

# Monterey County

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



## Action Minutes - Final

Tuesday, April 26, 2016

9:30 AM

## Board of Supervisors

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

**9:30 A.M. - Call to Order**

The meeting was called to order by Chair Parker.

**Roll Call**

**Present:** 3 - Supervisor Jane Parker, Supervisor John M. Phillips and Supervisor Simón Salinas

**Absent:** 2 - Supervisor Fernando Armenta and Supervisor Dave Potter

**Public Comment:**

Public comment regarding Transitions Recovery Center  
Stanley Edwards; Michael Martinez; Dora Renteria; Ernesto Ibarra; Alvin Maynard; Sasha Owens; Mario Robles; George Maestas; Pastor Monte Albalos; Danny Togafau; Jacqueline Simon.

**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 three matters of discipline, dismissal, or release of a public employees. (REVISED VIA SUPPLEMENTAL)

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

**10:30 A.M. - Reconvene**

**Roll Call**

**Present:** 3 - Supervisor Jane Parker, Supervisor John M. Phillips and Supervisor Simón Salinas

**Absent:** 2 - Supervisor Fernando Armenta and Supervisor Dave Potter

**Pledge of Allegiance**

The Pledge of Allegiance was led by Supervisor Salinas.

**Additions and Corrections**

There were no additions or corrections to the agenda.

### Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)
- Michael Miller pulled item 10 for questions to staff. Daniel Leon responded.**
- Supervisor Phillips pulled item 12 and asked questions of staff. John Ramirez responded.**
- #12 Public comment: Anthony Lombardo requested the item be continued.**
- Charles McKee and Supervisor Salinas pulled item 17 and requested it be continued to May 3rd.**
- Hans Jongs pulled item 22.**
- #22 Public comment: Hans Jongs; Joe Vierra.**
- Benny Young pulled item 23 and requested it be continued to May 10th.**
- Supervisor Parker pulled item 24 and asked questions of staff regarding the appraisal. Benny Young responded.**
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to approve the Consent Calendar (See Supplemental Sheet), including the requests to continue items 12 and 23 to May 10, 2016; and continue item 17 to May 3, 2016. 3-0 (Supervisors Armenta and Potter Absent)**

### Ceremonial Resolutions

3. Adopt Resolution acknowledging the valuable contributions of Community Partnership for Youth, and asking the community to join in the celebration of the 25th anniversary of its presence in Monterey County. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 16-094 acknowledging the valuable contributions of Community Partnership for Youth, and asking the community to join in the celebration of the 25th anniversary of its presence in Monterey County. (Full Board) 3-0 (Supervisors Armenta and Potter Absent)**

### Appointments

4. Reappoint William Sabo to the Airport Land Use Commission for a term ending May 4, 2020. (Full Board)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to reappoint William Sabo to the Airport Land Use Commission for a term ending May 4, 2010. (Full Board) 3-0 (Supervisors Armenta and Potter Absent)**
5. Reappoint Phyllis Cleveland to the Airport Land Use Commission for a term ending May 4, 2020. (Full Board)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor**

**Simón Salinas to reappoint Phyllis Cleveland to the Airport Land Use Commission for a term ending May 4, 2016. (Full Board) 3-0 (Supervisors Armenta and Potter Absent)**

- 6. Appoint Warden William Muniz to the Community Restorative Justice Commission to fill an unscheduled vacancy with a term ending February 14, 2018. (Full Board)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to appoint Warden William Muniz to the Community Restorative Justice Commission to fill an unscheduled vacancy with a term ending February 14, 2018. (Full Board) 3-0 (Supervisors Armenta and Potter Absent)**

**Other Board Matters**

- 7. Board Comments

**Supervisor Salinas thanked Elliott Robinson and the staff at Social Services for a very nice employee recognition event. It's a highlight of his year to thank those on the front lines taking care of children and families.**

- 8. CAO Comments and Referrals

**There were no CAO comments or referrals.**

- 9. General Public Comment

**Abra Tockerman; Joe Vierra; Hans Jongens.**

**Adjournment**

**APPROVED:**

/s/ Jane Parker

**JANE PARKER, CHAIR  
BOARD OF SUPERVISORS**

**ATTEST:**

**BY:** /s/ Gail T. Borkowski

**GAIL T. BORKOWSKI  
CLERK OF THE BOARD**

**APPROVED ON** 06-07-2016

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

10. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement, with a retroactive start date of July 1, 2015 with Toyon Associates Inc. for: 1. Rural Floor Budget Neutrality Appeals Services; and 2. Medicare/Medicaid Crossover Bad Debt Recovery Services; and 3. Medicare/Medi-Cal Appeal Services; and 4. OSHPD Report Preparation Services; and 5. Medicaid Eligible Day Services (POA/Historical); and 6. Medicare/Medi-Cal/Short Doyle Cost Report Preparation Services, and 7. Consulting Services, at NMC, for an amount not to exceed \$1,000,000 for the period July 1, 2015 through June 30, 2018.

**Approved - Agreement No. A-13111**

11. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute a no extension Amendment No. 3 to the Agreement (A-11233) with MedAssets, Inc. for Charge Description Master (CDM) Manager and KnowledgeSource Annual Software Services at NMC, adding an additional \$42,000 for a revised total Agreement amount not to exceed \$189,000.

**Approved - Agreement No. A-11233**

**Health Department**

12. Receive the Monterey County Health Department, Environmental Health Bureau's updated draft of the Local Agency Onsite Wastewater Treatment System Management Program to be submitted to the Central Coast Regional Water Quality Control Board for review and approval in accordance with Tier 2 of the State's Onsite Wastewater Treatment System Policy at a future date.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to continue this item to May 10, 2016. 3-0 (Supervisors Armenta and Potter Absent)**

13. Approve and authorize the Director of Health or Assistant Director of Health to accept grant funding from the Association of Food and Drug Officials/United States Food and Drug Administration, in the amount of \$20,000 for the project period of February 1, 2016 through December 31, 2016, for Grant Number G-MP-1510-03325, "Risk Factor Study for Standard 9."

**Approved**

14. Approve and authorize the Director of Health or the Assistant Director of Health to sign an Agreement with the Literacy Campaign for Monterey

County (Literacy Campaign) for the provision of evaluation services by the Monterey County Health Department Planning, Evaluation, and Policy Unit for \$6,809, for the term of May 1, 2016 through July 31, 2016.

**Approved - Agreement No. A-13108**

### **Department of Social Services**

15. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Sun Street Centers for \$225,000 for Substance Abuse Recovery services to CalWORKs customers with a retroactive start date for the period January 1, 2016 through June 30, 2017; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% (\$22,500) of the original contract amount, and do not significantly change the scope of work.

**Approved - Agreement No. A-13110**

### **General Government**

16. a. Approve and authorize the Economic Development Department Director to execute a non-standard Agreement with Chmura Economics & Analytics, LLC, on behalf of the County of Monterey, for the provision of a JobsEQ® labor market software license subscription, in the amount of \$4,995 retroactive to April 1, 2016 through March 31, 2017;
- b. Accept the recommendations of the Economic Development Department Director regarding non-standard provisions in the Agreement; and
- c. Authorize the Economic Development Department Director, or designee, to execute the contract, including amendments thereto, contingent upon approval by County Counsel, where the amendments do not exceed, cumulatively, 10 percent (10%) of the original contract amount (\$499.50 total maximum increase) and do not significantly change the scope of work or non-standard contract provisions

**Approved - Agreement No. A-13109**

17. Authorize the Auditor-Controller to transfer FY2015 - 16 General Fund 001 appropriations of \$387,000 from County Counsel Enterprise Risk Appropriation Unit COU006, to County Counsel Appropriation Unit COU001 (4/5th vote required).

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to continued this item to May 3, 2016. 3-0 (Supervisors Armenta and Potter Absent)**

18. Approve the use of San Lorenzo Park on May 28, 2016 for a function held by St. John's Catholic Church in compliance with Monterey County Code 14.12.130.

**Approved**

19. Continue to May 10, 2016, the public hearing regarding:
- Addendum No. 3 to the Final Environmental Impact Report for the 2010 Monterey County General Plan (#7-01, SCH #20071212001) (“FEIR”); and
  - Amendments to the 2010 Monterey County General Plan to implement litigation settlement agreements with Land Watch Monterey County and The Open Monterey Project. (REF150010/General Plan Amendment No. 3)

**Approved****RMA - Public Works**

20. Adopt an ordinance amending Section 12.28.012 of the Monterey County Code to establish an ordinance to prohibit or restrict the stopping, parking, or standing of commercial vehicles at any time on both sides of Washington Street from the centerline with Jefferson Street to Payson Street; and on Scott Street from the centerline with Grant Street to Lincoln Street in the Chualar area of the unincorporated area of Monterey County.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Ordinance No. XXXX amending Section 12.28.012 of the Monterey County Code to establish an ordinance to prohibit or restrict the stopping, parking, or standing of commercial vehicles at any time on both sides of Washington Street from the centerline with Jefferson Street to Payson Street; and on Scott Street from the centerline with Grant Street to Lincoln Street in the Chualar area of the unincorporated area of Monterey County. 3-0 (Supervisors Armenta and Potter Absent)**

21. Adopt an ordinance amending Section 12.28.035 of the Monterey County Code that establishes no parking between seven a.m. and noon, except on Saturdays, Sundays, and holidays, on both sides of Morse Drive from the centerline with State Highway 1 southerly to the centerline of Flanders Drive in the Carmel area of the unincorporated area of Monterey County.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Ordinance No. 5269 amending Section 12.28.035 of the Monterey County Code that establishes no parking between seven a.m. and noon, except on Saturdays, Sundays, and holidays, on both sides of Morse Drive from the centerline with State Highway 1 southerly to the centerline of Flanders Drive in the Carmel area of the unincorporated area of Monterey County. 3-0 (Supervisors Armenta and Potter Absent)**

22. a. Ratify a request for TAMC to assign \$68,000 from the County’s undesignated 2014 Regional Surface Transportation Program (RSTP) Fair Share Reserve and \$1,329,671 from the County’s 2017 RSTP Competitive Grant (for Fiscal Year 2017-18) to the City of Monterey for the Holman Highway 68 Roundabout Project; and
- b. Allocate \$68,000 from the County’s undesignated 2014 RSTP Fair Share Reserve and \$1,329,671 from the County’s 2017 RSTP Competitive Grant

(for Fiscal Year 2017-18) to the City of Monterey for the Holman Highway 68 Roundabout Project.

**Public comment: Hans Jongens; Joe Vierra.**

**Approved**

- 23.**
- a. Approve Agreements with the following nine (9) consultants: Denise Duffy & Associates Inc.; EMC Planning Group, Inc.; GHD Services, Inc.; ICF Jones and Stokes, Inc.; LSA Associates, Inc.; Michael Baker International, Inc.; Rincon Consultants, Inc.; Stantec Consulting Services, Inc. and SWCA Environmental Consultants to provide On-Call Services for Environmental Planning & Consulting Services for Various Federally Funded Road/Bridge/Building Facilities Projects located within Monterey County, under Request for Qualifications (RFQ) No. 10499, in an amount not to exceed \$500,000 each for a combined total of \$4,500,000, with the signing of the Agreement for a period of three (3) years, with the option to extend the Agreement for two (2) additional one- (1) year period(s); and
  - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute said Agreements and future amendments to said Agreements where the amendments do not significantly alter the scope of work or change the approved amount of said Agreements.
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to continue this item to May 10, 2016, pursuant to the request of staff. 3-0 (Supervisors Armenta and Potter Absent)**
- 24.**
- a. Re-declare Sections T3 and T4 (totaling approximately 2,640 square feet) of Lane T located adjacent to 3511 Lazarro Drive (APN 009-293-001) in the unincorporated areas of Hatton Fields near the City of Carmel as surplus real property and no longer necessary for County or other public purposes;
  - b. Adopt a Notice of Intent to sell Sections T3 and T4 (totaling approximately 2,640 square feet) of Lane T located adjacent to 3511 Lazarro Drive (APN 009-293-001) in the unincorporated areas of Hatton Fields near the City of Carmel to Frank J. Aguilera and Claude M. Aguilera, as Trustees of the Aguilera Family Trust, Dated January 18, 2006 (Buyer) for \$7.21 per square foot pursuant to California Government Code Section 25526.5;
  - c. Direct the RMA Interim Director of Public Works and Facilities to publish a Notice of Intent to Sell; and
  - d. Authorize the Contracts/Purchasing Officer to execute the Offer and Agreement to Purchase Real Property, Quitclaim Deeds and any other necessary transfer documents to complete the sale.

**Approved - Agreement No. A-13112**