

Monterey County

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



Action Minutes - Draft

Tuesday, October 20, 2015

9:00 AM

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*

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 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(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
 - b. Pursuant to Government Code section 5497, the Board will confer with the Sheriff and County Counsel regarding threat to public services or facilities. (ADDED VIA ADDENDUM)

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

10:30 A.M. - Reconvene

Roll Call

Present: Charlies 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

There were no additions or corrections to the agenda.

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Eric Peterson requested item 22 be pulled. He comments on the item.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve the Consent Calendar (see Supplemental Sheet).
ALL AYES

Ceremonial Resolutions

3. Adopt Resolution acknowledging Restorative Justice Practices in Monterey County. (Full Board) (Presentation at 1:30)
A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-276 acknowledging Restorative Justice Practices in Monterey County. (Full Board) (Presentation at 1:30) ALL AYES
4. Adopt Resolution honoring Bishop W.W. Hamilton upon his retirement as the Pastor of Greater Victory Temple after 35 years of outstanding service. (Supervisor Parker)
A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-277 honoring Bishop W.W. Hamilton upon his retirement as the Pastor of Greater Victory Temple after 35 years of outstanding service. (Supervisor Parker) ALL AYES
5. Adopt Resolution proclaiming October 24th through November 21st, 2015 as the End of Harvest Season Illegal Dumping Prevention Campaign in Monterey County. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-278 proclaiming October 24th through November 21st, 2015 as the End of Harvest Season Illegal Dumping Prevention Campaign in Monterey County. (Full Board). ALL AYES

Other Board Matters

6. Board Comments
Supervisor Armenta advised he submitted a Board Referral regarding a funding source for Interlake Tunnel and Spillway projects.
Supervisor Parker announced that Natividad Medical Center Level 3 Neo-natal Intensive Care Unit (NICU) is celebrating it's 10 year anniversary. She commended the NICU staff & providers caring for the babies, as well as the families supporting their children during their hospital stay.
Supervisor Parker advised there is an art exhibit this coming Saturday at the Press Club in Seaside. It's an exhibit of photographs and paintings of Fort Ord habitat and people enjoying the habitat. A reception with the artists will be held on Saturday, October 24th from 5 pm to 8 pm at the Press Club and all are welcome to attend.

7. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman advised of the following referral from Supervisor Armenta:

Interim Funding Agreement for the Interlake Tunnel and Spillway Modification Project; the purpose of the referral is to request the Water Resources Agency (WRA) General Manager present to the Board of Supervisors of the Agency a revised project cash flow diagram that will detail updated contract cashflow requirements for design, environmental engineering, and ballot work that will bring the project to the 218 ballot phase. Concurrently requested that the agency work with the County Administrative Office to work with WRA General Manager to identify funding to finance a third funding agreement; requested staff bring this back to the Board within 30 days.

8. General Public Comment

Ann Mahoney; Steve Eklund; Eric Peterson; Maryann Smith; Gertrude Smith; Hans Jongens; Joe Vierra.

10:30 A.M. - Scheduled Matters

9. 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 Coast Road from the centerline with State Highway 1 easterly for a distance of 350 feet in the Big Sur area of the unincorporated area of Monterey County.

Public comment: Bill Nye.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Ordinance 5259 amending Section 12.28.010 of the Monterey County Code to establish no parking at any time on the north side of Coast Road from the centerline with State Highway 1 easterly for a distance of 350 feet in the Big Sur area of the unincorporated area of Monterey County.

ALL AYES

10. Consider adoption of an ordinance adding section 12.28.075 to the Monterey County Code to establish a 30-minute parking zone, effective all days between the hours of 8 a.m. and 5 p.m., on the east side of Porter Drive from a point 545 feet from the southeast curb return of San Juan Road, southerly to the centerline of Salinas Road in the Pajaro area, in the unincorporated area of Monterey County.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Jane Parker to adopt Ordinance 5260 adding section 12.28.075 to the Monterey County Code to establish a 30-minute parking zone, effective all days between the hours of 8 a.m. and 5 p.m., on the east side of Porter Drive from a point 545 feet from the southeast curb return of San Juan Road, southerly to the centerline of Salinas Road in the Pajaro area, in the unincorporated area of Monterey County. ALL AYES

11. a. Conduct a Public Hearing to take comments on the draft Urban County Community Development Block Grant Consolidated Annual Performance

- and Evaluation Report for FY 14-15;
- b. Approve the Urban County Community Development Block Grant Consolidated Annual Performance and Evaluation Report for FY 14-15 for submittal to the U.S. Department of Housing and Urban Development; and
 - c. Authorize the Director of the Economic Development Department to make minor changes to the report as needed or in response to comments from HUD.
- a. Held a Public Hearing to take comments on the draft Urban County Community Development Block Grant Consolidated Annual Performance and Evaluation Report for FY 14 15.**
Public comment: Joe Vierra.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to:

- b. Approve the Urban County Community Development Block Grant Consolidated Annual Performance and Evaluation Report for FY 14 15 for submittal to the U.S. Department of Housing and Urban Development; and**
 - c. Authorize the Director of the Economic Development Department to make minor changes to the report as needed or in response to comments from HUD.**
- 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

12. Accept and approve the Community Restorative Justice Commission 2014 Annual Report. (Presentation of Ceremonial Resolution)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to accept and approve the Community Restorative Justice Commission 2014 Annual Report. (Presentation of Ceremonial Resolution) ALL AYES**

Presentation of Ceremonial Resolution to the Community Restorative Justice Commission (Item No. 3).

Presentation by Chair Salinas to Kathy Bauer, Chairman fo the Community Restorative Justice Commission.

13. Receive an update on the feasibility of a Probation-run Day Reporting Center (DRC) in Monterey County.

Public comment: Finoche Ortiz; Efram Anda; John Pineda; Lamont Joyce; Pamela Weston; Mel Mason; Rene Casas; Jaqueline Tinon; Steve Eklund; George Villa; Miriam Smith; Dice; Gertrude Smith.

By consensus, the Board received an update on the feasibility of a Probation-run Day Reporting Center (DRC) in Monterey County.

14. Receive a report from Dr. Gary Gray, Natividad Medical Center Chief Executive Officer and Elizabeth Lorenzi, Vice President and Chief Operating Officer Community Health Innovations regarding Central Coast Health Connect (CCHC).

Public comment: Pamela Weston.

By consensus, the Board received a report from Dr. Gary Gray, Natividad Medical Center Chief Executive Officer and Elizabeth Lorenzi, Vice President and Chief Operating Officer Community Health Innovations regarding Central Coast Health Connect (CCHC).

15. Public hearing to consider:
- a. Denying an appeal by Ms. Massy Mehdipour of the Historical Resources Review Board's recommendation to the Monterey County Building Official to impose additional requirements on the Mothball Protection Plan to preserve the "Connell House," located at 1170 Signal Road in Pebble Beach, from further damage due to exposure to weather; and
 - b. Approving a Mothball Protection Plan with conditions to maintain the house and to protect it from further damage and deterioration.

A motion was made by Supervisor Dave Potter, seconded by Supervisor John M. Phillips to continue the Public Hearing to November 17, 2015 to consider: a. Denying an appeal by Ms. Massy Mehdipour of the Historical Resources Review Board's recommendation to the Monterey County Building Official to impose additional requirements on the Mothball Protection Plan to preserve the "Connell House," located at 1170 Signal Road in Pebble Beach, from further damage due to exposure to weather; and b. Approving a Mothball Protection Plan with conditions to maintain the house and to protect it from further damage and deterioration (Appeal from the Monterey County Historical Resources Review Board's recommendation to the Monterey County Building Official regarding the Mothball Protection Plan for the "Connell House" - REF150089/1170 Signal Hill Road, Pebble Beach, Del Monte Forest Land Use Plan) (RESOLUTION ATTACHMENT ADDED VIA SUPPLEMENTAL) ALL AYES

Adjournment

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**

16. a. Ratify and authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute an Agreement with Salinas Valley Memorial Hospital (SVMH), retroactive to July 1, 2015, for Laboratory Testing Services for NMC in an amount not to exceed \$432,000 and with an Agreement term of July 1, 2015 through October 31, 2018.
- b. Authorize the Deputy Purchasing Agent for NMC to execute up to two (2) future Amendments to the Agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) of the original cost of the Agreement per each amendment.

Approved - Agreement No. A-12966

Health Department

17. Approve and authorize the Director of Health to execute a Social Work Field Practicum Agreement between the Monterey County Health Department (“MCHD”) and California State University, Northridge (“University”) for students to obtain practical, clinical experience at MCHD for the period of August 26, 2015 to June 30, 2016.

Approved - Agreement No. A-12963

18. Approve and authorize the Director of Health to execute a Social Work Field Education Practicum Agreement between the Monterey County Health Department (“MCHD”) and San Francisco State University for students obtaining practicum experience to obtain their license in the field of social work at MCHD for Fiscal Year 2015-2016.

Approved - Agreement No. A-12967

Department of Social Services

- 18.1 a. Approve the Tri-County Commercially Sexually Exploited Children (CSEC) Program Memorandum of Understanding (MOU); and
- b. Authorize the following County representatives to sign the Tri-County Commercially Sexually Exploited Children Program (CSEC) Memorandum of Understanding (MOU): Robert Taniguchi, Deputy Director of Social Services for the Family and Children's Services Branch; Marcia Parsons, Chief Probation Officer; and Ray Bullick, Director of Health.

Approved

General Government

19. Receive and approve the Treasurer-Tax Collector's Bank Account and Merchant Card Services Policy.
- Approved**
20. a. Approve and authorize the Contracts/Purchasing Officer to execute an agreement with SOVOS Compliance in the amount of \$29,548.80 for the Fiscal Year ending June 30, 2016 to comply with the IRS reporting requirements of the Affordable Care Act and to issue 1095-C documents to all required employees; and
- b. Accept Non-Standard County Liability Provisions as recommended by the Auditor-Controller; and
- c. Authorize the Contracts/Purchasing Officer to sign renewals to the service agreement for up to two additional on year terms with the same non-standard contract provisions.
- Approved - Agreement No. A-12962**
21. a. Approve the template lease (Memorandum of Understanding between the County of Monterey and Local Public Safety Agencies Regarding Communications Services) for rental of radio communications vault space at a County communications site; and
- b. Authorize the Director of Information Technology to execute the template lease, including making minor alterations that do not substantially alter the terms of the lease, with local public safety agencies that wish to lease radio communications vault space at a County communications site.
- Approved**
- 21.1 a. Approve and authorize the Treasurer-Tax Collector to sign and execute a Merchant Services Government Program Guide /Agreement with Wells Fargo Bank for the provision of enterprise wide Cardholder Present Merchant Card services, per the fee schedule provided, for the period of July 1, 2015 through June 30, 2018; and
- b. Approve non-standard language in the Wells Fargo Bank Government Program Guide/ Agreement as recommended by the Treasurer-Tax Collector; and
- c. Authorize the Treasurer-Tax Collector to sign annual renewals to the Wells Fargo Merchant Services Government Program Guide /Agreement and to issue purchase orders on an as needed basis, incorporating the same non-standard contract provisions for up to an additional two (2) years where the combined total of all purchase order fees or annual customer service fees do not exceed ten percent (10%) of the original prorated annual contract amount fees and do not significantly change the scope of the original Agreement.

Approved - Agreement No. A-12964

RMA - General

22.

Adopt a Resolution to:

- a. Find that the Carmel Lagoon Winter 2015-16 Sandbar Management Plan (Winter SMP) is statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15269(c) for emergency projects;
- b. Approve the Carmel Lagoon Winter 2015-16 Sandbar Management Plan; and
- c. Authorize the Director of the Resource Management Agency to obtain required permits and fully implement the Carmel Lagoon Winter SMP if needed during emergency situations throughout the 2015/2016 rainy season to alleviate flooding.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 15-279:

- a. Finding that the Carmel Lagoon Winter 2015-16 Sandbar Management Plan (Winter SMP) is statutorily exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15269(c) for emergency projects;**
- b. Approving the Carmel Lagoon Winter 2015-16 Sandbar Management Plan; and**
- c. Authorizing the Director of the Resource Management Agency to obtain required permits and fully implement the Carmel Lagoon Winter SMP if needed during emergency situations throughout the 2015/2016 rainy season to alleviate flooding. ALL AYES**