

Monterey County

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



Action Minutes - Final

Tuesday, April 14, 2015

9:00 AM

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 AM - Call to Order

The meeting was called to order by Chair Salinas.

Roll Call

Present: 4 - Supervisor Simón Salinas, Supervisor Jane Parker, Supervisor Fernando Armenta and Supervisor John M. Phillips

Absent: 1 - 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 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: James May and Brette Neal
Employee Organization(s): Unit R and S
 - b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: 1150 Fremont Street, Seaside
Negotiators: Ray Bullick, Director of Health and Elsa Jimenez, Assistant Director of Health
Under negotiation: Price and terms lease
 - (2) Property: 730, 752 & 744 La Guardia Street, Salinas
Negotiator: John Guertin, Acting Deputy RMA Director
Party: Life Foundation Monterey, LLC
Under negotiation: Price and terms
 - (3) Property: 1000 S. Main Street, Salinas
Negotiator: John Guertin, Acting Deputy RMA Director
Party: Life Foundation Monterey, LLC
Under negotiation: Price and terms
 - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Acting Director of Child Support Services.
 - d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Natividad Medical Center Chief Executive Officer.

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a. through d.

10:30 AM Reconvene

Roll Call

Present: 4 - Supervisor Simón Salinas, Supervisor Jane Parker, Supervisor Fernando Armenta and Supervisor John M. Phillips
Absent: 1 - Supervisor Dave Potter

Pledge of Allegiance

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

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)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to approve the Consent Calendar (See Supplemental Sheet), noting that Supervisor Armenta abstained on item 13 because his wife serves on the Alisal Union School District Board. 4-0 (Supervisor Potter Absent)

Ceremonial Resolution

3. Adopt Resolution in recognition of Legal Services for Seniors 30th Anniversary. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-089 in recognition of Legal Services for Seniors 30th Anniversary. (Full Board)

4. Adopt Resolution in recognition of Francis Sonny Rianda and his 49 years of service to the Gonzales Rural Fire District. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-090 in recognition of Francis Sonny Rianda and his 49 years of service to the Gonzales Rural Fire District. (Full Board) 4-0 (Supervisor Potter Absent)

- 4.1 Adopt Resolution Proclaiming Saturday, April 18, 2015 as Monterey County Clean-Up Day in Monterey County and call upon residents, as well as public and private organizations, to participate in Clean-Up Day events in the cities and unincorporated areas throughout the County. (Full Board) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John Phillips to adopt Resolution No. 15-088 Proclaiming Saturday, April 18, 2015 as Monterey County Clean-Up Day in Monterey County and call upon residents, as well as public and private organizations, to participate in Clean-Up Day events in the cities and unincorporated areas throughout the County. (Full Board) (ADDED VIA ADDENDUM) 4-0 (Supervisor Potter Absent)

Other Board Matters

5. Board Comments
- Supervisor Armenta advised his wife serves on the Alisal Union School District Board and he is abstaining from voting on item 13.
6. CAO Comments and Referrals
- There were no CAO Comments and Referrals.
7. General Public Comment
- Lynda Campos; Sylvia Huerta with the interpreter; Bill Carrothers; Ulysses Feronda with interpreter; Jane Haines; Guadalupe Castillo with interpreter; Darryl Kenyon.

10:30 AM - Scheduled Matters

8. Receive a status report on Fleet Management process improvements.
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to receive a status report on Fleet Management process improvements. 4-0 (Supervisor Potter Absent)
9. Receive a status report on the County's Contracts & Purchasing Academy and process improvements.
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to receive a status report on the County's Contracts & Purchasing Academy and process improvements. 4-0 (Supervisor Potter Absent)

12:00 PM - Recess to Lunch - Continued Closed Session

1:30 PM - Reconvene

Roll Call

- Present:** 4 - Supervisor Simón Salinas, Supervisor Jane Parker, Supervisor Fernando Armenta and Supervisor John M. Phillips
- Absent:** 1 - Supervisor Dave Potter

1:30 PM - Scheduled Matters

- 9.1 a. Introduce, waive reading, and conduct a public hearing to consider adoption of an ordinance amending Section 21.66.050 (Archaeological Resources Standards) of Title 21 (non-coastal zoning) of the Monterey County Code to establish new policies and procedures for the protection of archaeological and tribal cultural resources, and amending Title 2 of the Monterey County Code to add Chapter 2.95 establishing a Native American Advisory Panel consistent with 2010 Monterey County General Plan Goals OS-6 and OS-8; and
- b. Set April 21, 2015, on the consent agenda, to find the ordinance categorically exempt under the California Environmental Quality Act and adopt the ordinance.
- (REF110065/Archaeological and Tribal Cultural Resources Ordinance)

PROJECT INFORMATION:**Planning File Number:** REF110065**Owner:** N/A**Project Location:** Inland Areas**APN:** multiple**Agent:** N/A**Plan Area:** Inland Areas**Flagged and Staked:** N/A**CEQA Action:** Categorically Exempt per CEQA Guidelines Section 15308

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to: a. Introduce, waive reading, and conduct a public hearing to consider adoption of an ordinance amending Section 21.66.050 (Archaeological Resources Standards) of Title 21 (non-coastal zoning) of the Monterey County Code to establish new policies and procedures for the protection of archaeological and tribal cultural resources, and amending Title 2 of the Monterey County Code to add Chapter 2.95 establishing a Native American Advisory Panel consistent with 2010 Monterey County General Plan Goals OS-6 and OS-8; and

b. Set April 21, 2015 at 1:30 p.m., to find the ordinance categorically exempt under the California Environmental Quality Act and adopt the ordinance.

(REF110065/Archaeological and Tribal Cultural Resources Ordinance);

PROJECT INFORMATION: Planning File Number: REF110065; Owner: N/A;

Project Location: Inland Areas; **APN:** multiple; **Agent:** N/A; **Plan Area:** Inland

Areas; **Flagged and Staked:** N/A; **CEQA Action:** Categorically Exempt per CEQA Guidelines Section 15308. 4-0 (Supervisor Potter Absent)

- 9.2 a. Public hearing to consider an appeal by Paul and Linda Flores from the Planning Commission's decision to deny a Combined Development Permit (Flores/PLN140300) consisting of: 1) Use Permit to allow after-the-fact removal of approximately 24 protected trees; 2) Use Permit to allow the removal of approximately 15 additional protected trees; and the Planning Commission's decision to find incomplete the Design Approval application to allow the construction of a single family dwelling and accessory dwelling unit

(ADU) and the demolition of an existing 1,200 square foot single family dwelling until full site restoration has been completed: or
b. Consider the appellant's request for continuance of the public hearing to May 5, 2015.
(Combined Development Permit - PLN140300/Flores, 564 Monhollan Road, Carmel, Greater Monterey Peninsula Area Plan)

PROJECT INFORMATION:

Planning File Number: PLN140300

Owner: Paul & Linda Flores

Project Location: 564 Monhollan Road, Carmel

APN: 103-071-025-000

Agent: Anthony Lombardo & Associates

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: Yes

CEQA Action: Statutorily Exempt per 15270(a) of the CEQA Guidelines / Negative Declaration Prepared

Public hearing opened;

Public comment:Anthony Lombardo; David Beech; Sam Ezekiel.

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor John M. Phillips to continue to May 12, 2015 at 1:30 pm: a. Public hearing to consider an appeal by Paul and Linda Flores from the Planning Commission's decision to deny a Combined Development Permit (Flores/PLN140300) consisting of: 1) Use Permit to allow after-the-fact removal of approximately 24 protected trees; 2) Use Permit to allow the removal of approximately 15 additional protected trees; and the Planning Commission's decision to find incomplete the Design Approval application to allow the construction of a single family dwelling and accessory dwelling unit (ADU) and the demolition of an existing 1,200 square foot single family dwelling until full site restoration has been completed: or
b. Consider the appellant's request for continuance of the public hearing to May 5, 2015.

(Combined Development Permit - PLN140300/Flores, 564 Monhollan Road, Carmel, Greater Monterey Peninsula Area Plan); **PROJECT INFORMATION:** Planning File Number: PLN140300; Owner: Paul & Linda Flores; Project Location: 564 Monhollan Road, Carmel; APN: 103-071-025-000; Agent: Anthony Lombardo & Associates ; Plan Area: Greater Monterey Peninsula Area Plan; Flagged and Staked: Yes; CEQA Action: Statutorily Exempt per 15270(a) of the CEQA Guidelines / Negative Declaration Prepared. 4-0 (Supervisor Potter Absent)

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 05-12-2015

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

10. Ratify and authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute an Agreement with Databank IMX for Hardware, Software, Hardware and Software Maintenance, and Professional Services for the OnBase Document Production System Upgrade at NMC in an amount not to exceed \$153,079.10 for the period January 1, 2015 through December 31, 2015.

Approved - Agreement No. A-12677

Department of Social Services

11. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign Amendment #1 to Agreement A-12785 with McWilliams-Mailliard Technology Group, Inc. adding \$9,250, effective March 1, 2015, to provide an additional four (4) licenses and subscriptions and on-site training for Adult Protective Services staff; extending the contract term through June 30, 2016 and adding \$15,960 for FY 2015/16, increasing the total contract amount to \$38,560; 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-12785

12. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an Agreement with Service Employees International Union - United Long Term Care Workers (SEIU-ULTCW) to implement new program rules for In-Home Supportive Services (IHSS) Provider enrollment and orientation.

Approved - Agreement No. A-12678

13. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign Amendment #1 to PSA #979 with the Alisal Union School District for the provision of congregate meals for seniors, adding \$19,765, effective April 1, 2015, increasing the total contract amount to \$119,765; 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.

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to: a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign Amendment #1 to PSA #979 with the Alisal Union School District for the provision of congregate meals for seniors, adding \$19,765, effective April 1, 2015, increasing the total contract amount to \$119,765; 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. 3-0 (Supervisor Armenta Abstained because his wife serves on the Alisal Union School District Board; Supervisor Potter Absent)

14. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign and execute Standard Agreement #15F-2406 to the California Department of Community Services and Development, on behalf of the County, for \$60,000 for the Drought Water Assistance Program for the period April 1, 2015 to December 31, 2015; and
b. Approve and authorize the Auditor-Controller to amend the FY 2014-15 Adopted Budget Unit 008-5010-SOC007-8257 to increase estimated revenues and appropriations by \$200,000.
(4/5th vote required)

Approved - Agreement No. A-12679

Criminal Justice

15. Authorized advance step placement of Kevin Oakley at Step 5 of the Chief Deputy Sheriff salary range effective January 10, 2015 in accordance with Personnel, Policies and Practices Resolution (PPPR) #98-394, Sections A.1.11.1 and A.1.11.5.

Approved

General Government

16. Authorize the Auditor-Controller to increase revenue (001-1520-8065-EME001-5870) and appropriations (001-1520-8065-EME001-7531) in the Department of Emergency Communications Fiscal Year 2014/15 adopted budget by \$476,502.82 (4/5th vote required) for the purchase of E9-1-1 Customer Premise Equipment using State Emergency Telephone Number Account (SETNA) funds.

Approved

RMA - Public Works

17. a. Approve an Operating Transfer Out from the FY 2014-15 Adopted Budget for Capital Projects, Fund 402-3000-8174-7614-RMA014 in the amount of

\$67,454 to County Service Area No. 75 - Chualar Fund
093-3000-8198-RMA088 (4/5th vote required); and

b. Authorize the Auditor Controller's Office to incorporate approved modifications in the FY 2014-15 Budget.

Approved

18. a. Authorize an increase to the contract contingencies in the amount of \$35,000 for additional safety items for the Castroville Boulevard Pavement Delineation Project, Project No. 14-142765, State Project No. 0513000081L-N, Federal Aid Project No. HRRRL-5944(114) (4/5th vote required); and
- b. Ratify the Director of Public Works' approval of Change Order No. 1 in the amount not to exceed \$53,021 with Central Striping Service, Inc., for the Castroville Boulevard Pavement Delineation, Project No. 14-142765, State Project No. 0513000081L-N, Federal Aid Project No. HRRRL-5944(114).

Approved - Construction No. 2014-004

19. a. Approve and authorize the Director of Public Works, or his designee, to execute five Customer Work Order Agreements with the Association of Monterey Bay Area Governments to receive energy rebate payments from the Association of Monterey Bay Area Governments Energy Watch Program related to the Energy Efficiency Measure Phase 1 Outdoor Lighting project for the Agricultural Commissioner at 1428 Abbott Street, Salinas; Coastal Commission at 2620 1st Avenue, Marina; RMA - Public Works at 855 East Laurel Drive, Salinas; Salinas Animal Shelter at 160 Hitchcock Road, Salinas; and Social Services at 1281 Broadway Avenue, Seaside; and
- b. Approve and authorize the Director of Public Works, or his designee, to apply for and execute future agreements to receive rebates associated with future Energy Efficiency projects upon approval by County Counsel as to form and legality.

Approved

20. a. Approve a Professional Services Agreement with TRC Engineers, Inc. to provide bridge design services for Hartnell Road Bridge Replacement, County Bridge No. 209, under Request for Qualifications #10490, in an amount not to exceed \$554,470 for a period of three (3) years, with the option to extend the Agreement for two (2) additional one (1) year period(s); and
- b. Approve a Professional Services Agreement with TRC Engineers, Inc. to provide bridge design services for Johnson Road Bridge Replacement, County Bridge No. 106, under Request for Qualifications #10490, in an amount not to exceed \$579,267 for a period of three (3) years, with the option to extend the Agreement for two (2) additional one (1) year period(s); and
- c. Authorize the Contracts/Purchasing Officer to execute the Professional Services Agreements and future amendments that do not significantly alter the scope of work or change the approved amount of the Agreements.

Approved - Agreement Nos.:**A-12680 (TRC-Hartnell Bridge), Construction No. 2015-014****A-12681 (TRC-Johnson Bridge), Construction No. 2015-015**

- 21.** Approve and authorize the Chair to sign Contract to Purchase a Public Utility Easement in the amount of \$550 from Karren, Hendrix, Stagg, Allen & Company, a Utah Professional Corporation, as Trustee of the Vivian Vicondo Revocable Living Trust (APN 133-211-005) (Public Utility Easement "N") for the Moss Landing Rule 20A Underground Utility District Project in the Community of Moss Landing.

Approved

- 22.** Adopt a resolution to certify the Final Supplemental Environmental Impact Report for the Monterey County Government Center East and West Wings Renovation Project.

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-091 to certify the Final Supplemental Environmental Impact Report for the Monterey County Government Center East and West Wings Renovation Project. 4-0 (Supervisor Potter Absent)