



# Monterey County

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

## Action Minutes - Draft Board of Supervisors

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

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Tuesday, February 11, 2014

9:00 AM

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**See separate agendas for Board of Supervisors governed Agencies and Special Districts**

### **9:00 A.M. - 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 Jane Parker and Supervisor Dave Potter

### **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) Jesse Hernandez, et al. v. County of Monterey, et al. (United States District Court case no. CV-13-2354 PSG)
      - (2) Save Our Peninsula Committee v. County of Monterey, et al. (Monterey County Superior Court case no. M126254)
    - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
- CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a and b.**

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

### **Roll Call**

*Present: Marisela Quezada, Interpreter*

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

**Pledge of Allegiance**

The Pledge of Allegiance was led by Chair Calcagno.

**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:

**Addition To Consent Calendar – Under General Government**

24.1 Exercise the Board of Supervisors option under California Government Code 53853 to notify certain school districts that it will not authorize the issuance of tax and revenue anticipation notes (“TRANS”) of the Districts and to provide such notification by February 19, 2014. (Okay Per Dewayne Woods)

**Correction On The Consent Calendar – Under General Government**

- 20. a. Ratify the original Software Product License Agreements between the County of Monterey and J.W. Lampi, Inc. dba Software Diversified Services for the original purchase and upgrade of Powertools software in 1987, Inter Partition Command and upgrade to Inter Partition Command software license in 1990 and 1993;
- b. Approve and authorize the Director of Information Technology to execute on behalf of the County of Monterey an Appendix I to the Original License Agreements for the provision of maintenance/support for the software in the amount not to exceed \$5,000 annually;
- c. Accept non standard language in the Agreement provided by the vendor as recommended by the Director of Information Technology; and
- d. Authorize the Director of Information Technology to exercise the renewal options to the software maintenance/support services under the same or similar annual terms, for up to three years.

A motion was made by Supervisor Simon Salinas, seconded by Supervisor Jane Parker to approve Additions and Corrections. ALL AYES

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

- 2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker commented on item 16 and noted her disappointment that there has been no mechanism for input on the grant application. She hopes there is an opportunity in the future for input and that the Governor allocates more funds.

Jay Donato requested item 21 be pulled and commented on the item. Bob Roach responded. Supervisor Parker noted discrepancies that need to be corrected. The item was trailed to 1:30 p.m.

Hans Jongens requested item 24 be pulled and commented on the item. James May responded.

Nina Beety requested item 26 be pulled and commented on the item.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter approved the Consent Calendar, with the exception of item 21. ALL AYES**

### **Ceremonial Resolutions**

3. Adopt Resolution honoring John Lloyd as recipient of the Monterey County Hospitality Association's 2013 Hospitality Professional of the Year Award. (Supervisor Potter)  
**A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-015 honoring John Lloyd as recipient of the Monterey County Hospitality Association's 2013 Hospitality Professional of the Year Award (Supervisor Potter). ALL AYES**
4. Adopt Resolution commending Rhonda Baird Maintenance Yard Clerk of the Department of Public Works for her dedicated service of more than 23 years to the County of Monterey upon her retirement. (Full Board)  
**A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-016 commending Rhonda Baird Maintenance Yard Clerk of the Department of Public Works for her dedicated service of more than 23 years to the County of Monterey upon her retirement (Supervisor Calcagno). ALL AYES**
5. Adopt Resolution commending Deputy Richard D. Matthews of the Monterey County Sheriff's Office upon his retirement from 43 years of public service. (Full Board)  
**A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-022 commending Deputy Richard D. Matthews of the Monterey County Sheriff's Office upon his retirement from 43 years of public service. (Supervisor Calcagno). ALL AYES**
6. Adopt Resolution recognizing "undisclosed recipient" as the Monterey County Cattlemen's Association- Cattleman of the Year Award recipient for 2014. (Full Board)  
**A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-023 recognizing Tom Bengard as the Monterey County Cattlemen's Association- Cattleman of the Year Award recipient for 2014. (Supervisor Calcagno) ALL AYES**
7. Adopt Resolution proclaiming the week of March 2nd, 2014 as Health Care Week in Monterey County. (Supervisor Salinas)  
**A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-024 proclaiming the week of March 2nd, 2014 as Health Care Week in Monterey County. (Supervisor Salinas)**

ALL AYES

**Appointments**

- 8. Appoint Clara Valdivia to the Greenfield Cemetery District to fill an unexpired term ending December 31, 2016. (Full Board)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Appoint Clara Valdivia to the Greenfield Cemetery District to fill an unexpired term ending December 31, 2016. (Full Board) ALL AYES**

**Other Board Matters**

- 9. Board Comments

**Supervisor Armenta made a Board Referral requesting a progress report on the centralization of Human Resources be provided to the Board within 90 days.**

**Supervisor Calcagno requested the CAO provide a progress report to the Board on February 25, 2014 regarding the Board Referral for a long range study of water needs for Monterey County, including who is completing the report and when the report will be completed .**

- 10. CAO Comments and Referrals

**County Administrative Officer Dr. Lew Bauman confirmed that the CAO's office is working with the Water Resources Agency in developing the scoping report update that the Chair has requested.**

**Dr. Bauman announced that the Monterey County Budget Office has received the Distinguished Budget Presentation Award from the Government Financial Officers of the United States and Canada for the fourth year in a row for last year's budget. The budget met all four criteria, serving as a policy document; financial plan; operations guide; and communication guide to the public. He congratulated the Budget office team, Department Heads, the Auditor-Controller, the Budget Committee and the Board of Supervisors.**

**Dr. Bauman advised maps are available on the front desk for members of the public wishing to join the Board of Supervisors for the tour of the Firestone Business Park Encore Recycling, Inc. The Board will arrive as close to 12 pm as possible and return to the Board Chamber as close to 1:30 pm as possible.**

- 11. General Public Comment

**Keith McGowin; Hans Jongens.**

**12:00 PM Recess to Lunch and:**

**Board of Supervisors Tour of Firestone Business Park  
Encore Recycling, Inc.  
340 El Camino Real, Suite 38 (enter through space 30 for the tour)  
Salinas, CA 93901**

**1:30 PM Reconvene**

**Roll Call**

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

**Action on item 21 taken before item 12 (see item 21 for details)**

12. Receive an oral presentation from Monterey County Health Department on how performance measures are used as a management tool.
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to receive an oral presentation from Monterey County Health Department on how performance measures are used as a management tool. ALL AYES**
13. Receive an annual report presentation from the United Way Monterey County about the Health and Human Service information and referral service (2-1-1 Monterey County) offered throughout the County of Monterey and Community Assessment for Monterey County.
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to receive an annual report presentation from the United Way Monterey County about the Health and Human Service information and referral service (2-1-1 Monterey County) offered throughout the County of Monterey and Community Assessment for Monterey County. ALL AYES**
14. Approve and authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 2 to the Agreement (A-12438/MYA723) with B.E. Smith Inc. for Interim Employee Services at NMC, extending the Agreement to June 30, 2014 and adding \$183,000 for a revised total Agreement amount not to exceed \$859,200 in the aggregate.
- A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Dave Potter to approve and authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 2 to the Agreement (A 12438/MYA723) with B.E. Smith Inc. for Interim Employee Services at NMC, extending the Agreement to June 30, 2014 and adding \$183,000 for a revised total Agreement amount not to exceed \$859,200 in the aggregate. ALL AYES**
15. Consider Response to Salinas Valley Memorial Healthcare System's (SVMHS) request to negotiate a Letter of Intent for an affiliation between SVMHS and the County's Natividad Medical Center (NMC) and form a Joint Powers Authority.

Public comment: Butch Lindley; Dr. John Jamison; Keith McGowin; Dr. Rodriguez; Eric Peterson; Marie Tannie; Darrel Schotee; Pat Butcher; Cesar Lara; Nick Diaz; Debra N.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to Accept Salinas Valley Healthcare System's offer to negotiate a Letter of Intent meeting the mutual interests of both parties, and designated an ad hoc subcommittee appointing Supervisor Salinas and Supervisor Armenta to the ad hoc committee to work with representatives of SVMHS, as a Joint Negotiating Team (JNT) in formulating mutually agreeable terms of a letter, and an appropriate framework to solicit public input through the process. Directed the JNT utilize the staff of NMC, County Administration, County Counsel and consultants as necessary to complete the collaborative effort. ALL AYES

**Adjournment**

In Memory of Doinga Ledesma and John A. Struve

**APPROVED:**

\_\_\_\_\_  
**LOUIS R. CALCAGNO, CHAIR  
BOARD OF SUPERVISORS**

**ATTEST:**

**BY: \_\_\_\_\_  
GAIL T. BORKOWSKI  
CLERK OF THE BOARD  
APPROVED ON \_\_\_\_\_**

**Supplemental Sheet, Consent Calendar****Criminal Justice**

16. Approve, ratify and authorize the Purchasing Officer to sign an agreement between County of Monterey, a political subdivision of the State of California, and Kitchell Corporation, related to providing services to assist the Sheriff's Office on grant preparation.

**Approved**

**General Government**

17. a. Approve and authorize the Contracts/Purchasing Officer to execute on behalf of County of Monterey a Services Agreement with Workflow One, LLC. for the provision of printer maintenance and support services in the yearly amount of \$2,120 and a reserve amount of \$1,200 for the period of May 1, 2014 through April 30, 2017 for a cumulative Agreement amount of \$7,560;
- b. Accept the limitation of liability terms and modifications to insurance requirements specified by the vendor; and
- c. Authorize the Contracts/Purchasing Officer to sign future renewals for the maintenance and support services with the same Agreement terms.

**Approved - Agreement No. A-12646**

18. a. Approve the reclassification of one (1.0) FTE Accounting Technician (80J30) to one (1.0) FTE Accountant I (20B10) in the County Clerk/Recorder's Department.
- b. Direct the County Administrative Office to incorporate the approved changes into the FY 2013-14 County Clerk/Recorder's Department Adopted Budget.

**Approved**

19. a. Approve and authorize the Contracts/Purchasing Officer to execute a Computer Associates, Inc. Order Form in the amount of \$152,869 for the continuance of software licensing and maintenance for the mainframe programs for the period of May 1, 2014 through April 30, 2015;
- b. Accept the same non-standard County Liability, Indemnification and Termination Provisions as recommended by the Director of Information Technology and as approved by the Board of Supervisors on April 26, 2011;
- c. Authorize the Contracts/Purchasing Officer to sign future Computer Associates, Inc. Order Forms in an amount not to exceed \$175,000 a year under the same or similar terms as needed.

**Approved - Agreement No. A-12647**

- 20.
- a. Ratify the original Software Product License Agreements between the County of Monterey and J.W. Lampi, Inc. dba Software Diversified Services for the original purchase and upgrade of Powertools software in 1987, Inter-Partition Command and upgrade to Inter-Partition Command software license in 1990 and 1993;
  - b. Approve and authorize the Director of Information Technology to execute on behalf of the County of Monterey an Appendix I to the Original License Agreements for the provision of maintenance/support for the software in the amount not to exceed \$5,000 annually;
  - c. Accept non-standard language in the Agreement provided by the vendor as recommended by the Director of Information Technology; and
  - d. Authorize the Director of Information Technology to exercise the renewal options to the software maintenance/support services under the same or similar annual terms.

**Approved**

- 21.
- a. Approve and authorize the Agricultural Commissioner to sign a Memorandum of Understanding (MOU) for 2014 with Cooperative Agricultural Support Services Authority (CASS);
  - b. Approve and authorize the Agricultural Commissioner to sign Renewal and Amendment No. 1 with CASS to renew and amend the MOU for 2013; and
  - c. Authorize the Auditor-Controller to make payments in accordance with the terms of the 2013 and 2014 MOUs and Renewal and Amendment No. 1 to the 2013 MOU.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to: Approve and authorize the Agricultural Commissioner to sign a Memorandum of Understanding (MOU) for 2014 with Cooperative Agricultural Support Services Authority (CASS); b. Approve and authorize the Agricultural Commissioner to sign Renewal and Amendment No. 1 with CASS to renew and amend the MOU for 2013; and c. Authorize the Auditor Controller to make payments in accordance with the terms of the 2013 and 2014 MOUs and Renewal and Amendment No. 1 to the 2013 MOU. ALL AYES**

22. Receive a report on the Governor's 2014-15 Proposed Budget.

**Approved**

23. Adopt a Resolution:
- a. Finding that there was sufficient cause to take actions on an emergency basis to implement necessary repairs to the structure and roof of the Tidball Store, located in Jolon, CA;
  - b. Accept the Improvements and completed project to the structure and roof of the Tidball Store performed pursuant to the declared emergency;
  - c. Terminate the emergency to repair the structure and roof to the Tidball Store located in Jolon, CA (4/5th vote required); and
  - d. Authorize the Director of Parks or his designee to file a Notice of



Completion on behalf of the County for the project and process the payment of \$32,340.00 to Martimus Construction.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to adopt Resolution No. 14-031:**

**a. Finding that there was sufficient cause to take actions on an emergency basis to implement necessary repairs to the structure and roof of the Tidball Store, located in Jolon, CA; b. Accept the Improvements and completed project to the structure and roof of the Tidball Store performed pursuant to the declared emergency; c. Terminate the emergency to repair the structure and roof to the Tidball Store located in Jolon, CA (4/5th vote required); and d. Authorize the Director of Parks or his designee to file a Notice of Completion on behalf of the County for the project and process the payment of \$32,340.00 to Martimus Construction. ALL AYES**

**24.**

Adopt a Resolution to:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendix A to create the classifications of Assistant Director of Human Resources and Human Resources Program Manager with the salary ranges as indicated in the attached Resolution and amend Section A.10.2 Assistant Department Heads Designated as indicated in Attachment A;
- b. Amend the Human Resources Department Budget 1060, HRD001-8401 to reallocate one (1) Principal Employee and Labor Relations Representative to one (1) Human Resources Program Manager; abolish the classification of Principal Employee and Labor Relations Representative and reclassify one (1) incumbent Senior Personnel Analyst to Human Resources Program Manager;
- c. Amend the Human Resources Department Budget 1060, HRD001-8402 to reallocate one (1) To Be Determined allocation to one (1) Assistant Director of Human Resources; reclassify one (1) incumbent Principal Personnel Analyst to Assistant Director of Human Resources; reallocate one (1) Principal Personnel Analyst to one (1) Supervising Personnel Analyst and abolish the classification of Principal Personnel Analyst;
- d. Amend the Human Resources Department Budget 1060, HRD001-8403 to reallocate one (1) Management Analyst III to one (1) Human Resources Program Manager and reclassify one (1) incumbent Senior Administrative Analyst to Human Resources Program Manager;
- e. Amend the Human Resources Department Budget 1060, HRD001-8404 to reallocate one (1) Supervising Risk and Benefits Analyst to one (1) Human Resources Program Manager and reclassify one (1) incumbent Supervising Risk and Benefits Analyst to Human Resources Program Manager; and
- f. Direct the County Administrative Office to incorporate the approved changes in the FY 2013-14 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to adopt Resolution No. 14-030 to:**

**a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendix A to create the classifications of Assistant Director of Human Resources and Human Resources Program Manager with the salary ranges as indicated in the attached Resolution and amend Section A.10.2 Assistant**

Department Heads Designated as indicated in Attachment A;

b. Amend the Human Resources Department Budget 1060, HRD001-8401 to reallocate one (1) Principal Employee and Labor Relations Representative to one (1) Human Resources Program Manager; abolish the classification of Principal Employee and Labor Relations Representative and reclassify one (1) incumbent Senior Personnel Analyst to Human Resources Program Manager;

c. Amend the Human Resources Department Budget 1060, HRD001-8402 to reallocate one (1) To Be Determined allocation to one (1) Assistant Director of Human Resources; reclassify one (1) incumbent Principal Personnel Analyst to Assistant Director of Human Resources; reallocate one (1) Principal Personnel Analyst to one (1) Supervising Personnel Analyst and abolish the classification of Principal Personnel Analyst;

d. Amend the Human Resources Department Budget 1060, HRD001-8403 to reallocate one (1) Management Analyst III to one (1) Human Resources Program Manager and reclassify one (1) incumbent Senior Administrative Analyst to Human Resources Program Manager;

e. Amend the Human Resources Department Budget 1060, HRD001-8404 to reallocate one (1) Supervising Risk and Benefits Analyst to one (1) Human Resources Program Manager and reclassify one (1) incumbent Supervising Risk and Benefits Analyst to Human Resources Program Manager; and

f. Direct the County Administrative Office to incorporate the approved changes in the FY 2013-14 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system. ALL AYES

- 24.1 Exercise the Board of Supervisors option under California Government Code 53853 to notify certain school districts that it will not authorize the issuance of tax and revenue anticipation notes (“TRANS”) of the Districts and to provide such notification by February 19, 2014.

**Approved**

### **RMA - General**

25. Approve a Professional Services Agreement with AMEC Environmental and Infrastructure, Inc. in an amount not to exceed \$440,000, with a term to expire September 30, 2016, for consulting engineering services to assist the San Lucas Water District to develop a new permanent long-term public water supply. This agreement is funded by a Planning Grant from the California Department of Public Health Safe Drinking Water State Revolving Fund.

**Approved - Agreement No. A-12648**

### **RMA - Public Works**

26. Adopt a Resolution:
- a. Approving additional minimum matching funds in the amount of \$4,867,222 from the General Fund Capital Project Assignment (Account 3123), for a total cash match of \$8,900,000 for the Jail Housing Addition Project, Project No. 8819;
- b. Authorizing and directing the County Administrative Officer, Director of

Public Works, and Sheriff to take such other further actions as may be necessary or appropriate to meet State requirements for design as defined under AB 900 Phase II funding; and

c. Approve the transfer of the remaining \$3,074,698 of previously approved matching funds from Capital Projects Fund 404, Unit 8174, RMA015 to the General Fund Capital Projects Assignment, Account 3123, as the recommended holding account for the full County cash match for the Jail Housing Addition Project (4/5th Vote Required).

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to Adopt Resolution No. 14-029: a. Approving additional minimum matching funds in the amount of \$4,867,222 from the General Fund Capital Project Assignment (Account 3123), for a total cash match of \$8,900,000 for the Jail Housing Addition Project, Project No. 8819; b. Authorizing and directing the County Administrative Officer, Director of Public Works, and Sheriff to take such other further actions as may be necessary or appropriate to meet State requirements for design as defined under AB 900 Phase II funding; and c. Approve the transfer of the remaining \$3,074,698 of previously approved matching funds from Capital Projects Fund 404, Unit 8174, RMA015 to the General Fund Capital Projects Assignment, Account 3123, as the recommended holding account for the full County cash match for the Jail Housing Addition Project (4/5th Vote Required). ALL AYES**