

BOARD OF SUPERVISORS

Fernando Armenta	1 st District	Lew C. Bauman
Louis R. Calcagno	2 nd District	County Administrative Officer
W. B. "Butch" Lindley	3 rd District	
Jerry Smith	4 th District (Chair)	Charles J. McKee
Dave Potter	5 th District (Vice Chair)	County Counsel

Darlene Drain	Phone: (831) 755-5066
Clerk of the Board	FAX: (831) 755-5888
P. O. Box 1728	Home Page: www.co.monterey.ca.us
Salinas, CA 93902	

ACTION MINUTES

MONTEREY COUNTY BOARD OF SUPERVISORS MONTEREY COUNTY REDEVELOPMENT AGENCY EAST GARRISON COMMUNITY SERVICES DISTRICT TUESDAY, MARCH 28, 2006 9:30 AM

9:30 a.m.

S-1 The Pledge of Allegiance

The Pledge of Allegiance was led today by Supervisor Calcagno.

6300.000 S-2 Additions and Corrections to the Agenda

The Clerk of the Board will announce Agenda corrections and proposed additions, which may be acted on by the Board as provided in section 54954.2 of the California Government Code.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley, and carried 5/0, the Board approved the following additions and corrections to the Agenda.

Items to be removed:

Under Consent:

27.
 - a. Approve and authorize the Director of the Department of Social & Employment Services to sign an agreement for \$27,000 with Conflict Resolution and Mediation Center to provide Alternative Dispute Resolution Services to low-income residents of Monterey County for the period January 1, 2006 through December 31, 2006; and
 - b. Authorize the Director of the Department of Social & Employment Services to sign all future amendments to this agreement not exceeding 5% of the contract amount and a three (3) month extension.

6300.000 S-3 CONSENT CALENDAR - REGULAR (Supplemental Sheet)

6300.000 S-4 CONSENT CALENDAR – MONTEREY COUNTY REDEVELOPMENT AGENCY (Supplemental Sheet)

6300.000 S-5 CONSENT CALENDAR – EAST GARRISION COMMUNITY SERVICES DISTRICT
(Supplemental Sheet)

APPOINTMENTS:

Upon motion of Supervisor Lindley, and seconded by Supervisor Armenta, and carried 5/0, the Board approved the following appointments, except as noted:

- 0801.500 1. **Appointed** Karen Gibbs to the Greenfield Public Recreation District for a term ending December 31, 2009. (Supervisor Lindley)
- 0801.500 2. **Appointed** Robin Wiley to the Greenfield Public Recreation District for a term ending December 31, 2009. (Supervisor Lindley)
- 0401.750 3. **Appointed** Arvid Myhre to the Fish & Game Commission for a term ending February 1, 2009. (Supervisor Lindley)
- 0402.450 S/A-1 **Considered** the nomination of Michael Leach to the Monterey Bay Unified Air Pollution Control Hearing Board, for a three term ending April 30, 2009. (Full Board)

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

OTHER BOARD MATTERS:

- 6300.000 4. Board Comments and Referrals
Supervisor Calcagno made a referral through the CAO's office and the Elections department for the creation of a pamphlet advising one of the proper procedure and requirements on how to proceed with an initiative/ referendum. Further, it is requested that once approved (run through the courts) that it is published.
- 6300.000 5. Update on Board Referrals
There are none.
- 0600.025 6. CAO Comments
CAO Dr. Bauman advised that there were no comments but did acknowledge Supervisor Calcagno's referral.
- 2050.000 7. Public Comments (Limited to 3 minutes per speaker)
- a. Julie Engell: Requested that S/A-3 be agendaized for specified time today.
 - b. Hans Jongens: Spoke with regard to the immigration issues this week in the news and that our County is under attack – Mexican Flags being flown. He advised that he found this insulting to the United States. He further disputed having two languages spoken citing that English is the national language. He also questioned the amount of welfare being given out in the county and cited former Mayor Giuliani of New York and his reduction of welfare payments by almost 60%.
 - c. Margarie Kay: Would like clarification of what exactly item #18 is.
CAO Dr. Bauman advised that this will be an oral report given by Nick Chiulos and will be heard prior to recessing to closed session.

BOARD ACTION: Upon motion by Supervisor Potter, and seconded by Supervisor Lindley, and carried, the Board approved the following resolutions except as otherwise noted:

- 2050.000 8. **Resolution No. 06-066: Adopted** a Resolution to honor the recipient for special recognition by the Salinas River Channel Coalition for dedication and ongoing support to the coalition's endeavors. (Supervisor Lindley)
- 2050.000 9. **Resolution No. 06-067: Proclaimed** the Week of April 22-29, 2006 as "National Infant Immunization Week" and the Month of May 2006 as "Toddler Immunization Month" in Monterey County. (Full Board)
- 2050.000 10. **Resolution No. 06-068: Adopted** a Resolution Supporting the Big Sur International Marathon for the next five years, beginning 2006 through 2010. (Supervisor Potter)
- 2050.000 11. **Resolution No. 06-069: Adopted** a Resolution honoring the recipient of the Monterey Peninsula Chamber of Commerce 2005 Business of the Year Award. (Supervisor Smith)
- 2050.000 12. **Resolution No. 06-070: Adopted** a Resolution honoring William G. Doolittle as the recipient of the Monterey Peninsula Chamber of Commerce 2005 Citizen of the Year Award. (Supervisor Potter)
- 2050.000 13. **Resolution No. 06-071: Adopted** a Resolution honoring Donald Edgren as the recipient of the Monterey Peninsula Chamber of Commerce 2005 Citizen of the Year Award. Donald Edgren is being honored with the Ruth Vreeland Memorial Public Official of the Year Award. (Supervisor Potter)
- 2050.000 14. **Resolution No. 06-072: Adopted** a Resolution honoring the recipient of the Monterey Peninsula Chamber of Commerce 2005 Volunteer of the Year Award. (Supervisor Potter)
- 2050.000 15. **Resolution No. 06-073: Adopted** a Resolution honoring Mary Marlene Warburton as the recipient of the Monterey Peninsula Chamber of Commerce 2005 Volunteer of the Year Award. Mary Marlene Warburton is being honored with the Chamber's Littlefield Award. (Supervisor Potter)
- 2050.000 16. **Resolution No. 06-074: Adopted** a Resolution honoring the Monterey County Childcare Planning Council, First 5 Monterey County and other local organizations, in conjunction with the National Association for the Education of Young Children, proclaiming the Week of the Young Child from April 1–April 9, 2006. (Full Board)
- 2050.000 S/A-2 **Resolution No. 06-075: Adopted** a Resolution congratulating Hilario Lopez, for his work in our community for the past 20 plus years, generously contributing thousands of volunteer hours. (Supervisor Armenta)
- 2050.000 A/C-1 **Resolution No.: 06-076:** Honoring Michael D. Gaines, Certified Executive Chef as the recipient of the American Culinary Federation, Monterey Bay Chapter, Chef of the Year Award for 2005. (Supervisor Smith)
- 1900.000 17. a. **Received** report and consider recommendations from the Legislative Committee meetings of January 10, 2006 and February 21, 2006; and
 b. **Introduced**, waive reading, and set for adoption on April 11, 2006 at 10:30 a.m., an ordinance amending Chapter 1.10 of the Monterey County Code relating to Local Political Campaign Disclosure.
BOARD ACTION: Upon motion by Supervisor Potter, and seconded by Supervisor Lindley, and carried.
- 1900.000 18. **Received** report from the Voting Rights Act Ad Hoc Committee.

BOARD ACTION: Upon motion by Supervisor Armenta, and seconded by Supervisor Lindley, and carried.

Presented by Nick Chiulos: Provided a history on the creation of the Ad Hoc Committee as a referral out of the October meeting. That there had been one meeting in January and that a Public Hearing was scheduled for Wednesday April 12, 2006. The meeting on the 12th will be from 6 p.m. to approximately 9 p.m. and has been or will be noticed in the Herald, Californian, Pajaronian and the Equal Opportunity Commission. Further, members of the public can submit comment up and until 5 p.m. on the April 12th date.

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SCHEDULED MATTERS:

6300.000 S-6 Closed Session under Government Code section 54950, relating to the following items:

- a. Pursuant to Government Code section 54956.8, the Monterey County Redevelopment Agency Board will confer with real property negotiators regarding the following property:
1. East Garrison portion of the former Fort Ord; Negotiators: Wayne Tanda and Jim Cook for the County of Monterey.

BOARD ACTION: The Board received a status from Negotiators Wayne Tanda and Jim Cook, and provided direction to these negotiators.

- b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
1. ~~Henry Wagner III (WC)~~
 2. Madrigal, et al. vs. The County of Monterey, et al.
 3. Melendez, et al. vs. The Board of Supervisors of the County of Monterey, et al.
 4. County of Monterey vs. City of Salinas (Boronda Crossing litigation)
 5. California Department of Transportation vs. County of Monterey (Rancho San Juan)
 6. LandWatch Monterey County, et al. vs. County of Monterey, et al. (Rancho San Juan)
 7. John L. McDonnell, Jr., et al. vs. County of Monterey, et al. (Rancho San Juan)
 8. Save Our Peninsula Committee vs. County of Monterey, et al. (Rancho San Juan)
 9. City of Salinas vs. County of Monterey (Rancho San Juan)
 10. H-Y-H Corporation vs. County of Monterey (Rancho San Juan)

BOARD ACTION: Items 2 and 3 were not discussed. The Board received an update on items 4 through 10 and gave direction to counsel.

- c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding the following exposure to litigation/liability claims:
1. Claims of Dick Martinez and Mario L. Martinez

BOARD ACTION: The Board denied this claim.

- d. Pursuant to Government Code section 54957, the Board will confer with legal counsel regarding one item of potential initiation of litigation.

BOARD ACTION: The Board did not extend authority but did authorize for further investigation.

- e. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following public employment position(s):
1. Natividad Medical Center CEO

BOARD ACTION: The performance evaluation continued and is ongoing into the next scheduled meeting.

- f. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiator(s) all units; Keith Honda, designated representative.

BOARD ACTION: The Board received and update and provided direction.

10:30 a.m.

- 5100.000 S-7 **Ordinance No. 5022; Resolution No. 06-089: Considered** approval of (Community Housing Improvement Systems Planning Association, Inc. (CHISPA) PLN040767) of: 1) an amendment to the General Plan and Central Salinas Valley Area Plan to change the designation from Industrial to High Density Residential/5-20 dwelling units per acre; 2) a Rezoning from "HI" Heavy Industrial to "HDR/6" High Density Residential, minimum 6 units per acre; 3) a Combined Development Permit consisting of: a) Standard Subdivision of 33 residential lots including the 28 single-family dwellings targeted toward low and very-low income families; and five single-family homes targeted toward moderate-income families, on two parcels, a total of 5.87 acres; and b) a Use Permit for expansion of the San Lucas sewage capacity to accommodate the project; and 4) a Quitclaim Deed to that portion of Mary Street, which is part of this subdivision to CHISPA to transfer any interests the County may have in the street without claiming that the County own the road. The project is located on the eastern edge of the community of San Lucas northeast of the intersection of Highway 198 and Main Street, San Lucas (Assessor's Parcel Number(s): 231-011-006-000 & 231-039-002-000, and 420-101-049) in the Central Salinas Valley Area.

BOARD ACTION: Upon motion by Supervisor Lindley, and seconded by Supervisor Calcagno, and carried 5/0, the Board approved the following motion: Approved the Mitigated Negative Declaration; Approved a Resolution approving the General Plan and the Central Salinas Valley Area Plan Amendment; Adopted an Ordinance to Title 21 (Zoning Code) rezoning the property; Approved the Combined Development Permit based on Findings and Evidence and subject to proposed Conditions of Approval; Adopted a Mitigation Monitoring and/or reporting Program and Directed the Chair to sign the quitclaim deed and directed the Clerk of the Board to have the quitclaim deed recorded. The Board further adding that there will be cooperation in the conversations and negotiations of a tax agreement.

PUBLIC COMMENTS:

- a. Lawrence (Last name inaudible): Spoke to conditions 54 and 57. He further advised that San Lucas was not presently within the Fire Protection District and that he would recommend that they were. However, that there needed to be some negotiations of an appropriate Property tax transfer.
- b. George Haines: Unit Chief (CDF): Supports this recommendation. But advises there are certain areas of Monterey County that do not have any fire protection. Instead they are covered by volunteers. San Lucas is the largest area in the County without fire protection. He also requested a Property Tax Transfer.
- c. Theresa Rouse: Spoke to issues involving the school district. (K – 8th grades). She advised that they had room for new students. However, there are concerns over the water. She stated that last week they had to close the school for 5 days due to some water issues.
- d. Alfred Diaz Infante: Wished to Thank the staff and the Board and all involved.

- 5100.000 S-8
- a. **Received** Monterey County Business Council Proposal for Facilitation and Implementation of the Competitive Clusters (C2) Project; and
 - b. **Considered** approval of public-private partnership agreement for implementation of the C2 Project in the amount of \$100,000.

**BOARD ACTION: Upon motion by Supervisor Calcagno, and seconded by Supervisor Potter, and carried 5/0.
Three members of the Business Counsel also spoke in support of this matter.**

12:00 p.m.

Recess to Lunch- Legislative Committee Meeting

1:30 p.m.

1900.000 S-9 **Received** report and consider recommendations from the Legislative Committee meeting of March 28, 2006.

No Action Taken. The next report out will be April 11, 2006.

5100.000 S-10 The Commons at Rogge (PLN030063; Blohm Road Joint Venture Attn: Don Chapin):

- a. **Considered** adoption of the Mitigated Negative Declaration;
- b. **Considered** adoption of a resolution approving the General Plan and Greater Salinas Area Plan Amendments; and
- c. **Considered** adoption of an Ordinance amending Title 21 (Zoning Code); and
- d. **Considered** adopting a resolution approving the Combined Development Permit that includes a Standard Subdivision Vesting Tentative Map to divide two existing lots of record into 126 lots of varying size and a Use Permit for removal of one landmark oak tree, modification of parking standards and an apartment building exceeding 10 units per acre; and
- e. **Considered** adopting the Mitigation Monitoring and Reporting Program; and
- f. **Considered** adopting a resolution approving the Affordable Housing Program.

BOARD ACTION: Upon motion by Supervisor Armenta, and seconded by Supervisor Calcagno, and carried 5/0. The Board approved the motion inclusive of the Erratta memo but excluded the requests made by the City of Salinas. Further, the decision within the parks over a basketball or soccer field will be left up to Mr. Chapin.

Public Comment:

The following spoke in opposition:

- a. Rick Bragg
- b. AnnMarie Tresch
- c. Robin Lee

The following spoke in support:

- d. William Silva
- e. Vanessa Vallarta – Attorney for the City of Salinas – requested that there be a condition that:
 1. Mr. Chapin will apply to LAFCO to annex the property.
 2. County will modify the initial study
 3. LAFCO’s role as significant influence in the annexation.

0801.025 S-11 a. **Held** a workshop on the overall financing strategy for the East
0125.000 Garrison Development program; and

- b. **Agreement No. A-10436 & Resolution No. E/G 06-011: Adopted** a Resolution (acting as the Community Services District) approving a Joint Exercise of Powers Agreement with the County of Monterey to establish and manage the East Garrison Public Financing Authority; and
- c. **Agreement No. A-10436 & Resolution No. 06-099: Adopted** a Resolution (acting as the Monterey County Board of Supervisors) approving a Joint Exercise of Powers Agreement with the East Garrison Community Services District to establish and manage the East Garrison Public Financing Authority.

BOARD ACTION: Upon motion by Supervisor Armenta, and seconded by Supervisor Smith, and carried 5/0. There was no public comment.

- 0601.525 S-12 **Received** an oral report on the Natividad Medical Center Stabilization Blue Ribbon Committee.
- 0601.525 S-13 **Received** an oral report on the implementation plan update from Natividad Medical Center (NMC) for the NMC Budget Action Plan as per the Board of Supervisors' request. **CEO Chad Chadwick proposed that this matter be put off to a monthly status and Chair Smith accepted the recommendations without any opposition.**
- 0601.525 S-14 **Received** an oral status report on 30 day negotiations with Salinas Valley Memorial Hospital Healthcare System and provide direction to staff on next steps.
BOARD ACTION: Upon motion by Supervisor Potter, and seconded by Supervisor Smith, and carried 4/1 (Supervisor Armenta was the dissenting vote). The Board approved to grant the extension request to April 11, 2006 at which time a MOU or equivalent letter of intent will be brought back. In addition, authorized CEO Chad Chadwick to begin interviewing various Healthcare Brokerage Firms and draft the negotiating points, for the next meeting. Further, for CEO Chad Chadwick to sit down with Labor representatives as well.

There was no public comment.

- 0600.750 S/A-3 **Reconsidered** Resolution No. 06-027 calling for an election and/or consider removal from the election ballot the Referendum of Resolution No. 05-305 relating to the Butterfly Village area of Rancho San Juan in light of the recent U.S. District Court Judgment in the case of In re County of Monterey Initiative Matter.
BOARD ACTION: Upon motion by Supervisor Lindley, and seconded by Supervisor Smith and carried (4/1 with Supervisor Potter the dissenting vote) the Board moved to remove the Referendum, Measure C from the June 6, 2006 Ballot.

Public Comment:

The following spoke in favor of Measure C:

- a. Margarie Kay
- b. Julie Engell
- c. George Urciuoli
- d. Jan Mitchell
- e. Nancy Pratt
- f. Lupe Garcia
- g. Joe Vierra
- h. Gillian Taylor
- i. Hans Jungens
- j. Rod McMahan

The following spoke in opposition:

- i. Carlos Ramos

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**ORDER FOR ADJOURNMENT
IN MEMORY OF DR. ALLEN SANTELL**

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 Potter, and seconded by Supervisor Armenta, and carried, the Board approved the following actions, unless otherwise noted.

HEALTH AND SOCIAL SERVICES:

- 0602.550 19. **BU 05-06-182:**
 0150.145 a. **Approved and authorized** the Director of the Department of Social & Employment Services to accept a contribution of \$2,009 from members of the Community Action Commission and Community Action Partnership staff as part of the Commission's fundraising project to improve program resources for the low-income population of Monterey County; and
 b. **Directed** the Auditor-Controller to increase appropriations and estimated revenues of \$2,009, Community Action Partnership Fund 008, Budget Unit 510. (4/5th vote required)
- 0601.050 20. **Agreement No. A-10414: Approved and authorized** the Director of Health to sign Amendment No. 1 to the Professional Services Agreement (PSA) in the amount of \$85,000 with Ob-gyn Associates of the Central Coast to provide specialty obstetric and gynecological physician services.
- 0602.550 21. **Agreement No. A-10419:**
 0125.000 a. **Approved and authorized** the Director of the Department of Social & Employment Services to sign an agreement for \$51,450 with Sun Street Centers to perform as lead agency for the North County Collaborative providing drug/alcohol counseling, domestic violence services, food access, youth recreation, rental assistance, and benefit application forms completion to low-income people for the period of January 1, 2006 through December 31, 2006; and
 b. **Authorized** the Director of the Department of Social & Employment Services to sign all future amendments to this agreement not exceeding 5% of the contract amount and a three (3) month extension.
- 0602.550 22. **Agreement No. A-10410:**
 a. **Approved and authorized** the Director of the Department of Social & Employment Services to sign an agreement for \$68,600 with Community Human Services to perform as lead agency for the South County Collaborative providing homeless services, rental assistance, drug/alcohol and family counseling, domestic violence

services, Spanish literacy services, and benefit application forms completion to low-income people for the period of January 1, 2006 through December 31, 2006; and

- b. **Authorized** the Director of the Department of Social & Employment Services to sign all future amendments to this agreement not exceeding 5% of the contract amount and a three (3) month extension.

- 0403.825 23. **Concurred** with the Monterey County Workforce Investment Board (WIB) to accept a total of \$16,831 in Workforce Investment Incentive Award Funds for Exemplary Performance for PY 2004-05 from the State of California Employment Development Department.
- 0403.825 24. **Concurred** with the Monterey County Workforce Investment Board (WIB) to accept \$1,595,734 from the State of California Employment Development Department for Dislocated Worker Additional Assistance to provide core, intensive, retraining and supportive services to a minimum of 400 dislocated workers.
- 0403.825 25. **Concurred** with the Monterey County Workforce Investment Board (WIB) to:
- Accepted** \$20,000 from the U.S. Department of Labor (USDOL); and
 - Transferred** \$20,000 to the National Federation of the Blind to continue America's Job line in California until June 30, 2006.
- 0601.100 26. **Agreement No. A-10411: Approved and authorized** the Director 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.
- ~~27. — a. Approve and authorize the Director of the Department of Social & Employment Services to sign an agreement for \$27,000 with Conflict Resolution and Mediation Center to provide Alternative Dispute Resolution Services to low-income residents of Monterey County for the period January 1, 2006 through December 31, 2006; and —~~
- ~~b. Authorize the Director of the Department of Social & Employment Services to sign all future amendments to this agreement not exceeding 5% of the contract amount and a three (3) month extension.~~
- 0601.100 28. **BU 05/06-176; Resolution No. 06-078:**
- 0150.145
- Amended** Health Department Budget Unit 411 to approve the reallocation of 1.0 FTE Senior Secretary to 1.0 FTE Administrative Secretary and 1.0 FTE Departmental Information Systems Coordinator to 1.0 FTE Management Analyst II; and
 - Directed** the Auditor-Controller to Amend Budget Unit 411 Position Allocation to reflect these changes.
- 0401.155 29. **Received** the First 5 Monterey County's Annual Report to the
- 0601.100 Board of Supervisors.
- 0602.550 30. **Agreement No. A-10166:**
- 0125.000
- Approved** the assignment of Contract #A-10166 (\$40,000), PSA345 (\$12,000) and PSA337 (\$1,000) from CORE Holdings, Inc., to Maxim Healthcare Services, Inc. for a total dollar amount of \$53,000, to provide in-home personal care services to DSES clients for the remainder of the 2005-2006 Fiscal Year; and
 - Authorized** the Director of the Department of Social & Employment Services to execute the Assignment Agreement with Maxim Healthcare Services, Inc., and any amendments to the Agreement not exceeding 5% of the total contract amounts, and three (3) month extensions.

CRIMINAL JUSTICE:

- 0602.500 31. **BU 05/06-181; Agreement No. A-10418:**
 0150.145 a. **Approved and authorized** the Sheriff to accept a grant award
 0125.000 from the Governor's Office of Emergency Services for \$300,000 to fund the planning
 and development of a Monterey County Agricultural Crime Task Force, with a Joint
 Powers Agreement (JPA) with the District Attorney's Office; and
 b. **Increased** appropriations and estimated revenue by \$300,000 in Sheriff's Budget Unit
 230 (4/5th vote required); and
 c. **Approved and amended** the FY 2005-06 Sheriff's Budget Unit 230 to add 2.0 Deputy
 Sheriff and 1.0 Criminal Intelligence Specialist positions; (4/5th vote required) and
 d. **Directed** the Auditor-Controller to amend FY 2005-06 Sheriff's Budget Unit 230 to
 change the position count, and increase appropriations and estimated revenues as
 detailed in the attached Board Order.

GENERAL GOVERNMENT:

- 0601.600 32. **2005 CONST 0090: Authorized** the Director of Parks to accept work and file Notice of
 Completion for Installation of Play Structures and Wood Fiber at Monterey County Park
 Facilities, Bid No. 9890.
- 0601.850 33. **2005 CONST 0044; Resolution No. 06-084: Authorized** the
 0601.600 Director of Parks to accept work and file Notice of Completion for
 0525.000 Landscape and Staging Improvements at Laguna Seca Recreation Area, Bid No. 9858.
- 0600.027 34. **Agreement No. A-10415: Approved and Authorized** the County Administrative Officer
 or Designee to execute on behalf of the Monterey County Board of Supervisors all
 standard agreements for reimbursement from the Regents of the University of California
 for Cooperative Extension Budget Unit 622 expenditures.
- 0601.600 35. **2006 CONST 0008:**
 0525.000 a. **Approved** specifications for walkway and drainage
 improvements at Laguna Seca Recreation Area, Bid No. 9937; and
 b. **Directed** the Clerk of the Board to solicit bids to be opened on Wednesday, April 19,
 2006.
- 0601.600 36. **2006 CONST 0009:**
 0525.000 a. **Approved** specifications for race track safety improvements and resurfacing at
 Laguna Seca Recreation Area, Bid No. 9930; and
 b. **Directed** the Clerk of the Board to solicit bids to be opened on Wednesday, April 19,
 2006.
- 5400.000 37. **BU 05/06-180; Resolution No. 06-083: Amended** Personnel
 0150.145 Policies and Practices Resolution No. 98-394 to revise vacation usage from one-half hour
 to one-quarter hour increments.
- 0600.750 38. **BU 05/06-177; Agreement No. 10412:**
 0150.145 a. **Approved** FY 2005-06 contract with ForeFront Elections Solutions, LLC, in the
 amount not to exceed \$160,000 for consulting services for the June 2006 Election and
 organizational development within the Elections Department; and
 b. **Authorized** the County Administrative Officer to execute contract.
- 0600.025 39. **Resolution No. 06-085: Set aside** previous approvals and adoption of a mitigated
 negative declaration for the Avila [Samoski, Mohsin, and Riehl] Project (PLN 980516) in
 the River Road area by adopting the attached Resolution setting aside Resolution Nos. 05-

071 and 05-024, in compliance with the peremptory writ of mandate issued by the Superior Court.

- 0600.025 40. **Approved** reappointment of Eric Lauritzen as Sealer of Weights & Measures for a four-year term of office.
- 0600.025 41. **Approved** reappointment of Eric Lauritzen as Agricultural Commissioner for a four-year term of office.
- 0602.500 42. a. **Recognized** the value to the community that is gained through the Gang Task Force and the Silver Star Gang Prevention and Intervention programs; and
b. **Committed** to ongoing support for the Gang Task Force and Silver Star Gang Prevention and Intervention programs, within the limits of available County and departmental resources, should federal funding be discontinued.
- 0600.750 43. **BU 05/06-178:**
0150.145 a. **Approved** increase in appropriations and estimated revenues in the amount of \$552,363 in Budget Unit 141, Elections Department (4/5th vote required); and
b. **Directed** the Auditor-Controller to make the necessary budgetary adjustments.

RMA - PLANNING AND BUILDING INSPECTION:

- 0602.200 44. **Resolution No. 06-080: Approved** the request by Marciano and Maria Isabel Padilla for a Letter of Public Convenience and Necessity for the sale of beer and wine for off-site consumption. County File Number: PLN060131. The property is located at 10499 Merritt Street, Castroville (Assessor's Parcel Number: 030-126-002-000), North County Area Plan.
- 0602.200 45. **Resolution No. 06-081:**
0130.000 a. **Approved** a lot line adjustment (Porter; PLN000214) between two separate, legal parcels, one of which is under both Williamson Act contracts Nos. 73-032 and 83-003, and the other not under contract, that will result in "Parcel A" at approximately 303.960 acres and "Parcel B" at approximately 30.775 acres;
b. **Approved** retaining the existing acreage under Williamson Act contract by executing a new and separate Land Conservation Contract for the 13 acres under contract that will overlap onto "Parcel B" after the proposed lot line adjustment; and
c. **Adopted** a resolution to authorize the Chair to execute new or amended Land Conservation Contracts in order to rescind a portion of Land Conservation Contract No. 73-032 and all of 83-003 as it applies to the reconfigured, contracted parcels only, and to simultaneously execute two (2) new Land Conservation Contracts reflecting new ownership interests for proposed "Parcel A" and "Parcel B" and direct the Clerk of the Board to record the new or amended contract or contracts.
- 6000.500 46. **Resolution No. 06-077:**
a. **Accepted** the Final Parcel Map for the standard subdivision [PLN040691, Perez] of 1.38 acres into 18 parcels, Indemnification Agreement, Subdivision Improvement Agreement, Property Tax Clearance Letter, Road and Drainage Maintenance Agreement, Agreement to Implement a Mitigation Monitoring or Reporting Plan, Inclusionary Housing Agreement, and Subdivision Title Guarantee and Recording Fee; and
b. **Authorized** the Clerk to sign the Final Parcel Map; the Subdivision Improvement Agreement, and the Road and Drainage Maintenance Agreement; and
c. **Directed** the Clerk of the Board to submit the Final Parcel Map, Indemnification Agreement, Agreement to Implement a Mitigation Monitoring or Reporting Plan,

Inclusionary Housing Agreement, Water Conservation Notice, & Road and Drainage Maintenance Agreement to the County Recorder for filing; and

- d. **Authorized** the Parks Department to deposit the recreation-in-lieu fee of \$53,273.00 into the Recreation-In-Lieu Fee Trust Account No. 080-3473.

6000.500
0602.200

47. **Resolution No. 06-105:**

- a. **Accepted** the Final Parcel Map for the standard subdivision [PLN010252, Coelho] of 94.8 acres into nine lots between 10 and 12.3 acres, Indemnification Agreement, Permit Approval Notice, Mitigation Monitoring and Reporting Program, Tax Clearance Letter, Security Bond No. 197926, Subdivision Title Guarantee and Recording Fee; and
- b. **Authorized** the Clerk to sign the Final Parcel Map; and Drainage and Flood Control Systems Agreement, the Subdivision Improvement Agreement; and
- c. **Directed** the Clerk of the Board to submit the Final Parcel Map, Indemnification Agreement, Permit Approval Notice, Mitigation Monitoring and Reporting Program, Drainage Plan Notice, Water Conservation Notice, Drainage and Flood Control Systems Agreement, Deed Restrictions A & B, Drainage Plan, Water Conservation Notices and Deed of Trust and Assignment of Rents to the County Recorder for filing; and
- d. **Authorized** the Parks Department to deposit the Recreation in Lieu Fee of \$458.58 in the Recreation-in-Lieu Fee Trust Account No. 080-3473.

RMA - PUBLIC WORKS:

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48. **2004 CONST 0023; Agreement No. 009964:**

- a. Find that competitively bidding additional demolition, abatement and remediation work in the North Wing of the Courthouse would result in costly project delays and impair the safe operation of the Courts, and, therefore, approve Change Order #7 with Restec Contractors in the amount of \$1,174,500 for additional abatement in the North Wing of the Courthouse; and

- b. **Authorized** the Interim Public Works Director to execute Change Order #7.

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49. **2005 CONST 0093; Agreement No. A-10416:**

- a. **Awarded** contract in the amount of \$54,000 to Professional Asbestos Removal Corporation dba PARC Environmental, the lowest responsible bidder, for the Aboveground Emulsion Storage Tanks Removal Project (Project No. 06-040902); and
- b. **Approved** the performance and payment bonds executed and provided by PARC Environmental; and
- c. **Established** a contingency not to exceed 10% of the contract amount; and
- d. **Authorized** the Interim Public Works Director to execute the contract.

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50. **BU 05/06-179; Agreement No. A-10417:**

- a. **Approved** Amendment No. 1 in the amount of \$55,000 for a total amount not to exceed \$97,000 and extend the term of the Professional Services Agreement to June 30, 2007 with Cascade Software Systems, Inc. for the creation and implementation of a single Windows-based Cost Accounting Management System (WIN-CAMS) database and for additional maintenance and modification services to WIN-CAMS for the Resource Management Agency;
- b. **Authorized** the transfer of \$55,000 in appropriations from the Planning and Building Inspection Department budget (Fund 001, Budget Unit 293, Account 6469) to the Resource Management Agency budget (Fund 001, Budget Unit 194, Account 6469); and

- c. **Authorized** the Purchasing Manager to execute the Amendment and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Armenta, and carried, the Board approved the following actions, unless otherwise noted.

- 5100.000 51. **BU 05/06-183: Approved** increase in estimated revenues and
0600.025 appropriations in Budget Unit 184 (Fort Ord), Fund 18, by
0150.145 \$849,045 for funding costs related to the East Garrison Redevelopment Project. (4/5th
vote required)
- 0801.850 52. **Resolution No. 06-082: Approved** Property Tax Transfer for the
0801.975 Proposed Annexation of approximately 29.95 acres to the City of
0250.000 Soledad and Detachment from the Monterey County Resource Conservation District and
Mission – Soledad Rural Fire Protection District.
- 5100.000 53. **Resolution No. 06-112; Revising Resolution No. 05-271:**
a. **Acted** as the Board of Directors of the Redevelopment Agency of the County of
Monterey, accept minor wording corrections and clarifications to the Disposition and
Development Agreement between the Redevelopment Agency of the County of
Monterey and East Garrison Partners I, LLC for the East Garrison Project at the
former Fort Ord; and
b. **Authorized** the Chair, pursuant to Agency's October 4, 2005 approval of the DDA, to
execute the DDA as corrected and clarified.
- 0801.850 54. **Resolution No. 05-273:**
0801.975 a. **Acted** as the Board of Supervisors of the County of Monterey, accept minor wording
corrections and clarifications to the Disposition and Development Agreement between
the Redevelopment Agency of the County of Monterey and East Garrison Partners I,
LLC for the East Garrison Project at the former Fort Ord if those corrections and
clarifications are accepted by the Agency; and
b. **Authorized** the Chair, pursuant to the Board's October 4, 2005 consent to the DDA,
to sign the consent to the DDA as corrected and clarified.

EAST GARRISON COMMUNITY SERVICES DISTRICT

BOARD ACTION: Upon motion of Supervisor Lindley, and seconded by Supervisor Armenta, and carried, the Board approved the following actions, unless otherwise noted.

- 0801.025 55. **Resolution No. E/G 06-006: Adopted** a resolution adopting a Conflict of Interest Code
for the East Garrison Community Services District.