

# Monterey County

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



## Meeting Agenda - Final-revised

**Tuesday, December 11, 2012**

**9:00 AM**

**See separate agendas for Successor Agency to the Monterey  
County Redevelopment Agency, Pajaro County Sanitation District &  
Monterey County Water Resources Agency**

### **Board of Supervisors**

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

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(a), the Board will confer with legal counsel regarding existing litigation:
    - (1) County v. Loan Exchange Group, et al., Monterey Superior Court Case no. M113741
  - b. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
    - (1) Joseph M. Banuelos, Jr.
    - (2) Janet E. Pessagno
    - (3) Jodi L. Dionne
    - (4) Michael Greene
    - (5) Neelima Vegesna
    - (6) Monterey-Salinas Transit District
  - c. Pursuant to Government Code section 54957, the Board will confer regarding discipline, dismissal, or release of a public employee.
  - d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
    - (1) Designated representatives: James May and Brette NealEmployee Organization(s): Units A, B, and C
  - e. Pursuant to Government Code section 54956.9(b), 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 the Consent Calendar - Regular (See Supplemental Sheet)

**Ceremonial Resolutions**

3. Adopt Resolution commending Assemblyman Luis Alejo for his many contributions to the County of Monterey. (Supervisor Potter)
- Attachments:** [Assemblyman Alejo Resolution](#)
4. Adopt Resolution commending Sergeant John Pellerin, Monterey County Sheriff's Office, upon his retirement from 28 years of Public Service. (Supervisor Potter)
- Attachments:** [Sergeant Pellerin Resolution](#)
5. Adopt Resolution commending Chief Deputy Jeffrey J. Budd, Monterey County Sheriff's Office upon his retirement from 34.5 years of Public Service. (Supervisor Potter)
- Attachments:** [Deputy Budd Resolution](#)
6. Adopt Resolution commending Commander Scott Ragan, Monterey County Sheriff's Office upon his retirement from 28 years of Public Service. (Supervisor Potter)
- Attachments:** [Commander Ragan Resolution](#)
7. Adopt Resolution commending Sergeant Richard Rodriguez, Monterey County Sheriff's Office upon his retirement from 28 years of Public Service. (Supervisor Potter)
- Attachments:** [Sergeant Rodriguez Resolution](#)
8. Adopt Resolution commending Deputy Kevin Hockenhill, Monterey County

Sheriff's Office upon his retirement from 25 years of service. (Supervisor Potter)

**Attachments:** [Deputy Hockenull Resolution](#)

9. Adopt Resolution honoring Lynn Diebold upon her retirement from the County of Monterey after 44 years of Public Service. (Supervisor Potter)

**Attachments:** [Diebold Resolution](#)

10. Adopt Resolution honoring Elizabeth "Petie" Helfrich as recipient of the 2012 Monterey County Women Lawyers Association Lady Justice Lifetime Achievement Award. (Supervisor Potter)

**Attachments:** [Helfrich Resolution](#)

11. Adopt Resolution honoring Gail S. Terry on the occasion of her retirement after 35 years of distinguished service with the County of Monterey, Department of Social and Employment Services. (Supervisor Potter)

**Attachments:** [Terry Resolution](#)

### **Appointments**

12. Reappoint Salvador Muñoz to the Historical Resources Review Board, term ending December 31, 2015. (Supervisor Armenta)

**Attachments:** [Muñoz Notification to Clerk](#)

13. Appoint Michael A. O'Brien to the Military & Veterans Affairs Advisory Commission to fill an unexpired term ending December 31, 2015. (Full Board)

**Attachments:** [O'Brien Notification to Clerk](#)

14. Reappoint Dan Presser to the Military & Veterans Affairs Advisory Commission, term ending December 31, 2016. (Full Board)

**Attachments:** [Presser Notification to Clerk](#)

15. Reappoint Sid Williams to the Military & Veterans Affairs Advisory Commission, term ending December 31, 2016. (Full Board)

**Attachments:** [Williams Notification to Clerk](#)

16. Appoint Genie Jimenez to the In-Home Supportive Services Advisory Committee, term ending June 30, 2013. (Supervisor Armenta)

**Attachments:** [Jimenez Notification to Clerk](#)

17. Reappoint Paul Binsacca to the Resource Conservation District, term ending November 30, 2016. (Full Board)

**Attachments:** [Binsacca Notification to Clerk](#)

18. Reappoint Juan Sanchez to the Military and Veterans Commission, term ending January 1, 2016. (Supervisor Salinas)

**Attachments:** [Sanchez Notification to Clerk](#)

- 18.1 Appoint Raquel Toribio to the In-Home Supportive Services Advisory Committee to fill an unexpired term ending June 30, 2013. (Full Board)  
(ADDED VIA ADDENDUM)

**Attachments:** [Toribio Notification to Clerk](#)

### **Other Board Matters**

19. Board Comments

20. CAO Comments and Referrals

**Attachments:** [Referrals 121112](#)

21. 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**

22. Adopt an Ordinance amending Section 5.08.120 of the Monterey County Code, in response to Board Referral 2011.07 regarding the local hiring process for County construction contracts.

**Attachments:** [Ordinance](#)

23. Continued from October 23, 2012 to:  
Adopt resolution finding that a public convenience or necessity would be served by the issuance of a Type 20 (Off-Sale Beer and Wine) license by the Department of Alcoholic Beverage Control (ABC) to Peninsula Petroleum, LLC at 7 Carmel Center Place, Carmel for the sale of beer and wine for off-site consumption, pursuant to California Business and Professions Code Section 23958.4.  
(PLN120569/ Peninsula Petroleum, LLC, 7 Carmel Center Place, Carmel, Carmel Valley Master Plan)

**Attachments:** [Attachment A - Resolution](#)  
[Attachment B - Comments from Monterey County Sheriff's Office](#)  
[Attachment C - Map showing Type 20 & 21 Licenses](#)  
[Attachment D - Vicinity Map](#)

24. Accept an oral presentation from the Department Heads' Geographic Information Systems Committee.
25. Receive and accept the County of Monterey Cost Savings Committee report.

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

### **1:30 PM Reconvene**

### **Roll Call**

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

26. a. Receive report and consider recommendation by the Legislative Committee to adopt the 2013-14 Legislative Program;  
b. Receive annual legislative report from Monterey County's federal legislative advocate, Brent R. Heberlee of Nossaman LLP; and  
c. Receive annual legislative report from Monterey County's state legislative advocate, John E. Arriaga of JEA & Associates.

**Attachments:** [2013-14 Legislative Program](#)  
[Legislative Committee Role & Policies](#)  
[Federal Legislative Report](#)  
[State Legislative Report](#)

27. Adopt Resolution to:
- a. Approve the transfer of the administrative organizational reporting structure of the Office for Employment Training from the Department of Social and Employment Services to the Economic Development Department;
- b. Amend Personnel Policies and Practices Resolution No. 98-394 to re-title the classification of Economic Development/WIB Director to Economic Development Director and amend Section A.10.1 Department Heads Designated as indicated in Attachment A;
- c. Approve the re-titling of the Department of Social and Employment Services to the Department of Social Services; and
- d. Authorize the County Administrative Officer and Auditor Controller to take the necessary action to program the Advantage system to implement these actions including the transfer of positions, appropriations and units as well as the accounting structure and levels of the appropriation control effective July 1, 2013 (4/5ths vote required).

**Attachments:** [ATT A~PPPR Rev Sec A.10.1.pdf](#)  
[Resolution\\_OET Transfer.doc](#)  
[Attachment 1-Current EDD Org Chart](#)  
[9-2010-OEDC Ltr](#)  
[Attachment D-Draft EDD Org Chart](#)  
[Completed Board Order](#)

28. Receive an oral report from the Equal Opportunity Officer on the Commission on Disabilities' 2011-12 annual report.

**Attachments:** [COD 2012 Annual Report 1.pdf](#)  
[COD 2011-12 Annual Report.pdf](#)

29. Public hearing to:  
Consider a continuance to January 15, 2013 of a public hearing to consider an application for a Lot Line Adjustment between four lots of record within Farmland Security Zone (FSZ) and FSZ Contract No. 2012-010 and Ag P No. 83-05 and Land Conservation Contract No. 83-05 to: reduce a 373.66 acre parcel (Lot MM, Assessor's Parcel Numbers (APN) 167-081-006-000, 137-151-006-000, 137-151-007-000 and 137-151-000-800) to a 359.44 acre parcel (proposed Lot 1); increase a 0.84 acre parcel (Lot LL, a portion of APN 167-011-013-000) to a 14.22 acre parcel (proposed Lot 2); reduce a 30.7 acre parcel (Lot GG, a portion of APN 167-011-015-000) to a 6.28 acre parcel (proposed Lot 3); and increase a 29.3 acre parcel (Lot DD, a portion of APN 167-011-015-000 and a portion of APN 167-011-013-000) to a 54.56 acre parcel (proposed Lot 4); and, removal of 7.42 acres from Williamson Act Agricultural Preserve (AgP) No. 73-12 and Land Conservation Contract No. 73-12. A 7.42 acre portion of APN 167-011-015-000 will be removed from Ag P No. 73-12 and Williamson Act Land Conservation Contract No. 73-12. A total of 24.33 acres (APN Nos. 137-151-006-000 [2.31 acres], 137-151-007-000 [1.59 acres] and 137-151-008-000 [20.43 acres]) currently within FSZ No. 2012-010, will be removed from Ag P No. 83-05 and Land Conservation Contract No. 83-05, to correct an inadvertent omission from Board of Supervisors Resolution No. 2011-379 which placed portions of the property subject to Ag P No. 73-12 and Land Conservation Contract No. 73-12 and Ag P No. 83-05 and Land Conservation Contract No. 83-05 into FSZ No. 2012-010 and FSZ Contract No. 2012-010 without rescinding Ag P No. 83-05 and Land Conservation Contract No. 83-05 as applicable to the 24.33 acres of property within FSZ No. 2012-010 and subject to FSZ Contract No. 2012-010. (Lot Line Adjustment Application - PLN120746/Sea Mist Farms LLC, Desert Mist Farms LLC, Desert Mist LLC, located along River Road, adjacent to Somavia Road, Chualar, Toro Area Plan & Central Salinas Valley Area Plan within the Agricultural and Winery Corridor Plan [AWCP])

**Attachments:** [Attachment A - Letter request for contnuiance from Michael D. Cling, Esq.](#)

30. a. Receive an oral update on the status of the Low Income Health Program

- application; and
- b. Receive a presentation on the development of a local program to improve access to health care services for uninsured in Monterey County.

## **Adjournment**

## **Supplemental Sheet, Consent Calendar**

### **Natividad Medical Center**

31. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement (A-12015) with Databank IMX for OnBase Software, Software Implementation, Software & Scanner Maintenance and Professional Services at NMC, adding \$270,716.36 (\$238,398.21 for new services to be rendered in Fiscal Years 2012-2013 and 2013-2014 and \$32,318.15 for services rendered in FY 2011-2012) for a total contract amount not to exceed \$548,222.16 in the aggregate.

**Attachments:** [8-28-12 Databank IMX Spend History - Adjustment](#)  
[8-28-12 Databank IMX Amendment No 2 to Exhibit A](#)  
[Databank IMX Documents thru Amendment #1](#)  
[11-6-12 Databank IMX Amendment No 2](#)

32. Authorize the Purchasing Manager of Natividad Medical Center (NMC) to execute Amendment #6 to the Agreement (A-11102) with the Natividad Medical Foundation (NMF) for philanthropic services, defined as “capital campaign development fundraising; community outreach in connection with fundraising; preparing and submitting foundation grant applications; administering current/future foundation grants; providing administrative and fiscal oversight expertise of secured federal grant awards and support and coordinate NMC/NMF joint community relations” in support of NMC’s strategic vision which includes a goal of \$6 million through philanthropy to support capital needs at NMC; adding \$974,428 (a decrease of \$40,000 from the previous year) and extending the Agreement to December 31, 2013, for a revised total Agreement amount not to exceed \$5,112,826 in the aggregate.

**Attachments:** [12-11-12 Foundation Agreement & Amendments](#)  
[12-11-12 Foundation 2013 Justification](#)  
[12-11-12 Foundation Summary Sheet](#)

33. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement (MYA 427) with Soliant Health Inc. for Temporary Staffing Services at NMC, extending the Agreement to June 30, 2013 and adding \$100,000 for a revised total Agreement amount not to exceed \$200,000 in the aggregate.

**Attachments:** [Soliant Health Inc](#)

34. a. Award a contract in the total amount of \$35,875.00 to Tombleson Incorporated, the lowest responsible and responsive base bidder, for the Natividad Medical Center (NMC) ED Exterior Door Replacement Project No 9600-28 Bid NMC-1003;
- b. Approve of the Performance and Payment Bonds executed and provided by Tombleson Incorporated;
- c. Approve a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders; and
- d. Approve the Purchasing Manager at NMC to execute the contract and subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

**Attachments:** [12-11-12 Tombleson Exhibit 1 & Project Schedule](#)  
[Tombleson Inc](#)

35. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Acknowledgement and Consent of the Assignment and Assumption Agreement between John Schatz M. D., an individual and John Schatz M.D., a Medical Corporation effective January 1, 2013; and
- b. Authorize the Purchasing Manager for NMC to execute the Second Amendment to the Professional Services Agreement (A-11862) with John Schatz M.D., a Medical Corporation (formerly John Schatz M.D., an individual) to provide cardiology services at NMC, extending the Agreement to June 30, 2014 and adding \$258,000 for a revised total Agreement amount not to exceed \$794,600 in the aggregate (for the period October 1, 2011 to June 30, 2014); and
- c. Authorize the Purchasing Manager for NMC to execute 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:** [SCHATZ SECOND AMENDMENT](#)

36. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Professional Services Agreement with Specialists on Call, Inc. ("SOC"), a Delaware corporation; Tele-Physicians, P.A., a California professional association doing business as California Tele-Physicians ("CATP") to provide neurology consultative services for an amount not to exceed \$380,000 from the effective date to December 31, 2015. The term of this Agreement is thirty six (36) months with an option that either party may terminate without cause after the first twelve (12) months with one hundred twenty (120) days written notice.
- b. Authorize the Purchasing Manager for NMC to execute 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:** [SPECIALIST ON CALL AGREEMENT](#)

37. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement (A-12154) with Precision Orthopedics to provide orthopedic services at NMC, extending the Agreement from January 1, 2013 to December 31, 2013 and adding \$820,000 for a revised total Agreement amount not to exceed \$2,020,000 in the aggregate (for the period January 1, 2012 to December 31, 2013); and
- b. Authorize the Purchasing Manager for NMC to execute to sign up to three (3) additional amendments to this agreement where the total amendments do not exceed ten percent (10%) of the original contract amount, and do not significantly change the scope of work.

**Attachments:** [PRECISION FIRST AMENDMENT](#)

38. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Second Amendment to Professional Medical Services Agreement (A-12157) with Jason Wasche D. O. to provide Hospitalist Services at NMC, extending the term of the Agreement from January 1, 2013 to December 31, 2014 for a total amount not to exceed \$350,000 (no change from the previously approved amount) in the aggregate (for the period July 1, 2011 to December 31, 2014); and
- b. Authorize the Purchasing Manager for NMC to execute to sign up to three (3) additional amendments to this agreement where the total amendments do not exceed ten percent (10%) of the original contract amount, and do not significantly change the scope of work.

**Attachments:** [WASCHE SECOND AMENDMENT](#)

39. Approve and ratify the Anthem Blue Cross Facility Agreement negotiated and executed by the Chief Executive Officer (CEO) for Natividad Medical Center (NMC) which makes NMC a Top/Preferred Benefit Tier hospital for all underwritten Anthem insurance plans from August 1, 2012 through July 31, 2014 and automatically renews for consecutive one (1) year terms unless otherwise terminated.

**Attachments:** [12-11-12 Anthem Executive Summary](#)

## **Health and Social Services**

40. Approve and authorize the Director of the Department of Social and Employment Services (DSES), or his designee, to sign an agreement with Health Projects Center allowing the exchange of information to successfully transition the Multi-purpose Senior Services Program (MSSP) from Monterey County to Health Projects Center, effective February 1, 2012.

**Attachments:** [HPC MSSP BR](#)  
[HPC-MSSP Agreement](#)

41. a. Approve and authorize the Director of the Department of Social and Employment Services, or his designee, to sign County Purchase MT-01-2012 with the California SAWS Consortium IV (C-IV) under the Joint Powers Agreement amended in 2010, and the C-IV MOU executed on April 27, 2010, for \$2,182,286 to implement C-IV Contact Center technology in Monterey County for the period December 31, 2012 through June 30, 2014; and
- b. Authorize the Director of the Department of Social and Employment Services, or his designee, to sign up to three (3) amendments to this agreement, where the total amendments do not exceed ten percent (10%) of the original contract amount, and do not significantly change the scope of work.

**Attachments:** [CIV MOU](#)  
[Contact Center Agreement](#)

42. a. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Professional Services Agreement A-12219 in the amount of \$30,000 with Central Coast HIV/AIDS Services, increasing the Agreement by \$70,000 for a revised total amount not to exceed \$100,000 for the provision of education, counseling and testing services in relation to HIV/AIDS, STDs, and Hepatitis C for local alcohol/drug treatment recovery centers; and to provide HIV Targeted Prevention services for the period of July 1, 2011 through June 30, 2013; and
- b. Authorize the Contracts/Purchasing Officer to approve up to two (2) future amendments to the Agreement where the amendments do not exceed ten percent (10%) of the original Agreement amount, and do not significantly change the scope of services or result in an increase in County General Fund Contribution.

**Attachments:** [CCHAS Agreement A-12219 Amend. #1.pdf](#)

43. a. Approve and authorize the Director of Health to sign a one fiscal year term Mental Health Services Agreement (November 1, 2012 to June 30, 2013) with Crestwood Behavioral Health, Inc. for the provision of mental health services to adults with severe psychiatric disabilities in the amount of \$54,934.00 for Fiscal Year 2012-13 (November 1, 2012 through June 30, 2013), for a total maximum agreement amount of \$54,934.00;
- b. Authorize the Director of Health to sign the Mental Health Services Agreement with Addendum No. 1 for the County of Monterey; and
- c. 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 contract amount and do not significantly change the scope of work or result in an increase to County General Fund Contribution.

**Attachments:** [Crestwood BH MHS AGREEMENT 11 27 2012.pdf](#)  
[Crestwood Addendum#1 10 30 2012.pdf](#)  
[Crestwood BH EXHIBIT G COST REIMBURSEMENT INVOICE FORM.xlsx](#)

## **Criminal Justice**

44. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 3 to the Professional Services Agreement with Behavioral Interventions, Incorporated DBA The GEO Group, Incorporated to extend its term to June 30, 2013, and increase its amount by \$990,000 for FY 2012-13 for a revised total not to exceed \$3,007,051 in the aggregate to continue services to adult offenders participating in the Day Reporting Center.

**Attachments:** [Amendment No. 3 BI Incorporated 2012-2013.doc](#)

45. Adoption of a resolution authorizing a two-year extension of the Memorandum of Understanding by and among the County of Monterey, El Sur Ranch and Don Smythe regarding the role and services of a reserve Deputy Sheriff.

**Attachments:** [Attch A El Sur Ranch MOU](#)  
[Attch B EL Sur Ranch MOU amend 1](#)  
[Attch C El Sur Ranch MOU reso 12-11-12](#)

## **General Government**

46. a. Approve and authorize the Contracts/Purchasing Officer to execute an Agreement with Websense Inc. on behalf of the County of Monterey for the provision of software subscription for the Websense Web Security software in the amount of \$34,872 for the period of March 1, 2013 through February 29, 2014;  
b. Accept non-standard County liability and indemnification provisions as recommended by the Director of Information Technology; and  
c. Authorize the Contracts/Purchasing Office to sign up to two one-year extensions to this Agreement subject to a 10% subscription price increase limitation each year.

**Attachments:** [Websense Agreement\\_Final Board Copy](#)

47. Receive the attached Action Minutes of the Budget Committee for February 29, 2012, April 25, 2012, May 30, 2012 and June 27, 2012.

**Attachments:** [2-29-12 BC Action Minutes.pdf](#)  
[04-25-12 BC Action Minutes.pdf](#)  
[05-30-12 BC Minutes.pdf](#)  
[06-27-12 BC Minutes.pdf](#)

48. Approve the Monterey County Travel and Business Expense Reimbursement Policy, effective December 11, 2012.

**Attachments:** [County Travel Bus Expense Policy 12 5 12.pdf](#)

49. a. Introduce, waive reading and set January 15, 2013 at 1:30 p.m. to consider adoption of an Ordinance of the County of Monterey, State of California, revising Monterey County Code, Title 2, Chapter 2.80 of the County of Monterey Discrimination Complaint Ordinance and retitling Chapter 2.80 to Equal Opportunity and Non-Discrimination Ordinance.  
b. Direct the Clerk of Board to publish the summary five days prior to set date of January 15, 2013 and within 15 days of adoption in The Salinas Californian.

**Attachments:** [Ordinance 11.26.12.pdf](#)  
[Equal Opportunity and Non-Discrimination Policy 11.26.12.pdf](#)  
[Prevention of Sexual Harassment Policy 11.26.12.pdf](#)  
[ADA policy - 11.26.12.pdf](#)  
[Diversity Policy 11.26.12.pdf](#)

50. Ratify Approval of Amendments to the Memorandum of Understanding regarding the Monterey County Joint Gang Task Force.

**Attachments:** [Redlined Amended MOU for Monterey County Joint Gang Task Force](#)  
[Amended MOU for Monterey County Joint Gang Task Force](#)  
[Attach A to Amended MOU for Monterey County Joint Gang Task Force](#)

51. a. Approve and authorize the Contracts / Purchasing Officer to sign a “Revocable License Agreement for Non-Federal Use of Real Property” (License Agreement) between the United States of America Department of Transportation Federal Aviation Administration (FAA) and Monterey County revocable with thirty (30) days written notice;  
b. Authorize expenditures of up to \$5,000 per year on shared road maintenance as defined in the Agreement; and  
c. Accept Non-Standard County Liability and Indemnification Provisions as recommended by the Director of Emergency Communications.

**Attachments:** [201210MontereyCountyBigSurLicense.doc](#)

52. Approve updates to the Monterey County Internal Revenue Code Section 125 Plan.

**Attachments:** [12-11-12-HR-rpt-ATT A-AMENDED PLAN DOC-update Section 125 Plan](#)  
[12-11-12-HR-rpt-ATT B- RED LINE AMENDED PLAN DOC-update Section 125](#)  
[12-11-12-HR-rpt-ATT C-SPREADSHEET-TABS 1-4-update Section 125 Plan](#)

53. Approve and authorize the Contracts / Purchasing Officer to sign the Agreement for the Sharing of Costs for a Telephone Emergency Notification System (TENS) between the County and cities in Monterey County that are participating in the system.

**Attachments:** [121211BRTENS\\_UsageStatistics.doc](#)  
[FINAL\\_AgencyAgreementTENS 091610.pdf](#)  
[2012TENSAgreementwithAmendment.pdf](#)

54. a. Receive the Certified Statement of Votes cast and declare the results of the November 6, 2012 Presidential Election;  
b. Declare elected the candidates to their respective offices who received the highest number of votes on November 6, 2012, for which the Board of Supervisors has jurisdiction; and  
c. Declare reelected the incumbent candidates nominated to the office of Superior Court Judge in accordance with California Election Code Section 8203.

**Attachments:** [Election Results November 6, 2012](#)

55. a. Approve and authorize Tom Shepherd, Deputy Chief Park Ranger/Operations Manager to sign on behalf of Monterey County one (1) Standard Grant Agreement and all necessary certifications and documents with the Department of Boating and Waterways for a new patrol boat (Agreement #12-204-755 for \$80,000) in furtherance of receipt of the Grant;  
b. Authorize the Auditor-Controller's office to increase estimated revenues and appropriations totaling \$80,000 in Appropriation Unit PAR004 (4/5 vote required); and  
c. Authorize the Contracts/Purchasing Officer to approve purchase up to the approved grant amount \$80,000 respectively.

**Attachments:** [boating waterways boat k Nov Revised Contract.pdf](#)

56. a. Amend the Office of County Counsel Budget Unit 1210-8057 to reallocate one (1.0) FTE Senior Legal Secretary-Confidential to one (1.0) FTE Administrative Secretary-Confidential; and  
b. Direct the County Administrative Office to incorporate the approved changes into the FY 2012-13 adopted budget

**Attachments:** [Attachment A Admin Secretary](#)

57. a. Approve and authorize the Contracts/Purchasing Officer to execute on behalf of the County of Monterey non-standard software licensing, software maintenance/support, and software subscription Agreements up to \$100,000, at the recommendation of the Director of Information Technology, where the Agreements do not require on-site services by the vendor and after consultation with Risk Management and the Office of the County Counsel;  
b. Accept non-standard language in the Agreements issued by the vendors, after consultation with Risk Management and the Office of the County Counsel; and  
c. Authorize the Contracts/Purchasing Officer to issue purchase orders as recommended by the Director of Information Technology for the software licensing, software maintenance/ support, and software subscriptions where the annual Agreement amount does not exceed \$100,000.

58. a. Approve and authorize the Contracts/Purchasing officer to renew Lease Agreement A-07887 through June 30, 2014, with Jonna Tam Ball for 4,316 square feet of space located at 65 West Carmel Valley Road, Carmel Valley, California, for use by the Monterey County Free Libraries, Carmel Valley Branch;
- b. Authorize the Auditor-Controller to make lease payments of \$4,783.39 per month, effective November 1, 2012, and in accordance with the terms of the agreement; and
- c. Authorize the optional renewal of the Lease Agreement for an additional three, two-year periods under the same terms and conditions if deemed by the Contracts/Purchasing Officer to be in the best interest of the County.

**Attachments:** [Board Report-CV- Final Attachment](#)

59. Adopt a Resolution in support of a grant application prepared by the Arts Council for Monterey County submitted to the California Arts Council.

**Attachments:** [Resolution](#)

- 59.1 Adopt Resolution to:
- a. Amend the Personnel Policies and Practices Resolution (PPPR) No. 98-394 to adjust the salary range of the Assistant County Administrative Officer classification as indicated in the attached Resolution;
- b. Authorize the Human Resources Department to implement the change in the Advantage HRM system.

**Attachments:** [BoS Resolution\\_ACAO Salary Increase\\_12-11-2012.pdf](#)

## **RMA - Planning**

60. a. Approve the Parcel Map for a minor subdivision to divide a 36.7 acre parcel into two parcels of 11.5 acres (Parcel 1), 15.1 acres (Parcel 2) and a remainder parcel of 10.1 acres,
- b. Direct the Clerk of the Board to submit the Parcel Map and Declaration of Covenants, Conditions and Restrictions for a Water System to the County Recorder for filing and recordation;  
(Parcel Map - PLN090145/Miller, 797, 799, 801 and 803 Laureles Grade, Carmel Valley Master Plan)

**Attachments:** [Attachment A - Cover Letter to the Clerk of the Board](#)  
[Attachment B - Parcel Map](#)  
[Attachment C - Vicinity Map](#)  
[Attachment D - Parcel Map Guarantee](#)  
[Attachment E - Property Tax Clearance Certification](#)  
[Attachment F - Declaration of Covenants, Conditions and Restrictions for a Wat](#)

61. a. Accept the Amended Conservation and Scenic Easement Deed for the Hain

and Foster properties;

b. Authorize the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed; and

c. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation.

(Conservation and Scenic Easement Deed Amendment - PLN120637/Hain and Foster, 38000 and 38010 Rocky Creek Road, Big Sur Coast Land Use Plan, Coastal Zone)

**Attachments:** [Attachment A - Amended Conservation & Scenic Easement Deed](#)

62.

Approve and Authorize the Director of Planning to execute the Release of Liability from Indemnification Agreement between Monterey Design Group, LLC (PLN000413) and the County of Monterey.

**Attachments:** [Attachment A - Cornett Investments, LLC ...](#)

[Attachment B - Indemnification Agreement ...](#)

[Attachment C - Proposed Release of Liability](#)

63.

a. Approve the Parcel Map for the subdivision of an 80-acre parcel into two (2) 40-acre parcels.

b. Authorize the Chair to execute the Conservation and Scenic Easement Deed and Certificate of Acceptance and Consent to Recordation.

c. Authorize the Chair to execute Farmland Security Zone (FSZ) Contract No. 2007-005-A between the County and Leavens Ranches General Partnership (Leavens Ranches GP), amending FSZ and FSZ Contract No. 2007-005.

d. Accept the Parcel Map Guarantee and Property Tax Clearance Certification (Subdivision).

e. Direct the Clerk of the Board to submit the Parcel Map for filing with the County Recorder.

f. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed and FSZ Contract No. 2007-005-A to the County Recorder for recordation.

(PLN 070197 Charles E. & Judy A. Martin Trust, Trustees of the Martin Living Trust U/D/T July 25, 2005 (Martin Living Trust), Leavens Ranches General Partnership (Leavens Ranches GP), and Amaral Ranches General Partnership (Amaral Ranches GP), 31300 River Road Soledad, (APN: 216-013-019-000) Central Salinas Valley Area Plan)

**Attachments:** [Attachment A - Cover Letter to the Clerk of the Board](#)

[Attachment B - Vicinity Map](#)

[Attachment C - Parcel Map](#)

[Attachment D - Tax Clearance Certificate](#)

[Attachment E - Parcel Map Guarantee](#)

[Attachment F - Conservation & Scenic Easement Deed](#)

[Attachment G - Farmland Security Zone Contract No. 2007-005-A](#)

**RMA - Public Works**

64. a. Accept subdivision improvements for the Tehàma Phase 1, Tehàma Phase III, Tehàma Phase IV, and the Cañada Woods Commercial Center Subdivisions as completed;
- b. Approve and authorize the Director of Public Works or his designee to execute the Request for Full Reconveyance for the Deeds of Trust for Phase I, Phase III, Phase IV and the Commercial Center securing completion of the infrastructure improvements; and
- c. Authorize the Director of Public Works or his designee to execute Substitution of Trustee and Reconveyance documents for Tehàma Phase I, Tehàma Phase II, Tehàma Phase III, Tehàma Phase IV, Canada Woods Commercial Center, and York Highlands Subdivisions.

**Attachments:** [Request for Full Reconveyance Tehama Phase I](#)  
[Request for Full Reconveyance Tehama Phase III](#)  
[Request for Full Reconveyance Tehama Phase IV](#)  
[Request for Full Reconveyance Commercial Center](#)  
[Engineer's Letters of Inspection Phase I, III, IV, Commercial Center](#)  
[Subdivision Improvement Agreements & Deeds for Trust for Tehama Phase I](#)  
[Subdivision Improvement Agreements & Deeds for Trust for Tehama Phase III](#)  
[Subdivision Improvement Agreements & Deeds of Trust for Tehama Phase IV](#)  
[Subdivision Improvement Agreements & Deeds of Trust for Canada Woods Con](#)

65. a. Approve the recommended list of capital projects for allocation of capital funds from Capital Projects, Fund 402;
- b. Approve the FY 2012-13 Amended Adopted Capital Projects Budget, Fund 402, Appropriation RMA014 increasing appropriations by \$9,090,409 and estimated revenue by \$4,790,300 (4/5th vote required); and
- c. Authorize the Auditor-Controller to reflect approved appropriations and estimated revenue changes in Capital Projects, Fund 402, Appropriation Code RMA014.

**Attachments:** [Attachment 1 Capital Projects Fund 402 Estimated Fund Balance and Recomm](#)  
[Attachment 2 Use of Fund 402 as Funds Become Available](#)  
[Attachment 3 FY2012-13 Amended Budget Capital Project List -Fund 402](#)

66. a. Approve and authorize the Chair to execute the Deed Restriction and Covenants on County-owned properties previously conveyed from the Fort Ord Reuse Authority, as identified in Exhibit A of the Deed Restriction and Covenants; and
- b. Authorize the Director of Public Works to submit the Deed Restriction and Covenants to the County Recorder for recordation.

**Attachments:** [Exhibit A Conveyed Properties to County](#)  
[Deed Restriction and Covenants](#)  
[Location Map](#)

67. a. Approve an Amendment to the Real Property Purchase Agreement, No. A-11403, and a License Agreement with Jonathan C. Wooster and Margaret Jane Wooster, Trustees of the 1993 Wooster Revocable Trust U/D/T dated 12/1/93 as to the fee estate, in the amount of \$1,000 for the License Agreement and \$24,000 to remove and relocate the existing steel fence for the construction of the Lonoak Road Bridge at Lewis Creek, County Bridge No. 402, State Bridge No. 44C-0158, Federal Aid Project No. BRLOZB-5944(035), Project No. 09-220565 east of King City; and
- b. Authorize the Director of Public Works to execute the Amendment to Real Property Purchase Agreement, No. A-11403, and License Agreement (Jonathan C. Wooster APN No. 419-141-015 in Monterey County) including the Certificate of Acceptance and Consent to Recordation on behalf of the County.

**Attachments:** [Project Budget](#)  
[Amendment to the Real Property Purchase Agreement](#)  
[License Agreement](#)  
[2009 Real Property Purchase Agreement](#)  
[Location Map](#)

68. a. Approve Amendment No.1 to Professional Services Agreement No. A-12164 with Kimley-Horn and Associates, Inc. to provide for the inclusion of additional engineering services for the analysis of corridor improvements on Carmel Valley Road to provide the Countywide Fee Program Nexus Study; Agriculture and Winery Corridor Plan Impact Fee based on the recent adoption of the General Plan Update; Carmel Valley Transportation Improvement Program Traffic Analysis and Fee Calculation; and California Environmental Quality Act Environmental Review for the Carmel Valley Transportation Improvement Program in the amount of \$97,090 for a total amount not to exceed \$352,253, and extend the term to December 31, 2013; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Professional Services Agreement No. A-12164 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

**Attachments:** [Project Budget](#)  
[Amendment No. 1 to Professional Services Agreement between County of Monterey and Kimley-Horn](#)  
[2011 County of Monterey Agreement for Professional Services with Kimley-Horn](#)  
[Location Map](#)

69. Adopt Resolution:
- a. Accepting the Certificate of Completion for the construction of the Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat

2012 Project, Project No. 13-551327, performed by Telfer Oil Company; and  
b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat 2012 Project, Project No. 13-551327, performed by Telfer Oil Company.

**Attachments:** [Resolution](#)  
[Project Budget](#)  
[Certificate of Completion](#)  
[Notice of Completion](#)  
[Location Map & Road List](#)

- 70.** Acting on behalf of County Service Area No. 75 adopt Resolution:
- a. Finding that there was sufficient cause to take actions on an emergency basis to implement necessary repairs of the County Service Area No. 75- Chualar wastewater system;
  - b. Ratifying the execution of purchase orders and emergency actions taken by the Contracts/Purchasing Officer in response to the identified emergency (4/5th vote required);
  - c. Authorize the Auditor-Controller to amend the budget for County Service Area No. 75- Chualar, Fund 093, Appropriation Unit RMA088, for FY 2012-13 by increasing appropriations by \$399,922 and estimated revenues in the amount of \$399,922 for emergency repairs (4/5th vote required); and
  - d. Authorize the Auditor-Controller's Office to incorporate approved appropriation and estimated revenue modifications to the FY 2012-13 Budget (4/5th vote required).

**Attachments:** [Resolution](#)  
[Force Main Emergency Budget](#)  
[Location Map](#)

- 71.**
- a. Adopt a Resolution accepting the November 20, 2012 Quitclaim Deed transferring ownership of land on the former Fort Ord designated as Assessor's Parcel No. 031-161-034 (COE Parcels L20.2.2 and L20.2.3.1 - Youth Camp) from the Fort Ord Reuse Authority to the County of Monterey, and authorizing the Chair to sign the Quitclaim Deed on behalf of the County;
  - b. Authorize the Director of Public Works to submit the Quitclaim Deed to the County Recorder for recordation;
  - c. Authorize the Resource Management Agency - Public Works to proceed with demolition of substandard structures on the property due to safety and health concerns; and
  - d. Authorize the Parks Department to manage the property including the issuance of permits for low impact use.

**Attachments:** [Resolution](#)  
[Quitclaim Deed for County of Monterey](#)  
[Location Map](#)

**72.** Addendum for Tuesday, December 11, 2012

**Add to Appointments**

18.1 Appoint Raquel Toribio to the In-Home Supportive Services Advisory Committee to fill an unexpired term, ending June 30, 2013. (Full Board)