

Monterey County

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



Action Minutes - Draft

Tuesday, September 20, 2016

9:00 AM

**See separate agendas for all Board of Supervisors governed
Agencies and Special Districts.**

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

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Salinas.

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 addition:

Consent Calendar – General Government

24. Revised document submitted: SCRAMP Interim Final Response – Section F-2 Modified Response Language

a. Approve of the response to the 2015 2016 Monterey County Civil Grand Jury Interim Final Report: “Monterey County Parks and SCRAMP: Uncertainties and Instabilities”; and

b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 20, 2016.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simon Salinas to approve the correction to the agenda. ALL AYES

Consent Calendar

1. Approval of Consent Calendar (See Supplemental Sheet)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve the Consent Calendar (See Supplemental Sheet). ALL AYES

Ceremonial Resolutions

2. Adopt Resolution honoring the 75th Anniversary of the Monterey Regional Airport. (Supervisor Potter)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-233 honoring the 75th Anniversary of the Monterey Regional Airport. (Supervisor Potter) ALL AYES

3. Adopt Resolution recognizing the celebration of the 30th year that the Monterey County Free Libraries has provided adult literacy services. (Full

Board)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-234 recognizing the celebration of the 30th year that the Monterey County Free Libraries has provided adult literacy services. (Full Board) ALL AYES

4. Adopt Resolution recognizing Bob Martin upon his retirement from Rio Farms. (Full Board)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-235 recognizing Bob Martin upon his retirement from Rio Farms. (Full Board) ALL AYES

Appointments

5. Appoint Marguerite Meyer to the Community Service Area 1 Advisory Committee (CSA1 Carmel Point) to fill an unscheduled vacancy with a term ending June 30, 2019. (Supervisor Potter)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Marguerite Meyer to the Community Service Area 1 Advisory Committee (CSA1 Carmel Point) to fill an unscheduled vacancy with a term ending June 30, 2019. (Supervisor Potter) ALL AYES

Other Board Matters

6. Board Comments

Supervisor Armenta advised he is making a Board Referral to consider drafting a response from the County to the City of Salinas regarding their possible action later today regarding the homeless population. He requested that staff bring this back with the County Departments that are involved next week.

Supervisor Salinas requested the County relay to the City of Salinas the County's desire to collaborate and cooperate regarding homeless issues. He expressed concerns that the actions the City of Salinas may take later today may have greater impacts and it would have been better to give the County a heads-up.

Supervisor Parker commented that the County has been doing a good job of working with the City and it's disconcerting that the City did not give the County a heads-up or collaborate to figure out a way to address the issues.

7. CAO Comments and Referrals

There were no CAO comments or referrals.

8. General Public Comment

Pamela Westin; Dr. Leah Hill; Annie Martin; Steve Eklund; Wes White; Steven Swift.

9:30 A.M. - Closed Session

9. Closed Session under Government Code section 54950, relating to the following items:
- a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding four matters of significant exposure to litigation.
 - b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: Concession Agreement regarding Mazda Raceway at Laguna Seca
Agency Negotiator(s): Dewayne Woods, Assistant County Administrative Officer; Leslie J. Girard, Chief Assistant County Counsel
Negotiating Parties: Friends of Laguna Seca; International Speedway Corporation; and, World Automobile Championship of California, LLC
Under negotiation: Price and Terms
 - (2) Property: Howe Property, 4093 Rio Road, Carmel, CA 93921
Agency Negotiator(s): Carl Holm, Resource Management Agency Director
Negotiating Parties: James Heisinger
Under negotiation: Price and terms
 - c. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center Chief Executive Officer.
 - d. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:
 - (1) Designated representatives: Manuel Gonzalez and Brette Neal
Employee Organization(s): A, B, C, D, E, F, G, H, J, K, L, M, N, Q, S and V
 - e. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
- CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a. through 1.e.**

12:00 P.M. - Recess to Lunch - Continued Closed Session**2:00 P.M. - Reconvene - Monterey County Board of Supervisors****Roll Call**

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

**Presentation to Jayanti Addleman of the Resolution No. 16-234
recognizing the celebration of the 30th year that the Monterey County Free
Libraries has provided adult literacy services.**

2:00 P.M. - Scheduled Matters

10. Receive a written report/presentation from Office of Emergency Services Division regarding the status of the Emergency Management in Monterey County, including the five year strategic plan, new alerting and notification opportunities, grant management, Emergency Operations Center (EOC) upgrades, Continuity of Government plans, community preparedness efforts and resiliency building, as well as recent emergency responses.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to receive a written report/presentation from Office of Emergency Services Division regarding the status of the Emergency Management in Monterey County, including the five year strategic plan, new alerting and notification opportunities, grant management, Emergency Operations Center (EOC) upgrades, Continuity of Government plans, community preparedness efforts and resiliency building, as well as recent emergency responses. ALL AYES

Adjournment

APPROVED:

**MARY L. ADAMS, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

**BY: _____
GAIL T. BORKOWSKI
CLERK OF THE BOARD
APPROVED ON _____**

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

- 11.
- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Master Agreement with Net Health Systems, Inc. (Net Health) retroactive to August 31, 2016, for the provision of rehabilitation documentation software and licenses to be used within Natividad Medical Center's Outpatient Physical, Occupational and Speech Therapy Departments, including a Purchase Schedule and containing non-standard risk terms regarding limitation of liability, non-standard insurance provisions, limitation on warranty and indemnification, in an amount not to exceed \$55,950 for a one-year term of August 31, 2016 through August 30, 2017; and
 - b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the Master Agreement, which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$5,595) of the original cost of the Master Agreement.

Approved - Agreement No. A-13298

- 12.
- Adopt Resolution to:
- a. Amend the Personnel Policies and Practices Resolution No. 98-394 to Adjust the Salary Ranges for the Classifications of: Supervising Clinic Nurse, Supervising Nurse I, Supervising Nurse II, Nursing Services Unit Manager, Nursing Services Division Manager, Director of Surgical Services, Hospital Director of Nursing Education, Utilization Management Coordinator, Administrative Nurse/House Supervisor, Hospital Chief Nursing Officer and Supervising Public Health Nurse;
 - b. Authorize the County Administrative Office to Incorporate the Approved Changes in the Natividad Medical Center and the Monterey County Health Department FY 2016-17 Adopted Budgets; and
 - c. Direct the Human Resources Department to Implement the Changes in the Advantage HRM System.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-244 to:

- a. Amend the Personnel Policies and Practices Resolution No. 98-394 to Adjust the Salary Ranges for the Classifications of: Supervising Clinic Nurse, Supervising Nurse I, Supervising Nurse II, Nursing Services Unit Manager, Nursing Services Division Manager, Director of Surgical Services, Hospital Director of Nursing Education, Utilization Management Coordinator, Administrative Nurse/House Supervisor, Hospital Chief Nursing Officer and Supervising Public Health Nurse;**
- b. Authorize the County Administrative Office to Incorporate the Approved Changes in the Natividad Medical Center and the Monterey County Health Department FY 2016-17 Adopted Budgets; and**

c. Direct the Human Resources Department to Implement the Changes in the Advantage HRM System. ALL AYES

Health Department

- 13.**
- a. Approve and authorize the Director of Health or Assistant Director of Health to execute a two (2) year Facility Use Agreement with Door to Hope, Inc. for Behavioral Health staff use of private offices, shared space and office equipment at Door to Hope leased premises for the provision of Early Childhood mental health services in the amount of \$57,793 for Fiscal Year (FY) 2015-16, and \$57,793 for FY 2016-17, for a total Agreement amount not to exceed \$115,586, retroactive to July 1, 2015 through June 30, 2017;
 - b. Accept recommendation of the Director of Health to approve the non-standard indemnification and insurance provisions; and
 - c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$11,559) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No. A-13299

- 14.**
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A to adjust the Salary Range for the Classification of Physician Assistant as indicated in the attached Resolution; and
 - b. Authorize the County Administrative Office to reflect these approved changes in the Fiscal Year 2016-17 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-245 to:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A to adjust the Salary Range for the Classification of Physician Assistant as indicated in the attached Resolution; and**
- b. Authorize the County Administrative Office to reflect these approved changes in the Fiscal Year 2016-17 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system. ALL AYES**

Criminal Justice

- 15.**
- Receive and accept the Annual Real Estate Fraud Report for Fiscal Year ("FY") 2015-16 submitted by the District Attorney's Office in accordance with California Government Code section 27388(d).

Approved

- 16.**
- a. Authorize the Auditor-Controller to amend the FY 2016-17 budget for the District Attorney, DIS001, Unit 8063, in support of increased funding

- received for the VOCA (Victims of Crime Act), by increasing the revenues and appropriations by \$82,010 (4/5ths vote required) and;
- b. Authorize the County Administrative Office to create one new position in the District Attorney's Department (2240), Unit 8063, for a Victims Assistance Advocate (60K02).

Approved

General Government

17. Adopt Resolution to approve amendments to the Conflict of Interest Code of the County Administrative Office.
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-242 to approve amendments to the Conflict of Interest Code of the County Administrative Office. ALL AYES**
18. Approve and authorize the Contracts/Purchasing Officer to execute a Renewal and Amendment No. 2 to Agreement with Contractor OpenGov, Inc., retroactive to July 1, 2016, due to the expiration of the agreement on June 30, 2016, for the continued provision of financial data services, extending the agreement to June 30, 2017, and adding the amount of \$25,000 for a total Agreement amount not to exceed \$75,000.
- Approved - Agreement No. A-13301**
19. a. Approve and authorize the Contracts/Purchasing Officer or his Designee to sign Amendment No. 1 to the System Purchase Agreement for a Computer Aided Dispatch (CAD) system, entered into with TriTech on December 15, 2015, changing the original amount of \$2,400,333.87 to an amount not to exceed \$2,156,718.87, reflecting the removal and addition of various services; and
- b. Authorize three (3) future amendments to the System Purchase Agreement, subject to the review and approval of County Counsel, so long as the amendments add no more than 5% of the amended contract price (\$107,835.94), cumulatively, and do not significantly alter the terms of the System Purchase Agreement.
- Approved - Agreement No. A-13000**
20. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following meeting dates: Tuesday, May 17, 2016, Wednesday, June 01, 2016, Tuesday, June 21, 2016, Tuesday, June 28, 2016 and Tuesday, July 12, 2016.
- Approved**
21. a. Approve and authorize the Director or Acting Director of Information Technology to execute an Agreement with Cenergy International Services

LLC., for support and maintenance of the Solar Winds network monitoring software and the purchase of an additional 500 licenses, in the amount of \$20,134.24 for the period of September 1, 2016 to August 31, 2017;

- b. Accept non-standard provisions as recommended by the Acting Director of Information Technology; and
- c. Authorize the Director or Acting Director of Information Technology to sign extensions for up to two (2) additional one year periods as needed by the Information Technology Department provided the increases in the renewal are limited to not more than 10% of the original annual cost and with the approval of County Counsel.

Approved - Agreement No. A-13297

- 22.** Extend the Proclamation of Local Emergency ratified July 26, 2016 in accordance with California Government Code § 8630 to assist the operations of Monterey County in the response to and recovery from the Soberanes Fire which began on July 22nd, 2016 and continues uncontrolled as of this date.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-241 to extend the Proclamation of Local Emergency ratified July 26, 2016 in accordance with California Government Code § 8630 to assist the operations of Monterey County in the response to and recovery from the Soberanes Fire which began on July 22nd, 2016 and continues uncontrolled as of this date. ALL AYES

- 23.** Consider receiving the Sheriff's response to the 2015 - 2016 Monterey County Civil Grand Jury Interim Final Report: "Body Worn Cameras".

Approved

- 24.**
- a. Approve of the response to the 2015 - 2016 Monterey County Civil Grand Jury Interim Final Report: "Monterey County Parks and SCRAM: Uncertainties and Instabilities"; and
 - b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 20, 2016.

Approved

RMA - Administration

- 25.**
- a. Approve Amendment No. 2 to the Standard Agreement with Augustine Consulting, Inc. to complete an assessment of the Resource Management Agency's grant management systems and processes (RFP #10472) to extend the expiration date from September 22, 2016 for approximately six (6) additional months, for a revised term from September 22, 2014 to March 31, 2017, with no associated dollar amount increase to the original budget amount of \$100,000; and
 - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing

Supervisor to execute Amendment No. 2 to the Standard Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved amount of the Agreement.

Approved - Agreement No. A-13300

RMA - Land Use and Community Development

- 26.** Adopt a Resolution Authorizing the Execution and Delivery by the County of an Amended and Restated Joint Exercise of Powers Agreement and Authorizing Related Actions for the East Garrison Public Financing Authority.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-243 authorizing the Execution and Delivery by the County of an Amended and Restated Joint Exercise of Powers Agreement and Authorizing Related Actions for the East Garrison Public Financing Authority. ALL AYES