

Monterey County

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



Action Minutes - Draft

Tuesday, July 8, 2014

9:00 AM

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

Board of Supervisors

9:00 A.M. - Call to Order

The meeting was called to order by Chair Calcagno.

Roll Call

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

Additions and Corrections for Closed Session

There were no additions and corrections for closed session.

Closed Session

1. [CS 14-028](#) Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
 - b. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center CEO.
 - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.
 - d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

County Counsel noted item 1.a. relates to contractual interpretation disputes with the Natividad Medical Center CEO, CFO and Chief Medical Officer.

County Counsel noted that item 1.b. was postponed and will be continued to a new date.

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

10:30 AM Reconvene

Roll Call

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

Pledge of Allegiance

The Pledge of Allegiance was led by Charles McKee.

Additions and Corrections

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following corrections:

Correction under Consent Calendar - Revised Report Submitted with original agreement and amendments 1-6 as attachments.

18. Approve and authorize the Director of Health to sign Amendment No. 7 to the License and Support Agreement (No. A-10635) dated September 12, 2006, between the County of Monterey and Decade Software Company, LLC, to extend the agreement for one (1) year through June 30, 2015, to expand the scope of work, and establish the fee payable to Decade Software Company, LLC, at \$56,694.00 for annual licensing fees and \$31,364.00 for additional services to be provided for a total Agreement amount not to exceed \$539,965.26.

Correction under Consent Calendar - Revised Report Submitted with original agreement and amendments 1-2 as attachments.

19. Approve and authorize the Director of Health to sign Amendment No. 2 to the Mental Health Service Agreement A-12262 with Central Coast Center for Independent Living for the provision of work incentive counseling, independent living skills, and outreach services for mental health clients and family members. Amendment No. 2 add \$45,832 (\$22,916 for FY 2014-15, \$22,916 for FY 2015-16) for a new total Agreement amount not to exceed \$411,894.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to approve the additions and corrections. ALL AYES

Consent Calendar- (See Supplemental Sheet)

2. [14-757](#) Approval of Consent Calendar (See Supplemental Sheet)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to approve the Consent Calendar (See Supplemental Sheet). ALL AYES

Ceremonial Resolutions

3. [CR 14-114](#) Adopt Resolution proclaiming July 13-19, 2014 "Probation Services Week." (Full Board)

Attachments: [Probation Services Week Ceremonial Resolution](#)
[Board Order & Resolution](#)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 14-206 proclaiming July 13-19, 2014 "Probation Services Week." ALL AYES

4. [CR 14-115](#) Adopt Resolution commemorating the 75th Anniversary of Mann Packing Company, Inc. (Full Board)

Attachments: [75th Anniversary of Mann Packing Company, Inc. Ceremonial Resolution](#)
[Board Order & Resolution](#)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 14-207 commemorating the 75th Anniversary of Mann Packing Company, Inc. ALL AYES

Appointments

5. [APP 14-100](#) Reappoint Dick Stott to the Carmel Valley Road Committee, as an alternate representing Mouth of the Valley with a term ending June 30, 2017. (Supervisor Potter)

Attachments: [Stott Notification to Clerk](#)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Dick Stott to the Carmel Valley Road Committee, as an alternate representing Mouth of the Valley with a term ending June 30, 2017. ALL AYES

6. [APP 14-101](#) Reappoint to the Emergency Medical Care Committee the following individuals, with terms ending June 30, 2016, Jodi Schaffer; Fire Chief Martha Karstens; Harold Wolgamott; Paul Casolary and Police Chief Paul Miller. (Full Board)

Attachments: [Schaffer Notification to Clerk](#)
[Karstens Notification to Clerk](#)
[Wolgamott Notification to Clerk](#)
[Casolary Notification to Clerk](#)
[Miller Notification to Clerk](#)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint to the Emergency Medical Care Committee the following individuals, with terms ending June 30, 2016; Jodi Schaffer; Fire Chief Martha Karstens; Harold Wolgamott; Paul Casolary and Police Chief Paul Miller. ALL AYES

7. [APP 14-102](#) Appoint Dr. Heather Taher to the Emergency Medical Care Committee, term ending June 30, 2016. (Full Board)

Attachments: [Taher Notification to Clerk](#)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to appoint Dr. Heather Taher to the Emergency Medical Care Committee, term ending June 30, 2016. ALL AYES

Other Board Matters

8. [14-758](#) Board Comments

Supervisor Armenta commented on the reduction and proposed lay-offs of Parks Department staff. Supervisor Armenta noted Parks staff have visited his office to express their concerns and ideas for Parks and asked if there was the possibility of the Board addressing this matter before the summer recess.

Supervisor Parker announced she is seeking candidates to fill vacancies on the Commission on the Status of Women of the Community Action Commission and the In-Home Supportive Services Commission for District 4. Supervisor Parker also announced that the early childhood development initiative is moving along and has released an engagement opportunity request for communities who might like to participate in the collective impact process that early childhood development is pursuing. A workshop will be held on July 9th from 8:30-10:30 at the General Stilwell Community Center in Seaside to review that engagement opportunity request and she invited the public to attend. Additional information is available on the Children's Council website.

9. [14-759](#) CAO Comments and Referrals

Attachments: [Referrals 070814](#)

There were no CAO comments or referrals.

10. [14-760](#) General Public Comment

Michael Stamp; Donovan Corbett; Jason Hayward; Steve Ecklund; Hans Jongens; Joe Vierra.

10:30 A.M. - Scheduled Matters11. [14-733](#) Receive a report from the Auditor-Controller regarding the award of the Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2013 and the Association of Government Accountants 2013-14 Chapter Recognition Award for providing an excellent educational program.

Attachments: [GFOA 2013](#)
[AGA Chapter Award Letter 2013-14](#)
[Completed Board Order](#)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to receive a report from the Auditor-Controller regarding the award of the Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2013 and the Association of Government Accountants 2013-14 Chapter Recognition Award for providing an excellent educational program.
ALL AYES

12. [ORD 14-011](#) Public hearing to consider:

a. Finding that the ordinance is not a project under the California

Environmental Quality Act (CEQA) per CEQA Guidelines Sections 15060 (c) (3) and 15378 (b)(5);

b. Adopting a resolution of intent to adopt an ordinance amending Title 19 (coastal subdivision ordinance) and Title 20 (Monterey County Coastal Implementation Plan, Part 1) of the Monterey County Code to establish notification and hearing procedures to address inactive discretionary land use permit applications in the coastal unincorporated area of Monterey County; and

c. Directing staff to submit the proposed ordinance to the California Coastal Commission for certification. (Inactive Discretionary Application Ordinance - REF120032, Unincorporated Coastal)

Attachments: [Attachment A - Discussion](#)
[Attachment B - Draft BOS Resolution of Intent](#)
[Exhibit 1 to Attachment B - Draft Ordinance](#)
[Attachment C - PC Resolution No. 14-023](#)
[Attachment D - Inactive Application Flowchart](#)
[Attachment E - Resolution of Intention No. 12-050](#)
[Completed Board Order and Resolution](#)

Held a Public hearing;

Public Comment: Bob Perkins.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter:

a. Finding that the ordinance is not a project under the California Environmental Quality Act (CEQA) per CEQA Guidelines Sections 15060 (c)(3) and 15378 (b)(5);

b. Adopting Resolution No. 14-213 of intent to adopt an ordinance amending Title 19 (coastal subdivision ordinance) and Title 20 (Monterey County Coastal Implementation Plan, Part 1) of the Monterey County Code to establish notification and hearing procedures to address inactive discretionary land use permit applications in the coastal unincorporated area of Monterey County; and

c. Directing staff to submit the proposed ordinance to the California Coastal Commission for certification. (Inactive Discretionary Application Ordinance - REF120032, Unincorporated Coastal). ALL AYES

12:00 PM Recess to Lunch

1:30 PM Reconvene

Roll Call

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

1:30 P.M. - Scheduled Matters

- 13.** [14-749](#) a. Consider approval of the response to the 2013 Monterey County Civil

Grand Jury Interim Final Report No. 2; and
b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by July 28, 2014.

Attachments: [Response to Civil Grand Jury Interim Final Report No. 2](#)
 [Completed Board Order](#)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to a. approve the response to the 2013 Monterey County Civil Grand Jury Interim Final Report No. 2; and
b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by July 28, 2014. ALL AYES**

14. [14-753](#) Receive informational copies of the responses provided by the District Attorney and Sheriff to the 2013 Monterey County Grand Jury Interim Final Report No. 2.

Attachments: [District Attorney Response to Civil Grand Jury Response No. 2](#)
 [Sheriff's Response to Civil Grand Jury Final Report No 2](#)
 [Completed Board Order](#)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to receive informational copies of the responses provided by the District Attorney and Sheriff to the 2013 Monterey County Grand Jury Interim Final Report No. 2. ALL AYES

15. [14-742](#) Public hearing to:
a. Receive a follow-up report as directed during Budget Hearings on June 10, 2014 regarding remaining Fiscal Year (FY) 2014-15 funding requirements for Long Range Planning tasks and associated costs related to the additional \$1,000,000 allocation included in the FY 2014-15 Adopted Budget, along with anticipated costs for future years; and
b. Consider and approve a transfer of \$192,000 from General Fund Contingencies to the CAO budget to fund increased FY 2014-15 costs for the Salinas Valley Water Study; and
c. Approve and authorize the Auditor-Controller to decrease appropriations by \$192,000 in General Fund Contingencies 001-1050-8034 (CAO020) and increase appropriations by \$192,000 in County Administrative Office - Other Financing Uses 001-1050-8038 (CAO017) to fund FY 2014-15 expenditures for the Salinas Valley water study (4/5th vote required)
(REF14-059/Budget for RMA-Long Range Planning FY 14-15)

Attachments: [Attachment A - Discussion](#)
 [Completed Board Order](#)

**Public Comment: Kim Cohan.
Held a Public Hearing;
A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to:**

- a. Receive a follow-up report as directed during Budget Hearings on June 10, 2014 regarding remaining Fiscal Year (FY) 2014-15 funding requirements for Long Range Planning tasks and associated costs related to the additional \$1,000,000 allocation included in the FY 2014-15 Adopted Budget, along with anticipated costs for future years; and
- b. Approve a transfer of \$192,000 from General Fund Contingencies to the CAO budget to fund increased FY 2014-15 costs for the Salinas Valley Water Study; and
- c. Approve and authorize the Auditor-Controller to decrease appropriations by \$192,000 in General Fund Contingencies 001-1050-8034 (CAO020) and increase appropriations by \$192,000 in County Administrative Office - Other Financing Uses 001-1050-8038 (CAO017) to fund FY 2014-15 expenditures for the Salinas Valley water study (4/5th vote required)
(REF14-059/Budget for RMA-Long Range Planning FY 14-15). ALL AYES

16. [14-748](#)

- a. Receive follow-up report as directed during Budget Hearings on June 10, 2014 regarding remaining FY 2014-15 funding requirements for new and increased mandates related to storm water run-off, water quality monitoring, and street sweeping; and
- b. Consider potential funding options and provide direction to staff.

Attachments: [Attachment A –Program Description and Requirements](#)
 [Completed Board Order](#)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to a. Receive follow-up report as directed during Budget Hearings on June 10, 2014 regarding remaining FY 2014-15 funding requirements for new and increased mandates related to storm water run-off, water quality monitoring, and street sweeping;
b. Considered potential funding options;
c. Approved all of the currently unfunded requirements from general fund contingencies;
d. Absorbed the increased cost of \$150,000 for expanded street sweeping within the Road Fund Road & Bridge Maintenance 002-3000-8443-RMA014; and
e. Directed staff to closely track costs for the monitoring requirements and return to the Board through the Budget Committee to validate the partnership cost and the Agency's ability to absorb all or some part of the cost if possible and to return to the Board through the Budget committee before year-end to identify impacts to the Agency's current services, if any, in order to meet obligations. ALL AYES

17. [14-734](#)

Receive Status Update related to progress in developing the Salinas Downtown Vibrancy Plan.

Attachments: [Completed Board Order](#)

By Consensus the Board of Supervisors received a status update related to progress in developing the Salinas Downtown Vibrancy Plan.

Adjournment

APPROVED:

**MARY L. ADAMS, CHAIR
BOARD OF DIRECTORS**

ATTEST:

BY: _____
**GAIL T. BORKOWSKI
CLERK OF THE BOARD
APPROVED ON** _____

Supplemental Sheet, Consent Calendar

Department of Health

18. [A 14-175](#) Approve and authorize the Director of Health to sign Amendment No. 7 to the License and Support Agreement (No. A-10635) dated September 12, 2006, between the County of Monterey and Decade Software Company, LLC, to extend the agreement for one (1) year through June 30, 2015, to expand the scope of work, and establish the fee payable to Decade Software Company, LLC, at \$56,694.00 for annual licensing fees and \$31,364.00 for additional services to be provided for a total Agreement amount not to exceed \$539,965.26. (Revised report via Additions and Corrections)

Attachments: [Attachment A - BOARD REPORT, ORDER AND AGREEMENT A - 10635](#)
[ATTACHMENT B - AMENDMENT NO 1 TO AGREEMENT A-10635](#)
[ATTACHMENT C - AMENDMENT NO 2 TO AGREEMENT A-10635](#)
[ATTACHMENT D - AMENDMENT NO 3 TO AGREEMENT A-10635](#)
[ATTACHMENT E - AMENDMENT NO 4 TO AGREEMENT A-10635](#)
[ATTACHMENT F - AMENDMENT NO 5 TO AGREEMENT A-10635](#)
[ATTACHMENT G - AMENDMENT NO 6 TO AGREEMENT A-10635](#)
[AMENDMENT NO 7 TO AGREEMENT A-10635 \(PROPOSED\).pdf](#)
[Completed Board Order](#)

Approved - Agreement No. A-10635

19. [A 14-177](#) Approve and authorize the Director of Health to sign Amendment No. 2 to the Mental Health Service Agreement A-12262 with Central Coast Center for Independent Living for the provision of work incentive counseling, independent living skills, and outreach services for mental health clients and family members. Amendment No. 2 adds \$45,832 (\$22,916 for FY 2014-15, \$22,916 for FY 2015-16) for a new total Agreement amount not to exceed \$411,894. (Revised report submitted via additions and corrections)

Attachments: [CCCIL Agmt FY 12-13](#)
[CCCIL Amend No 1](#)
[CCCIL Amend 2 pending](#)
[Completed Board Order](#)
[Fully Executed Agreement, Amendment No. 2](#)

Approved - Agreement No. A-12262

Department of Social Services

20. [14-740](#) a. Approve and ratify Amendment No. 3 to the CSBG Standard Agreement

No. 14F-3027 with the State Department of Community Services and Development for an increase of \$60,000 in funding of the Agreement and for a change in the scope of services to incorporate new services for the CSBG Drought Water Assistance Program Pilot for the period July 1, 2014 to December 31, 2014, increasing the total amount of the contract amount to \$525,111; and,

b. Approve and ratify the execution of the Amendment No. 3 to the CSBG Standard Agreement No. 14F-3027 with State Department of Community Services and Development by Wendy Russell, Deputy Director of Administration of the Department of Social Services on June 16, 2014.

Attachments: [CSBG amendment 3](#)
 [CSBG 2014 Std Agreement](#)
 [CSBG 2014 Amend 1](#)
 [CSBG 2014 Amend 2](#)
 [Completed Board Order](#)

Approved

21. [14-743](#)
- a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Rebekah Children's Services (RCS) for \$1,504,000 for the period July 1, 2014 through June 30, 2016 to provide intensive Wraparound Care Coordination to adoption assisted families and foster youth and their families; 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.

Attachments: [Rebekah Children's Services Agreement 2014 16](#)
 [Completed Board Order](#)
 [Fully Executed Agreement between the County of Monterey and Rebekah Children's Services](#)
 [Fully Executed Agreement between the County of Monterey and Rebekah Children's Services](#)

Approved - Agreement No. A-12746

22. [14-744](#)
- a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Action Council for \$1,148,005 for the period July 1, 2014 - June 30, 2016 to provide Wraparound Administrative Services to adoption assisted families and foster youth and their families; 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.

Attachments: [Action Council Agreement 2014_16](#)
[Completed Board Order](#)
[Fully Executed Agreement between the County of Monterey and Action Council of Monterey County](#)

Approved - Agreement No. A-12760

General Government

23. [14-683](#)
- a. Approve and authorize the Contracts/Purchasing Officer to sign Master Agreements between the County of Monterey and TPO Human Resources Management, Reward Strategy Group, Inc., Renne Sloan Holtzman Sakai, LLP., Public Interest Investigations, Inc., GY Investigations and Legal Services, Inc., CPS HR Consulting, Consulting Services International, LLC., Critical Incident Management Team, William Avery & Associates, Inc. for the provision of Human Resources Consulting services to the County of Monterey on an as-needed basis for a term of five (5) years, effective from the date of execution of each agreement through and including June 30, 2019, not to exceed the aggregate amount of \$500,000 over the term of all Agreements, in accordance with the terms and conditions set forth within each Agreement.
- b. Authorize the Contracts/Purchasing Officer to execute similar additional Agreements for Human Resources Consulting services with qualified contractors who meet the minimum requirements of the County of Monterey.

Attachments: [Agmt TPO](#)
[Agmt Reward Strategy](#)
[Agmt Renne Sloan](#)
[Agmt Public Interest Investigations](#)
[Agmt GY Investigations](#)
[Agmt CPS](#)
[Agmt Consulting Services Int](#)
[Agmt CIMT](#)
[Agmt Avery Associates](#)
[Completed Board Order](#)

Removed via Additions and Corrections

24. [14-745](#)
- Approve and authorize the reinstatement of 10 Workers' Compensation Allocation on Loan positions (Classification Code 99ZWC) to Risk Management, Appropriation Code COU002.

Attachments: [Completed Board Order](#)

Approved

RMA - Public Works

25. [RES 14-058](#) Adopt a Resolution to:
- Adopt the Mitigated Negative Declaration for the Peach Tree Road at Pancho Rico Bridge Replacement Project County Bridge No. 412, Project No. 220165, State Project No. EA 05-142284L, Federal Aid Project No. STPLZ-5944 (041);
 - Adopt a Mitigation Monitoring and Reporting Plan; and
 - Authorize the Resource Management Agency - Public Works to proceed with said Project.

Attachments: [Resolution](#)
[Exhibit A - Mitigation and Monitoring and Reporting Plan](#)
[Project Budget](#)
[Initial Study and Mitigated Negative Declaration](#)
[Appendix A NES 2000](#)
[Appendix B CTS Site Assessment](#)
[Appendix C RWQCB Water Certification 2013](#)
[Appendix D Bridge Study 2010](#)
[Location Map](#)
[Completed Board Order & Resolution](#)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 14-214 to:

- Adopt the Mitigated Negative Declaration for the Peach Tree Road at Pancho Rico Bridge Replacement Project County Bridge No. 412, Project No. 220165, State Project No. EA 05-142284L, Federal Aid Project No. STPLZ-5944 (041);**
- Adopt a Mitigated Monitoring and Reporting Plan; and**
- Authorize the Resource Management Agency - Public Works to proceed with said Project. ALL AYES**

26. [RES 14-055](#) Adopt a Resolution:
- Pursuant to Section 8333(c) of the California Streets and Highways Code, finding that certain Public Utility Easements at East Garrison Phase 1 are in excess to the public's needs and that there are no other public facilities located within the area to be vacated;
 - Summarily vacating the public service easements as identified herein; and
 - Authorizing the Clerk of the Board of Supervisors to submit a certified copy of the resolution to the County Recorder for recordation.

Attachments: [Resolution](#)
[Exhibits A & B - Lots with Unoccupied PUEs](#)
[Vicinity Map - East Garrison](#)
[Completed Board Order and Resolution](#)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 14-217:

- Pursuant to Section 8333(c) of the California Streets and Highways Code, finding that certain Public Utility Easements at East Garrison Phase 1 are in**

excess to the public's needs and that there are no other public facilities located within the area to be vacated;

- b. Summarily vacating the public service easements as identified herein; and
- c. Authorizing the Clerk of the Board of Supervisors to submit a certified copy of the resolution to the County Recorder for recordation. **ALL AYES**