

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, May 14, 2013

9:00 AM

**See Item #11 -Joint Meeting-Monterey County Board of Supervisors
and Natividad Medical Center Board of Trustees**

**See separate agenda for the Board of Supervisors of the Monterey
County Water Resources Agency**

Board of Supervisors

*Chair Fernando Armenta - District 1
Vice-Chair Louis R. Calcagno - District 2
Supervisor Simón Salinas - District 3
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) John M. Kanalakakis (WC 608-661124)
(REMOVED VIA SUPPLEMENTAL)
 - b. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.
 - c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: James May and Brette NealEmployee Organizations: All Units
 - d. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
 - (1) City of Carmel-by-the-Sea
 - (2) City of Del Rey Oaks
 - (3) City of Gonzales
 - (4) City of King City
 - (5) City of Marina
 - (6) City of Monterey
 - (7) City of Pacific Grove
 - (8) City of Salinas
 - (9) City of Sand City
 - (10) City of Seaside
 - (11) City of Soledad
 - e. Pursuant to Government Code section 54956.9(d)(2), the Board will confer

with legal counsel regarding two matters of significant exposure to litigation.

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 AM 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 designating the Week of May 19th, 2013 as "Emergency Medical Services Week" in Monterey County. (Supervisor Armenta)

Attachments: [Emergency Medical Services Week Resolution](#)

4. Adopt Resolution proclaiming the Week of May 12th- May 18th, 2013 as "National Hospital Week" in Monterey County. (Supervisor Armenta)

Attachments: [National Hospital Week Resolution](#)

5. Adopt Resolution Proclaiming the Week of May 6th - May 12th, 2013, as "National Nurses Week" in Monterey County. (Supervisor Armenta)

Attachments: [National Nurses Week Resolution](#)

Appointments

6. Appoint Dr. Walter Tribley to fill an unscheduled vacancy to the Workforce Investment Board representing Education, with a term ending February 14, 2015. (Full Board) and appoint Jay Donato to the Workforce Investment Board representing Labor, with a term ending May 14, 2015. (Full Board)

Attachments: [Donato Notification to Clerk](#)

[Tribley Notification to Clerk](#)

7. Reappoint Debra R. Bayard to the Commission on the Status of Women, term

ending February 1, 2016. (Supervisor Armenta)

Attachments: [Bayard Notificaiton to Clerk](#)

Other Board Matters

8. Board Comments
9. CAO Comments and Referrals

Attachments: [Referrals 051413](#)

10. 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.

Adjournment - Monterey County Board of Supervisors

Adjourn in Memory of Gordon Paul Smith, Robert E. Kohn, Virginia Macleod and Ann Rosenberg

12:00 PM Recess to Lunch and:

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

2:30 PM Convene

**Joint Meeting of the Monterey County Board of Supervisors and the Natividad Medical Center Board of Trustees
Monterey Room, 168 W. Alisal St., Salinas, CA 93901**

Roll Call

Closed Session

11. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the following public employee positions:
 - (1) Natividad Medical Center CEO

Adjournment - Joint Meeting

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

12. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment #6 to the Agreement (A-11879) with Beacon Partners Inc., for Meditech Clinical Modules, Meditech 5.66 Software Upgrade, and Computerized Physician Order Entry (CPOE) Implementation and Support Services at NMC, extending the Agreement to April 15, 2015 and adding \$3,022,790 for a revised total Agreement amount not to exceed \$4,055,870 in the aggregate.

Attachments: [Beacon Partners Amendment #6](#)
[Beacon Partners Agreement & Amendment 1-5](#)

13. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Wolters Kluwer Health Inc. (ProVation Order Sets Software License and Maintenance) Agreement and the Wolters Kluwer Health Inc. Third Party Product Service Agreement for Provation Order Sets Software Licensing & Installation, Professional and Maintenance Services at NMC in an amount not to exceed \$458,365 for the period April 15, 2013 to April 15, 2021; and
b. Authorize a contingency (not to exceed 10% of the contract amount or \$45,835) to provide funding for maintenance charge increases after April 15, 2016.

Attachments: [5-14-13 ProVation Attachment A](#)
[5-14-13 ProVation Attachment C The Advisory Board-Clinical Content Vendors](#)
[Provation - Wolters Kluwer Health Inc](#)
[Provation Attachment B 5-4-13](#)

Health and Social Services

14. Authorize the Auditor-Controller to incorporate approved appropriation and estimated revenue modifications of \$100,000 to the FY 2012-13 Budget for Health Department Public Guardian HEA008 (4/5th vote required).
15. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement for \$286,174 with the Child & Family Policy Institute of California to provide Affordable Care Act training curriculum to California counties for the period April 15, 2013 - June 30, 2014; 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. Authorize the Auditor-Controller's Office to incorporate approved appropriation and estimated revenue modifications of \$78,000 to FY 2012-13 Budget, and the County Administrative Office to reflect \$208,174 of appropriations and estimated

revenues in the FY 2013-14 Adopted Budget, 5010-SOC005-8262 (4/5th Vote).

Attachments: [CFPIC Agreement](#)

16. a. Approve and authorize the Director of Health and the Sheriff to sign the Monterey County Behavioral Health Crisis Negotiation Team Inter-Agency Agreement with the California State University Monterey Bay, Cities of Carmel, Greenfield, King City, Marina, Monterey, Pacific Grove, Salinas, Sand City, Seaside, Soledad for the provision of mental health supportive services to Peace Officer(s) and as Peace Officer(s), respectively, when intervening with individual(s) during a crisis situation; and
- b. Authorize the Director of Health and the Sheriff to approve up to three future amendments to this Agreement where the amendments do not significantly change the scope of work or result in an increase to County General Fund Contribution.

Attachments: [BHCNT scanned 03 28 2013.pdf](#)

17. Approve and authorize the Director of Health to sign Amendment No. 1 to Agreement A-11771 with Community Human Services to increase the existing Agreement amount by \$150,000, for a new total amount not to exceed \$1,478,400.

Attachments: [CHS Amendment No 1 EXHIBIT A-1 B-1 doc \(FINAL\) 3 4 13](#)

18. a. Approve and authorize the Contracts/Purchasing Officer to sign a one year Agreement (July 1, 2013, to June 30, 2014) for the Health Department with the City of Seaside Police Department for the provisions of counseling services to youth at risk in the Youth Diversion Program; and
- b. Authorize the Contracts/Purchasing Officer, to approve up to three future amendments to this Agreement where the amendments do not significantly change the scope of work or result in an increase to County General Fund Contribution.

Attachments: [SeasideYouthDiversionProgram_SS_FY2013-14_03 18 2013.doc](#)

19. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 7 to Agreement No. A-11565 with Medical Doctor Associates, LLC to increase the Agreement by \$26,020 for FY 2012-13, for the referral of Locum Tenens Physicians, for a revised total not to exceed \$2,160,020 for the period of December 1, 2009 to June 30, 2015.

Attachments: [Amend. 7.pdf](#)

Criminal Justice

20. Adopt a Resolution:
- a. Declaring an emergency as defined by California Public Contract Code Section 1102 due to the urgent need to mitigate potential impairment of employees' health in the Probation Department's Juvenile Division office located at 1422 Natividad Road in Salinas, CA;
 - b. Finding that the time-critical nature of the work will not permit a delay resulting from a formal solicitation of bids and that the action is necessary to respond to the emergency;
 - c. Finding that emergency work at 1422 Natividad Road in Salinas, CA is necessary to permit the continued conduct of county operations or services; and
 - d. Authorizing the Contracts/Purchasing Officer, or his designee, to enter into contracts and issue purchase orders to accomplish the required emergency work, and ratifying the execution of emergency contracts and actions taken by the Director of Public Works, or his designee, to respond to the emergency (4/5ths vote required).

Attachments: [Resolution Attachment Emergency Repairs.doc](#)

21. Adopt Resolution:
- a. Authorizing the Chief Probation Officer to sign and submit a grant application to the Board of State and Community Corrections for Juvenile Accountability Block Grant (JABG) funds in the amount of \$26,610 for the Probation Department's Victim Restitution Program during Fiscal Year 2013-14; and
 - b. Authorizing the Chief Probation Officer to sign the Grant Agreement with the Board of State and Community Corrections, and related amendments.

Attachments: [Resolution Attachment JABG.doc](#)
[2013-14 JABG Direct Allocation Application Final.doc](#)

General Government

22.
 - a. Accept the recommendation of the Monterey County Fish and Game Commission to award a funding grant to Coastal Habitat Education and Environmental Restoration (CHEER); and
 - b. Approve the distribution of Fish and Game grant funds in the amount of \$500 for a specific grant project for Fiscal Year 2012-13 and \$500 for Fiscal Year 2013-14.

Attachments: [DRAFTMinutes of MoCo FGC Meeting4-9-2013.docx](#)

23. Approve the use of Toro Park, Buckeye Area, on Sunday, September 8, 2013 for a function by Northside Assembly of God in compliance with Monterey County Code 14.12.130.

24. a. Approve and authorize the Contracts/Purchasing Officer to utilize the Oracle maintenance and support Agreement approved in November 2012 for services to be provided by Information Technology Department to the Monterey County Water Resources Agency as a master agreement for similar services to be provided for ITD clients county-wide.
- b. Approve and authorize the Contracts/Purchasing Officer to issue purchase orders as requested by other County Departments who are already in possession of Oracle software licenses for maintenance/support from Oracle with the total of all purchase orders not to exceed \$100,000 per year; and
- c. Authorize the Auditor/Controller's Office to issue payments on a yearly basis for the maintenance/support of the licenses purchased as the individual departments have determined are needed on a yearly basis.

Attachments: [Oracle Technical Support Services Agreement Fully Executed](#)
[Oracle Board Order November 2012](#)

25. Approve and authorize advanced step placement for Mr. William E. Harry at Step 5 of the Director of Emergency Communications salary range, effective June 24, 2013, in accordance with Personnel Policies and Practices Resolution (PPPR) #98-394, Sections A.1.11.1

RMA - Public Works

26. Acting on behalf of County Service Area 17 - Rancho Tierra Grande:
- a. Accept report on financial condition of County Service Area 17 - Rancho Tierra Grande;
- b. Authorize the Auditor-Controller to amend the FY 2012-13 Budget for County Service Area 17 - Rancho Tierra Grande, Fund 057, Appropriation Unit RMA053, Account 6613 by increasing appropriations by \$20,000 (4/5th vote required); and
- c. Authorize the Auditor-Controller to incorporate approved appropriations and estimated revenue modifications to the FY 2012-13 Budget.

Attachments: [Location Map](#)

27. a. Adopt Plans and Special Provisions for the 20 East Alisal Street Second Floor Tenant Improvements, Project No. 8787, Bid Package No. 10416;
- b. Authorize the Director of Public Works to advertise the "Notice to Contractors" in the Monterey County Weekly; and
- c. Find that the 20 East Alisal Street Second Floor Tenant Improvements required code alterations and replacement of existing mechanical equipment is categorically exempted from California Environmental Quality Act per Section 15301 Existing Facilities- Class 1 of California Environmental Quality Act Guidelines.

Attachments: [Project Budget](#)
[Notice to Contractors](#)
[Book One Notice to Contractors and Project Specifications](#)
[Plans](#)
[Location Map](#)

28. a. Award a contract to Castlewood Construction Company, Inc., the lowest responsible and responsive bidder for the Pajaro Mansion Windows, Siding, and Paint, Project 8545, Bid Package No. 10321, in the total amount of \$61,050;
- b. Approve the Performance and Payment Bonds executed and provided by Castlewood Construction Company, Inc., and Western Surety Company;
- c. Authorize a contingency (not to exceed 20 percent of the contract amount) to provide funding for approved contract change orders; and
- d. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed twenty percent of the original contract amount, and do not significantly change the scope of work;
- e. Authorize the Director of Public Works to execute a Certificate of Completion when he determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of Pajaro Mansion Windows, Siding, and Paint, Project 8545, Bid Package No. 10321, performed by Castlewood Construction Company, Inc.; and
- f. Authorize the Director of Public Works to execute and record a Notice of Completion with the County Recorder for the construction of Pajaro Mansion Windows, Siding, and Paint, Project 8545, Bid Package No. 10321, performed by Castlewood Construction Company, Inc.

Attachments: [Project Budget](#)
[Bid Summary](#)
[Agreement](#)
[Performance and Payment Bond](#)
[Location Map](#)

29. a. Approve an Agreement with Fender Mender Autobody to provide auto body repair services to the County of Monterey Resource Management Agency - Public Works (Request for Quotations #10338), in an aggregate total amount paid to all contractors not to exceed \$1,000,000 over the term of the Agreements from execution of the Agreement through and including August 31, 2015, with the option to extend the Agreement for two (2) additional one (1) year periods, in accordance with the terms and conditions of the Agreement;
- b. Approve an Agreement with Salinas Collision Repair to provide auto body repair services to the County of Monterey Resource Management Agency - Public Works (Request for Quotations #10338), in an aggregate total amount paid to all contractors not to exceed \$1,000,000 over the term of the Agreements from execution of the Agreement through and including August 31, 2015, with the option to extend the Agreement for two (2) additional one (1) year periods,

in accordance with the terms and conditions of the Agreement; and
c. Authorize the Contracts/Purchasing Officer to execute the Agreements with Fender Mender Autobody and Salinas Collision Repair and future amendments to said Agreements where the amendments do not exceed ten percent (10%) of the original aggregate total amount and do not significantly alter the scope of work.

Attachments: [Agreement Between County of Monterey and Fender Mender Autobody](#)
[Agreement Between County of Monterey and Salinas Collision Repair](#)

30. a. Authorize an additional contingency of 5% of the contract amount with R.M. Harris Co. Inc., for the Schulte Road Bridge at Carmel River, County Bridge No. 501, State Bridge No. 44C-0115, Project No. 382065, State Project No. EA 05-141004L, Federal Aid Project No. BRLO-5944 (010), to provide funding for approved contract change orders; and
b. Authorize the Director of Public Works to execute contract change orders where the total value of change orders does not exceed 15% of the original contract amount, and do not significantly change the scope of work.

Attachments: [Project Budget](#)
[Location Map](#)

31. Introduce, waive the reading, and set June 11, 2013, at 10:30 a.m., as the date and time to consider adoption of an ordinance amending section 12.24.020 of the Monterey County Code to establish a stop intersection on Pollock Lane at the north entrance to Pesante Road in Prunedale in the unincorporated area of the County of Monterey.

Attachments: [Ordinance](#)
[Location Map](#)
[Proposed Stop Intersection Map](#)

Supplemental for Tuesday, May 14, 2013

32. Board of Supervisors Supplemental for Tuesday, May 14, 2013

Supplemental **Remove Under 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) John M. Kanalakakis (WC 608-661124)