

# Monterey County

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



## **Action Minutes - Draft**

**Tuesday, July 14, 2015**

**9:00 AM**

**See separate agenda for Board of Supervisors of the Monterey  
County Water Resources Agency and East Garrison Public  
Financing Authority**

## **Board of Supervisors**

*Chair Simón Salinas - District 3  
Vice Chair Jane Parker - District 4  
Supervisor Dave Potter - District 5  
Supervisor Fernando Armenta - District 1  
Supervisor John M. Phillips - District 2*

**9:00 A.M. - Called to Order**

The meeting was called to order by Chair Salinas.

**Roll Call**

*Supervisor Phillips arrived prior to Closed Session*

**Present:** 4 - Supervisor Jane Parker, Supervisor Dave Potter, Supervisor Simón Salinas and Supervisor Fernando Armenta

**Absent:** 1 - Supervisor John M. Phillips

**Additions and Corrections for Closed Session:**

There were no additions or corrections to Closed Session items.

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
    - a. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:

(1) Designated representatives: Manuel Gonzalez and Brette Neal  
Employee Organization(s): All Units
    - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
    - c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

(1) Property: Management Agreement regarding Mazda Raceway at Laguna Seca  
Agency Negotiators: Nick Chiulos, Assistant Administrative Officer and Mark Mariscal, Parks Director  
Negotiating Parties: International Speedway Corporation  
Under negotiation: Price and terms
- Closed Session under Government Code section 54950, relating to the following items:**
- a. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:

(1) Designated representatives: Manuel Gonzalez and Brette Neal  
Employee Organization(s): All Units  
**CLOSED SESSION REPORT:** The Board took no reportable action on item 1. a.

b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.  
**CLOSED SESSION REPORT:** The Board took no reportable action on item 1. b.

c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:  
(1) Property: Management Agreement regarding Mazda Raceway at Laguna Seca  
Agency Negotiators: Nick Chiulos, Assistant Administrative Officer and Mark Mariscal, Parks Director  
Negotiating Parties: International Speedway Corporation  
Under negotiation: Price and terms  
**CLOSED SESSION REPORT:** The Board took no reportable action on item 1. c.

### **10:30 A.M. - Reconvened**

#### **Roll Call**

*Interpreter present*

**Present:** 5 - Supervisor Jane Parker, Supervisor Dave Potter, Supervisor Simón Salinas, Supervisor John M. Phillips and Supervisor Fernando Armenta

#### **Pledge of Allegiance**

The Pledge of Allegiance was led by Chair Salinas.

#### **Additions and Corrections**

There were no additions or corrections to the agenda.

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

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker pulled item 14 for question and comments. It was trailed to the afternoon.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Dave Potter to approve the Consent Calendar (See Supplemental Sheet) **ALL AYES**, except for item 14. **ALL AYES**

#### **Ceremonial Resolution**

2.1 Adopt Resolution recognizing Margaret Ann Cuisinier, Monterey County Department of Social Services Management Analyst II, upon her retirement after forty-two years of public service. (Full Board)

A motion was made by Supervisor Potter and seconded by Supervisor Parker to adopt Resolution 17-201 recognizing Margaret Ann Cuisinier, Monterey County Department of Social Services Management Analyst II, upon her retirement after forty-two years of public service. (Full Board) **ALL AYES**

### Appointments

3. Appoint Andrea Monroe to the Equal Opportunity Advisory Commission to fill an unexpired term ending December 31, 2016. (Full Board)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to appoint Andrea Monroe to the Equal Opportunity Advisory Commission to fill an unexpired term ending December 31, 2016. (Full Board)  
ALL AYES**

### Other Board Matters

4. Board Comments

**Supervisor Armenta stated he attended the National Association of Counties NACO and attended a half day workshop for Veterans. He commented on the good work Monterey County is doing regarding the homeless stand-down, the Veterans Transition Center and the recent funding acquiring \$6 million dollars for the Veteran family housing project. He also attended a workshop on medical marijuana and gained some information on regulating cultivation and dispensaries. He also attended a health steering committee to see what people are doing in other Counties to provide health services to youth, detention centers and county jails.**

**Supervisor Parker announced that on Wednesday evening at 6 P.M. she will be leading a walk at the Frog Pond in Del Rey Oaks and invited everyone to join her.**

**Supervisor Salinas formed an ad hoc committee to work with staff in drafting regulations for medical marijuana cultivation and dispensaries and nominated Supervisor Potter and Supervisor Phillips, with their concurrence, to serve on that Ad Hoc committee.**

5. CAO Comments and Referrals

**Lew Bauman, CAO announced this year the county was granted an award from National Association of Counties related to arts and culture, Supervisor Armenta presented the award to Marsha Parsons, Paulette Lynch, and Linda Headman.**

6. General Public Comment

**Steve Eklund; Anthony Lombardo on behalf of Sam Reeves; Hans Jongens; and Robin McCrae.**

### 10:30 A.M. - Scheduled Matters

7. Receive an oral presentation and inventory report of current programs and services for the homeless which are either partially or fully funded and receive an update on

possible approach to coordinating services. (REVISED ATTACHEMENT ADDED VIA SUPPLEMENTAL)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Jane Parker to receive an oral presentation and inventory report of current programs and services for the homeless which are either partially or fully funded and receive an update on possible approach to coordinating services. ALL AYES**

**7.1**

Public hearing (continued from July 7, 2015) to consider:

- a. Denying an appeal by William and Susan Jordan from a decision of the Monterey County Zoning Administrator denying an application (Jordan/PLN14034) for a Variance to increase lot coverage from 15% to 21%; and a Coastal Administrative Permit and Design Approval for the construction of a 715 square foot master bedroom/bath addition to an existing 3,291 square foot single story single family dwelling;
- b. Finding the project exempt from CEQA per Public Resources Code Section 21080 (b) (5) and Section 15270 of the CEQA Guidelines; and
- c. Denying the Variance to increase lot coverage from 15% to 21% and denying a Coastal Administrative Permit and Design Approval for the construction of a 715 square foot master bedroom/bath addition to an existing 3,291 square foot single story single family dwelling.

(Appeal of the Variance Denial - PLN140354/Jordan, 87 Yankee Point Drive, Carmel, Carmel Area Land Use Plan) (ADDED VIA ADDENDUM)

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to hold a Public hearing (continued from July 7, 2015) and adopted Resolution of Intent No. 15-212 and directed staff to return on July 28, 2015 with a Resolution for approval recognizing the 19.9% is a correct number, and directed staff with the rezoning of Carmel Valley Land Use Plan. ALL AYES**

**Adjournment**

**APPROVED:**

\_\_\_\_\_  
**MARY L. ADAMS, CHAIR  
BOARD OF SUPERVISORS**

**ATTEST:**

**BY:** \_\_\_\_\_

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

**APPROVED ON** \_\_\_\_\_

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

8. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement (A-11898) with FujiFilm Medical Systems USA Inc. for software/hardware support services, extending the Agreement for an additional three (3) year period for a revised full term of January 1, 2011 through August 30, 2018 and adding \$105,715 (over three years) for a revised total Agreement amount not to exceed \$344,292.
- Approved - Agreement No. A-11898**
9. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 7 to the Agreement (A-11065) with Kronos, Inc., for software support and professional services at NMC, extending the Agreement an additional one (1) year period for a revised full term of November 20, 2007 through June 30, 2016 and adding \$126,328 for a revised total Agreement amount not to exceed \$2,582,692.
- Approved - Agreement No. A-11065**
10. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 4 to the Agreement (A-11879) with Versaworks, Inc., for Professional Information Technology (IT) services at NMC, extending the Agreement an additional one year period for a revised term of November 1, 2010 through June 30, 2016 and adding \$1,074,500 for a revised total Agreement amount not to exceed \$9,903,874.
- Approved - Agreement No. A-11879**
11. a. Approve and authorize the Director of Health to sign a three-year Mental Health Services Agreement with Peacock Acres, Inc. for transitional supported housing services in the amount of \$382,812 for Fiscal Year (FY) 2015-16, \$382,812 for FY 2016-17, and \$382,812 for FY 2017-18, for a total Agreement in the amount of \$1,148,436; and
- b. Authorize the Director of Health to approve up to three future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work or result in an increase to County General Fund Contribution.
- Approved - Agreement No. A-12810**
12. Authorize the Director of Health to execute Amendment No. 3 to the Mental Health Services Agreement A-12486 with Seneca Family of Agencies dba Kinship Center for mental health services to children and their families. Amendment No. 3 revises

the Program Description, Payment and Billing Provisions, Business Associate Agreement, Cost Reimbursement Invoice Form, and Budget and Expenditures Report; and increases Fiscal Year (FY) 2015-16 amount by \$91,115 for a revised total Agreement amount not to exceed \$6,714,563 for FY 2013-14 through FY 2015-16.

**Approved - Agreement No. A-12486**

### **Department of Social Services**

13. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with California State University (CSU) Fresno Foundation for \$213,664 to provide direct Child Welfare Title IV-E training for Family and Children's Services (FCS) staff, and others as specified by Monterey County, for the period July 1, 2015 through June 30, 2017; 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.

**Approved - Agreement No. A-12811**

### **Criminal Justice**

14. Authorize the Contracts/Purchasing Officer to sign the attached Agreement with Introspect (formerly Jim Guy, DBA Introspect) for inmate counseling, substance abuse, pre-release planning and post-release follow up at the Monterey County Adult Detention Facility and Jail for an amount not to exceed \$250,000 for Fiscal Year 2015-16 and an amount not to exceed \$250,000 for Fiscal Year 2016-17, for a total contract cost of \$500,000.

**Item 14 was heard after item 7.1.**

**By consensus the item was continued to July 21, 2015.**

### **General Government**

15. Approve and authorize the Director of Parks to execute an Agreement with Cotton Shires and Associates, Inc. on behalf of the County of Monterey, to develop geological investigation, analysis and engineered design alternatives for the lower sloped area adjacent to and below Turn 6 of the racetrack at Laguna Seca Recreation Area, in the amount not to exceed \$139,972 for the period of July 1, 2015 through June 30, 2017.

**Approved - Agreement No. A-12808**

16. a. Approve and authorize the Contracts/Purchasing Officer or designee to sign the Ergonomics Services Amendment No. 1 with Sharon Hebert dba Workplace

Wellness extending the term of agreement to August 31, 2016 and increasing the compensation for services under the Agreement by \$30,000, from \$75,000, for a total amount not to exceed the sum of \$105,000; and b. Authorize the Contracts/Purchasing Officer or designee to execute a one-year extension of the PSA at the request of the Risk Manager, provided the compensation for the extension term does not increase by more than three percent (3%) and all other terms remain unchanged; and  
c. Approve and authorize Risk Manager to execute future Business Associate Agreements with the vendor as updates may occur.

**Approved - Agreement No. A-12785**

17. Approve a request from the North County Recreation and Park District for dry period loan of \$150,000 for the Fiscal Year ending June 30, 2016.

**Approved**

18. Approve a request from the North County Fire Protection District for dry period loan of \$3,000,000 for the Fiscal Year ending June 30, 2016.

**Approved**

- 18.1 Adopt a Resolution declaring the official intent of the County of Monterey to reimburse certain expenditures from proceeds of indebtedness, including expenses relating to the Monterey County Government Center (MCGC) East/West Wing Renovation Project and Schilling Place Tenant Improvement Project.

**A motion was made by Supervisor Phillips, seconded by Supervisor Potter to adopt Resolution No. 15-213 declaring the official intent of the County of Monterey to reimburse certain expenditures from proceeds of indebtedness, including expenses relating to the Monterey County Government Center (MCGC) East/West Wing Renovation Project and Schilling Place Tenant Improvement Project. ALL AYES**

### **RMA - General**

19. ITEM REMOVED [See separate agenda for East Garrison Public Financing Authority for July 14, 2015 meeting].

### **RMA-Planning**

20. Grant a stay of the time period for expiration of the Vesting Tentative Map for the Harper Canyon Realty LLC pursuant to Government Code Section 66452.6(c) and Monterey County Code Section 19.05.060.B for up to five years while litigation is pending.

(Stay of Map Expiration - PLN000696 / Harper Canyon Realty LLC, San Benancio Road and Meyer Road, Salinas, Toro Area Plan area)



**Approved**

- 21.** Authorize and direct the Resource Management Agency Director or his designee to vote in favor of the formation of the Downtown City of Salinas Community Benefit District. (ADDED VIA ADDENDUM)

**Approved**

- 22.**
- a. Approve Amendment No. 1 to Professional Services Agreement No. A-12740 with Brown and Caldwell to allow for additional tasks associated with the completion of the 2010 General Plan Salinas River Groundwater Basin Zone 2C Study, in the amount of \$462,284 for a total amount not to exceed \$1,236,157, through completion of the Study; and
  - b. Authorize the Acting Resource Management Agency Director to execute Amendment No. 1 to Professional Services Agreement No. A-12740 and future amendments to this Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount. (ADDED VIA ADDENDUM)

**Approved - Agreement No.: A-12740**