

Monterey County

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



Meeting Agenda

Tuesday, April 16, 2013

9:00 AM

**See separate agendas for Pajaro County Sanitation District,
Boronda County Sanitation District, Carmel Valley County
Sanitation District, and Moss Landing County Sanitation District**

Board of Supervisors

*Chair Fernando Armenta - District 1
Vice-Chair Louis R. Calcagno - District 2
Supervisor Simón Salinas - District 3
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

NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to the 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) Timothy McCormick v. County of Monterey, et al. (Monterey County Superior Court case no. M117171)
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
 - c. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
 - (1) Monterey-Salinas Transit District
 - d. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center CEO.
 - e. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: 4041 Sunset Lane, Pebble Beach (APN 008-111-017)
Agency negotiator: Deanna Hilbrants
Negotiating parties: County of Monterey and California-American Water
Under negotiation: Terms

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 - Regular (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution Proclaiming April 14 through April 20, 2013 as "Public Safety Dispatchers Week" in Monterey County. (Supervisor Armenta)
Attachments: [Public Safety Dispatchers Week Resolution](#)
4. Adopt Resolution Commending Allen Rowe, District Attorney's Office, upon his retirement from 36 Years of Public Service. (Supervisor Armenta)
Attachments: [Rowe Retirement](#)

Appointments

5. Appoint James Massey to the South Monterey County Fire Protection District to fill an unexpired term ending December 20, 2013. (Supervisor Salinas)
Attachments: [Massey.Notification to Clerk](#)
6. Appoint Lawrence Barcelo, M.D. to the Natividad Medical Center Board of Trustees to fill an unscheduled vacancy term ending June 30, 2015. (Full Board)
Attachments: [Barcelo Notification to Clerk](#)

Other Board Matters

7. Board Comments
8. CAO Comments and Referrals
Attachments: [Referrals 041613](#)
9. 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 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

10. a. Receive a report from Resource Management Agency-Planning regarding the three possible appropriate authority processing options for lot line adjustment and minor subdivision applications related to the proposed elimination of the County's Minor and Standard Subdivision Committees;
- b. Consider staff's recommendation to implement *Option 1* which establishes the Planning Commission as the appropriate authority for lot line adjustment and minor subdivision applications; and
- c. Provide direction to staff on the preparation of the ordinances to be considered at a future date.

[REF100014 (Inland) and REF120004 (Coastal), Options for Application Processes with the Elimination of the Minor and Standard Subdivision Committees.] (Continued from March 19, 2013)

Attachments: [Attachment A - Discussion](#)
[Attachment B - Charts for Option 1](#)
[Attachment C - Charts for Option 2](#)
[Attachment D - Charts for Option 3](#)
[Attachment E - Public Comments](#)

11. a. Receive an oral report from the County Librarian regarding the Library Department's Three Year (2013-2016) Strategic Plan.
- b. Approve the Library Department's Three Year (2013-2016) Strategic Plan.
- c. Direct staff to begin implementation of the plan and update the plan regularly going forward.

Attachments: [Board Report-Strat. Plan](#)

12:00 PM Recess to Lunch and:

**Special Joint Board Meeting of the Monterey County Board of Supervisors and
the Natividad Medical Center Board of Trustees
Monterey Room, 168 W. Alisal St., 2nd Floor, Salinas, CA 93901**

Roll Call

Closed Session

12. Closed Session under Government Code section 54950, relating to the following items:

- a. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center CEO

- b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: James May and Brette NealEmployee Organizations: All Units

Adjournment of Joint Meeting

2:00 P.M. - Reconvene - Monterey County Board of Supervisors

Roll Call

Scheduled Matters

13.
 - a. Consider approval of the responses to the 2012 Monterey County Civil Grand Jury Final Report - Detention Facilities Inspections; and
 - b. Direct the County Administrative Officer to file the approved responses with the Presiding Judge of the Superior Court, County of Monterey, by May 4, 2013.

Attachments: [2012 Mo Co CGJ Final Report - Detention Facilities Inspections](#)

Adjournment

Supplemental Sheet, Consent Calendar

Natividad Medical Center

14.
 - a. Declaring an emergency as defined by the California Public Contract Code Section 1102 due to needed repair of the imaging equipment at Natividad Medical Center (NMC) Contractor - GE HealthCare; and
 - b. Finding that the emergency will not permit a delay resulting from a formal solicitation of bids and that the action is necessary to respond to the emergency; and
 - c. Finding that the repairs are necessary to permit the continued conduct of County operations or services; and
 - d. Authorizing emergency repair of the imaging equipment at NMC without adopting plans and specifications and giving notice for bids to let contracts; and
 - e. Authorizing the NMC Purchasing Manager, or his designee, to enter into contracts and issue purchase orders to accomplish the required emergency work, and ratifying the execution of emergency contracts and actions taken by the NMC Purchasing Manager, or his designee, to respond to the emergency. (4/5th vote required).

Attachments: [4-9-13 GE X-ray Tube Replacement Quote 10-15-2012](#)
[4-9-13 GE Healthcare \(EPO405\) X-Ray Tube](#)
[4-9-13 GE Invoice 5502772 \(EPO405\)](#)
[4-9-13 GE Tube Replacement EPO 405 Admin Approval](#)
[4-9-13 Emergency Board Report Resolution for GE EPO405](#)

15. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 6 to the Agreement (A-11719) with Bio Medical Systems Corporation for Cardiac Monitoring Services at NMC, extending the Agreement to June 30, 2013 and adding \$30,000 for a revised total Agreement amount not to exceed \$170,000 in the aggregate.

Attachments: [Bio Medical Systems](#)

16. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement (MYA 723) with B.E. Smith Inc. for Interim Employee Services at NMC, extending the Agreement to December 31, 2013 and adding \$576,200 for a revised total Agreement amount not to exceed \$676,200 in the aggregate.

Attachments: [BE Smith Amendment #1](#)

17. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement (A-12175) with Hibser Yamauchi Architects for 3rd Floor, Building 400, Tenant Improvement, per RFQ #9600-18 at Natividad Medical Center, extending the Agreement to June 30, 2015 and adding \$77,930 for a revised total Agreement amount of \$564,529 in the aggregate.

Attachments: [Hibser Yamauchi Amendment 1](#)

18. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute a Contract with County of Santa Clara (“Santa Clara County”) for the provision by NMC of Acute Psychiatric Inpatient Services at NMC’s In-Patient Facility to Santa Clara County Residents Referred by Santa Clara County, for the period February 1, 2013 to June 30, 2014; and
b. Authorize the Purchasing Manager for NMC to sign 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: [Santa Clara County Patient Transfer Agreement](#)

19. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 1 to the Agreement with MD Buyline for Membership Services at NMC, extending the Agreement to August 31, 2017 and adding \$99,995 for a revised total Agreement amount not to exceed \$199,990 in the aggregate.

Attachments: [MD Buyline Renewal & Amendment #1 \(4-8-13\)](#)

20. Adopt Resolution to:
- Accept the Certificate of Completion for Seismic Upgrade Project for Natividad Medical Center (NMC), located at 1441 Constitution Blvd., Salinas, CA 93906, Project No. 9600-27, Bid Package No. NMC-1001; and
 - Authorize the NMC Assistant Administrator of Operations & Support Services to execute and record the Notice of Completion.

Attachments: [4-9-13 Otto Construction Resolution](#)
[4-9-13 Otto Construction \(Project Budget\)](#)
[4-9-13 Otto Construction - Notice Of Completion](#)
[4-9-13 Otto Construction - CERTIFICATE OF COMPLETION](#)
[4-9-13 Otto Construction - Retention Pay Application](#)

Health and Social Services

21. Approve and authorize the Director of Health to sign Amendment No. 3 to a Professional Services Agreement between the County of Monterey and Bagley Enterprises, Inc., to increase the amount payable by \$35,000, for an amount not to exceed \$130,000 for the period January 5, 2010, through June 30, 2013, to inspect and maintain used oil pump-out equipment, including the relocation and reconstruction of a double-wall oil recycling container at Breakwater Cove Marina, in the city of Monterey, for Environmental Health's Used Oil Recycling Program.

Attachments: [ATTACHMENT A - BAGLEY ENTERPRISES PSA.pdf](#)
[ATTACHMENT B - AMENDMENT 1 TO PSA.pdf](#)
[ATTACHMENT C - AMENDMENT 2 TO PSA.pdf](#)
[ATTACHMENT D - PROPOSED AMENDMENT 3 TO PSA.pdf](#)

Criminal Justice

22. a. Approve and Authorize the District Attorney to sign, submit and execute twelve applications, including any extensions or amendments thereof, for continued funding for FY 2013-14 from Federal and State agencies for the District Attorney's Office Victim Assistance Unit and various Prosecution Programs as identified in the attached Board Order.
- b. Approve and Authorize the District Attorney to submit a joint grant application with the City of Salinas to the Federal Government under the Justice Assistance Grant (JAG) Program, and authorize the County Administrative Officer to sign a Memorandum of Agreement as well as joint application for the grant with the City of Salinas.
23. Approve transfer of appropriations in the amount of \$68,673 from Services and Supplies to Fixed Assets in Department 2550-Probation for the purchase of three vehicles during fiscal year 2012-13.

24. Authorize the Contracts/Purchasing Officer to sign the Professional Service Agreement with Honeywell for preventative maintenance and on-call emergency services at the Monterey County Sheriff's Office, Public Safety Building and Jail, in the amount of \$357,920 for the period of July 1, 2012 through June 30, 2015.
- Attachments:** [Addendum No 1 Honeywell International](#)
25. Authorize the Contracts/Purchasing Officer to sign and execute Amendment No.4 to Professional Service Agreement with Commercial Services Co. to increase the total amount of the Agreement by \$160,000 for a cumulative total of \$240,000 in the term period of July 1, 2010 to June 30, 2014 for repair services at the Sheriff's Office.
- Attachments:** [Amendment #4 Commercial Service Co](#)
26. Approve and authorize the Contracts/Purchasing Officer to execute a County of Monterey Standard Agreement with effective terms of February 25, 2013 through June 30, 2014, with Karpel Solutions, Inc, not to exceed \$474,500.00, to provide the District Attorney with an automated case management system.
- Attachments:** [Case Management System - Karpel](#)

General Government

27. Adopt Resolution to approve the Conflict of Interest Code of the San Lucas County Water District.
- Attachments:** [Draft Resolution](#)
[Attachment B - San Lucas County Water District COI](#)
[Approval Document](#)
28. a. Approve and authorize the Contracts / Purchasing Officer to sign a "County of Monterey Wireless Communication Site Lease Agreement" between the County of Monterey and Weathertop Ranch LLC for a 5 year term beginning April 1, 2013 with 3 additional 5 year renewals and an autorenewal clause after that for a cost of \$500 per year; and
b. Accept Non-Standard County Indemnification Provisions as recommended by the Acting Director of Emergency Communications.
- Attachments:** [201303RobertsKnollLeaseSignedByLessor.pdf](#)
29. Adopt a Resolution to approve the request of Carmel Valley Recreation and Parks District to replace biennial audits with yearly financial reviews as contemplated by California Government Code Section 26909. (Unanimous Vote Required.)

Attachments: [Adopted Budget CVRPD FY 2012 2013](#)
[Email requesting replacement of biennial audit with annual review](#)
[CA Govt Code 26909](#)
[CVRPD minutes and resolution](#)
[Resolution 13-031](#)

30.

Adopt a Resolution:

- a. Accepting the Certificate of Completion for the Mount Toro Grounding Project No. 5108, Bid Package No. 10395, located at 20600 Corral de Cielo, Salinas, California, performed by Golden State Utility Company; and
- b. Authorizing the Director of Information Technology to execute and record the Notice of Completion for the Mount Toro Grounding Project No. 5108, Bid Package No. 10395.

Attachments: [Board Resolution Toro Grounding](#)
[Certificate of Completion Toro Grounding](#)
[Notice of Completion Toro Grounding](#)
[Project Map](#)