

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

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Salinas, CA 93902	

ACTION MINUTES

MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
EAST GARRISON COMMUNITY SERVICES DISTRICT
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, JULY 18, 2006
9:30 AM

9:30 a.m.

1. Pledge of Allegiance
The Pledge of Allegiance was led by Supervisor Lindley.

6300.000

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, the Board approved the following additions and corrections to the Agenda: Note that Agenda Item #51 was placed back onto the Agenda:

The following items have been added to the Agenda:

Under Consent:

General Government

- A/C-1
- a. Approve the Final Agreement and Memorandum of Understanding between the County of Monterey and SEIU Local 817 Bargaining Units F, J, and H; and
 - b. Direct the Auditor-Controller to implement the economic terms of the Final Agreement.

The following items have been removed from the Agenda:

Under Consent:

Health and Social Services:

27. a. Approve and authorize the Director of the Department of Social and Employment Services, or his designee, to sign an agreement for \$70,000 with Unity Care Group, Inc. for the period July 1, 2006 through June 30, 2007 for the provision of a community-based emergency care program; and

- b. Authorize the Director of the Department of Social and Employment Services, or his designee, to sign all future amendments to this agreement not exceeding 5% of the original contract amount and a three (3) month extension.

Under General Government:

- S/A-4 Approve and authorize the Assistant County Administrative Officer to sign a Professional Services Agreement (PSA) with Arnerich Massena & Associates, Inc. to support the Monterey County Deferred Compensation Plan (DCP) in issuance of a Request for Proposal (RFP), for the period of August 1, 2006 through June 30, 2007, in the amount of \$40,000.
51. Approve and authorize the County Administrative Officer to sign a Professional Services Agreement with Troutman-Sanders Public Affairs Group LLC for the purpose of providing federal legislative advocacy services in the amount of \$51,250 for the period of July 1, 2006 through December 31, 2006.

Under Monterey County Redevelopment Agency:

74. Approve and authorize the Chair of the Board of Directors of the Redevelopment Agency to sign three Memoranda of Agreement between East Garrison Partners I, LLC and 1) Mid-Peninsula Housing Coalition, 2) Artspace Projects, and 3) CHISPA relating to the provision of required affordable housing in the East Garrison development project.

3. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
4. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)
5. CONSENT CALENDAR - EAST GARRISON COMMUNITY SERVICES DISTRICT (See Supplemental Sheet)

APPOINTMENTS:

Upon motion of Supervisor Potter, and seconded by Supervisor Lindley, and carried, the Board approved the following appointments, except as noted: Supervisor Armenta was absent from the vote.

- 0402.800 6. **Reappointed** Mary Ann Leffel to the Overall Economic Development Commission for a term to end on June 30, 2009. (Supervisor Potter)
- 0402.800 7. **Reappointed** April Wooden to the Overall Economic Development Commission for a term to end on June 30, 2009. (Full Board)

BOARD ACTION: Upon motion of Supervisor Lindley, and seconded by Supervisor Calcagno, and carried 4/0 – Supervisor Armenta was absent from the vote, the Board approved the following appointments, except as noted:

- 0401.560 8. **Appointed** Deborah Carrillo to the Community Restorative Justice Commission for a term to end July 31, 2008. (Full Board)
- 0401.560 9. **Appointed** Liz (Chavarria) Salazar to the Community Restorative Justice Commission for a term to end July 31, 2008. (Full Board)
- 0801.200 10. **Appointed** John W. Pedevilla to the Gonzales Cemetery District Board for a term to end April 14, 2008. (Supervisor Lindley)

OTHER BOARD MATTERS:

- 6300.000 11. Board Comments and Referrals
Supervisor Lindley wished to remind everyone of the Salinas Rodeo that starts this week in addition to the weekend events of the Moto G.P. at Laguna Seca in addition to the Bach

Festival in Monterey.

- 6300.000 12. Update on Board Referrals
There were none.
- 0600.025 13. CAO Comments
County Administrative Officer Lew Bauman had no additional comments.
- 2050.000 14. Public Comments (Limited to 3 minutes per speaker)
- a. Anthony Lombardo: Would like to meet with the County Administration regarding what he perceives as an inability on the part of the County's Planning and Building Department to process final maps through the Board for approval on consent. He acknowledges that he has addressed this concern with Dr. Bauman and is appreciative of his attention to this issue.
 - b. Marilyn Maxner: Reads into the record a letter that was distributed to the Board, from the League of Women Voters.
 - c. David Dilworth: Advises that he believes there is a violation of the Ralph M. Brown Act in notice requirements on item S/A-6.
 - d. Alicia Song: Ms. Song advised the Board that she is employed with Environmental Health and she wished to thank the Board in regard to the SEIU contract.
 - e. Linda Sakata: President of the SEIU 535 – also in regard to the contract.
 - f. Hans Jongens: Addressed the Board regarding the critical issues in the middle east right now and that it is on the eve of a third world war.
- 2050.000 15. **Resolution No. 06-214: Adopted** a resolution honoring the Monterey County Fair on their 70th Anniversary which will be celebrated August 15, 2006 through August 20, 2006. (Supervisor Potter)
BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Lindley, and carried 4/0 with Supervisor Armenta absent from the vote.
- 2050.000 16. **Resolution No. 06-215: Adopted** a resolution proclaiming August 2006 as Child Support Awareness Month in Monterey County.
BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Lindley, and carried 4/0 with Supervisor Armenta absent from the vote.
- 2050.000 S/A-2 **Resolution No. 06-216 Adopted** a resolution congratulating Felipe Velasquez for 27 years of dedicated service to Monterey County.
BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley, and carried 4/0 with Supervisor Armenta absent from the vote. The Board presented Felipe Velasquez with his resolution and congratulated him on his years of dedicated service to the county.
- 2050.000 S/A-3 **Adopted** a resolution recognizing Spirit West Coast, on the occasion of their 10th Anniversary.
BOARD ACTION: Upon motion of Supervisor Lindley, and seconded by Supervisor Potter, and carried 4/0 with Supervisor Armenta absent from the vote.
- 2050.000 S/A-5 **Adopted** a resolution honoring Margarette Hutcheon upon her retirement from serving the County of Monterey.
BOARD ACTION: Upon motion of Supervisor Lindley, and seconded by Supervisor Potter, and carried 4/0 with Supervisor Armenta absent from the vote.

- 1900.000 17. **Received** reports and consider recommendations from the Legislative Committee meeting of June 27, 2006.

BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Lindley, and carried 4/0 with Supervisor Armenta absent from the vote.

- 6300.000 S/A-6 **Considered** ratification and re-approval of prior action listed as A/C 1 from the June 13, 2006 Board meeting which action authorized the Chair send a letter to the California Coastal Commission requesting withdrawal of the Measure "A" Local Coastal Plan (LCP) Amendment from the Commission's June 14, 2006 agenda.

BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Lindley, and carried 4/0 with Supervisor Armenta absent. The Board also found that there was no violation of the Brown Act on June 13th or today.

County Counsel Charles McKee addressed the issues raised by Mr. Dilworth during public comment. County Counsel clarified the posting requirements in addition to when this matter was posted. The agenda item S/A-6 was properly noticed prior to the 72 hour posting requirement and this was properly noticed.

Public Comment:

- a. David Dilworth: Addressed the Board challenging the notice of this matter in addition to objecting to staff's recommendation.
- b. Anthony Lombardo: Spoke in favor of staff recommendations in addition to support of no violation of the notice requirement/ Ralph Brown Act.

SCHEDULED MATTERS:

- 6300.000 S-1 Closed Session under Government Code section 54950, relating to the following items:

- a. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators regarding the following:
 1. The Department of Social and Employment Services lease area of the Quadrangle facility (1000 South Main Street, Salinas, California); Negotiator: George Salcido for the County of Monterey.

BOARD ACTION: The Board met, conferred and provided direction to real property negotiator George Salcido and provided direction.

- b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
 1. California Department of Transportation vs. County of Monterey (Rancho San Juan)
 2. City of Salinas vs. County of Monterey (Rancho San Juan)
 3. Water World Resorts, Inc. vs. County of Monterey, et al.
 4. Lake San Antonio Resorts, Inc. vs. County of Monterey, et al.
 5. Carrie Wilkinson vs. County of Monterey
 6. Carrie Wilkinson vs. County of Monterey (WC)
 7. LandWatch Monterey County vs. County of Monterey, et al.; Terry Mohsin, et al., Real Parties in Interest.

BOARD ACTION: The Board gave direction to Counsel on items 1,2,3,4, and 7. The Board approved a tentative settlement on items 5 and 6.

- c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding the following liability claims:
 1. Claim of Ching Hsia Yen
 2. Claim of Janet K. Carrillo, et al.

3. Claim of Analisa Allen and Noel Allen
4. Claim of Megan Deann Allen
5. Claim of Antonio M. Ceballos and Estate of Jamie I. Ceballos
6. Claim of Antonio Ceballos Mendoza
7. Claim of Carrie Wilkinson
8. Claim of Janet Jo Gray

BOARD ACTION: The Board denied claims 1,2,3,4,5,and 6. The Board approved a tentative settlement for claim 7. The Board denied the request to file a late claim on item 8.

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

BOARD ACTION: This matter was not heard.

- 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: This matter was not heard.

10:30 a.m.

S-2 Continued to a date uncertain after the summer break.

- a. Receive Report regarding system for tracking land use permit processing timelines; and
- b. Adjust Fees for Land Use Permitting Activities and Adopt Resolution to Amend the Following Articles of the County Master Fee Resolution: A) Article I (Environmental Health); B) Article IX (Planning and Building Inspection); C) Article X (Public Works Department); D) Article XI (Water Resources Agency); and E) Article XVII (County Counsel).

BOARD ACTION: Upon motion of Supervisor Smith, and seconded by Supervisor Lindley, and carried 3/0 with Supervisor Armenta and Supervisor Potter absent, this matter was continued to a date uncertain, after the summer break.

Public Comment:

- a. Beverly Meamber: Addressed the Board with a request that staff consider incorporating the yearly fee increase tied with the CPI. She advised that she was in support of the proposed task force to be established.
- b. Tom Carvey: Executive Director of Common Ground: Addressed the Board advising that there is a housing deficiency of approximately 10,000 homes within Monterey County.
- c. Michael Talia: Salinas Valley Builders Exchange: Addressed the Board with a question of how the County will track the permitting process. He also advised that he too was in support of the proposed establishment of a code enforcement task force.

S-3 Continued until August 15, 2006 a Public hearing to consider:

- a. Deny Appeal by Clifford Bagwell (Exhibit G)
- b. Adopt a Mitigated Negative Declaration (Exhibit F).
- c. Approve PLN990376 based on the Recommended Findings and Evidence (Exhibit B) and subject to the Recommended Conditions of Approval/Mitigation Monitoring Reporting Program (Exhibit C). (PLN990376/Peter Pan Investors, LLC, 226 Peter Pan Road, Carmel)

BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Lindley, and carried 4/0 with Supervisor Armenta absent, this matter was continued to August 15, 2006 as requested by Staff due to noticing issues.

0602.200

S-4 Held a Public hearing to consider:

- a. **Resolution No. 06-222 Approved** an appeal by Floyd and Katherine Wenglikowski from the Zoning Administrator's denial of a variance (Wenglikowski/PLN0506264); located at 138 Carmel Riviera Drive, Carmel; and
- b. **Approved** a variance for an increase in site coverage of single-family home from the maximum allowed 15 percent to 17 percent.

BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Smith, and carried 4/0 with Supervisor Armenta absent. The Board moved for the intent of approval of the appeal and the granting of the variance.

Public Comment:

- a. Anthony Lombardo spoke for the appellant.
- b. Bonnie Wolfe: Addressed the Board to advise that she was in support of the appeal.
- c. Katherine Wenglikowski: The appellant spoke to the Board in support of her appeal.
- d. Phyllis Day: Addressed the Board in support of the staff's position.

- 0125.000 S-5
- a. **Agreement No.: A-10169: Authorized** the Purchasing Manager for Monterey County to execute Amendment No.1 with Healthcare Financial Services Consultants, extending the original Agreement (No. 10169) for the period of July 1, 2005 through June 30, 2007 in an amount not to exceed \$1,208,000 for Natividad Medical Center medical record scanning, coding, abstracting and Office of Statewide Health Planning and Development (OSHPD) correction services; and
 - b. **Authorized** the Purchasing Manager to issue a Purchase Order in an amount not to exceed \$604,000 to Healthcare Financial Services Consultants for FY 2006-07.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley, and carried 3/0 with Supervisor Armenta and Supervisor Potter absent from the vote.

- 0600.025
0601.525
0803.850
0401.900
- S-6
- a. Authorized and approve an Intergovernmental Transfer & Grant Agreement by and between the County of Monterey, Salinas Valley Memorial Healthcare System, and Community Hospital of the Monterey Peninsula in support of Natividad Medical Center.
 - b. Adopted amendments to the Natividad Medical Center Bylaws; and
 - c. Appointed Trustees to the Natividad Medical Center Interim Board of Trustees.

BOARD ACTION: Upon motion of Supervisor Smith, and seconded by Supervisor Calcagno, and carried 3/0 with Supervisor Armenta and Supervisor Potter absent from the vote, the Board approved the motion with the following amendments:

- a. **Direct NMC Staff to facilitate, schedule and convene the first meeting of the Interim Board of Trustees within a week from today.**
- b. **Authorize the NMC Interim Board of Trustees to select, and recommend, and the Chair of the Board of Supervisors to subsequently execute contract(s) for the necessary Hospital Management Consultant services as to immediately implement the Intergovernmental Transfer and Grant Agreement provisions over the summer recess period.**
- c. **Direct the Interim Board of Trustees to re-review the July Agenda of the existing NMC Board of Trustees and make recommendations regarding issues and contracts on that Agenda to the Board of Supervisors at their August 15, 2006 meeting.**

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley and carried 3/0 with Supervisor Armenta and Supervisor Potter absent, the Board approved the nomination (By Supervisor Calcagno) of Chair Smith to serve on the Board of Trustees.

Public Comment:

- a. Jill Foley: Executive Director of Monterey County Medical Society – Read the copy of a letter handed out to the Board just prior to this matter.
- b. Mark Tuniz: Would like to have the medical staff included in the meetings.

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12:00 p.m.

Recess to Lunch

1:30 p.m.

Continue Closed Session if necessary.

ORDER FOR ADJOURNMENT

APPROVED:

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Chair

ATTEST:

LEW C. BAUMAN, Clerk of the Board

By: _____
Deputy

(Supplemental Sheet)

CONSENT CALENDAR

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley, and unanimously carried 4/0 with Supervisor Armenta absent from the vote. The Board approved the following actions, unless otherwise noted: The following items were pulled and voted on separately: 51, 55, 56, 58, and 60.

HEALTH AND SOCIAL SERVICES:

- 0602.550 18. **Agreement No. A-10546**
- a. **Approved** and **authorized** the Director of the Department of Social & Employment Services or his designee to sign an agreement for \$28,800 with Peninsula Messenger Service to provide messenger and courier services for the Monterey County Department of Social & Employment Services for the period FY 2006-2007; and
 - b. **Authorized** the Director of Social & Employment Services, or his designee, to sign all future amendments to this Agreement

not exceeding 5% of the contract amount and a three (3) month extension.

- 0125.000 19. **Agreement No. A-10552: Approved and authorized** the Director of Health to sign a Behavioral Health Services Contract with Family Service Agency of the Central Coast for the provision of suicide prevention services for Monterey County residents in the annual amount of \$50,000 for the term of July 1, 2006 through June 30, 2009 for a total contract amount of \$150,000.
- 0601.100 20. a. **BU 06/07-008: Approved** and amended the Health Department
0150.146 Clinic Services Budget Unit 413 to reallocate 5.0 Pediatrician positions to 5.0 Contract Physician positions; and
b. **Directed** the Auditor-Controller to amend the FY 2006-2007 Health Department Budget Unit 413 to reflect the change in position counts.
- 0601.100 21. **Proclaimed** state of local emergency relating to the spread of HIV among injection drug users in Monterey County.
- 0601.150 22. **Agreement No. 0985:1 Approved and authorized** the Director of Health to sign Amendment No. 3 to Agreement A-09851 with Community Human Services for outpatient mental health services including services related to the Mental Health Services Act (Proposition 63). This amendment will increase the annual amount for FY 2006-07 to \$995,373 for a revised total Agreement maximum amount of \$1,704,238 for the period July 1, 2004 through June 30, 2007.
- 0602.550 23. **Approved** the amendments to the by-laws of the Monterey County
0401.155 Children and Families Commission in compliance with the amended County Ordinance adopted by the Board of Supervisors On June 27, 2006.
- 0600.025 24. **Agreement No. A-10561: Approved and authorized** the Chair to sign an agreement for \$50,000 with CASA of Monterey County to provide services to children of Monterey County who are dependents of the Court for the period July 1, 2006 through June 30, 2007.
- 0125.000 25. a. **Agreement No. 10553: Approved and authorized** the Director of the Department of Social & Employment Services, or his designee, to sign an agreement for \$90,000 with Visiting Nurse Association Community Services (VNACS) to provide nursing services for children entering the CHERISH Receiving Center for the period July 1, 2006 through June 30, 2007; and
b. **Authorized** the Director of the Department of Social & Employment Services, or his designee, to sign all future amendments to this Agreement not exceeding 5% of the contract amount and a three (3) month extension.
- 0602.550 26. a. **Agreement No. 10545: Approved and authorized** the Director of the Department of Social and Employment Services, or his designee, to sign an agreement for \$270,000 with Kinship Center, Inc., for the provision of services and support for relative and near-kin caregivers for the period July 1, 2006 through June 30, 2007.
b. **Authorized** the Director of the Department of Social and Employment Services, or his designee, to sign all future amendments to the agreement not exceeding 5% of the original contract amount, and a three (3) month extension.

Removed from the Agenda

- ~~27. a. Approve and authorize the Director of the Department of Social and Employment Services, or his designee, to sign an agreement for \$70,000 with Unity Care Group,~~

~~Inc. for the period July 1, 2006 through June 30, 2007 for the provision of a community-based emergency care program; and~~

- ~~b. Authorize the Director of the Department of Social and Employment Services, or his designee, to sign all future amendments to this agreement not exceeding 5% of the original contract amount and a three (3) month extension.~~

- 0602.550 28. a. **Agreement No. 10544: Approved** and authorized the Director of the Department of Social & Employment Services, or his designee, to sign an agreement for \$72,757 with F. M. Blake & Associates to identify, and process applications on behalf of, eligible Foster Care clients for Social Security Supplemental Security Income (SSI) and Old Age Survivor Disability Income (OASDI/Title II) benefits for the period July 1, 2006 through June 30, 2009; and
- b. **Authorized** the Director of the Department of Social & Employment Services, or his designee, to sign all future amendments to this Agreement not exceeding 5% of the contract amount, and a three month extension.
- 0125.000 29. a. **Agreement No.: A-10554: Approved** and **authorized** the Director of the Department of Social and Employment Services, or his designee, to sign an agreement for \$70,069 with the Volunteer Center of Monterey County to provide community service opportunities and case management for CalWORKs customers for the period July 1, 2006 through June 30, 2007; and
- b. **Authorized** the Director of the Department of Social and Employment Services, or his designee, to sign all future amendments to this agreement not exceeding 5% of the contract amount, and a three (3) month extension.
- 0601.150 30. **Agreement No. A-10543: Approved** and **authorized** the Director of Health to sign an Intercounty Services Contract with Alameda County for the provision of skilled nursing services for organic brain syndrome, traumatic brain injured, and medically debilitated patients in the amount not to exceed \$110,087 for the period of July 1, 2005 to June 30, 2006.
- 0601.100 31. a. **Budget Unit No. 06/07-011: Approved** and authorized the Director of Health to accept \$260,016 in grant funds from the Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment (SAMHSA - CSAT) Grant No. 1 H79 T116354-01, which represents a carryover of unspent funds from the prior fiscal year; and
- b. **Approved** and authorized the Director of Health to add 1.0 FTE Behavioral Health Aide, 1.0 FTE Psychiatric Social Worker II, and 1.0 FTE Social Worker III positions; and
- c. **Directed** the County Administrative Office and the Auditor-Controller to amend the FY 2006-2007 Health Department Mental Health Budget Unit 415 to incorporate the change in position count and increase estimated revenue and appropriations by \$319,298 (4/5th vote required); and
- d. **Approved** and authorized the Director of Health to purchase fixed assets in the amount of \$20,000 for FY 2006-2007.
- 0602.550 32. **Concurred** with the Monterey County Workforce Investment Board (WIB) to accept the WIB Annual Report for Program Year 2004-2005.
- 0150.146 33. a. **Budget Unit No. 06/07-012 / Resolution No. 06-225:**
0601.100 **Approved** the amended Schedule of Fees and Charges

- 1100.000 for Health Department services; and
- b. **Adopted** the fees as the Amended Article I b. of the Monterey County Fee Resolution effective July 1, 2006; and
- c. **Approved** the attached Monterey County Master Fee Resolution modifying Article I b.
- 0601.150 34. **Agreement No: A-10542 Approved and authorized** the Director of Health to sign a Mental Health Services Agreement with Front St., Inc. for residential services to older adults with serious and persistent mental illness in the annual amount of \$884,541 for FY 2006-07, FY 2007-08 and FY 2008-09, for a total maximum contract amount of \$2,653,623.
- 0125.000 35. **Agreement No. A-10559: Approved and authorized** the Director of Health to sign a new three (3) fiscal year Agreement with Ron Triplett, Master of Arts, Marriage Family Therapist in the annual amount of \$30,000 for a total of \$90,000 for the period July 1, 2006 through June 30, 2009 for consulting services.
- 0601.150 36. **Agreement No: A-10540: Approved and authorized** the Director of Health to sign a new three (3) fiscal year Agreement with Community Human Services in the annual amount of \$1,398,434 for a total of \$4,195,302 for the period July 1, 2006 through June 30, 2009 for residential and non-residential treatment of residents of Monterey County with primary addiction to drug(s).

CRIMINAL JUSTICE:

- 0600.600 37. **Resolution No. 06-226: Approved and authorized** the District Attorney to sign and submit a grant application for Fiscal Year 2006-07 for continuation of funding for the Spousal Abuser Prosecution Program (SAPP).
- 0602.500 38. **BU 06/07-006 Approved and authorized** an increase in Fiscal Year 2006-07 appropriations and estimated revenues in Sheriff's Budget Unit 251, Custody Operations Bureau, by \$18, 688 to purchase digital video recorder equipment and security cameras for E and F pods at the Main Jail. (4/5 Vote Required)
- 0150.146
- 0125.000 39. **Agreement No. A-10556: Approved and authorized** the Sheriff to sign Professional Services Agreement with Central Valley Toxicology, Inc., (CVT) in the amount of \$65,000, to provide toxicological services for the Coroner's Division, Budget Unit 292, FY 2006-2007.
- 0602.250 40. **Agreement No: A-10530 Approved and authorized** the Chair of the Board of Supervisors to sign a Memorandum of Understanding for \$60,000 with Rancho Cielo, Incorporated, for Fiscal Year 2006-07, to support juvenile programs utilizing Juvenile Justice Crime Prevention Act funds.
- 0125.000 41. **Agreement No. A-10205: Approved and authorized** the Chair of the Board of Supervisors to execute Amendment #1 to Agreement A-10205 with Monterey County Placements, extending the contract period through Fiscal Year 2006-07 and increasing the annual contract amount by \$1,000 for a total of \$68,500.
- 0602.300 42. **Approved, and authorized** the Chair of the Board of Supervisors to sign Amendment No. 2 extending contract terms through Fiscal Year 2006-07 and ensure compliance with Alternative Defender Office Policy to provide attorney services

for indigent Adult Criminal and Juvenile Delinquency cases represented through the Alternate Defender Office. The contracts are with:

Agreement No. A-10532: The Law Offices of Steve D. Liner for a maximum annual amount of \$115,000;

Agreement No. A-10533: The Law Offices of Scott Erdbacher for a maximum annual amount of \$115,000;

Agreement No. A-10534: The Law Offices of Susan Chapman for a maximum annual amount of \$115,000;

Agreement No. A-10535: The Law Offices of Paddy Grinstein for a maximum annual amount of \$90,000; and

Agreement No. A-10536: The Law Offices of Jeffrey Gobell for a maximum annual amount of \$75,000.

GENERAL GOVERNMENT:

- 0125.000 43. **Agreement No. A-10557: Authorized** the Agricultural Commissioner to execute, on behalf of the County of Monterey, a Standard Agreement with the State of California to perform noxious weed control activities in the amount of \$14,132.
-
- 0600.027 44. **Agreement No. A-10531: Approved and authorized** the Agricultural Commissioner to sign an Agreement with Ryerson, Master and Associates, Inc. for \$60,000 to continue AB2766 (Motor Vehicle Emission Reduction Program) for Tri-County Off Road Equipment Replacement Program number 06-13 for the period of February 1, 2006 through June 30, 2007.
- 0150.146 45. a. **Budget Unit No. 06/07-013: Made** a finding that an emergency situation exists and waive normal bidding requirements to perform emergency repairs to the water softener system at the County Jail Facility at 1410 Natividad Rd., Salinas, CA, per California Public Contract Code Sections 22050 and 20134, Project No. 05-078 (4/5 Vote Required); and
- 0600.850 b. **Retroactively authorized** the County Purchasing Manager to issue and execute purchase orders for repair of the water softener system at the County Jail Facility at a cost estimated not to exceed \$22,000; and
- c. **Directed** the Auditor - Controller to transfer appropriations of \$22,000 from Account 6310, Maintenance - Facilities and Construction, to Account 6737, Fixed Assets - Adult Detention Facility.
- 0600.805 46. a. **BU 06/07-009: Made** a finding that an emergency situation 0150.146 exists and waive normal bidding requirements to perform emergency installation of three steam kettles at the County Jail Facility at 1410 Natividad Rd., Salinas, CA, per California Public Contract Code Sections 22050 and 20134, Project No. 06-014 (4/5 Vote Required); and
- b. **Retroactively authorized** the County Purchasing Manager to issue and execute purchase orders and agreements for procurement and installation of three new steam kettles at the County Jail Facility, at a cost estimated not to exceed \$56,000; and
- c. **Directed** the Auditor - Controller to transfer appropriations of \$56,000 from Account 6310, Maintenance - Facilities and Construction, to Account 6737, Fixed Assets - Adult Detention Facility.
- 0150.146 47. a. **Budget Unit No. 06/07-014: Made** a finding that an emergency situation exists and waive normal bidding requirements to perform emergency installation of a new dishwasher at the County Jail Facility at 1410
- 0600.850

Natividad Rd., Salinas, CA, per California Public Contract Code Sections 22050 and 20134, Project No. 06-015 (4/5 Vote Required); and

- b. **Retroactively authorized** the County Purchasing Manager to issue and execute purchase orders and agreements for procurement and installation of a new dishwasher at the County Jail Facility, at a cost estimated not to exceed \$30,000; and
- c. **Directed** the Auditor - Controller to transfer appropriations of \$30,000 from Account 6310, Maintenance - Facilities and Construction, to Account 6737, Fixed Assets - Adult Detention Facility.

- 0601.175 48. **Resolution No.06-220: Adopted** Resolution granting consent to the City of Monterey to form the Monterey County Tourism Improvement District (TID) as requested by the Monterey County Convention and Visitors Bureau (MCCVB).
- 0601.175 49. **Resolution No. 06-227: Approved** a Zero Property Tax Transfer for the proposed "Commons at Rogge Road Annexation" to the Monterey Regional Water Pollution Control Agency and County Service Area #9.
- 0803.350
0400.763
- 0601.175 50. **Resolution No. 06-228: Approved** a Zero Property Tax Transfer for the proposed "Marina Station Project Annexation" to the Marina Coast Water District.

This matter was pulled for separate discussion and added back into the agenda.

- 0125.000 51. **Agreement No. A-10569:** Approved and authorized the County Administrative Officer to sign a Professional Services Agreement with Troutman-Sanders Public Affairs Group LLC for the purpose of providing federal legislative advocacy services in the amount of \$51,250 for the period of July 1, 2006 through December 31, 2006.
- 0600.025

BOARD ACTION: The Board agreed to add this matter back into the agenda for consideration. The Contracts/Insurance provisions were just received and staff recommended that this matter be approved subject to approval of Risk Management. Upon Motion of Supervisor Potter, and seconded by Supervisor Lindley, and carried 4/0 with Supervisor Armenta absent.

- 0600.760 52. **Agreement No. A-10537: Approved** Professional Services Agreement with Castellanos & Associates for pre-employment background investigations in the amount of \$25,000 for FY 2006-07, waiver of standard insurance provisions and authorize the Director of Emergency Communications to execute the Agreement
- 0150.146 53. a. **Budget Unit No. 06/07-015 / Agreement No. A-10558:**
0125.000 **Approved** and authorized the Director of Emergency Communications to sign an agreement with NICE Systems, Inc. to purchase a voice recording system for the Emergency Communications Dispatch Center in the amount of \$103,500; and
- b. **Increased** fiscal year 2006-07 appropriations and estimated revenue by \$103,500 in Emergency Communications Budget Unit 152. (4/5 Vote Required)
- 0600.760 54. **Agreement No. A-10538: Approved** Professional Services Agreement with Uretsky Investigations and Security for pre-employment background investigations in the amount of \$25,000 for FY 2006-07, waiver of standard insurance provisions and authorize the Director of Emergency Communications to execute the agreement.

This matter was pulled for discussion and voted on separately.

- 0150.000 55. **Agreement No. 10560: Approved** an Agreement with San Jerardo

0601.175

Water System (John Richardson) for the installation and operation of an interim water filtration system to serve the community of San Jerardo for a maximum term of 18 months in an amount not to exceed \$500,000 General Fund, Budget Unit 850.

BOARD ACTION: Upon motion of Supervisor Lindley, and seconded by Supervisor Potter and carried 4/0 with Supervisor Armenta absent.

Public Comment:

- a. Joracio wished to Thank the Board for their help. He also wish to clarify that it was not 5 years but 5 months since he raised this issue.
- b. Mr. Martinez: Also wish to Thank the Board for their help in addition he also wanted to clarify a misprint in the Herald. It was not 5 years but 5 months.

This matter was pulled for discussion and voted on separately.

0600.050

56.

- a. **BU 06/07-007; Agreement No. A-10539: Approved** and **authorized** the Purchasing Manager to execute an Agreement with Compudyne, Inc. subject to the approval of the contract provision by County Counsel; and
- b. **Directed** the Auditor Controller to transfer the amount of \$106,690 from Fund 080, Account, 3497, Emergency Communications Reserve, to Budget Unit 152, Emergency Communication for the payment of the upgrade; and
- c. **Increased** Fiscal Year 2006-07 fixed asset expenditures and estimated revenue, by \$106,690, in Budget Unit 152- Emergency Communications as detailed on the attached Board Order. (4/5 Vote Required)

0600.760

BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Lindley and carried 4/0 with Supervisor Armenta absent, the Board approved this motion and further directed the Director and Vendor work with County Counsel's office to work out the insurance contract issues addressed.

0602.300

57.

- a. **Resolution No. 06-229: Authorized** the placement of Mr. Egar at Step 3 of the Public Defender salary range in accordance with Personnel Policies and Practices Resolution #98-394, Section A.1.11.1; and
- b. **Authorized** the County Administrative Officer to approve reasonable moving expenses, not to exceed \$5000.00, per the Personnel Policies and Practices Resolution Section A.49.3 Employee Relocation/Moving Allowance.

5400.000

0525.000

S/A-1

- a. **2006CONST0017: Adopted** plans and specifications to add air conditioning to existing heating and ventilation systems for the Probation Department Administration Building at 1422 Natividad Road, Salinas, Project No. 05-144, at a cost expected not to exceed \$125,000; and
- b. **Directed** the Clerk of the Board to advertise for bids to be received no later than 2:00 p.m. on Thursday, August 10, 2006.

~~S/A-4 Approve and authorize the Assistant County Administrative Officer to sign a Professional Services Agreement (PSA) with Arnerich Massena & Associates, Inc. to support the Monterey County Deferred Compensation Plan (DCP) in issuance of a Request for Proposal (RFP), for the period of August 1, 2006 through June 30, 2007, in the amount of \$40,000.~~

0125.000

A/C-1

- a. **Agreement No. A-10568 / Resolution No. 06-231: Approved** the Final Agreement and Memorandum of Understanding between the County of Monterey and SEIU Local 817 Bargaining Units F, J, and H; and
- b. **Directed** the Auditor-Controller to implement the economic terms of the Final Agreement.

0600.025

RMA - PLANNING AND BUILDING INSPECTION:

This matter was pulled for discussion and voted on separately.

- 0602.200 58. **Resolution No. 06-219: Adopted** a conditional resolution finding
3999.000 that a public convenience or necessity would be served by the issuance of a license for the sale of alcoholic beverages by the California Department of Alcoholic Beverage Control (ABC) to Severiano and Elisa Ortiz (PLN060144) for property located at 3 San Juan Road, Pajaro, Assessor's Parcel Number 117-332-002-000, North County Area Plan.

BOARD ACTION: Upon motion of Supervisor Lindley, and seconded by Supervisor Calcagno, and carried 4/0 with Supervisor Armenta absent, the Board adopted the revised resolution.

Staff: Mike Novo addressed the Board to advise that the Resolution had been revised because the conditions had been met. The updated resolution had been distributed to the Board.

- 0602.200 59. **Accepted** final parcel map for the minor subdivision of a 121.23
6000.500 acre property into two 40 acre parcels and one 41.23 acre parcel, tax report, subdivision title guarantee, and recording fee for the Holland Minor Subdivision, located at the north end of Cross Road, Lockwood, south county area plan. (Assessor's Parcel Number 422-081-047-000).

This matter was pulled for discussion and voted on separately.

- 0130.000 60. **Resolution No. 06-221:**
a. **Approved** an equal exchange of 80 acres under Williamson Act Land Conservation Contract No. 73-034 with contiguous acreage not under contract such that there is no net decrease of acreage under contract (PATTERSON; PLN050039); located at Jolon Road, Lockwood Area; and
b. **Approved** a lot line adjustment of acreage under Williamson Act Land Conservation Contract No. 73-034 that reconfigures four parcels under said contract; and
c. **Authorized** the Chair of the Board to execute an amended Williamson Act Land Conservation Contract, rescinding a portion of Land Conservation Contract No. 73-034 for Jessie Lee Patterson Trust et al to reflect the newly reconfigured Assessor Parcels legal lots of record, and simultaneously execute a new Land Conservation Contract (No. 73-034A) between the County of Monterey and Jessie Patterson Trust et al, to incorporate new legal descriptions, based on the reconfigured Assessor Parcels, to reflect ownership interests, and incorporate any legislative changes to the State Williamson Act provisions and current Agricultural Preserve Procedures.

BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Lindley and carried 4/0 with Supervisor Armenta absent.

The Board approved the motion with the amendment recommended by staff Mike Novo as follows: Second paragraph of the DECISION section, page 11: add the underlined phrase to the first sentence: IT IS FURTHER RESOLVED that, consistent with Government Code section 51257, the Board authorized the Chair to sign new or amended Land Conservation Contract No. 73-034A, contingent upon a recommendation of approval from the State Department of Conservation, to simultaneously rescind....

RMA - PUBLIC WORKS:

- 0125.000 61. a. **Agreement No. A-10564: Approved** a Professional Service Agreement with Wood Rodgers, Inc., in an amount not to exceed \$499,640 to provide construction inspection services for the East Garrison Subdivision; and
b. **Authorized** the Purchasing Manager to execute the Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

- 0602.350 62. a. **Agreement No. A-10551: Approved** a Professional Service Agreement with Whitson and Associates, Inc., dba Whitson Engineers, in an amount not to exceed \$235,008 to provide design services for the Hyland Drive and El Rancho Way Storm Drain and Street Improvements, Project No. 06-156765; and
- b. **Authorized** the Purchasing Manager to execute the Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.
- 0525.000 63. a. **2006CONST0011: Approved** negotiated contract price and award contract to Chrisp Company in the amount of \$47,946 for the Raised Pavement Markers Project Various Roads - 2006 (Project No. 06-550613); and
- b. **Approved** the performance and payment bonds executed and provided by Chrisp Company; and
- c. **Established** a contingency not to exceed 10% of the contract amount; and
- d. **Authorized** the Public Works Director to execute the contract.
- 0150.146 64. a. **BU 06/07-010: Amended** the Personnel Policies and Practices Resolution No. 98-394, effective July 22, 2006 to:
1. Added the job class of Assistant Public Works Director;
 2. Deleted the job class of Deputy Public Works Director-Operations; and
- b. **Amended** the Personnel Policies and Practices Resolution No. 98-394, effective December 9, 2006 to delete the job class of Deputy Public Works Director-Engineering; and
- c. **Amended** the FY 2006-07 Public Works, Fund 002, Budget Unit 300 effective July 22, 2006 to delete one (1) Deputy Public Works Director-Operations; and add one (1) Assistant Public Works Director; and
- d. **Amended** the FY 2006-07 Public Works, Fund 002, Budget Unit 300 effective December 9, 2006 to delete one (1) Deputy Public Works Director-Engineering; and
- e. **Directed** the Auditor-Controller to amend Fiscal Year 2006-07 Public Works, Fund 002, Budget Unit 300 to reflect the changes.
- 0525.000 65. **Agreement No. A-09700 / 2005CONST 0040: Approved** an increase in contingency in the amount of \$7,500 for a total contract amount not to exceed \$482,500 with Ireland Interior Systems, Inc. for the acoustical ceiling tiles and fabric wall panels at the Government Center Administration Building in Salinas.
- 0125.000
- 0602.350 66. a. **Resolution No. 06-224: Approved** an increase in the amount of \$85,000 in contingency funding for construction of the Fontes Lane, Addington Road and Boronda Road Storm Drain and Street Improvements Project, Project No. 05-156065; and
- b. **Accepted** the Certificate of Completion for construction of the Fontes Lane, Addington Road and Boronda Road Storm Drain and Street Improvements Project, Project No. 05-156065; and
- c. **Authorized** the Public Works Director to execute and record the Notice of Completion.
- 0125.000 67/76. a. **Agreement No. A-10550: Approved** an Urban Services Agreement between the County and the East Garrison Community Services District in compliance with Condition of Approval 199 to the Combined Development Permit
- 0801.025

No. PLN030204, located at East Garrison; and

- b. **Authorized** the Chair to execute the Urban Services Agreement.

- 0602.350 68. a. **Agreement No. A-10563: Approved** a Fair Share Contribution and Reimbursement Relating to Traffic Improvements Agreement with East Garrison Partners I, LLC in compliance with Conditions of Approval 186 and 187 to Combined Development Permit No. PLN030204, located at East Garrison; and
- b. **Authorized** the Chair to execute the Fair Share Contribution and Reimbursement Agreement Relating to Traffic Improvements.
- 0125.000 69. a. **Agreement No. A-10565: Approved** an Erosion Control and Maintenance of Facilities Agreement with East Garrison Partners I, LLC in compliance with Conditions of Approval 210 and 235 to Combined Development Permit No. PLN030204, located at East Garrison; and
- 0801.025 b. **Authorized** the Chair to execute the Erosion Control and Maintenance of Facilities Agreement.
- 0602.350 70. a. **Agreement No. A-10562: Approved** a Slurry Seal Agreement with East Garrison Partners I, LLC in compliance with Condition of Approval 240 of Combined Development Permit No. PLN030204, located at East Garrison; and
- b. **Authorized** the Chair to execute the Slurry Seal Agreement.
- 0525.000 71. a. **2005CONST0048 / Resolution No. 06-230: Accepted** the Certificate of Completion for construction of the Crazy Horse Road Bridge at Gabilan Creek Project, Project No. 05-385065, Federal Project No. BRLO-5944 (011); and
- b. **Authorized** the Public Works Director to execute and record the Notice of Completion.
- 0602.350 72. a. **Rejected** bid and authorize the re-advertising for construction of the Rio Road and Carmel Rancho Boulevard Overlay Project (Project No. 06-550610); and
- b. Authorize the Clerk of the Board to re-advertise the "Notice of Contractors" in the Californian on July 21 and July 28, 2006.
- 0125.000 73. a. **Agreement No. A-10284 / 2005CONST0035: Approved** Amendment No. 2 in the amount of \$311,344 for a total amount not to exceed \$512,539 to the Professional Services Agreement with C&W Environmental Consulting, Inc. for additional abatement monitoring services for the North Wing Renovation Project; and
- 0525.000 b. **Authorized** the Public Works Director 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 Lindley and carried 4/0 with Supervisor Armenta absent.

- ~~74. Approve and authorize the Chair of the Board of Directors of the Redevelopment Agency to sign three Memoranda of Agreement between East Garrison Partners I, LLC and 1) Mid-Peninsula Housing Coalition, 2) Artspace Projects, and 3) CHSPA relating to the provision of required affordable housing in the East Garrison development project.~~

- 0125.000 75. **Agreement No. A-10566: Approved** agreement with Goldfarb & Lipman in the amount of \$90,000 for legal consulting services in connection with negotiation and drafting of documents for various projects in the Fort Ord Redevelopment Project Area. Agreement to run from January 1, 2006 to December 31, 2007.

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EAST GARRISON COMMUNITY SERVICES DISTRICT

BOARD ACTION: Upon motion of Supervisor Potter and seconded by Supervisor Calcagno and carried 4/0 with Supervisor Lindley absent.

- 0801.025 76/67. a. **Agreement No. A-10550: Approved** an Urban Services
0125.000 Agreement between the East Garrison Community Services District and the County in compliance with Condition of Approval 199 to Combined Development Permit No. PLN030204, located at East Garrison; and
- b. **Authorized** the Chair of the Board of Directors of the East Garrison Community Services District to execute the Urban Services Agreement.
- 0125.000 77. a. **Agreement No. A-10567: Approved** an Interim Funding
0801.025 Agreement by and between the East Garrison Partners I, LLC and East Garrison Community Services District in compliance with Conditions of Approval 196, 197, 198, and 200 to Combined Development Permit No. PLN030204, located at East Garrison; and
- b. **Authorized** the Chair of the Board of Directors to the East Garrison Community Services District to execute the Interim Funding Agreement.

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