

# Monterey County

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



## Meeting Agenda - Final-revised

Tuesday, December 16, 2014

9:00 AM

**Separate agendas for Pajaro County Sanitation District, Board of Supervisors of the Monterey County Water Resources Agency and Special Joint Meeting of the Board of Supervisors, BoS of the Water Resources Agency and the Water Resources Agency BoD**

### **Board of Supervisors**

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

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901. As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

**ALTERNATE AGENDA FORMATS:** If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

**CEREMONIAL/APPOINTMENTS/OTHER BOARD MATTERS:** These items may include significant financial and administrative actions, and items of special interest, usually approved by majority vote for each program. The regular calendar also includes "Scheduled Items," which are noticed hearings and public hearings.

**CONSENT CALENDAR:** These matters include routine financial and administrative actions, appear in the supplemental section by program areas, and are usually approved by majority vote.

**TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA:** Walk to the rostrum and wait for recognition by the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board's action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

**TO ADDRESS THE BOARD DURING PUBLIC COMMENT:** Please complete a Speaker Request Form, available on the rostrum, and submit it to the Clerk of the Board before the commencement of that agenda item. Public comments shall not pertain to matters on the agenda.

**DOCUMENT DISTRIBUTION:** Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

**INTERPRETATION SERVICE POLICY:** The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for translation assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un interprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

All documents submitted by the public must have no less than ten (10) copies. The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting. Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board's Office located at 168 W. Alisal St., 1st Floor, Salinas, California. during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5

**Final Revised Agenda published December 12, 2014 at 5:15 PM**

**NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Board Report.**

**9:00 A.M. - Call to Order****Roll Call****Additions and Corrections for Closed Session**

*The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code. The public may comment on Closed Session items prior to the Board's recess 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)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) Landwatch Monterey County v. County of Monterey (Monterey County Superior Court case no. M109434)
    - (2) The Open Monterey Project v. Monterey County Board of Supervisors (Monterey County Superior Court case no. M109441)
    - ~~(3) California American Water Company v. Marina Coast Water District, et al. (San Francisco County Superior Court case no. CGC-13-528312 (ITEM REMOVED VIA SUPPLEMENTAL))~~
  - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~three matters~~ two matters of significant exposure to litigation. (ITEM REVISED VIA SUPPLEMENTAL)
  - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.
  - d. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:
    - (1) Designated representatives: Dr. Kelly O'Keefe, NMC Interim CEO and Charles McKee, County Counsel.

*Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board. The public may comment on Closed Session items prior to*

*the Board's recess to Closed Session.*

## **10:30 AM Reconvene**

### **Roll Call**

### **Pledge of Allegiance**

### **Additions and Corrections**

*The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.*

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

2. Approval of Consent Calendar (See Supplemental Sheet)

### **Ceremonial Resolutions**

3. Adopt Resolution honoring Chief Probation Officer Manuel Real upon his retirement from the Monterey County Probation Department after 39 years of outstanding county service. (Full Board)  
  
**Attachments:** [Manuel Real Ceremonial Resolution](#)
4. Adopt Resolution honoring Rene Cantú upon his retirement from the Monterey County Treasurer - Tax Collector's Revenue Division after 37 years of dedicated service (Full Board).  
  
**Attachments:** [Cantú Ceremonial Resolution](#)
5. Adopt Resolution commending Jim DiMaggio, GIS Analyst II, on his retirement with 35 years of dedicated public service with Monterey County. (Full Board)  
  
**Attachments:** [DiMaggio Ceremonial Resolution](#)
6. Adopt Resolution honoring Denise Duffy & Associates, Inc. on the occasion of their 30th Year Anniversary. (Full Board)  
  
**Attachments:** [Denise Duffy & Associates 30th Anniversary Ceremonial Resolution](#)
7. Adopt Resolution Commending Nancy Tracy, Monterey County Deputy Sheriff, Upon Her Retirement. (Full Board)  
  
**Attachments:** [Tracy Ceremonial Resolution](#)
- 7.1 Adopt Resolution commending Steve Price for his 35 years of dedicated service with the California Department of Transportation. (Supervisor Potter)  
  
**Attachments:** [Price Ceremonial Resolution](#)

- 7.2 Adopt Resolution honoring Juvenile Institutions Supervisor Jeffery L. Boles upon his retirement from the Monterey County Probation Department after 30 years of outstanding county service. (Full Board) (ADDED VIA ADDENDUM)

**Attachments:** [Boles Ceremonial Resolution](#)

### **Appointments**

8. Reappoint to the Historical Resources Review Board John Scourkes for a term ending December 31, 2017. (Supervisor Parker)

**Attachments:** [Scourkes Notification to Clerk](#)

9. Reappoint to the Military and Veterans Affairs Advisory Commission James Bogan; Ron Holland and Michael O'Brien for terms ending January 1, 2018. (Full Board)

**Attachments:** [Bogan Notification to Clerk](#)

[Holland Notification to Clerk](#)

[O'Brien Notification to Clerk](#)

10. Appoint to the Central California Alliance for Health Kelly O'Keefe M.D., CEO to fill an unscheduled vacancy with a term ending October 7, 2015.(Full Board)

**Attachments:** [O'Keefe Notification to Clerk](#)

- 10.1 Reappoint to the Greenfield Cemetery District Vera Snowden for a term ending December 31, 2017. (Supervisor Salinas)

**Attachments:** [Snowden Notification to Clerk](#)

### **Other Board Matters**

11. Board Comments

12. CAO Comments and Referrals

**Attachments:** [Referrals 121614](#)

13. General Public Comment

*This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to the statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Board at a future meeting.*

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

14. ITEM DELETED VIA SUPPLEMENTAL

- 14.1 a. Consider approval of the Manzanita County Parks Sports Complex Concession Agreement between the County of Monterey and the North County Youth Recreation Association for a period of 10 years retroactive to August 1, 2011; and
- b. Authorize the Chair of the Board of Supervisors to sign the agreement.

**Attachments:** [Board Report](#)  
[Manzanita Park Concession Agreement 2014](#)

**12:00 PM Recess to Lunch - Continued Closed Session****1:30 PM Reconvene****Roll Call****1:30 P.M. - Scheduled Matters**

- 14.2 Consider adopting a resolution to amend the County of Monterey Condition of Approval and Mitigation Monitoring and Reporting Program (“Program”), adopted on January 24, 2012, that: includes detailed procedures for tracking, monitoring, enforcement, and reporting on conditions of approval; fulfills the requirements of the California Environmental Quality Act (CEQA) for monitoring and reporting of mitigation measures imposed under CEQA; and sets forth the responsibilities of County Departments for various aspects of monitoring, reporting, and enforcement of conditions of approval. The proposed amendment to the Program establishes procedures for electronic tracking of conditions of approval, clarifies applicability of the Program to discretionary land use entitlements that are approved with mitigation measures, and clarifies administration and implementation of the Program.  
(Condition of Approval-Mitigation Monitoring and Reporting Program - REF140079) (ADDED VIA ADDENDUM)

**Attachments:** [Board Report](#)  
[Attachment A - Draft Board Resolution](#)  
[Attachment B - Tracked Changes Version](#)  
[Attachment B-1 - Agreement to Implement](#)  
[Attachment B-2 - Condition Compliance Form template](#)  
[Attachment C - Clean version](#)  
[Attachment C-1 - Agreement to Implement](#)  
[Attachment C-2 - Condition Compliance Form template](#)

15. a. Adopt a resolution finding the proposed ordinance of the County of Monterey, State of California, amending Chapter 8.04 of Title 8 and adding Chapter 8.50 to Title 8 of the Monterey County Code, categorically exempt under the California Environmental Quality Act; and
- b. Adopt an ordinance of the County of Monterey, State of California, amending Chapter 8.04 of Title 8 and adding Chapter 8.50 to Title 8 of the Monterey County Code, relating to the keeping of roosters.

**Attachments:** [Board Report](#)  
[Attachment A Rooster ordinance CEQA exemption resolution final](#)  
[Attachment B Rooster Keeping Ordinance](#)

16. Consider:  
Adoption of an ordinance amending Chapter 10.60 of the Monterey County Code relating to Noise control.  
(Nighttime Noise Ordinance - REF140008, County-wide; exempt under CEQA)

**Attachments:** [Board Report](#)  
[Attachment A - Discussion](#)  
[Attachment B - Draft Ordinance](#)  
[Attachment C - Draft Ordinance with track changes](#)

- 16.1 Public hearing to consider:
- a. Adoption of a finding that the Corral de Tierra Neighborhood Retail Village project (Omni Resources LLP) has a long term sustainable water supply both in quality and quantity to serve the project pursuant to Policies PS 3.1 and PS 3.2 of the 2010 Monterey County General Plan, in response to the Order of Interlocutory Remand issued by the Monterey County Superior Court in litigation resulting from the Board of Supervisors' February 7, 2012 approval of the project. The project previously approved by the Board included a Combined Development Permit consisting of a: 1) Use Permit; 2) General Development Plan; and 3) Design Approval for development of a 99,970 square foot retail center known as the Corral de Tierra Neighborhood Retail Village and 4) Lot Line Adjustment to modify the lot line between two existing parcels (5.6 acres and 5.38 acres in area) to create Parcel A (1.12 acres) and Parcel B (9.86 acres); and
- b. Authorize County Counsel to advise the court that the County has completed its proceedings on remand  
(Omni Resources LLP/(File Nos. PLN110077 and PLN020344; 5 Corral de Tierra Road, Toro Area Plan.) (ADDED VIA ADDENDUM)



**Attachments:** [Board Report](#)  
[Attachment A - Discussion](#)  
[Attachment B - Draft Board Resolution](#)  
[Attachment C - Request from Applicant](#)  
[Attachment D - Resolution No. 12-040](#)  
[Attachment E - Excerpt from 4-12-2011 SR to the BOS](#)  
[Attachment F - Transcript from 4-12-2011 BOS meeting](#)  
[Attachment G - Transcrip from 2-7-2012 BOS meeting](#)  
[Attachment H - Order of Interlocutory Remand](#)

**16.2**

Public hearing (continued closed from December 9, 2014) to consider:

- a. Adoption of a resolution to certify the Final Environmental Impact Report and adopt associated Findings of Fact and a Statement of Overriding Considerations for the Ferrini Ranch Subdivision Project;
- b. Adoption of a resolution to approve a Combined Development Permit for the Ferrini Ranch Subdivision Project, including a Vesting Tentative Map for the subdivision of approximately 870 acres into 185 lots, including 168 market rate single family residential lots and 17 lots for moderate income Inclusionary Housing units; three Open Space parcels totaling approximately 700 acres (Parcels A, B, & C), and a parcel for the future development of a visitor center (Parcel D); Use Permit for removal of up to 921 protected Oak trees; and Use Permit for development on slopes exceeding 30 percent; and to adopt a Mitigation Monitoring and Reporting Plan; and
- c. Adoption of a resolution to deny the request to change the General Plan Land Use Designation of Parcel D from LDR 2.5 to Agricultural Industrial and to deny the request to apply the Agricultural Industrial zoning classification to Parcel D of the Ferrini Ranch Subdivision.

(Combined Development Permit and Vesting Tentative Map - PLN040758/Bollenbacher & Kelton (Ferrini Ranch), Fronting on and southerly of State Highway 68, encompassing two areas separated by Toro Regional Park. The eastern portion is bound by River Road and the western portion is bound by San Benancio Road., Toro Area Plan) (ADDED VIA ADDENDUM)

**Attachments:** [Board Report](#)  
[Attachment A - Draft Board Resolution](#)  
[Attachment B - Draft Board Resolution](#)  
[Attachment C - Draft Board Resolution](#)

**4:00 PM Convene Special Joint Meeting**

**See separate agenda for the Special Joint Meeting of the Board of Supervisors,  
Board of Supervisors of the Monterey County Water Resources Agency and the  
Water Resources Agency Board of Directors**

**Adjournment**

*Adjourn in Memory of Sharlene Lee*

**Supplemental Sheet, Consent Calendar****Natividad Medical Center**

17. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute the Third Amendment to Professional Medical Services Agreement with Laurel J. Grimm M.D. to provide hospitalist services at NMC effective January 1, 2015, adding \$200,000 and extending the term of the Agreement to December 31, 2015 for a total amount not to exceed \$600,000 in the aggregate; and
- b. Authorize the Deputy Purchasing Agent for NMC to execute 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.

**Attachments:** [Board Report](#)[LAUREL GRIMM THIRD AMENDMENT.pdf](#)[LAUREL GRIMM SECOND AMENDMENT \(1233114\).pdf](#)[LAUREL GRIMM FIRST AMENDMENT.pdf](#)[LAUREL GRIMM AGREEMENT.pdf](#)

18. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute the Second Amendment to Professional Medical Services Agreement with Kalle Varav M.D. to provide pain management services at NMC effective January 1, 2015, adding \$200,000 and extending the term of the Agreement to December 31, 2016 for a total amount not to exceed \$300,000 in the aggregate; and
- b. Authorize the Deputy Purchasing Agent for NMC to execute 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.

**Attachments:** [Board Report](#)[KALLE VARAV SECOND AMENDMENT.pdf](#)[KALLE VARAV FIRST AMENDMENT.pdf](#)[KALLE VARAV AGREEMENT.pdf](#)

19. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 4 to the Agreement with eCare Manage, Inc. to extend the Agreement term an additional six (6) month period for a revised Agreement term of January 1, 2012 through June 30, 2015 and increase the amount of the Agreement by an additional \$356,250 to cover the costs of the 6 month term extension, for a revised total Agreement amount not to exceed \$4,393,750 and an aggregate total of \$4,843,750.

**Attachments:** [Board Report](#)  
[Board Report Table 1 - eCare Milestones .docx](#)  
[eCare Manage Amendment 4.pdf](#)  
[eCare Manage Inc IT Telecom Svcs Amendment 2 Ratified plus Amendment 3.i](#)  
[eCare Manage Inc IT Telecom Svcs Renewal-Amendment 1.pdf](#)  
[eCare Manage Inc IT Telecom Svcs Agmt.pdf](#)  
[eCare Mange Spend Sheet.xls](#)

20. Approve and authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 3 to the Agreement (A-12461) with Navin, Haffty & Associates, LLC for Information Technology Project Management Consulting Services at NMC to extend the term and adding \$1,111,600 for a revised total Agreement amount not to exceed \$4,876,100 in the aggregate Agreement term of July 1, 2013 through June 30, 2016.

**Attachments:** [Navin Haffty Agmt plus BO.pdf](#)  
[Board Report](#)  
[Navin Haffty Amendment No.3.pdf](#)  
[Navin Haffty Amend. No. 1 plus BO.pdf](#)  
[Navin Haffty Amend. No. 2 plus BO.pdf](#)  
[Navin Haffty & Assoc. Spend Sheet.pdf](#)

- 20.1 Adopt Resolution to:
- Approve and authorize execution of Employment Agreement Amendment No. 4 with Chief Medical Officer Dr. Gary Gray.
  - Ratify Amendments Nos. 1, 2, and 3 to the Employment Agreement with Chief Medical Officer Dr. Gary Gray and all compensation paid under those amendments. (ADDED VIA ADDENDUM)

**Attachments:** [Board Report](#)  
[Amendment 4 to CMO Agreement clean.docx](#)  
[CMO Agreement and Amdmt 1 and 2 and 3.pdf](#)  
[Resolution re Ratification of CMO Agreements clean.docx](#)

## **Health Department**

21. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Health Department of Monterey County.

**Attachments:** [Board Report](#)  
[COI Code Amendment Exhibit A](#)  
[Resolution to Amend COI Exhibit A Designated Positions 20141113](#)

22. a. Amend Fiscal Year (FY) 2014-15 Health Department Budget 4000, HEA012-8410 to add 1.0 FTE Psychiatric Social Worker IIs, 1.0 FTE Social

Worker III;

b. Amend FY 2014-2015 Health Department Budget 4000, HEA012-8410 to reallocate 3.0 FTE

Alcohol & Drug Counselor IIs to 3.0 FTE Psychiatric Social Worker II; and

c. Authorize the County Administrative Office to incorporate positions changes in the FY 2014-15 Budget.

**Attachments:** [Board Report](#)

[Attachment A BH Positions](#)

23.

Approve the Health Department's Clinic Services Bureau, Billing and Collection of Self-Pay Account Policy and Procedure, which, among other things, would authorize either the Clinic Services Bureau Chief ("Bureau Chief") or the Monterey County Health Department Clinic Services Bureau Finance Manager II with the written concurrence of the Assistant Director of Health/Administration Bureau, to compromise patient debts and write off outstanding, self-pay guarantor accounts receivable in the amount up to two-thousand dollars (\$2,000).

**Attachments:** [Board Report](#)

[Policy\\_F001 Collection Write Off\\_FINAL 12022014](#)

[p\\_p Policy Collections Attachment A - Procedures](#)

[Routing Approval Form P&P](#)

24.

Approve and authorize the Director of Health to sign and execute Amendment No. 7 to Agreement No: A-11610 for a fifth one (1) year contract extension with American Medical Response - West (AMR) for the period of January 31, 2019 through January 31, 2020.

**Attachments:** [Board Report](#)

[Exhibit A-AMR West Letter](#)

[Exhibit B-Contract Section 6](#)

[Exhibit C-Amendment No. 7](#)

[Exhibit D-Exhibit B Monterey County Ambulance Rates](#)

25.

Approve and authorize the Director of Health to sign Amendment No. 3 to the Mental Health Services Agreement A-12283 with Aspiranet to increase funding for the Home Alternatives to Residential Treatment (HART) program for FY 2014-15 from \$461,981 to \$686,495 (an increase of \$224,514), for a revised total Agreement amount not to exceed \$1,336,515 in the aggregate.

**Attachments:** [Board Report](#)

[Aspiranet, Amdt No. 3 to A-12283](#)

[ASPIRANET Amendment No 1 to A-12283, B-1 \(Fully Executed\)](#)

[ASPIRANET Amendment 2 to A-12283 \(fully executed\)](#)

[Aspiranet executed agreement A-12283 for FY 2012-15](#)

26. Approve and Authorize the Chair of the Monterey County Board of Supervisors to sign the Co-Applicant Agreement between the Monterey County Board of Supervisors and Monterey County Community Health Center Board.

**Attachments:** [Board Report](#)  
[Co-Applicant County-CHCB final](#)

27. a. Approve and Authorize the Director of Health to sign County of Monterey Standard Agreement with Peninsula Business Interiors for new product, delivery and installation services of new furniture for the Laurel Family Practice Clinic expansion, for a total contract amount not to exceed \$256,730.16, for the period of December 16, 2014 to June 30, 2015; and  
b. Authorize the Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not exceed 10% of the annual amount and do not significantly change the scope of work.

**Attachments:** [Board Report](#)  
[PBI SA 14-15 V2](#)

- 27.1 a. Ratify a three-year Agreement (“Agreement”) with Netsmart Technologies, Inc. for the provision of implementation services for the migration of the existing electronic medical record system from a County hosted software solution to a Contractor hosted solution, software maintenance/support services, and technical support in the amount of \$630,240 for the period July 1, 2014 through June 30, 2015, \$529,442 for the period July 1, 2015 through June 30, 2016, and \$501,942 for the period July 1, 2016 through June 30, 2017, for a total aggregate amount not to exceed \$1,661,624; and  
b. Accept the non-standard risk terms regarding limitations on liability, limitations of warranty, and indemnification, as recommended by the Director of Health ; and  
c. Authorize the execution of the Agreement by the Contracts/Purchasing Officer; and  
d. Authorize the Contracts/Purchasing Officer, to sign up to three future amendments to this Agreement where the total amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work. (ADDED VIA ADDENDUM)

**Attachments:** [Board Report](#)  
[FINAL DRAFT - NETSMART 12 10 14 \(2\)](#)

### **Department of Social Services**

28. a. Amend the Department of Social Services Budget Unit 001-5010-SOC005-8262 to add six (6) FTE Social Worker III’s; one (1) Social Work Supervisor II; and three (3) Social Services Aide II’s; and  
b. Authorize the County Administrative Office to incorporate the changes to the FY 2014-15 Adopted Budget Unit 001-5010-SOC005-8262 to reflect the

change in position counts; and

c. Approve and authorize the Auditor-Controller to amend the FY 2014-15 Adopted Budget Unit 001-5010-SOC005-8262, to increase estimated revenues and appropriations by \$431,666. (4/5ths Vote Required)

**Attachments:** [Board Report](#)

## **Criminal Justice**

29. a. Authorize the Chief Probation Officer to sign the Memorandum of Understanding with the Monterey County Office of Education for the High Risk Youth Education and Public Safety Program - Through and Beyond Program to receive funds in the amount of \$185,909 from July 1, 2014 through June 30, 2015; 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.

**Attachments:** [Board Report](#)  
[MOU MCOE Through and Beyond FY 2014-15](#)

30. a. Authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to the Probation Department's Standard Agreement with Behavioral Interventions, Incorporated DBA Behavioral Interventions Correctional Services, Incorporated extending its term from January 1, 2015 to June 30, 2015, and increase its amount by \$521,625 for FY 2014-15, for a revised total over the entire term not to exceed \$1,043,250 in the aggregate to continue services to adult offenders participating in the Day Reporting Center; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to the agreement.

**Attachments:** [Board Report](#)  
[Behavioral Interventions Amed No 1 Exhibit A-1 FY 2014-15](#)  
[BI Incorporated SIGNED FY 2014](#)

31. Accept the Inmate Welfare Trust Fund Annual Report for the Fiscal Year 2013-14.

**Attachments:** [Board Report](#)  
[Attachment A-Annual Financial Report](#)  
[Attachment B -Jail Programs and Activities](#)

## **General Government**

32. a. Approve amendments to loan documents between the County and South County Housing Corporation to reassign additional Community Development Block Grant Funds to the Camphora Highlands Farm Labor Camp project; and

b. Authorize the Director of Economic Development to make minor modifications to the loan documents as necessary and sign them as well as any other documents necessary to implement the amendment.

**Attachments:** [Board Report](#)  
[Agreement Concerning Use of CDBG Funds Amendment #1](#)  
[Amended and Restated Promissory Note](#)  
[Amendment Number 1 to Reg Agrmnt Restrict Covenants](#)  
[Modification of Deed of Trust](#)

- 33.**
- a. Approve the Monterey County Workforce Investment Board's (WIB) recommendation to accept \$188,250 in Governor's 25 Percent Discretionary Dislocated Worker Additional Assistance grant funds to assist long-term unemployed individuals in returning to work;
- b. Authorize the Director of the Economic Development Department to make modifications to and sign contracts, amendments and other related documents as necessary to receive these grant funds; and
- c. Authorize the Auditor-Controller's Office to increase appropriations and estimated revenue in the Fiscal Year 2014-15 Adopted Budget for Economic Development Workforce Investment Board, Fund 021 Appropriation Unit DEO016, in the amount of \$188,250.

**Attachments:** [Board Report](#)  
[SELACO Agreement with Monterey WIB](#)

- 34.**
- Approve and authorize the Contracts/Purchasing Officer to execute the Renewal, Extension and Amendment No.3 to Statement of Work No. 10 with CGI Technologies to extend the agreement date from December 31, 2014 to December 31, 2015 to provide general Advantage Financial, HRM and Meridian Post-Implementation support for integration, configuration, reports and consulting.

**Attachments:** [Board Report](#)  
[Statement of Work 10](#)  
[Amend No 1 to SOW 10](#)  
[Amend No 2 to SOW 10](#)  
[Renewal Extension Amendment No 3 to SOW 10](#)  
[Enterprise Resource Planning Project](#)

- 35.**
- a. Approve a one-time Concession Agreement for Special Events between The Do LaB, LLC, and the County of Monterey to produce the Lightning in a Bottle Arts & Music Festival event at the Lake San Antonio North Shore on May 21st-25th, 2015; and
- b. Authorize the Contracts/Purchasing Officer to sign on behalf of the County.



**Attachments:** [Board Report](#)  
[LIB 2015 packet.pdf](#)

36. a. Approve and Authorize the Contracts/Purchasing Officer to renew Lease Agreement A-10468 through April 30, 2019, with Lessor, Susan Glau Living Trust, for 1008 square feet of space located at 62350 College Street, San Ardo, California, for use by the Monterey County Free Libraries, San Ardo Branch.  
b. Authorize the Auditor-Controller to continue to make lease payments of \$924.00 per month in accordance with the terms of the Lease Agreement; and  
c. Authorize the optional extension of the Lease Agreement for an additional three (3) year period under the same terms and conditions if deemed by the Contracts/Purchasing Officer to be in the best interest of the County.

**Attachments:** [Board Report](#)  
[62350 College St Renewal Lessor CoCo sigs \(12-10-14\)](#)  
[62350 College Facility Assessment \(6-14-13\)](#)  
[62350 College St Leasing Docs \(06'-14'\)](#)

37. a. Approve and establish a grant program, utilizing Dover-Kohl Partners, to provide Monterey County cities with planning services that enhance and create economically vibrant downtown centers; and  
b. Return to this Board with grant criteria and proposed funding to implement this program.

**Attachments:** [Legistar Board Report 14-1362](#)

38. Approve the Memorandum of Understanding (MOU) for the Deputy Sheriffs' Association (DSA) Units A, B and C for the period July 1, 2013 through June 30, 2016.

**Attachments:** [Board Report](#)  
[DSA Final Master Contract & Addendums A, B & C 2013-2016.pdf](#)

39. a. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to extend Lease Agreement (No. A-11760) for one (1) year, effective January 1, 2015 through December 31, 2015, 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. 1 - One Year Extension of Lease Agreement (Amendment No. 1).

**Attachments:** [Board Report](#)  
[Amendment 1 Extending Lease Agreement](#)  
[Location Map](#)

40. Approve and authorize the Contracts/Purchasing Officer to sign Amendment

No. 1 to the professional services agreement with Kennedy/Jenks Consultants (Lake San Antonio Resort/Marina Site), extending the agreement term by one year to January 31, 2016, for required work needed to support Lake San Antonio environmental remediation and properly address the State Regional Water Board's current site clean-up concerns and recommendations, in an amount not to exceed \$212,000 for a total compensation amount not to exceed \$231,700.

**Attachments:** [Board Report](#)  
[Kennedy-Jenks Amendment 1 \(Lake San Antonio\) Partial Signatures](#)  
[Kennedy-Jenks Exhibit A-1 \(Lake San Antonio\)](#)

41. Adopt Resolution to:
- a. Approve the Records Retention Schedule for the Emergency Communications Department (ECD) for the storage and/or destruction of County records as set forth by federal and state laws, county codes, and policies; and
  - b. Authorize the Director of the ECD or designee to destroy or cause the destruction of County records in accordance with the approved Records Retention Schedule for ECD.

**Attachments:** [Board Report](#)  
[AttachmentA Resolution BOS RecordRetentionSchedule.pdf](#)  
[Attachment B 20141120-ECD-RecordsRetentionSchedule.pdf](#)

- 41.1 Approve the agreement to reappoint Charles J. McKee as Monterey County Counsel and authorize the Chair to execute agreement. (ADDED VIA ADDENDUM)

**Attachments:** [Board Report](#)  
[Agreements and Amendments CoCo](#)  
[Agreement to Reappoint 2014](#)

## **RMA - Planning**

- 42.
- a. Approve the Parcel Map for the Villanueva subdivision to divide a 160 acre parcel into four 40 acre parcels;
  - b. Accept the Conservation and Scenic Easement Deed for the following areas: slopes that exceed 25 percent; areas that could result in future ridgeline development at Lot 4; and areas with historical and archaeological resources; and the Subdivision Improvement Agreement;
  - c. Authorize the Chair to execute the Conservation and Scenic Easement Deed for the following areas: slopes that exceed 25 percent; areas that could result in future ridgeline development at Lot 4; and areas with historical and archaeological resources; and the Subdivision Improvement Agreement; and
  - d. Direct the Clerk of the Board to submit the Parcel Map, the Subdivision Improvement Agreement, the Conservation and Scenic Easement Deed; the Deed Restriction for Historical Resources; the Deed Restriction for biological and archaeological resources; the Floodplain Notice; and the Water

Conservation and Landscape Notice to the County Recorder for recording, subject to the collection of the applicable recording fees.  
(Parcel Map PLN060043/Saul Victor and Maria de Jesus Villanueva, 50403 Martinez Road, Lockwood, South County Area Plan)

**Attachments:** [Board Report](#)

[Attachment A - Cover letter to Clerk of the Board](#)

[Attachment B - Vicinity Map](#)

[Attachment C - Parcel Map](#)

[Attachment D - Subdivision Guarantee](#)

[Attachment E - Property Tax Clearance Certification](#)

[Attachment F - Subdivision Improvement Agreement](#)

[Attachment G - Conservation & Scenic Easement Deed](#)

[Attachment H - Deed Restriction](#)

[Attachment I - Deed Restriction](#)

[Attachment J - Floodplain Notice](#)

[Attachment K - Water Conservation & Landscape Notice](#)

43. a. Find that the activity is not subject to CEQA pursuant to Sections 15061(b) (3) and 15378(b)(5) of the CEQA Guidelines;  
b. Establish a Land Use Advisory Committee for the Castroville Community Plan area; and  
c. Amend the Land Use Advisory Committee Procedures (“Guidelines”).  
(Castroville Land Use Advisory Committee - REF140091/County of Monterey)

**Attachments:** [Board Report](#)

[Attachment A - Discussion](#)

[Attachment B - Draft Board Resolution](#)

44. a. Approve Amendment No. 6 to Professional Services Agreement No. A-11684 with EcoSystems West Consulting Group where the Base Budget is increased by \$57,820, for a total amount not to exceed \$171,949, to allow payment of rendered services associated with completion of 2013 Piperia Plan Studies and to provide 2014 Piperia Plan Studies for completion of The Pebble Beach Company’s Del Monte Forest Preservation and Development Plan (PLN100138) in Pebble Beach, and extend the term to June 30, 2016; and  
b. Approve Amendment No. 6 to Reimbursement Agreement No. A-11411 with The Pebble Beach Company where the Base Budget is increased by \$57,820 with no change to the County Surcharge of \$2,500, for a total amount not to exceed \$174,449, to allow reimbursement to Monterey County for costs incurred by EcoSystems West Consulting Group and the Resource Management Agency - Planning for rendered services associated with the completion of 2013 Piperia Plan Studies, and to provide 2014 Piperia Plan Studies for completion of The Pebble Beach Company’s Del Monte Forest Preservation and Development Plan (PLN100138) in Pebble Beach, and extend the term to June 30, 2016; and

c. Authorize the Director of Planning to execute Amendment No. 6 to Professional Services Agreement No. A-11684, Amendment No. 6 to Reimbursement Agreement No. A-11411 and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

(PLN100138/2009 - 2014 Piperia Plan Studies for The Pebble Beach Company's Del Monte Forest Preservation and Development Plan)

**Attachments:** [Board Report](#)

[Attachment A - Summary of PSA & RA](#)

[Attachment B - Amendment No. 6 to the PSA](#)

[Attachment C - Amendment No. 6 to the RA](#)

#### 44.1

Consider a Resolution to:

a. Approve a Lot Line Adjustment between two (2) legal lots of record under Williamson Act Agricultural Preserve Land Conservation Contract No. 71-31, established by County Resolution Number 71-14-31, with no net decrease in acreage under Williamson Act Contract; and

b. Authorize the Chair to execute new or amended Land Conservation Contract in order to rescind a portion of the existing Land Conservation Contract as it applies to the reconfigured lots only and simultaneously execute new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and Silva, reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and

c. Direct the Clerk of the Board to record the new or amended Contracts subject to the collection of the appropriate recording fees from the property owner by the Planning Department.

(Lot Line Adjustment - PLN140459/Edward Silva Jr. and Evelina Marie Silva, Trustees, FBO Silva Family Living Trust Dated February 9, 1996, Arroyo Seco Road at Elm Avenue, Central Salinas Area Plan)

**Attachments:** [Board Report](#)

[Attachment A - Proposed Resolution](#)

[Attachment B - Vicinity Map](#)

[Attachment C - AgP Land Conservation Contract No. 71-31](#)

### **RMA - Public Works**

#### 45.

a. Approve Amendment No. 2 to the Standard Agreement with Alex S. Hale to continue to provide real estate services, in the amount of \$100,000 for a total amount not to exceed \$200,000, and extend the term to December 31, 2016; and

b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 2 to the Standard Agreement and up to three (3) future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

**Attachments:** [Board Report](#)  
[Amendment No. 2 to the Standard Agreement](#)  
[Amendment No. 1 to the Standard Agreement](#)  
[Standard Agreement with Alex S. Hale](#)

46. Board of Supervisors Addendum/Supplemental Agenda for the meeting of Tuesday, December 16, 2014.

## **SUPPLEMENTAL**

### **Remove from Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (3) California-American Water Company v. Marina Coast Water District, et al. (San Francisco County Superior Court case no. CGC-13-528312)

### **Revised item for Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~three matters~~ two matters of significant exposure to litigation.

### **Remove from Scheduled Matters 10:30 A.M.**

14. Consider adopting a resolution to amend the County of Monterey Condition of Approval and Mitigation Monitoring and Reporting Program ("Program"), adopted on January 24, 2012, that: includes detailed procedures for tracking, monitoring, enforcement, and reporting on conditions of approval; fulfills the requirements of the California Environmental Quality Act (CEQA) for monitoring and reporting of mitigation measures imposed under CEQA; and sets forth the responsibilities of County Departments for various aspects of monitoring, reporting, and enforcement of conditions of approval. The proposed amendment to the Program establishes procedures for electronic tracking of conditions of approval, clarifies applicability of the Program to discretionary land use entitlements that are approved with mitigation measures, and clarifies administration and implementation of the Program.(Condition of Approval-Mitigation Monitoring and Reporting Program - REF140079)

## **ADDENDUM**

### **Add to Ceremonial Resolutions**

- 7.2 Adopt Resolution honoring Juvenile Institutions Supervisor Jeffery L.

Boles upon his retirement from the Monterey County Probation Department after 30 years of outstanding county service. (Full Board)

**Add to Consent Calendar - Natividad Medical Center**

- 20.1 Adopt Resolution to:
- a. Approve and authorize execution of Employment Agreement Amendment No. 4 with Chief Medical Officer Dr. Gary Gray.
  - b. Ratify Amendments Nos. 1, 2, and 3 to the Employment Agreement with Chief Medical Officer Dr. Gary Gray and all compensation paid under those amendments.

**Add to Consent Calendar - Health**

- 27.1
- a. Ratify a three-year Agreement (“Agreement”) with Netsmart Technologies, Inc. for the provision of implementation services for the migration of the existing electronic medical record system from a County hosted software solution to a Contractor hosted solution, software maintenance/support services, and technical support in the amount of \$630,240 for the period July 1, 2014 through June 30, 2015, \$529,442 for the period July 1, 2015 through June 30, 2016, and \$501,942 for the period July 1, 2016 through June 30, 2017, for a total aggregate amount not to exceed \$1,661,624; and
  - b. Accept the non-standard risk terms regarding limitations on liability, limitations of warranty, and indemnification, as recommended by the Director of Health ; and
  - c. Authorize the execution of the Agreement by the Contracts/Purchasing Officer; and
  - d. Authorize the Contracts/Purchasing Officer, to sign up to three future amendments to this Agreement where the total amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.

**Add to Consent Calendar - General Government**

- 41.1 Approve the agreement to reappoint Charles J. McKee as Monterey County Counsel and authorize the Chair to execute agreement.

**Add to Scheduled Matters P.M.**

- 14.2 Consider adopting a resolution to amend the County of Monterey Condition of Approval and Mitigation Monitoring and Reporting Program (“Program”), adopted on January 24, 2012, that: includes detailed procedures for tracking, monitoring, enforcement, and reporting on conditions of approval; fulfills the requirements of the California Environmental Quality Act (CEQA) for monitoring and reporting of mitigation measures imposed under CEQA; and sets forth the responsibilities of County Departments for various aspects of monitoring, reporting, and enforcement of conditions of approval. The proposed amendment to the Program establishes procedures for electronic tracking of conditions of approval, clarifies applicability of

the Program to discretionary land use entitlements that are approved with mitigation measures, and clarifies administration and implementation of the Program.(Condition of Approval-Mitigation Monitoring and Reporting Program - REF140079)

**Add to Scheduled Matters P.M.**

- 16.1 Public hearing to consider:
- a. Adoption of a finding that the Corral de Tierra Neighborhood Retail Village project (Omni Resources LLP) has a long term sustainable water supply both in quality and quantity to serve the project pursuant to Policies PS 3.1 and PS 3.2 of the 2010 Monterey County General Plan, in response to the Order of Interlocutory Remand issued by the Monterey County Superior Court in litigation resulting from the Board of Supervisors' February 7, 2012 approval of the project. The project previously approved by the Board included a Combined Development Permit consisting of a: 1) Use Permit; 2) General Development Plan; and 3) Design Approval for development of a 99,970 square foot retail center known as the Corral de Tierra Neighborhood Retail Village and 4) Lot Line Adjustment to modify the lot line between two existing parcels (5.6 acres and 5.38 acres in area) to create Parcel A (1.12 acres) and Parcel B (9.86 acres); and
  - b. Authorize County Counsel to advise the court that the County has completed its proceedings on remand  
(Omni Resources LLP/(File Nos. PLN110077 and PLN020344; 5 Corral de Tierra Road, Toro Area Plan.)

**Add to Scheduled Matters P.M.**

- 16.2 Public hearing (continued closed from December 9, 2014) to consider:
- a. Adoption of a resolution to certify the Final Environmental Impact Report and adopt associated Findings of Fact and a Statement of Overriding Considerations for the Ferrini Ranch Subdivision Project;
  - b. Adoption of a resolution to approve a Combined Development Permit for the Ferrini Ranch Subdivision Project, including a Vesting Tentative Map for the subdivision of approximately 870 acres into 185 lots, including 168 market rate single family residential lots and 17 lots for moderate income Inclusionary Housing units; three Open Space parcels totaling approximately 700 acres (Parcels A, B, & C), and a parcel for the future development of a visitor center (Parcel D); Use Permit for removal of up to 921 protected Oak trees; and Use Permit for development on slopes exceeding 30 percent; and to adopt a Mitigation Monitoring and Reporting Plan; and
  - c. Adoption of a resolution to deny the request to change the General Plan Land Use Designation of Parcel D from LDR 2.5 to Agricultural Industrial and to deny the request to apply the

Agricultural Industrial zoning classification to Parcel D of the Ferrini Ranch Subdivision.

(Combined Development Permit and Vesting Tentative Map - PLN040758/Bollenbacher & Kelton (Ferrini Ranch), Fronting on and southerly of State Highway 68, encompassing two areas separated by Toro Regional Park. The eastern portion is bound by River Road and the western portion is bound by San Benancio Road., Toro Area Plan)

Adjourn in Memory of Sharlene Lee