

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, January 8, 2013

9:00 AM

**See separate agenda for Monterey County Water Resources
Agency**

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*

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901. As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

CEREMONIAL/APPOINTMENTS/OTHER BOARD MATTERS: These items may include significant financial and administrative actions, and items of special interest, usually approved by majority vote for each program. The regular calendar also includes "Scheduled Items," which are noticed hearings and public hearings.

CONSENT CALENDAR: These matters include routine financial and administrative actions, appear in the supplemental section by program areas, and are usually approved by majority vote.

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Walk to the rostrum and wait for recognition by the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board's action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

TO ADDRESS THE BOARD DURING PUBLIC COMMENT: Please complete a Speaker Request Form, available on the rostrum, and submit it to the Clerk of the Board before the commencement of that agenda item. Public comments shall not pertain to matters on the agenda.

DOCUMENT DISTRIBUTION: Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

INTERPRETATION SERVICE POLICY: The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for translation assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un interprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

All documents submitted by the public must have no less than ten (10) copies. The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting. Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board's Office located at 168 W. Alisal St., 1st Floor, Salinas, California. during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5

NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to the corresponding Board Report.

9:00 A.M. Call to Order

ROLL CALL

Additions and Corrections for Closed Session

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
(1) Designated representatives: James May, Kimberley Moore and Brette Neal
Employee Organizations: All Units
 - ~~b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one item of significant exposure to litigation.~~
REMOVED VIA SUPPLEMENTAL

Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

10:30 AM Reconvene

Roll Call

Pledge of Allegiance

2. Swearing-In Ceremony for returning Supervisors
3. Nominate and elect members of the Monterey County Board of Supervisors to serve as:
 1. 2013 Chair; and
 2. 2013 Vice Chair

4. Presentation of plaque to outgoing Chair Dave Potter:
1. Comments by outgoing Chair;
 2. Comments by in-coming Chair; and
 3. Comments by re-elected Supervisors

Recess to reception in Monterey Room honoring sworn-in Supervisors

12:00 PM Recess to Lunch

1:30 PM Reconvene

ROLL CALL

Additions and Corrections

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

Consent Calendar- (See Supplemental Sheet)

5. Approval of the Consent Calendar - Regular (See Supplemental Sheet)

Ceremonial Resolutions

6. Adopt Resolution commending Commander Christopher Pascone, Monterey County Sheriff's Office upon his retirement from 32 1/2 years of Public Service. (Supervisor Armenta)

Attachments: [Pascone Resolution](#)

Appointments

7. Appoint Wendy Francioni to the Area Agency on Aging Advisory Council, term ending January 1, 2016. (Supervisor Salinas)

Attachments: [Francioni Notification to Clerk](#)

Other Board Matters

8. Board Comments
9. CAO Comments and Referrals

Attachments: [Referrals 010813](#)

10. General Public Comment

This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information, or request staff to report back to the Board at a future meeting.

Scheduled Matters**11.** Receive the presentation of the Monterey County Mental Health Commission's Annual Report Covering the Period of January through June 2012 from Commission Chairperson Virdette Brumm.

Attachments: [MHC Summary of Recommendations 3-31-11.pdf](#)
[MHC Annual Report January June 2012--FINAL.doc](#)

12. a. Approve the recommended County Financial Guidelines containing County-wide financial principles and strategies for building the Fiscal Year (FY) 2013-14 Recommended Budget and ongoing fiscal management; and
b. Approve the financial strategy to fulfill Board direction established in the Financial Guidelines to fund the Capital Improvement Program through the Building Use Allowance as calculated in the Countywide Cost Allocation Plan (COWCAP).

Attachments: [General Financial Guidelines FY 2013-14 - Attachment 1.pdf](#)
[COWCAP Building Use Allowance - Attachment 2.docx.pdf](#)

13. a. Consider approval of the response to the 2012 Monterey County Civil Grand Jury Interim Final Report No. 1; and
b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by January 23, 2013.

Attachments: [GJ Interim Final Report - Attachment - 1-8-13.pdf](#)
[GJ Interim Final Report - BO - 1-8-13.doc](#)

Adjournment

Adjourn in Memory of Helen Anderson Lindley

Supplemental Sheet, Consent Calendar**Natividad Medical Center****14.** a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with MSDS Online for MSDS Database License and Annual Subscription Services at NMC in an amount not to exceed \$9,243 for the period September 28, 2012 to September 27, 2015;

- b. Accept non-standard language in the Agreement provided by the vendor as recommended by the NMC Chief Executive Officer; and
- c. Authorize the Auditor/Controller's Office to issue annual payments not to exceed the total aggregate amount as requested by the NMC Chief Executive Officer.

Attachments: [MSDS Online](#)

15. Authorize the Purchasing Manager of Natividad Medical Center (NMC) to execute the Agreement with The Camden Group for the development of an NMC Strategic Plan in the amount not to exceed \$179,000 for the period January 1, 2013 to June 30, 2013.

Attachments: [The Camden Group Agreement](#)

16. a. Approve and authorize the Chair of the Board of Supervisors to execute, on behalf of the County, a Lease Agreement with Monterey Bay Management Services, LLC, to lease office space located at Natividad Medical Center (NMC), 1441 Constitution Boulevard, Building 400, in Salinas, California for the period January 1, 2013 to December 31, 2013.
- b. Authorize the Purchasing Manager of NMC to continue to negotiate new terms with the tenant, at which time when landlord and tenant are in agreement with the new terms, the new lease will be brought to the County Board of Supervisors for approval.

Attachments: [Monterey Bay Management Services, LLC Lease Agreement CLEAN 12 20 12 s](#)

17. Authorize the Purchasing Manager of Natividad Medical Center (NMC) to execute Amendment #6 to the Agreement (A-11102) with the Natividad Medical Foundation (NMF) for philanthropic services, defined as "capital campaign development fundraising; community outreach in connection with fundraising; preparing and submitting foundation grant applications; administering current/future foundation grants; providing administrative and fiscal oversight expertise of secured federal grant awards and support and coordinate NMC/NMF joint community relations" in support of NMC's strategic vision which includes a goal of \$6 million through philanthropy to support capital needs at NMC; adding \$974,428 (a decrease of \$40,000 from the previous year) and extending the Agreement to December 31, 2013, for a revised total Agreement amount not to exceed \$5,112,826 in the aggregate.

Attachments: [NMF Amendment #6](#)
[NMF Justification 2013](#)
[NMF Summary Sheet](#)
[NMF Completed Board Order 12-11-12](#)

Health and Social Services

18. Approve and authorize the Director of Health to accept a four-year federal grant

from the Substance and Mental Health Services Administration (SAMHSA) to incorporate primary care and wellness services in behavioral health clinics.

19. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign Amendment #1 to Agreement #A-12280 with the Alisal Union School District for the provision of meal services to Monterey County seniors for the period July 1, 2012 to June 30, 2013, allowing for non-standard mutual indemnification; 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.

Attachments: [AUSD Amendment](#)

20. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign Amendment #1 to Agreement #A-12275 with the Alliance on Aging for the provision of services to Monterey County seniors for the period July 1, 2012 to June 30, 2013, adding \$39,613, increasing the total contract amount to \$401,637; and
- b. Authorize the Director of the Department of Social 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.

Attachments: [Alliance on Aging Amendment](#)
[Alliance Original Agrmnt 12-13](#)

21. Approve and authorize the Director of Health to sign Amendment No. 1 to the Mental Health Services Agreement A-12268 with Door to Hope for the provision of mental health rehabilitation services. Amendment No. 1 revises the Scope of Services, Payment and Billing Provisions and Budget and Expenditure Reports, and increases Fiscal Year (FY) 2012-13 annual amount by \$418,014.19, FY 2013-14 and FY 2014-15 annual amounts by \$405,638.31 per year for a revised total Agreement amount not to exceed \$7,285,951.81.

Attachments: [Amendment No 1 DTH - FFF ICT MCSTART NE 12 10 2012.pdf](#)

22. Approve and authorize the Director of Health to sign Amendment No. 2 to the Mental Health Services Agreement A-11985 with Psynergy Programs, Inc. for provision of mental health services for Monterey County adult residents with severe psychiatric disabilities. Amendment No. 2 adds \$129,020.00 (\$366,302.44 for Fiscal Year (FY) 2012-13 and \$357,732.44 for FY 2013-14) for a total Agreement amount of \$1,019,292.32.

Attachments: [Psynergy Amend. 2.pdf](#)

General Government

23. a. Authorize the Auditor-Controller to amend the FY 2012-13 budget to decrease appropriations by \$151,883 in Sheriff's Office, 2300-SHE001-Unit 8400 and increase appropriations by \$151,883 in Human Resources Department, 1060-HRD001-Unit 8402; and
- b. Authorize the County Administrative Office to transfer one 1.0 FTE Personnel Technician - Confidential position from Sheriff's Office, 2300-SHE001-Unit 8400, to Human Resources Department 1060-HRD001-Unit 8402 as indicated in Attachment A.

Attachments: [01-08-13-HR-rpt-ATT A-budget info-transfer 1 Pers Tech-Conf from Sheriff to HF](#)

24. a. Authorize the Contracts/Purchasing Officer to execute a software license and support services Agreement with Tyler Technologies for a residential computer aided mass appraisal system (CAMA) for an amount not to exceed \$175,000 for the term January 2013 through December 2013;
- b. Accept non-standard County Liability and indemnification provisions as recommended by the Assessor;
- c. Approve the use of Capital Fund 401 for the initial Agreement cost of CAMA, not to exceed \$175,000; and
- d. Authorize the Contracts/Purchasing Officer to sign future Amendments to the initial Agreement where the Amendments do not significantly change the scope of work or cause an increase in the approved Agreement amount.

Attachments: [Tyler Technologies Inc signed agreement](#)

25. Authorize advance step placement of Michael Ferry at Step 4 of the Chief Ranger/Parks Director salary range, effective February 1, 2013 in accordance with Personnel Policies and Practices Resolution (PPPR) #98-394, Sections A.1.11.1 and A.1.11.5.

26. a. Award a contract to Golden State Utility Company, Inc., the lowest responsive bidder, for the 20600 Corral de Cielo, Salinas, California, Mount Toro Grounding Project No. 5108, Bid Package No. 10395, in the total amount of \$35,955.00;
- b. Approve the Performance and Payment Bonds executed and provided by Golden State Utility Company, Inc.;
- c. Authorize a contingency (not to exceed 10 percent of the contract amount) to provide funding for approved contract change orders; and
- d. Authorize the Contracts/Purchasing Officer to execute the agreement and, subject to the terms of the Public Contract Code, approve contract change orders where total change orders do not exceed 10 percent of the original contract amount, and do not significantly alter the scope of work.

Attachments: [AGMT Golden State Utility Bid10395.pdf](#)
[Payment Bond-Golden State Utility-Liberty Ins.pdf](#)
[Performance Bond-Golden State Utility-Liberty Ins.pdf](#)

RMA - Public Works

27. Adopt a Resolution:
- a. Accepting the Certificate of Completion for construction of 142 W. Alisal St, Salinas, CA-Old Jail-Roof Replacement and Limited Weatherization, Project No. 8820, Bid Package No. 10362, performed by Stronger Building Services; and
 - b. Authorizing the Director of Public Works to execute and record the Notice of Completion for 142 W. Alisal St, Salinas, CA-Old Jail-Roof Replacement and Limited Weatherization, Project No. 8820, Bid Package No. 10362, performed by Stronger Building Services.

Attachments: [Resolution](#)
[Project Budget](#)
[2005 Adopted Resolution No. 05-019](#)
[Certificate of Completion](#)
[Notice of Completion](#)
[Location Map](#)

28.
 - a. Approve and authorize the Contracts/Purchasing Officer to execute a Sublease Agreement with the Administrative Office of the Courts for the lease period through January 31, 2013, for 1,100 square feet of general office space at 118 West Gabilan Street, Salinas, California, for use by the Health Department Behavioral Health Division and Probation Department;
 - b. Ratify the October 18, 2010 “letter agreement” between the Resource Management Agency Director and the Senior Manager of the State of Administrative Office of the Courts, relating to 118 West Gabilan Street, Salinas, California;
 - c. Authorize the Auditor-Controller to make lease payments of \$900.00 per month, and in accordance with the terms of the Sublease Agreement; and
 - d. Authorize the Auditor-Controller to make within 45 days of lease execution a one-time payment of \$12,317.68 to the Administrative Office of the Courts for the difference in its back rent obligations offset by the Administrative Office of the Courts’ share of back rent and utilities in accordance with the terms of the Sublease Agreement.

Attachments: [Sublease Agreement](#)
[Location Map](#)

29. Addendum / Supplemental for Tuesday, January 8, 2013

ADDENDUM

Add Adjournment in Memory of Helen Anderson Lindley

SUPPLEMENTAL

Remove from Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one item of significant exposure to litigation.