

Monterey County

*Monterey County Government Center
Board Chamber
168 W. Alisal St., 1st Floor
Salinas, CA 93901*



Meeting Agenda - Final-revised

Tuesday, October 28, 2014

9:00 AM

See separate agendas for Board of Supervisors of the Monterey County Water Resources Agency & Special Joint Meeting of the Board of Supervisors of the Monterey County Water Resources Agency and the Monterey County Water Resources Agency Board of Directors
Board of Supervisors

*Chair Louis R. Calcagno - District 2
Vice Chair Simón Salinas - District 3
Supervisor Fernando Armenta - District 1
Supervisor Jane Parker - District 4
Supervisor Dave Potter - District 5*

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901. As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

CEREMONIAL/APPOINTMENTS/OTHER BOARD MATTERS: These items may include significant financial and administrative actions, and items of special interest, usually approved by majority vote for each program. The regular calendar also includes "Scheduled Items," which are noticed hearings and public hearings.

CONSENT CALENDAR: These matters include routine financial and administrative actions, appear in the supplemental section by program areas, and are usually approved by majority vote.

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Walk to the rostrum and wait for recognition by the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board's action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

TO ADDRESS THE BOARD DURING PUBLIC COMMENT: Please complete a Speaker Request Form, available on the rostrum, and submit it to the Clerk of the Board before the commencement of that agenda item. Public comments shall not pertain to matters on the agenda.

DOCUMENT DISTRIBUTION: Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

INTERPRETATION SERVICE POLICY: The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for translation assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un interprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

All documents submitted by the public must have no less than ten (10) copies. The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting. Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board's Office located at 168 W. Alisal St., 1st Floor, Salinas, California. during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5

NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Board Report.

9:00 A.M. - Call to Order

Roll Call

Additions and Corrections for Closed Session

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. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) People v. John McDonnell, Jr., Trustee, et al. (Monterey County Superior Court case no. M98919 - consolidated with case no's. M98920 and M98921)
 - b. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding recruitment and appointment for the position of Natividad Medical Center CEO.
 - c. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Equal Opportunity Officer.

Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

10:30 A.M. - Reconvene

Roll Call

Pledge of Allegiance

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.

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution honoring Youth Center Division Director Richard Gray upon his retirement from the Monterey County Probation Department after 49 and half years of outstanding county service. (Full Board)

Attachments: [Gray Ceremonial Resolution](#)

4. Adopt Resolution recognizing the month of October 2014 as Monterey County Rideshare Month. (Full Board)

Attachments: [Rideshare Month Ceremonial Resolution](#)

5. Adopt Resolution commemorating the 80th Anniversary of Castroville Plumbing & Heating, Inc. (Full Board)

Attachments: [Castroville Plumbing and Heating Ceremonial Resolution](#)

- 5.1 Adopt Resolution celebrating the Big Sur River Inn's 80 years of welcoming visitors from around the world. (Supervisor Potter) (ADDED VIA ADDENDUM)

Attachments: [Big Sur River Inn Ceremonial Resolution](#)

Appointments

6. Appoint to the Monterey County Workforce Investment Board, Youth Council, Eileen McCourt for a term ending October 28, 2016. (Full Board)

Attachments: [McCourt Notification to Clerk](#)

7. Reappoint to the Monterey County Workforce Investment Board, Youth Council Tina Rosa and Alan Crawford and Joanne Webster, with terms ending October 28, 2016. (Full Board)

Attachments: [Rosa Notification to Clerk](#)

[Crawford Notification to Clerk](#)

[Webster Notification to Clerk](#)

8. Appoint to the Emergency Medical Care Committee Doug Schmitz to fill unscheduled vacancy for a term ending June 30, 2015. (Full Board)

Attachments: [Schmitz Notification to Clerk](#)

9. Reappoint to the Agricultural Advisory Committee Kurt Gollnick for a term ending June 30, 2017. (Supervisor Armenta)

Attachments: [Kurt Notification to Clerk](#)

Other Board Matters

10. Board Comments
11. CAO Comments and Referrals

Attachments: [Board Referrals 10-28-14](#)

12. General Public Comment

This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to the statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Board at a future meeting.

10:30 A.M. - Scheduled Matters

13. Receive a presentation from the Natividad Medical Center (“NMC”) Chief Executive Officer and NMC Staff updating the Board of Supervisors on NMC’s implementation plan for designation as the Level II Trauma Center for Monterey County.

Attachments: [Board Report](#)

14. Receive a presentation on Managing for Results (MFR) from the Information Technology Department.

Attachments: [Board Report](#)
[ITD - MFR Presentation 2014.pdf](#)

12:00 P.M. Recess to Lunch - Continued Closed Session

2:00 P.M. - Convene Special Joint Meeting

See separate agenda for the Special Joint Meeting of the Board of Supervisors of the Monterey County Water Resources Agency and the Monterey County Water Resources Agency Board of Directors

3:00 P.M. - Reconvene Monterey County Board of Supervisors

Roll Call

3:00 P.M. - Scheduled Matters

15. Consider adoption of an ordinance amending Chapter 16.40, commonly known as the “Right to Farm” ordinance, of the Monterey County Code in order to increase the protection of agricultural operations from nuisance claims, with the goal of promoting the long-term protection of agricultural lands in Monterey County.

(Right-to-Farm ordinance - REF130040, County-wide; exempt under CEQA)

Attachments: [Board Report](#)

[Attachment A - Discussion](#)

[Attachment B - Draft Ordinance](#)

[Attachment C - Draft Ordinance _redline_](#)

[Attachment D - PC Resolution No. 14-037](#)

- 15.1 Receive a status report regarding well testing for the application by Harper Canyon Realty, LLC, for a Combined Development Permit for a Vesting Tentative Map for the subdivision of 344 acres into 17 lots and associated Use Permits.

(Appeal of Combined Development Permit - PLN000696/Harper Canyon Realty LLC, San Benancio Road and Meyer Road, Salinas, Toro Area Plan area). (ADDED VIA ADDENDUM)

Attachments: [Board Report](#)

[Completed Board Order 8.26.14](#)

Adjournment

Adjourn in Memory of Kenneth Gray

Supplemental Sheet, Consent Calendar**Natividad Medical Center**

16. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 1 to the Amended and Consolidated Agreement (A-12063) with Truven Health Analytics Inc. for additional Software Services at NMC through June 30, 2016 (no extension of the previously approved term) for a cost of \$51,993 and for a revised total Agreement amount not to exceed \$747,344 (a decrease of \$154,811) in the aggregate.
- b. Authorize non-standard travel expense language to the Monterey County Travel Policy, whereby copies of receipts associated with reimbursable travel expenses will be submitted instead of originals.

Attachments: [Board Report](#)
[Truven Cost Sheet \(Renewal Amendment #1\).pdf](#)
[Truven Renewal and Amendment No. 1.pdf](#)
[Truven Amended and Consolidated Agreement.pdf](#)

17. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute the Third Amendment to the Professional and Call Coverage Services Agreement with Central Coast Head & Neck Surgeons to provide otolaryngology and audiology services at NMC, extending the term of the Agreement from November 1, 2014 to June 30, 2016 and adding \$850,000 for an amount not to exceed \$2,450,000 in the aggregate; and
- b. Authorize the Deputy Purchasing Agent for NMC to execute up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

Attachments: [Board Report](#)
[CENTRAL COAST HEAD & NECK THIRD AMENDMENT.pdf](#)
[CENTRAL COAST HEAD & NECK SECOND AMENDMENT.pdf](#)
[CENTRAL COAST HEAD & NECK FIRST AMENDMENT.pdf](#)
[CENTRAL COAST HEAD & NECK AGREEMENT.pdf](#)

Health Department

18. Approve and authorize the Emergency Medical Services Director to submit the revised Monterey County Trauma System Care Plan to the California State Emergency Medical Services Authority.

Attachments: [Board Report](#)
[All new Trauma Policies 2015](#)
[Trauma plan 9 30 14](#)

- 19.
- a. Authorize the Director of Health to execute Master Service Agreement No. 888-14-20-54 (“Master Agreement”) with Research Triangle Institute International (“RTI International”) to fund Subaward No. 1-312-0214493-51911L (“Subaward”) to support the NIH Grant titled “Community Violence and Reproductive Health Among Youth in Salinas California,” for the period October 28, 2014 through termination in accordance with the terms of the Master Agreement; and
 - b. Authorize the Director of Health to execute a three year and six months (October 28, 2014 to April 30, 2018) Subaward with RTI International, in the amount of \$143,880 for the provision of research consultation services by the County of Monterey, in the amount of \$35,970 for October 28, 2014 through April 30, 2015, \$35,970 for May 1, 2015 through April 30, 2016, \$35,970 for May 1, 2016 through April 30, 2017, and \$35,970 for May 1, 2017 through April 30, 2018; and
 - c. Authorize the Director of Health to execute up to three future amendments to the Master Agreement where the total amendment amounts do not exceed ten percent (10%) of the total contract amount and do not significantly change the scope of services; and
 - d. Authorize the Director of Health to execute up to three future amendments to the Subaward where the total amendment amounts do not exceed ten percent (10%) of the total contract amount and do not significantly change the scope of services.

Attachments: [Board Report](#)
[RTI MasterServiceAgreement 888-14-20-54](#)
[RTI SubawardNumber 1-312-0214493-51911L](#)

Department of Social Services

- 20.
- a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign Amendment #1 to PSA #962 with Housing Resource Center of Monterey County, adding \$925,190, for programs to start effective November 1, 2014, to expand the Family Stabilization Program and add a Housing Support Program for CalWORKs recipients, increasing the total contract amount to \$1,000,000, and extending the contract term through June 30, 2016; and
 - b. Authorize the Director of the Department of Social Services, or his designee, to sign up to three (3) amendments to this agreement, where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work; and
 - c. Approve and authorize the Auditor-Controller to amend the FY 2014-15 Adopted Budget, Fund 001, Appropriation Unit SOC005-8262 to increase

appropriations and estimated revenues by \$376,625. (4/5ths Vote Required)

Attachments: [Board Report](#)
[HRC, Amend #1](#)
[HRC \(original agreement\)](#)

Criminal Justice

21. a. Authorize Renewal to the Memorandum of Understanding in the amount of \$126,359 between the Probation Department and the Monterey Peninsula Unified School District for collaborative campus-based services with the Marina High, Monterey High, Seaside High and Central Coast High School sites during FY 2014-2015;
- b. Authorize the Contracts/Purchasing Officer to execute the Renewal the MOU; and
- c. Authorize the Contracts Purchasing Officer to sign up to three (3) future amendments to this MOU where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.

Attachments: [Board Report](#)
[MPUSD Campus Probation Officer Program FY 2014-15](#)

General Government

22. Accept the Monterey County Law Library Annual Report, Financial Year 2013-2014.
- Attachments:** [Board Report](#)
[MC Law Library Annual Report FY 13-14](#)
23. Receive the Urban County Community Development Block Grant Consolidated Annual Performance and Evaluation Report for Fiscal Year 2013-2014
- Attachments:** [Board Report](#)
[2014-9-26 CAPER - no ESG section](#)
24. Authorize the Contracts/Purchasing Officer to sign an agreement with White Nelson Diehl Evans, LLP in the amount of \$10,000 to provide governmental tax consultation for the term July 1, 2014 to June 30, 2015.
- Attachments:** [Board Report](#)
[WNDE AGMT w scope 14-15](#)
25. Receive and Accept the Treasurer's Report of Investments for the quarter ending September 30, 2014.

Attachments: [Board Report](#)
[Exhibit A - Investment Portfolio Review 09.30.14](#)
[Exhibit B - Portfolio Management Report - 09.30.14](#)
[Exhibit C - Monterey County Historical Yields vs. Benchmarks](#)
[Exhibit D - Aging Report - 10.01.14](#)

26. Adopt a Resolution to:
- Approve the 2014 Winter Recess for Units P, X, Y and Z, (excluding elected officials in Unit Y); and
 - Authorize the Auditor-Controller to implement the Winter/Eco Recess for the aforementioned Units in the Advantage HRM system; and
 - Approve proposed 2014 County closure schedule of selected County departments and/or divisions for the winter holiday from December 26, 2014 through December 31, 2014; and
 - Waive Ordinance No. 766, fixing the days and hours of operation of County offices.

Attachments: [Board Report](#)
[Winter/Eco Recess Resolution](#)
[Proposed 2014 County Closure Schedule](#)
[Ordinance No. 766](#)

27. Approve Board of Supervisors Regular Meeting Schedule for Calendar Year (CY) 2015.

Attachments: [2015 BoS Meeting Calendar](#)

28. Approve the revised Unit H MOU term July 2013- June 2016.

Attachments: [Board Report](#)
[FINAL Unit H MOU](#)

29. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Monterey Regional Waste Management District.

Attachments: [Board Report](#)
[Draft Resolution](#)
[MRWMD amended conflict of interest code 2014](#)
[MRWMD conflict of interest code - strikethrough version](#)
[Approval Document - Resolution of the BOD of the MRWMD approving amendn](#)

30. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Soledad Unified School District.

- Attachments:** [Board Report](#)
[Draft Resolution](#)
[Soledad Unified School District - 2014 COI](#)
[Soledad Unified School District - 2013 COI](#)
[Approval Document - minutes of the Governing Board of SUSD approving COI c](#)
[Memorandum from the Office of County Counsel](#)

RMA - Public Works

31. a. Approve the Public Highway At-Grade Crossing Improvement Agreement, between the County of Monterey and Union Pacific Railroad Company for the Far Sighted Investments of Monterey, LLC (FSIM) project for improvements required for compliance with Condition of Approval No.17 of Development Permit No. PLN100620, located at 22250 Somavia Road, Salinas, in the Greater Salinas Area Plan; and
b. Authorize the Chair of the Board to execute the Public Highway At-Grade Crossing Improvement Agreement. (ADDED VIA ADDENDUM)

- Attachments:** [Board Report](#)
[Public Highway At Grade Crossing Imp Agmt](#)
[Resolution 11-030](#)
[Vicinity Map](#)

32. Board of Supervisors Addendum for the meeting of Tuesday, October 28, 2014.

ADDENDUM

Add to Consent Calendar -RMA Public Works

31. a. Approve the Public Highway At-Grade Crossing Improvement Agreement, between the County of Monterey and Union Pacific Railroad Company for the Far Sighted Investments of Monterey, LLC (FSIM) project for improvements required for compliance with Condition of Approval No.17 of Development Permit No. PLN100620, located at 22250 Somavia Road, Salinas, in the Greater Salinas Area Plan; and
b. Authorize the Chair of the Board to execute the Public Highway At-Grade Crossing Improvement Agreement.

Add to Ceremonial Resolutions

- 5.1 Adopt Resolution celebrating the Big Sur River Inn's 80 years of welcoming visitors from around the world. (Supervisor Potter)

Add to Scheduled Matters 3:00 p.m.

- 15.1 Receive a status report regarding well testing for the application by Harper Canyon Realty, LLC, for a Combined Development Permit for a Vesting Tentative Map for the subdivision of 344 acres into 17 lots and

associated Use Permits. (Appeal of Combined Development Permit - PLN000696/Harper Canyon Realty LLC, San Benancio Road and Meyer Road, Salinas, Toro Area Plan area).

Adjourn in Memory of Kenneth Gray