

# **Monterey County**

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



## **Meeting Agenda - Final-revised**

**Tuesday, March 11, 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 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) People v. Atlantic Richfield Co. (Santa Clara County Superior Court Case No. 1-00-CV-788657)
    - (2) Keep Fort Ord Wild v. County of Monterey (Monterey County Superior Court Case No. M114961)
  - b. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee. (ADDED VIA SUPPLEMENTAL)

*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 Gill Campbell as recipient of the Monterey Peninsula Chamber of Commerce 2013 Robert C. Littlefield Award for Lifetime Achievement. (Supervisor Potter)

**Attachments:** [Campbell Ceremonial Resolution](#)

4. Adopt Resolution honoring Nancy Kotowski, Ph.D. as recipient of the Monterey Peninsula Chamber of Commerce 2013 Ruth Vreeland Memorial Public Official of the Year Award. (Supervisor Potter)

**Attachments:** [Kotowski Ceremonial Resolution](#)

5. Adopt Resolution honoring Mary Ann Leffel as recipient of the Monterey Peninsula Chamber of Commerce 2013 Citizen of the Year Award. (Supervisor Potter)

**Attachments:** [Leffel Ceremonial Resolution](#)

6. Adopt Resolution recognizing “Undisclosed Recipient” as the recipient of the Monterey Peninsula Chamber of Commerce 2013 Volunteer of the Year Award. (Supervisor Potter)

**Attachments:** [Undisclosed Recipient Ceremonial Resolution](#)

7. Adopt Resolution recognizing “Undisclosed Recipient” as the recipient of the Monterey Peninsula Chamber of Commerce 2013 Business of the Year Award. (Supervisor Potter)

**Attachments:** [Undisclosed Recipient Ceremonial Resolution](#)

**Appointments**

8. Appoint Kelly Vasquez to the Area Agency on Aging Advisory Council to fill an unscheduled vacancy, term ending January 1, 2016. (Full Board)

**Attachments:** [Vasquez Notification to Clerk](#)

9. Appoint Doris Jones to the Area Agency on Aging Advisory Council to fill an unscheduled vacancy, term ending January 1, 2017. (Full Board)

**Attachments:** [Jones Notification to Clerk](#)

- 9.1 Appoint Guillermo Rodriguez to the Domestic Violence Coordinating Council, term ending January 1, 2015. (Supervisor Calcagno)

**Attachments:** [Rodriguez Notification to Clerk](#)

10. Reappoint Carlos Martinez to the Equal Opportunity Advisory Commission, term ending December 31, 2016. (Full Board)

**Attachments:** [Martinez Notification to Clerk](#)

11. Appoint Jason Stilwell to the Emergency Medical Care Committee to fill an unscheduled vacancy, term ending June 30, 2015. (Full Board)

**Attachments:** [Stilwell Notification to Clerk](#)

12. Reappoint Carmen Lorenzana to the Greenfield Public Recreation District, term ending December 31, 2017. (Supervisor Salinas)

**Attachments:** [Lorenzana Notification to Clerk](#)

13. Appoint Deborah Mills to the Mental Health Commission filling an unscheduled vacancy, term ending May 31, 2015. (Supervisor Salinas)

**Attachments:** [Mills Notification to Clerk](#)

14. Appoint William Vaughan to the Soledad Cemetery District filling an unscheduled vacancy, term ending February 1, 2015. (Supervisor Salinas)

**Attachments:** [Vaughn Notification to Clerk](#)

15. Reappoint Manuel Zuniga to the San Lucas County Water District, term ending December 1, 2017. (Supervisor Salinas)

**Attachments:** [Zuniga Notification to Clerk](#)

### **Other Board Matters**

16. Board Comments

17. CAO Comments and Referrals

**Attachments:** [Referrals 031114](#)

18. 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**

19. Receive a presentation from the Resource Management Agency on how performance measures are being used as a management tool.

**Attachments:** [2014-03-11 RMA Performance Key Measures draft 2-25-14 \(2\)](#)

20. a. Receive and accept the FY 2013-14 Year-end Estimate and Annual Three-Year Financial Forecast for the period of Fiscal Year (FY) 2014-15 through FY 2016-17;
- b. Approve recommendation that the County Counsel-Risk Management Office provide an annual report to the Board's Budget Committee and to the Board of Supervisors detailing annual funding levels and estimated cost obligations based on results of the annual actuarial for the County's General Liability Insurance fund.

**Attachments:** [FY 2013-14 Three-Year Forecast - 031114 BoS FINAL](#)

21. a. Receive a status report on process for response to Board of Supervisors referral 2014.01 regarding Commencement/Completion of Salinas Valley Zone 2C Groundwater Basin Study; and
- b. Provide direction to staff as appropriate.

### **12:00 PM Recess to Lunch**

### **1:30 PM Reconvene**

### **Roll Call**

### **Scheduled Matters**

22. a. Consider approving the attached proposed County Financial Policies revision to include a policy to fund the Road Fund through a County Transient Occupancy Tax contribution formula in a graduated process from 20% up to a flat rate contribution of 25% to maintain roads;
- b. Consider approving the policy to include the implementation of a Road Fund Advisory Committee to provide direction on the use of the funds; and
- c. Consider approving the Resource Management Agency as the designated County department to support the Road Fund Advisory Committee.

**Attachments:** [FY 2014-15 Recommended Co Financial Policies Revision - Attachment 1 - 03-](#)

23. Consider adoption of an ordinance amending Section 12.24.010 of the Monterey County Code to amend the through highway parameters of Old Stage Road and to amend Section 12.24.020 of the Monterey County Code to establish a four-way stop intersection at Old Stage Road and Old Natividad Road in the Salinas area of the unincorporated area of the County of Monterey.

**Attachments:** [Ordinance](#)  
[Location Map](#)  
[Proposed Stop Intersection Map](#)  
[Old Stage Road Through Highway Map](#)

- 24.** Adopt a resolution approving the June 2013 revision to the County of Monterey Emergency Operations Plan in accordance with Chapter 2.68.080 and 2.68.040 of the County Code.

**Attachments:** [Board Resolution 2013 EOP Revision](#)  
[Monterey EOP version 614 final draft](#)  
[Executive summary 2014 EOP](#)

- 25.** Consider continuing to March 25, 2014 the public hearing to accept annual reports on the status of compliance with mitigation measures, any related code enforcement actions, and any proposed action to modify conditions of approval for land use projects approved in 2012 and 2013.  
(Annual Report--Condition Compliance and Monitoring Program/REF140016, County-wide)

**Attachments:** [Attachment A - Request for continuance by Richard Rosenthal](#)

## **Adjournment**



**Supplemental Sheet, Consent Calendar****Health Department**

26. a. Approve and authorize the Contracts/Purchasing Officer to execute a two-year Lease Agreement, effective February 25, 2014 with the City of Gonzales, for approximately 400 square feet of general office space at 411 Center Street, Gonzales, California, for use by the Health Department's Behavioral Health Bureau; and  
b. Authorize the Auditor-Controller to make payments of \$50.00 per month for reimbursement of electric utilities, and in accordance with the terms of the Lease Agreement; and  
c. Authorize the extension of the Lease Agreement for one additional two-year period under the same terms and conditions and make minor revisions to the Lease Agreement if deemed by the Contracts/Purchasing Officer to be in the best interests of the County.
- Attachments:**    [BH 411 Center St., Gonzales, Lease.pdf](#)
27. a. Approve and authorize the Director of Health to sign Amendment No. 1 to the County of Monterey Standard Agreement with Keith Vandever, Attorney-At-Law to increase the existing Agreement amount by \$7,800 for Fiscal Year (FY) 2013-14, \$7,800 for FY 2014-15, and \$7,800 for FY 2015-16 for a new total contract amount not to exceed \$117,000; and  
b. Authorize the Director of Health to sign up to two future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the total contract amount and do not significantly change the scope of work.
- Attachments:**    [K Vandever Amendment No. 1 FY 13-16.pdf](#)  
                          [K Vandever Full executed Agreement FY 2013 to 2016.pdf](#)
28. a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to the Agreement with Integra Telecom Holdings, Inc., to provide dedicated telecommunications circuits between the County and the Oregon Community Health Information Network, Inc., to increase the amount by \$183,800 for a revised total not to exceed \$194,411, and to extend the term to February 28, 2017; and  
b. Authorize the Contracts/Purchasing Officer to approve up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work or result in an increase to General Fund Contribution.
- Attachments:**    [Integra 2012-2015.pdf](#)  
                          [Telecom Amendment No. 1.pdf](#)

**Department of Social Services**

29. a. Amend the Department of Social Services (DSS) Budget Unit 5010-SOC005-8262, to reallocate one (1.0) FTE Senior Account Clerk to one (1.0) FTE Office Maintenance Worker, reallocate one (1.0) FTE Principal Office Assistant to one (1.0) FTE Social Worker Supervisor II, and reallocate one (1.0) FTE Finance Manager I to one (1.0) FTE Management Analyst III; and  
b. Authorize the County Administrative Office to incorporate the changes into the 5010-SOC005-8262 FY2013-14 Adopted Budget to reflect the change in position counts.

**Attachments:** [Position-Movement Detail](#)

**Criminal Justice**

30. Accept the Inmate Welfare Trust Fund Annual Report for the Fiscal Year 2012-13.

**Attachments:** [Attachment A - Financial Report](#)

**General Government**

31. a. Approve an automatically self-renewing agreement between the County of Monterey (Lessee) and Hubert Schwab (Lessor) for the County to install, operate and maintain a radio transmitter and receiver station on Hubert Schwab's property; and  
b. Authorize the chair of the Board to sign and execute the agreement.
- Attachments:** [Pinball Agreement.pdf](#)
32. a. Authorize the Auditor-Controller to establish a budget for the East Garrison Developer Reimbursements, Fund 182, Unit 8431, Appropriation Unit DEO029, for FY 2013-14 by increasing appropriations and estimated revenues by \$150,000 (4/5th vote required); and  
b. Authorize the Auditor-Controller's Office to incorporate approved appropriation and estimated revenue modifications to the FY 2013-14 Budget.
33. a. Approve the Park Department's Renewal and Addendum No. 2 to the Management Agreement between Monterey County and Urban Park Concessionaires, doing business locally as "Monterey Lakes Recreation Company", renewing the Agreement retroactively to October 31, 2013 and extending the current term through January 31, 2015 for management of resort business operations at Monterey County Parks lakes resort; and  
b. Authorize the Chair of the Monterey County Board of Supervisors to sign Addendum No. 2 to the Agreement.

**Attachments:**    [Signed CalParks 2nd Addendum.pdf](#)  
                              [Copy of Draft Resort Evaluation Addendum 2\\_01 14 14.xlsx](#)  
                              [Original CalParks.pdf](#)

34. Approve the use of Toro Park on May 10, 2014 for a function held by Seven Day Adventist Church - Salinas in compliance with Monterey County Code 14.12.130.
35. Approve the use of Toro Park on August 10, 2014 for a function held by Canaan Methodist Church in compliance with Monterey County Code 14.12.130.
36. a. Approve a one-time Concession Agreement for Special Events between The Do LaB, LLC, and the County of Monterey to produce the Lightning in a Bottle Arts & Music Festival event at the Lake San Antonio North Shore on May 22nd-26th, 2014; and  
b. Authorize the Chair of the Board to sign the Agreement.

**Attachments:**    [LIB Contract and Application 2014.pdf](#)  
                              [LIB Certs of Insurance.pdf](#)

37. Authorize the Registrar of Voters to execute Agreement Number 13G30331 with the Secretary of State's office to receive Help America Vote Act (HAVA) Section 303 grant funds in the amount of \$52,764.61.

**Attachments:**    [HAVA Grant 13G30331](#)

38. Approve the Monterey County Board of Supervisor's Draft Action Minutes of Tuesday, October 8, 2013; Tuesday, October 22, 2013; Tuesday, November 5, 2013; Friday, January 24, 2014 and Monday, January 27, 2014.

**Attachments:**    [BOS Draft Minutes 10-08-13](#)  
                              [BOS Draft Minutes 10-22-13](#)  
                              [BOS Draft Minutes 11-05-13](#)  
                              [BOS Draft Minutes 01-24-14](#)  
                              [BOS Draft Minutes 01-27-14](#)

39. a. Authorize the Auditor-Controller to increase revenue and appropriations in Economic Development Department's Boronda Housing Set-Aside Unit, 176-8202-DEO013 by \$300,000;  
b. Approve a loan in the amount of \$300,000 between the Housing Successor Agency of the County of Monterey and South County Housing Corporation (SCH) for the redevelopment of the Camphora Labor Camp; and  
c. Authorize the Director of the Economic Development Office to make minor revisions to the loan documents (if necessary), execute the loan documents, and execute subsequent loan related documents, including subordination agreements, provided that the Housing Successor Agency's interests are secured only behind the construction or the permanent loan and the loans provided by governmental agencies.

**Attachments:** [Camphora Loan Agreement 2-18-14 clean](#)  
[Camphora Reg Agrmnt & Restrict Covenants 2-18-14 clean](#)  
[Camphora Promissory Note Successor Agency 2-18-14 clean](#)  
[Camphora Deed of Trust Successor Agency 2-18-14 clean](#)

40. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Salinas Union High School District.

**Attachments:** [Draft Resolution](#)  
[SUHSD Conflict of Interest Code - strikeout version](#)  
[Approval Document - Minutes from SUHSD Board of Trustees](#)

### **RMA - Planning**

41. a. Accept the Conservation and Scenic Easement Deed and authorize the Chair to execute the Conservation and Scenic Easement Deed; and  
b. Direct the Clerk of the Board to submit the Scenic Easement Deed to the County Recorder for filing.  
(Scenic Easement - PLN090437/Latts Jeffrey & Diana Martinetto, 708 La Terraza Court Monterey, Greater Monterey Peninsula Area Plan)

**Attachments:** [Attachment A - Conservation & Scenic Easement Deed](#)

### **RMA - Public Works**

42. a. Approve Professional Services Agreement with The Paul Davis Partnership, LLP to provide architectural and engineering services for the design, permitting and construction of a proposed road maintenance corporation facility located at 8455 Carmel Valley Road in the unincorporated area of Monterey County (RFP #10446), in a total amount not to exceed \$274,000, for a term of March 11, 2014 to March 11, 2016, with the option to extend the Agreement for two (2) additional one (1) year periods, in accordance with the terms and conditions of the Agreement; and  
b. Authorize the Contracts/Purchasing Officer to execute the Professional Services Agreement and up to three (3) future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

**Attachments:** [Professional Services Agreement with The Paul Davis Partnership, LLP](#)  
[Attachment 1-RFP #10446](#)  
[Attachment 2-The Paul Davis Partnership, LLP RFP](#)

### **Supplemental**

43. Board of Supervisors Supplemental Agenda, Tuesday, March 11, 2014.

SUPPLEMENTAL

**Addition to Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - b. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.