

Monterey County

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



Action Minutes - Final

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*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Calcagno.

Roll Call

Present: 5 - Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

Additions and Corrections for Closed Session

There were no additions or corrections 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.

CLOSED SESSION REPORT: The Board took no reportable actions on items 1. a., b., or c.

10:30 A.M. - Reconvene

Roll Call

Present: 5 - Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

Pledge of Allegiance

The Pledge of Allegiance was led by County Counsel Charles McKee.

Additions and Corrections

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following

corrections:

Correction Under Consent Calendar - Health

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

REMOVE

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

ADD

c. Authorize the Director of Health to execute up to three future amendments to the Master Agreement where each amendment does not significantly change the scope of services."

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.

Correction Under Consent Calendar – General Government

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

A revised FINAL Unit H MOU Attachment Submitted. A correction was made on page 8 under 5.7 Dues Deduction now reads as A. Bargaining units' employees hired after May 1, 1988 shall, as a condition of employment, pay a Service Fee or authorize a Membership Dues Deduction or a Charity Fee, as a union member.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simon Salinas to approve Additions and Corrections. ALL AYES

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker pulled items 18 and asked questions of staff. Kirk Schmidt responded.

Supervisor Parker pulled item 19 and complimented the Health Department on the National Health Grant.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve the Consent Calendar. ALL AYES

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)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to adopt Resolution No. 14-308 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) ALL AYES**
4. Adopt Resolution recognizing the month of October 2014 as Monterey County Rideshare Month. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to adopt Resolution No. 14-305 recognizing the month of October 2014 as Monterey County Rideshare Month. (Full Board) ALL AYES**
5. Adopt Resolution commemorating the 80th Anniversary of Castroville Plumbing & Heating, Inc. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to adopt Resolution No. 14-303 commemorating the 80th Anniversary of Castroville Plumbing & Heating, Inc. (Full Board) ALL AYES**
- 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)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to adopt Resolution No. 14-309 celebrating the Big Sur River Inn's 80 years of welcoming visitors from around the world. (Supervisor Potter) (ADDED VIA ADDENDUM). ALL AYES**

Appointments

6. Appoint to the Monterey County Workforce Investment Board, Youth Council, Eileen McCourt for a term ending October 28, 2016. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to Appoint to the Monterey County Workforce Investment Board, Youth Council, Eileen McCourt for a term ending October 28, 2016. (Full Board) ALL AYES**
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)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to 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) ALL AYES**
8. Appoint to the Emergency Medical Care Committee Doug Schmitz to fill

unscheduled vacancy for a term ending June 30, 2015. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to Appoint to the Emergency Medical Care Committee Doug Schmitz to fill unscheduled vacancy for a term ending June 30, 2015. (Full Board) ALL AYES

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

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to Reappoint to the Agricultural Advisory Committee Kurt Gollnick for a term ending June 30, 2017. (Supervisor Armenta) ALL AYES

Other Board Matters

10. Board Comments

Supervisor Armenta said, "Go Giants"!

Supervisor Parker thanked Interim Parks Director Nick Chiulos for joining her at HotTopics and the discussion about Toro Park last evening. She holds the HotTopic discussions on the 2nd, 3rd and 4th Mondays of the month, rotating between Seaside, Marina and Salinas, unless there is no Board meeting the next day. The public and County staff are invited to attend. Check her website for details.

Supervisor Parker will be conducting a tour of Natividad Medical Center on Thursday, November 6th to look at the new Trauma Center designation progress, birth and delivery, and to meet the new Interim CEO Dr. Kelly O'Keefe from 5:30 - 6:30 pm. There is limited space so contact her office to reserve a space at 883-7570.

Supervisor Parker is looking for District 4 residents to appoint to Boards and Commissions on the Seaside Oversight Board, IHHS Advisory Committee, Housing Advisory Committee, Community Action Commission, and a person under 18 to serve on the Mental Health Commission. Anyone interested should contact the District 4 office. She appreciates your future service.

Supervisor Calcagno announced a ribbon cutting ceremony was held commemorating the completion of the 101Safety Improvemnet Project. He thanked Cal Trans, State Ag Transportation Commission, and TAMC. He also thanked all the organizations and North County folks that have been inconvenienced with the construction work and delays. The project is something everyone should be proud of especially Monterey County Public Works.

11. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman wished Supervisor Armenta a belated Happy Birthday.

12. General Public Comment

Steve Ecklund.

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.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to 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. ALL AYES

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

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to Receive a presentation on Managing for Results (MFR) from the Information Technology Department. ALL AYES

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

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

See separate agenda and minutes 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)

Public comment: Bill Lipe; Norm Groot.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to adopt Ordinance 5248 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) ALL AYES

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)

Public comment: Amy White; Mike Weaver.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to 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) ALL AYES

Adjournment

APPROVED:

/s/ Simón Salinas

**SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: /s/ Gail T. Borkowski

**GAIL T. BORKOWSKI
CLERK OF THE BOARD**

APPROVED ON 03-17-2015

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.

Approved - Agreement No. A-12063

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.

Approved - Agreement No. A-11826

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.

Approved

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.

Approved - Agreement No. A-12811

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)

Approved - Agreement No. A-12810

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.

Approved - Agreement No. A-12812

General Government

- 22.** Accept the Monterey County Law Library Annual Report, Financial Year 2013-2014.
Approved
- 23.** Receive the Urban County Community Development Block Grant Consolidated Annual Performance and Evaluation Report for Fiscal Year 2013-2014
Approved
- 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.
Approved
- 25.** Receive and Accept the Treasurer's Report of Investments for the quarter ending September 30, 2014.
Approved
- 26.** Adopt a Resolution to:
- a. Approve the 2014 Winter Recess for Units P, X, Y and Z, (excluding elected officials in Unit Y); and
 - b. Authorize the Auditor-Controller to implement the Winter/Eco Recess for the aforementioned Units in the Advantage HRM system; and
 - c. 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
 - d. Waive Ordinance No. 766, fixing the days and hours of operation of County offices.
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-311 to:**
- a. Approve the 2014 Winter Recess for Units P, X, Y and Z, (excluding elected officials in Unit Y); and**
 - b. Authorize the Auditor-Controller to implement the Winter/Eco Recess for the aforementioned Units in the Advantage HRM system; and**
 - c. 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**
 - d. Waive Ordinance No. 766, fixing the days and hours of operation of County offices. ALL AYES**

27. Approve Board of Supervisors Regular Meeting Schedule for Calendar Year (CY) 2015.
Approved
28. Approve the revised Unit H MOU term July 2013- June 2016.
Approved
29. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Monterey Regional Waste Management District.
A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-310 to approve the amendments to the Conflict of Interest Code of the Monterey Regional Waste Management District. ALL AYES
30. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Soledad Unified School District.
A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-312 to approve the amendments to the Conflict of Interest Code of the Soledad Unified School District. ALL AYES

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)
Approved - Agreement No. A-12813