

Monterey County

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



Action Minutes - Final

Tuesday, May 13, 2014

9:00 AM

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

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*

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 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)(2), the Board will confer with legal counsel regarding ~~one matter~~ two matters of significant exposure to litigation. (REVISED VIA SUPPLEMENTAL)
 - b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators: (1) Property: 1441 & 1448 Schilling Place, Salinas Agency Negotiator: Benny Young, Resource Management Agency Director Negotiating Party: Scott J. Prosser, CBRE Under negotiation: Price and terms
 - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation: (1) Save Our Peninsula Committee v. County of Monterey, et al. (Monterey County Superior Court case no. M126254)
 - d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiations: (1) Designated representatives: James May and Brette Neal Employee Organization(s): Units D and E (ADDED VIA SUPPLEMENTAL)

Closed Session under Government Code section 54950, relating to the following items:

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

10:30 AM Reconvene

Roll Call

Present: Marisela Quezada, Interpreter

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 Supervisor Potter.

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 addition:

Adjourn in Memory of Margaret Ripley

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

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Public Comment: Eric Peterson pulled item 19 and addressed the Board regarding federal standards on park fees for disabled veterans to enter Toro Park for free.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, to approve the Consent Calendar (See Supplemental Sheet) and requested the Parks Department look into using the Federal Standards as the standard to allow veterans access to Monterey County Parks. **ALL AYES**

Ceremonial Resolutions

3. Adopt Resolution proclaiming the Month of May 2014 as "Older American's Month" in Monterey County. (Full Board)

Public Comment: Marilyn Mancini; Diane Davenport; Mary Lara; Vy Staples; Meredith Adams.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-118 proclaiming the Month of May 2014 as "Older American's Month" in Monterey County. **ALL AYES**

4. Adopt Resolution proclaiming the week of May 11th through May 17th, 2014 as "National Hospital Week" in Monterey County. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-119 proclaiming the week of May 11th through May 17, 2014 as "National Hospital Week" in Monterey County. **ALL AYES**

5. Adopt Resolution proclaiming May 17 through May 24, 2014 as "National

Safe Boating Week” in Monterey County. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-120 proclaiming May 17 through May 24, 2014 as “National Safe Boating Week” in Monterey County. ALL AYES

6. Adopt Resolution honoring Mark Borman upon the completion of his term as Chairman of the Grower-Shipper Association. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-121 honoring Mark Borman upon the completion of his term as Chairman of the Grower-Shipper Association. ALL AYES

- 6.1 Adopt Resolution commending the Hartnell College students and members of the Hayward Engineering and Architectural Research Team for their dedication and perseverance to Sustainable Design and upon their Championship award at the Chicago Today’s 6th Annual Mock Firms International Skyscraper and Home Design Competition. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-122 commending the Hartnell College students and members of Hayward Engineering and Architectural Research Team for their dedication and perserverance to Sustainable Design and upon their Championship award at the Chicago Today’s 6th Annual Mock Firms International Skyscraper and Home Design Competition. ALL AYES

Appointments

- 6.2 Approve recommended amended appointments of Board Members to boards, committees and commissions for the calendar year 2014. (ADDED VIA ADDENDUM)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to approve recommended amended appointments of Board Members to boards, committees and commissions for the calendar year 2014. ALL AYES

Other Board Matters

7. Board Comments

Supervisor Potter commented on preliminary concept discussion for modification of the ball fields at Toro Park. Supervisor Potter noted that there are no pre-approved projects and any application has to go through a public process. Supervisor Potter requested that his colleagues contact his office to verify information. Nick Chiulos responded and advised that no application for a ball field has been submitted and the proposed ball fields are in the conceptual stage at this time.

Supervisor Armenta requested a public hearing be scheduled within a reasonable time regarding the State audit of Workforce Investment Board (WIB) expenditures and requested additional information regarding the placement of a County Supervisor representative on the Military Veterans

Office of Affiars.

Supervisor Parker thanked Supervisor Potter for raising the subject of Toro Park and asked how the public can obtain more information. Supervisor Potter responded that questions can be directed to District 5.

8. CAO Comments and Referrals

There were no CAO comments or referrals.

9. General Public Comment

Steve Eckland; Jim Spreng; Romero Medrano; Eric Peterson; Hans Jongens.

10:30 A.M. - Scheduled Matters**10. Receive a presentation from Monterey County Department of Social Services on how performance measures are used as a management tool within that department.**

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to receive a presentation from Monterey County Department of Social Services on how performance measures are used as a management tool within that department. ALL AYES

Items 11 and 12 heard immediately after lunch.

- 11. Consider:**
- a. Adopting a Resolution Consenting to the Inclusion of Properties within the County's Jurisdiction in the California Home Energy Retrofit Opportunity (HERO) Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements, and Electric Vehicle Charging Infrastructure; and
 - b. Approving an Amendment to the Joint Powers Agreement Adding the County of Monterey as an Associate Member of the Western Riverside Council of Governments to Permit the Provision of Property Assessed Clean Energy ("PACE") Program Services within Monterey County.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker, to: a. Adopt a Resolution No. 14-124 Consenting to the Inclusion of Properties within the County's Jurisdiction in the California HERO Program to Finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements, and Electric Vehicle Charging Infrastructure; and

b. Approve an Amendment to the Joint Powers Agreement Adding the County of Monterey as an Associate Member of the Western Riverside Council of Governments to Permit the Provision of Property Assessed Clean Energy ("PACE") Program Services within Monterey County. ALL AYES

- 12. Consider adopting a Resolution Authorizing the County of Monterey to Join the Figtree Property Assessed Clean Energy (PACE) Financing Program to**

allow property owners in unincorporated Monterey County to voluntarily place assessment liens on their property for the purpose of installing renewable energy, energy efficiency, and water conservation improvements; Authorizing the California Enterprise Development Authority (“CEDA”) to Conduct Contractual Assessment Proceedings and Levy Contractual Assessments within the Territory of the County of Monterey; and authorizing related actions.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker, to adopt a Resolution No. 14-123 authorizing the County of Monterey to Join the Figtree PACE Program; authorizing the California Enterprise Development Authority (“CEDA”) to Conduct Contractual Assessment Proceedings and Levy Contractual Assessments within the Territory of the County of Monterey; and authorizing related actions. ALL AYES

12:00 PM Recess to Lunch

1:30 PM Reconvene

Roll Call

Present: Marisela Quezada, Interpreter

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

Items 11 and 12 heard immediately after lunch.

- 12.1** Authorize the Resource Management Agency Director to execute a Memorandum of Understanding with the Water Resources Agency for the supervision and management of the 2010 General Plan Salinas Valley Groundwater Basin Zone 2C Study. (ADDED VIA ADDENDUM)
- Public Comment: Amy White; Bill Carrothers.**
A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, to authorize the Resource Management Agency Director to execute a Memorandum of Understanding with the Water Resources Agency for the supervision and management of the 2010 General Plan Salinas Valley Groundwater Basin Zone 2C Study. ALL AYES
- 13.** Public hearing to consider:
- Granting the appeal by Harper Canyon Realty LLC from the Planning Commission’s denial of an application by Harper Canyon Realty LLC for a Combined Development Permit consisting of a Vesting Tentative Map for the subdivision of 344 acres into 17 lots and associated Use Permits;
 - Certifying an EIR (SCH #2003071157);
 - Adopting CEQA Findings and a Statement of Overriding considerations;

d. Approving a Combined Development Permit consisting of a 1) A Vesting Tentative Map for the subdivision of 344 acres into 17 residential lots ranging in size from 5.13 acres to 23.42 acres on 164 acres with one 180-acre remainder parcel; 2) Use Permit for the removal of approximately 79 Coast live oak trees over six inches in diameter for road and driveway construction; 3) Use Permit for development on slopes in excess of 30 percent; 4) Use Permit for the creation of a public water system with a stand-alone treatment facility (Option B); 5) grading for net cut and fill of approximately 2,000 cubic yards; and Design Approval; and

e. Adopting a Mitigation Monitoring and Reporting Plan.

(Appeal of Combined Development Permit - PLN000696/Harper Canyon Realty LLC, San Benancio Road and Meyer Road, Salinas, Toro Area Plan area)

Public Comment: Lowell Webster; Tad Stern; Michael Weaver; Eric Peterson; Carl Christianson; Susan Baggialupi; Hulk Hawkins; Rachel Sanders; Mike Thompson; Amy White; Richard Rosenthal; David Erickson; Bob Reagan; Molly Erickson; Bill Pyfer.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker, to continue to August 26, 2014 a Public hearing and directed staff to return with a draft resolution for denial of the appeal by Harper Canyon Realty LLC of the Planning Commission's denial of an application by Harper Canyon Realty LLC for a Combined Development Permit consisting of a Vesting Tentative Map for the subdivision of 344 acres into 17 lots and associated Use Permits. (3-0) (Supervisors Salinas and Armenta dissented)

13.1

a. Receive a status report on the development of milestones to implement the 2014-2015 Monterey County Strategic Initiatives and Key Objective for the policy areas of Public Safety and Administration; and

b. Provide further direction to staff as necessary.

This item was removed from agenda pursuant to staff's request.

Adjournment

Adjourned in Memory of Margaret Ripley

APPROVED:

/s/ Louis R. Calcagno

**LOUIS R. CALCAGNO, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: /s/ Gail T. Borkowski

GAIL T. BORKOWSKI

CLERK OF THE BOARD

APPROVED ON 08-26-14

Supplemental Sheet, Consent Calendar

Natividad Medical Center

14. Approve and authorize additional funding of \$260,208, to increase the not to exceed contract amount of the Agreement (No.A-12525) with McKesson Inc. for Horizon Cardiology Picture Archiving and Communication System (CPACS) Services, at Natividad Medical Center (NMC) from \$694,461 to \$954,669 for the period August 1, 2013 through June 30, 2019.

Approved - Agreement No. A-12525

15. Approve and direct the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement (MYA-1101) with Health Care Transformations LLC (“HCT”) for Infection Control Nursing Services at NMC, keeping the Agreement end term date at June 30, 2015 and adding \$88,400 to cover these services, for a total Agreement amount not to exceed \$188,400 in the aggregate.

Approved

Health Department

16. Adopt a Resolution amending Article I.d. of the Monterey County Master Fee Resolution effective July 1, 2014, to adjust certain fees related to the Health Department’s Clinic Services Bureau pursuant to the attached Fee Schedule.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, to adopt a Resolution No. 14-116 amending Article I.d. of the Monterey County Master Fee Resolution effective July 1, 2014, to adjust certain fees related to the Health Department’s Clinic Services Bureau pursuant to the attached Fee Schedule. ALL AYES

17. a. Approve and authorize the Director of Health to sign an Agreement with Bayfront Youth & Family Services, for the provision of mental health services effective February 1, 2014 through June 30, 2016, for a total amount not to exceed \$461,521; and
b. Authorize the Director of Health, to sign up to three future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.

Approved - Agreement No. A-12677

General Government

18. a. Accept and approve the County of Monterey Information Technology Policy as amended; and
b. Approve and adopt the County of Monterey Security Policies as amended.

Approved

19. Adopt a Resolution amending Article V of the Monterey County Master Fee Resolution relating to Parks Department user charges for park use, enforcement, and rentals, effective June 11, 2014.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, to adopt a Resolution No. 14-221 amending Article V of the Monterey County Master Fee Resolution relating to Parks Department user charges for park use, enforcement, and rentals, effective June 4, 2014. ALL AYES

- 19.1 Approve and authorize the County of Monterey to accept assignment of the Right-of-Ways (ROW), CACA-048028 & CACA-048028-01 transfer from the Sports Car Racing Association of Monterey Peninsula (SCRAMP) permitting existing storm water dispersion outlet onto Bureau of Land Management (BLM) property.

Approved**RMA - General**

20. a. Approve increased appropriations in the amount of \$60,000 in the Resource Management Agency (RMA) Fleet Appropriation Unit 001-3000-RMA007-8185 (4/5th vote required);
- b. Approve increased appropriations in the amount of \$50,000 in the Resource Management Agency (RMA) County Disposal Sites Appropriation Unit 001-3000-RMA039-8175 (4/5th vote required);
- c. Approve increased appropriations in the amount of \$188,552 and increase revenues in the amount of \$68,264 in the Resource Management Agency (RMA) Utilities Appropriation Unit 001-3000-RMA098-8182 (4/5th vote required);
- d. Approve increased appropriations in the amount of \$500,000 in the Resource Management Agency (RMA) Vehicle Replacement Program Appropriation Unit 001-3000-RMA008-8190 and the release of \$500,000 from the General Fund Vehicle Replacement Assignment Account 3116; (4/5th vote required);
- e. Approve increased appropriations in the amount of \$60,000 in the Resource Management Agency (RMA) Litter Control Appropriation Unit 001-3000-RMA002-8194 (4/5th vote required);
- f. Approve increased revenues in Building Services in the amount of \$290,288 in the Resource Management Agency (RMA) Building Services Appropriation Unit 001-3000-RMA011-8170; and
- g. Authorize the Auditor Controller's Office to incorporate approved modifications in the FY 2013-14 Budget.

Approved**RMA - Public Works**

21. a. Approve Amendment No. 1 to the County of Monterey Subdivision Improvement Agreement for York Highland Resubdivision between the County of Monterey and Monterey County Bank and United Security Bank to extend the time for completion of the subdivision improvements to May 22, 2016; and
- b. Authorize the Chair of the Board to execute said Amendment No. 1 between the County of Monterey and Monterey County Bank and United Security Bank.

Approved

22. a. Approve a Road Maintenance Agreement, between the County of Monterey and Telespan Communications, LLC, in compliance with Combined Development Permit (PLN120802), 0.5 mile south of the Hall Road and San Miguel Canyon Intersection, North County Land Use Plan and;
- b. Authorize the Chair of the Board to execute the Road Maintenance Agreement.

Approved

23. a. Approve and authorize the Contracts/Purchasing Officer to execute an License Agreement with the City of Monterey allowing the County of Monterey to utilize a Mechanical Bay (Vehicle Repair Space) within the City's Ryan Ranch corporation yard, fleet facility operations; and
- b. Approve and authorize the Contracts/Purchasing Officer to execute the License Agreement for the initial term beginning July 1, 2014, through and including July 1, 2015, with an yearly aggregate value estimated not to exceed \$8,500; and
- c. Authorize the Contracts/Purchasing Officer to execute future yearly Amendments to the Agreement where the Amendments do not significantly change the terms of the Agreement or cause an increase in the Agreement annual rates of more than ten percent (10%); and
- d. Authorize the Auditor/Controller to make license payments of \$600 per month, effective date of move-in, which is anticipated to be around July 1, 2014, in accordance with the terms of the Agreement.

Approved - Agreement No. A-12678