

Monterey County

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



Action Minutes - Final

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

9:00 AM Call to Order

The meeting was called to order by Chair Armenta.

Roll Call

Supervisor Calcagno arrived prior to Closed Session.

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

Additions and Corrections for Closed Session

There were no additions or correctons 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.

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a, b. and c.

10:30 AM Reconvene

Roll Call

Present: Marisela Quezada, Interpreter

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

Pledge of Allegiance

The Pledge of Allegiance was led by Chair Armenta.

Welcome Home Troops Ceremony

The Salinas Elks Color Guard presented the United States flag. The Board of Supervisors commended Monterey County residents serving in the United States Armed Forces and awarded Monterey County medals and quilts to: Specialist 5th Class Justin Fowler; Chief Rigoberto Garcia; Boatswains Mate Freddy Vigil-Martinez; Lance Corporal Esteban Rojas; and Sargeant 1st Class Fernando Romo-Marquez.

Recess to Welcome Home Troops Reception

Reconvene

Roll Call

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

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

Under Ceremonial Resolutions – Title changes

12. Adopt Resolution honoring Dr. Duane Hyde as a Monterey County Military and Veterans Services Advisory Commission 2013 "Veteran of the Year" (Supervisor Salinas)

Under General Government - Criminal Justice

25.1 Additional Resolution submitted

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.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simon Salinas to approve Additions and Corrections. ALL AYES

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker pulled items 25.1 and 26 for comments and questions.

Sheriff Miller responded to questions regarding 25.1. David Spaur responded regarding questions on item 26.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to approve the Consent Calendar. ALL AYES

Ceremonial Resolutions

3. Adopt Resolution proclaiming October 24, 2013 as World Polio Day in Monterey County. (Full Board)
A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-316 proclaiming October 24, 2013 as World Polio Day in Monterey County. (Full Board). ALL AYES
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)
A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Adopt Resolution No. 13-318 honoring Dr. Thomas H. Griffin as a Monterey County Military and Veterans Services Advisory Commission 2013 “Veteran of the Year”. (Supervisor Potter) ALL AYES
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)
A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-319 honoring Dr. Gerald D. Griffin as a Monterey County Military and Veterans Services Advisory Commission 2013 “Veteran of the Year”. (Supervisor Potter). ALL AYES
6. Adopt Resolution honoring Michael Levine as a Monterey County Military and Veterans Services Advisory Commission 2013 “Veteran of the Year”. (Supervisor Potter)
A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-317 honoring Michael Levine as a Monterey County Military and Veterans Services advisory Commission 2013 “Veteran of the Year” (Supervisor Potter) ALL AYES
7. Adopt Resolution honoring an “Undisclosed Recipient” upon being named recipient of the 2013 Monterey County Hospitality Association Papa Vince Award. (Supervisor Potter)
A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-320 honoring Eddie Da Silva of Asilomar Conference/ARAMARK upon being named recipient of the 2013 Monterey County Hospitality Association Papa Vince Award. (Supervisor Potter) ALL AYES
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)
A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-321 honoring Gregg Hobson as a Monterey County Military and Veterans Services Advisory Commission’s

“Veteran of the Year” for 2013. (Supervisor Parker) ALL AYES

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)
- A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-322 honoring Mary Estrada as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2013. (Supervisor Parker) ALL AYES**
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)
- A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-323 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) ALL AYES**
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)
- A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-324 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) ALL AYES**
12. Adopt Resolution honoring Dr. Duane Hyde upon his selection as Monterey County Veteran of the Year. (Supervisor Salinas)
- A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-326 honoring Dr. Duane Hyde upon his selection as Monterey County Veteran of the Year. (Supervisor Salinas) ALL AYES**
13. Adopt Resolution honoring Joyce Hyde upon her selection as Monterey County Veteran of the Year. (Supervisor Salinas)
- A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-327 honoring Joyce Hyde upon her selection as Monterey County Veteran of the Year. (Supervisor Salinas)ALL AYES**
14. Adopt Resolution recognizing Mervin J. Venuty on behalf of the Monterey County Veterans Services Advisory Commission-District 1. (Supervisor Armenta)
- A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-328 recognizing Mervin J. Venuty on behalf of the Monterey County Veterans Services Advisory Commission-District 1. (Supervisor Armenta). ALL AYES**

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

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-325 recognizing Ray Morasca on behalf of the Monterey County Veterans Services Advisory Commission-District . (Supervisor Armenta) ALL AYES

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

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-329 recognizing Thomas M. Payne on behalf of the Monterey County Veterans Services Advisory Commission-District 1. (Supervisor Armenta) ALL AYES

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

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 13-332 to celebrate the 35th Anniversary of North Monterey County High School. (Supervisor Calcagno) (ADDED VIA ADDENDUM) ALL AYES

Other Board Matters

- 17. Board Comments

Supervisor Potter apologized for not being present at the Crazy Horse Exchange ribbon cutting. He had another pressing engagement. He thanked everyone for their tireless advocacy and acknowledged the hard work of Supervisor Calcagno, Sig and V. Thomas, and Del Matt. He commended them for their dedication and persistence.

Supervisor Armenta announced the next open house for the Juvenile Hall siting on Wednesday at La Paz Middle School. He advised work is being done on a presentation for the Salinas City Council and an event on October 30th at the Cesar Chavez library.

- 18. CAO Comments and Referrals

There were no CAO comments or referrals.

- 19. General Public Comment

Tony Barrera; Del Matt; Linda Kincaid; Richard Calhoun; Steve Ecklund; Hans Jongsens.

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.

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Dave Potter: a. Considered 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. Approved MCRTA request to member jurisdictions to forgive the reimbursement for start up costs in the amount of \$23, 723.

ALL AYES

- 21. Ciclovía Update Presentation

The Board received the Ciclovía Update and presentation from Natalie Oliver and Andrea Manzo.

12:30 PM Recess to Lunch and Continued Closed Session

1:30 PM Reconvene

Roll Call

Present: Marisela Quezada, Interpreter

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

1:30 P.M. - Scheduled Matters

- 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)

Public comment: John Sederquist.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to continue this item to November 5, 2013 at 1:30 p.m. ALL AYES

- 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)

Public comment: Roger Dolan; Bob Martin; David Gil; Melissa Duflock; Kevin Piercy; Bob Perkins; Ray Francioni; Anthony Lombardo; Christine McGinnis; Vick Lanini.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter: Conducted a public workshop to consider issues relating to developing well regulations and directed staff to meet with Piercy and other stakeholders in the drafting of the well regulations (REF120022/Well Ordinance) and return to the Board with an outline and timeline for the process. ALL AYES

Adjournment

APPROVED:

/s/ Louis R. Calcagno

**LOUIS R. CALCAGNO, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: /s/ Denise Hancock, for

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

APPROVED ON 03-11-14

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

Approved - Agreement No. A-12589 (Ausonio Inc.); Construction No. 2013-017; A-12590 (California Plus Engineering); Construction No. 2013-019

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.

Approved - Agreement No. A-11514

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)

Motion No. 1: A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to 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. ALL AYES

Motion No. 2: A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to reconsider motion to adopt resolution. ALL AYES

Motion No. 3: A motion was made by Supervisor Dave Potter, seconded by Supervisor Simon Salinas: Adopted Resolution No. 13-332 to: a. Authorizes 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 \$22.8 million; b. Approves the necessary 10% minimum matching funds in the amount of \$3.7 million; c. Authorizes the Sheriff to sign and execute the RFP and submit it to the Board of State and Community Corrections (BSCC) for financing; d. Assures that Monterey County (the County) is seeking funding preference for its proposed project within the Adult Local Criminal Justice Facilities Construction Financing Program (the SB 1022 Financing Program); and Adopted Resolution No. 13-333 A Resolution Affirming Support for the Application for SB 1022 financing, with Funding Preference, for the construction of adult local criminal justice facilities. ALL AYES

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.
Approved
27. Approve the tentative election of the methodology by which the County of Monterey will receive healthcare realignment funds under AB 85.
Approved
28. Receive and Accept the Treasurer's Report of Investments for the quarter ending September 30, 2013.
Approved
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.

Approved

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.

Approved

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.

Approved

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.

Approved - Agreement Nos. A-12077 (Turning Point); A-12078 (Santa Cruz Office of Education)

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.

Approved - Agreement No. A-12591

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)
- Approved - Agreement No. A-11561**

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.
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to adopt Resolution No. 13-334 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. ALL AYES**