

# Monterey County

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



## Action Minutes - Final

Tuesday, April 19, 2016

9:00 AM

See separate agenda for Board of Supervisors of the Monterey  
County Water Resource Agency.

## Board of Supervisors

*Chair Jane Parker - District 4  
Vice Chair Dave Potter - District 5  
Supervisor Fernando Armenta - District 1  
Supervisor Simón Salinas - District 3  
Supervisor John M. Phillips - District 2*

**9:00 A.M. - Call to Order**

The meeting was called to order by Chair Parker.

**Roll Call**

**Present:** 5 - Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter, Supervisor John M. Phillips and Supervisor Simón Salinas

**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 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.
  - b. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.
  - c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
  - d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
    - (1) Designated representatives: Manuel Gonzalez and Brette Neal
    - Employee Organization(s): All Units
  - e. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) The Open Monterey Project v. County of Monterey, et al. (Monterey County Superior Court case no. M109441)
    - (2) Landwatch Monterey County v. County of Monterey, et al. (Monterey County Superior Court case no. M109434)

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

**10:30 A.M. - Reconvene**

**Roll Call**

**Present:** 5 - Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter, Supervisor John M. Phillips and Supervisor Simón Salinas

### **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:

**Add Adjournment in Memory of  
Amy Rodriguez; George Tanimura & Alan McDonald**

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve the additions to the agenda. ALL AYES**

### **Consent Calendar**

2. Approval of Consent Calendar (See Supplemental Sheet)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to approve the Consent Calendar (See Supplemental Sheet).  
ALL AYES**

### **Ceremonial Resolutions**

3. Adopt Resolution honoring Dr. Deborah Biller upon her retirement as Medical Director of the Big Sur Health Center. (Full Board)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-087 honoring Dr. Deborah Biller upon her retirement as Medical Director of the Big Sur Health Center. (Full Board) ALL AYES**

4. Adopt Resolution recognizing Richard Smith for his special contribution as a board member of the Salinas Valley Water Coalition for over twenty-five years. (Supervisor Salinas)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-088 recognizing Richard Smith for his special contribution as a board member of the Salinas Valley Water Coalition for over twenty-five years. (Supervisor Salinas) ALL AYES**

5. Adopt Resolution commending Mary Elizabeth "Libby" McMullen, upon her retirement as Sergeant from the Monterey County Sheriff's Department after twenty-five years. (Full Board)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor**

**Fernando Armenta to adopt Resolution No. 16-089 commending Mary Elizabeth “Libby” McMullen, upon her retirement as Sergeant from the Monterey County Sheriff’s Department after twenty-five years. (Full Board) ALL AYES**

6. Adopt Resolution Commending Deputy Paul Bryan Butterfield, Monterey County Deputy Sheriff, upon his retirement with 21 years of service. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-090 commending Deputy Paul Bryan Butterfield, Monterey County Deputy Sheriff, upon his retirement with 21 years of service. (Full Board) ALL AYES**
7. Adopt Resolution honoring Sidney Smith upon his retirement from the Monterey County Health Department after a combined thirty four years of dedicated public service. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-091 honoring Sidney Smith upon his retirement from the Monterey County Health Department after a combined thirty four years of dedicated public service. (Full Board) ALL AYES**
8. Adopt Resolution recognizing the Honorable Dan Albert and Mrs. Joanne Albert as recipients of the Monterey Peninsula College 2016 President’s Award. (Supervisor Potter)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-092 recognizing the Honorable Dan Albert and Mrs. Joanne Albert as recipients of the Monterey Peninsula College 2016 President’s Award. (Supervisor Potter) ALL AYES**

### **Appointments**

9. Appoint Jeff Cecialio to the Northern Salinas Valley Mosquito Abatement District to fill an unscheduled vacancy with a term ending January 2, 2018. (Full Board)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to appoint Jeff Cecialio to the Northern Salinas Valley Mosquito Abatement District to fill an unscheduled vacancy with a term ending January 2, 2018. (Full Board) ALL AYES**
- 9.1 Reappoint Paul Cortopassi to the Castroville Cemetery District for a term ending March 30, 2019. (Supervisor Phillips)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to reappoint Paul Cortopassi to the Castroville Cemetery District for a term ending March 30, 2019. (Supervisor Phillips) ALL AYES**
- 9.2 Reappoint Cesar Padilla to the Castroville Cemetery District for a term ending March 30, 2019. (Supervisor Phillips)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to reappoint Cesar Padilla to the Castroville Cemetery District**

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for a term ending March 30, 2019. (Supervisor Phillips) ALL AYES

- 9.3 Reappoint Eva Mae Sigala to the Castroville Cemetery District for a term ending March 30, 2019. (Supervisor Phillips)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to reappoint Eva Mae Sigala to the Castroville Cemetery District for a term ending March 30, 2019. (Supervisor Phillips) ALL AYES**

### **Other Board Matters**

10. Board Comments

**Supervisor Phillips advised he went to Sacramento yesterday, with Debbie Hale and John Arriaga, to testify regarding AB 2730 (Alejo) which would keep some of the money for property required to be sold on the Prunedale bypass (140 parcels of land/353 acres land) if sold, in Monterey County. The bill passed on a 9-2 vote out of committee.**

**Supervisor Phillips noted there was a bad traffic accident on April 13th on Hall Road in North County. In this case, one boy died and one boy was seriously injured. Animal Control Officer Cathy Stanley assisted by helping the father, who was in shock and panicking by providing CPR and compression to stabilize the youth until paramedics arrived. She directed traffic after paramedics arrived and later assisted the grieving family. He commended her actions as they were above and beyond the normal call of duty.**

11. CAO Comments and Referrals

**There were no CAO comments or referrals.**

12. General Public Comment

**Sergio Zamundio; Kelvin Windham; Hans Jongens; Joe Vierra.**

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

13. a. Receive a status report on the outcome of public discussions regarding the proposed water and energy efficient landscape regulations;  
b. Consider the recommended solutions for addressing the public's concerns;  
and  
c. Provide direction to staff regarding modifications to the proposed water and energy efficient landscape regulations.  
(Water and Energy Efficient Landscape Ordinance - REF110056, County-wide)

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to: a. Receive a status report on the outcome of public discussions regarding the proposed water and energy efficient landscape regulations; b. Considered the recommended solutions for addressing the public's concerns; and c. Acknowledged the Board is comfortable with the direction staff is going in and provided direction to staff regarding**

modifications to the proposed water and energy efficient landscape regulations. (Water and Energy Efficient Landscape Ordinance REF110056, County wide) ALL AYES

- 14.
- a. Accept the Annual Progress Report for the 2010 General Plan Implementation pursuant to Government Code Section 65400;
  - b. Accept the Annual Progress Report for the 2009-2014 Housing Element Implementation to comply with State Department of Housing and Community Development requirements;
  - c. Authorize the Resource Management Agency Director to submit the progress reports to the State Office of Planning and Research and State Department of Housing and Community Development
  - d. Accept the Resource Management Agency Long Range Work Program (REF160006/Annual Progress Report for the 2010 General Plan Implementation and Housing Element Implementation)

**Public comment: Amy White; Joe Vierra.**

**A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Dave Potter to:**

- a. Accept the Annual Progress Report for the 2010 General Plan Implementation pursuant to Government Code Section 65400;**
- b. Accept the Annual Progress Report for the 2009-2014 Housing Element Implementation to comply with State Department of Housing and Community Development requirements;**
- c. Authorize the Resource Management Agency Director to submit the progress reports to the State Office of Planning and Research and State Department of Housing and Community Development**
- d. Accept the Resource Management Agency Long Range Work Program (REF160006/Annual Progress Report for the 2010 General Plan Implementation and Housing Element Implementation) ALL AYES**

### **12:00 P.M. - Recess to Lunch**

### **1:30 P.M. - Reconvene Monterey County Board of Supervisors**

### **Roll Call**

**Present:** 5 - Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter, Supervisor John M. Phillips and Supervisor Simón Salinas

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

15. Receive a report from the Natividad Medical Foundation President & Chief Executive Officer updating the Board of Supervisors on the work of the Natividad Medical Foundation.

**Public comment: Steve Goldman; Lavonne Stone.**

**A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Dave Potter to receive a report from the Natividad Medical Foundation President & Chief Executive Officer updating the Board of Supervisors on the work of the Natividad Medical Foundation. ALL AYES**

16. Conduct a public hearing to consider:
- Adopting a resolution finding that the expenditure of funds from the Natividad Medical Center (NMC) Fiscal Year 2015/2016 Budget to support a Funding Agreement with Healthcare Foundation of Northern and Central California (“Healthcare Foundation”), a California corporation, assisting Healthcare Foundation in meeting the direct costs of a Medical Respite Program (“MRP”) for homeless persons in Monterey County, has a direct and primary public purpose, benefiting Monterey County, in general, and NMC, in particular;
  - Authorizing the Deputy Purchasing Agent for NMC or his designee to execute a Funding Agreement with Healthcare Foundation, to provide funding to Hospital Foundation in an amount not to exceed \$105,000 to assist in meeting the direct costs of the MRP, for a term beginning April 19, 2016 through April 18, 2017; and
  - Authorizing the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the Funding Agreement, each of which does not exceed twelve (12) months or significantly alter the scope of work, and which in the aggregate do not cause an increase of more than ten percent (10%) (\$10,500) of the original cost of the Agreement.

**Conducted a public hearing.**

**Public comment: Lavonne Stone.**

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to: a. Adopt Resolution No. 16-093 finding that the expenditure of funds from the Natividad Medical Center (NMC) Fiscal Year 2015/2016 Budget to support a Funding Agreement with Healthcare Foundation of Northern and Central California (“Healthcare Foundation”), a California corporation, assisting Healthcare Foundation in meeting the direct costs of a Medical Respite Program (“MRP”) for homeless persons in Monterey County, has a direct and primary public purpose, benefiting Monterey County, in general, and NMC, in particular;**

**b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute a Funding Agreement with Healthcare Foundation, to provide funding to Hospital Foundation in an amount not to exceed \$105,000 to assist in meeting the direct costs of the MRP, for a term beginning April 19, 2016 through April 18, 2017; and**

**c. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the Funding Agreement, each of which does not exceed twelve (12) months or significantly alter the scope of work, and which in the aggregate do not cause an increase of more than ten percent (10%) (\$10,500) of the original cost of the Agreement. ALL AYES**

17.
  - Receive an oral report from service providers and county officials, which assesses existing gaps in services as well as recommended steps or actions to effectively address current issues of encampments in the Chinatown area; and
  - Provide direction to county staff for next steps.

**Speakers: Don Reynolds; Katherine Thoeni; Dave Spaur, Jane Barr; Betsy Wilson; Elsa Jiminez; Elliott Robinson.**

**Public comment: Janet May; Pam Westin; Tony Castillo; Wes White; Lavonne**

Stone; Eric Peterson.

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Simón Salinas to: a. Receive an oral report from service providers and county officials, which assesses existing gaps in services as well as recommended steps or actions to effectively address current issues of encampments in the Chinatown area; and

b. Provide direction to county staff for next steps, including, but not limited to, DSS and other partners, consider submitting a proposal for budget hearings; work with homeless providers, CAO Budget staff and County Departments to figure out funding possibilities for case management to address short term needs and concentrate more services in Chinatown, as well as extended winter sheltering days; health initiatives should mesh with implementation of 10 year plan; look at annual service costs for Mid Peninsula project as an opportunity for grant makers; look at building up a fund to offset housing costs; and cost breakdown of Soledad Street Project. ALL AYES

**Adjournment**

In Memory of Amy Rodriguez, George Tanimura & Alan MacDonald.

**APPROVED:**

/s/ Jane Parker

**JANE PARKER, CHAIR  
BOARD OF SUPERVISORS**

**ATTEST:**

**BY:** /s/ Gail T. Borkowski

**GAIL T. BORKOWSKI  
CLERK OF THE BOARD**

**APPROVED ON** 06-07-2016

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

18. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement with AMF Media Group for Public Relations Services at NMC for an amount not to exceed \$185,500 for the term May 1, 2016 through April 30, 2017.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) of the original cost of the agreement per each amendment.

**Approved - Agreement No. A-13105**

19. a. Adopt the Natividad Medical Center Construction Task Catalog, Project Manuals, and Technical Specifications for the Job Order Contract Projects, Project No. JOC Bid Nos. NMC 2016-01, Bid Nos. NMC 2016-02, Bid Nos. NMC 2016-03 as part of the information to complete the Job Order Contract program; and
- b. Authorize advertising the "Notice to Contractors" in a newspaper of general circulation.

**Approved**

20. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the no extension Fourth Amendment to the Professional Services Agreement with Pediatric Gastroenterology Medical Associates of Santa Clara Valley to provide pediatric gastroenterology services at NMC adding \$50,000, for a revised not to exceed amount of \$150,000.

**Approved - Agreement No. A-13107**

**Health Department**

21. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a two and a half-year term Facility User Agreement January 1, 2016 to June 30, 2018 with Action Council of Monterey County to use office space on County leased-premises located at King City, California to provide early childhood development programs and services for children ages 0 to 5 and their families in Monterey County at no cost; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to execute up to three future amendments to this Agreement where the amendments do not significantly change the scope of work.

**Approved - Agreement No. A-13103**

22. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 1 to Mental Health Services Agreement A-12730 with Chamberlain's Children Center for the provision of mental health services in the increased amount of \$606,570 for Fiscal Year (FY) 2015-16 and \$1,155,657 for FY 2016-17, for a new total Agreement amount of \$1,966,923 for the full term of FY 2014-15 through FY 2016-17.

**Approved - Agreement No. A-12730**

23. Approve and authorize the Director of Health or Assistant Director of Health to execute a no-extension Amendment No. 1 to Alcohol and/or Drug Service Agreement A-12777 with Community Human Services for the provision of alcohol and drug recovery services adding \$829,461 for a total Agreement amount not to exceed \$7,125,882 for a term of July 1, 2015 to June 30, 2018.

**Approved - Agreement No. A-12777**

24. Approve and authorize the Contracts Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to Standard Agreement A-11775 with LocumTenens.com to provide for rate increases as per the schedule in Exhibit "A" and increases to the FY 2015-16 amount by \$700,000 to meet the Department's needs for temporary licensed physicians and health care professionals for a total Agreement amount not to exceed \$1,210,000.

**Approved - Agreement No. A-11775**

### **General Government**

25. Authorize the Director of the Economic Development Department to execute an amendment to the Subrecipient Grant Agreement between the County and the Aromas Community Center Foundation for expenditure of Housing Related Parks Program funds, to expand the authorized scope of work and to add time for completion of the additional work. (CORRECT ATTACHMENT SUBMITTED VIA SUPPLEMENTAL)

**Approved**

26. Receive and Accept the Treasurer's Report of Investments for the Quarter Ending March 31, 2016.

**Approved**

27. a. Approve Amendment No. 3 to the Agreement between the County and Moxxy Marketing for technical assistance, graphic design, web maintenance, Crop Report and outreach, to expand the scope of work and increase the amount payable by \$50,000, for a total amount not to exceed \$130,000;  
b. Authorize the Agricultural Commission to execute Amendment No. 3; and

- c. Authorize the Auditor-Controller to make payments in accordance with the terms of the Agreement and Amendment to the No.3 Agreement.

**Approved - Agreement No. A-13104**