



Monterey County

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

Action Minutes - Draft Board of Supervisors

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

Tuesday, July 7, 2015

9:00 AM

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

9:00 A.M. - Call to Order

The meeting was called to order by Chair Salinas.

Roll Call

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

Additions and Corrections for Closed Session:

There were no additions and 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 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
 - (1) Theresa Barreras
 - (2) Maureen Quinn
 - b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: Manuel Gonzalez and Brette Neal
Employee Organization(s): Unit H
 - (2) Designated representatives: Manuel Gonzalez, Interim Director of Human Resources and Brette Neal, Human Resources Manager
Units: A, D, E, F, G, H, J, K, S, X and Y
 - (3) Designated representative: Manuel Gonzalez, Interim Director of Human Resources
Unrepresented Unit: Natividad Medical Center Chief Executive Officer

c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Natividad Medical Center Chief Executive Officer.

d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

CLOSED SESSION REPORT

Closed Session under Government Code section 54950, relating to the following items:

a. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.

(1) Theresa Barreras

CLOSED SESSION REPORT: The Board voted to reject the claim of Theresa Barreras.

(2) Maureen Quinn

CLOSED SESSION REPORT: The Board voted to reject the application for a late claim of Maureen Quinn.

b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:

(1) Designated representatives: Manuel Gonzalez and Brette Neal

Employee Organization(s): Unit H

CLOSED SESSION REPORT: The Board conferred with labor negotiators and approved a side letter related to Unit H and classification change in titles.

Copies of the side letter will be available in the Human Resources department for the public that desires it.

(2) Designated representatives: Manuel Gonzalez, Interim Director of Human Resources and Brette Neal, Human Resources Manager

Units: A, D, E, F, G, H, J, K, S, X and Y

CLOSED SESSION REPORT: The Board conferred with labor negotiators and approved side letters for Units A, D, E, F, H, J, K, S regarding continued alternative benefit offers through the county for health insurance coverage. The side letters will be available in the Human Resources department. The Board did not approve a side letter for Unit G and it may be considered at a future meeting.

(3) Designated representative: Manuel Gonzalez, Interim Director of Human Resources

Unrepresented Unit: Natividad Medical Center Chief Executive Officer

CLOSED SESSION REPORT: The Board took no reportable action on item 1.b. (3).

c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Natividad Medical Center Chief Executive Officer.

CLOSED SESSION REPORT: The Board took no reportable action on item 1. c.

d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

CLOSED SESSION REPORT: The Board took no reportable action on item 1.d.

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

Present: Charlie Steves, Interpreter

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

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Armenta.

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 Lawson Little

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve additions and corrections. **ALL AYES**

Consent Calendar- (See Supplemental Sheet)

2.

Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Phillips pulled item 40. Supervisor Phillips commented that he has no contact with Rancho Cielo and recused himself. He stated he has no financial interest, but he is concerned with perception.

A motion was made by Supervisor Armenta, seconded by Supervisor Potter to approve item 40. 4-0 (Supervisor Phillips recused himself advising he has no financial interest in Rancho Cielo)

Supervisor Parker pulled item 42. Supervisor Parker asked questions of staff. Marcia Parsons from Probation responded.

Public comment regarding item 42: Paula Benivedez; Michael Edwards; George Maestas; Jesus Soto; Raymond Reygosa; Samuel Jones; Jacqueline Simon.

A motion was made by Supervisor Armenta, seconded by Supervisor Parker to approve item 42. **ALL AYES**

Supervisor Armenta pulled item 43. Supervisor Armenta recused himself due to his brother's association with Turning Point.

A motion was made by Supervisor Potter, seconded by Supervisor Parker to approve item 43. 4-0 (Supervisor Armenta recused himself due to his brother's association with Turning Point.)

Supervisor Salinas pulled item 44. Mike Miller requested item 44 be pulled and addressed the Board.

A motion was made by Supervisor Potter, seconded by Supervisor Armenta to trail item 44 to the afternoon. See item for motion.

A motion was made by Supervisor Jane Parker, seconded by Supervisor John Phillips to approve the Consent Calendar (See Supplemental Sheet), with the exception of items 40, 42, 43, & 44. ALL AYES

Ceremonial Resolutions

3. Adopt Resolution recognizing Richard R. LeWarne, REHS, Monterey County employee, for his 38 years of service with the Environmental Health Bureau, Monterey County Health Department. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-182 honoring Richard R. LeWarne of the Environmental Health Bureau, Monterey County Health Department upon his retirement after 38 years of public service. ALL AYES
4. Adopt Resolution Joan L. Nugent on the occasion of her retirement following thirty years with the Monterey Peninsula Unified School District. (Supervisor Parker)
A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-183 for Joan L. Nugent on the occasion of her retirement following thirty years with the Monterey Peninsula Unified School District. (Supervisor Parker) ALL AYES
5. Adopt Resolution recognizing Deputy Darren G. Gurley, Monterey County Sheriff's Office, upon his retirement after twenty-eight years of public service. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-184 recognizing Deputy Darren G. Gurley, Monterey County Sheriff's Office, upon his retirement after twenty-eight years of public service. (Full Board) ALL AYES
6. Adopt Resolution proclaiming the month of July 2015 as Parks Make Life Better! in Monterey County. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-185 proclaiming the month of July 2015 as Parks Make Life Better! in Monterey County. (Full Board) ALL AYES
7. Adopt Resolution proclaiming the week of July 12 through July 18, 2015 as Probation Services Week. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-186 proclaiming the week of July 12 through July 18, 2015 as Probation Services Week. (Full Board). ALL AYES
- 7.1 Adopt Resolution honoring Dr. Laura M. Solorio, of Monterey County Health Department and Natividad Medical Center, upon her retirement after twenty-eight years of public service. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-187 honoring Dr. Laura M. Solorio, of Monterey County Health Department and Natividad Medical Center, upon her retirement after twenty-eight years of public service. (Full Board) ALL AYES

Appointments

8. Appoint Scott Storm to the Agricultural Advisory Committee, representing Monterey County Vintners & Growers Association, with a term ending June 30, 2018. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Scott Storm to the Agricultural Advisory Committee, representing Monterey County Vintners & Growers Association, with a term ending June 30, 2018. (Full Board) ALL AYES**
9. Reappoint Fernando Elizondo to the Community Action Commission with a term ending July 1, 2018. (Supervisor Potter)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint Fernando Elizondo to the Community Action Commission with a term ending July 1, 2018. (Supervisor Potter) ALL AYES**
10. Appoint Etna Monsalve to the Community Restorative Justice Commission, Business Representative with a term ending July 7, 2018. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Etna Monsalve to the Community Restorative Justice Commission, Business Representative with a term ending July 7, 2018. (Full Board) ALL AYES**
11. Appoint Nick Huntington to the Agricultural Advisory Committee, At-Large Representative, with a term ending June 30, 2017. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Nick Huntington to the Agricultural Advisory Committee, At-Large Representative, with a term ending June 30, 2017. (Full Board) ALL AYES**
12. Appoint Betty Withrow to the Big Sur Multi Agency Advisory Council with a term ending July 7, 2017. (Supervisor Potter)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Betty Withrow to the Big Sur Multi Agency Advisory Council with a term ending July 7, 2017. (Supervisor Potter) ALL AYES**
13. Appoint Dale Agron to the Carmel Valley Road Committee to fill an unscheduled vacancy with a term ending June 30, 2016. (Supervisor Potter)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Dale Agron to the Carmel Valley Road Committee to fill an unscheduled vacancy with a term ending June 30, 2016. (Supervisor Potter) ALL AYES**

14. Appoint Deborah Mall to the Monterey Oversight Board to fill an unscheduled vacancy with a term ending June 30, 2016. (Supervisor Potter)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Deborah Mall to the Monterey Oversight Board to fill an unscheduled vacancy with a term ending June 30, 2016. (Supervisor Potter) ALL AYES**
15. Reappoint Jesse Herrera to the Monterey County Mental Health Commission with a term ending May 31, 2018. (Supervisor Parker)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint Jesse Herrera to the Monterey County Mental Health Commission with a term ending May 31, 2018. (Supervisor Parker) ALL AYES**
16. Appoint Allen Davis to the Agricultural Advisory Committee, representing the California Strawberry Commission, with a term ending June 30, 2018.
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Allen Davis to the Agricultural Advisory Committee, representing the California Strawberry Commission, with a term ending June 30, 2018. ALL AYES**
- 16.1 Reappoint Lawrence J. Barcelo, M.D. to the Natividad Medical Center Board of Trustees with a term ending June 30, 2017. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint Lawrence J. Barcelo, M.D. to the Natividad Medical Center Board of Trustees with a term ending June 30, 2017. (Full Board) ALL AYES**
- 16.2 Appoint James Hlavacek, M.D. to the Natividad Medical Center Board of Trustees with a term ending June 30, 2017. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint James Hlavacek, M.D. to the Natividad Medical Center Board of Trustees with a term ending June 30, 2017. (Full Board) ALL AYES**
- 16.3 Reappoint Fernando R. Elizondo Ed.D to the Natividad Medical Center Board of Trustees with a term ending June 30, 2017. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to Reappoint Fernando R. Elizondo Ed.D to the Natividad Medical Center Board of Trustees with a term ending June 30, 2017. (Full Board) ALL AYES**

Other Board Matters

17. Board Comments
- There were no Board comments.**

18. CAO Comments and Referrals

There were no CAO comments or referrals.

19. General Public Comment

Hans Jongens.

10:30 A.M. - Scheduled Matters**20. Consider request from appellant to continue the public hearing on the following matter to July 14, 2015:**

An appeal by William and Susan Jordan from a decision of the Monterey County Zoning Administrator denying an application (Jordan/PLN14034) for a Variance to increase lot coverage from 15% to 21%; and a Coastal Administrative Permit and Design Approval for the construction of a 715 square foot master bedroom/bath addition to an existing 3,291 square foot single story single family dwelling.

(Appeal of the Variance Denial - PLN140354/Jordan, 87 Yankee Point Drive, Carmel, Carmel Area Land Use Plan)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to: Grant request from appellant to continue the public hearing on the following matter to July 14, 2015:

An appeal by William and Susan Jordan from a decision of the Monterey County Zoning Administrator denying an application (Jordan/PLN14034) for a Variance to increase lot coverage from 15% to 21%; and a Coastal Administrative Permit and Design Approval for the construction of a 715 square foot master bedroom/bath addition to an existing 3,291 square foot single story single family dwelling.(Appeal of the Variance Denial PLN140354/Jordan, 87 Yankee Point Drive, Carmel, Carmel Area Land Use Plan) ALL AYES

21. Receive the 2014 annual Monterey County Crop Report from the Agricultural Commissioner.

Public comment: Juan Uranga; Hans Jongens.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Dave Potter to receive the 2014 annual Monterey County Crop Report from the Agricultural Commissioner. ALL AYES

**22. a. Review proposal on Open Government and, if desired, select a format for implementation from the options of a policy, resolution, ordinance, or combination thereof; and
b. Direct, if desired, the Information Technology Department, County Administrative Office and County Counsel to return to the Board with the selected method of implementation, a schedule for full implementation, cost estimate, and funding sources.**

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to: a. Review proposal on Open Government and, if desired,

select a format for implementation from the options of a policy, resolution, ordinance, or combination thereof; and
b. Direct, if desired, the Information Technology Department, County Administration and County Counsel to return to the Board with the selected method of implementation, a schedule for full implementation, cost estimate, and funding sources. **ALL AYES**

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene Monterey County Board of Supervisors

Roll Call

Present: Charlie Steves, Interpreter

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

1:30 P.M. - Scheduled Matters

23. a. Receive a report on an opportunity to partner with Salinas Valley Solid Waste Authority and Ameresco, Inc. for the development and delivery of renewable energy from waste landfill gas through PG&E's Renewable Energy Self-Generation Bill Credit Program; and
b. Approve Memorandum of Understanding with Salinas Valley Solid Waste Authority and Ameresco, Inc. to perform due diligence and negotiate in good faith concerning project agreements, with a \$12,500.00 breakage fee if the County and/or Salinas Valley Solid Waste Authority withdraw from the arrangement prior to the execution of final agreements between all parties by September 30, 2015.
(MOU - REF150041/Crazy Horse Landfill Gas Renewable Energy)
- A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to: a. Receive a report on an opportunity to partner with Salinas Valley Solid Waste Authority and Ameresco, Inc. for the development and delivery of renewable energy from waste landfill gas through PG&E's Renewable Energy Self-Generation Bill Credit Program; and b. Approve Memorandum of Understanding with Salinas Valley Solid Waste Authority and Ameresco, Inc. to perform due diligence and negotiate in good faith concerning project agreements, with a \$12,500.00 breakage fee if the County and/or Salinas Valley Solid Waste Authority withdraw from the arrangement prior to the execution of final agreements between all parties by September 30, 2015.
(MOU - REF150041/Crazy Horse Landfill Gas Renewable Energy) **ALL AYES****
24. Public hearing to consider adopting a resolution to:
a. Deny the appeal by Center for Biological Diversity from the Planning Commission's decision to adopt a Mitigated Negative Declaration, approve an application by Trio Petroleum for a temporary Use Permit to allow production testing for oil and gas using an existing well, and adopt a Mitigation

Monitoring and Reporting Program;
b. Adopt a Mitigated Negative Declaration;
c. Approve a temporary Use Permit (Porter Estates (Trio Petroleum) to allow the production testing for oil and gas using an existing well, subject to conditions of approval; and
d. Adopt the Mitigation Monitoring and Reporting Program (PLN140395 / 72327 Jolon Road, Bradley / APN 424-081-082-000 / South County Area Plan)

Held a Public hearing.

Steve Riley addressed the Board on behalf of the Applicant.

Claire Lakewood addressed the Board on behalf of the Appellant.

Public comment: Hans Jongens; Tim Riordan; Stan Eschner.

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor John M. Phillips to: adopt Resolution 15-209 to:

- a. Deny the appeal by Center for Biological Diversity from the Planning Commission's decision to adopt a Mitigated Negative Declaration, approve an application by Trio Petroleum for a temporary Use Permit to allow production testing for oil and gas using an existing well, and adopt a Mitigation Monitoring and Reporting Program;**
 - b. Adopt a Mitigated Negative Declaration;**
 - c. Approve a temporary Use Permit (Porter Estates (Trio Petroleum) to allow the production testing for oil and gas using an existing well, subject to conditions of approval; and**
 - d. Adopt the Mitigation Monitoring and Reporting Program (PLN140395 / 72327 Jolon Road, Bradley / APN 424 081 082 000 / South County Area Plan) ALL**
- AYES**

25.

- a. Consider the adoption of a 45-day interim ordinance as an urgency measure pursuant to Government Code Section 65858 to prohibit, on a temporary basis, the establishment of new medical marijuana dispensaries and collective or cooperative cultivation of medical marijuana in the unincorporated area of the County, pending the County's study and consideration of regulations (4/5th vote required); and
- b. Set a public hearing for July 28, 2015 at 1:30 p.m. for the Board of Supervisors' consideration of extension of the interim ordinance.
(Medical Marijuana Interim Urgency Ordinance - REF150047; Statutorily exempt under CEQA)

Public comment: Eloise Shim; Aaron Johnson; Hans Jongens; Sergio Sanchez; Erin Stoney.

A motion was made by Supervisor Dave Potter, seconded by Supervisor John M. Phillips to: a. adopt Ordinance 5254, a 45 day interim ordinance as an urgency measure pursuant to Government Code Section 65858 to prohibit, on a temporary basis, the establishment of new medical marijuana dispensaries and collective or cooperative cultivation of medical marijuana in the unincorporated area of the County, pending the County's study and consideration of regulations (4/5th vote required); and
b. Staff return on July 28, 2015 at 1:30 p.m. for further discussion about exemptions for a variety of operations.

(Medical Marijuana Interim Urgency Ordinance REF150047; Statutorily exempt under CEQA) ALL AYES

Adjournment

In Memory of Lawson Little

Supplemental Sheet, Consent Calendar**Health Department**

26. Authorize the Contracts/Purchasing Officer to execute Amendment No. 3 to Agreement A-11775 with LocumTenens.com to increase the funding by \$150,000 for a revised total Agreement amount not to exceed \$510,000 for the term July 1, 2010 to June 30, 2016.
- Approved - Agreement No. A-11775**
27. a. Authorize the Director of Health to execute a three fiscal year term (FY 2015-16, 2016-17 and 2017-18) Alcohol and Drug Treatment Services Agreement with Sun Street Centers for the provision of alcohol and drug recovery services in the annual amount of \$1,460,264 for a total of \$4,380,792; and
- b. Authorize the Director of Health to execute up to three (3) future amendments to this agreement where the amendments do not exceed 10% of the original Agreement amount and do not significantly change the scope of work.
- Approved - Agreement No. A-12786**
28. a. Approve the Director of Health to execute a three fiscal year term (FY 2015-16, 2016-17 and 2017-18) Alcohol and Drug Treatment Services Agreement with Sunrise House for the provision of alcohol and drug recovery services in the annual amount of \$341,862 for a total of \$1,025,586; and
- b. Authorize the Director of Health to execute up to three (3) future amendments to this agreement where the amendments do not exceed ten percent (10%) of the original agreement amount and do not significantly change the scope of work.
- Approved – Agreement No. A-12787**
29. Authorize the Director of Health to execute Amendment No. 2 to the Alcohol and or Drug Service Contract Agreement A-12550 with Valley Health Associates to increase the funding for fiscal year (FY) 2014-15 from \$246,061 to \$731,689 (an increase of \$485,628) and FY 2015-16 from \$246,061 to \$731,689 (an increase of \$485,628) for a revised total Agreement amount not to exceed \$1,709,439.
- Approved – Agreement No. A-12550**
30. Approve and authorize the Director of Health to execute Amendment No. 5 to the Mental Health Services Agreement A-12493 with Interim, Incorporated for housing, residential treatment, homeless outreach and support, and supported education and employment services for adults with serious mental illnesses.

Amendment No. 5 increases the current Agreement amount of \$23,461,333 by \$1,298,926 in FY 2015-16 for a new total Agreement amount not to exceed \$24,760,259.

Approved – Agreement No. A-12493

Department of Social Services

31. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Care Access Silicon Valley, Inc. for \$18,000 for Registration Enrollment Video Appointment (REVA) software for the period July 1, 2015 to June 30, 2017 for prospective Monterey County In-Home Supportive Service providers, including non-standard Indemnification, Warranty and Liability provisions (Attachment I, Article VII); 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.

Approved – Agreement No. A-12788

32. a. Approve and authorize the Director of the Department of Social Services to sign an agreement for \$103,372 with VNA Community Services, Inc. for the provision of a Public Health Nurse at the CHERISH Receiving Center for the period July 1, 2015 through June 30, 2016; and
- b. Authorize the Director of the Department of Social Services, or his designee, to sign up to (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.

Approved – Agreement No. A-12847

33. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Seneca Family of Agencies for \$979,828 for the period July 1, 2015 through June 30, 2017 for the provision of services to relative and near-kin caregivers; 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.

Approved – Agreement No. A-12789

34. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Community Human Services (CHS) for \$215,000 to support the Family-to-Family Initiative throughout Monterey County for the period July 1, 2015 through June 30, 2016; and
- b. Approve and authorize the Director of the Department of Social Services, or

his designee, to sign up to (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.

Approved – Agreement No. A-12790

- 35.
- a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Goodwill Central Coast for \$1,200,000 to provide Expanded Subsidized Employment (ESE) training, supervision, intensive case management and job performance evaluations for CalWORKs Welfare-to-Work customers, for the period July 1, 2015 through June 30, 2016; 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.

Approved – Agreement No. A-12803

- 36.
- a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Door to Hope for \$303,967 for the period July 1, 2015 through June 30, 2016 for the provision of perinatal substance abuse prevention and intervention services to Monterey County children and their families;
 - b. Approve and authorize the Director of the Department of Social Services, or his designee, to enter into an agreement with First 5 Monterey County for continued funding in the amount of \$42,241 as the County's match; and
 - c. Approve and authorize the Director of the Department of Social Services, or his designee, to sign up to (3) amendments to these agreements where the total amendments do not exceed 10% of the original contract amounts, and do not significantly change the scopes of work

Approved – Agreement No. A-12804

- 37.
- a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with United Way Monterey County (UWMC) for \$201,189 to provide Community Service/Volunteer placement and job coordination services to CalWORKs Welfare-to-Work customers for the period July 1, 2015 through June 30, 2016; 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

Approved – Agreement No. A-12805

- 38.
- a. Approve and authorize the Chair of the Board of Supervisors to sign an agreement with the Central California Alliance for Health for \$1,794,540 to provide health plan benefits for eligible In-Home Supportive Services (IHSS)

providers for the period July 1, 2015 to June 30, 2016, including the non-standard Termination provision in Exhibit A-I, Sections 4.0 through 5.1, and non-standard Mutual Indemnification provisions in Exhibit A-I, Sections 9.14 and 9.15; and

b. Authorize the Chair of the Board of Supervisors to sign up to (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.

Approved – Agreement No. A-12933

39.

a. Approve and authorize the Director of the Department of Social Services to sign an agreement for \$1,168,173 with ACTION Council of Monterey County to provide administration, leadership, and coordination for Differential Response (aka: Pathways to Safety), and the CalWORKs Family Stabilization Program, for the period July 1, 2015 through June 30, 2016; 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.

Approved – Agreement No. A-12802

Criminal Justice

40.

a. Approve and authorize the Chief Probation Officer to sign a Service Agreement with Rancho Cielo, Incorporated to provide a job readiness and placement program for AB 109 Public Safety Realignment eligible clients in an amount not to exceed \$217,463 for the period July 1, 2015 to June 30, 2016; and

b. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Dave Potter to: a. Approve and authorize the Chief Probation Officer to sign a Service Agreement with Rancho Cielo, Incorporated (A-12791) to provide a job readiness and placement program for AB 109 Public Safety Realignment eligible clients in an amount not to exceed \$217,463 for the period July 1, 2015 to June 30, 2016; and

b. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work. 40 (Supervisor Phillips recused; advised not financial interest in Rancho Cielo)

41.

a. Approve and authorize the Contracts/Purchasing Officer to sign a 3-year agreement in the amount not to exceed \$219,360 in the aggregate for FY 15-16, FY 16-17 and FY 17-18 with Homeland Justice Systems, Inc. for

maintenance and software development services for Probation's Case Management System;

- b. Authorize a modification of the County standard liability language as recommended by the Chief Probation Officer; and
- c. Approve and authorize the Contracts/ Purchasing Officer to sign up to (3) amendments to this agreement where the total amendments do not exceed ten percent (10%) of the original contract price and do not significantly change the scope of work.

Approved – Agreement No. A-12792

42.

- a. Approve and authorize the Chief Probation Officer to sign the Service Agreement with Transitions for Recovery and Re-entry Program, Incorporated to provide a short term reentry program implementing life-skills workshops, and cognitive behavior intervention strategies for AB 109 Public Safety Realignment eligible clients in an amount not to exceed \$169,800 for the period July 1, 2015 to June 30, 2016; and
- b. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount (\$16,980) and do not significantly change the scope of work.

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to: a. Approve and authorize the Chief Probation Officer to sign the Service Agreement with Transitions for Recovery and Re-entry Program, Incorporated (A-12794) to provide a short term reentry program implementing life-skills workshops, and cognitive behavior intervention strategies for AB 109 Public Safety Realignment eligible clients in an amount not to exceed \$169,800 for the period July 1, 2015 to June 30, 2016; and
b. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount (\$16,980) and do not significantly change the scope of work. 4-0 (Supervisor Phillips recused and advised he has no financial interest in Rancho Cielo)

43.

- a. Approve and authorize the Contracts/Purchasing Officer to sign a Standard Agreement on behalf of the Probation Department with Turning Point of Central California, Incorporated to provide Transitional and Emergency Housing services in an amount not to exceed \$364,094 for adult offenders eligible for the AB 109 Public Safety Realignment plan for the period July 1, 2015 to June 30, 2016; and
- b. Authorize the Contracts/Purchasing Officer to sign up to three (3) future amendments to each Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to: a. Approve and authorize the Contracts/Purchasing Officer to sign a Standard Agreement on behalf of the Probation Department with Turning Point of Central California, Incorporated to provide Transitional and Emergency Housing services in an amount not to exceed \$364,094 for adult offenders

eligible for the AB 109 Public Safety Realignment plan for the period July 1, 2015 to June 30, 2016; and
b. Authorize the Contracts/Purchasing Officer to sign up to three (3) future amendments to each Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work. 4-0 (Supervisor Armenta recused himself because his brother has an association with Turning Point)

44. Approve and adopt a Resolution amending Article VII of the Master Fee Resolution to set fees and authorize collection of fees by the Sheriff's Office effective August 1, 2015, as set forth in the attached in Exhibit A.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to trail this item to the afternoon.

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to approve and adopt Resolution No. 15-211 amending Article VII of the Master Fee Resolution to set fees and authorize collection of fees by the Sheriff's Office effective August 1, 2015, as set forth in the attached Exhibit A; the Board authorized the Auditor-Controller to do the work, if requested, analyzing the appropriateness of the fees and requested the Sheriff return to the Board if the fees need to be adjusted at a future date. ALL AYES

General Government

45. a. Authorize the Contracts/Purchasing Officer to sign the Annual Software Support Agreement with Tyler Technologies in the annual amount of \$38,587.00 for the period of July 1, 2015 through June 30, 2016;
b. Accept non-standard County Liability and indemnification provisions as recommended by the Assessor; and
c. Authorize the Contracts/Purchasing Officer to sign five future annual renewals to the Agreement under same or similar terms that do not change the scope or increase the annual payments in excess of 5% per year.

Approved – Agreement No. A-12806

46. a. Authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to the Software Support Agreement with Apex Software to extend the services for an additional period, July 1, 2015 through June 30, 2016, in an annual amount of \$3,210 for the period of July 1, 2015 through June 30, 2016;
b. Acknowledge the non-standard County Liability and indemnification provisions of the Agreement, as continued in Amendment No. 1, as recommended by the Assessor; and
c. Authorize the Contracts/Purchasing Officer to sign three future annual renewals to the agreement under same or similar terms that do not change the scope or increase the annual payments in excess of 5% per year.

Approved

47. Exercise the Board of Supervisors option under California Government Code 53853 to notify certain school districts that it will not authorize the issuance of

tax and revenue anticipation notes ("TRANS") of the Districts and to provide such notification by July 10, 2015.

Approved

- 48.** Authorize the Auditor-Controller to amend the FY 2014-15 budget for the Department of Child Support Services; increasing revenues and appropriations in the amount of \$145,000 in CHI001. (4/5th vote required).

Approved

- 49.**
- a. Approve a Renewal and Amendment #1 to the Management Agreement with Eden Housing Management, Inc. to provide for continuous management of the Kents Court affordable housing project through September 30, 2015; and
 - b. Authorize the Director of the Economic Development Department to make minor changes as needed to execute the Renewal and Amendment #1 to the Management Agreement.

Approved - Agreement No. A-11785

- 50.**
- a. Approve and authorize the Contracts/Purchasing Officer to execute a Service Agreement with Comcast Cable Communications Management, LLC ,to provide the County with High Speed Digital Link Internet access for the period of July 8, 2015 through June 30, 2018 in an amount not to exceed \$20,960 per year, for a maximum total of \$62,880;
 - b. Accept non-standard terms as recommended by the Director of Information Technology;
 - c. Authorize the Contracts/Purchasing Officer to sign no more than three (3) future amendments providing for increases that total, cumulatively, no more than ten percent (10%) of the original maximum contract amount (\$6,288); and
 - d. Authorize the Contracts/Purchasing Officer to sign extensions of the Service Agreement for up to two additional years of service, provided there is no significant change to the Agreement scope of services or to the approved non-standard terms.

Approved - Agreement No. A-12807

- 51.** Approve and authorize the Auditor-Controller to increase FY 2015-16 appropriations by \$499,972 in Parks Fund 001 Department 7500 Appropriation PAR001 Unit 8146 Object 7521 financed by the release of \$499,972 from the Laguna Seca Track Maintenance and Repairs Assignment - Fund 001 Balance Sheet Account 3129 (4/5 vote required).

Approved

- 52.** Approve the use of Toro Park on July 12, 2015 for a function held by Spanish

American Baptist Church in compliance with Monterey County Code 14.12.130.

Approved

- 53.
- a. Approve and authorize the Contracts/Purchasing Officer to execute multiple agreements based on the criteria set forth in RFP #10432. The agreements are between the County of Monterey and the named vendors as follows: TPO Human Resources Management, Renne Sloan Holtzman Sakai, LLP., Public Interest Investigations, Inc., GY Investigations and Legal Services, Inc., CPS HR Consulting, Critical Incident Management Team, and William Avery & Associates, Inc., for the provision of Human Resources Consulting services to the County of Monterey on an as-needed basis for a term of five (5) years, effective from the date of execution through and including June 30, 2020. The aggregate amount over the term of all Agreements shall not exceed \$500,000, in accordance with the terms and conditions set within each Agreement;
 - b. Authorize the Contracts/Purchasing Officer to execute, after one year, similar additional Agreements for Human Resources Consulting services with contractors who meet the minimum requirements and comply with the County of Monterey standard terms and conditions, where each individual agreement does not affect the total aggregate amount authorized and any additional agreement shall terminate June 30, 2020; and
 - c. Authorize the Contracts/Purchasing Officer to increase the cumulative “not to exceed” amount by up to 10% of the original aggregate amount of \$500,000, even if no additional Agreements are entered into.

Approved - Agreement Nos. A-12795 (TPO Human Resources); A-12796 (Renee Sloan); A-12797 (Public Interest Investigations); A-12798 (GY Investigations); A-12799 (CPS HR Consulting); A-12800 (Critical Incident Management Team); A-12801 (William Avery & Assoc.)

- 54.
- a. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 2 to extend Lease Agreement (No. A-11760) for eighteen (18) months, effective January 1, 2016 through June 30, 2017, with B & A Farahmand Family Trust Dated November 8, 2006 for 12,011 square feet of space located at 1370-B South Main Street in Salinas, California, for use by the Monterey County Elections Department; and
 - b. Direct the Auditor-Controller to make lease payments of \$31,575.00 per month and in accordance with the terms of Amendment No. 2 - Eighteen Month Extension of Lease Agreement (Amendment No. 2).

Approved - Agreement No. A-11760

- 54.1
- a. Approve and authorize an operating transfer in the amount of \$378,000 in FY 2014-15 from the County Counsel Department Risk Management Division Enterprise Risk, Fund 001, Unit 8429, Appropriation Unit COU006, to the County Counsel Fund 001, Unit 8057, Appropriation Unit COU001; and
 - b. Approve and authorize the Auditor - Controller to increase FY 2014-15 estimated appropriations and revenue modifications in the amount of

\$378,000 in the County Counsel Department 1210, Appropriations Unit COU001. (4/5th vote required.) (ADDED VIA ADDENDUM)

Approved

54.2

a. Approve and authorize the Auditor-Controller to increase FY 2014-15 appropriations by \$1,383,583 in General Fund CAO Other Financing Uses - Fund 001 Department 1050 Appropriation CAO017 Unit 8038 Object 7614, financed by the use of unassigned fund balance remaining in General Fund 001 from FY2014-15 (4/5 vote required).

b. Authorize the transfer of \$1,383,583 from General Fund CAO Other Financing Uses - Fund 001 Department 1050 Appropriation CAO017 Unit 8038 Object 7614 to Parks Fund 452 Department 7500 Appropriation PAR004 Unit 8391 Object 5940. (ADDED VIA ADDENDUM)

Approved

54.3

a. Approve an increase in estimated revenues and appropriations of \$336,592 for the FY 2015-16 Economic Development Department's (EDD) Adopted Budget for the Workforce Development Board (WDB), Fund 007, Unit 8427 and Appropriation Unit DEO026 (4/5ths vote required); and

b. Authorize the Auditor-Controller to amend the FY 2015-16 Economic Development Department's Adopted Budget for the Workforce Development Board (WDB), Fund 007, Unit 8427 and Appropriation Unit DEO026, to increase appropriation by \$336,592 (4/5ths vote required). (ADDED VIA ADDENDUM)

Approved

RMA - Public Works

55.

Receive a report on the Projected Cash Flow for the New Juvenile Hall and Jail Housing Addition projects.

Approved

56.

a. Ratify the submittal of two (2) grant applications to the California Department of Transportation for Active Transportation Program grant funds for the Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment Bicycle/Pedestrian Path and Bridge Project and the Las Lomas Drive Bicycle & Pedestrian Improvements Project;

b. Authorize the Director of Public Works, or his designee, to act as the agent for the County in processing all documentation to secure these funds; and
c. Direct the Resource Management Agency - Public Works to return to the Board for approval prior to acceptance of any grant award(s).

Approved

57.

a. Approve the Castroville Boulevard Warranty Agreement with The Don

Chapin Company in compliance with condition of warranties for the Castroville Boulevard Overlay Project, Project No. 14-157165; and
b. Authorize the Public Works Director to execute the Castroville Boulevard Warranty Agreement.

Approved - Agreement No. A-12783

58. a. Adopt the Final County of Monterey Capital Improvement Program Five Year Plan 2015-16 through 2019-20; and
b. Approve maintaining an estimated \$266,000 in Fund 401 Fund Balance for unanticipated project costs.

Approved

59. Introduce, waive the reading, and set July 21, 2015 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending section 12.12.010 of the Monterey County Code to revise the speed limit from 35 miles per hour to 45 miles per hour for a section of Inter-Garrison Road in the East Garrison area of the unincorporated area of the County of Monterey.

Approved

60. Introduce, waive reading, and set July 21, 2015 at 10:30 a.m. to consider adoption of an ordinance amending Section 12.28.010 of the Monterey County Code to establish no parking at any time on the north side of Rio Road from the centerline with Oliver Road easterly to the centerline with Atherton Drive for a distance of 1,500 feet, in the vicinity of Carmel in the unincorporated area of Monterey County.

Approved

61. Adopt a Resolution to:
a. Confirm that the Board of Supervisors has authorized expenditures through Fiscal Year 2013-14 the amount of \$799,186 from the General Fund Capital Projects Fund 404 for the New Juvenile Hall Project (Project 8811) as part of the County Cash Match; and
b. Confirm that the \$799,186 in expenditures along with the \$16,992,638 set aside in the General Fund Balance Sheet Assignment 3127 represents the County's total Cash Match of \$17,791,824.

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-202 to:

- a. Confirm that the Board of Supervisors has authorized expenditures through Fiscal Year 2013-14 the amount of \$799,186 from the General Fund Capital Projects Fund 404 for the New Juvenile Hall Project (Project 8811) as part of the County Cash Match; and**
b. Confirm that the \$799,186 in expenditures along with the \$16,992,638 set aside in the General Fund Balance Sheet Assignment 3127 represents the County's total Cash Match of \$17,791,824. ALL AYES

62. Adopt a resolution:

- a. Approving the submission of the Certification Agreement to the Green Building Certification Institute (GBCI) for the purpose of initiating the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Certification Program; and
- b. Authorizing the Chair of the Board to sign the Confirmation of Agent's Authority to GBCI authorizing the Director of Public Works or his designee to act as the Owner's Agent for the San Lucas Branch Library project for the purposes of processing Project documents to achieve LEED Silver Certification or better.

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-203: a. Approving the submission of the Certification Agreement to the Green Building Certification Institute (GBCI) for the purpose of initiating the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) Certification Program; and

b. Authorizing the Chair of the Board to sign the Confirmation of Agent's Authority to GBCI authorizing the Director of Public Works or his designee to act as the Owner's Agent for the San Lucas Branch Library project for the purposes of processing Project documents to achieve LEED Silver Certification or better. ALL AYES