

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, May 20, 2014

9:00 AM

**See separate agendas for Board of Supervisors of the Monterey
County Water Resources Agency, Successor Agency to the
Redevelopment Agency of the County of Monterey and Pajaro
County Sanitation District**

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

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 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 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: James May and Brette Neal
Employee Organization(s): Units A, B, D, and E.
 - 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 54956.8, the Board will confer with real property negotiators:
 - (1) Property: 1441 & 1448 Schilling Place, Salinas
Agency Negotiator: Benny Young, Resource Management Agency Director
Negotiating Party: Scott J. Prosser, CBRE
Under negotiation: Price and terms
 - (2) Property: Natividad Medical Center Campus
Agency Negotiators: Manuel Gonzalez, Assistant County Administrative Officer and Leslie J. Girard, Chief Assistant County Counsel
Negotiating Party: Pete Delgado, CEO, Salinas Valley Memorial Hospital
Under Negotiation: Terms
 - 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 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

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 (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution designating the Week of May 18-24, 2014, as Emergency Medical Services Week. (Full Board)

Attachments: [EMS Week Ceremonial Resolution](#)
4. Adopt Resolution of the Monterey County Board of Supervisors in appreciation to 2nd Chance Family and Youth Services for their services to the community. (Full Board)

Attachments: [2nd Chance Family & Youth Services Ceremonial Resolutions](#)
5. Adopt Resolution commemorating the 90th Anniversary of Ocean Mist Farms. (Full Board)

Attachments: [Ocean Mist Farms Ceremonial Resolution](#)
- 5.1 Adopt Resolution honoring Carla Diane Wright upon her retirement from the Monterey Peninsula Unified School District after 36 Years of Service. (Full Board) (ADDED VIA ADDENDUM)

Attachments: [Wright Ceremonial Resolution](#)
- 5.2 Adopt Resolution Commending Sergeant John Thornburg as the recipient of the Monterey County Sheriff's Office Deputy of the Year for 2012. (Full Board) (ADDED VIA ADDENDUM)

Attachments: [Thornburg Ceremonial Resolution](#)

Appointments

6. Appoint Tom Hicks to the In-Home Supportive Services Advisory Committee to fill an unexpired term ending June 30, 2016. (Full Board)

Attachments: [Hicks Notification to Clerk](#)

7. Reappoint Virdette Brumm, Bryan Flores and Selina Irene Glater to the Mental Health Commission, terms ending May 31, 2017. (Supervisor Potter)

Attachments: [Brumm Notification to Clerk](#)

[Flores Notification to Clerk](#)

[Glater Notification to Clerk](#)

8. Reappoint Fred Brown, Lorin Letendre and Dick Peery to the Community Service Area No.1 Advisory Committee for a term ending June 30, 2017. (Supervisor Potter)

Attachments: [Brown Notification to Clerk](#)

[Letendre Notification to Clerk](#)

[Peery Notification to Clerk](#)

Other Board Matters

9. Board Comments

10. CAO Comments and Referrals

Attachments: [Referrals 052014](#)

11. 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 the 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

12. a. Conduct a Public Hearing to hear the report of delinquent fees and consider any protests or objections to the report by landowners liable to be assessed for delinquent fees for County Service Area 75 - Chualar;
b. Consider adopting a resolution confirming the report of delinquent fees for County Service Area 75 - Chualar; as identified in Exhibit A, and authorizing the delinquent fees as set forth in the confirmed report to constitute special assessments against the respective parcels of land to be collected at the same time and in the same manner as ordinary County ad valorem property taxes are collected; and

c. Consider authorizing the Clerk of the Board of Supervisors to file a certified copy of the confirmed report with the Auditor-Controller.

Attachments: [Resolution Delinq Accts CSA 75 rp](#)
[Notice of Public Hearing CSA 75](#)
[Exhibit A](#)
[Location Map](#)

- 13.** Introduce, waive reading, and conduct a hearing on a proposed ordinance to amend Chapter 2.40 of the Monterey County Code to modify procedures relating to the appointment and terms of members and alternate members of the Monterey County Assessment Appeals Board and set June 3, 2014 at 10:30 a.m. as the date and time to consider adoption of the ordinance.

Attachments: [Ordinance](#)
[Ordinance - redline version](#)
[Proposed appointment schedule](#)

12:00 PM Recess to Lunch - Continued Closed Session

Adjournment

Supplemental Sheet, Consent Calendar

Natividad Medical Center

14. Approve and direct the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 3 to the Agreement (A-1227/MYA512) with USA Mobility Wireless for Internet Capable Pager Services at NMC, extending the Agreement to June 30, 2016 and adding \$111,000 for a revised total Agreement amount not to exceed \$271,000 in the aggregate.

Attachments: [USA Mobility Wireless Inc Renewal & Amendment #3](#)
[USA Mobility Wireless Inc Spend Sheet](#)

- 14.1 Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the McKesson Master Agreement MA 135605204 with McKesson Technologies Inc. for Cardio Picture Archiving & Communication System (CPACS) services, adding InterQual software services in the amount of \$169,296 for the period May 20, 2014 to June 30, 2019 and increasing the total maximum liability under the Agreement from \$954,669 to \$1,123,965. (ADDED VIA ADDENDUM)

Attachments: [McKesson Interqual Amedment Product Schedule 5.pdf](#)
[McKesson Interqual Order Form. Exhibits pdf.pdf](#)
[Prior McKesson Cardiology \(CPACS\) Agreement Board Order Correction.pdf](#)

Health Department

15. Adopt a Resolution amending Article I.E. of the Monterey County Master Fee Resolution effective July 1, 2014, to adjust fees relating to oversight and services provided by the Health Department's Environmental Health Bureau pursuant to the attached Fee Schedule.

Attachments: [ATTACHMENT 1 - RATIONALE FOR FEE DELETIONS ADDITIONS AND ADJU](#)
[ATTACHMENT 2 - BOARD RESOLUTION AND STAFF REPORT DISCUSSION](#)
[ATTACHMENT 3a - REVISED ARTICLE I E FEE SCHEDULE STRIKETHROUC](#)
[ATTACHMENT 3b - REVISED ARTICLE I E FEE SCHEDULE CLEAN.pdf](#)
[ATTACHMENT 4 - RESOLUTION \(PROPOSED\).doc](#)

16. a. Approve and authorize the Director of Health to sign a three year term (July 1, 2014 to June 30, 2017) Mental Health Services Agreement with Psynergy Programs, Inc. for the provision of mental health services for Monterey County adult residents with severe psychiatric disabilities in the amount of \$1,162,105 for Fiscal Year (FY) 2014-15, \$1,162,105 for FY 2015-16, and \$1,162,105 for FY 2016-17 for a total Agreement amount of \$3,486,316; and
b. Authorize the Director of Health to approve up to three future amendments to

this Agreement where the amendments do not exceed 10% of the original Agreement amount and do not significantly change the scope of work.

Attachments: [Agreement Psynergy Programs .pdf](#)

Department of Social Services

17. Approve and authorize the Director of the Department of Social Services, or his designee, to sign and execute standard funding agreements and amendments for continued funding from state agencies for designated programs on behalf of the County for the period February 12, 2014 through December 31, 2015.

Attachments: [Attachment A](#)

Criminal Justice

18. Authorize the Auditor-Controller to amend the FY 2013-14 budget for the District Attorney; increasing revenues and appropriations by \$1,007,300 in DIS001 (4/5's vote required).
19. Adopt a Resolution to:
- a. Authorize the Chief Probation Officer to sign and submit a grant application to the Board of State and Community Corrections for Juvenile Accountability Block Grant (JABG) funds in the amount of \$21,623 for the Probation Department's Victim Restitution Program during Fiscal Year 2014-15; and
 - b. Authorize the Chief Probation Officer to sign the Grant Agreement with the Board of State and Community Corrections, and related amendments.

Attachments: [Reso JABG Application 14-15](#)
[2014-15 JABG Direct Allocation Application Monterey](#)

General Government

20. Receive the Action Minutes of the Budget Committee for: January 30, 2013, February 19, 2013, February 27, 2013, March 27, 2013, April 24, 2013, June 12, 2013 and June 24, 2013.

Attachments: [01-30-13 BC Action Minutes](#)
[02-19-13 BC Special Mtg Action Minutes](#)
[02-27-13 BC Action Minutes](#)
[03-27-13 BC Action Minutes](#)
[04-24-13 BC Action Minutes](#)
[06-12-13 BC Action Minutes](#)
[06-24-13 BC Action Minutes](#)

21. a. Approve and authorize the Agricultural Commissioner to sign Memorandum(s) of Understanding (MOU) with the Grower Shipper

Association Foundation and with Monterey County Agricultural Education, Inc. to provide support of agricultural education efforts in Monterey County, and;

b. Authorize the Auditor-Controller to make payments in accordance with the terms of the MOUs.

Attachments: [Grower Shipper MOU_051214.pdf](#)
[Ag Education MOU_051214.pdf](#)

22. a. Authorize the Agricultural Commissioner or designee to execute an Acceptance Letter to accept the Monterey Bay Unified Air Pollution Control District's Offer of up to \$25,000 for the purchase of a Nissan Leaf Electric Vehicle, Model S with QC from an authorized dealer and;
- b. Authorize the Auditor-Controller to make payments in accordance with the terms of the Offer and Acceptance Letter.

Attachments: [MBUAPCD May 12, 2014 Letter Offer.pdf](#)
[Proposed Acceptance Ltr to MBUAPCD from AgComm.pdf](#)

23. a. Amend the County's Neighborhood Stabilization Program 3 (NSP3) Action Plan to increase funding for Interim, Inc.'s Rockrose Gardens project by up to \$40,000, decrease funding for Acquisition and Rehabilitation of Single Family Dwellings for rental to households earning up to 120% of Area Median Income (AMI) by \$7,584.28, and decrease funding for Administration by up to \$32,415.72;
- b. Authorize the Economic Development Director to enter into an Amendment #1 to the Neighborhood Stabilization Program 3 (NSP3) Grant Agreement to memorialize the additional grant funding of up to \$40,000 of NSP3 funding to Rockrose Housing Corporation.

Attachments: [NSP3 Action Plan](#)
[NSP3 Action Plan Amendment #1](#)
[NSP3 Action Plan Amendment #2](#)
[NSP3 Action Plan Amendment #3](#)
[Rockrose Grant Agreement](#)
[Amendment #1 to Rockrose Grant Agreement](#)

24. Set June 10, 2014 at 9:00 A.M. or thereafter for a public hearing to consider adoption of the Fiscal Year 2014-15 Appropriation Limits pursuant to Article XIII B of the California Constitution.

Attachments: [Appropriation Limits 2014-15](#)

25. Approve the Monterey County Board of Supervisors Draft Action Minutes of Tuesday, March 11, 2014 and Tuesday, March 18, 2014.

Attachments: [BOS Draft Minutes 3-11-14](#)
[BOS Draft Minutes 3-18-14](#)

26. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Pacific Grove Unified School District.

Attachments: [Draft Resolution PGUSD](#)
[PGUSD COI clean version](#)
[PGUSD COI strikeout version](#)
[Approval Document - minutes of the PGUSD Board of Education](#)
[Memo from County Counsel re PGUSD](#)

27. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Mission Union School District.

Attachments: [Draft Resolution](#)
[Mission Union SD COI](#)
[Approval Document - MUSD Board of Trustees](#)
[Memo from County Counsel re MUSD](#)

RMA - Building Services

28. Introduce, waive reading and set June 3, 2014, at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Chapter 1.22 relating to the Administrative Remedies for Code Enforcement to further define "Hearing Officer" which would allow the County to use an alternative hearing officer program, in addition to the Administrative Law Judge provided by the State of California Office of Administrative Hearings, as well as adding and amending sections clarifying administrative procedures for Code Enforcement.

Attachments: [Attachment A - Ordinance \(Clean Version\)](#)
[Attachment B - Ordinance \(Red Line Version\)](#)

RMA - Public Works

29. a. Ratify adoption of the Plans and Special Provisions prepared by Creegan and D'Angelo Engineers for the Emergency Watershed Protection treatments;
b. Ratify the execution of the Certificate of Completion and recordation of the Notice of Completion with the County Recorder by the Director of Public Works.

Attachments: [EWP Program Plans-Pfeiffer Ridge Area](#)
[Project Budget](#)
[Location Map](#)

30. Adopt a Resolution to:
a. Approve a Master Agreement between the Transportation Agency for Monterey County and the County of Monterey for Regional Surface Transportation Program Exchange Funds for County projects; and
b. Authorize the Director of Public Works, or his designee, to act as the agent

for the County to execute documents to secure these funds from Transportation Agency for Monterey County.

Attachments: [Resolution](#)
[Master Agreement with TAMC](#)

31. Board of Supervisors Addendum Agenda for Tuesday, May 20, 2014.

ADDENDUM

Add to Ceremonial Resolutions

- 5.1 Adopt Resolution honoring Carla Diane Wright upon her retirement from the Monterey Peninsula Unified School District after 36 years of service. (Full Board)
- 5.2 Adopt Resolution Commending Sergeant John Thornburg as the recipient of the Monterey County Sheriff's Office Deputy of the Year for 2012. (Full Board)

Add to Consent Calendar - Natividad Medical Center

- 14.1 Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the McKesson Master Agreement MA 135605204 with McKesson Technologies Inc. for Cardio Picture Archiving & Communication System (CPACS) services, adding InterQual software services in the amount of \$169,296 for the period May 20, 2014 to June 30, 2019 and increasing the total maximum liability under the Agreement from \$954,669 to \$1,123,965.