

Monterey County

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



Action Minutes - Final

Tuesday, March 8, 2016

8:30 AM

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

Board of Supervisors

*Chair Jane Parker - District 4
Vice Chair Dave Potter - District 5
Supervisor Fernando Armenta - District 1
Supervisor Simón Salinas - District 3
Supervisor John M. Phillips - District 2*

8:30 A.M. - Call to Order

The meeting was called to order by Chair Parker.

Roll Call

Supervisor Potter arrived prior to Closed Session.

Present: 5 - Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter, Supervisor John M. Phillips and Supervisor Simón Salinas

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(a), the Board will confer with Sheriff and County Counsel regarding a potential threat to the security of public facilities and services.

CLOSED SESSION REPORT: The Board took no reportable action on item 1. a.

10:30 A.M. - Reconvene

Roll Call

Present: 5 - Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter, Supervisor John M. Phillips and Supervisor Simón Salinas

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Armenta.

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 correction:

Corrections to Ceremonial Resolutions

9.1 Corrected Resolution submitted. There are no text changes, just correcting capitalization in the last paragraph of the Resolution.

Adopt Resolution commending Sergeant Brian Pickens as the recipient of the Monterey County Sheriff's Office Deputy of the Year for 2015. (Full Board)

9.2 Correction to the spelling of Deputy Blain to Deputy Blaine

Adopt Resolution commending Deputy Blain Councilman as the recipient of the Monterey County Sheriff's Office COB Deputy of the Year for 2015. (Full Board)

Correction to Consent Calendar – Social Services
16.1 Wrong Board Report Attached.

- a. Accept the FY 2014 15 Annual Report from First 5 Monterey County (a.k.a. The Monterey County Children and Families Commission); and
- b. Receive an oral presentation regarding current First 5 Monterey County programs.

Remove from Consent Calendar – Natividad Medical Center

17. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement with AMF Media Group for Public Relations Services at NMC for an amount not to exceed \$185,500 for the term April 1, 2016 through March 31, 2017; and
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) of the original cost of the agreement per each amendment.

Correction to Consent Calendar – General Government

25. a. Introduce, waive reading, and set March 8, 2016 March 22, 2016 at 10:30 a.m. to consider adoption of an ordinance of the County of Monterey, State of California, amending Section 5.32 of the Monterey County Code as it relates to the Documentary Transfer Tax to reflect current law; and
- b. Direct the Clerk of Board to publish the summary five days prior to set date of March 22, 2016 and within 15 days of adoption in The Salinas Californian.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve the corrections to the agenda. ALL AYES

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

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

Ceremonial Resolutions

3. Adopt Resolution honoring Jose Galindo, of King City Cemetery District, for his twenty-five years public service. (Supervisor Salinas)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-052 honoring Jose Galindo, of King City Cemetery District, for his twenty-five years public service. (Supervisor Salinas). ALL AYES

4. Adopt Resolution honoring Scott Violini upon his selection as 2016 Cattleman of the Year. (Supervisor Salinas)

A motion was made by Supervisor Dave Potter, seconded by Supervisor

Fernando Armenta to adopt Resolution No. 16-044 honoring Scott Violini upon his selection as 2016 Cattleman of the Year. (Supervisor Salinas) ALL AYES

5. Adopt Resolution honoring Lorena “Renie” Perrien on her retirement from the County of Monterey after 23 years of dedicated service. (Full Board)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-045 honoring Lorena “Renie” Perrien on her retirement from the County of Monterey after 23 years of dedicated service. (Full Board) ALL AYES

6. Adopt Resolution honoring Michael Troutman as recipient of the Monterey Peninsula Chamber of Commerce 2015 Robert C. Littlefield Award for Lifetime Achievement. (Supervisor Potter)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-046 honoring Michael Troutman as recipient of the Monterey Peninsula Chamber of Commerce 2015 Robert C. Littlefield Award for Lifetime Achievement. (Supervisor Potter) ALL AYES

7. Adopt Resolution honoring Mayor Ralph Rubio as recipient of the Monterey Peninsula Chamber of Commerce 2015 Ruth Vreeland Memorial Public Official of the Year Award. (Supervisor Potter)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-047 honoring Mayor Ralph Rubio as recipient of the Monterey Peninsula Chamber of Commerce 2015 Ruth Vreeland Memorial Public Official of the Year Award. (Supervisor Potter) ALL AYES

8. Adopt Resolution honoring John Mahoney as recipient of the Monterey Peninsula Chamber of Commerce 2015 Citizen of the Year Award. (Supervisor Potter)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-048 honoring John Mahoney as recipient of the Monterey Peninsula Chamber of Commerce 2015 Citizen of the Year Award. (Supervisor Potter) ALL AYES

9. Adopt Resolution recognizing the American Legion District 28 Honor Guard of Monterey County for their service & volunteerism for the past 45 years. (Supervisor Armenta)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-049 recognizing the American Legion District 28 Honor Guard of Monterey County for their service & volunteerism for the past 45 years. (Supervisor Armenta) ALL AYES

- 9.1 Adopt Resolution commending Sergeant Brian Pickens as the recipient of the Monterey County Sheriff’s Office Deputy of the Year for 2015. (Full Board)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-050 commending Sergeant Brian Pickens as the recipient of the Monterey County Sheriff’s Office Deputy of the Year for 2015. (Full Board) ALL AYES

- 9.2 Adopt Resolution commending Deputy Blaine Councilman as the recipient of the Monterey County Sheriff's Office COB Deputy of the Year for 2015. (Full Board) (Spelling corrected via Additions & Corrections)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-05 commending Deputy Blaine Councilman as the recipient of the Monterey County Sheriff's Office COB Deputy of the Year for 2015. (Full Board) ALL AYES**

Appointments

10. Appoint Nicole Melvin to the Area Agency on Aging Advisory Council to fill an unscheduled vacancy with a term ending January 1, 2018. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Nicole Melvin to the Area Agency on Aging Advisory Council to fill an unscheduled vacancy with a term ending January 1, 2018. (Full Board) ALL AYES**
11. Appoint Christopher M. Lopez to the Greenfield Public Recreation District to fill an unscheduled vacancy with a term ending December 31, 2017. (Supervisor Salinas)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Christopher M. Lopez to the Greenfield Public Recreation District to fill an unscheduled vacancy with a term ending December 31, 2017. (Supervisor Salinas) ALL AYES**
12. Appoint Jazmin Lopez to the Greenfield Public Recreation District to fill an unscheduled vacancy with a term ending December 31, 2016. (Supervisor Salinas)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Jazmin Lopez to the Greenfield Public Recreation District to fill an unscheduled vacancy with a term ending December 31, 2016. (Supervisor Salinas) ALL AYES**

Other Board Matters

13. Board Comments
- Supervisor Potter announced that today is International Women's Day and is another opportunity to acknowledge the accomplishments and forward movement made over the past years; and there are still important issues to be addressed for women in the workplace and in their private lives.**
- Supervisor Armenta requested a report and update within a week to advise of the County's response to the potential displacement of Chinatown residence. The report should include what the homeless providers, including Health, Social Services and the County are planning to do.**
14. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman received a Board Referral from Supervisor Phillips (Districts 2) and Supervisor Potter (District 5) regarding evaluating options to address fiscal impacts of medical and adult use marijuana; and explore options for a local tax initiative associated with the both Statewide initiative and potential local marijuana ordinances. The CAO's office will be working with Planning staff and County Counsel on this.

Dr. Bauman advised he received a letter, dated February 26, 2016, from Ms. Griffin, Director of the California Department of Child Support Services, addressed to Jody Holtzworth-Acting Director of Child Support Services commending the department for exceeding its annual performance improvement goal to increase support for California children by \$1.1 million. Congratulations to Jody and her team.

15. General Public Comment

Steve Eklund; Diana Blaylock; Michael Andrews; Epifania; Van Gresham; Wes White; Eric Peterson; Amid Pandia; Joe Vierra; Hans Jongens.

10:30 A.M. - Scheduled Matters

16. a. Receive the Monterey County Financial Forecast, which assesses the County's fiscal condition for the current year and three forecast years (FY 2016-17 through FY 2018-19); and
b. Approve the recommended actions as outlined in the Monterey County Financial Forecast.

**Public comment: Julie Filice; Deborah Nervais; Harry Gamotan; Joe Vierra. A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to: a. Receive the Monterey County Financial Forecast, which assesses the County's fiscal condition for the current year and three forecast years (FY 2016-17 through FY 2018-19); and
b. Approve the recommended actions as outlined in the Monterey County Financial Forecast. ALL AYES**

- 16.1 a. Accept the FY 2014-15 Annual Report from First 5 Monterey County (a.k.a. The Monterey County Children and Families Commission); and
b. Receive an oral presentation regarding current First 5 Monterey County programs.

**Public comment: Joe Vierra. A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to: a. Accept the FY 2014-15 Annual Report from First 5 Monterey County (a.k.a. The Monterey County Children and Families Commission); and
b. Receive an oral presentation regarding current First 5 Monterey County programs. ALL AYES**

Adjournment

APPROVED:

/s/ Jane Parker

**JANE PARKER, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: /s/ Gail T. Borkowski

**GAIL T. BORKOWSKI
CLERK OF THE BOARD**

APPROVED ON 04-12-2016

Supplemental Sheet, Consent Calendar

Natividad Medical Center

17. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement with AMF Media Group for Public Relations Services at NMC for an amount not to exceed \$185,500 for the term April 1, 2016 through March 31, 2017; and
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) of the original cost of the agreement per each amendment.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to remove this item from the agenda via Corrections. ALL AYES

18. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 6 to the Agreement (A-12807) with Healthcare Transformation, LLC (HCT), for temporary management and consulting services at NMC, retroactive to November 30, 2015 to include an Infection Preventionist consultant thereby extending the term of the Agreement an additional two (2) month period for a revised full Agreement term of January 1, 2014 through May 27, 2016 and adding \$195,000 for a revised total Agreement amount not to exceed \$1,215,600.

Approved - Agreement No. A-12807

Health Department

19. a. Ratify and approve Amendment No. 8 to the Agreement between the County of Monterey and American Medical Response West for the provision of Advanced Life Support Ambulance Services for the County of Monterey to replace Exhibit B (Monterey County Ambulance Rate Table) to said Agreement to correct a typographical error, effective February 1, 2013; and
- b. Authorize the Director of Health to execute Amendment No. 8 to the Agreement between the County of Monterey and American Medical Response West for the provision of Advanced Life Support Ambulance Services for the County of Monterey effective February 1, 2013.

Approved - Agreement No. A-11610

Criminal Justice

20. a. Authorize the County Administrative Officer or his designee to sign an amended Memorandum of Agreement with the City of Salinas, as well as the joint application and all related documentation on behalf of the County as may

be necessary, for the Federal Government Justice Assistance Grant (JAG) Program for FY 2015-16 in the amount of \$14,807.00 for the County share of the grant, to purchase computer equipment and software for the District Attorney's Office;

b. Request the Board of Supervisors accept the terms of the JAG Grant as detailed in the documentation provided by Department of Justice Grant Award; and

c. Authorize the District Attorney to certify and otherwise execute all documents necessary to receive the Grant Funds on behalf of the County.

Approved

21. Approve the transfer of \$5,358 from the Juvenile Ward Trust Fund 020 to Fund 001, Department 2550-Probation for the purchase of recreational equipment for indoor and outdoor sports for juveniles in the Monterey County Youth Center and Juvenile Hall.

Approved

General Government

22. a. Authorize an increase in estimated revenues and appropriations in the amount of \$400,000 in the Economic Development Department's Inclusionary Housing Fund appropriations Unit 009-8208-DEO002 (4/5th vote required); and
- b. Authorize the Auditor-Controller to amend the FY 2015-16 Economic Development Department Community Development adopted budget, Fund 009, Unit 8208 and Appropriation Unit DEO002, to increase estimated revenues and appropriations by \$400,000 (4/5th vote required)..

Approved

23. a. Approve and authorize the Contracts Purchasing Officer or Contracts Purchasing Supervisor to sign Lease Amendment 1 to Lease No. L-0058 with the State of California Department of General Services and CAL Fire to implement modifications to the Lease Payment provision and permit removal and installation of alternative Telecommunications Equipment at the site; and
- b. Approve payment of prorated-rent in an amount not to exceed \$480.00 for rent beginning March 1, 2016 through June 30, 2016; and,
- c. Accept Non-Standard County Liability, Indemnification, and Insurance Provisions as recommended by the Director of Emergency Communications.

Approved - Agreement No. A-12749

24. Approve the Bingo License Application for American Legion Post #593 pursuant to Chapter 7.08 of the Monterey County Code effective March 8, 2016 through March 7, 2017.

Approved

25. a. Introduce, waive reading, and set March 8, 2016 at 10:30 a.m. to consider adoption of an ordinance of the County of Monterey, State of California, amending Section 5.32 of the Monterey County Code as it relates to the Documentary Transfer Tax to reflect current law; and
- b. Direct the Clerk of Board to publish the summary five days prior to set date of March 22, 2016 and within 15 days of adoption in The Salinas Californian.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to: a. Introduce, waive reading, and set March 22, 2016 at 10:30 a.m. to consider adoption of an ordinance of the County of Monterey, State of California, amending Section 5.32 of the Monterey County Code as it relates to the Documentary Transfer Tax to reflect current law; and

b. Direct the Clerk of Board to publish the summary five days prior to set date of March 22, 2016 and within 15 days of adoption in The Salinas Californian.

(Date revised via Corrections) ALL AYES

26. a. Approve and authorize an increase in appropriations of \$291,817.90 for the FY 2015-16 Economic Development Department's Revolving Loan Fund, Fund 011 Appropriations Unit DEO020, Unit 8044, financed by an operating transfer of \$291,817.90 from the Unassigned Fund Balance, for the purpose of enhancing small business lending (requires 4/5ths vote);
- b. Authorize the Auditor-Controller to amend the FY 2015-16 Adopted Budget for Fund 011, Appropriations Unit DEO020, Unit 8044 by increasing appropriations in the amount of \$291,817.90, using Unassigned Fund Balance as the financing source, for the purpose of enhancing small business lending (requires 4/5ths vote);
- c. Authorize the Director of Economic Development to immediately transfer \$150,620.37 of this amount from the amended budget to the County Small Business Revolving Loan Fund (SBRLF) lending accounts, thereby accounting for SBRLF capital funds previously used for administrative expenses and increasing funds available for small business lending;
- d. Authorize the Director of Economic Development to transfer \$141,197.53 of this amount from the amended budget to the County's SBRLF lending accounts, upon receipt of the U.S. Department of Commerce, Economic Development Administration's approval to replace State Community Development Block Grant (CDBG) funds in the SBRLF, thereby making loans more available and attractive to county businesses; and
- e. Authorize the Director of the Economic Development Department to send a letter to the U.S. Department of Commerce, Economic Development Administration regarding these transfers and the administration of small business lending funds.

Approved

27. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following dates: Tuesday, July 7, 2015, Tuesday, July 28, 2015, Tuesday, September 1, 2015, Tuesday, September 29, 2015, Tuesday, December 8, 2015, Thursday, January 14, 2016, Tuesday, February 9, 2016

and Tuesday, February 16, 2016

Approved

28. a. Approve revisions to the County's *General Financial Policies* including technical corrections regarding the annual appropriation for contingencies and policies pertaining to budget modifications.
b. Provide direction to staff.

Approved

RMA - Public Works

29. Introduce, waive the reading, and set March 22, 2016 at 10:30 a.m. (consent) to consider adoption of an ordinance amending Section 12.48.031 of the Monterey County Code to establish a restriction for commercial vehicles exceeding a gross weight of 14,000 pounds at any time on the entire length of Atherton Drive and Mesa Drive in the Carmel area of the unincorporated area of the County of Monterey.

Approved

30. Acting on behalf of County Service Area 25 - Carmel Valley Golf & Country Club:
- a. Approve an increase in appropriations in the amount of \$199,399 in the FY 2015-16 Adopted Budget for County Service Area (CSA) No. 25 - Carmel Valley Golf & Country Club, Fund 062-3000-8198-RMA058, where the financing source is Unassigned Fund Balance, to fund road maintenance projects (4/5th vote required); and
- b. Authorize the Auditor-Controller to amend the budget for CSA 25 - Carmel Valley Golf & Country Club, Fund 062-3000-8198-RMA058, for FY 2015-16 by increasing appropriations in the amount of \$199,399 where RMA Fund 062 Unassigned Fund Balance is the financing source to balance the appropriation increase (4/5th vote required).

Approved

31. Acting on behalf of County Service Area 34 - Rancho Rio Vista/Carmel Knolls and County Service Area 47 - Carmel Views:
- a. Approve an increase in appropriations in the amount of \$13,499 in the FY 2015-16 Adopted Budget for County Service Area 34 - Rancho Rio Vista/Carmel Knolls, Fund 068-3000-8198-RMA064, where the financing source is Unassigned Fund Balance, to fund the Canada Drive Emergency Storm Drain Repair Project and investigation of drainage issues at Rio Vista Road and Carmel Valley Road (4/5th vote required);
- b. Authorize the Auditor-Controller to amend the budget for County Service Area 34 - Rancho Rio Vista/Carmel Knolls, Fund 068-3000-8198-RMA064, for FY 2015-16 by increasing appropriations in the amount of \$13,499 where RMA Fund 068 Unassigned Fund Balance is

the financing source to balance the appropriation increase (4/5th vote required);

c. Approve an increase in appropriations in the amount of \$40,487 in the FY 2015-16 Adopted Budget for County Service Area 47 - Carmel Views, Fund 076-3000-8198-RMA072, where the financing source is Unassigned Fund Balance, to fund the Emergency Storm Drain Repair project and Guardrail Design Services (4/5th vote required); and

d. Authorize the Auditor-Controller to amend the budget for County Service Area 47 - Carmel Views, Fund 076-3000-8198-RMA072, for FY 2015-16 by increasing appropriations in the amount of \$40,487 where RMA Fund 076 Unassigned Fund Balance is the financing source to balance the appropriation increase (4/5th vote required).

Approved

32.

Acting on behalf of County Service Area 17 - Rancho Tierra Grande:

a. Approve an increase in appropriations in the amount of \$12,000 in the FY 2015-16 Adopted Budget for County Service Area 17 - Rancho Tierra Grande, Fund 057-3000-8198-RMA053, where the financing source is Unassigned Fund Balance, to fund open space maintenance projects (4/5 vote required); and

b. Authorize the Auditor-Controller to amend the budget for County Service Area No. 17 - Rancho Tierra Grande, Fund 057-3000-8198-RMA053, for FY 2015-16 by increasing appropriations in the amount of \$12,000 where RMA Fund 057 Unassigned Fund Balance is the financing source to balance the appropriation increase (4/5 vote required).

Approved