

# Monterey County

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



## Action Minutes - Draft

Tuesday, March 15, 2016

9:00 AM

See separate agenda for Board of Supervisors of the Monterey  
County Water Resources

## 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*

**9:00 - Call to Order**

The meeting was called to order by Chair Parker.

**Roll Call**

**Present:** 5 - Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter, Supervisor John M. Phillips and Supervisor Simón Salinas

**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 provide a performance evaluation for the Natividad Medical Center Chief Executive Officer.
  - b. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) Madriz, et al. v. King City, et al. (United States District Court case no. 13-CV-05096-EJD)
    - (2) Jesse Hernandez, et al. v. County of Monterey, et al. (United States District Court case no. CV-13-2354-PSG)
  - c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
    - (1) Designated representatives: Manuel Gonzalez and Brette NealEmployee Organization(s): Units A,B, C, F, H, J, K, Q, V and temporary employees represented by SEIU
  - d. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation. (ADDED VIA ADDENDA)

**CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a. through d.**

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

**Present:** 5 - Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter, Supervisor John M. Phillips and Supervisor Simón Salinas

### Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor 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 addition:

**Adjourn in Memory of Silvio Bernardi**

**A motion by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to approve the addition to Adjournment. ALL AYES**

### Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

**Amy White requested item 32 be pulled and asked that staff outline the process. Mike Novo, Planning Director, responded.**

**A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Simón Salinas to approve the Consent Calendar (See Supplemental Sheet). ALL AYES**

### Ceremonial Resolutions

3. Adopt Resolution proclaiming March 2016, Monterey County Grand Jury Awareness Month. (Full Board)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-061 proclaiming March 2016, Monterey County Grand Jury Awareness Month. (Full Board) ALL AYES**

4. Adopt Resolution honoring Luis Osorio upon his retirement from the Monterey County Resource Management Agency Planning Department after over twenty five years of dedicated public service. (Supervisor Potter)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-062 honoring Luis Osorio upon his retirement from the Monterey County Resource Management Agency Planning Department after over twenty five years of dedicated public service. (Supervisor Potter) ALL AYES**

5. Adopt Resolution recognizing Undisclosed Recipient as the Santa Cruz County Farm Bureau's 2016 Al Smith Friend of Agriculture Award Recipient. (Supervisor Phillips)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-063 recognizing Community Foundation of Santa Cruz as the Santa Cruz County Farm Bureau's 2016 Al**

**Smith Friend of Agriculture Award Recipient. (Supervisor Phillips) ALL AYES**

6. Adopt Resolution of proclamation honoring Elaine McCleaf upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-065 honoring Elaine McCleaf upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board) ALL AYES**
7. Adopt Resolution of proclamation honoring Mary Ann Leffel upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-060 honoring Mary Ann Leffel upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board) ALL AYES**
8. Adopt Resolution of proclamation honoring Nancy Amadeo upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-059 honoring Nancy Amadeo upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board) ALL AYES**
9. Adopt Resolution of proclamation honoring Margaret D'Arrigo-Martin upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-058 honoring Margaret D'Arrigo-Martin upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board) ALL AYES**
10. Adopt Resolution of proclamation honoring Mayra Perez upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-057 honoring Mayra Perez upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board) ALL AYES**
11. Adopt Resolution of proclamation honoring Ana Vargas upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-056 honoring Ana Vargas upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board) ALL AYES**
12. Adopt Resolution of proclamation honoring Lucille Standifer upon her

selection as one of the Outstanding Women of Monterey County for 2016.  
(Full Board)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-055 honoring Lucille Standifer upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board) ALL AYES**

- 13.** Adopt Resolution of proclamation honoring Marcia Parsons upon her selection as one of the Outstanding Women of Monterey County for 2016.  
(Full Board)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-054 honoring Marcia Parsons upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board) ALL AYES**

- 14.** Adopt Resolution of proclamation honoring Ethel Davis upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-053 honoring Ethel Davis upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board) ALL AYES**

- 15.** Adopt Resolution of proclamation honoring Diane Franciscovich upon her selection as one of the Outstanding Women of Monterey County for 2016.  
(Full Board)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-052 honoring Diane Franciscovich upon her selection as one of the Outstanding Women of Monterey County for 2016. (Full Board) ALL AYES**

### **Other Board Matters**

- 16.** Board Comments

**Supervisor Armenta announced the American Legion Post 31 recognition ceremony of the Veterans Honor Guard volunteers will be held on Thursday, March 24 at 11:00 am at the City of Salinas Rotunda. He invited Board members or their staff.**

**Supervisor Armenta will be submitting a Board Referral to: 1) review bilingual pay and compensation for those demonstrating cultural competency; and 2) recruitment in the areas of eligibility workers and social workers, as well as the issue of mandatory overtime.**

**Supervisor Parker announced that this is Sunshine Week and thanked Monterey County staff for the work they have done to meet goals of transparency. Last year staff was directed to make Board meeting materials available 96 hours in advance of the Board meeting, instead of the required 72 hour requirement. She noted the new County website and the robust search engine that makes information more easily available.**

17. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman welcomed City of Salinas Mayor Joe Gunter to today's meeting.

18. General Public Comment

Brianna Walker; Diane Counselman; Javier Sanchez; Angela Gomez; Steve Eklund; Eric Peterson; Dale Hillard; Joe Vierra; Len Foster; Jennifer Mendoza; Hans Jongenz; Maryann Smith; Lorrان Bishop.

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

19. Receive an oral report on Homeless issues in Chinatown from staff with the City of Salinas and Monterey County based on a request by Supervisor Armenta at the Board meeting of March 8, 2016.

Public comment: William Silas; Diane Layblock; Miriam Smith; Grace, Joanne, Joy; Wes White; Gertrude Smith; Steve Eklund; Eric Peterson; Male - No name given; Joe Vierra.

By consensus, the Board received an oral report on Homeless issues in Chinatown from staff with the City of Salinas and Monterey County based on a request by Supervisor Armenta at the Board meeting of March 8, 2016. ALL AYES

**12:00 P.M.- Recess to Lunch - Continued Closed Session**

**1:00 P.M. - Continued Closed Session**

**Adjournment**

In Memory of Silvio Bernardi

**APPROVED:**

\_\_\_\_\_  
**JANE PARKER, CHAIR  
BOARD OF SUPERVISORS**

**ATTEST:**

**BY: \_\_\_\_\_**

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

**APPROVED ON \_\_\_\_\_**

## Supplemental Sheet, Consent Calendar

### Natividad Medical Center

20. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Renewal and Amendment No. 2, retroactive to July 1, 2015, to the Agreement (A-12175) with Hibser Yamauchi Architects for the 3rd Floor, Building 400 Tenant Improvement project per RFQ #9600-18 at Natividad Medical Center, extending the Agreement an additional six (6) month period for a revised full term of January 10, 2012 through March 31, 2016 and adding \$45,698 for a revised total Agreement amount of \$610,227.

**Approved - Agreement No. A-12175**

21. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement with Medical Information Technology, Inc. for seven software interfaces allowing exchange of electronic patient data from various third-party software systems throughout NMC with NMC's MEDITECH system, for a total amount not to exceed \$97,034 effective on date of County's execution and terminable with sixty (60) days' written notice; and
- b. Accept the non-standard Agreement terms and conditions, including insurance and indemnification provisions, as recommended by NMC's CEO.

**Approved - Agreement No. A-13067**

22. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1 to the Agreement (A-12673) with Peninsula Business Interiors (PBI) for new product, delivery, installation and associated furniture services at NMC, extending the Agreement an additional one year period for a revised full term of April 15, 2015 through April 14, 2017 and adding \$350,000 for a revised total Agreement amount not to exceed \$1,125,000.

**Approved - Agreement No. A-12673**

### Health Department

23. a. Ratify and approve the execution by the Director of Health of an Educational Agreement with Center for Employment Training for medical assistant students to obtain practical and clinical experience at Health Department clinics, with a term of March 1, 2006 to February 28, 2011;
- b. Ratify and approve the execution by the Director of Health of Amendment No. 1 to Agreement, extending Term of Agreement to February 28, 2016; and
- c. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 2 to Agreement, extending the term to February 28, 2021.

**Approved - Agreement No. A-13068**

24. Adopt a Resolution ratifying prior action of the Director of Health and confirming the appointment of Mr. Jean Robert as Interim Public Guardian/Public Administrator.

**A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Simón Salinas to adopt Resolution No. 16-075 ratifying prior action of the Director of Health and confirming the appointment of Mr. Jean Robert as Interim Public Guardian/Public Administrator. ALL AYES**

**Department of Social Services**

25. Authorize the advance step placement for Lori Medina at Step 7 of the Deputy Director Social Services range effective with the beginning date of her employment in accordance with Personnel Policies and Practices Resolution (PPPR) #98-34, Sections A.1.11.1 and A.1.11.5.

**Approved**

**General Government**

26. Approve and authorize the Renewal and Amendment Agreement between Monterey County on behalf of the Monterey County Free Libraries and OverDrive, Inc., for a term of four years, retroactive from November 24, 2015 to November 24, 2019.

**Approved - Agreement No. A-13084**

27. Approve the distribution of excess proceeds resulting from the sale of real property at the Tax Collector's public internet auction regarding claims on eleven properties.

**Approved**

28. a. Authorize the release of \$394,000 from the Libraries' Fund Balance (003) to be used by County of Resource Management Agency Public Works on behalf of MCFL to fund two projects: \$258,000 to augment the unfunded amount for the ongoing San Lucas Library project, and \$136,000 to fund the Big Sur Library repair project (4/5th vote required); and  
b. Authorize the Auditor-Controller to transfer \$394,000 from the Libraries' Fund Balance (003) as follows:
1. \$258,000 to Resource Management Account 401-3000-8184-5980-RMA004, Program Code 8548, for the San Lucas Library project; and
  2. \$136,000 to Library Fund Balance Account 003, Dept. 6110, Unit 8141, Object 5940, fund to increase estimated revenue and appropriation by \$136,000, for the Big Sur Repair project. (4/5th vote required)

**Approved**

29. Approve the Memorandum of Understanding (MOU) for the Monterey County Registered Nurses' Association Unit S for the period January 1, 2016 through January 31, 2017.

**Approved - Agreement No. A-13069**

30. Authorize the Auditor-Controller to amend the FY 2015-16 Public Improvement Corporation, Fund 251, Appropriation unit AUD005, to increase the appropriation by \$1,270,861.50 to cover the first interest payment on the 2015 Public Facilities Financing Certificates of Participation due to bondholders on April 1, 2016 financed by the scheduled transfer from the General Fund; (4/5th vote required).

**Approved****RMA - General**

31. Adopt a Resolution to:
- Amend Personnel Policies and Practices Resolution No. 98-394, Appendices A and B, to reactivate the classification of Supervising Planner (41F23) and set salary as indicated in the attached resolution; (4/5 vote required)
  - Authorize the Human Resources Department to implement the changes; and
  - Authorize the County Administrative Office to incorporate the approved position changes in the FY 2015-16 RMA Adopted Budget (4/5 vote required).

**A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Simón Salinas to adopt Resolution No. 16-066 to: a. Amend Personnel Policies and Practices Resolution No. 98-394, Appendices A and B, to reactivate the classification of Supervising Planner (41F23) and set salary as indicated in the attached resolution; (4/5 vote required)**

**b. Authorize the Human Resources Department to implement the changes; and  
c. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2015-16 RMA Adopted Budget (4/5 vote required).**

**ALL AYES**

**RMA - Planning**

32.
  - Approve a Memorandum of Agreement between the City of Soledad and the County of Monterey regarding working cooperatively on common planning, growth and development issues; and
  - Authorize the Chair of the Board of Supervisors to execute the Memorandum of Agreement.  
(Soledad Memorandum of Agreement/REF150049)

**Approved**

**RMA - Public Works**

33. a. Approve Amendment No. 2 to Agreement No. A-12434 with The Gordian Group, Inc. for Job Order Contract services described as the JOC Complete Solution®, JOC Complete Solution *Plus*™, construction estimating services, and project budgeting and planning to: allow for payment for services rendered in Fiscal Year 2015-16 exceeding the agreement's per fiscal year maximum amount of \$450,000; increase the not-to-exceed amount of \$2,250,000 by \$8,146,890 for a total amount not to exceed \$10,396,890 over the five-year term; increase the fiscal year maximum amount of \$450,000 by \$4,073,445 for a total maximum increase amount of \$4,523,445 for Fiscal Years 2015-16 and 2016-17; and extend the expiration date from April 1, 2016 for an additional year through and including April 1, 2017, for a revised term from April 9, 2013 to April 1, 2017, with the option to extend the Agreement for one additional one-year period;
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to Agreement No. A-12434 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount; and
- c. Ratify the issuance of job orders by the Resource Management Agency Director and the Director of Public Works to address exigent project work and unscheduled maintenance and emergency repairs that correlatively resulted in The Gordian Group, Inc. JOC service fees exceeding the \$450,000 per fiscal year maximum of the Agreement.

**Approved - Agreement No. A-12434**