



# Monterey County

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

## Action Minutes

### Board of Supervisors

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

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Tuesday, May 22, 2012

9:00 AM

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See separate agendas for the Monterey County Water Resources Agency and the Pajaro County Sanitation District

#### Call to Order

#### Roll Call

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

#### 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 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
    - (1) Misty Brito v. County of Monterey (Monterey County Superior Court case no. M113111)
    - (2) Land Watch Monterey County v. County of Monterey (Monterey County Superior Court case no. M109434)
    - (3) The Open Monterey Project v. Monterey County Board of Supervisors (Monterey County Superior Court case no. M109441)
    - (4) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey (Monterey County Superior Court case no. M109442)
    - (5) Salinas Valley Water Coalition, et al. v. County of Monterey (Monterey County Superior Court case no. M109451)
  - b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

c. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Natividad Medical Center CEO.

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

(1) Designated representatives: Izetta Birch and Brette Neal  
Employee Organization(s): Units D and E

e. Pursuant to Government Code sections 54956.9(b) and 54956.9(c), 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 through e.**

### **10:30 AM Reconvene**

#### **Roll Call**

**Present: Evelia Meza, Interpreter**

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

#### **Pledge of Allegiance**

The Pledge of Allegiance was led by Supervisor Parker.

#### **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 additions and corrections:

##### **Correction to Consent Calendar – Natividad Medical Center**

13. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 6 to the Agreement (A 10081) with Professional Research Consultants Inc. for Patient Satisfaction Survey Services at NMC, extending the Agreement to June 30, 2013 and adding \$45,000 for Fiscal Year (FY) 2012 13 for a revised total Agreement amount not to exceed \$303,937.50 in the aggregate.

##### **Remove from Consent Calendar – Natividad Medical Center**

11. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to issue Purchase Orders per the County Master Agreements with Manpower Temporary Services and SFN Group Inc. (MA\*62 and MA\*65) for Temporary Help Services at NMC in an amount not to exceed \$2,000,000 for the period July 1, 2012 to June 30, 2013.

**Add Under Appointments**

**5.1 Appoint Efrain Ramirez to the Mental Health Commission, term ending May 31, 2015. (Supervisor Salinas)**

**Motion made by Supervisor Salinas, seconded by Supervisor Calcagno to approve Addtions and Corrections. ALL AYES**

### **Consent Calendar- (See Supplemental Sheet)**

**2.** Approve Consent Calendar - Regular (See Supplemental Sheet)

*Supervisor Parker pulled item 19.1 and asked questions of staff.*

*Supervisor Calcagno pulled items 16 and 19 and asked questions of staff.*

**A motion was made by Supervisor Parker, seconded by Supervisor Salinas, that the Consent Calendar-Regular be approved, with the exception of items 16, 19 and 19.1. The motion carried by consensus.**

### **Ceremonial Resolutions**

**3.** Adopt Resolution designating May 20, 2012 as "Emergency Medical Services Week" in Monterey County. (Supervisor Potter)

**A motion was made by Supervisor Parker, seconded by Supervisor Salinas, that Resolution No. 12-119 be adopted. ALL AYES**

**3.1** Adopt Resolution Honoring Sam McKinsey as the Past Chair of the Grower Shipper Association. (Supervisor Salinas) (ADDED VIA ADDENDUM)

*Public comment: Gary Richard Arnold*

**A motion was made by Supervisor Parker, seconded by Supervisor Salinas, that Resolution No. 12-223 be adopted. ALL AYES**

### **Appointments**

**4.** Appoint Kevan Urquhart to the Fish & Game Commission to fill an unexpired term ending February 1, 2013. (Supervisor Potter)

**A motion was made by Supervisor Calcagno, seconded by Supervisor Salinas, that this Appointment be approved. ALL AYES**

**5.** Appoint Christine di Iorio and reappoint William Sabo to the Airport Land Use Commission, terms ending May 2, 2016. (Full Board)

**A motion was made by Supervisor Calcagno, seconded by Supervisor Salinas, that this Appointment be approved. ALL AYES**

**5.1** Appoint Efrain Ramirez to the Mental Health Commission, term ending May 31, 2015. (Supervisor Salinas)

**A motion was made by Supervisor Calcagno, seconded by Supervisor Salinas, that this Appointment be approved. ALL AYES**

### Other Board Matters

6. Board Comments

Supervisor Parker announced the film " Service: When Women Come Marching Home" being shown at CSUMB's World Theater focusing on the service and challenges of female veterans, particularly disabled female veterans, at 7:00 p.m. this evening. She also announced the Fiesta of Hope, celebrating Mental Health Awareness Month at the Hyatt in Monterey, beginning at 5:30 p.m. which will include a display of artwork by people living with mental health challenges and an awards dinner featuring speaker Jerry Tao. Flyers are available

She also announced a walk she's co-hosting with Mayor Bruce Delgado on Monday, May 28th at 6:00 p.m. exploring some of the newly named national monuments. She encouraged the community to join the walk for fun and learning.

Supervisor Armenta announced the annual Memorial Day Ceremony on Memorial Day at 11:00 a.m.

Supervisor Potter announced he attended the dedication of the Fort Ord National Monument on Saturday. It's impressive land and a great asset to Monterey County. The personal interest of Secretary of the Interior Salazar highlighted the value of this resource to the community.

Supervisor Salinas highlighted the North County Artichoke Festival and the Salinas County Fair. It was very successful and hope the community continues to support these community events.

Supervisor Calcagno announced he hosted a community meetings in Las Lomas. He thanked Sheriff Scott Miller, Paul Greenway and Benny Young of the Resource Management Agency. The meeting addressed community issues. It was a great meeting and he thanked County staff and the Sheriff for participation.

7. CAO Comments and Referrals

There were no CAO comments or referrals.

8. General Public Comments

Gary Richard Arnold and Hans Jongens.

### 10:30 A.M. Scheduled Matters

9. Receive a Public Works Report Celebrating National Public Works Week 2012, RMA-Public Works.

A motion was made by Supervisor Calcagno, seconded by Supervisor Parker, that this report be received and filed. ALL AYES

**12:00 PM Recess to Lunch**

**1:30 PM Reconvene - Monterey County Board of Supervisors**

**1:30 P.M. Scheduled Matters**

10.

Public hearing to consider:

- a. Acknowledging receipt of the California Coastal Commission resolution approving the Monterey County Local Coastal Program Amendment Number MCO-1-12 Part 1;
- b. Adoption of a resolution to adopt the amended Del Monte Forest Land Use Plan;
- c. Adoption of an ordinance to amend the Monterey County Coastal Implementation Plan (Title 20 of the Monterey County Code) including: amending Section 20-10 of the zoning maps to rezone multiple locations (The Inn and Links at Spanish Bay, Areas B, C, F-2, J, K, L, F-1, F-3, I-1, and the Pebble Beach Corporation Yard); amending Section 20-16 of the zoning maps to rezone The Lodge at Pebble Beach, the Beach and Tennis Club, Collins Field, the Collins Residence parcels, and Areas M, I-2, U, V, G, H, N, O, and PQR; amending Sections 20.12.050 and 20.14.050 to remove golf courses as a conditional use allowed in these zoning districts; and amending Chapter 20.147 (Regulations for Development in the Del Monte Forest Land Use Plan Area); and
- d. Directing staff to transmit the amendments to the California Coastal Commission for confirmation by the Coastal Commission at their next regular meeting and incorporation into the County's Local Coastal Program.  
(Local Coastal Program Amendment of the Del Monte Forest Land Use Plan/PLN100138)

**Public hearing held; and a motion was made by Supervisor Armenta, seconded by Supervisor Parker:**

- a. Acknowledging receipt of the California Coastal Commission resolution approving the Monterey County Local Coastal Program Amendment Number MCO-1-12 Part 1;
- b. Adopting Resolution No. 12-124 to adopt the amended Del Monte Forest Land Use Plan;
- c. Adopting Ordinance 5201 to amend the Monterey County Coastal Implementation Plan (Title 20 of the Monterey County Code) including: amending Section 20-10 of the zoning maps to rezone multiple locations (The Inn and Links at Spanish Bay, Areas B, C, F-2, J, K, L, F-1, F-3, I-1, and the Pebble Beach Corporation Yard); amending Section 20-16 of the zoning maps to rezone The Lodge at Pebble Beach, the Beach and Tennis Club, Collins Field, the Collins Residence parcels, and Areas M, I-2, U, V, G, H, N, O, and PQR; amending Sections 20.12.050 and 20.14.050 to remove golf courses as a conditional use allowed in these zoning districts; and amending Chapter 20.147

(Regulations for Development in the Del Monte Forest Land Use Plan Area);  
and  
d. Directing staff to transmit the amendments to the California Coastal Commission for confirmation by the Coastal Commission at their next regular meeting and incorporation into the County's Local Coastal Program. (Local Coastal Program Amendment of the Del Monte Forest Land Use Plan/PLN100138)  
ALL AYES

### **Adjournment in Memory of Teresa Ruggiero Panetta**

### **Supplemental Sheet, Consent Calendar**

#### **Natividad Medical Center**

11. Removed from Calendar via Additions & Corrections Authorize the Purchasing Manager for Natividad Medical Center (NMC) to issue Purchase Orders per the County Master Agreements with Manpower Temporary Services and SFN Group Inc. (MA\*62 and MA\*65) for Temporary Help Services at NMC in an amount not to exceed \$2,000,000 for the period July 1, 2012 to June 30, 2013.
12. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. Five to the Agreement (A-11574) with Gallun Snow Associates Inc. for Interior Design Services at NMC, extending the Agreement to June 30, 2013 and adding \$142,000 for a revised total Agreement amount not to exceed \$640,499 in the aggregate.  
**Approved - Agreement No. A-11574**
13. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 6 to the Agreement (A-10081) with Professional Research Consultants Inc. for Patent Satisfaction Survey Services at NMC, extending the Agreement to June 30, 2013 and adding \$45,000 for Fiscal Year (FY) 2012-13 for a revised total Agreement amount not to exceed \$303,937.50 in the aggregate.  
**Approved - Agreement No. A-10081**

#### **Health and Social Services**

14. Approve and authorize the Director of Health to sign Renewal and Amendment No. 1 for FY 2011-12 with Stuart L. Lustig, M.D., M.P.H. for special psychiatric assessment services to Monterey County children residing out of State, extending the term to May 31, 2012 and adding \$7,937 for a total Agreement amount not to exceed \$18,087.  
**Approved**

**Criminal Justice**

15. a. Authorize the Contracts/Purchasing Officer to sign Renewal and Amendment No.3 to the Professional Services Agreement with Data 911 Mobile Computer Systems for the Sheriff's Office to retroactive to February 28, 2012 and increase the amount by \$15,147 for a revised total amount of \$55,956 for the repair and replacement of the mobile computer system components; and
- b. Authorize the Contracts/Purchasing Officer to sign future amendments to this agreement where the amendments do not significantly change the scope of work.

**Approved**

**General Government**

16. In accordance with Personnel Policies and Practices Resolution (PPPR) #98-394, Section A.1.11.1, authorize the placement of Mr. Carl P. Holm at Step 4 of the Deputy Director Resource Management Agency salary range effective June 2, 2012.
- Approved**
17. Set June 6, 2012 at 9:00 A.M. or thereafter for a public hearing to consider adoption of the Fiscal Year 2012-13 Appropriation Limits pursuant to Article XIII B of the California Constitution.
- Approved**
18. Authorize the Chair To Sign Amendment No. 5 to Agreement No. A-11162 with Gallina, LLP in an amount not to exceed \$230,489 to perform audits of the following: 2011-12 General Purpose Financial Statements, Single Audit, the 2011-12 Redevelopment Agency Financial Statements, the Public Improvement Corporation, the Treasury Oversight Committee, the Monterey County Financing Authority and the School Special Readiness and Special Needs Project.

**Approved - Agreement No. A-11162**

**RMA - Planning**

19. a. Approve the Parcel Map for the subdivision of an existing 1.46 acre parcel into two (2) parcels: Parcel 1 (1.15 acres) and Parcel 2 (13,626 square feet);
- b. Accept the Property Tax Clearance Certification (Subdivision) and the Parcel Map Guarantee; and
- c. Direct the Clerk of the Board to submit the Parcel Map to the County Clerk for recording.
- (Parcel Map - PLN100062/Jordan, 45 and 57 Boling Road, Las Lomas (Royal Oaks), North County Area Plan)

**Approved****19.1**

- a. Approve the Final Map for York Highlands, a standard re-subdivision of a portion of Monterra Ranch;
- b. Accept Dedicated Conservation and Scenic Easement Deed, Grant Deed to County of Monterey (OPL Parcel), and Deeds of Trust;
- c. Approve and authorize the Chair to execute the Subdivision Improvement Agreement and Irrevocable Offer to Dedicate a Nonexclusive Trail Easement and Declaration of Restrictions;
- d. Direct the Clerk of the Board to submit the Final Map, Permit Approval Notice, Dedicated Conservation and Scenic Easement Deed, Agreement to Implement a Mitigation Monitoring and Reporting Plan, Indemnification Agreement, Subdivision Improvement Agreement, Deeds of Trust, Avigation Easement, Grant Deed to County of Monterey (OPL Parcel), Irrevocable Offer to Dedicate a Nonexclusive Trail Easement and Declaration of Restrictions, Deed Restriction (Water Utility Parcel), Declaration of Annexation and Two (2) Water Conservation & Landscaping Notices to the County Recorder for recording.

(Final Map-PLN100020 / PLN120024 York Highlands Resubdivision, South of the intersection of State Highway 68 and York Road, Monterey, Greater Monterey Peninsula Area Plan.)(ADDED VIA ADDENDUM)

**A motion was made by Supervisor Armenta, seconded by Supervisor Salinas, that this General Agenda be approved. 4-1 (Supervisor Parker dissented)**

**RMA - Public Works****20.**

- a. Approve Amendment No. 9 to Professional Services Agreement No. A-09966 with Wood Rodgers, Inc. to provide additional project management, review and processing of the environmental documents, and approval related to the Project Approval and Environmental Determination and Plans, Specifications and Estimate for the Highway 68 - Corral de Tierra Road Intersection Improvements, Project No. 114065, in the amount of \$73,330 for a total amount not to exceed \$741,262, and extend the term to December 31, 2014; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 9 to Professional Services Agreement No. A-09966 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

**Approved - Agreement No. A-09966**

**21.**

- a. Award a contract to John F. Otto, Inc., dba Otto Construction the lowest responsible and responsive bidder, for Integrated Health Clinic Services Center, 298 12th Street, Marina, CA Project No. 8834, Bid Package No. 10351, in the total amount of \$2,576,050;
- b. Approve the Performance and Payment Bonds executed and provided by John F. Otto, Inc., dba Otto Construction;



- c. Authorize a contingency in the amount of \$257,605 to ensure funding to complete the project as determined by the Director of Public Works; and
- d. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve contract change orders where each change order does not exceed 10% of the original contract amount, and do not significantly alter the scope of work.

**Approved - Agreement No. A-12220; Construction No. 2012-008**

**22.**

Acting on behalf of County Service Area 75 - Chualar:

- a. Set a Public Hearing on June 19, 2012, at 10:30 a.m., to hear the report of delinquent fees and consider any protests or objections to the report by landowners liable to be assessed for delinquent fees for the County Service Area 75 - Chualar;
- b. Direct that a report of delinquent fees be prepared; and
- c. Direct the RMA- Public Works to mail the notice of hearing to the landowners listed in the report not less than ten (10 days) prior to the date of the hearing

**Approved**

