

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, March 26, 2013

9:00 AM

**See separate agenda for East Garrison Community Services
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) Successor Agency to the Salinas Redevelopment Agency, et al. v. Matosantos, et al. (Sacramento County Superior Court case no. 34-2013-800001422-CU-WM-GDS
 - (2) County of Monterey v. Nova Partners, Inc., et al. (Santa Clara County Superior Court case no. 1-10-CV-178283) (ADDED VIA ADDENDUM)
 - b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: James May and Brette Neal
Employee Organization: All Units
 - c. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center CEO. (ADDED VIA ADDENDUM)

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 the Consent Calendar - (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt a Resolution honoring Dorothy Skillicorn on the occasion of her 100th Birthday. (Supervisor Calcagno)

Attachments: [Skillicorn Resolution](#)

4. Adopt Resolution Honoring Tom Griffin upon his retirement from Monterey County's Military & Veterans Affairs Office as Department Director. (Supervisor Armenta)

Attachments: [Griffin Resolution](#)

5. Adopt a Resolution honoring Barbara Livingston upon her selection as one of five Outstanding Women of Monterey County for 2013. (Supervisor Armenta)

Attachments: [Livingston Resolution](#)

6. Adopt a Resolution Honoring Janet Brennan upon her selection as one of five Outstanding Women of Monterey County for 2013. (Supervisor Armenta)

Attachments: [Brennan Resolution](#)

7. Adopt a Resolution Honoring Maria Belen Perea upon her selection as one of five Outstanding Women of Monterey County for 2013. (Supervisor Armenta)

Attachments: [Perea Resolution](#)

8. Adopt a Resolution Honoring Paulette Lynch upon her selection as one of five Outstanding Women of Monterey County for 2013. (Supervisor Armenta)

Attachments: [Lynch Resolution](#)

9. Adopt a Resolution Honoring Leslie Ann Geyer upon her selection as one of five Outstanding Women of Monterey County for 2013. (Supervisor Armenta)

Attachments: [Geyer Resolution](#)

10. Adopt Resolution honoring Salinas Valley Memorial Hospital in recognition of its 60th Anniversary serving community healthcare needs. (Supervisor Armenta)

Attachments: [Salinas Valley Memorial Hospital Resolution](#)

- 10.1 Adopt a Resolution recognizing Steve Snodgrass as the United Way of Santa

Cruz County Volunteer of the Year Award recipient for 2013. (Supervisor Calcagno) (ADDED VIA ADDENDUM)

Attachments: [Snodgrass Resolution](#)

Appointments

11. Appoint John Mihi to the Community Restorative Justice Commission to fill an unscheduled vacancy, term ending November 1, 2014. (Full Board)

Attachments: [Mihi Notification to Clerk](#)

12. Reappoint Tom Espinoza to the Housing Authority of Monterey County, term ending April 1, 2017. (Supervisor Potter)

Attachments: [Espinoza Notification to Clerk](#)

Other Board Matters

13. Board Comments

14. CAO Comments and Referrals

Attachments: [Referrals 032613](#)

15. 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

16. Receive a report and recommendation from the Legislative Committee in response to a Board Referral related to possible adoption of a resolution urging the Supreme Court to affirm the constitutionality of the Voting Rights Act.

Attachments: [Resolution - Voting Rights Act - Section 5](#)

17. Adopt a Resolution to waive the County's right to receive title to certain property in the Fort Ord Master Plan area that is proposed as a site for a state Veterans Cemetery and direct the Fort Ord Reuse Authority (FORA) to transfer the property directly to the State of California subject to certain conditions.

Attachments: [Attachment A - Resolution and legal description](#)
[Attachment B - Letters \(Farr, Monning, Stone\)](#)

Adjournment

Supplemental Sheet, Consent Calendar**Health and Social Services**

18. a. Reallocate a vacant 1.0 FTE Psychiatric Social Worker II to a 1.0 FTE Public Health Nurse II in Health Department Budget Unit HEA003-8124; and
b. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2012-13 Budget and the FY 2013-14 Adopted Budget. (REVISED VIA SUPPLEMENTAL)

Attachments: [Attachment to Bd Rept Reallocating PSW to PHNII 02_26_2013.doc](#)

19. Adopt a Resolution to:
a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Sexual Assault Forensic Examiner - Per Diem
b. Amend Personnel Policies and Practices Resolution No. 98-394 to add special pays for the classification of Sexual Assault Forensic Examiner - Per Diem as provided in Attachment PPPR Amendments

Attachments: [SAFE Salary String Attachment.docx](#)
[SAFE PPPR Language Attachment.doc](#)

20. a. Amend the Department of Social Services (DSS) Budget Unit 5010-SOC005-8262, to add one Management Analyst II to support readiness to implement new statewide automated systems in preparation for Health Care Reform; and
b. Authorize the County Administrative Office to incorporate approved position changes in the FY 2012-13 Budget and the FY 2013-14 Adopted Budget 5010-SOC005-8262; and
c. Approve and authorize the Auditor-Controller's Office to incorporate approved appropriation and estimated revenue modifications to the FY 2012-13 Budget in the amount of \$30,133, and the County Administrative Office to reflect these approved changes in the FY 2013-14 Adopted Budget 5010-SOC005-8262 (4/5th vote required).

21. Adopt a Resolution to:
Amend Personnel Policies and Practices Resolution No. 98-394 to increase the top of the broad salary range for Bureau Chief as shown in Attachment A.

Attachments: [BC Salary String Attachment.docx](#)

22. Approve additional funding for Agreement No. A-11307, with Oregon Community Health Information Network, Inc., in the amount of \$71,379 for FY 2012-13, \$102,686 for FY 2013-14 and \$169,434 for FY 2014-15 for a revised total amount \$5,925,257.

23. a. Approve and authorize the Director of Health to accept grant funds from The California Endowment in the amount of \$399,710 to implement the Building

Institutional Leadership to Realize Health Equity program for the period of February 12, 2013 through February 11, 2014; and

b. Authorize the Director of Health to approve up to three future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original Agreement amount and do not significantly alter the scope of services or result in an increase in County General Fund Contribution.

Attachments: [CA Endowment.pdf](#)

General Government

24. Approve the use of Toro Park on Sunday, August 18, 2013 for a function by Iglesia del Valle Church in compliance with Monterey County Code 14.12.130.

25. a. Approve Amendment No. 6 to the Concession Agreement between Monterey County Parks Department and Sports Car Racing Association of the Monterey Peninsula (SCRAMP) at the Laguna Seca Recreation Area, extending the current term one additional year through March 31, 2014; and
b. Authorize the Chair of the Monterey County Board of Supervisors to sign the Amendment.

Attachments: [03 26 13 BR Extend SCRAMP 1-Yr Addendum.doc](#)

26. a. Approve a five-year Facility Use Agreement between the Sea Otter Classic, Inc., doing business as the Sea Otter Classic, and the County of Monterey to produce the Sea Otter Classic Sports Festival at the Laguna Seca Recreation Area for the years 2013-2017, with an option for a five-year extension from 2017 to 2022 on terms and conditions to be mutually agreed to by the parties, if exercised by both parties;
b. Authorize the Chair of the Board to sign the Agreement on behalf of the County; and
c. Authorize the Parks Director to issue Standard Form Special Event Permits each year (2013-2017) for the Sea Otter Classic Sports Festival, and enter into Memoranda of Understanding with the Sea Otter Classic, Inc., as necessary, to address specific details on maintenance and operations pursuant to the terms of the Agreement.

Attachments: [Facility Use Agreement.pdf](#)

RMA - Public Works

27. a. Approve and authorize the Chair to execute a First Amendment to the Agreement Concerning Maintenance, Repair, and Operation of Drainage and Flood Control Systems and Required Provisions of CC&Rs by and among the County of Monterey, the Monterey County Water Resources Agency, and UCP East Garrison, LLC, for the East Garrison development on the former Fort Ord; and
b. Direct the Director of Public Works to submit the executed First Amendment

to the County Recorder for recordation.

Attachments: [Exhibit A-Background of Activities East Garrison Development](#)
[Exhibit B - First Amendment to the Maintenance Agreement](#)
[Exhibit C Agreement](#)
[Exhibit D-Vicinity Map](#)

28. Approve and authorize the Chair to sign a First Amendment to the Urban Services Agreement by and between the County of Monterey and the East Garrison Community Services District Relating to East Garrison for operation and maintenance of infrastructure at the East Garrison development.

Attachments: [Exhibit A-Background of Activities East Garrison Development](#)
[Exhibit B-First Amendment to Urban Services Agreement](#)
[Exhibit C-Urban Services Agreement](#)
[Exhibit D-Location Map](#)

29. a. Approve and authorize the Chair to sign an Advance Funding Agreement between BMC EG GARDEN, LLC and the County of Monterey for Prevailing Wage Compliance at the East Garrison Project at Fort Ord relating to the provision of funds to cover County costs for monitoring and reporting on prevailing wages obligations;
- b. Approve and authorize the Chair to sign an Advance Funding Agreement between BMC EG BUNGALOW, LLC and the County of Monterey for Prevailing Wage Compliance at the East Garrison Project at Fort Ord relating to the provision of funds to cover County costs for monitoring and reporting on prevailing wages obligations; and
- c. Approve and authorize the Chair to sign an Advance Funding Agreement between BMC EG VILLAGE, LLC and the County of Monterey for Prevailing Wage Compliance at the East Garrison Project at Fort Ord relating to the provision of funds to cover County costs for monitoring and reporting on prevailing wages obligations.

Attachments: [Exhibit A - Background of Activities East Garrison Development](#)
[Exhibit B Advance Funding Agreement between BMC EG Garden](#)
[Exhibit C Advance Funding Agreement between BMC Bungalow](#)
[Exhibit D Advance Funding Agreement between BMC EG Village](#)
[Exhibit E - Vicinity Map](#)

30. a. Accept as complete a portion of the East Garrison Subdivision Phase 1 Infrastructure Improvements, including off-site road improvements, off-site and on-site drainage improvements, and on-site grading, erosion control, and infrastructure;
- b. Accept the completed road improvements on Intergarrison Road, Intergarrison Connector Road, and West Camp Street into the County's maintained road system; and

c. Approve the release or reduction of Grading, Faithful Performance, and Labor and Material Bonds related to said improvements in accordance with Government Code section 66499.7 after the passage of time for recording claims or liens.

Attachments: [Exhibit A - Vicinity Map](#)
[Exhibit B - Background of Activities East Garrison Development](#)
[Exhibit C - Construction Bond Summary East Garrison Development Project](#)
[Exhibit D-Sudivision Improvement Agreement](#)
[Exhibit E - Letter from Whitson Engineers 9-9-12](#)
[Exhibit F-MCWA Accepting Infrastructure Improvements](#)

31. Approve and authorize the purchase of specialized surveying equipment and software from California Surveying and Drafting Supply, Inc. in the amount of \$101,236.48 for the purpose of replacing aged equipment with newer equipment that meets current industry standards and FCC compliance.

32. Adopt a Resolution confirming the sale of County-owned real property improvements of two buildings located at 54692 Teresa Street, San Lucas, California, to Reyes Venegas for the negotiated purchase price of \$410.

Attachments: [Resolution](#)
[Transfer Agreement](#)
[Quit Claim Deed](#)
[Government Code Section 25526.5](#)
[Location Map](#)

33. Adopt Resolution:
a. Accepting the Certificate of Completion for construction of the Investment Grade Audits and Energy Efficiency Measures, Project No. 8550, performed by Honeywell International, Inc.; and
b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Investment Grade Audits and Energy Efficiency Measures, Project No. 8550, performed by Honeywell International, Inc.

Attachments: [Resolution](#)
[Project Budget](#)
[Certificate of Completion](#)
[Notice of Completion](#)
[Exhibit A List of Project Locations](#)

Supplemental/ Addendum for Tuesday, March 26, 2013

34.

ADDENDUM**Add to 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:
 - (2) County of Monterey v. Nova Partners, Inc., et al. (Santa Clara County Superior Court case no. 1-10-CV-178283)
 - c. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center CEO.

Add to Ceremonial Resolutions

- 10.1 Adopt a Resolution recognizing Steve Snodgrass as the United Way of Santa Cruz County Volunteer of the Year Award recipient for 2013. (Supervisor Calcagno)

SUPPLEMENTAL**Consent Calendar - Health & Social Services****18. Revised title**

- a. Reallocate a vacant 1.0 FTE Psychiatric Social Worker II to a 1.0 FTE Public Health Nurse II in Health Department Budget Unit HEA003-8124; and
- b. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2012-13 Budget and the FY 2013-14 Adopted Budget.