

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

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ACTION MINUTES

**MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, JUNE 05, 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 position:

1. Natividad Medical Center CEO

BOARD ACTION: The Board continued with the performance evaluation and updated the goals and objectives.

b. 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. Open Monterey Project vs. County of Monterey
- A/C-1 4. In re Monterey Referendum (Rangel v. County of Monterey)

BOARD ACTION: On matters 1 and 2, the Board received an update from staff concerning pending settlement discussions, approved change orders numbers 1-4 with Bureau of Veritas for phase two site environmental assessments and provided further direction on how to proceed. On matter 3, the Board received an update of the status of that case pending at the Superior Court in Monterey County. On matter A/C-1 4, the board received an update on the status of appeal and the emergency motion at the United States Court of Appeal for the ninth circuit.

c. 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 authorized settlement of the costs disallowed by CALIF EDD and that settlement will be available from the county counsels when signed by all parties.

- d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators (Units X, Y and XL); Keith Honda, for the County of Monterey.

BOARD ACTION: The Board provided direction to the negotiator concerning X, Y and XL and will return on June 19, 2007 for formal action by the Board of Supervisors. Also gave direction to staff concerning Y Unit employees and will also return with formal action on that at a later date.

10:30 a.m.

1. Pledge of Allegiance
The Pledge of Allegiance was led by Assistant County Counsel Lee Blankenship.

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 Smith, and seconded by Supervisor Armenta, and carried, the Board approved the following additions and corrections to the Agenda:

S-1 b. A/C-1 4. In re Monterey Referendum (Rangel v. County of Monterey)

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

APPOINTMENTS:

Upon motion of Supervisor Salinas, and seconded by Supervisor Calcagno, and carried, the Board approved the following appointments, except as noted:

- 0800.700 6. **Re-appointed** Marlene J. Thomason to the Cholame Valley Cemetery District for a term ending February 1, 2011. (Supervisor Salinas)
- 0400.550 7. **Re-appointed** Chris Daniel to the Assessment Appeals Board for a term ending June 1, 2010. (Supervisor Potter)
- 0400.550 8. **Re-appointed** Russ Jeffries to the Assessment Appeals Board for a term ending June 1, 2010. (Supervisor Smith)
- 0400.550 9. **Re-appointed** Larry Tack as an alternate board member to the Assessment Appeals Board for a term ending June 1, 2010. (Supervisor Armenta)
- 0803.900 10. **Re-appointed** Mary Orradre to the San Ardo Cemetery District for a term ending March 31, 2010. (Supervisor Salinas)
- 0803.900 11. **Re-appointed** Margaret Duflock to the San Ardo Cemetery District for a term ending March 31, 2010. (Supervisor Salinas)

- 0401.622 12. **Re-appointed** Alberto Camacho to the Domestic Violence Coordinating Council for a term ending January 2, 2011. (Supervisor Salinas)
- 0401.622 13. **Appointed** Sheree Goldman to the Domestic Violence Coordinating Council as an alternate, for a term ending January 1, 2011. (Supervisor Potter)
- 0402.250 14. **Appointed** Margaret-Anne Coppernoll to the Mental Health Commission for a term ending May 31, 2010. (Supervisor Smith)
- 0403.770 15. **Appointed** Juan Sanchez to the Military and Veterans Commission for a term ending January 1, 2010. (Supervisor Salinas)

OTHER BOARD MATTERS:

- 6300.000 16. Board Comments and Referrals
- a. Supervisor Smith: The Supervisor wish to express his “Thanks” to his fellow Board members, staff and the public for all of their support and their help these past several months.
 - b. Supervisor Armenta: The Supervisor advised his fellow Board members that he would be attending a national conference on June 26, 2007 and thus would not be present at that Board meeting. He further advised that he is aware that on the 26th the Board will be adopting the Budget and that while he will not be present for that, he will be present for the Budget Hearings scheduled that preceding Monday, June 11 and Tuesday, June 12, 2007. The Supervisor further advised that he will be at the NAFCO conference the week of July 16th.
- 6300.000 17. **Received** Board Referrals Update
- 0600.025 18. CAO Comments
- County Administrative Officer, Dr. Lew Bauman addressed the Board regarding an item that was in the weekly report last week but wished to report publicly that the Monterey County District Attorney’s Truancy Abatement Program was honored by the Monterey County School Board’s Association on April 30th at their Celebrating Excellence in Education. District Attorney Dean Flippo was recognized as well as Deputy District Attorney’s Elizabeth Thomas and Diana Rosenthal for their work on that program and their success at overcoming truancy in students throughout the County. This program carries an annual workload of over 4,000 truancy cases and reaches out to students and parents in both English and in Spanish assisting them in addressing truancy issues and finding solutions. The District Attorney’s office provides mediation between students, parents, teachers and school administrators. That program has meant that thousands of Monterey County students are in class. It also insures that the ADA is recognizing that income and that income is coming to our school districts.
- Dr. Bauman further noted that Monterey County was recipient s at the States of California and Nevada National Association of Telecommunications Officers and Advisors in their 2000 Awards Ceremony. It is a regional competition. That a first place award was received for the non English category feature on the need of Latino and bilingual foster parents in Monterey County. Further, a third place award for the election category that

featured the touch screen voting system and access for disabled voters throughout the County. Both of these programs were on the government channel 28, currently airing on Comcast. Overall the Government channel has created and developed more than 20 programs since last June featuring County employees and the critical services that are provided to the community. Dr. Bauman also congratulated Maia Carroll on those achievements.

- 2050.000 19. Public Comment (Limited to 3 minutes per speaker)
- a. Hans Jongens: Mr. Jongens addressed the Board regarding today's elections – the "Big Day". He advised that the question was who was going to win. Mr. Jongens further expressed concern over an article in today's paper regarding a \$50,000 contribution from the National Realtor's Association out of Chicago. Mr. Jongens also addressed the Board regarding concerns over the contaminated products exported out of China. Lastly, Mr. Jongens addressed the Board over rising purchasing costs of real estate on the moon.
 - b. Andy Miller: Mr. Miller is with DMC Construction and addressed the Board regarding a pre-bid qualification for the Monterey County Health Dept. Mr. Miller advised that his company had submitted the completed packet and that they were rejected. He further advised that only 2 contractors qualified and that both were from out of the County area. Mr. Miller advised that a letter was submitted on May 15, 2007 addressing the June 12, 2007 Bid. He received a reply from Lew Bauman advising that a response was forth coming but that to date he had not received any further reply.
- 2050.000 20. **Resolution No.: 07-152; Adopted** a Resolution of Proclamation commemorating the installation of Gurpreet Randawa as the new United States Postmaster of the Castroville Post Office. (Supervisor Calcagno)
BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 5/0.
- 2050.000 21. **Resolution No.: 07-167; Adopted** a Resolution of Proclamation declaring the week of June 29 through July 5, 2007 as National Clean Beaches Week. (Supervisor Potter)
BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 5/0.
- 2050.000 22. **Resolution No.: 07-166; Adopted** a Resolution of Proclamation honoring the 2007 Ag Against Hunger Woman of the Year. (Supervisor Potter)
BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 5/0.
- 2050.000 23. **Resolution No.: 07-168; Adopted** a Resolution in honor of the retirement of Mrs. Polly Jimenez after thirty-eight years of teaching in the North Monterey County Unified School District. (Supervisor Calcagno)
BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 5/0.

SCHEDULED MATTERS:

- 0602.200 S-2 **Ordinance No.: 5071 Considered and adopted** an ordinance adding Chapter 18.14, to the Monterey County Code creating the Monterey County Fire Code. (Buildings and Construction)
(Ordinance - PD060760/Monterey Fire Code, County-wide)

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

0602.200

- S-3 a. **Accepted** the Interim Director of Building Services Code Enforcement Program Status Report; and
- b. **Directed** staff to return to the Board with a recommendation for an amended Voluntary Compliance Policy; and
- c. **Directed** staff to return to the Board with a recommendation for an amended Restoration Policy; and
- d. **Directed** staff to return to the Board with alternatives for a Business License Program.

(Report - PD070094/Code Enforcement, County-wide)

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Smith, and carried 5/0 the Board provided direction to staff and requested that this matter be brought back in 90 days.

12:00 p.m.

Recess to Lunch

**ORDER FOR ADJOURNMENT
 IN MEMORY OF
 GERALD T. "JERRY" FRY
 LAURA HOPPER
 AND
 FREDERIC EDWARD (BUZZ) RAINER**

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 5/0, the Board approved the following actions, unless otherwise noted: #63 was pulled, trailed and voted upon separately.

HEALTH AND SOCIAL SERVICES:

- 0602.550 24. a. **Approved** the Area Agency on Aging 2007-2008 Area Plan Update; and
Letter. b. **Authorized** the Chair to sign the Area Plan Update Transmittal
- 0602.550 25. a. **B.U. No. 06/07-202 Approved** an increase of \$348,000 in
0150.146 appropriations fully offset by increased estimated revenues in Budget Unit 548 - In-Home Support Services (IHSS) - Client Services; and
 b. **Directed** the Auditor-Controller to adjust the FY 2006-07 Budget accordingly. (4/5th vote required)
- 0602.550 26. a. **Agreement No.: A-10901 Approved** and **authorized** the
0125.000 Director of the Department of Social & Employment Services, or his designee, to sign an agreement for \$76,575 with Social Solutions to provide Efforts To Outcomes software and database management for the Pathways to Safety Program for the period of May 1, 2007 through April 30, 2008; and
 b. **Authorized** the Director of the Department of Social and Employment Services, or his designee, to sign up to three (3) amendments to this Agreement where the total

amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

- 0601.150 27. a. **Agreement No.: A-10908 Approved and authorized** the
0125.000 Director of Health to sign a 3-year Alcohol and Drug Agreement with Door to Hope to provide alcohol and drug prevention and treatment services to residents of Monterey County with a maximum contract amount of \$2,332,652. This agreement replaces Agreement A-09848; and
- b. **Approved and authorized** the Director of Health to sign up to three future amendments to this agreement where the amendments do not exceed 10%, an aggregate of \$233,265, and do not significantly change the scope of work.
- 0601.150 28. **Agreement No.: A-10540 Approved and authorized** the Director
0125.000 of Health to sign Amendment No. 2 to Agreement A-10540 with Community Human Services. This amendment will increase the contract to \$4,239,038, with the additional \$11,960 funded from Medi-Cal. The increase is needed to reimburse the provider for increased demand for outpatient services in the Narcotic Treatment Program.
- 0601.150 29. a. **Agreement No.: A-10909 Approved and authorized** the
0125.000 Director of Health to sign the Alcohol and Drug Agreement with the Valley Health Associates to provide prevention and treatment services for adults of Monterey County involved in alcohol and drug use. The agreement has a three-year term from July 1, 2007 to June 30, 2010, with a maximum contract total of \$1,141,596, and replaces Agreement A-09847, which expires June 30, 2007; and
- b. **Approved and authorized** the Director of Health to sign up to three future amendments to this agreement where the amendments do not exceed 10%, an aggregate of \$114,159, and do not significantly change the scope of work.
- 0601.100 30. **Proclaimed** state of local emergency relating to the spread of HIV
among injection drug users in Monterey County.
- 0601.150 31. a. **Approved and authorized** the Director of Health to sign
0125.000 Amendment No. 3 to Agreement A-10314 with Jana Sczersputowski to increase the agreement by \$261,742, for a total agreement amount not to exceed \$411,457, and to extend the term of the agreement from June 30, 2007 through June 30, 2008, for continued social marketing and communications support; and
- b. **Authorized** the Director of Health 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.
- 0601.150 32. a. **Agreement No.: A-10902 Approved and authorized** the
0125.000 Director of Health to sign a Mental Health Services Agreement for the term May 22, 2007 through June 30, 2009 with Pajaro Valley Prevention and Student Assistance, Inc., for the provisions of mental health services for Monterey County children in the amount of \$551,097; and
- b. **Approved and authorized** the Director of Health 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.
- 0600.600 33. a. **B.U. No. 06/07-203 Approved and authorized** the Director of
0601.150 Health to sign a Memorandum of Understanding with the
0602.250 Sheriff's Department, the Probation Department, the Superior
0602.300 Court of Monterey County, the District Attorney, and the

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0150.146

Public Defender for the Adult (MIOCR) Mentally Ill Offender
Crime Reduction Grant; and

- b. **Approved** a \$334,594 increase in estimated revenues and appropriations for Fiscal Year 2006-07 and direct the Auditor-Controller to amend the following Department Budgets as outlined in the Board Order, Health Department-Behavioral Health \$286,089, Public Defender \$15,013, District Attorney \$15,013, and Probation Department \$18,479; and
- c. **Approved** a \$110,187 increase in estimated revenues and appropriations for Fiscal Year 2007-08 and direct the County Administrative Office and the Auditor-Controller to incorporate the following budget amendments to the Fiscal Year 2007-08 Adopted Budget as outlined in the Board Order, Public Defender \$45,510, and Probation Department \$64,677; and
- d. **Approved** the addition of 1.0 FTE Probation Officer II to Probation Department Budget Unit 255 and direct the County Administrative Office and the Auditor-Controller to amend the Fiscal Year 2006-07 Budget and incorporate the 1.0 FTE in the Fiscal Year 2007-08 Adopted Budget. (4/5th vote required)

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- 34. a. **Agreement No.: A-10903 Approved and authorized** the Director of Health to sign an Agreement with Interim, Inc., for supportive housing and mental health services to clients with severe psychiatric disabilities that may be homeless, recently discharged from locked psychiatric facilities, and/or transitioning from short term crisis residential settings to a more permanent housing situation in the annual amount of \$6,177,205 for Fiscal Year (FY) 2007-08, \$6,377,206 for FY 2008-09, and \$6,377,206 for FY 2009-10, for a total contract amount of \$18,931,617; and
- b. **Authorized** the Director of the Department of Health, 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.

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- 35. a. **B.U. No. 06/07-204 Approved and authorized** the Director of Health to sign Amendment No. 4 to the Health Department's Agreement with Public Health Foundation Enterprises, Inc.; to increase the Agreement in the amount of \$253,200 for the purpose of procuring equipment for area hospitals and clinics for preparedness, for a maximum total amount not to exceed \$753,200; and
- b. **Approved** a \$253,200 increase in estimated revenues and appropriations in Health Department Budget Unit 411; and
- c. **Directed** the Auditor-Controller to amend the Fiscal Year 2006-07 Health Department Budget Unit 411 in the amount of \$253,200 as outlined in the Board Order. (4/5th vote required)

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- 36. **Agreement No.: A-10904 Approved and authorized** the Director of Health to sign the Agreement with the Kinship Center for the purpose of establishing a means of claiming Federal Financial Participation for Targeted Case Management Services through their Family Ties Program for the term of July 1, 2007 - June 30, 2012.

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- 37. a. **Agreement No.: A-10910; B.U. No. 06/07-205 Approved and authorized** the Director of Health to sign Amendment No. 4 to Mental Health Agreement A-09851 with Community Human Services to increase the agreement by \$118,710 for a total amount not to exceed \$1,822,948 to provide outpatient services for Medi-Cal and CalWORKs recipients. The term of the agreement is July 1, 2005 to June 30, 2007; and
- b. **Approved and authorized** an increase in estimated revenues and appropriations in the amount of \$118,710 in Health Department Budget Unit 415; and

- c. **Directed** the Auditor-Controller to amend the Fiscal Year 2006-07 Health Department Budget Unit 415 as outlined in the Board Order. (4/5th vote required)
- 0601.150 38. a. **Resolution No.: 07-161; BU No.: 06/07-213 Amended** the
0150.146 Health Department's Public Guardian Budget Unit 416 FY 2006-07 Budget, to
approve increase in appropriations and revenues by \$158,553 (4/5th vote required);
and
b. **Directed** the Auditor-Controller to incorporate changes in the FY 2006-2007
Approved Budget.
- 0601.150 39. a. **Agreement No.: A- 10586; B.U. No. 06/07-206 Approved** and
0150.146 **authorized** the Director of Health to sign Amendment No. 2 to
0125.000 Agreement A-10586 with Sun Street Centers to increase the agreement by \$34,000 for
a total amount not to exceed \$5,324,248 for Proposition 36 programs. The term of the
agreement, from July 1, 2006 to June 30, 2009, remains unchanged; and
b. **Approved** and **authorized** an increase in estimated revenues and appropriations in the
amount of \$34,000 in Health Department Budget Unit 417; and
c. **Directed** the Auditor-Controller to amend the Fiscal Year 2006-07 Health Department
Budget Unit 417 in the amount of \$34,000 as outlined in the Board Order. (4/5th vote
required)
- 0601.100 40. a. **Resolution No.: 07-163; BU No.: 06/07-219 Amended** Health
0150.146 Department Budget Unit 411 to approve the reallocation of 1.0 FTE Management
Analyst I to 1.0 FTE Management Analyst II and 1.0 FTE Senior Telephone Operator
to 1.0 FTE Office Assistant III; and
b. **Directed** the County Administrative Office and the Auditor-Controller's Office to
amend FY 2006-07 Budget, and incorporate these actions in the FY 2007-08 Budget.
- 0601.100 41. a. **B.U. No. 06/07207 Approved** and **authorized** the reallocation
0150.146 of 3.0 FTE and the addition of 1.0 FTE to the Health Department Clinic Services
Division Budget Unit 413 as follows, reallocate 1.0 FTE Physician Assistant/Nurse
Practitioner to 1.0 FTE Management Analyst I; reallocate 1.0 FTE Community
Service Aide III to 1.0 FTE Medical Assistant; reallocate 1.0 FTE Clinic Nurse to 1.0
FTE Senior Clinic Nurse; and add 1.0 FTE Departmental Information Systems
Coordinator; and
b. **Directed** the County Administrative Office and the Auditor-Controller's Office to
amend the Health Department Clinic Services Budget Unit 413 to make the necessary
changes to the position count in Fiscal Year 2006-07 Budget and incorporate these
actions in the Fiscal Year 2007-08 Adopted Budget as outlined in the Board Order.
- 0601.100 42. **Adopted** a fee schedule for the Sexual Assault Response Team
1100.000 (SART) program operated under the auspices of the Monterey County
Health Department, effective July 1, 2007.
- 0601.100 43. a. **B.U. No. 06/07-208; Resolution No. 07-164 Amended** Health
0401.650 Department Emergency Medical Services (EMS) Budget Unit
0150.146 436 to approve the reallocation of 1.0 FTE Emergency Medical Services Analyst to 1.0
FTE Management Analyst III; to approve the reallocation of 1.0 FTE Management
Analyst I to 1.0 FTE Principal Office Assistant; to approve the reallocation of 1.0 FTE
Office Assistant II to 1.0 FTE Principal Office Assistant; and to approve the deletion
of 1.0 FTE Office Assistant II.
b. **Directed** the County Administrative Office and the Auditor-Controller's Office to
incorporate these changes in the FY 2006-07 Final Budget and incorporate these

actions in the FY 2007-08 Adopted Budget.

- 0900.000 44. a. **Agreement No.: A-10905; BU No.: 06-07-214 Approved** and
 0601.100 authorized the Director of Health to sign an Agreement with
 0150.146 the California Department of Health Services to receive Emergency Medical Services
 appropriations in the amount of \$288,806 to reimburse physicians for uncompensated
 emergency services provided in FY 2005-06; and
 b. **Directed** the County Administrative Office and the Auditor Controller to amend the
 FY 2006-07 Health Department Budget Unit 435 to increase estimated revenue and
 appropriations in the amount of \$288,806. (4/5th vote required)

This item was pulled by the Director of Health Len Foster for Comment: The member of the work force affected by this had requested yesterday, time off in order to be present to speak to this matter. Due to staffing this member of the work force was unable to do so. However, Mr. Foster advises that they have received the written sign off from SEIU.

Mr. Foster advises that e and f are time sensitive. BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter, the Board approved e and f but a, b, c, and d were to be brought back on the June 19th Consent agenda thereby allowing the member of the workforce who is affected, the opportunity, to speak to this matter.

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45. a. **Continued to June 19, 2007;** Amend the Personnel Policies and Practices Resolution No. 98-394 to add the classifications of Physician Assistant I, Physician Assistant II, Nurse Practitioner II, and Nurse Practitioner III; to re-title the classification Physician Assistant/Nurse Practitioner to Nurse Practitioner I and increase salary range; and to delete the classification of Sr. Physician Assistant/Nurse Practitioner; and
 b. **Continued to June 19, 2007;** Amend the Health Department Clinic Services Budget Unit 413 to approve the reallocation of 11.0 FTE Physician Assistant/Nurse Practitioner positions as outlined in the Board Order; and
 c. **Continued to June 19, 2007;** Amend the Health Department Clinic Services Budget Unit 413 to approve the reclassifications of 10.0 FTE Physician Assistant/Nurse Practitioner positions as outlined in the Board Order; and
 d. **Continued to June 19, 2007;** Amend the Health Department Behavioral Health Budget Unit 415 to approve the reallocation and reclassification of 1.0 FTE Physician Assistant/Nurse Practitioner to 1.0 FTE Nurse Practitioner III; and
 e. **B.U. No. 06/07-209; Resolution No. 07-165 Increased** Revenue and Appropriations in BU 413 by \$1,250,000 to recognize additional revenues received and fund the increase in salary and operating costs as outlined in Board Order; and
 f. **Directed** the County Administrative Office and the Auditor-Controller's Office to incorporate these changes in the FY 2006-07 Final Budget and incorporate these actions in the FY 2007-08 Adopted Budget. (4/5th vote required)

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46. a. **BU No.: 06/07-215 Approved** Health Department Membership in the Oregon Community Health Information Network (OCHIN) cooperative; and
 b. Approve using OCHIN as a sole source procurement for EpicCare software; and
 c. **Authorized** the Health Department to enter into a governing cooperative agreement with OCHIN in the amount of \$589,785 for FY 2006-07 and an estimated recurring cost of \$260,250 for FY2007-08 based on the current OCHIN fee structure; and
 d. **Accepted** the deviations from the County's standard insurance provisions; and
 e. **Authorized** the Auditor-Controller to decrease \$589,785 from Account 3815 Health Clinic Designations and increase Account 3800 General Fund Balance by \$589,785;

and

- f. **Directed** the Auditor-Controller to increase appropriations in the amount of \$589,785 as outlined in the Board Order. (4/5th vote required)

- 0600.025 47. a. **B.U. No. 06/07-210 Amended** Personnel Policies and Practices
 0601.150 Resolution No. 98-394 to add the classification of Assistant
 0150.146 Director of Behavioral Health; and
 b. **Amended** Health Department Behavioral Health Division Budget Unit 415 to approve one (1) FTE new allocation of Assistant Director of Behavioral Health; and
 c. **Directed** the County Administrative Office and the Auditor-Controller's Office to amend Health Department Behavioral Health Division Budget Unit 415 to reflect the change in position count and increase revenue and appropriations by \$139,000 as outlined in the Board Order, and to incorporate these changes into the FY 2007-08 Adopted Budget. (4/5th vote required)

CRIMINAL JUSTICE:

- 0602.250 48. a. **Agreement No.: A-10906 Approved** and **authorized** the Chair
 0125.000 of the Board to sign a Professional Services Agreement in the amount of \$592,331 per year with California Forensic Medical Group, Inc., for medical and mental health services for wards in the Juvenile Hall and Youth Center facilities for Fiscal Years 2007-08 and 2008-09; and
 b. **Directed** the Auditor-Controller to adjust the contract based on the annual price adjustment formula included in the contract.

- 0602.250 49. a. **B.U. 06/07-211 Approved** and **authorized** the Chief Probation
 0150.146 Officer to sign a Memorandum of Understanding with the Soledad Unified School District for campus-based services funded by the Safe Schools/ Healthy Students grant; and
 b. **Increased** estimated revenue and appropriations in Probation's Budget Unit 256-Juvenile Institutions and Alternative Programs by \$19,775 for Fiscal Year 2006-07; and
 c. **Increased** estimated revenue and appropriations in Budget Unit 256-Juvenile Institutions and Alternative Programs by \$285,887 for Fiscal Year 2007-08; and
 d. **Approved** the addition of three (3) FTE new Probation Officer II positions in Budget Unit 256-Institutions and Alternative Programs; and
 e. **Directed** the County Administrative Office and the Auditor Controller's Office to amend FY 2006-07 Budget to reflect the change in position count and incorporate these actions in the FY 2007-08 Adopted Budget. (4/5th vote required)

- 0602.300 S/A-1 a. **Received** information regarding the Alternate Defender's Office (ADO) FY 2006-07 budget shortfall due to costs related to the Courts appointment of private counsel pursuant to Penal Code section 987.2(d); and
 b. **Approved** the transfer of \$120,000 from General Fund contingencies to Budget Unit 228- Court Assigned Counsel to cover the additional Expenditures (4/5th Vote Required).

GENERAL GOVERNMENT:

- 0600.775 50. **BU No.: 06/07-216 Approved** an increased in revenues and
 0600.025 appropriations in the Office of Emergency Services' Budget Unit

0150.146 295 totaling \$48,500 for participation in the Federal FY 2005 Buffer Zone
Protection Program. (4/5th vote required)

- 0600.025 51. a. **B.U. No. 06/07-212 Approved** reclassification of one
0600.475 Administrative Secretary-Confidential to Risk & Benefits
0150.146 Analyst, effective June 9, 2007; and
- b. **Amended** the FY 2006-07 Risk & Benefits Budget Unit 195 to delete one
Administrative Secretary-Confidential and add one Risk & Benefits Analyst; and
- c. **Directed** the County Administrative Office and the Auditor-Controller's Office to
amend the FY 2006-07 Budget and incorporate these actions in the FY 2007-08
Adopted Budget.
- 0600.027 52. a. **BU No.: 06-07-217 Approved and authorized** an increase in
0150.146 FY 2006-07 estimated revenues and appropriations of
\$500,000 in Budget Unit 281- Agricultural Commissioner; and
- b. **Approved** FY 2006-07 fixed asset purchase of three vehicles totaling \$68,000 in
Budget Unit 281-Agricultural Commissioner; and
- c. **Approved** the FY 2006-07 budget transfer of \$68,000 from Salaries and Benefits
to Fixed Assets in Budget Unit 281-Agricultural Commissioner; and
- d. **Approved** FY 2006-07 transfer of \$900,000 from Budget Unit 281-Agricultural
Commissioner to Capital Projects Management Fund 010, Budget Unit 165, for
existing Master Plan Capital Improvement Project for Agricultural Center
facilities; and
- e. **Directed** the Auditor controller to increase revenue and appropriations in the
amount of \$500,000 and direct the Auditor-Controller to transfer \$68,000 from
Salaries and Benefits to Fixed Assets in Budget Unit 281-Agricultural
Commissioner. (4/5th vote required)
- 0601.160 53. a. **Approved and authorized** the Purchasing Manager to execute a Master License
Agreement with Serena Software Inc., in the amount of \$8,877.52 for a perpetual
license to use the Serena PVCS Version Manager Product and to execute a
Professional Services Agreement with Serena Software Inc., in the amount of
\$1,860.84 for software maintenance for the period of June 1, 2007 through May 31,
2008; and
- b. **Authorized** the Purchasing Manager to sign up to three one-year extensions to the
Professional Services Agreement for support; and
- c. **Accepted** Non-Standard County Termination, Liability, and Indemnification
Provisions as recommended by the Director of Information Technology.
- 0601.160 54. a. **Agreement No.: A-10912 Ratified** the April 26, 2006
0125.000 execution of the existing Service Agreement with Verizon Business Network Services,
Inc., by the Assistant Director of Information Technology, for the provision of High
Speed Digital Link Internet access to the County for the period of June 1, 2006
through June 30, 2007, in an amount not to exceed \$75,000; and
- b. **Approved and authorized** the Purchasing Manager to execute a 24-month extension
to the Service Agreement with Verizon Business Network Services Inc., to provide
services for the period of June 1, 2007 through May 31, 2009, in an amount not to
exceed \$75,000 per year; and
- c. **Authorized** the Purchasing Manager to sign further extensions of the Service
Agreement under the same terms and conditions for up to three additional years of
service.
- 5100.000 55/68. a. **Approved and authorized** the Chair to sign Amendment No.1 to Exclusive
Negotiating Rights Agreement (ENRA) No.10323 among the Monterey Horse Park, a

non-profit public benefit corporation, the County of Monterey, and the Redevelopment Agency of the County of Monterey, to revise Exhibit D, "Schedule of Performance" to clearly define milestones and timeline for development of the Park. The Term of the ENRA to remain February 28, 2009; and

- b. **Approved** Reimbursement Agreement among the Monterey Horse Park, the County of Monterey, and the Redevelopment Agency for payment of negotiation and development review costs for the Monterey Horse Park Project. This Agreement will be in effect from July 1, 2006 to February 28, 2009.

- 0600.025 56. a. **Resolution No.: 07-156; BU No.: 06/07-218 Amended**
 0602.150 Personnel Policies and Practices Resolution No. 98-394 to
 0150.146 apply a 3.74% increase to the classification of Board of
 Supervisors Clerk; and
- b. **Amended** Personnel Policies and Practices Resolution No. 98- 394 to add the classification of Senior Board of Supervisors Clerk; and
- c. **Approved** reclassification of one Board of Supervisors Clerk to Senior Secretary; and
- d. **Amended** the FY 2006-07 County Administrative Office Budget Unit 105 to delete one Board of Supervisors Clerk and add one Senior Secretary; and
- e. **Amended** Personnel Policies and Practices Resolution No. 98-394 to move Board of Supervisors Clerk from Unit X to Unit J; and
- f. **Directed** the County Administrative Office to incorporate the Senior Board Clerk classification in the FY 07/08 final budget for CAO Budget Unit 105; and
- g. **Directed** the Auditor-Controller's Office to implement these changes, and direct the County Administrative Office and the Auditor-Controller's Office to amend the FY 2006-07 Budget and incorporate these changes into the FY 2007-08 Final Budget.

RMA - BUILDING:

- 0602.200 57. **Issued** report describing measures taken to alleviate the conditions that led to the adoption of the interim ordinance prohibiting new billboards in Monterey County. Ordinance (PLN070221 Prohibit Billboards in Monterey County – County-wide).

RMA - PUBLIC WORKS:

- 0602.350 58. **Introduced**, and **waived** the reading, and set June 26, 2007 at 10:30 a.m. to consider adoption of an ordinance amending the Monterey County Code, Title 12, Section 12.24.020, to establish a stop intersection at College Street and Jolon Street in San Ardo (stop required on College Street).

- 0602.350 59. **Introduced**, and **waived** the reading, and set June 26, 2007 at 10:30 a.m. to consider adoption of an ordinance amending the Monterey County Code, Title 12, Section 12.28.010, to establish no parking at any time on the north side of Rogge Road from a point 60 feet east of the centerline of San Juan Grade Road, easterly for a distance of 875 feet; on the south side of Rogge Road from a point 60 feet east of the centerline of San Juan Grade Road, easterly for a distance of 775 feet; on the east side of San Juan Grade Road from a point 45 feet north of the centerline of Rogge Road, northerly for a distance of 730 feet, in Bolsa Knolls.

- 0602.350 60. **Introduced**, and **waived** the reading, and set June 26, 2007 at 10:30 a.m. to consider adoption of an ordinance amending the Monterey County Code, Title 12, Section

12.28.010, to establish no parking at any time on the west side of Hatton Road from a point 34 feet north of the centerline of Seventh Avenue, northerly for a distance of 80 feet; and on the south side of Ocean Avenue from a point 20 feet west of the centerline of Hatton Road, westerly for a distance of 150 feet; and amending Section 12.28.036 to establish no parking between 9 a.m. and 2 p.m. (except Saturdays, Sundays and holidays) on the south side of Ocean Avenue from a point 170 feet west of the centerline of Hatton Road, westerly for a distance of 90 feet, Carmel area.

- 0602.350 61. **Introduced**, and **waived** the reading, and set June 26, 2007 at 10:30 a.m. to consider adoption of an ordinance amending the Monterey County Code, Title 12, Section 12.28.010, to establish no parking at any time on the east side of San Juan Grade Road from a point 325 feet north of the centerline of Hebert Road, northerly for a distance of 660 feet.
- 0602.350 62. a. **Resolution No.: 07-157 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. (4/5th vote required)

This matter (item #63) was pulled and trailed until the end of the morning session: Staff reported back to the Board to advise that there were no written or oral bids received.

Public Comment:

a. **Nelson Vega: Addressed the Board to advise that there needs to be a better opportunity to bid.**

- 0602.350 63. a. Adopt a resolution of acceptance of the highest written or oral bid for the sale of County owned real property located at 26 Central Avenue in Salinas, California (County Library Administrative Building), APN 002-164-020; and
 b. Authorize the Chair of the Board to execute the Offer and Agreement to Purchase Real Property and the Quitclaim Deed.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Smith, the Board directed Staff to explore options to including retaining someone via commission to market the property, extend the time frame, and ensure that the County has final decision on the sale of this property.

- 0602.350 64. a. **Set** a public hearing on July 10, 2007 at 11:00 a.m. to consider protests and objections to a report of delinquent accounts for the Pajaro County Sanitation District; and
 b. **Directed** the Clerk of the Board to publish a Notice of Public Hearing for the report of delinquent fees once, no later than June 9, 2007 in the Californian and Monterey County Herald.
- 0602.350 65. a. **Approved** three Real Property Purchase Agreements and Temporary Construction Easements with Ronn R. Olson and Melissa Jenkins Olson (APN 169-171-011) in the amount of \$9,500; Ramon Shorey and Nicole Griffin (APN 169-171-007) in the amount of \$10,500; and Barbara Sherman (APN 416-023-018) in the amount of \$48,500 for construction of the Schulte Road Bridge (Co. No. 501) at Carmel River, Federal Aid Project No. BRLO-5944 (010), Project No. 08-382065; and
 b. **Authorized** the Public Works Director to execute the Real Property Purchase Agreements and the Certificates of Acceptance and Consent to Recordation on behalf of the County.

- 0602.350 66. a. **Agreement No.: A-10907 Approved** and authorized the

0125.000

- Purchasing Manager to execute a twenty-year Lease Agreement, effective on or around July 1, 2007, with the Low Income Family Enrichment Foundation, a non-profit public benefit corporation, for approximately 79,848 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 within thirty days of approval of the Lease Agreement; and
- b. **Directed** the Auditor-Controller to make lease payments of \$156,829 per month and in accordance with the terms of the agreement; and
 - c. **Authorized** the extension of the Lease Agreement for an additional twenty years under the same terms and conditions if deemed by the Purchasing Manager to be in the best interest of the County.
 - d. In accordance with Section 25351 of the Government Code, **directed** the Clerk of the Board to transmit a copy of this action to the City of Salinas.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:

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

- 5100.000 67. **Confirmed** appointments to the Fort Ord Veterans Cemetery Citizen's Advisory Committee.
- 5100.000 68/55. a. **Approved** and authorize the Chair to sign Amendment No. 1 to Exclusive Negotiating Rights Agreement (ENRA) No.10323 among the Monterey Horse Park, a non-profit public benefit corporation, the County of Monterey, and the Redevelopment Agency of the County of Monterey, to revise Exhibit D, "Schedule of Performance" to clearly define milestones and timeline for development of the Park. The Term of the ENRA to remain February 28, 2009; and
- b. **Approved** Reimbursement Agreement among the Monterey Horse Park, the County of Monterey, and the Redevelopment Agency for payment of negotiation and development review costs for the Monterey Horse Park Project. This Agreement will be in effect from July 1, 2006, to February 28, 2009.
- 5100.000 69. **Approved** the issuance of a "Request for Qualifications / Proposal" (RFQ/P) from interested developers for the development of a business/light industrial park at the former Fort Ord.

MONTEREY COUNTY WATER RESOURCES AGENCY:

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

- 0802.000 70. a. **Set** a date for a public hearing for June 26, 2007, at 1:30 p.m. and recommend the Board of Supervisors approve a Purchase _____ and Sale of Real Property Agreement including a permanent _____ easement, temporary construction easement, and permanent _____ right-of-way surface easement for construction and operation _____ of the Salinas River Diversion Facility, and authorize the _____ General Manager to execute the Agreement; and
- b. **Directed** the Clerk of the Board to publish a hearing notice in _____ the Salinas Californian, Soledad Bee and King City Rustler at least ten days prior to the date set for the hearing.