



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Upon motion of Supervisor Salinas, seconded by Supervisor Calcagno, and carried by those members present, the Board of Supervisors hereby:

Approved the Action Minutes for the Board of Supervisor's meetings of Tuesday, September 11, 2012; Tuesday, September 18, 2012, Friday, September 28, 2012.

PASSED AND ADOPTED on this 16th day of October 2012, by the following vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Salinas and Parker
NOES: None
ABSENT: Supervisor Potter

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on October 16, 2012

Dated: October 30, 2012
File Number: 12972

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By *Denise Hancock*
Deputy



Monterey County

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

Action Minutes Board of Supervisors

Chair Dave Potter - District 5
Vice-Chair Fernando Armenta - District 1
Supervisor Louis R. Calcagno - District 2
Supervisor Simón Salinas - District 3
Supervisor Jane Parker - District 4

Tuesday, September 11, 2012

9:00 AM

See separate agendas for the Monterey County Water Resources Agency and East Garrison Community Services District.

9:00 A.M. - Call to Order

Roll Call

Present: 5 - Supervisor Dave Potter, Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas and Supervisor Jane Parker

Additions and Corrections for 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(a), the Board will confer with legal counsel regarding existing litigation:
 - (1) Martin Sanchez, et al. v. Jack Robert Hudson, et al., and related cross-actions (Monterey County Superior Court case no. M108880)
 - (2) Keep Fort Ord Wild v. County of Monterey, et al. (Monterey County Superior Court case no. M114961)
 - (3) County of Monterey v. California-American Water Company (San Francisco Superior Court case no. CGC-12-521875)
 - (4) Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project: Application 12-04-019

(5) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey (Monterey County Superior Court case no. M109442)

b. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Equal Opportunity Officer.

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

(1) Designated representatives: Kimberley Moore and Brette Neal
Employee Organizations: Units D, E, G, P, X, and Z

CLOSED SESSION REPORT:

There were no reportable actions for items 1.a. (1) through (5) and 1.b.

CLOSED SESSION REPORT: Item 1.c.: The Board conferred with labor negotiators Kim Moore and Brette Neal regarding Units D, E, G, P, X, and Z and approved changes to the time off regarding winter recess consistent with other bargaining units.

10:30 AM Reconvene

Roll Call

Present: Charlie Steves, Interpreter

Present: 5 - Supervisor Dave Potter, Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas and Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Potter.

14.

Welcome Home Troops Ceremony and Reception

The Board of Supervisors commended Monterey County residents serving in the United States Armed Forces and awarded Monterey County medals and quilts to: Sergeant Jason Edlin, United States Marine Corp; Specialist Jeanne Obrien, United States Army; Sergeant Jose Perez, United States Army; Sergeant Jeffrey Quenga, United States Air Force; Sergeant Ivan Romero, United States Army; Petty Officer Brian Sukala, United States Navy; Sergeant Kevin Tavares, United States Army; Master Chief Bret Westerman, United States Navy.

Additions and Corrections

There were no additions or corrections.

Consent Calendar- (See Supplemental Sheet)

2.

Approve Consent Calendar-Regular (See Supplemental Sheet, items 18 through 41).

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Simón Salinas to approve the Consent Calendar-Regular. ALL AYES

Ceremonial Resolutions

3. Adopt Resolution proclaiming the month of September 2012 as “Hunger Action Month” in Monterey County. (Supervisor Potter)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, that Resolution 12-245 be adopted. ALL AYES
4. Adopt Resolution honoring James C. Bogan as the recipient of the State of California 27th Assembly District 2012 “Veteran of the Year” Award. (Supervisor Potter)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, that Resolution 12-246 be adopted. ALL AYES
5. Adopt Resolution recognizing the week of September 17 - 23, 2012 as the 225th national celebration of “Constitution Week”. (Supervisor Potter)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, that Resolution 12-247 be adopted. ALL AYES
6. Resolution honoring Monterey County Free Libraries as the recipient of the Monterey County Historical Society Community Historic Award. (Supervisor Calcagno)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, that Resolution 12-248 be adopted. ALL AYES

Appointments

7. Reappoint John Pedevilla; Suzanna Avalos and Margot Turner to the Gonzales Cemetery District, terms ending April 14, 2016. (Supervisor Salinas)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that this Appointment be approved. ALL AYES
8. Appoint Bertha Gonzalez to the Community Restorative Justice Commission, term ending December 31, 2014. (Supervisor Calcagno)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that this Appointment be approved. ALL AYES
9. Appoint Charmaine Scott to the Housing Authority of the County of Monterey, term ending September 11, 2014. (Supervisor Potter)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that this Appointment be approved. ALL AYES
10. Reappoint Jim Felton to the Housing Advisory Committee, term ending August 26, 2014. (Supervisor Parker)
A motion was made by Supervisor Jane Parker, seconded by Supervisor

Fernando Armenta, that this Appointment be approved. ALL AYES

- 10.1 Correct the expiration term of Salvador Vasquez of the Pajaro Valley Water Management Agency from December 1, 2014 to December 1, 2012. (Full Board) ADDED VIA ADDENDUM
A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that this Appointment be approved. ALL AYES

Other Board Matters

11. Board Comments
Supervisor Parker advised new dates for her Hot Topics meetings will be available on her website and on a print-out on the dais. She announced Coastal Clean-up Day this Saturday. She will be participating at the Fort Ord Dunes State Beach with Mayor Delgado and hopefully a cast of hundreds, and encouraged the public to sign up. She also announced she will be conducting another walk on the former Fort Ord next week with Botanist Bruce Delgado and Mayor Felix Bachofner.
12. CAO Comments and Referrals
County Administrative Officer Dr. Lew Bauman announced the following referrals:
1) The Board's decision to join the Monterey Peninsula Regional Water Authority; that item is on this afternoon's agenda. (Potter)
2) Request staff review application of new ordinance in role of the land use plan and update process in coastal planning and implementation and land use process. (Potter)
3) Consider including public ownership of desalination plants; the ordinance regulating this in our local coastal plans; staff has provided a memo as an initial response. (Parker)
13. General Public Comment
Sylvia Huerta, with Charlie Steves, Interpreter; Aurora Contreras with Interpreter; Wes Morrill; Sydney Scott, Mark Reed; Larry Parrish; Phil Livermore; Eric Peterson; Maxwell Green.

12:00 PM Recess to Lunch

1:30 PM Reconvene - Monterey County Board of Supervisors

Roll Call

Present: Charlie Steves, Interpreter

Present: 5 - Supervisor Dave Potter, Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas and Supervisor Jane Parker

1:30 P.M. - Scheduled Matters

15. Public hearing to consider:
a. Denial of an appeal by Susan Pearson from the decision of the Director of

the County Resource Management Agency-Planning Department granting a Design Approval (Bouhaja/PLN120220) for the following additions to an existing 2,034 square foot one-story residence: a new 489 square foot second story bedroom addition, a new 308 square foot attached garage, and 151 square foot storage area attached to the new garage, with colors and materials to match existing residence;

b. Finding the project categorically exempt pursuant to CEQA Guidelines Section 15301 (e); and

c. Approval of the Design Approval consisting of the following additions to an existing 2,034 square foot one-story residence: a new 489 square foot second story bedroom addition, a new 308 square foot attached garage, and 151 square foot storage area attached to the new garage, with colors and materials to match existing residence.

(Appeal of Design Approval - PLN120220, Bouhaja, 26052 Highway 1, Carmel, Carmel Area Land Use Plan, Coastal Zone)

Mark Thompson addressed the Board on behalf of the Applicant.

Susan Pearson, Appellant, addressed the Board.

Public comment: Richard Lawston

Conducted a public hearing;

Upon the motion by Supervisor Potter, seconded by Supervisor Armenta, adopted Resolution No. 12-255:

a. Denial of an appeal by Susan Pearson from the decision of the Director of the County Resource Management Agency-Planning Department granting a Design Approval (Bouhaja/PLN120220) for the following additions to an existing 2,034 square foot one-story residence: a new 489 square foot second story bedroom addition, a new 308 square foot attached garage, and 151 square foot storage area attached to the new garage, with colors and materials to match existing residence;

b. Finding the project categorically exempt pursuant to CEQA Guidelines Section 15301 (e); and

c. Approval of the Design Approval consisting of the following additions to an existing 2,034 square foot one-story residence: a new 489 square foot second story bedroom addition, a new 308 square foot attached garage, and 151 square foot storage area attached to the new garage, with colors and materials to match existing residence; d. added condition of approval that hours of construction will be Monday through Friday from 8:00 a.m. to 5 p.m.

(Appeal of Design Approval - PLN120220, Bouhaja, 26052 Highway 1, Carmel, Carmel Area Land Use Plan, Coastal Zone)

16.

Response to Board of Supervisors referral regarding the request of the Monterey Peninsula Mayors that the County become a member of the Monterey Peninsula Regional Water Authority.

Public comment: Richard Fedick; Julie Engell; Bill Hood; Rob Watson; Ed Mitchell A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas, that this Item be approved. ALL AYES

17.

Approve the transfer of General Fund Contingency funds, in the amount of \$83,300, for costs related to FY 2012-2013 payment of the pro-rata share of the cost to allow the County to become an ex-officio or full member of the Monterey Peninsula Regional Water Authority. (4/5th vote required)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas that this item be approved. ALL AYES

Adjournment

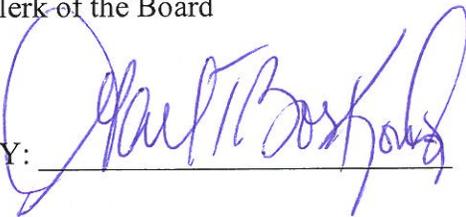
In Memory of Morgan Stock

APPROVED:



FERNANDO ARMENTA, VICE CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: 

Supplemental Sheet, Consent Calendar

Health and Social Services

18. a. Approve and authorize the Director of Health to sign a three fiscal year term (FY 2012-13, 2013-14 and 2014-15) Mental Health Services Agreement with Summitview Child and Family Services for the provision of mental health services in the annual amount of \$52,805, for a total of \$158,415, for the period July 1, 2012 through June 30, 2015; and
b. Authorize the Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) of the annual amount, which does not significantly alter the scope of work or result in an increase to General Fund Contribution.
Approved - Agreement No. A-12314
19. a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Business Technology Analyst IV with the recommended salary range of \$6,083 - \$8,303;
b. Reclassify and reallocate a Business Technology Analyst III to Business Technology Analyst IV, Health Department Budget 4000, HEA12-8140; and
c. Authorize the County Administrative Office to incorporate the approved changes in the FY 2012-13 Adopted Budget.
A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Simón Salinas, adopting Resolution No. 12-249 to: a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Business Technology Analyst IV with the recommended salary range of \$6,083 - \$8,303;
b. Reclassify and reallocate a Business Technology Analyst III to Business Technology Analyst IV, Health Department Budget 4000, HEA12-8140; and
c. Authorize the County Administrative Office to incorporate the approved changes in the FY 2012-13 Adopted Budget.. ALL AYES
20. a. Approve and authorize the Director of the Department of Social and Employment Services, or his designee, to sign an agreement with Door to Hope, Inc. for \$281,801 for the period July 1, 2012 through June 30, 2013 for the provision of perinatal substance abuse prevention and intervention services to Monterey County children and their families;
b. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign the First 5 Monterey County FY 2012-13 Agreement to Distribute Funds in the amount of \$36,194 as the County's match; and
c. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to (3) amendments to these agreements where the total amendments do not exceed 10% of the original contract amounts, and do not significantly change the scopes of work
Approved - Agreement No. A-12345

21. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign an agreement with McWilliams- Mailliard Technology Group, Inc. for \$25,040 to provide license and subscriptions to the AACTS software for Adult Protective Services staff for the period July 1, 2012 - June 30, 2014, including non-standard Mutual Indemnification in Exhibit A-1, sections 9.2 and 9.3; and
b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.
(AGREEMENT; EXHIBIT A; PAGE 5 ADDED VIA SUPPLEMENTAL)
Approved - Agreement No. A-12316

Criminal Justice

22. a. Authorize the Contracts/Purchasing Officer to sign a multi-year Grant Agreement with First 5 Monterey County in the amount of \$330,000 for the Probation Department's Child Advocate Program during Fiscal Years 2012-15; and
b. Authorize the Contracts/Purchasing Officer to sign up to three (3) 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-12318
23. a. Authorize the Auditor Controller to transfer funding in the amount of \$80,000 from the CAO's budget to Probation's budget for the Monterey County Adult Placement program during FY 2012-13 (4/5ths vote required); and
b. Authorize the CAO's Office to add 1.0 FTE Probation Aide to Department 2550-Probation.
Approved
24. a. Authorize the Contracts/Purchasing Officer to sign the Professional Service Agreement with Jim Guy, dba "Introspect" for Inmate Assessment and Intervention Programs at the Monterey County Sheriff's Office, Custody Operations Bureau, in the amount of \$167,004 per fiscal year for a three (3) fiscal year period beginning July 1, 2012 through June 30, 2015; and
b. Authorize the Contracts/Purchasing Officer to sign future amendments without further approval by the Board of Supervisors, provided that any such amendments, either individually or cumulatively with other such amendments, shall be limited to minor changes.
Approved - Agreement No. A-12318
25. a. Authorize the Contracts/Purchasing Officer to sign Amendment No.1 with Central Valley Toxicology for the Sheriff's Office to increase the agreement amount by \$126,000 for a revised total not to exceed amount of \$180,000 and to renew the agreement by extending the term through June 30, 2014; and
b. Authorize the Contracts/Purchasing Officer to sign future amendments

without further approval by the Board of Supervisors, provided that any such amendments, either individually or cumulatively with other such amendments, shall be limited to minor changes.

Approved - Agreement No. A-12319

26. a. Authorize the Contracts/Purchasing Officer to sign Amendment No.1 with Norman A. Traub Associates, for internal affairs investigative services, to extend the term one (1) additional year and to increase the agreement amount by \$45,000 for a revised total amount not to exceed the sum of \$65,000; and
b. Authorize the Contracts/Purchasing Officer to sign future amendments to this agreement where the amendments do not significantly change the scope of work.

Approved - Agreement No. A-12089

27. a. Authorize the Contracts/Purchasing Officer to sign the Professional Service Agreement with Diocese of El Camino for religious programs at the Monterey County Sheriff's Office, Custody Operations Bureau, in the amount of \$59,143.92 per fiscal year for a three (3) fiscal year period of July 1, 2012 through June 30, 2015; and
b. Authorize the Contracts/Purchasing Officer to sign future amendments without further approval by the Board of Supervisors, provided that any such amendments, either individually or cumulatively with other such amendments, shall be limited to minor changes.

Approved - Agreement No. A-12320

General Government

28. Adopt Resolution to:
a. Approve the Records Retention and Disposition Schedule for the Litigation Records of the Office of County Counsel; and
b. Authorize the County Counsel to destroy records after the retention periods in accordance with the approved Schedule. (4/5 vote required.)
A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Simón Salinas, to Adopt Resolution No. 12-250 to:
a. Approve the Records Retention and Disposition Schedule for the Litigation Records of the Office of County Counsel; and
b. Authorize the County Counsel to destroy records after the retention periods in accordance with the approved Schedule. (4/5 vote required.)
ALL AYES
29. a. Approve the County GIS-based Internet Mapping Public Access Policy; and
b. Authorize Information Technology staff to implement the Policy as a County Service.
Approved
30. Approve the 2012-13 Secured Roll Tax Rates.
Approved

31. a. Accept the recommendation of the Monterey County Fish and Game Commission to award a \$1,500 grant to Marine Life Studies to be used for printing educational material handed out to attendees on Whale Watching Boats; and
b. Approve distribution of Fish and Game grant funds in the amount of \$1,500 for the specified Marine Life Studies grant project for Fiscal Year 2012-2013.
Approved
32. Approve and authorize the County Administrative Officer, to Execute the Memorandum of Understanding between Monterey County and the Superior Court of California, County of Monterey (the Courts) for the provisioning of certain services.
Approved - Agreement No. A-12321
33. Approve the transfer of General Fund Contingency funds, in the amount of \$52,500, for costs related to the following:
1. Prepare a gang violence strategic plan and conduct a Board/departments head workshop related to gang violence and AB 109 realignment issues; and
2. Provide for further implementation of the County's performance management program, "Managing for Results," through links to the County's web page and preparation of an annual report. (4/5ths vote required)
Approved
34. a. Approve and authorize Tom Shepherd, Deputy Chief Park Ranger/Operations Manager to sign one (1) Standard Grant Agreement with the Department of Boating and Waterways for a new patrol boat (Agreement #12-204-755 for \$80,000);
b. Authorize the Auditor-Controller's office to increase estimated revenues and appropriations totaling \$80,000 in Appropriation Unit PAR004 (4/5 vote); and
c. Authorize the Contracts/Purchasing Officer to approve purchase up to the approved grant amount \$80,000 respectively.
Approved - Agreement No. A-12322
35. Authorize the Auditor-Controller to amend the FY 2012-13 Office of Emergency Services Homeland Security Grant Fund 024 CAO024 Budget to increase estimated revenue and appropriation in the amount of \$755,931 (4/5th vote required).
Approved

RMA - Planning

36. Approve a process for public participation in long range planning actions in the County's coastal zone, including amending ordinances applicable in coastal areas and updating the County's certified Local Coastal Program. (Coastal Ordinances/LCP Process, Board Referral 2012.08, Coastal Zone)
Approved

RMA - Public Works

37. a. Accept a Grant of Public Utility Easement over a portion of APN 031-161-022 (“East Garrison Parcel C, Historic Buildings Site”) from the County of Monterey, as Successor Agency to the Redevelopment Agency of the County of Monterey, for purpose of ingress and egress, and construction of utility connections in conjunction with the East Garrison Development Project on the former Fort Ord;
- b. Authorize the Chair to execute the Certificate of Acceptance and Consent to Recordation for the Grant of Public Utility Easement; and
- c. Authorize the Director of Public Works to submit the executed Grant of Public Utility Easement to the County Recorder for recordation.

Approved

38. a. Accept a Grant of Public Utility Easement over a portion of APN 031-164-130 (“East Garrison Parcel A, Library Site”) from the County of Monterey, as Successor Agency to the Redevelopment Agency of the County of Monterey, for purpose of ingress and egress, and construction of utility connections in conjunction with the East Garrison Development Project on the former Fort Ord;
- b. Authorize the Chair to execute the Certificate of Acceptance and Consent to Recordation for the Grant of Public Utility Easement; and
- c. Authorize the Director of Public Works to submit the executed Grant of Public Utility Easement to the County Recorder for recordation.

Approved

39. a. Approve Amendment No. 1 to the Professional Services Agreement with Fonseca/McElroy Grinding Company, Inc., to continue to allow on-call rental of a fully operated, fueled and maintained asphalt grinding machine at various locations in the County as directed by the County of Monterey, Resource Management Agency - Department of Public Works and include on-call rental of a fully operated, fueled and maintained paver machine, in the amount of \$130,000 for a total amount not to exceed \$200,000, and extend the term to June 30, 2013; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to the Professional Services Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Approved - Agreement No. A-12323

40. a. Approve Amendment No. 4 to Professional Services Agreement No. A-11286 with Wood Rodgers, Inc., to include the second phase of work (Phase 2) associated with completion of environmental documentation and construction plans, specifications and engineer’s estimate for revised trail alignment for the Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment, Project No. 866865, in the amount of \$428,422.00 for a total amount not to exceed \$1,732,577.79, and extend the term to June 30, 2014; and

b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 4 to Professional Services Agreement No. A-11286 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Approved - Agreement No. A-11286

41.

Introduce, waive the reading, and set September 25, 2012, at 10:30 a.m., as the date and time to consider adoption of an ordinance amending section 12.12.010 of the Monterey County Code to decrease an existing speed limit on a portion of Reservation Road in the unincorporated area of the County of Monterey from 55 miles per hour to 50 miles per hour. The 50 miles per hour limit will apply from milepost 0.82 generally southeast to a point 685 feet southeast of the centerline of East Garrison Drive (milepost 1.72).

Approved



Monterey County

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Action Minutes Board of Supervisors

Chair Dave Potter - District 5
Vice-Chair Fernando Armenta - District 1
Supervisor Louis R. Calcagno - District 2
Supervisor Simón Salinas - District 3
Supervisor Jane Parker - District 4

Tuesday, September 18, 2012

9:00 AM

Roll Call

Present: 5 - Supervisor Dave Potter, Supervisor Fernando Armenta, Supervisor
Louis R. Calcagno, Supervisor Simón Salinas and Supervisor Jane Parker

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(a), the Board will confer with legal counsel regarding existing litigation:
 - (1) Daniel J. Mitchell, et al. v. County of Monterey (United States District Court, California Northern District, case no. C 08-01166 JW)
 - b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
 - c. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
 - d. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
 - (1) Claim of Gloria Rodriguez

CLOSED SESSION REPORT: There were no reportable actions on items 1.a. through c. d. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding liability claims against the County of Monterey.(1) Claim of Gloria Rodriguez

CLOSED SESSION REPORT: The Board conferred with Counsel and approved a tentative settlement agreement regarding the claim of Gloria Rodriguez. When the agreement has been approved by all parties, it will be available in the office of County Counsel.

10:30 AM Reconvene

Roll Call

Present: Charlie Steves, Interpreter

Present: 5 - Supervisor Dave Potter, Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas and Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Armenta.

Additions and Corrections

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following corrections:Correction to the Calendar Regular Consent – Health & Social Services

14.1 The report has been revised and has been made available to all Board members.

a. Approve and authorize the Chualar Community Litter Abatement Clean-Up Day planned for September 22, 2012; and

b. Approve and authorize Waste Management to set up and monitor waste containers at the event, and to provide transportation and disposal of waste collected in those containers, in accordance with the provisions of Section 11.04 of the Unified Franchise Agreement. (ADDED VIA ADDENDUM) Upon the motion of Supervisor Jane Parker, seconded by Simon Salinas, the Board approved the corrections to the agenda. ALL AYES

Consent Calendar- (See Supplemental Sheet)

2. Approve Consent Calendar - Regular (See Supplemental Sheet, items 13 through 21).
A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, that the Consent Calendar-Regular be approved.
ALL AYES

Ceremonial Resolutions

3. Resolution proclaiming September 19, 2012 as "It Can Wait-No Texting While Driving Pledge Day" in Monterey County. (Supervisor Potter)
A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Simón Salinas, adopting Resolution No. 12-251 proclaiming September 19, 2012 as "It Can Wait-No Texting While Driving Pledge Day" in Monterey County. ALL AYES

Appointments

4. Appoint Chris Shannon to the Children & Families Commission, term ending September 26, 2015. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that this Appointment be approved. ALL AYES
5. Reappoint Josefina Silva to the Children & Families Commission, term ending September 25, 2015. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that this Appointment be approved. ALL AYES
6. Appoint Elizabeth Barratt to the Carmel Valley Road Committee, term ending June 30, 2013. (Supervisor Potter)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that this Appointment be approved. ALL AYES
- 6.1 Appoint Supervisor Simon Salinas as the Alternate to the FORA Fort Ord Reuse Authority Board of Directors for Calendar Year 2012. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, that this Appointment be approved. ALL AYES

Other Board Matters

7. Board Comments
8. CAO Comments and Referrals (Materials submitted via Supplemental)
9. General Public Comment
Dell Matt; Peggy Shirrell; Nina Beety; Lynn Riddle; Carolyn Anderson; Sid Matt; Hans Jongens; Cosme Padilla.

10:30 A.M. - Scheduled Matters

10. a. Conduct a hearing under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended for the Community Hospital of the Monterey Peninsula (CHOMP), a California nonprofit public benefit corporation, to finance the construction improvement, renovation, and equipping of certain acute-care hospital facilities and related facilities located within the County of Monterey and certain costs with respect thereto; and
b. Adopt a resolution approving the issuance of up to \$35,000,000 in

tax-exempt revenue bonds by the California Statewide Communities Development Authority for the benefit of CHOMP, to provide financing for the project

Public Comment: Nina Beety

- a. Conducted a public hearing under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended for the Community Hospital of the Monterey Peninsula (CHOMP), a California nonprofit public benefit corporation, to finance the construction improvement, renovation, and equipping of certain acute-care hospital facilities and related facilities located within the County of Monterey and certain costs with respect thereto; and
- b. Adopted Resolution No. 12-257 approving the issuance of up to \$35,000,000 in tax-exempt revenue bonds by the California Statewide Communities Development Authority for the benefit of CHOMP, to provide financing for the project.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta. ALL AYES

12:00 PM Recess to Lunch

1:30 PM Reconvene - Monterey County Board of Supervisors

Roll Call

Present: Charlie Steves, Interpreter

Present: 4 - Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas and Supervisor Jane Parker

Absent: 1 - Supervisor Dave Potter

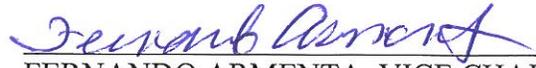
1:30 P.M. - Scheduled Matters

- 11. Accept an oral presentation from the Interim Health Officer and the Program Manager of the Planning, Evaluation and Policy Unit regarding County support for Early Childhood Development, as requested by Board of Supervisors Referral #2012.04.
Public comment: Francine Rodd

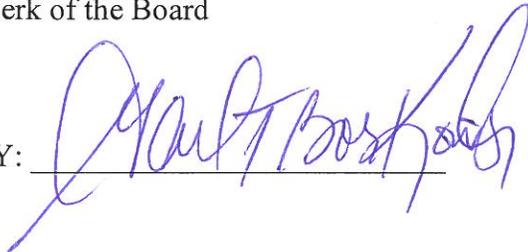
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, to accept the oral presentation. 4-0 (Supervisor Potter absent)
- 12. Receive an oral report from the Equal Opportunity Officer and representatives from Biddle Consulting Group on the Data and statistical analysis contained in the proposed revised Monterey Plan for Equal Access to Employment and Contracting Opportunities
A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker, to receive the oral report. 3-0 (Supervisors Potter and Calcagno Absent)

Adjournment

APPROVED:


FERNANDO ARMENTA, VICE CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: 

Supplemental Sheet, Consent Calendar

Health and Social Services

13. Approve and authorize the Director of Health to sign Amendment No. 1 to the Agreement A-11713 with ODD-Fellow Rebekah Children's Home of California to increase funding to add board and care services for April 1, 2012 to June 30, 2012 in the amount of \$54,876 and July 1, 2012 to June 30, 2013 in the amount of \$219,504, for the revised total amount not to exceed \$1,211,956.
Approved - Agreement No. A-11713
14. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 5 to Agreement No. A-11307 with Oregon Community Health Information Network, Inc. to adjust authorization requirements for Care Everywhere.
Approved - Agreement No. A-11307
- 14.1 a. Approve and authorize the Chualar Community Litter Abatement Clean-Up Day planned for September 22, 2012; and
b. Approve and authorize Waste Management to set up and monitor waste containers at the event, and to provide transportation and disposal of waste collected in those containers, in accordance with the provisions of Section 11.04 of the Unified Franchise Agreement.
Approved

Criminal Justice

15. a. Authorize the Contracts/Purchasing Officer to sign and execute Amendment No.1 with Jon J. Smith, M.D to extend the term of the agreement an additional one (1) year for forensic pathological postmortem examinations; and
b. Authorize the Contracts/Purchasing Officer to sign future amendments to this agreement where the amendments do not significantly change the scope of work.
Approved - Agreement No. A-12326

General Government

16. Adopt a resolution to approve the amendments to the Conflict of Interest Code of the County Administrative Office of the County of Monterey.
A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta adopting Resolution No. 12-258 approving the amendments to the Conflict of Interest Code of the County Administrative Office of the County of Monterey. ALL AYES
17. Adopt Resolution to:
Amend Resolution No. 09-357 and the Monterey County Agricultural Advisory Committee (AAC) Bylaws to provide for a temporary alternate Committee member in the event there is a need for a Committee member to take a temporary leave of absence due to personal or family medical reasons.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, adopting Resolution 12-259 to Amend Resolution No. 09-357 and the Monterey County Agricultural Advisory Committee (AAC) Bylaws to provide for a temporary alternate Committee member in the event there is a need for a Committee member to take a temporary leave of absence due to personal or family medical reasons. **ALL AYES**

18.

Adopt Resolution to:

- a. Amend Personnel Policy and Practices Resolution No. 98-394 to re-title "Revenue Manager" to "Deputy Treasurer-Tax Collector".
- b. Approve the Reallocation of one "Allocation to Be Determined" to one "Deputy Treasurer-Tax Collector" in Budget Unit 1170-8264, Treasurer-Tax Collector, Revenue Division.
- c. Amend the FY 2012-13 Treasurer-Tax Collector Budget 1170-8264 to delete one "Allocation to be determined" and add one "Deputy Treasurer-Tax Collector".
- d. Authorize the County Administrative Office to incorporate this change, as reflected in Attachment A, in FY 2012-13 Treasurer-Tax Collector Budget 1170-8264.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, adopting Resolution No. 12-260 to:

- a. Amend Personnel Policy and Practices Resolution No. 98-394 to re-title "Revenue Manager" to "Deputy Treasurer-Tax Collector".
- b. Approve the Reallocation of one "Allocation to Be Determined" to one "Deputy Treasurer-Tax Collector" in Budget Unit 1170-8264, Treasurer-Tax Collector, Revenue Division.
- c. Amend the FY 2012-13 Treasurer-Tax Collector Budget 1170-8264 to delete one "Allocation to be determined" and add one "Deputy Treasurer-Tax Collector".
- d. Authorize the County Administrative Office to incorporate this change, as reflected in Attachment A, in FY 2012-13 Treasurer-Tax Collector Budget 1170-8264. **ALL AYES**

19.

Accept the Monterey County Agricultural Advisory Committee Annual Report covering the period of July 1, 2011, through June 30, 2012.

Approved

20.

- a. Amend the FY 2012-13 County Clerk-Recorder Budget 1180, Unit 8004 to Reallocate one Management Analyst II to Finance Manager 1 and;
- b. Authorize the County Administrative Office to incorporate approved position changes in the FY 2012-13 Adopted Budget.

Approved

21.

Introduce, waive the reading, and set October 2, 2012 at 10:30 a.m. as the date and time to consider adoption of an ordinance repealing Section 2.32.035 of the Monterey County Code to enable full implementation of the Monterey County Local Preference Policy.

Approved



Monterey County

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

Action Minutes Board of Supervisors

Chair Dave Potter - District 5
Vice-Chair Fernando Armenta - District 1
Supervisor Louis R. Calcagno - District 2
Supervisor Simón Salinas - District 3
Supervisor Jane Parker - District 4

Friday, September 28, 2012

9:00 AM

SPECIAL MEETING

Call to Order

Roll Call

Present: Jane Bonet, Interpreter

Present: 5 - Supervisor Dave Potter, Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas and Supervisor Jane Parker

1. Approve creation of and membership on the Governance Committee of the Monterey Peninsula Regional Water Authority.

Public comment: Jason Burnett, Amy White

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to approve creation of and membership on the Governance Committee of the Monterey Peninsula Regional Water Authority; and if this Governance Committee is adopted by the Public Utilities Commission (PUC) as the best structure for public representation, the County will gladly participate. However, the County maintains that the desalination plant should be publically owned in accordance with County Code, in which case the shared governance committee would be unnecessary. Additionally, the County has not taken a position regarding the location for a desalination plant, and reserves the right to comment on the Environmental Impact Report (EIR) regarding location issues.

ALL AYES

Adjournment

APPROVED:


FERNANDO ARMENTA, VICE CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: 