

# Monterey County

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



## **Action Minutes - Final**

**Tuesday, May 8, 2012**

**9:00 AM**

**Please see separate agendas for the Monterey County Water  
Resources Agency**

**Board of Supervisors**

**ROLL CALL**

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

**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(a), the Board will confer with legal counsel regarding existing litigation:
      - (1) LandWatch Monterey County v. County of Monterey; Redevelopment Agency of the County of Monterey, et al., Real Parties in Interest (Monterey County Superior Court case no. M113552)
      - (2) LandWatch Monterey County v. County of Monterey (Monterey County Superior Court case no. M109434)
      - (3) The Open Monterey Project v. Monterey County Board of Supervisors (Monterey County Superior Court case no. M109441)
      - (4) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey (Monterey County Superior Court case no. M109442)
      - (5) Salinas Valley Water Coalition, et al. v. County of Monterey (Monterey County Superior Court case no. M109451)
      - (6) Javier Guzman, et al. v. Rick Pinch, et al. (Monterey County Superior Court case no. M71543)
      - (7) Timothy McCormick v. County of Monterey, et al. (Monterey County Superior Court case no. M117171)
    - b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
      - (1) Designated representatives: Izetta Birch and Brette Neal  
Employee Organization(s): Units D and E
    - c. Pursuant to Government Code sections 54956.9(b) and (c), the Board will confer with legal counsel regarding two matters of significant exposure to litigation and/or potential initiation of litigation.
    - d. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
- ADDED VIA ADDENDUM**
- CLOSED SESSION REPORT: The Board took no reportable actions on items 2.a. through 2.d.**

**10:30 AM Reconvene****Pledge of Allegiance**

*The Pledge of Allegiance was led by Supervisor Salinas.*

**Roll Call - Successor Agency for the Redevelopment Agency of Monterey County**

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

**SA  
RDA 1**

As Successor Agency to the Redevelopment Agency of the County of Monterey, approve the Draft Recognized Obligation Payment Schedule (ROPS) for July 1, 2012 to December 31, 2012 as required by ABx1 26 and forward it to the Oversight Board for approval.

**Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve as recommended. ALL AYES**

**Adjournment as Successor Agency to the Redevelopment Agency of Monterey County****Reconvene as Monterey County Board of Supervisors****Roll Call**

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

**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 additions and corrections:*

*Add: Adjournment in the Memory of James Caraccioli*

**Motion by Supervisor Parker, seconded by Supervisor Armenta. ALL AYES**

**Consent Calendar - (See Supplemental Sheet)**

**Motion by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to approve Consent Calendar (See Supplemental Sheet, items 12 through 26). ALL AYES**

**Ceremonial Resolutions**

2. Adopt Resolution proclaiming Natividad Medical Center's "National Hospital Week" May 6th through May 12th, 2012. (Supervisor Potter)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that Resolution No. 12-113 be adopted. ALL AYES**

3. Adopt Resolution recognizing May 2012 as **Older American's Month**.  
(Supervisor Salinas)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that Resolution No. 12-114 be adopted. ALL AYES**

4. Adopt Resolution proclaiming the month of May 2012 as "**Clean Air Month**" in Monterey County. (Supervisor Potter)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that Resolution No. 12-115 be adopted. ALL AYES**

5. Adopt Resolution proclaiming the month of May 2012 as "**Building Safety Month**" in Monterey County. (Supervisor Potter)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that Resolution No. 12-116 be adopted. ALL AYES**

6. Adopt Resolution declaring May 9, 2012 as California's "**DAY OF THE TEACHER**".

(Supervisor Calcagno)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that Resolution No. 12-117 be adopted. ALL AYES**

- 6.1 Adopt Resolution proclaiming the week of May 20 through May 26, 2012 as **Classified Employee Week** in Monterey County (Supervisor Calcagno)(**Added via the Addendum**)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that Resolution No. 12-118 be adopted. ALL AYES**

### Appointments

7. Reappoint Cheryl Ward-Kaiser to the Community Restorative Justice Commission, term ending April 11, 2015. (Supervisor Parker)

**Motion by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta. ALL AYES**

8. Appoint Rosaura Sanchez to the Community Action Commission to fill and unscheduled vacancy, term ending July 1, 2012. (Supervisor Armenta)

**Motion by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta. ALL AYES**

- 8.1 Appoint Karina Torres to the Oversight Board, term ending at the pleasure of the Chair (Full Board) (**Added via the Addendum**)

**Motion by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta. ALL AYES**

**Other Board Matters**

9. Board Comments

**There were no Board comments.**

10. CAO Comments and Referrals

**The County Administrative Officer thanked Luis Osorio for his interpreting services today.**

11. Public Comment (Limited to 3 minutes per speaker at the discretion of the Chair)

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 statements 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.

**Maria Rodriguez with Interpreter Eric Larson; Mario Torres; Raquel Toribo with Interpreter Eric Larson; Carl Manson; Joe Vierra, and Hans Jongens.**

**Adjournment - In Memory of Bill Hyler and Larry Caracciola**

**APPROVED:**

/s/ Dave Potter  
**DAVE POTTER, CHAIR**  
**BOARD OF SUPERVISORS**

**ATTEST:**

**BY:** /s/ Gail T. Borkowski  
**GAIL T. BORKOWSKI**  
**CLERK OF THE BOARD**  
Approved August 28, 2012

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

12. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 3 to the Agreement (SC1860) with Monterey Language Services for Translation, Interpretation and other Language Services at NMC, extending the Agreement to June 30, 2013 and adding \$93,000 for Fiscal Year (FY) 2011-12 and FY 2012-2013 for a revised total Agreement amount not to exceed \$171,000 in the aggregate.
- Approved - Agreement No. A-12214**
13. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 6 to the Agreement (A-11938) with Cynthia Harlowe for Consulting Services at NMC for Joint Commission accreditation consulting services, extending the Agreement to June 30, 2013 and adding \$25,000 for Fiscal Year (FY) 2012-13 for a revised total Agreement amount not to exceed \$240,000 in the aggregate.
- Approved - Agreement No. A-11938**
14. a. Accept and approve the revised standard Mental Health Services Agreement and associate revised Exhibit B, H and I as the official County Mental Health Services Agreement template (“MHS Agreement template”) for the provision of non-County department of mental health treatment services to clients with psychiatric impairments and disabilities for contracts with providers over \$100,000, and for \$100,000 or less;
- b. Authorize the Director of Health to sign contracts with non-County providers of mental health treatment services using the MHS Agreement template in substantially the same form as that which has been presented to the Board, without material change to its content;
- c. Authorize the Director of Health to sign future contracts with non-County department providers of mental health services of \$100,000 or less using the MHS Agreement template; and
- d. Authorize the Director of Health to sign future amendments that incorporate the revised test of the MHS Agreement template and associated Exhibits where amendments do not exceed 10% of the original contract amount and do not significantly change the scope of work or result in an increase in County General Fund Contribution.
- Approved - Agreement No. A-12210**
15. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. Five to the Agreement (A-10757) with Toyon Associates Inc for Medicare Appeal Services at NMC, extending the Agreement to June 30, 2013 and adding \$500,000 for a revised total

Agreement amount not to exceed \$2,400,000 in the aggregate.

**Approved - Agreement No. A-10757**

16. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. Two to the Agreement (SC1882) with Toyon Associates Inc. for Medicare Cost Report Preparation Services at NMC, extending the Agreement to June 30, 2013 and adding \$40,000 for a revised total Agreement amount not to exceed \$110,000 in the aggregate.

**Approved - Agreement No. A-12244**

17. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement (A-11583) with Toyon Associates Inc. for Rural Floor Budget Neutrality Appeal Services at NMC, extending the Agreement to June 30, 2015 and adding \$300,000 for a revised total agreement amount not to exceed \$600,000 in the aggregate.

**Approved - Agreement No. A-11583**

18. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. Four to the Agreement (A-11512) with CyraCom International for Language Interpretation Services at NMC, extending the Agreement to June 30, 2013 and adding \$20,000 for Fiscal Year (FY) 2012-13 for a revised total Agreement amount not to exceed \$121,000 in the aggregate.

**Approved - Agreement No. 11512**

### **Health and Social Services**

19. a. Accept and approve the revised standard Mental Health Services Agreement and associate revised Exhibit B, H and I as the official County Mental Health Services Agreement template (“MHS Agreement template”) for the provision of non-County department of mental health treatment services to clients with psychiatric impairments and disabilities for contracts with providers over \$100,000, and for \$100,000 or less;
- b. Authorize the Director of Health to sign contracts with non-County providers of mental health treatment services using the MHS Agreement template in substantially the same form as that which has been presented to the Board, without material change to its content;
- c. Authorize the Director of Health to sign future contracts with non-County department providers of mental health services of \$100,000 or less using the MHS Agreement template; and
- d. Authorize the Director of Health to sign future amendments that incorporate the revised text of the MHS Agreement template and associated Exhibits where amendments do not exceed 10% of the original contract amount and do not significantly change the scope of work or result in an increase in County General Fund Contribution.

**Approved - Agreement No. A 12211**

- 19.1 Introduce, waive the reading, and set May 15, 2012 at 10:30 a.m. as the date and time to consider adoption of an ordinance adding Chapter 7.80 to the Monterey County Code to establish licensing requirements for tobacco retailing within the unincorporated area of Monterey County. (**Added via Addendum**)

**Criminal Justice**

20. a. Authorize the Sheriff to submit a joint grant application with the City of Salinas to the U.S. Department of Justice, Office of Justice Programs for the 2012 Justice Assistance Grant (JAG) Program in the amount of \$15,801 to purchase mobile data systems; and  
b. Authorize the County Administrative Officer to sign a Memorandum of Agreement as well as a joint application for the grant with the City Manager of Salinas.

**Approved**

21. a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No.2 to Professional Service Agreement with Justice Benefits, Inc. to extend the term through January 31, 2013 and increase the Agreement by \$80,762 for a revised total of \$161,052.86 to continue with professional assistance for the State Criminal Alien Assistance Program (SCAAP); and  
b. Authorize the Contracts/Purchasing Officer to sign future amendments to the Agreement that do not significantly alter the scope of work or change the approved Agreement amount not to exceed 10 % of the revised total amount.

**Approved - Agreement No. A-12216****General Government**

22. a. Authorize the Auditor-Controller to modify revenues and appropriations for the Sheriff, Probation, and Public Defender, to cover unbudgeted costs associated with the July 2011 position restorations; and  
b. Provide direction to staff.

**Approved**

23. a. Accept the Parks Director's recommendation to allow the Sports Car Racing Association of the Monterey Peninsula (SCRAMP) to enter into Amendment No. 2 to their Sponsorship Agreement with Mazda Motor of America (Mazda), for the Laguna Seca Raceway, for an additional period of five (5) years (2012-2017); and  
b. Authorize the Parks Director, on behalf of Monterey County, to execute Amendment No. 5 to the Concession Agreement between SCRAMP and Monterey County approving Amendment No. 2 to the Sponsorship Agreement



between SCRAMP and Mazda, including restricting the use of the of the income generated primarily for capital improvements to the Laguna Seca racing facility, Exhibits A and B attached hereto.

**Approved - Agreement No. A-08150**

24. Approve the Action Minutes of Tuesday, April 10, 2012 and Tuesday, April 17, 2012.

**Approved**

### **Resource Management Agency**

25. a. Approve a Memorandum of Understanding by and between the County of Monterey and the City of Salinas regarding the mutual planning and implementation of a multi-agency campus style government center located in downtown Salinas; and,  
b. Authorize the Chair of the Board to execute the Memorandum of Understanding.

**Approved**

### **RMA-Public Works**

26. a. Approve the Road Maintenance Agreement with Vance Querfurth, an individual ("Querfurth"), in compliance with Condition of Approval No. 30 of Development Permit No. PLN090191, located six miles west of Highway 101 and San Ardo, northerly of Lockwood - San Ardo Road, South County; and  
b. Authorize the Chair of the Board to execute the Road Maintenance Agreement.

**Approved - Agreement No. A-12213**