
- 0602.250 31. **Approved** yearly update to the application, criteria and disqualifiers recommended by the Probation
Department for the Supervised Home Confinement Program, as mandated by Penal Code
1203.016(d)(1).
- 0602.250 32. **BU No. 06/07-155;**
a. **Amended** Budget Unit 255-Probation to increase fiscal year

- 2006-07 estimated revenues and appropriations by \$55,293 (4/5th vote required); and
- b. **Increased** one Probation Officer II position from a 0.5 FTE to 1.0 FTE;
- and
- c. **Approved** addition of 1.0 FTE Probation Services Manager position to Budget Unit 255-Probation.

0125.000

0150.146

0602.500

33. a. **Agreement No.: A-10835; B.U. No.: 06/07-151 Approved** and **authorized** the Sheriff to sign a Professional Services Agreement with Data Works Plus, effective January 1, 2007 through December 31, 2007, for purchase of a digital photo manager application server and six capture client servers to be located at the Sheriff's Office and various law enforcement agencies within Monterey County and to sign all future amendments to this agreement not exceeding 5% of the contract amount and a three (3) month extension; and
- b. **Increased** appropriations and estimated revenues in the Sheriff's Budget Unit 230 in the amount of \$127,813 (4/5th vote required); and
- c. **Directed** the Auditor-Controller to increase appropriations and estimated revenues in the Sheriff's Budget Unit 230 as detailed in the Board Order.

0602.250

0125.000

34. **Agreement No.: A-10839; BU 06/07-156;**
- a. **Approved** and **authorized** 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. **Directed** the Auditor-Controller to Amend Probation Budget Unit 255 to increase Fiscal Year 2006-07 estimated revenues and appropriations by \$67,654 (4/5th vote required).

GENERAL GOVERNMENT:

35. **Approved** Action Minutes for the meeting of Tuesday February 27, 2007, copies having previously been distributed to each Board member.

This matter was pulled and continued to March 27, 2007.

36. a. Approve and authorize the Acting Registrar of Voters or his/her designee to execute Agreement Number 06EAID77 with the Secretary of State's office to receive HAVA Section 261 grant funds; and
- b. Approve increased FY 2006-07 estimated revenue and appropriations by \$140,175 in Budget Unit 141-Elections for HAVA compliant voting equipment and other qualified expenditures, and direct the Auditor-Controller to reflect these changes as detailed on the attached Board Order (4/5th vote required).

0125.000

0600.750

37. **Agreement No.: A-10836 Approved** and **authorized** the Acting Registrar of Voters to sign a professional services agreement for \$28,400 with ForeFront Elections Solutions to provide consulting services related to the implementation of the election plan for the June 5, 2007 Special Election.

0600.050

0125.000

38. **Agreement No.: A-10840;**
- a. **Authorized** the Auditor - Controller or designee to sign a Professional Services Agreement (PSA) in the amount of \$27,500 with American Appraisal Associates, Inc. to inventory and reconcile the County's capital assets data and records; and
- b. **Approved** a waiver of specific provisions of the County's standard PSA related to indemnity.

This matter was pulled and continued to the March 27, 2007 meeting.

39. 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 (4/5th vote required).

- 0600.750 40. **Agreement No. 10841; BU No. 03/07-159**
 0125.000 a. **Approved** and **authorized** the Acting Registrar of Voters to
 0150.146 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. **Received** information regarding the Elections Department FY 2006-07
 budget shortfall due to costs related to the June 5, 2007 Special Election; and
 c. **Approved** the transfer of \$631,713 from General Fund
 Contingencies to the Elections Department, Budget Unit 141 to cover the additional
 expenditures. (4/5th vote required)

RMA - PLANNING:

- 0602.200 41. a. **Agreement No.: A-10384 Approved** Amendment No. 2 in the
 0125.000 amount of \$70,000 to the Professional Services Agreement with CSG Consultants, Inc. for a
 total cost of services not to exceed \$220,000 for professional plan review services to the
 Monterey County Building Services Department to January 1, 2008; and
 b. **Authorized** the Purchasing Manager to execute Amendment No. 2 and future amendments that
 do not significantly alter the scope of work or change the approved agreement amount.
 (Contract - PD060201/CSG Consultants, Inc., County-wide)
- 0602.200 42. **Agreement No.: A-10842;**
 0125.000 a. **Approved** Amendment No. 3 in the amount of \$15,000 to the
 Professional Services Agreement with Fugro West, Inc. for a total cost of services
 not to exceed \$40,000 for geotechnical peer review and plan check consultation
 services to the Monterey County Building Services Department to December
 31, 2007; and
 b. **Authorized** the Purchasing Manager to execute Amendment No. 3 and
 future amendments that do not significantly alter the scope of work or change the
 approved agreement amount.
 (Contract - PD060565/Fugro West, Inc., County Wide)

RMA - PUBLIC WORKS:

- 0602.350 43. a. **Authorized** acceptance of the work for Replace Roof Top Furnace and Vents on B/C/D/E/F/G
 Wings of the Men's Rehabilitation Facility, 1410 Natividad Road, Salinas, Project No. 05-023;
 and
 b. **Authorized** the Public Works Director to execute and record the Notice of Completion.
- 0602.350 44. **Resolution No. 07-082;**
 a. **Ratified** the County Administrative Officer's 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. (4/5th vote required)
- 150.146
 0602.350 45. a. **B.U. No.: 06/07-152 Approved** and authorized 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. **Increased** appropriations in Fund 115, Budget 920, Account 6315, Maintenance - Public Works by \$20,000; and
- c. **Directed** 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 (4/5th vote required).

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

BOARD ACTION: Upon motion of supervisor Salinas, and seconded by Supervisor Armenta, and carried 4/0 (Supervisor Smith was absent from this meeting), the Board approved the following actions unless otherwise noted:

5100.000 46. **Agreement No.: A-09003 Approved** and **authorized** the Chair of _____ the Board of Directors of the Redevelopment Agency to sign _____ Implementation Agreement No. 5 to the Japanese School _____ Disposition and Development Agreement No. A-09003 (DDA) between the Redevelopment Agency of Monterey County and the _____ North Monterey County Recreation and Park District designating _____ May 1, 2007 as the date the first payment on the Agency loan is _____ due.

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MONTEREY COUNTY WATER RESOURCES AGENCY

BOARD ACTION: Upon motion of supervisor Calcagno, and seconded by Supervisor Salinas, and carried 4/0 (Supervisor Smith was absent from this meeting), the Board approved the following actions unless otherwise noted:

0802.180 47. **B.U. No.: 06/07-153; Approved** a Board Order directing the Auditor/Controller to:
 0150.146

- a. **Decrease** appropriations in the Monterey County Water Resources Agency (MCWRA) Zone 2C, Fund 207, Budget Unit 930, Account Code 6499, Other Special Departmental Expenses by \$38,300; and
- b. **Increased** appropriations in the MCWRA Zone 2C, Fund 207, Budget Unit 930, Account 6890, Capital Assets by \$38,300 to purchase GIS data for the Nacimiento and San Antonio River Watershed Group for use in the Nacimiento and San Antonio River Integrated Watershed Management Plan.