

Monterey County

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



Action Minutes - Final

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*

9:00 AM - Call to Order

The meeting was called to order by Chair Calcagno.

Roll Call

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

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

10:30 AM Reconvene

Roll Call

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

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Potter.

Additions and Corrections

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following additions and corrections:

Add Under Other Board Matters

10.2 Adopt Resolution to acknowledge the retirement of Scott Miller as elected Sheriff-Coroner effective December 30, 2014 at 11:59 p.m. and appoint Steve Bernal as interim Sheriff-Coroner effective December 31, 2014, at 12:01 a.m.

Correction to Consent Calendar – General Government

41.1 Revised Agreement Submitted

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

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)

Jay Donato pulled items 27.1. He addressed the Board and requested that SEIU be notified more timely.

Jay Donato pulled item 31. He expressed his concerns with the item and suggested that the item should be examined more closely.

Supervisor Parker pulled item 24. She thanked staff and American Medical Response for placing the complaint form on the web.

Supervisor Parker pulled item 31 and asked questions of staff. Sheriff Scott Miller responded.

Supervisor Calcagno pulled item 35 and asked questions of staff. Nick Chiulos responded.

Supervisor Calcagno pulled items 37, 39 and asked questions of staff. David Spaur responded regarding item 37. Claudio Valenzuela responded regarding item 39.

Supervisor Calcagno pulled item 41.1 and commended and thanked Charles McKee for his service to Monterey and acknowledged his new contract.

Supervisor Armenta commented on item 31. Charles McKee responded.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to approve the Consent Calendar. ALL AYES

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)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-344 honoring Chief Probation Officer Manuel Real upon his retirement from the Monterey County Probation Department after 39 years of outstanding county service. (Full Board) ALL AYES**
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).
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-345 honoring Rene Cantu upon his retirement from the Monterey County Treasurer - Tax Collector's Revenue Division after 37 years of dedicated service (Full Board). ALL AYES**
5. Adopt Resolution commending Jim DiMaggio, GIS Analyst II, on his retirement with 35 years of dedicated public service with Monterey County. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-346 commending Jim DiMaggio, GIS Analyst II, on his retirement with 35 years of dedicated public service with Monterey County. (Full Board) ALL AYES**
6. Adopt Resolution honoring Denise Duffy & Associates, Inc. on the occasion of their 30th Year Anniversary. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-354 honoring Denise Duffy & Associates, Inc. on the occasion of their 30th Year Anniversary. (Full Board) ALL AYES**
7. Adopt Resolution Commending Nancy Tracy, Monterey County Deputy Sheriff, Upon Her Retirement. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-351 commending Nancy Tracy, Monterey County Deputy Sheriff, Upon Her Retirement. (Full Board) ALL AYES**
- 7.1 Adopt Resolution commending Steve Price for his 35 years of dedicated service with the California Department of Transportation. (Supervisor Potter)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-355 commending Steve Price for his 35 years of dedicated service with the California Department of Transportation. (Full Board) ALL AYES**
- 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)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-356 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). ALL AYES

Appointments

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

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to Reappoint to the Historical Resources Review Board John Scourkes for a term ending December 31, 2017. (Supervisor Parker) ALL AYES

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)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to 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) ALL AYES

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)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to 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) ALL AYES

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

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to Reappoint to the Greenfield Cemetery District Vera Snowden for a term ending December 31, 2017. (Full Board) ALL AYES

Other Board Matters

- 10.2 Adopt Resolution to acknowledge the retirement of Scott Miller as elected Sheriff-Coroner effective December 30, 2014, at 11:59 p.m. and appoint Steve Bernal as interim Sheriff-Coroner effective December 31, 2014, at 12:01 a.m.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-362 to acknowledge the retirement of Scott Miller as elected Sheriff-Coroner effective December 30, 2014, at 11:59 p.m. and appoint Steve Bernal as interim Sheriff-Coroner

effective December 31, 2014, at 12:01 a.m. ALL AYES

11. Board Comments

Supervisor Parker announced that the Commission on the Status of Women has begun their nomination process for outstanding women of Monterey County. She encouraged members of the public to consider nominating women who have done or are doing good work for Monterey County. The deadline for nominations is January 30, 2015.

12. CAO Comments and Referrals

There were no CAO comments or referrals.

13. General Public Comment

Hans Jongens.

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.

Public comments: Syd Blankenship; Roberta Troxel; Patty Garcia; Bill Voss; David Burke; Carrie Carr; Stacy Polk; Ken Husby; Dan Thompson; Steve Tansay; Female (no name given); Jim York; Cosme Padilla; Erin Dilbach; Gaia Wilkerson; Brandy Mount.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to Adopt Resolution of Intention No. 14-363 to approve the Manzanita County Parks Sports Complex Concession Agreement between the County of Monterey and the North County Youth Recreation Association, retroactive to August 1, 2011 plus and additional 10 years from January 2015; and b. directed staff to return within 90 days with clarifications of the terms of the agreement and resolution of ADA compliance and access issues. ALL AYES

12:00 PM Recess to Lunch - Continued Closed Session

1:30 PM Reconvene

Roll Call

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

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)

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker to adopt Resolution No. 14-364 to: a. Adopt the Condition of Approval and Mitigation Monitoring and Reporting Program ("Program"), attached hereto as Exhibit A;

b. The Program shall not be substantially changed, revised, or modified, unless such change, revision, or modification is submitted to and approved by the Board of Supervisors.

c. A copy of this Resolution and the Program shall be forwarded by the Clerk of the Board of Supervisors to RMA-Planning, RMA-Public Works, RMA-Environmental Services, the Parks Department, the Economic Development Department, and the Environmental Health Bureau of the Health Department, the Monterey County Water Resources Agency, and the Fire Districts with jurisdiction within the unincorporated areas of Monterey County.
ALL AYES

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.
- Public comment: Eric Sakach; Bucky Harless; Martin Rubio; Vince Calderon; Martin Alvarez; Pedro Regal; Miguel Reyes; Jesus Ascala; Fernando Hernandez; Jaime Andrade; Miguel Orozco; Carlos Bautista; Raymond Perez; Jose Rodrigo Ruiz; JoJo Perola; Mel Serrado; Aladino Solar; Minya C. O'Campo; Benito Alvarez; Heriberto Perez; Gonzalo; Luis Pantoja; Melvin Crisp; Maria T. Collier; Lauren Hoffman Lurz; Donald Barger; Margaret Davis; Joe Fregosa; Sergio; Daniel Acuna; Tom Collier.**
- A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Dave Potter to adopt Resolution No. 14-358: 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. Adopted Ordinance 5249 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. 3-2 (Supervisors Salinas and Armenta Dissented)**
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)
- A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Dave Potter to adopt Ordinance 5250 amending Chapter 10.60 of the Monterey County Code relating to Noise control.**
- (Nighttime Noise Ordinance - REF140008, County-wide; exempt under CEQA)**
- ALL AYES**
- 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)

Public comment: Mike Weaver; Bill Carrothers; Myron Sears; Gail Norton; Bob Meyer; Heddy Eddy; Hans Jongens; Rich Boyer; Molly Erikson.

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Simón Salinas to:

a. Adopt Resolution No. 14-360 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) 3-2 (Supervisors Potter and Parker Dissented)

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)

Anthony Lombardo addressed the Board on behalf of the Applicant.
Public comment: Eric Peterson; Steve Ecklund; Gary Varga; Susan Halinski on behalf of Bill Ferrell.

Held a public hearing (continued closed from December 9, 2014);
A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta: : a. Adopted Resolution No. 14-370 to Certify the Ferrini Ranch Final Environmental Impact Report; and adopt the Findings of Fact and Statement of Overriding Considerations for the Ferrini Ranch Subdivision; b. Adopted Resolution No. 14-371 to Approve the Combined Development Permit consisting of a Vesting Tentative Map to create 185 residential lots, Use Permit for the removal of 921 trees, and Use Permit to allow development on slopes in excess of 30 percent; and Adopt a Condition Compliance and Mitigation Monitoring and Reporting Plan; and c. Adopted Resolution No. 14-372 to Deny the Request to change the General Plan Land Use Designation of Parcel D of the Ferrini Ranch vesting tentative map from LDR 2.5 to Agricultural Industrial; and Deny the Request to apply the Agricultural Industrial zoning classification to Parcel D of the Ferrini Ranch vesting tentative map. 3-2 (Supervisors Potter and Parker Dissented)

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

In Memory of Sharleen Lee

APPROVED:

/s/ Simón Salinas
SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: /s/ Gail T. Borkowski

GAIL T. BORKOWSKI
CLERK OF THE BOARD

APPROVED ON 03-03-2015

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.

Approved - Agreement No. A-12443

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.

Approved - Agreement No. A-12830

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.

Approved - Agreement No. A-12169

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.

Approved - Agreement No. A-12461**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. (ADDED VIA ADDENDUM)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-359 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. ALL AYES**

Health Department**21.**

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

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-368 to approve the amendments to the Conflict of Interest Code of the Health Department of Monterey County. ALL AYES**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.

Approved**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).

Approved**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.

Approved - Agreement No. A-11610

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.

Approved - Agreement No. A-12283

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.

Approved

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.

Approved - Agreement No. A-12827

- 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)

Approved - Agreement No. A-12829

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)

Approved

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.

Approved - Agreement No. A-12832

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.

Approved

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

Approved

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.

Approved

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.

Approved

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.

Approve - Agreement A-11135

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.

Approved

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.

Approved - Agreement No. A-10468

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.

Approved

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.

Approved

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).

Approved - Agreement No. A-11760

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.

Approved - Agreement No. A-12828

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.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-369 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. ALL AYES**

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

Approved

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)

Approved

- 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)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-373 to: 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)**
- ALL AYES**

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)

**Approved - Agreement Nos. A-11684 (Ecosystems West Consulting Group)
A-11411 (The Pebble Beach Company)**

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)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-361 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) ALL AYES

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.

Approved - Agreement No. A-12833