

Monterey County

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



Action Minutes - Final

Tuesday, March 17, 2015

9:00 AM

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

Board of Supervisors

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

9:00 AM - Call to Order

The meeting was called to order by Chair Salinas.

Roll Call

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

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 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Fermin Vasquez, et al. v. County of Monterey, et al. (Monterey County Superior Court case number M128437)
 - (2) Joseph M. Banuelos, Jr. v. County of Monterey, et al. (Monterey County Superior Court case no. M129772)
 - (3) Joseph M. Banuelos, Jr. v. County of Monterey, et al. (Monterey County Superior Court case no. M119940) (ADDED VIA ADDENDUM)
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
 - c. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
 - d. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: Concession Agreement re Mazda Raceway at Laguna Seca
Agency Negotiator(s): Nick Chiulos, Assistant CAO
Negotiating Parties: Gill Campbell, General Manager of SCRAMP
Under negotiation: Price and terms
 - e. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.
 - f. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Resource Management Agency Director.

g. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:

(1) Designated representatives: Lew Bauman, CAO

Unrepresented Employee: Resource Management Agency Director

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

10:30 AM Reconvene

Roll Call

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

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Dave 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 additions and corrections:

Under Ceremonial Resolutions

8.9 Revised Resolution submitted

Adopt Resolution honoring Selwa Said upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM)

10:30 A.M. Scheduled Matters

15. ADDITIONAL MATERIAL SUBMITTED

1. BEHAVIORIAL HEALTH REVIEW

2. POWER POINT

a. Receive an oral report on the Administrative Review of the Behavioral Health Adult System of Care, and support implementation of the recommendations; and

b. Amend Fiscal Year (FY) 2014 15 Health Department Budget 4000, HEA012 8410 to add 25.0 FTE Psychiatric Social Worker IIs, 1.0 FTE Social Worker III, 1.0 FTE Clinical Psychologist, 1.0 FTE Behavioral Health Unit Supervisor, 2.0 FTE Contract Physicians, and 1.0 FTE Deputy Director Behavioral Health; and

c. Amend Fiscal Year (FY) 2014 15 Health Department Budget 4000, HEA012 8410 to increase Revenue and Appropriations in the amount of \$750,000; and

d. Authorize the County Administrative Office and the Auditor Controller to incorporate the position and budget changes in the FY 2014 15 Adopted Budget.

Correction to 03-17-15 Addendum

Item number 18 listed on Addendum should be 18.1.

18.1 a. Authorize an increase to the aggregate spending limit for the Reseller

Agreement with SHI International Corp. increasing the amount by an additional \$347,303 for a total maximum liability of \$1,444,582 for the term May 1, 2012 through June 30, 2015 for additional Third Party Software License and Third Party Software Maintenance Reseller Services at NMC;

b. Authorize the Deputy Purchasing Agent for NMC to execute purchase orders on an as needed basis, at the recommendation of the NMC Chief Executive Officer, for Third Party Software License and Third Party Software Maintenance Reseller Services whereby the aggregate amount does not exceed \$1,444,582 through June 30, 2015; and

c. Authorize the Deputy Purchasing Agent for NMC to execute Third Party Software License and Maintenance Agreements with Microsoft and any other Third Party Manufacturers, which licenses and maintenance agreements are purchased pursuant to the Reseller Agreement with SHI International Corp., subject to County Counsel approval.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve Additions and Corrections. ALL AYES

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet).

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

Ceremonial Resolutions

3. Adopt Resolution recognizing Undisclosed Recipient as the Santa Cruz County Farm Bureau's 2015 Al Smith Friend of Agriculture Award Recipient. (Supervisor Phillips)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-045 recognizing Ceil Cirrilo as the Santa Cruz County Farm Bureau's 2015 Al Smith Friend of Agriculture Award Recipient. (Supervisor Phillips) ALL AYES

4. Adopt Resolution commending Wells Fargo as the recipient of the Monterey County Branch of the National Association for the Advancement of Colored People's (NAACP) Tolly & Cleo Martin Spirit of Partnership Award. (Supervisor Parker)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-046 commending Wells Fargo as the recipient of the Monterey County Branch of the National Association for the Advancement of Colored People's (NAACP) Tolly & Cleo Martin Spirit of Partnership Award. (Supervisor Parker). ALL AYES

5. Adopt Resolution commending James Black as the recipient of the Monterey County Branch of the National Association for the Advancement of Colored People's President's Award. (Supervisor Parker)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor

Jane Parker to adopt Resolution No. 15-047 commending James Black as the recipient of the Monterey County Branch of the National Association for the Advancement of Colored People's President's Award. (Supervisor Parker) ALL AYES

6. Adopt Resolution commending Danny Bakewell, Sr. as the recipient of the Monterey County Branch of the National Association for the Advancement of Colored People's Medgar Evers Freedom Legacy Award (Supervisor Parker)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-048 commending Danny Bakewell, Sr. as the recipient of the Monterey County Branch of the National Association for the Advancement of Colored People's Medgar Evers Freedom Legacy Award (Supervisor Parker) ALL AYES

7. Adopt Resolution proclaiming the Month of March 2015 as Certified Government Financial Manager Month. (Full Board)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-051 proclaiming the Month of March 2015 as Certified Government Financial Manager Month. (Full Board) ALL AYES

8. Adopt Resolution recognizing the work of Girls Health in Girls' Hands. (Full Board)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-052 recognizing the work of Girls Health in Girls' Hands. (Full Board). ALL AYES

- 8.1 Adopt Resolution honoring Mary Jane Antón upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-056 honoring Mary Jane Antón upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM) ALL AYES

- 8.2 Adopt Resolution of Proclamation Honoring Andrea Manzo upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-057 Honoring Andrea Manzo upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM) ALL AYES

- 8.3 Adopt Resolution honoring Cheryl Camany upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-058 honoring Cheryl Camany upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full

Board) (ADDED VIA ADDENDUM) ALL AYES

- 8.4 Adopt Resolution honoring Isabella Rose Shake upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No.15-059 honoring Isabella Rose Shake upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM) ALL AYES

- 8.5 Adopt Resolution honoring Nancy Fountain upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-060 honoring Nancy Fountain upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM) ALL AYES

- 8.6 Adopt Resolution honoring Jayanti Addleman upon her selection as one the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-061 honoring Jayanti Addleman upon her selection as one the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM) ALL AYES

- 8.7 Adopt Resolution honoring Janet Van Balen upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-062 honoring Janet Van Balen upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM) ALL AYES

- 8.8 Adopt Resolution honoring Sonia Chapa upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-063 honoring Sonia Chapa upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM) ALL AYES

- 8.9 Adopt Resolution honoring Selwa Said upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-064 honoring Selwa Said upon her selection as one of the Outstanding Women of Monterey County for 2015. (Full

Board) (ADDED VIA ADDENDUM) ALL AYES

- 8.10 Adopt Resolution honoring Rose M. Vasquez upon her selection as one the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 15-065 honoring Rose M. Vasquez upon her selection as one the Outstanding Women of Monterey County for 2015. (Full Board) (ADDED VIA ADDENDUM) ALL AYES

Appointments

9. Appoint Nicolasa Alvarez to the Community Action Commission (Group C) with a term ending July 1, 2017. (Supervisor Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to Appoint Nicolasa Alvarez to the Community Action Commission (Group C) with a term ending July 1, 2017. (Supervisor Armenta) ALL AYES

10. Reappoint Richard L. Hughett to the Fish & Game Advisory Commission for a term ending February 1, 2018. (Supervisor Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to Reappoint Richard L. Hughett to the Fish & Game Advisory Commission for a term ending February 1, 2018. (Supervisor Armenta) ALL AYES

- 10.1 Reappoint John Sargenti to the Fish & Game Advisory Commission for a term ending ~~January 1, 2018~~ February 1, 2018. (Supervisor Phillips) (REVISED VIA SUPPLEMENTAL)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to Reappoint John Sargenti to the Fish & Game Advisory Commission for a term ending February 1, 2018. (Supervisor Phillips) (REVISED VIA SUPPLEMENTAL) ALL AYES

- 10.2 Reappoint Carlo Cortopassi to the Castroville Cemetery District for a term ending March 30, 2018. (Supervisor Phillips)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to Reappoint Carlo Cortopassi to the Castroville Cemetery District for a term ending March 30, 2018. (Supervisor Phillips) ALL AYES

- 10.3 Reappoint Lynn Riddle; Gerald Gifford; Andrew Reiter; Martha Rau and Jim Vincent to the Community Service Area (CSA) - 45 Advisory Committee with terms ending January 12, 2018. (Supervisor Phillips)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to Reappoint Lynn Riddle; Gerald Gifford; Andrew Reiter; Martha Rau and Jim Vincent to the Community Service Area (CSA) - 45 Advisory Committee with terms ending January 12, 2018. (Supervisor Phillips) ALL AYES

- 10.4 Reappoint James Perry to the Historical Advisory Commission for a term ending February 1, 2018. (Supervisor Phillips)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to Reappoint James Perry to the Historical Advisory Commission for a term ending February 1, 2018. (Supervisor Phillips) ALL AYES

10.5

Appoint Joseph M. Aguero to the Community Action Commission, Group C for a term ending July 1, 2017. (Supervisor Parker)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to Appoint Joseph M. Aguero to the Community Action Commission, Group C for a term ending July 1, 2017. (Supervisor Parker) ALL AYES

Other Board Matters

11.

Board Comments

Supervisor Armenta thanked everyone at Fort Ord for attending the Veterans' Cemetery groundbreaking. It was a very moving experience. He thanked everyone involved since day one and those that have come along more recently in support of the effort. He advised he has been busy raising a significant amount of funds for the Veterans' Memorial site. Cabinet Secretaries from the Governor were in attendance as well.

Supervisor Armenta advised his son's friend, Marine Corporal Kevin Bell, recently committed suicide. He was honored during the first Welcome Home Troops Ceremony in 2003. Supervisor Armenta will send the family a letter and attend the funeral when he receives more details. He added his son sent him a text that showed two Marines in dress blues in the sky with the caption: "Marines don't die, they just get promoted". He noted that 22 veterans nationwide commit suicide each day.

Supervisor Parker announced that the film Darkside of the Full Moon will be screened at Hartnell College, Steinbeck Hall, at 5:30 pm on Wednesday night. There will be a discussion on the mood and anxiety disorder complications that are not treated during pregnancy. Admission is free. There is childcare and interpreting services available.

Supervisor Phillips noted there are some concerns with the oil train intensification coming through Monterey County through Elkhorn Slough with heavy crude from Canada. Considering the state of the tracks through the Elkhorn Slough, he will be meeting later this week with CAO Bauman , Emergency Services, Resources Management Agency and Public Works. This is of concern to the County. He expects it to come to the Board on a later date.

Supervisor Salinas added that Emergency Services and Planning are looking into the issue of the oil train intensification and the fact that this train would go through minority communities in the valley. He noted there are definitely concerns.

12.

CAO Comments and Referrals

There were no CAO comments or referrals.

13.

Public Comment

Bill Carrothers; Hans Jongens; Steve Ecklund.

10:30 A.M. - Scheduled Matters

14. Public hearing to consider adopting a resolution to accept an Annual Report on the status of compliance with Condition of Approval/Mitigation Monitoring and Reporting Plans for all land use projects with mitigation measures approved by the County of Monterey in 2014 (Condition of Approval and Mitigation Monitoring and Reporting Program 2014 Annual Report - REF150006/Countywide)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to: Hold a Public hearing and adopted Resolution No. 15-066 to accept an Annual Report on the status of compliance with Condition of Approval/Mitigation Monitoring and Reporting Plans for all land use projects with mitigation measures approved by the County of Monterey in 2014(Condition of Approval and Mitigation Monitoring and Reporting Program 2014 Annual Report REF150006/Countywide) ALL AYES**
15. a. Receive an oral report on the Administrative Review of the Behavioral Health Adult System of Care, and support implementation of the recommendations; and
- b. Amend Fiscal Year (FY) 2014-15 Health Department Budget 4000, HEA012-8410 to add 25.0 FTE Psychiatric Social Worker IIs, 1.0 FTE Social Worker III, 1.0 FTE Clinical Psychologist, 1.0 FTE Behavioral Health Unit Supervisor, 2.0 FTE Contract Physicians, and 1.0 FTE Deputy Director Behavioral Health; and
- c. Amend Fiscal Year (FY) 2014-15 Health Department Budget 4000, HEA012-8410 to increase Revenue and Appropriations in the amount of \$750,000; and
- d. Authorize the County Administrative Office and the Auditor Controller to incorporate the position and budget changes in the FY 2014-15 Adopted Budget.
- Public comment: Jesse Herrera; Eric Peterson; Hans Jongens; Linda Sanchez. A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to: a. Receive an oral report on the Administrative Review of the Behavioral Health Adult System of Care, and support implementation of the recommendations; b. Amended Fiscal Year (FY) 2014 15 Health Department Budget 4000, HEA012 8410 to add 25.0 FTE Psychiatric Social Worker IIs, 1.0 FTE Social Worker III, 1.0 FTE Clinical Psychologist, 1.0 FTE Behavioral Health Unit Supervisor, 2.0 FTE Contract Physicians, and 1.0 FTE Deputy Director Behavioral Health; c. Amended Fiscal Year (FY) 2014 15 Health Department Budget 4000, HEA012 8410 to increase Revenue and Appropriations in the amount of \$750,000; and d. Authorized the County Administrative Office and the Auditor Controller to incorporate the position and budget changes in the FY 2014 15 Adopted Budget. ALL AYES**

12:00 P.M.- Recess to Lunch - Continued Closed Session

1:30 P.M. - Reconvene**Roll Call**

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

1:30 P.M. - Scheduled Matters

16. Public hearing to consider:
- Denying an appeal by Dr. Eugene J. Guglielmo from the decision of the Zoning Administrator to approve a Coastal Administrative Permit to allow the demolition of an existing 1,016 square foot single-family dwelling and the construction of a 2,230 square foot two-story single-family dwelling with an attached 986 square foot garage;
 - Finding the project exempt from CEQA per Section 15303 of the CEQA Guidelines; and
 - Approving a Coastal Administrative Permit to allow the demolition of an existing 1,016 square foot single-family dwelling and the construction of a 2,230 square foot two-story single-family dwelling with an attached 986 square foot garage.
- (Appeal of Coastal Administrative Permit - PLN140143/Howerton, 5 Bayview Road, Castroville, North County Land Use Plan)
- Public comment: Grant Howerton; Larry Steffan; Amelia Howerton; Leticia Reyburn.**
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Jane Parker: Public hearing CONTINUED TO MARCH 24, 2015 AT 1:30 PM to consider: a. Denying an appeal by Dr. Eugene J. Guglielmo from the decision of the Zoning Administrator to approve a Coastal Administrative Permit to allow the demolition of an existing 1,016 square foot single family dwelling and the construction of a 2,230 square foot two story single family dwelling with an attached 986 square foot garage; b. Finding the project exempt from CEQA per Section 15303 of the CEQA Guidelines; and c. Approving a Coastal Administrative Permit to allow the demolition of an existing 1,016 square foot single family dwelling and the construction of a 2,230 square foot two story single family dwelling with an attached 986 square foot garage. (Appeal of Coastal Administrative Permit PLN140143/Howerton, 5 Bayview Road, Castroville, North County Land Use Plan) ALL AYES**
- 16.1 Public hearing to consider an appeal of the Planning Commission's Administrative Interpretation finding public assemblages are an allowed accessory use to a wine storage building approved as part of the Chateau Julien Winery. (Administrative Interpretation - 965157 ZA & PLN990138 - Chateau Julien/Coastal Cypress Corporation, Carmel Valley Master Plan) (ADDED VIA ADDENDUM)
- Bob Brower addressed the Board on behalf of the Applicant.**
John Suwada addressed the Board on behalf of the Appellant.
Public comment: Gary Cursio; Ken Christman; Leslie Nall; Butch Lindley; Kim

Stemler; Christina DiMaria; Anthony Lombardo; Maria West.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to hold a Public Hearing and: Adopted Resolution 15-067 denying an appeal of the Planning Commission's Administrative Interpretation finding public assemblages are an allowed accessory use to a wine storage building approved as part of the Chateau Julien Winery (Administrative Interpretation – 965157 ZA & PLN990138 - Chateau Julien/Coastal Cypress Corporation, Carmel Valley Master Plan) ALL AYES

16.2

Consider:

- a. Accepting the Annual Progress Report for the 2010 General Plan Implementation pursuant to Government Code Section 65400;
- b. Accepting the Annual Progress Report for the 2009-2014 Housing Element Implementation to comply with State Department of Housing and Community Development requirements;
- c. Authorizing the Resource Management Agency - Director of Planning to submit the progress reports to the State Office of Planning and Research and State Department of Housing and Community Development; and
- d. Receiving a report on the Long Range Planning Work Program, including the 2010 General Plan Implementation, Local Coastal Program (LCP) update, Board Referrals, and update of other policy and regulatory documents, and provide direction to staff on priorities. (REF150008/Annual Progress Report for the 2010 General Plan Implementation, Housing Element Implementation, and Long Range Planning Work Program) (ADDED VIA ADDENDUM)

PROJECT INFORMATION:

Planning File Numbers: REF150008

Applicant: County of Monterey, RMA-Planning

Project Location: County-wide

CEQA Action: Not Applicable per Section 15060(c) (1) and 15378(b) (4)

Public comment: Margaret Robbins.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to: a. Accept the Annual Progress Report for the 2010 General Plan Implementation pursuant to Government Code Section 65400; b. Accepted the Annual Progress Report for the 2009 2014 Housing Element Implementation to comply with State Department of Housing and Community Development requirements; c. Authorized the Resource Management Agency Director of Planning to submit the progress reports to the State Office of Planning and Research and State Department of Housing and Community Development; and d. Received a report on the Long Range Planning Work Program, including the 2010 General Plan Implementation, Local Coastal Program (LCP) update, Board Referrals, and update of other policy and regulatory documents, and provide direction to staff on priorities. (REF150008/Annual Progress Report for the 2010 General Plan Implementation, Housing Element Implementation, and Long Range Planning Work Program) ALL AYES

17.

- a. Receive status update on the State of California's oil well stimulation

treatment regulations and staff’s development of amendments to Title 21 (inland zoning) of the Monterey County Code relating to exploration and removal of oil and gas;

b. Provide direction to staff related to the Planning Commission’s recommendation for an interim urgency ordinance temporarily prohibiting certain oil well stimulation techniques.

(Status Report - REF130051/Oil well stimulation treatment regulations, County-wide)

Public comment: Dorothy Errea; Mary Orradre; Mary Orradre; Sam Teel; Lorna Moffett; Jennifer Pitcher; Clark Savage; Jason Retterer; Andy Hsia-Coron; Ed Mitchell; Tom Shields; Tia Lebherz; Margaret Rebecchi; Paula Getzelman; Ash Lauth; Dennis Bullard; Jim Orradre; Ramon; Brett Garrett; Gail Chambers; Rich Fox; Steve Ecklund; Mary Hsia-Coron; Jusin Salters; Chris Mack; Daiv Armanasco; Margaret Duflock; Lisa Duflock; Lee Schell; Mary Lynch Stemler; Nancy Barnett; Joanna Langield; Jason Chisholm; Linda Marin; Ruben Gonzales; Susan Raycraft; Jamie Brown; Kada Barrios; Peter Lanero; Keith Day; Joe Montieth; Ginger; Larry Rebecchi.

Motion No. 1: A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter the Board of Supervisors to: b. Provide direction to staff to return with information to consider the urgency aspect of a 45 day moratorium related to the Planning Commission’s recommendation for an interim urgency ordinance temporarily prohibiting certain oil well stimulation techniques. (Status Report REF130051/Oil well stimulation treatment regulations, County wide) 2-3 (Supervisors Armenta, Salinas, & Phillips Dissented) MOTION FAILED

Motion No. 2: A motion was made by Supervisor John M. Phillips, seconded by Supervisor David Potter to: a. Receive status update on the State of California’s oil well stimulation treatment regulations and staff’s development of amendments to Title 21 (inland zoning) of the Monterey County Code relating to exploration and removal of oil and gas. ALL AYES

Adjournment

APPROVED:

/s/ Simón Salinas
SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: /s/ Gail T. Borkowski
GAIL T. BORKOWSKI
CLERK OF THE BOARD
APPROVED ON 07-28-2015

Supplemental Sheet, Consent Calendar**Natividad Medical Center**

18. Item deleted
- 18.1
- a. Authorize an increase to the aggregate spending limit for the Reseller Agreement with SHI International Corp. increasing the amount by an additional \$347,303 for a total maximum liability of \$1,444,582 for the term May 1, 2012 through June 30, 2015 for additional Third Party Software License and Third Party Software Maintenance Reseller Services at NMC.
 - b. Authorize the Deputy Purchasing Agent for NMC to execute purchase orders on an as needed basis, at the recommendation of the NMC Chief Executive Officer, for Third Party Software License and Third Party Software Maintenance Reseller Services whereby the aggregate amount does not exceed \$1,444,582 through June 30, 2015.
 - c. Authorize the Deputy Purchasing Agent for NMC to execute Third Party Software License and Maintenance Agreements with Microsoft and any other Third Party Manufacturers, which licenses and maintenance agreements are purchased pursuant to the Reseller Agreement with SHI International Corp., subject to County Counsel approval. (ADDED VIA ADDENDUM)
- Approved - Agreement No. A-12456**

Health Services

- 19.
- a. Amend Fiscal Year (FY) 2014-15 Health Department Budget 4000-HEA014-8438 to add 1.0 FTE Business Technology Analyst IV, add 1.0 FTE Business Technology Analyst III; and add 1.0 FTE Supervising Department Information Systems Coordinator; and
 - b. Authorize the County Administrative Office to incorporate the position changes in the FY 2014-15 Adopted Budget.
- Approved**
- 20.
- Adopt Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendix A to create the classification of Clinic Operations Supervisor with the salary range as indicated in the attached Resolution;
 - b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendix A to create the classification of Assistant Director, Public Health Laboratory, with the salary range as indicated in the attached Resolution;
 - c. Amend the salary range for the position of Director, Public Health Laboratory as indicated in the attached Resolution;
 - d. Amend the Health Department Budget (4000-HEA007-8097) to reallocate

one (1) To Be Determined Allocations to one (1) Clinic Operations Supervisor;

e. Amend the Health Department Budget (4000-HEA007-8099) to reallocate one (1) To Be Determined Allocations to one (1) Clinic Operations Supervisor;

f. Amend the Health Department Budget (4000-HEA007-8101) to reallocate one (1) To Be Determined Allocations to one (1) Clinic Operations Supervisor;

g. Amend the Health Department Budget (4000-HEA007-8105) to reallocate one (1) To Be Determined Allocations to one (1) Clinic Operations Supervisor;

h. Amend the Health Department Budget (4000-HEA007-8449) to reallocate one (1) To Be Determined Allocation to Management Analyst III;

i. Amend the Health Department Budget (4000-HEA003-8124) to reallocate one (1) To Be Determined Allocation to one (1) Assistant Director, Public Health Laboratory; and

j. Authorize the County Administrative Office to reflect these approved changes in the Fiscal Year 2014-15 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Jane Parker to adopt Resolution No. 15-068 to:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendix A to create the classification of Clinic Operations Supervisor with the salary range as indicated in the attached Resolution;**
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendix A to create the classification of Assistant Director, Public Health Laboratory, with the salary range as indicated in the attached Resolution;**
- c. Amend the salary range for the position of Director, Public Health Laboratory as indicated in the attached Resolution;**
- d. Amend the Health Department Budget (4000-HEA007-8097) to reallocate one (1) To Be Determined Allocations to one (1) Clinic Operations Supervisor;**
- e. Amend the Health Department Budget (4000-HEA007-8099) to reallocate one (1) To Be Determined Allocations to one (1) Clinic Operations Supervisor;**
- f. Amend the Health Department Budget (4000-HEA007-8101) to reallocate one (1) To Be Determined Allocations to one (1) Clinic Operations Supervisor;**
- g. Amend the Health Department Budget (4000-HEA007-8105) to reallocate one (1) To Be Determined Allocations to one (1) Clinic Operations Supervisor;**
- h. Amend the Health Department Budget (4000-HEA007-8449) to reallocate one (1) To Be Determined Allocation to Management Analyst III;**
- i. Amend the Health Department Budget (4000-HEA003-8124) to reallocate one (1) To Be Determined Allocation to one (1) Assistant Director, Public Health Laboratory; and**
- j. Authorize the County Administrative Office to reflect these approved changes in the Fiscal Year 2014-15 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system. ALL AYES**

21. a. Approve the standard Memorandum of Understanding (MOU) template to be used to partner with school districts in Monterey County for the provision

of therapeutic services including, individual therapy, group therapy, parent and/or teacher consultation, treatment planning, classroom observation, teacher training, parent education and referrals for crisis intervention as needed;

b. Approve delegation of authority to the Director of Health to execute the standard MOU, retroactive to July 1, 2014, with school districts in Monterey County using the template in substantially the same form as that which has been presented to the Board without significant change to its content, subject to review and approval of County Counsel, County Risk Manager, and County Auditor-Controller; delegation of authority limited to Fiscal Year 2014-2015, and

c. Approve delegation of authority to the Director of Health to execute up to three future amendments to the MOUs with school districts in Monterey County that would allow extending the MOU through and including FY 2016-17 and do not significantly alter the scope of work where the total amendments do not exceed 10% of the original contract amount.

(ADDED MATERIALS VIA SUPPLEMENTAL)

Approved - Agreement No. A-12660

General Government

22.

Authorize modifications to the FY 2014-15 Adopted Budget to provide budgetary authority for implementing a September 16, 2014 staff report pertaining to inmate medical care, as follows:

a. Increase appropriations by \$1,350,110 in SHE004-001-2300-8237-6610, financed by increased revenue (operating transfer in) of \$2,037,736 from HEA013-025-4000-8424-7614; (4/5th vote required)

b. Increase appropriations by \$2,037,736 in HEA013-025-4000-8424-7614, financed by increased revenue (operating transfer in) of \$2,037,736 in HEA013-025-4000-8424-5940; (4/5th vote required)

c. Increase appropriations in SHE003-001-2300-8238-6111 by \$1,534,205 financed by increased revenue (operating transfer in) from PRO002-022-2550-8165-7614 of \$1,000,000 and General Fund Contribution of \$534,205; (4/5th vote required)

d. Increase appropriations in SHE003-001-2300-8234-6111 by \$153,421, financed by General Fund Contribution of \$153,421; (4/5th vote required) and

e. Increase appropriations by \$2,037,736 in CAO016-001-1050-8037-7614, financed by increased revenue of \$2,037,736 in CAO-001-1050-8041-4820. (4/5th vote required)

Approved

23.

a. Amend the Human Resources Budget 1060, HRD001-8402 to add one (1) Associate Personnel Analyst and one (1.0) Personnel Technician-Confidential as indicated in Attachment A;

b. Amend the Human Resources Budget 1060, HRD001-8404 to add one (1)

Risk & Benefits Analyst as indicated in Attachment A;

c. Direct the County Administrative Office to incorporate the approved changes in the FY 2014-15 Adopted Budget to reflect the change in position counts;

d. Authorize the Auditor-Controller to increase Appropriations in HRD001, Human Resources, by \$93,116 offset by an Interfund Reimbursement of \$93,116 from AUD006, Capital Project Automation. (4/5ths Vote Required)

Approved

- 24.** Approve the Monterey County Board of Supervisors Action Meeting Minutes for the following dates: Tuesday, August 26, 2014, Tuesday, October 21, 2014 and Tuesday, October 28, 2014.

Approved

- 25.** Receive the action minutes from the September 29, November 7 and December 10, 2014 meetings of the Legislative Committee.

Approved

- 25.1**
- a. Approve the Second Reimbursement and Funding Agreement between the County of Monterey and the Monterey County Water Resources Agency for Preliminary Engineering and Design, further Water Rights Analysis, Spillway Modification Feasibility, Technical Support to the Monterey County Water Resources Agency during design, Environmental Consulting Services, and Program Management, relating to the Interlake Tunnel Project;
- b. Increase the amount reimbursable to the Agency to include the additional scope of work and reimbursement by \$600,000 for total reimbursement up to \$1,100,000 for FY 2014-15; and
- c. Authorize the Auditor-Controller to modify the FY 2014-15 Adopted Budget by increasing appropriations in CAO017-001-1050-8038-7614 and decreasing appropriations in CAO020-001-1050-8034-7811 by an equal amount of \$600,000. (4/5th vote required) (ADDED VIA ADDENDUM)

Motion No. 1: A motion was made by Supervisor John M. Phillips, seconded by Supervisor Jane Parker to: a. Approved the Second Reimbursement and Funding Agreement between the County of Monterey and the Monterey County Water Resources Agency for Preliminary Engineering and Design, further Water Rights Analysis, Spillway Modification Feasibility, Technical Support to the Monterey County Water Resources Agency during design, Environmental Consulting Services, and Program Management, relating to the Interlake Tunnel Project; b. Increased the amount reimbursable to the Agency to include the additional scope of work and reimbursement by \$600,000 for total reimbursement up to \$1,100,000 for FY 2014-15; and c. Authorized the Auditor-Controller to modify the FY 2014-15 Adopted Budget by increasing appropriations in CAO017-001-1050-8038-7614 and decreasing appropriations in CAO020-001-1050-8034-7811 by an equal amount of \$600,000. (4/5th vote required) ALL AYES

Motion No. 2: A motion to reconsider approval of this item was made by

Supervisor Jane Parker, seconded by Supervisor Fernando Armenta. ALL AYES

Motion No. 3: A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Amenta to add additional direction as follows: "d. Authorize the County Administrative Officer to execute the agreement. ALL AYES

RMA - Public Works

- 26.**
- a. Approve and authorize the Resource Management Agency Acting Director to execute a two-year License Agreement, effective April 1, 2015, with the City of Salinas for the use of the parking lot located at 12 West Market Street and 20-26 Station Place in Salinas, California to provide daily parking for jurors and person responding to juror summons; and
 - b. Authorize the Resource Management Agency Acting Director to make minor revisions to the License Agreement if deemed necessary by the Resource Management Agency Acting Director to be in the best interest of the County.

Approved - Agreement No. A-12661