

# 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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## ACTION MINUTES

### MONTEREY COUNTY BOARD OF SUPERVISORS MONTEREY COUNTY REDEVELOPMENT AGENCY MONTEREY COUNTY WATER RESOURCES AGENCY TUESDAY, AUGUST 28, 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 this evaluation.**

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

1. Judy Smith (WC)
2. Steven Karunos (WC)
3. James Clayton (WC)
4. Kenneth Baker (WC)
5. ~~Melanie Mikeska (WC)~~

**BOARD ACTION: The Board considered the pending 4 cases. The Board provided instructions to counsel regarding the settlement of the cases.**

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

1. Claim of Cathy Leininger

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

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

1. Valera Lyles, et al. vs. County of Monterey, et al.
2. Helping Our Peninsula's Environment vs. County of Monterey
3. LandWatch, et al. vs. County of Monterey

S/A-1 4. Monterey/Santa Cruz County Building and Construction Trades Council, et al. vs. Marina Community Partners, LLC, et al.

**BOARD ACTION: The Board approved settlement of Valera Lyles, et al. vs. County of Monterey. The information for this matter will be available through County Counsels office pending the proper execution of the settlement documents. Pertaining to matters 2, and 3, the Board received information and provided direction to counsel. Pertaining to matter S/A-1 4, the Board provided direction to counsel regarding settlement of the matter. The information for this matter will be available through County Counsels office pending the proper execution of the settlement documents.**

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

**BOARD ACTION: The Board received information and provided direction.**

f. Pursuant to Government Code section 54956.8, the Board of Directors of the Redevelopment Agency will confer with real property negotiators regarding the Ord Market area of the former Fort Ord; Negotiator: Jim Cook for the County of Monterey.

**BOARD ACTION: The Board received information and provided direction regarding how to proceed.**

**10:30 a.m.**

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

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.

There were none.

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 Salinas, and seconded by Supervisor Armenta, and carried, the Board approved the following appointments, except as noted:**

0800.600 6. **Appointed** Kevin Jones to the North County Recreation & Park District for a term ending November 30, 2009. (Supervisor Calcagno)

0800.600 7. **Re-appointed** Joe Islas to the North County Recreation & Park District for a term ending November 30, 2010. (Supervisor Calcagno)

0403.825 8. **Appointed** Dr. Douglas Garrison to the Monterey County Workforce Investment Board for a term ending August 21, 2010. (Full Board)

- 0403.825 9. **Re-appointed** Brianna Acosta to the Monterey County Workforce Investment Board, Youth Council for a term ending August 23, 2009. (Full Board)
- 0403.825 10. **Re-appointed** Judy Morales to the Monterey County Workforce Investment Board, Youth Council for a term ending August 23, 2009. (Full Board)
- 0403.825 11. **Appointed** D.L. Grier, to the County Service Area Citizens Advisory Commission 14, for a term ending March 1, 2010. (Supervisor Calcagno)

**OTHER BOARD MATTERS:**

- 6300.000 12. Board Comments and Referrals  
There were none.
- 6300.000 13. **Received** Board Referrals Update
- 0600.025 14. CAO Comments  
The County Administrative Officer Lew Bauman advised the Board members that the County of Monterey received a Gold Ribbon in addition to a Best in Design Award at the Sacramento County Fair. The fair runs from August 17, 2007 through September 3, 2007. Dr. Bauman then introduced Debby Bradshaw who provided a brief power point presentation to the Board.
- 2050.000 15. Public Comment (Limited to 3 minutes per speaker)
- a. Julie Filice: Ms. Filice addressed the Board regarding Union Issues. Ms. Filice discussed her concerns regarding an "F" Unit Employee within the Public Works department.
  - b. George Riley: Mr. Riley addressed the Board regarding the Sequoia Electronic voting machines. Mr. Riley urges the discontinuance of these machines and if necessary the holding of public hearings.

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

- 2050.000 16. **Resolution No.: 07-301; Adopted** a Resolution commending Mr. Dale Ellis for his dedicated service of 34 years in the Resource Management Agency, Building Services Department upon his retirement. (Full Board)
- 2050.000 17. **Resolution No.: 07-299; Adopted** a Resolution of Proclamation in support of Literacy Campaign for Monterey County and Declaring the week of September 8, 2007 through September 14, 2007 as the annual Monterey County Literacy Week. (Full Board)
- 2050.000 18. **Resolution No.: 07-300; Adopted** a Resolution of Proclamation declaring the week of September 23, 2007 through 29, 2007, as Sea Otter Awareness Week. (Supervisor Potter)
- 2050.000 19. **Resolution No.: 07-298; Adopted** a Resolution of Proclamation declaring the week of August 26, 2007 through September 2, 2007 as Childhood Cancer Awareness Week. (Supervisor Potter)
- 2050.000 20. **Resolution No.: 07-302; Adopted** a Resolution of Proclamation in memoriam for Darlene L. Rangel honoring her lifetime of caring for those in need. (Supervisor Salinas)
- 2050.000 21. **Resolution No.: 07-303; Adopted** a Resolution congratulating Joan E. Burlison, Monterey County District Attorney's Office, upon her retirement. (Full Board)

- 6300.000 22. a. **Established** and **appointed** two members of the Board of  
 0601.175 Supervisors and the Monterey County Sheriff to serve on a Jail  
 0602.500 Construction and Secure Community Reentry Facility Ad Hoc Committee; and  
 b. Approved the conceptual membership proposed for the Secure Community Reentry  
 Facility Local Planning Team.

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 4/0 (Supervisor Smith was absent from the meeting.) The Board appointed Supervisor Armenta and Supervisor Salinas.**

- 6300.000 23. **Appointed** two members of the Board of Supervisors to a standing Board of Supervisors/  
 Salinas Valley cities committee.

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

**SCHEDULED MATTERS:**

- 0600.500 S-2 a. **Ordinance No.: 5084 Adopted** the Urgency Ordinance  
 2800.000 authorizing an amendment to the contract between the Board of  
 Supervisors of the County of Monterey and the Board of Administration  
 of the California Public Employees' Retirement System. (CalPERS) to include  
 Parks Department Peace Officers in the Safety Retirement (3% @ 50)  
 contract; and  
 b. **Authorized** the Chair to sign the amended contract between the CalPERS  
 and the County of Monterey.

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

There was no public comment.

- 2800.000  
 0602.350 S-3 **Ordinance No.: 5083; Considered and adopted** an ordinance amending the Monterey  
 County Code, Title 12, Section 12.16.010, to establish Cayetano Street as a one-way street  
 between the northern intersection with Florence Avenue and the southern intersection with  
 Florence Avenue, upon which all vehicles shall be moved only in the direction from the  
 northern intersection with Florence Avenue to the southern intersection with Florence  
 Avenue, in Pajaro.

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

There was no public comment.

- 2800.000 S-4 **Ordinance No.: 5085 Extended** Interim Ordinance No. 5080, as  
 amended, applying certain uniform interim restrictions and regulations in the  
 processing and approval of discretionary development entitlements and  
 precluding the processing and approval of new applications for standard subdivisions  
 pending the County's consideration of further amendments to the 2006 General  
 Plan following the June 2007 election on the competing General  
 Plan ballot measures. (4/5ths vote required).

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

**extended the Interim Ordinance No. 5080 to October 31, 2007.**

## Public Comment:

- a. Lynne Mounday: Mr. Mounday addressed the Board regarding a letter that he had submitted to them dated August 13, 2007 regarding the Millers Lodge application.
- b. Tom Carvey: Mr. Carvey addressed the Board advising that it was his belief that there were two directions. The first relating to the positive – moving forward as demonstrated in Consent item #54 in addition to the appointment of two Board members to the Sub-committee. However, to the contrary, the moratorium was a step or a movement backwards in the wrong direction.
- c. John Bridges: Mr. Bridges addressed the Board advising he did not believe that there was any emergency in existence. Further that he would like the Board to consider the allowance of and submittal/processing of new applications. He requested this be considered even if the final approval was held. Lastly, Mr. Bridges urged that the time be as short as possible.
- d. Shari Damon: Ms. Damon addressed the Board to re-iterate her initial request of July 17, 2007 – an exemption for “pipeline projects”.
- e. Brian Finnegan: Mr. Finnegan addressed the Board urging that a moratorium would provide no incentive to move the General Plan.
- f. Hans Jongens: Mr. Jongens addressed the Board advising that he was in disagreement with the prior speakers. Further that the Board should stick with the plan that had been proposed previously by County Counsel Efren Iglesia.

**12:00 p.m.**

Recess to Lunch- Legislative Committee meeting

**1:30 p.m.**

- 1900.000 S-5 **Received** oral report and consider recommendations from the Legislative Committee meeting of August 28, 2007.  
**BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Salinas, and carried 4/0 (Supervisor Smith was absent from the meeting.) 3 Letters and the recommendation of opposition to AB 8 were moved. The letters submitted during the Board meeting are not on file with the Clerks office.**
- 0125.000  
0601.525 S-6 a. **Agreement No.: A-10999; Approved** the Agreement for software licensing and services between Natividad Medical Center (NMC) and 3M Company for the term of September 1, 2007 through June 30, 2010 in an amount not to exceed \$135,000; and  
b. Authorized the Purchasing Manager for Monterey County to issue a Purchase Order to 3M Company for the period of September 1, 2007 through June 30, 2008 in an amount not to exceed \$45,000; and  
c. Waive County Insurance Endorsement requirements.  
**BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 4/0 (Supervisor Smith was absent from the meeting.)**
- 0601.525 S-7 **Approved** and **authorized** modification to the County Contract Indemnification Language for all vendors under the RFP #9962 for contingency fee based recruitment at Natividad Medical Center.  
**BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Calcagno, and carried 4/0 (Supervisor Smith was absent from the meeting.)**

0125.000  
0601.525

- S-8 a. **Agreement No.: A-09744; Approved** Amendment No. 2 to the Agreement (No. A-09744) with Kenneth Ishizue, M.D. in an amount not to exceed \$28,200 for orthopedic clinic and emergency call coverage professional services at Natividad Medical Center for the term of August 16, 2007 through October 31, 2007; and
- b. Waived current County Insurance language requirements.

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

0125.000  
0601.525

- S-9 a. **Agreement No.: A-09745; Approved** Amendment No. 2 to the Agreement (No. A-09745) with Donald Pompan, M.D. in an amount not to exceed \$29,700 for orthopedic clinic and emergency call coverage professional services at Natividad Medical Center for the term of August 16, 2007 through October 31, 2007; and
- b. **Waived** current County Insurance language requirements.

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

0125.000  
0601.525

- S-10 a. **Agreement No.: A-09746; Approved** Amendment No. 2 to the Agreement (No. A-09746) with Neil Richman, M.D. in an amount not to exceed \$29,000 for orthopedic clinic and emergency call coverage professional services at Natividad Medical Center for the period of August 16, 2007 through October 31, 2007; and
- b. **Waived** current County Insurance language requirements.

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

0125.000  
0601.525

- S-11 a. **Agreement No.: A-09872; Authorized** the Chief Executive Officer of Natividad Medical Center, (NMC) to execute Amendment No. 2 to the Agreement (A-09872) with John Sinnhuber, M.D. in an amount not to exceed \$285,000 for the term of September 1, 2004 through June 30, 2008 for Pediatric Professional services at NMC; and
- b. **Authorized** the Purchasing Manager to issue a Purchase Order in an amount not to exceed \$74,000 to John Sinnhuber, M.D. for Pediatric Professional services between September 1, 2007 and June 30, 2008; and
- c. **Waived** County Insurance and indemnification language requirements.

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

0125.000  
0601.525

- S-12 a. **Agreement No.: A-1109; A-11010 Authorized** the Purchasing Manager for Monterey County to enter into Agreements with Credit Consulting Services, Inc., and Metro Republic Commercial Services, Inc. for bad debt collection services on a contingency fee basis at Natividad Medical Center (NMC) in an amount not to exceed \$2,000,000 for the term August 1, 2007 through June 30, 2009 or \$1,000,000 for Fiscal Year 07/08; and

- b. ~~Waived~~ County Insurance Endorsement requirements for Metro Republic Commercial Services, Inc.

**BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 4/0 (Supervisor Smith was absent from the meeting.) Paragraph (b) was removed during the presentation of this matter to the Board.**

0125.000  
0601.525

- S-13 a. **Agreement No.: A-11000; Authorized** the Purchasing Manager for the County of Monterey to enter into an Agreement with Medical Information Technology, Inc., (Meditech) for Meditech Scanning and Archiving software licenses and support at Natividad Medical Center (NMC) in an amount not to exceed \$163,350 for the period of September 1, 2007 through June 30, 2009; and
- b. **Modified** County Insurance requirements.

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

0601.525  
0125.000

- S-14 a. **Agreement No.: A-11012 Approved and authorized** the Purchasing Manager to execute the Agreement between the County of Monterey and GE Healthcare for maintenance of Biomedical, Sterilizer, and Laboratory equipment at Natividad Medical Center in an amount not to exceed \$4,355,000 for the period of September 1, 2007 through August 31, 2012; and
- b. **Authorized** the Purchasing Manager to issue a purchase order in the amount of \$676,300 for the term of September 1, 2007 through June 30, 2008; and
- c. **Modified** standard County termination language; and
- d. **Modified** County Insurance Endorsement requirements.

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

0601.100

- S-15 **Accepted** an oral presentation on Monterey County Health Profile 2006.
- BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 4/0 (Supervisor Smith was absent from the meeting.) The Board requested that staff come back in three months with a strategic plan to address the concerns raised during this presentation.**

0602.200  
1351.600  
3150.000

- S-16 **Resolution No.: 07-318 Held** a Public hearing to adopt a resolution to:
- a. **Approved** the appeal from the decision of the Planning Commission; and
- b. **Approved** an application for a Combined Development Permit consisting of: (1) an Administrative Permit to allow the construction of a 5,818 square foot one-story single family dwelling with a 726 square foot attached three- car garage and 854 square feet of covered patios and a porte cochere, (2) a Use Permit for development on slopes in excess of 30% and (3) a Use Permit for the removal of 5 protected oak trees.

(Appeal – PLN050671/Magarich Primo, LLC, 25836 Paseo Real, Monterey, Greater Monterey Peninsula Area Plan)

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

Public Comment:

- a. Derrinda Messinger: Ms. Messinger representing the Applicant addressed the Board in support of staff recommendation.

- 0601.350 S-17 a. **Conducted** a public hearing and receive public comments regarding the Freeway Agreement with Caltrans; and
- b. **Agreement No.: A-11001; Approved** a Freeway Agreement with Caltrans for the construction of the Prunedale Improvement Project (PIP); and
  - c. **Authorized** the Chair to execute the Freeway Agreement; and
  - d. **Directed** the Public Works Director to submit the fully endorsed Freeway Agreement to the County Recorder for filing.

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

Public Comment:

- a. Dell Matt: Addressed the Board urging that the footprint of the PIP be large enough to encompass the damage.
- b. John Tresch: Addressed the Board regarding concerns over Pesante Road and the concrete median proposed. Mr. Tresch provided as an example, the Salinas Rural Fire Department who will have to navigate the concrete median and adjust/ compensate for access and maintain their ability to expedite their response. Mr. Tresch also raised a concern over the proposed land for the over pass as it would dislocate a good number of commercial business.

**ORDER FOR ADJOURNMENT  
IN MEMORY OF  
RAYMOND W. GEORGE “DR. DUGAN”**

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 Armenta, and unanimously carried, 4/0 (Supervisor Smith was absent from the meeting), the Board approved the following actions unless otherwise noted:**

HEALTH AND SOCIAL SERVICES:

- 0602.550 24. a. **Agreement No.: A-11002 Approved** and **authorized** the  
0125.000 Director of Social & Employment Services, or his designee, to  
sign an agreement with West Ed in the total amount of \$114,300 to  
perform evaluation services for the C.A.R.E.S. Program from July 1, 2007  
through June 30, 2008; and
- b. **Authorized** the Director, or his designee, to sign up to three  
(3) amendments to this agreement, where the total amendments do not exceed  
ten percent (10%) of the original contract amount, and do not significantly  
change the scope of work.
- 0150.147  
0601.150 25. a. **Budget Unit No.: 07/08-031; Approved** and amend the Health Department  
Behavioral Health Budget Unit 415 to reallocate 1.0 FTE Occupational Therapist  
position to 1.0 FTE Behavioral Health Unit Supervisor position and 0.5 FTE  
Psychiatrist position to 1.0 FTE Behavioral Health Unit Supervisor position; and  
b. **Approved** and amend the Health Department Behavioral Health Budget Unit 415 to  
reallocate 0.95 FTE Psychiatrist position to 0.7 FTE Contract Physician position; and  
c. **Directed** the Auditor-Controller's Office to amend the Fiscal Year 2007-08 Health  
Department Behavioral Health Budget Unit 415 Position Allocation to reflect the  
changes.
- 0601.100 26. **Resolution No.: 07-310 Accepted** a Progress Report from the Santa  
Cruz-Monterey Managed Medical Care Commission, also known as the Central Coast  
Alliance for Health, covering the period of February 1, 2007 through July 31, 2007.
- 0125.000  
0601.150  
0401.155 27. a. **Agreement No.: A-10989; Accepted** new grant funds from First 5 Monterey County  
for the period of July 1, 2007 through June 30, 2008 in the amount of \$120,007 for the  
implementation of services associated with the "Secure Families" project; and  
b. **Approved** and **authorized** the Chair of the Board of Supervisors to sign the  
agreement associated with this grant.
- 0601.150 28. a. **Agreement No.: A-11014 Accepted** new grant funds from  
0125.000 First 5 Monterey County for the period of July 1, 2007 through June 30,  
2008 in the amount of \$18,236 for the implementation of services associated with the "Advance-  
Special Needs Demonstration Project"; and  
b. **Approved** and **authorized** the Chair of the Board of  
Supervisors to sign the agreement associated with this grant.

0125.000

- 0601.100 29. a. **Agreement No.: A-10990; Approved and authorized** the Director of Health to sign an Agreement with Edgewood Center for Children and Families for the provision of mental health services effective July 1, 2007 through June 30, 2009 for a total amount not to exceed \$654,933; 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 30. a. **Agreement No.: A-11003 Approved and authorized** the  
0125.000 Director of Health to sign a mental health services agreement  
with ODD-Fellow Rebekah Children's Home of California for  
the term of July 1, 2007 through June 30, 2010 for the  
provision of mental health services for a total amount of  
\$953,275; 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.
- 0150.147 31. a. **Budget Unit No.: 07/08-032; Approved** an increase in estimated revenues and  
0601.100 appropriations for the Health Department Budget Unit 415 in the amount of \$280,640  
from the Soledad Safe Schools Healthy Students Grant; and
- b. **Approved** and amended the Health Department Behavioral Health Budget Unit 415 to  
add 3.0 FTE Psychiatric Social Worker II positions funded by the Soledad Safe  
Schools Healthy Students Grant; and,
- c. **Directed** the Auditor-Controller's Office to amend the Fiscal Year 2007-08 Health  
Department Behavioral Health Budget Unit 415 to reflect the change in position count  
and increase revenue and appropriations in the amount of \$280,640. (4/5ths vote  
required).
- 0601.150 32. a. **Agreement No.: A-11011 Approved and authorized** the  
0125.000 Director of Health to sign a Professional Services Agreement  
with the Alliance on Aging for a Senior Peer Counseling  
Program to provide mental health intervention, support and  
referral services to older adults, in the amounts of \$76,508 for  
September 11, 2007 through June 30, 2008; \$69,375 for  
July 1, 2008 through June 30, 2009; and \$69,375 for  
July 1, 2009 through June 30, 2010, for a total maximum  
agreement amount of \$215,258; and
- b. **Authorized** the Purchasing Manager to sign up to three future  
amendments to this Professional Services Agreement where the amendments  
do not exceed 10% and do not significantly change the scope of work.
- 0601.100 33. **Proclaimed** state of local emergency relating to the spread of HIV among injection drug  
users in Monterey County.
- 0601.150 34. **Accepted** and approved the By-Laws of the Monterey County  
Mental Health Commission as amended.
- 0125.000 35. **Agreement No.: A-10991; Approved and authorized** the Director of Health to sign a  
0601.100 Memorandum of Agreement with Natividad Medical Center for the Family Practice  
Residency Program and Medical Student Education Program Extension Affiliation  
Agreement for a five-year term effective July 1, 2007 and ending June 30, 2012.

- 0601.100 36. a. **Agreement No.: A-11004 Authorized** the Director of Health  
 0401.650 to sign a Professional Services Agreement with Suzanne  
 0125.000 Johnson, Dr. of Osteopathy (D.O) for the period September 1,  
 2007, through August 31, 2008, for Medical Director services for the  
 Emergency Medical Services Agency, in the total amount of \$142,500,  
 upon receipt of all required and updated documents and certificates of  
 professional liability insurance and automobile liability insurance; and  
 b. **Authorized** the modification of the County standard insurance  
 requirements pertaining to General Liability coverage; and  
 c. **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.

### CRIMINAL JUSTICE:

- 0150.147  
 0600.600 37. a. **Budget Unit No.: 07/08-033; Approved** the re-classification of one Finance  
 Manager I to one Finance Manager II (within the District Attorney's Office); and  
 b. **Approved** the reallocation of one FTE Finance Manager I to one FTE Finance  
 Manager II; and  
 c. **Directed** the Auditor-Controller to amend Budget Unit 224 Position Allocation to  
 reflect the change.
- 0602.500 38. **Agreement No.: A-11005; Approved and authorized** the  
 0125.000 Contracts/Purchasing Manager to sign an Agreement with  
 Aramark Correctional Services, LLC to provide inmate commissary items and  
 food service operations for a term of three (3) years from the date of signing the  
 agreement through August 31, 2010 with the option to extend the agreement for up to two  
 (2) additional one (1) year periods.

### GENERAL GOVERNMENT:

- 0601.400 39. **Accepted** the Annual Report, Fiscal Year 2006-2007, Monterey County Law Library.
- 0601.160 40. a. **Agreement No.: A-11006; Budget Unit No.: 07/08-038**  
 0150.147 Approve and authorize the Purchasing Manager to execute an  
 0125.000 Agreement with P. Murphy & Associates, Inc., initially  
 effective from the date of signing through June 30, 2008, with a total  
 Agreement amount not to exceed \$600,000, to provide system  
 application support services for the Information Technology  
 Department Budget System, GEAC Payroll, and the AMS Financial System, in  
 support of the Enterprise Resource Planning System; and  
 b. Authorize the Purchasing Manager to sign up to three one-year  
 extensions to the Agreement; and  
 c. Approve increased appropriations of \$150,000 in Budget Unit 193-  
 Information Technology Department, Account 6469-Other Professional & Special Services,  
 to reflect a release of General Fund Automation Designation 3016 for estimated  
 Agreement costs in Fiscal Year 2007-08 (4/5ths vote required); and

d. Direct the Auditor-Controller to incorporate these changes in the Fiscal Year 2007-08 Adopted Budget.

0125.000

0601.175

41. a. **Approved** the FY 2007-08 Development Set-Aside (DSA) Marketing Plans and Budgets, submitted by the Monterey County Convention and Visitors Bureau (MCCVB), the Arts Council for Monterey County (ACMC), and the Monterey County Film Commission (MCFC), recommended by the Overall Economic Development Commission (OEDC); and
- b. **Agreement No.: A-10992; Authorized** the Purchasing Manager to execute an Agreement with the MCCVB in the amount of \$950,019; and
- c. **Agreement No.: A-10993; Authorized** the Purchasing Manager to execute an Agreement with the ACMC in the amount of \$314,500; and
- c. **Agreement No.: A-10994; Authorized** the Purchasing Manager to execute an Agreement with the MCFC in the amount of \$150,000.

42. **Approved** the Action Minutes for the meeting of Tuesday July 10, 2007, copies having been previously distributed to each Board member.

43. **Approved** the Action Minutes for the meeting of Tuesday July 17, 2007, copies having been previously distributed to each Board member.

44. **Approved** the Action Minutes for the meeting of Tuesday July 24, 2007, copies having been previously distributed to each Board member.

45. **Approved** the Action Minutes for the meeting of Tuesday July 31, 2007, copies having been previously distributed to each Board member.

0600.025

0600.775

46. **Resolution No.: 07-311 Approved** a Resolution adopting the County of Monterey Multi-Jurisdictional Hazard Mitigation Plan to receive formal approval from the Federal Emergency Management Agency.

0125.000

0525.000

0601.600

47. a. **Agreement No.: A-10995; 2006 CONST 0018; Approved** a contract for engineering services, earthwork observation and testing services with Haro, Kasunich and Associates for work performed at Laguna Seca Recreation Area in October 2006, Bid #9883; and
- b. **Approved** the modifications of the standard insurance requirements for Monterey County; and
- c. **Authorized** the Purchasing Manager to sign the contract in the amount of \$10,565.25.

This matter was pulled for public comment:

0601.600

0525.000

48. **2007 CONST 0004 Authorized** the Director of Parks to accept work and file Notice of Completion for Trackview Pavilion and Facility Improvements at Laguna Seca Recreation Area, Bid No. 10033.

Public Comment:

Ann Hill: Addressed the Board in support of this matter.

0150.147

0600.025

49. **Budget Unit No.: 07/08-034; Approved and adopted** a policy for requesting a County sponsored CalPERS actuarial cost valuation.

0600.025

50. **Agreement No.: 11007; Budget Unit No. 07/08-039 Approved**

0150.147 the Memoranda of Understanding (MOU) and the related side  
 0125.000 letters for SEIU 521 Units J (General Unit), H (Health) and F  
 (Supervisors) for July 1, 2006 through June 30, 2009.

- 0150.147  
 0601.025 51. a. **Budget Unit No.: 07/08-035; Resolution No.: 07-319; Amended** the FY 2007-2008 County Administrative Office-Human Resources Division Budget Unit 125 to reallocate two Full Time Equivalent (FTE) Allocation to be Determined (Unit X) positions to one FTE Supervising Personnel Analyst and one FTE Senior Personnel Analyst; and  
 b. **Directed** the Auditor-Controller to amend Budget Unit 125 Position Allocations to reflect the changes.
- 0600.050 52. **Budget Unit No.: 07/08-040** Approve the 2007-08 Secured Roll 0150.014 Tax Rates.
- 0150.147  
 0600.760  
 5400.000 53. a. **Budget Unit No.: 07/08-036; Resolution No.: 07-304; Amended** Personnel Policies and Practices Resolution No. 98-394 to re-title Communications Dispatcher III to Emergency Communications Shift Supervisor; and  
 b. **Amended** Personnel Policies and Practices Resolution No. 98-394 to re-title Supervising Communications Dispatcher to Emergency Communications Operations Supervisor; and  
 c. **Amended** the Personnel Policies and Practices Resolution to move the re-titled Emergency Communications Shift Supervisor from the J to the F Bargaining Unit; and  
 d. **Amended** the FY 2007-08 Emergency Communications Budget Unit 152 to reflect the bargaining unit and classification name change; and  
 e. **Approved** and adopted a Side Letter between the County of Monterey and Service Employees' International Union, Local 521 (SEIU) representing the General (Unit J) and Supervisory (Unit F) Units regarding the move of Emergency Communications Shift Supervisors from Unit J to Unit F (see attached).
- 0600.025 54. a. **Resolution No.: 07-312 Adopted** resolution to support the  
 0601.175 development of a Salinas Valley Enterprise Zone (EZ) joint application to the California Department of Housing and Community Development for the 2007 application round of competition; and  
 b. **Authorized** Public Works staff to prepare the metes and bounds legal description of designated EZ.
- 0150.147  
 0802.200  
 0601.600 55/72. a. **Budget Unit No.: 07/08-030; Accepted and Approved** the Recommended Summary Business Plan and Budget for the Assumption of Operations Responsibility of various Lake Resort activities at Lake San Antonio and Lake Nacimiento for the period from October 1, 2007 through March 31, 2008 (4/5ths vote required); and  
 b. **Authorized** the Auditor Controller's Office to establish Budget Unit 758- Lake San Antonio, Budget Unit 759- Lake Nacimiento, and allocate appropriations per proposed budget Attachment A; including the transfer of \$114,863 in appropriations from BU 990-Contingencies (4/5ths vote required); and  
 c. **Authorized** the Parks Department to operate the day use, camping, and security responsibilities at Lake Nacimiento and Lake San Antonio on a permanent basis; and  
 d. **Approved and Authorized** the allocation of four (4) permanent positions; 1 Park Service Aide III (68C23) in new Budget Unit 758 and 3 Park Service Aide III (68C23)

in new Budget Unit 759 to assist in the operation of the Lake Resort facilities (4/5ths vote required); and

- e. **Approved** an increase of \$150,000 in estimated revenues for BU 750- Parks Department in account 4355.

### RMA - PLANNING:

- 0602.200 56. **Resolution No.: 07-317 Approved** the Monterey County proposals for the federal Coastal Impact Assistance Program for coastal planning and protection projects and authorize the Deputy Director of the Monterey County Resources Agency to apply for \$467,460 in funding from the Minerals Management Service.

### RMA - PUBLIC WORKS:

- 0602.350 57. a. **Declared** an emergency under sections 20134(a) and 22050 of the Public Contract Code; find that the emergency will not permit a delay resulting from a competitive solicitation of bids; and authorize the emergency repairs to the Monterey County Adult Detention Shower Facilities, located at 1410 Natividad Road, Salinas, without adopting plans and specifications and giving notice for bids to let contracts; and  
 b. **Resolution No.: 07-305; Adopted** a resolution authorizing the Purchasing Manager or his designee to enter into agreements and issue purchase orders to accomplish the required emergency work and ratifying the execution of emergency contracts and emergency actions already taken by the Purchasing Manager or his designee to respond to the emergency. (4/5ths vote required)

- 0602.350 58. **Resolution No. 07-313 Adopted** a resolution in support of an application to the Local Agency Formation Commission to reorganize the Castroville County Water District and County Service Area No. 14 - Castroville by forming a Community Services District to perform the services currently provided by the Castroville Water District and County Service Area No. 14 – Castroville.

- 0125.000  
 0602.350 59. a. **Agreement No.: A-10996; Approved** an Agreement with Rancho Cielo, Inc., to chip seal the driveway to the property at 710 Old Stage Road, Salinas, to improve and maintain access; and  
 b. **Authorized** the Chair to execute the Agreement.

- 0602.350 60. a. **Agreement No.: A-11008 Approved** and authorized the Purchasing Manager to execute a three-year Lease Agreement, effective on or around October 1, 2007, with Kirkorian Enterprises, LLC, for approximately 7,142 square feet of rentable space located at 1260 South Main Street, First Floor, Salinas, for use by the County Administrative Office, Enterprise Resource Planning Project Team; and  
 b. **Directed** the Auditor-Controller to make lease payments in the amount of \$14,284 per month and in accordance with the Lease Agreement; and  
 c. **Authorized** the extension of the Lease Agreement for an additional six years under the same terms and conditions if deemed by the Purchasing Manager to be in the best interest of the County.

- 0601.350 61. a. **Resolution No.: 07-306; 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. (4/5ths vote required)

0602.350  
0125.000

62. a. **Agreement No.: A-11013 Approved** plans for the maintenance and repair of an existing drainage facility at Coast Road, Mile Post 3.64, Big Sur area; and
- b. **Approved** a Right of Entry Agreement for the maintenance and repair of an existing drainage facility at Coast Road, Mile Post 3.64, Big Sur area; and
- c. **Authorized** the Public Works Director to execute the Right of Entry Agreement.

0125.000  
0601.350

63. a. **Agreement No.: A-10997; Authorized** the Public Works Director to sign a Memorandum of Understanding on behalf of the County with the Transportation Agency for Monterey County, the Cities of Carmel, Marina, Monterey, Pacific Grove, Sand City, and Seaside, the Monterey-Salinas Transit, Monterey Peninsula Airport District, Monterey County Hospitality Association and California State University of Monterey Bay for the Monterey County Taxi Regulatory Feasibility Study; and
- b. **Authorized** the Public Works Director to reimburse the Transportation Agency for Monterey County \$3,000 for Monterey County's proportional share of the Monterey County Taxi Regulatory Feasibility Study costs.

0602.350  
0700.000

64. a. **Resolution No.: 07-314 Adopted** a Resolution to determine the summary abandonment of a portion of the right-of-way of Miller Road in the Community of Las Lomas and execution of a Quitclaim Deed are exempt from the California Environmental Quality Act; and
- b. **Authorized** the Public Works Director to file a Notice of Exemption with the County Clerk; and
- c. **Resolution No.: 07-315 Adopted** a Resolution to summarily abandon the right-of-way over a portion of Miller Road, Las Lomas area; and
- d. **Resolution No.: 07-316 Adopted** a Resolution to quitclaim a road and utility easement to benefit two neighboring parcels and to quitclaim any interest Monterey County has in said property to the North Monterey County Fire Protection; and
- e. **Directed** the Clerk of the Board to submit the two Quitclaim Deeds and a certified copy of the Resolutions to the Recorder for recordation.

0125.000  
0601.350

65. a. **Agreement No.: A-10998; Approved** a Contract to Purchase Permanent Easements over 0.025 acres (1089 sq. ft.) and 0.405 acres (17,642 sq. ft.) for a total of 0.43 acres (18,731 sq. ft.) of property and a Temporary Construction Easement over 0.237 acres (10,324 sq. ft.) of property owned by The Roman Catholic Bishop of Monterey California (APN 173-011-022); and
- b. **Accepted** the two Permanent Easement Deeds to acquire additional road right-of-way for the State Highway Route 68/Laureles Grade Intersection Improvement Project, No. 07-112065; and
- c. **Authorized** the Public Works Director to execute the Contract for the purchase in the amount of \$22,500 and the Certificates of Acceptance and Consent to Recordation on behalf of the County.

0602.350

66. a. **Accepted** three Grants of Easement from Standard Pacific Corp. for public utilities, sidewalk and alley purposes in the Spreckels area; and

- b. **Authorized** the Public Works Director to execute the Certificates of Acceptance and Consent to Recordation for the three Grants of Easements on behalf of the County.
- 0601.350 67. a. **Resolution No.: 07-307; Adopted** a resolution to determine the summary abandonment of portions of the rights-of-way of Hilltown-Monterey Road and Old Salinas-Monterey Road in the Community of Spreckels and execution of four Quitclaim Deeds are exempt from the California Environmental Quality Act; and
- b. **Authorized** the Public Works Director to file a Notice of Exemption with the County Clerk; and
- c. **Resolution No.: 07-308; Adopted** a resolution summarily abandoning the rights-of-way over portions of Hilltown-Monterey Road and Old Salinas-Monterey Road; and
- d. **Resolution No.: 07-309; Adopted** a resolution quitclaiming easements to Pacific Gas and Electric Company and AT&T and quitclaiming any interest Monterey County has in said property to the adjacent property owner and to the Monterey County Water Resources Agency; and
- e. **Directed** the Clerk of the Board to submit the four Quitclaim Deeds and a certified copy of the resolutions to the Recorder for recordation.
- 0602.350 68. a. **2007 CONST 0013 Approved** Plans and Special Provisions  
0525.000 for the Window Replacement at the North Wing Courthouse,  
Project No. 8772, located at 240 Church Street, Salinas; and
- b. **Authorized** the Clerk of the Board to advertise the "Notice to Contractors" in The Californian on August 31 and September 10, 2007.
- 0525.000 69. a. **2007CONST0012; Approved** Plans and Special Provisions for the Roof Replacement  
0601.350 at the North Wing Courthouse, Project No. 8772, located at 240 Church Street,  
Salinas; and
- b. **Authorized** the Clerk of the Board to advertise the "Notice to Contractors" in The Californian on August 31 and September 10, 2007.
- 0602.350 70. a. **Approved** an Irrevocable Offer of Dedication from KABO  
3600.000 Development, LLC in compliance with Condition of Approval No. 15 of Use Permit  
and General Development Plan No. PLN040688, located on Madison Lane, Boronda  
Area; and
- b. **Authorized** the Chair to execute the Irrevocable Offer of  
Dedication; and
- c. **Directed** the Clerk of the Board to submit the Irrevocable Offer of  
Dedication to the County Recorder for recordation.

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

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

- 0150.147  
0125.000  
5100.000 71. **Budget Unit No.: 07/08-037; Agreement No. : A-10271;** Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey, **approved** Amendment No. 1 to Agreement No. A-10271 with Nolte Associates, Inc. relating to engineering design services for improvement of the intersection of State Highways 1 and 183 in Castroville (Artichoke Ave Phase I) to:



- a. **Modified** the Scope of Services to prepare 65% design plans and specifications; and
- b. **Increased** the amount of payment by \$200,000 for a total not to exceed \$517,000; and
- c. **Extended** the term of the Agreement to August 31, 2008.

**MONTEREY COUNTY WATER RESOURCES AGENCY**

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

0150.147

0802.200

0601.600

- 72/55. a. **Budget Unit No.: 07/08-030; Accepted and Approved** the Recommended Summary Business Plan and Budget for the Assumption of Operations Responsibility of various Lake Resort activities at Lake San Antonio and Lake Nacimiento for the period from October 1, 2007 through March 31, 2008 (4/5ths vote required); and
- b. **Authorized** the Auditor Controller's Office to establish Budget Unit 758- Lake San Antonio, Budget Unit 759- Lake Nacimiento, and allocate appropriations per proposed budget Attachment A; including the transfer of \$114,863 in appropriations from BU 990-Contingencies (4/5ths vote required); and
- c. **Authorized** the Parks Department to operate the day use, camping, and security responsibilities at Lake Nacimiento and Lake San Antonio on a permanent basis; and
- d. **Approved and Authorized** the allocation of four (4) permanent positions; 1 Park Service Aide III (68C23) in new Budget Unit 758 and 3 Park Service Aide III (68C23) in new Budget Unit 759 to assist in the operation of the Lake Resort facilities (4/5ths vote required); and
- e. **Approved** an increase of \$150,000 in estimated revenues for BU 750- Parks Department in account 4355.

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