

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, September 23, 2014

9:00 AM

**See separate agendas for Board of Supervisors governed Agencies
and Special Districts**

Board of Supervisors

*Chair Louis R. Calcagno - District 2
Vice Chair Simón Salinas - District 3
Supervisor Fernando Armenta - District 1
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) Keep Fort Ord Wild v. County of Monterey (Monterey County Superior Court case no. M114961); (2) Deputy Sheriffs' Association of Monterey County v. Scott Miller, et al. (United States District Court, San Jose Division, case no. 14-cv-04128-HRL).
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~two matters~~ three matters of significant exposure to litigation. (REVISED VIA SUPPLEMENTAL)
 - c. 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) Claim of Benito Flores, Sr.
 - d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Resource Management Agency Director.

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 honoring Terry L. Spitz upon his retirement from the County of Monterey after 35 Years of Public Service with the District Attorney's Office. (Supervisor Armenta)

Attachments: [Spitz Ceremonial Resolution](#)

Appointments

4. Reappoint to the Agricultural Advisory Committee David Costa for a term ending June 30, 2017. (Full Board)

Attachments: [Costa Notification to Clerk](#)

Other Board Matters

5. Board Comments
6. CAO Comments and Referrals
7. 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.

10:30 A.M. - Scheduled Matters

8. Receive a presentation on Managing for Results (MFR) from the Elections Department.
9. a. Conduct a Public Hearing on Monterey County's Community Development Block Grant (CDBG) Program Income Reuse Agreement; Authorize

- establishment of a Business Assistance Revolving Loan Fund (new title);
- b. Authorize the Economic Development Director to sign the Program Income Reuse Agreement;
 - c. Authorize the Economic Development Director to implement the Agreement and use specified CDBG Program Income to establish a Business Assistance Revolving Loan Fund; and,
 - d. Authorize the Economic Development Director to notify the State Department of Housing and Community Development that the County will transfer other CDBG Program Income to the Urban County CDBG Program.

Attachments: [CDBG Program Income Reuse Agreement](#)

12:00 PM Recess to Lunch

1:30 PM Reconvene

Roll Call

1:30 P.M. - Scheduled Matters

10. Receive presentation by the California Department of Conservation regarding oil and gas extraction, with focus on state regulation of hydraulic fracturing, acid matrix stimulation, and acid well stimulation treatments.

Attachments: [Staff Report](#)

Adjournment

Supplemental Sheet, Consent Calendar

Natividad Medical Center

11. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 8 to the Agreement (A-11938/MYA444) with Green Line Liquid Waste Hauler for Quarterly Grease Trap Cleaning and Plumbing/Drain Cleaning Services at NMC, extending the Agreement to June 30, 2015 for a total Agreement amount not to exceed \$113,000 in the aggregate; no increase from the previously approved amount.

Attachments: [Green Line Liquid Waste Hauler Renewal and Amendment No. 8.pdf](#)
[Green Line Liquid Waste Hauler Prior Amendments.pdf](#)
[Green Line Liquid Waste Hauler Spend Sheet.xls](#)

12. a. Authorize and direct the Purchasing Manager for Natividad Medical Center (NMC) to execute the Third Amendment to the Professional Services Agreement with Juan Calzetta M.D. to provide vascular surgery services at NMC, extending the term of the agreement to June 30, 2016 and adding \$450,000, for an amount not to exceed \$1,287,400 in the aggregate (for the period July 1, 2011 to June 30, 2016); and
b. Authorize the Purchasing Manager for NMC 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.

Attachments: [CALZETTA THIRD AMENDMENT.pdf](#)
[JUAN CALZETTA SECOND AMENDMENT \(063015\).pdf](#)

Health Department

13. a. Approve and Authorize the Director of Health to sign Amendment No. 4 to the Physician Services Agreement with Lucile Salter Packard Children's Hospital at Stanford University for perinatology services, extending the term two (2) additional years to September 30, 2016, and increasing the amount by \$240,000, for a revised total contract amount not to exceed \$960,000; and
b. Authorize the Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not exceed 10% of the annual amount and do not significantly change the scope of work.

Attachments: [LPCH Amend4 \(BOS\).pdf](#)
[LPCH Perinatology A-3 \(BOS\).pdf](#)
[LPCH Perinatology A-2 \(BOS\).pdf](#)
[LPCH Perinatology A-1 \(BOS\).pdf](#)
[LPCH Perinatology Agr \(2008-2011\).pdf](#)

Criminal Justice

14. a. Authorize the Chair to sign and submit a Letter of Interest to the Board of State and Community Corrections for participation in the Community Recidivism Reduction Grant;
- b. Accept funding in the amount of \$100,000; and
- c. Distribute these funds to service providers as specified in statute

Attachments: [Letter BSCC Community Recidivism Reduction Grant](#)

General Government

15. a. Amend the County's Neighborhood Stabilization Program 3 (NSP3) Action Plan to increase funding for Interim, Inc.'s Rockrose Gardens project by up to \$14,643.26 and decrease funding for Administration by up to \$14,643.26;
- b. Authorize the Economic Development Director to enter into an Amendment #2 to the Neighborhood Stabilization Program 3 (NSP3) Grant Agreement to memorialize the additional grant funding of up to \$14,643.26 of NSP3 funding to Rockrose Housing Corporation.

Attachments: [NSP3 Action Plan](#)
[NSP3 Action Plan Amendment #1 \(2\)](#)
[NSP3 Action Plan Amendment #2](#)
[NSP3 Action Plan Amendment #3](#)
[NSP3 Action Plan Amendment #4](#)
[Grant Agrmnt signed 4-7-14 \(2\)](#)
[Rockrose Grant Amendment #1 signed \(2\)](#)
[Rockrose Grant Amendment #2](#)

16. a. Approve and authorize the Contracts / Purchasing Officer to sign a Lease Agreement with the State of California Department of General Services for use of tower space at the "Calandra LO" radio communications site for the term of ten (10) years in an amount not to exceed \$18,546 in year one with 3% annual increases after the first year term;
- b. Approve payment of back-rent in an amount not to exceed \$5,818;
- c. Accept Non-Standard County Liability, Indemnification, and Insurance Provisions as recommended by the Director of Emergency Communications; and
- d. Authorize an auto-renewal clause as recommended by the Director of Emergency Communications.

Attachments: [L-0058 Calandra-County-LEASE Agreement.pdf](#)

17. Adopt Resolution to:
- a. Amend Fiscal Year (FY) 2014-15 Information Technology Budget 1930, Unit 8433, Appropriation Unit INF002 to approve reallocations and reclassifications from Programmer Analyst - Confidential to Software Programmer Analyst III as shown in Attachment A; and
 - b. Authorize the Auditor-Controller and County Administrative Office to incorporate these changes into the FY 2014-15 Adopted Budget.

Attachments: [Draft Resolution PA Confidential to Software PAIII.pdf](#)
[Attachment A.pdf](#)

18. Approve the Monterey County Board of Supervisor Action Minutes of Tuesday, April 22, 2014 and Tuesday, June 17, 2014.

Attachments: [BOS Draft Minutes 4-22-14](#)
[BOS Draft Minutes 6-17-14](#)

RMA - Public Works

19.
 - a. Approve and authorize the Resource Management Agency - Public Works Director to sign an electric agreement, Contract ID: 1178063: Las Lomas - 60 New Street Lights, with Pacific Gas & Electric Company in the amount of \$11,803.25, for installation of sixty new streetlights in the Community of Las Lomas (Phase two of three phases);
 - b. Authorize the payment of \$11,803.25 to Pacific Gas & Electric Company from the Facilities Master Plan Implementation Project Fund 404, Las Lomas Lighting Project, Project 1722; and
 - c. Authorize the payment of monthly utility bills generated from this Project against the Utilities Unit 001-3000-8182-RMA098 until such time as a method to assess property owners these on-going operating costs is implemented.

Attachments: [Contract ID 1178063 Las Lomas](#)
[Location Map](#)

20. Board of Supervisors Supplemental Agenda, Tuesday, September 23, 2014.

SUPPLEMENTAL

1. Closed Session under Government Code section 54950, relating to the following items:
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~two matters~~ three matters of significant exposure to litigation.