



Monterey County

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

Action Minutes

Board of Supervisors

Chair Dave Potter - District 5
Vice-Chair Fernando Armenta - District 1
Supervisor Louis R. Calcagno - District 2
Supervisor Simón Salinas - District 3
Supervisor Jane Parker - District 4

Tuesday, May 15, 2012

9:00 AM

Please see separate agenda for the Monterey County Water Resources Agency

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 (Monterey County Superior Court case no. M109434)
 - (2) The Open Monterey Project v. Monterey County Board of Supervisors (Monterey County Superior Court case no. M109441)
 - (3) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey (Monterey County Superior Court case no. M109442)
 - (4) Salinas Valley Water Coalition, et al. v. County of Monterey (Monterey County Superior Court case no. M109451)
 - b. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following public employee positions:
 - (1) County Administrative Officer
 - (2) County Counsel
- CLOSED SESSION REPORT: There were no reportable actions taken on items 2.a.(1) through (4).**
- CLOSED SESSION REPORT: There were no reportable actions taken on items 2.b.(1) and (2).**

10:30 AM Reconvene**ROLL CALL**

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

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Armenta.

Additions and Corrections

There were no additions or corrections.

Consent Calendar Regular (See Supplemental Sheet)

2. Approve Consent Calendar - Regular (see Supplemental Sheet, items 15 through 20)
- Supervisor Calcagno pulled item 16 and asked questions of staff. Kirk Schmidt responded.
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, that this Consent Calendar be approved. ALL AYES

Ceremonial Resolutions

3. Adopt Resolution proclaiming May 19 through May 25, 2012 as “National Safe Boating Week” in Monterey County. (Supervisor Salinas)
- Motion by Supervisor Parker, seconded by Supervisor Armenta, that Resolution No. 12-120 be adopted. ALL AYES**
4. Adopt Resolution congratulating Chief J. Michael Klein, Mental Health Commissioner after nine years of service with the Monterey County Mental Health Commission. (Supervisor Potter)
- Motion by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that Resolution No. 12-121 be adopted. ALL AYES**

Appointments

5. Reappoint John O’Brien and Roy Robbins to the Natividad Medical Center Board of Trustees, terms ending June 30, 2015. (Full Board)
- Motion by Supervisor Parker, seconded by Supervisor Calcagno, that this Appointment be approved. ALL AYES**
6. Appoint Judith Sulsona to the Natividad Medical Center Board of Trustees, term ending June 30, 2015. (Full Board)

A motion was made by Supervisor Parker, seconded by Supervisor Calcagno, that this Appointment be approved. ALL AYES

7. Reappoint Kelly O’Keefe, MD, PhD, FCAP to the Natividad Medical Center Board of Trustees, term ending June 30, 2014. (Full Board)
- Motion by Supervisor Parker, seconded by Supervisor Calcagno, that this reappointment be approved. ALL AYES**

Other Board Matters

8. Board Comments
- Supervisor Parker thanked Scott Hilke with Marina Community Partners for being her guest at Hot Topics on May 4th. There was a lot of interest and a lively discussion.**
- Supervisor Parker announced that the Community Alliance for Safety and Peace (CASP) will meet tomorrow at 7:00 a.m. at the Salinas Elementary School. Monterey Institute students will be talking about their analysis, findings and recommendations regarding the CASP organization.**
9. CAO Comments and Referrals
- There were CAO comments or referrals.**
10. General Public Comments
- Hans Jongens; and Joe Vierra.**

Scheduled Matters

11. Consider adoption of an ordinance amending the section 12.28.010 of the Monterey County Code to establish no parking at any time on both sides of Harper Canyon Road from its terminus at Toro County Park (M.P.0.82) northwesterly for a distance of 500 feet.
- Public comment: Robert Balon; Bill Scott**
- Motion by Supervisor Potter, seconded by Supervisor Parker, to adopt Ordinance No. 5198 amending the section 12.28.010 of the Monterey County Code to establish no parking at any time on both sides of Harper Canyon Road from its terminus to Toro County Park (M.P.0.82) northwesterly for a distance of 1000. ALL AYES**
12. Public hearing to consider adoption of an ordinance to amend Section 20-47 of the zoning maps of the Monterey County Coastal Implementation Plan (Title 20 of the Monterey County Code) to rezone an approximately 90 acre parcel from the “WSC/40-D (CZ)” [Watershed and Scenic Conservation, 40 acres per unit,

Design Control Overlay District, Coastal Zone] and “VSC-D (CZ)” [Visitor Serving Commercial, Design Control Overlay District, Coastal Zone] zoning classifications to the “WSC/40-D-HR (CZ)” [Watershed and Scenic Conservation, 40 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] and “VSC-D-HR (CZ)” [Visitor Serving Commercial, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classifications.

(Rezoning- PLN120136/Post Ranch LP, 47900 Highway 1, Big Sur, Big Sur Coast Land Use Plan area)

Public hearing held and a motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas, to adopt Ordinance 5199 amending Section 20-47 of the zoning maps of the Monterey County Coastal Implementation Plan (Title 20 of the Monterey County Code) to rezone an approximately 90 acre parcel from the “WSC/40-D (CZ)” [Watershed and Scenic Conservation, 40 acres per unit, Design Control Overlay District, Coastal Zone] and “VSC-D (CZ)” [Visitor Serving Commercial, Design Control Overlay District, Coastal Zone] zoning classifications to the “WSC/40-D-HR (CZ)” [Watershed and Scenic Conservation, 40 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] and “VSC-D-HR (CZ)” [Visitor Serving Commercial, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classifications. (Rezoning- PLN120136/Post Ranch LP, 47900 Highway 1, Big Sur, Big Sur Coast Land Use Plan area). ALL AYES

13. 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 the Monterey County.

Public comment: Anne Wheelis; Kalah Bumba; Yasmine Postan; Richelle Santoya; Andrea Manzo; Christine Huerta; Dale Hillard; Hans Jongens; Don Ask
A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas, adopting Ordinance 5200 adding Chapter 7.80 to the Monterey County Code to establish licensing requirements for tobacco retailing within the unincorporated area of the Monterey County.

14. a. Receive a report on Monterey County Mills Act Pilot Program (Chapter 18.27 of the Monterey County Code); and
 b. Direct staff to prepare an ordinance to convert the Pilot Program to an on-going Mills Act Program.
 (Monterey County Mills Act/PLN080298, County-wide)

Public comment: Salvador Munoz; John Scorkis
A motion was made by Supervisor Parker, seconded by Supervisor Calcagno, approving Option No. 3 as referenced in the staff report, and directed staff to return at the end of Calendar Year 2012 with the draft Ordinance. ALL AYES

Adjournment

Supplemental Sheet, Consent Calendar**Health and Social Services**

15. a. Amend Health Department Budget 4000, HEA002-8082 to reclassify and reallocate 1.0 FTE Behavioral Health Unit Supervisor to 1.0 FTE Behavioral Health Services Manager I, (Attachment A); and
b. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2011-12 Budget and the FY 2012-13 Adopted Budget.

Approved

16. Authorize the Purchasing Manager to release a Request for Qualifications (RFQ# 10363) for soliciting proposals from general acute care hospitals located in the County of Monterey to be considered for designation as an adult Level II Trauma Center.

Approved

17. Adopt a Resolution to:
a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Clinic Services Medical Director with the recommended salary range of \$13,409 - \$18,304/month;
b. Amend Health Department Budget 4000, HEA007-8096 (0.5 FTE) 8105 (0.5 FTE) 4000 to reclassify and reallocate 1.0 FTE Clinic Physician II to 1.0 FTE Clinic Services Medical Director; and
c. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2011-12 Budget and the FY 2012-13 Adopted Budget as outlined in the attached Board resolution.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 12-122 to:

- a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Clinic Services Medical Director with the recommended salary range of \$13,409 - \$18,304/month;**
b. Amend Health Department Budget 4000, HEA007-8096 (0.5 FTE) 8105 (0.5 FTE) 4000 to reclassify and reallocate 1.0 FTE Clinic Physician II to 1.0 FTE Clinic Services Medical Director; and
c. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2011-12 Budget and the FY 2012-13 Adopted Budget as outlined in the attached Board resolution.

ALL AYES

18. Approve and authorize the Emergency Medical Services (EMS) Agency Director to sign and execute an EMS Aircraft Service Provider Agreement with Mercy Air

Service Inc. to provide EMS Aircraft services to the County of Monterey.

Approved - Agreement No. A-12217

19.

- a. Approve and authorize the Contracts/Purchasing Officer to execute a Professional Services Agreement with Community Hospital of the Monterey Peninsula, in an amount not to exceed \$137,400, to provide HIV/AIDS services to individuals and families, for the period of July 1, 2011 through June 30, 2013; and
- b. Approve and authorize the Contracts/Purchasing Officer to execute a Professional Services Agreement with Central Coast HIV/AIDS Services, in an amount not to exceed \$30,000, to provide education, counseling and testing services in relation to HIV/AIDS, STDs, and Hepatitis C for local alcohol/drug treatment recovery centers, for the period of July 1, 2011 through June 30, 2013; and
- c. Authorize the modification of the County's standard insurance requirement pertaining to Worker's Compensation insurance for Central Coast HIV/AIDS Services; and
- d. Authorize the Contracts/Purchasing Officer to approve up to three future amendments to these Agreements where the amendments do not exceed ten percent (10%) of the original Agreement amounts, and do not significantly change the scope of services or result in an increase in County General Fund Contribution.

**Approved - Agreement No. A-12218 - Community Hospital
Agreement No. A-12219 - Central Coast
HIV/AIDS Services**

19.1

Adopt Resolution to:

Issue a report pursuant to Government Code Section 65858(d) describing the measures taken by the County to alleviate the conditions that led to the adoption of Interim Urgency Ordinance No. 5160 and its extensions, Ordinance No. 5163 and Ordinance No. 5176, temporarily prohibiting, with limited exceptions, the acceptance and processing of water well applications and issuance of water well permits on parcels of less than 2.5 acres within a portion of the California American Water Company - Monterey District Main System service area within the unincorporated County, pending the County's consideration of additional well regulations.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, to Adopted Resolution No. 12-123 to:

Issue a report pursuant to Government Code Section 65858(d) describing the measures taken by the County to alleviate the conditions that led to the adoption of Interim Urgency Ordinance No. 5160 and its extensions, Ordinance No. 5163 and Ordinance No. 5176, temporarily prohibiting, with limited exceptions, the acceptance and processing of water well applications and issuance of water well permits on parcels of less than 2.5 acres within a portion of the California American Water Company - Monterey District Main System service area within the unincorporated County, pending the County's consideration of additional well regulations.

ALL AYES

General Government

20. a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to the Agreement A-11954 with RT Lawrence Corp. for the Tax Collector's Remittance Processing System, to extend the software and hardware maintenance as needed up to and including June 30, 2017, for a revised total Agreement amount that shall not exceed \$584,253;
- b. Authorize the Contracts/Purchasing Officer to sign future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement total amount of more than five percent (5%).

Approved - Agreement No. A-11954

