

# Monterey County

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



## Meeting Agenda - Final-revised

**Tuesday, October 22, 2013**

**9:00 AM**

**See separate agenda for Successor Agency to the Redevelopment  
Agency of the County of Monterey**

### **Board of Supervisors**

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

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 corresponding Board Report.**

### **9:00 AM 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 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
  - b. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the following public employee positions:
    - (1) County Counsel
    - (2) Natividad Medical Center Chief Executive Officer
  - c. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.

*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**

### **Welcome Home Troops Ceremony**

### **Pledge of Allegiance**

### **Recess to Reception**

### **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)**

2. Approval of Consent Calendar (See Supplemental Sheet)

### **Ceremonial Resolutions**

3. Adopt Resolution proclaiming October 24, 2013 as World Polio Day in Monterey County. (Full Board)  
  
**Attachments:** [Resolution World Polio Day](#)
4. Adopt Resolution honoring Dr. Thomas H. Griffin as a Monterey County Military and Veterans Services Advisory Commission 2013 “Veteran of the Year”. (Supervisor Potter)  
  
**Attachments:** [Dr. Thomas H. Griffin Veteran of the Year 2013](#)
5. Adopt Resolution honoring Dr. Gerald D. Griffin as a Monterey County Military and Veterans Services Advisory Commission 2013 “Veteran of the Year”. (Supervisor Potter)  
  
**Attachments:** [Dr. Gerald D. Griffin Veteran of the Year 2013](#)
6. Adopt Resolution honoring Michael Levine as a Monterey County Military and Veterans Services Advisory Commission 2013 “Veteran of the Year”. (Supervisor Potter)  
  
**Attachments:** [Michael Levine Veteran of the Year 2013](#)
7. Adopt Resolution honoring an “Undisclosed Recipient” upon being named recipient of the 2013 Monterey County Hospitality Association Papa Vince Award. (Supervisor Potter)  
  
**Attachments:** [Undisclosed Recipient for Papa Vince Award](#)
8. Adopt Resolution honoring Gregg Hobson as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2013. (Supervisor Parker)  
  
**Attachments:** [Hobson Veteran of the Year](#)
9. Adopt Resolution honoring Mary Estrada as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2013.

(Supervisor Parker)

**Attachments:** [Estrada Veteran of the Year Reso](#)

10. Adopt Resolution honoring Robert L. Adams upon being selected as one of the Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for the year 2013. (Supervisor Calcagno)

**Attachments:** [Adams Veteran of the Year Resolution](#)

11. Adopt Resolution honoring Pete Quiane upon being selected as one of the Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for the year 2013. (Supervisor Calcagno)

**Attachments:** [Quiane Veteran of the Year Resolution](#)

12. Adopt Resolution honoring Dr. Duane Hyde upon his selection as Monterey County Veteran of the Year. (Supervisor Salinas)

**Attachments:** [D. Hyde Veteran of the Year Resolution](#)

13. Adopt Resolution honoring Joyce Hyde upon her selection as Monterey County Veteran of the Year. (Supervisor Salinas)

**Attachments:** [J. Hyde Veteran of the Year Resolution](#)

14. Adopt Resolution recognizing Mervin J. Venuty on behalf of the Monterey County Veterans Services Advisory Commission-District 1. (Supervisor Armenta)

**Attachments:** [Venuty Veteran of the Year Resolution](#)

15. Adopt Resolution recognizing Ray Morasca on behalf of the Monterey County Veterans Services Advisory Commission-District. (Supervisor Armenta)

**Attachments:** [Veteran of the Year.Ray Morasca.10.22.13](#)

16. Adopt Resolution recognizing Thomas M. Payne on behalf of the Monterey County Veterans Services Advisory Commission-District 1. (Supervisor Armenta)

**Attachments:** [Payne Veteran of the Year Resolution](#)

- 16.1 Adopt Resolution to celebrate the 35th Anniversary of North Monterey County High School. (Supervisor Calcagno) (ADDED VIA ADDENDUM)

**Attachments:** [2013 October 22 - North Monterey County High School](#)

## **Other Board Matters**

17. Board Comments

## 18. CAO Comments and Referrals

**Attachments:** [Referrals 102213](#)

## 19. 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 the 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.*

**10:30 A.M. - Scheduled Matters**

20. a. Consider request for payment in the amount of \$23,723 to Monterey-Salinas Transit for the County's proportional share for reimbursement of start-up costs relating to the formation of the Monterey County Regional Taxi Authority (MCRTA); and  
b. Consider MCRTA request to member jurisdictions to forgive some or all of the reimbursement for start-up costs through revenue from taxi fees.

**Attachments:** [Exhibit 1-MoCoRegTaxAuth JPA - 10-22-13](#)  
[MCRTA Invoice - 4-26-13 Memorandum - 10-22-13](#)  
[MST 04- 22-13Memorandum No. 8-2 - 10-22-13](#)  
[MoCoBOS 02-15-11 Bd Rpt and Attchmts - 10-22-13](#)

## 21. Ciclovía Update Presentation

**12:00 PM Recess to Lunch****1:30 PM Reconvene****Roll Call****1:30 P.M. - Scheduled Matters**

22. Public hearing to consider adopting a resolution to amend the Article IX (RMA-Planning) of the Monterey County Fee Resolution to increase the Surface Mine Annual Inspection fee from \$3,227.91 to \$7,600.00 for Fiscal Year 2013-2014 to cover the reasonable cost of inspections.  
(Adjust Fees - REF130098/Surface Mine Annual Inspection Fee)

**Attachments:** [Attachment A - Draft Resolution to Adopt Fee Change](#)  
[Attachment B - Amendment No. 3](#)

23. Conduct a public workshop to consider issues relating to developing well regulations and provide direction to staff in the drafting of the well regulations (REF120022/Well Ordinance)

- Attachments:** [Attachment A - Revised Working Document](#)  
[Attachment B - Summary of Recommendations](#)  
[Attachment C - Public Comment](#)

**Adjournment**



## Supplemental Sheet, Consent Calendar

### Natividad Medical Center

24. a. Award JOC Natividad Medical Center 2013-01 contract to Ausonio Incorporated, the lowest responsible and responsive bidder for Natividad Medical Center Project JOC, with a bid award criteria figure of 1.2553, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.43 Million;
- b. Award JOC Natividad Medical Center 2013-02 contract to California Plus Engineering Incorporated, the lowest responsible and responsive bidder for Natividad Medical Center Project JOC, with a bid award criteria figure of 1.3090, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.43 Million;
- c. Approve the Performance and Payment Bonds executed and provided by Ausonio Incorporated, Inc. in the amount of \$2 Million;
- d. Approve the Performance and Payment Bonds executed and provided by California Plus Engineering Incorporated, Inc. in the amount of \$2 Million

**Attachments:** [Cal Plus JOC NMC 2013-02 Agreement.pdf](#)  
[Ausonio JOC NMC 2013-01 Agreement.pdf](#)

25. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Letter of Agreement to the Professional Services Agreement (A-11514) between The Regents of the University of California, a California Constitution corporation, on behalf of the University of California, San Francisco, School of Medicine, Department of Pediatrics (“UCSF”), and Natividad Medical Center (“NMC”) to provide Neonatology Services at NMC, extending the term an additional 120 days to March 1, 2014.

**Attachments:** [UCSF Letter Agreement](#)

### Criminal Justice

- 25.1 Adopt a Resolution:
- a. Authorizing the Sheriff’s Office to proceed and apply for the SB 1022 (Adult Local Criminal Justice Facility Construction Program) Request for Proposal Project (RFP) funding in the amount of \$40.0 million;
- b. Approving the necessary 10% minimum matching funds in the amount of \$4.0 million; and,
- c. Authorizing the Sheriff to sign and execute the RFP and submit it to the Board of State and Community Corrections (BSCC) for financing. (ADDED VIA ADDENDUM)

**Attachments:** [Board Resolution](#)

**General Government**

26. Approve amendments to the Economic Development Committee Bylaws revising and clarifying procedures for the appointment of members; adding a new criteria that at least one of the committee members shall possess environmental credentials; expanding Committee membership by including an additional representative for Agriculture; retitle the Community Relations position to Micro Business; revising the Committee name to Economic Opportunity Committee; and establish an Administrative Subcommittee as a standing subcommittee.
- Attachments:** [ByLaws - clean final kr](#)  
[ByLaws - redline](#)
27. Approve the tentative election of the methodology by which the County of Monterey will receive healthcare realignment funds under AB 85.
- Attachments:** [Summary for Formula by CAPH - AB85](#)
28. Receive and Accept the Treasurer's Report of Investments for the quarter ending September 30, 2013.
- Attachments:** [Exhibit A - Investment Portfolio Review 09.30.13](#)  
[Exhibit B - Portfolio Management Report 09.30.13](#)  
[Exhibit C - Monterey County Historical Yields vs. Benchmarks 09.30.13](#)  
[Exhibit D - Aging Summary 10.01.13](#)  
[Exhibit E - Overnight \(Liquid\) Asset Distribution](#)
29. Approve a request from the North County Fire Protection District for dry period loan of \$2,500,000 for the Fiscal Year ending June 30, 2014.
- Attachments:** [North County FPD 2014 Resolution](#)  
[North County FPD 2014 Req & Cert](#)
30. Approve a request from the Soledad-Mission Recreation District for dry period loan of \$39,000 for the Fiscal Year ending June 30, 2014.
- Attachments:** [Soledad-Mission Rec 2014 Resolution](#)  
[Soledad-Mission Rec 2014 Req & Cert](#)
31. a. Approve and authorize the Auditor-Controller to increase appropriations in the County Administrative Office (1050) Other Financing Uses Budget Unit-001-1050-8038-CAO017-7614 by \$1,000,000 and increase revenues in the County Administrative Office (1050) Non-Program Revenue Budget Unit-001-1050-8041-CAO19-5870 by \$1,000,000 to provide the Monterey County Water Resources Agency interim cash flow funding for the Pajaro Excavation Project-Phase II, pending receipt of full grant reimbursements; (4/5th vote required) and

b. Authorize the Auditor-Controller to incorporate the approved appropriation and revenue modifications in the FY 2013-14 Adopted Budget.

32.

a. Approve the extension of the Workforce Investment Act (WIA) Title I Youth subcontracts with Turning Point of Central California and Santa Cruz County Office of Education, by entering into new Standard Agreements with Turning Point of Central California in the amount of \$120,609 and Santa Cruz County Office of Education in the amount of \$111,331 for a total contract allocation of \$231,940 for the period of October 1, 2013 to June 30, 2014; and

b. Authorize the Economic Development Department Director to execute the contracts and make minor modifications to the contracts as necessary to comply with WIA requirements.

**Attachments:** [Turning Point Youth 2013-14 - WIA Contract.pdf](#)  
[SCCOE Youth 2013-14 - WIA Contract.pdf](#)  
[BOS Order Youth Subcontracts PY 2011-12.pdf](#)  
[BOS Order Youth Subcontracts PY 2012-13.pdf](#)  
[Turning Point Youth 2012-13 - WIA Contract 160,812 signed.pdf](#)  
[SCCOE Youth 2012-13 - WIA Contract 148,442 signed.pdf](#)  
[Turning Point Youth 2011-12 - WIA Contract 170,352k signed.pdf](#)  
[SCCOE Youth 2011-12 - WIA Contract 157,248k signed.pdf](#)

### **RMA - General**

33.

a. Approve and authorize the Chair of the Board to sign a Memorandum of Understanding with the Pajaro/Sunny Mesa Community Services District in the amount of \$25,000 to fund a portion of the first year start-up cost in FY 2013-14 to operate and maintain the recently-completed Pajaro Neighborhood Park; and

b. Authorize the Auditor-Controller to issue payment of \$25,000 to the Pajaro/Sunny Mesa Community Services District in accordance with the Memorandum of Understanding.

**Attachments:** [Proposed MOU](#)

### **RMA - Planning**

34.

a. Approve Amendment No. 3 to Professional Services Agreement No. A-11561 with Benchmark Land Use Group, Inc. (d.b.a. Benchmark Resources) to include annual State of California Surface Mining and Reclamation Act (SMARA) review and annual inspection reports for 2013 for sixteen (16) mine sites located in the County of Monterey, and for assistance to meet the requirements of the County's SMARA compliance program, in the amount of \$127,520.00 for a total amount not to exceed \$306,113.50, and extend the term to January 31, 2014; and

b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 3 to Professional Services Agreement No. A-11561.

(REF110047/Benchmark Resources)

**Attachments:** [Attachment A - Amendment No. 3 to PSA No. A-11561](#)  
[Attachment B - Synopsis of PSA](#)

## **RMA - Public Works**

35. Adopt a Resolution to:
- a. Approve the creation of a Fleet Service Writer (72C82) classification within Fleet Management Budget Unit RMA007-8185;
  - b. Amend Personnel Policies and Practices Resolution No 98-394 to create the new classification of Fleet Service Writer (72C82) with the salary range as indicated in TABLE #1 of the attached Resolution;
  - c. Amend the Resource Management Agency, Fleet Management Budget Unit RMA007-8185, to delete one (1) FTE Supervising Mechanic, and to add one (1) FTE Fleet Service Writer;
  - d. Authorize the County Administrative Office to incorporate these changes into the FY 2013-14 Adopted Budget to reflect the change in position counts as described in TABLE #2 of the attached Resolution; and
  - e. Authorize the County Administrative Office, Human Resources Department and the Auditor/Controller to take necessary action to program the Advantage system to implement these actions.

**Attachments:** [Service Writer Resolution](#)

## **Addendum/ Supplemental Agenda**

Addendum/Supplemental Agenda for Board of Supervisors, Tuesday, October 22, 2013

### ADDENDUM

#### **Add Under Ceremonial Resolutions**

- 16.1 Adopt Resolution to celebrate the 35th Anniversary of North Monterey County High School. (Supervisor Calcagno)

#### **Add Under Criminal Justice**

- 25.1 Adopt a Resolution:
- a. Authorizing the Sheriff's Office to proceed and apply for the SB 1022 (Adult Local Criminal Justice Facility Construction Program) Request for Proposal Project (RFP) funding in the amount of \$40.0 million;
  - b. Approving the necessary 10% minimum matching funds in the amount of \$4.0 million; and,
  - c. Authorizing the Sheriff to sign and execute the RFP and submit it to the Board of State and Community Corrections (BSCC) for financing.

### SUPPLEMENTAL

#### **Corrections Under Ceremonial Resolutions**

8. Adopt Resolution honoring Gregg Hobson as a Monterey County Military

and Veterans Services Advisory Commission's "Veteran of the Year" for 2013. (Supervisor Parker)

**Corrected, full title displayed**

9. Adopt Resolution honoring Mary Estrada as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2013. (Supervisor Parker)

**Corrected, full title displayed**