

Monterey County

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



Action Minutes - Draft

Tuesday, October 21, 2014

9:30 AM

See separate agenda for the Joint meeting of the Monterey County Board of Supervisors, Board of Supervisors of the Monterey County Water Resources Agency and the Water Resources Agency Board of Directors

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*

9:30 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 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(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

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

10:30 AM Reconvene

Roll Call

Present: Charlie Steves, 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 Jane Parker.

Additions and Corrections

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

Under Ceremonial Resolutions

6. Revised Resolution Submitted

Adopt Resolution recognizing the month of October 2014 as Work Life Month. (Supervisor Parker)

Under Appointments

16. Appoint to the Monterey County Children's Council Kristan Lundquist, for a term ending June 30, 2016 June 30, 2017. (Full Board)

Adjourn in Memory of
Ed DeMars, first Director of Planning for Monterey County and founding
member of the Ag Land Trust.

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

Ceremonial Resolutions

3. Adopt Resolution honoring Hazel Tompkins as a Monterey County Military
and Veterans Services Advisory Commission's "Veteran of the Year" for
2014. (Supervisor Parker)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón
Salinas to adopt Resolution No. 14-283 honoring Hazel Tompkins as a
Monterey County Military and Veterans Services Advisory Commission's
"Veteran of the Year" for 2014. (Supervisor Parker) ALL AYES

4. Adopt Resolution recognizing Francis Ingraham on behalf of the Monterey
County Veterans Services Advisory Commission- District 1. (Supervisor
Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón
Salinas to adopt Resolution No. 14-287 recognizing Francis Ingraham on behalf
of the Monterey County Veterans Services Advisory Commission- District 1.
(Supervisor Armenta) ALL AYES

5. Adopt Resolution recognizing David R. Pennell on behalf of the Monterey
County Veterans Services Advisory Commission- District 1. (Supervisor
Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón
Salinas to adopt Resolution No. 14-288 recognizing David R. Pennell on behalf
of the Monterey County Veterans Services Advisory Commission- District 1.
(Supervisor Armenta). ALL AYES

6. Adopt Resolution recognizing the month of October 2014 as Work-Life
Month. (Supervisor Parker)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón
Salinas to adopt Resolution No. 14-289 recognizing the month of October 2014
as Work-Life Month. (Supervisor Parker) ALL AYES

7. Adopt Resolution honoring Stephen Bloch as Monterey County Military and

Veterans Services Advisory Commission 2014 “Veteran of the Year.”
(Supervisor Potter)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-290 honoring Stephen Bloch as Monterey County Military and Veterans Services Advisory Commission 2014 “Veteran of the Year.” (Supervisor Potter) ALL AYES

8. Adopt Resolution honoring Anthony Russo as Monterey County Military and Veterans Services Advisory Commission 2014 “Veteran of the Year.”
(Supervisor Potter)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-291 honoring Anthony Russo as Monterey County Military and Veterans Services Advisory Commission 2014 “Veteran of the Year.” (Supervisor Potter) ALL AYES

9. Adopt Resolution honoring Tom Palz upon being selected as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for the year 2014. (Supervisor Calcagno)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-292 honoring Tom Palz upon being selected as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for the year 2014. (Full Board) ALL AYES

10. Adopt Resolution honoring Benn Murray upon being selected as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for the year 2014. (Supervisor Calcagno)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-293 honoring Benn Murray upon being selected as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for the year 2014. (Full Board) ALL AYES

11. Adopt Resolution honoring Gilbert Velasquez as a Monterey County Military and Veterans Affairs Advisory Commission's "Veteran of the Year" for 2014. (Supervisor Salinas)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-300 honoring Gilbert Velasquez as a Monterey County Military and Veterans Affairs Advisory Commission's "Veteran of the Year" for 2014. (Supervisor Salinas) ALL AYES**
12. Adopt Resolution honoring Raymond W. Espinosa as a Monterey County Military and Veterans Affairs Advisory Commission's "Veteran of the Year" for 2014. (Supervisor Salinas)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-301 honoring Gilbert Velasquez as a Monterey County Military and Veterans Affairs Advisory Commission's "Veteran of the Year" for 2014. (Supervisor Salinas) ALL AYES**
13. Adopt Resolution honoring Dana Larrabee as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2014. (Supervisor Parker)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-296 honoring Dana Larrabee as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2014. (Supervisor Parker) ALL AYES**
14. Adopt Resolution honoring Sid Williams as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2014. (Supervisor Parker)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-297 honoring Sid Williams as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2014. (Supervisor Parker) ALL AYES**
15. Adopt Resolution honoring Kirk Johnson as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2014. (Supervisor Parker)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-298 honoring Kirk Johnson as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2014. (Supervisor Parker) ALL AYES**

Appointments

16. Appoint to the Monterey County Children's Council Kristan Lundquist, for a term ending June 30, 2016. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to Appoint to the Monterey County Children's Council Kristan Lundquist, for a term ending June 30, 2016. (Full Board) ALL AYES**

17. Appoint to the Historical Advisory Commission Donna Zahn, to fill an unscheduled vacancy with a term ending February 1, 2016. (Supervisor Potter)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to Appoint to the Historical Advisory Commission Donna Zahn, to fill an unscheduled vacancy with a term ending February 1, 2016. (Supervisor Potter) ALL AYES**
18. Appoint to the Area Agency on Aging Advisory Council Maria Dominguez Muñoz with a term ending January 1, 2016. (Supervisor Armenta)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to Appoint to the Area Agency on Aging Advisory Council Maria Dominguez Muñoz with a term ending January 1, 2016. (Supervisor Armenta) ALL AYES**
19. Reappoint to the Domestic Violence Coordinating Council, Darlene Acosta with a term ending January 2, 2015. (Supervisor Salinas)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to Reappoint to the Domestic Violence Coordination Advisory Council, Darlene Acosta with a term ending January 2, 2015. (Supervisor Salinas) ALL AYES**
20. Appoint to the Commission on the Status of Women Sarah Guzman with a term ending February 1, 2017. (Supervisor Calcagno)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to Appoint to the Commission on the Status of Women Sarah Guzman with a term ending February 1, 2017. (Supervisor Calcagno) ALL AYES**

Other Board Matters

21. Board Comments
- Supervisor Armenta thanked all County agencies that are and have been involved with the family and the fire in East Salinas. His staff has been working on this and assisting in getting the family connected to resources such as Red Cross, County Social Services, Health Dept., and local churches.**
- Supervisor Salinas thanked the Department of Social Services for their support of the families impacted by the fire in the King City mobilehome park. He expressed his appreciation for the Social Services representatives working to assist the displaced families.**
- Supervisor Parker noted the resolution adopted by the Board acknowledging October as the Work/Life Month and the advantages of allowing for flexibility in work schedules. She highlighted the increase in economic indicator parallels and the increased participation of women in the workforce. It's important to change workplace policies to support this change to help home and work balance.**

Supervisor Parker announced she will lead a tour at Natividad Medical Center on November 6th from 5:30 - 6:30 pm. This is an opportunity to meet the Interim CEO, Dr. Kelly O'Keefe and see the new trauma center changes, labor & delivery.

Supervisor Parker announced she is seeking District 4 appointees for various vacancies Commissions, Committees. More information is available on her website and on flyers on the table in the Board Chamber today.

22. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman advised a referral was received from Supervisor Parker's office to:

Consider adoption of a Sunshine Ordinance which will enhance existing laws governing public meetings and public records, with the purpose to make the County's operations more open and transparent. Request that staff bring a concept ordinance that borrows from other jurisdictions that have adopted similar ordinances. The item is referred to County Counsel.

23. General Public Comment

Frank Cabrera; Denise Turley; Arthur Martinez; Dora Melchor; Carmen Delgado; Reyna Pacheco; Colleen Pires; Mario Torres; David Werlin; Jay Donato; Steve Ecklund; and Ron Chesshire.

10:30 A.M. - Scheduled Matters

24. a. Conduct a public hearing under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended, and;

b. Adopt a resolution approving the issuance of up to \$50,000,000.00 of tax-exempt revenue notes, bonds, or other evidence of indebtedness by the California Statewide Communities Development Authority (CSCDA) to benefit California Shock Trauma Air Rescue.

a. Public hearing held under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended; and

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to: Adopt Resolution No. 14-306 approving the issuance of up to \$50,000,000.00 of tax-exempt revenue notes, bonds, or other evidence of indebtedness by the California Statewide Communities Development Authority (CSCDA) to benefit California Shock Trauma Air Rescue. ALL AYES

25. Receive a presentation on Managing for Results (MFR) from the Human Resources Department.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to receive a presentation on Managing for Results (MFR) from the Human Resources Department. ALL AYES

26. Public hearing to consider adoption of an ordinance to amend Section 21-10 of the Sectional District Maps of Section 21.08.060 of Title 21 (Non-Coastal Zoning Ordinance) of the Monterey County Code to rezone a 0.29 acre parcel from the “MDR/B-6-D” [Medium Density Residential with a Building Site and Design Control Overlay] zoning classification to the “MDR/B-6-D-HR” [Medium Density Residential with a Building Site, Design Control and Historic Resources Overlay] zoning classification, upon finding that the ordinance is categorically exempt under the California Environmental Quality Act.

(Zoning Amendment - PLN130770/DuMont, 988 Customs Road, Pebble Beach, Greater Monterey Peninsula Area Plan)

Held a Public Hearing:

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Ordinance No. 5246 to amend Section 21-10 of the Sectional District Maps of Section 21.08.060 of Title 21 (Non Coastal Zoning Ordinance) of the Monterey County Code to rezone a 0.29 acre parcel from the “MDR/B 6 D” [Medium Density Residential with a Building Site and Design Control Overlay] zoning classification to the “MDR/B 6 D HR” [Medium Density Residential with a Building Site, Design Control and Historic Resources Overlay] zoning classification, upon finding that the ordinance is categorically exempt under the California Environmental Quality Act. (Zoning Amendment PLN130770/DuMont, 988 Customs Road, Pebble Beach, Greater Monterey Peninsula Area Plan) ALL AYES

27. Public hearing to consider adoption of an ordinance to amend Section 21-19 of the Sectional District Maps of Section 21.08.060 of Title 21 (Non-Coastal Zoning Ordinance) of the Monterey County Code to rezone two five- acre parcels from the “F/40-D” [Farmlands, 40 acre minimum with a Design Control Overlay] zoning classification to the “F/B-6-D” [Farmlands with a Building Site and Design Control Overlay] zoning classification, upon finding that the ordinance is categorically exempt under the California Environmental Quality Act.

(Zoning Amendment - PLN140055/Burnstein, 645 and 655 River Road, Salinas, Toro Area Plan)

Held a Public hearing;

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to adopt Ordinance No. 5247 to amend Section 21 19 of the Sectional District Maps of Section 21.08.060 of Title 21 (Non Coastal Zoning Ordinance) of the Monterey County Code to rezone two five acre parcels from the “F/40 D” [Farmlands, 40 acre minimum with a Design Control Overlay] zoning classification to the “F/B 6 D” [Farmlands with a Building Site and Design Control Overlay] zoning classification, upon finding that the ordinance is categorically exempt under the California Environmental Quality Act. (Zoning Amendment PLN140055/Burnstein, 645 and 655 River Road, Salinas, Toro Area Plan) ALL AYES

12:00 PM Recess to Lunch

1:30 PM Reconvene

Roll Call

Present: Charlie Steves, 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

- 28. Receive a report and consider taking a position on Proposition 47: Criminal Sentences. Misdemeanor Penalties. Initiative Statue., also known as The Safe Neighborhoods and Schools Act.

Public comment: Renee Costas; Cesar Lara; Steve Ecklund; Elizabeth Siggins; Elliott Roberts; Beatrice (no last name given); Jesus Valenzuela; Pamela Westin; Raul Damien Tapia; Norm Groot; Robert Rooks; James Adams; John Pineda; Berkley Brannon; Scott Miller; Marcia Parsons; Jeanine Pachioni; Dean Flippo.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to receive a report on Proposition 47: Criminal Sentences. Misdemeanor Penalties. Initiative Statue, also known as The Safe Neighborhoods and Schools Act.

NO ACTION TAKEN BECAUSE THE MOTION DID NOT RECEIVE THREE AFFIRMATIVE VOTES. (Supervisor Calcagno Dissented; Supervisors Salinas and Potter Abstained)

Adjournment in memory of Ed DeMars

See separate agenda for:

Joint Meeting of the Monterey County Board of Supervisors, Board of Supervisors of the Monterey County Water Resources Agency and the Water Resources Agency Board of Directors

See separate Agenda and Minutes

APPROVED:

**SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

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

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

29. a. Authorize Natividad Medical Center Job Order Contracts for Fiscal Year 2014-2015
- b. Adopt the Natividad Medical Center Construction Task Catalog, Project Manuals, and Technical Specifications for the Job Order Contract Projects, Project No. JOC Bid Nos. NMC 2014-01, Bid Nos. NMC 2014-02, Bid Nos. NMC 2014-03 as part of the information to complete the Job Order Contract program; and
- c. Authorize the Resource Management Agency - Public Works advertising the "Notice to Contractors" in a newspaper of general circulation.

Approved

30. a. Approve the Acute Rehab Unit Tenant Improvement project to be prioritized in the total project amount of \$2,180,000 and be added to Natividad Medical Center's Fiscal Year (FY) 14-15 Capital Project List;
- b. Approve Natividad Medical Center's FY 14-15 capital budget modification increase by \$1,425,000 and source the balance of funds from the FY 2014-15 Adopted Budget Contingency Funds amount (\$405,000) and the Interior Design Upgrades amount (\$350,000) for a total amount of \$2,180,000;
- c. Approve the approval of the Plans and Specifications for the Natividad Medical Center's Acute Rehab Unit Tenant Improvement, Infant Security and Dialysis Projects;
- d. Approve utilizing Job Order Contracting to execute a Notice to Proceed for Acute Rehabilitation Unit Tenant Improvement; and
- e. Approve Natividad Medical Center to execute a Job Order Contract for an amount not to exceed \$2,030,929

Approved

31. Approve the Performance and Payment Bonds executed and provided by Ausonio Incorporated, Inc. in the amount of \$4,430,000.

Approved

General Government

32. Approve the Memorandum of Understanding (MOU) for Monterey County Prosecutors Association (MCPA) Unit E for the period July 1, 2014 through June 30, 2016.

Approved

33. a. Approve and authorize the Agricultural Commissioner (AC) to sign Amendment 1 with Resource Conservation District of Monterey County (RCD); and
b. Authorize the Auditor-Controller to make payments in accordance with the terms of the Agreement and Amendment No.1 to the August 13, 2013, Agreement.

Approved

34. Adopt a support position on Proposition 1, the Water Quality, Supply and Infrastructure Act of 2014.

Approved

35. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Monterey Education Risk Management Authority.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 14-307 to approve the amendments to the Conflict of Interest Code of the Monterey Education Risk Management Authority. ALL AYES

RMA - Public Works

36. a. Adopt the Monterey County Construction Task Catalog, Roads & Bridges and Facilities JOC Specifications Manuals, and Monterey County Technical Specifications for the Job Order Contracting 2014, Project No. JOC 2014, Bid No. Roads & Bridges 2014-01, Bid No. Roads & Bridges 2014-02, and Project No. JOC 2014, Bid No. Facilities 2014-01, Bid No. Facilities 2014-02; and
b. Authorize the Director of Public Works to advertise the “Notice to Contractors” in the *Monterey County Weekly*.

Approved