

# **Monterey County**

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



## **Action Minutes - Draft**

**Tuesday, November 8, 2016**

**9:00 AM**

**See separate agendas for Board of Supervisors of the Monterey  
County Water Resource Agency and East Garrison Public  
Finanancing Authority.**

## **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 Vice Chair Potter.

**Roll Call**

**Present:** 3 - Supervisor Jane Parker, Supervisor John M. Phillips and Supervisor Simón Salinas

**Absent:** 2 - Supervisor Dave Potter and Supervisor Fernando Armenta

**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 54957.6, the Board will confer with labor negotiators:  
(1) Designated representatives: Manuel Gonzalez and Brette Neal  
Employee Organization(s): A, B, C, L, M, N & S
  - 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  
Under negotiation: Price and Terms
  - c. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.  
(1) Richard A. D. Beach

**CLOSED SESSION REPORT**

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: Manuel Gonzalez and Brette Neal  
Employee Organization(s): A, B, C, L, M, N & S

**CLOSED SESSION REPORT:** The Board took no reportable action on item 1.a.  
(1).

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

Under negotiation: Price and Terms

CLOSED SESSION REPORT: The Board took no reportable action on item 1.b. (1).

c. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.

(1) Richard A. D. Beach

CLOSED SESSION REPORT: The Board conferred with counsel and unanimously rejected the claim of Richard A.D. Beach, 3-0 (Supervisors Armenta and Parker Absent)

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

#### **Roll Call**

**Present:** 3 - Supervisor Dave Potter, Supervisor John M. Phillips and Supervisor Simón Salinas

**Absent:** 2 - Supervisor Jane Parker and Supervisor Fernando Armenta

#### **Pledge of Allegiance**

The Pledge of Allegiance was led by Salinas Police Chief Kelly J. McMillin.

#### **Additions and Corrections**

There were no additions or corrections to the agenda.

#### **Consent Calendar- (See Supplemental Sheet)**

2. Approval of Consent Calendar (See Supplemental Sheet)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to approve the Consent Calendar (See Supplemental Sheet). 3-0 (Supervisors Armenta and Parker Absent)

#### **Ceremonial Resolutions**

3. Adopt Resolution recognizing Greenfield Lions Club for their public service in the community. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 16-300 recognizing Greenfield Lions Club for their public service in the community. (Full Board) 3-0 (Supervisors

**Armenta and Parker Absent)**

- 3.1 Adopt Resolution commending Deputy Kris Knott, Monterey County Sheriff's Office upon his retirement from 21 years of Public Service. (Full Board)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No 16-301 commending Deputy Kris Knott, Monterey County Sheriff's Office upon his retirement from 21 years of Public Service. (Full Board) 3-0 (Supervisors Armenta and Parker Absent)**

**Presentation of Resolution recognizing Police Chief Kelly J. McMillin upon his retirement after 32 years of Service to the City of Salinas, California. (Full Board) Resolution adopted November 1, 2016.**

**Appointments**

4. Reappoint Steve MacArthur to the Monterey County Workforce Development Board, representing Labor Organization for a term ending October 19, 2019. (Full Board)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Steve MacArthur to the Monterey County Workforce Development Board, representing Labor Organization for a term ending October 19, 2019. (Full Board) 3-0 (Supervisors Armenta and Parker Absent)**

5. Reappoint Sandy Vosti to the Mission-Soledad Rural Fire Protection District for a term ending November 30, 2019. (Supervisor Salinas)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Sandy Vosti to the Mission-Soledad Rural Fire Protection District for a term ending November 30, 2019. (Supervisor Salinas) 3-0 (Supervisors Armenta and Parker Absent)**

6. Reappoint John Kesecker to the Mission-Soledad Rural Fire Protection District for a term ending November 30, 2019. (Supervisor Salinas)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint John Kesecker to the Mission-Soledad Rural Fire Protection District for a term ending November 30, 2019. (Supervisor Salinas) 3-0 (Supervisors Armenta and Parker Absent)**

7. Appoint Lisa C. Gonzales to the Gonzales Cemetery District for a term ending April 14, 2018. (Supervisor Salinas)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Lisa C. Gonzales to the Gonzales Cemetery District for a term ending April 14, 2018. (Supervisor Salinas) 3-0 (Supervisors Armenta and Parker Absent)**

**Other Board Matters**

8. Board Comments

There were no Board comments.

9. CAO Comments and Referrals

There were no CAO comments or referrals.

10. General Public Comment

There were no public comments.

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

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

**Roll Call**

**Present:** 4 - Supervisor Jane Parker, Supervisor Dave Potter, Supervisor John M. Phillips and Supervisor Simón Salinas

**Absent:** 1 - Supervisor Fernando Armenta

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

11. Conduct a public hearing to consider the adoption of an ordinance adding Article VIII to Chapter 12.44 of the Monterey County Code to make the California Vehicle Code applicable to private roads in the East Garrison Phase Two Subdivision, in the East Garrison area of the unincorporated area of the County of Monterey.

**Conducted a public hearing.**

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Ordinance No. 5278 adding Article VIII to Chapter 12.44 of the Monterey County Code to make the California Vehicle Code applicable to private roads in the East Garrison Phase Two Subdivision, in the East Garrison area of the unincorporated area of the County of Monterey. 3-0 (Supervisors Armenta and Potter Absent)**

**Supervisor Potter arrived during East Garrison Public Finance Authority Additions and Corrections, which was after the vote on item 11.**

12. PLN150149 - Del Monte Forest Area Local Coastal Program Amendment (Policy 20)  
Public hearing to provide preliminary consideration and direction to staff regarding the following proposed amendments to the County's Local Coastal Program (LCP):  
a. Amendment to Policy 20 of the Del Monte Forest Area Land Use Plan to modify standards of development within the indigenous Monterey cypress habitat; and

- b. Corresponding amendments to the text of Section 20.147.040.D.2 of the Coastal Implementation Plan (Title 20 of the Monterey County Code), Part 5, regulating development within the indigenous Monterey cypress habitat.

Proposed CEQA Action: Statutorily Exempt per CEQA Guidelines Section 15265

Del Monte Forest Indigenous Monterey Cypress Habitat Area, Pebble Beach, Del Monte Forest

Conducted a public hearing.

Public comment: Angus Jeffers; Paull Guilan; Mark Blum; Robert Carver.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to continue to December 16, 2016 consideration of a resolution of Intent to provide preliminary consideration and direction to staff regarding the following proposed amendments to the County's Local Coastal Program (LCP):

- a. Amendment to Policy 20 of the Del Monte Forest Area Land Use Plan to modify standards of development within the indigenous Monterey cypress habitat; and

- b. Corresponding amendments to the text of Section 20.147.040.D.2 of the Coastal Implementation Plan (Title 20 of the Monterey County Code), Part 5, regulating development within the indigenous Monterey cypress habitat.

Proposed CEQA Action: Statutorily Exempt per CEQA Guidelines Section 15265

Del Monte Forest Indigenous Monterey Cypress Habitat Area, Pebble Beach  
Del Monte Forest PLN150149 - Del Monte Forest Area Local Coastal Program  
Amendment (Policy 20) 4-0 (Supervisor Armenta Absent)

### 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**

13. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1 to the Agreement with Chancellor Consulting Group, Inc. for Healthcare Management Consulting Services, extending the Agreement an additional three (3) year period (November 18, 2016 through November 16, 2019) for a revised full term of November 17, 2014 through November 16, 2019, and adding \$150,000 for a revised total Agreement amount not to exceed \$250,000.

**Approved - Agreement No. A-13348**

**Department of Social Services**

14. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Honeywell International Inc. for \$36,775 for HVAC maintenance for the period retroactive to July 1, 2016 to December 31, 2017;
- b. Accept the non-standard indemnification provision in Exhibit C, as recommended by the Director of the Department of Social Services; and maintenance for the period retroactive to July 1, 2016 to December 31, 2017; and
- c. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% (\$3,677) of the original contract amount, and do not significantly change the scope of work.

**Approved - Agreement No. A-13349**

**Criminal Justice**

- 14.1 a. Approve and Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign a Professional Services Agreement created by Request for Proposals (RFP) #10538-Inmate Food Operation Services and Commissary System Goods, with Aramark Correctional Services, LLC, for a term retroactive from October 1, 2016 to May 31, 2019 in the amount of \$3,248,909, with two (2) additional one (1) year extensions possible and;
- b. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign up to one (1) future amendment to the agreement where the amendment does not significantly change the scope of work, and where the amendment does not increase the contract value more than 10% (\$324,890) for a revised maximum contract amount of \$3,573,799.

**Approved - Agreement No. A-13350**

**General Government**

15. Adopt a resolution to approve an Amendment to the Conflict of Interest Code for the Monterey County Water Resources Agency.
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 16-303 to to approve an Amendment to the Conflict of Interest Code for the Monterey County Water Resources Agency. 3-0 (Supervisors Armenta and Parker Absent)**
16. Approve amendments to the Bylaws of the Monterey County Workforce Development Board to incorporate requirements imposed by the U.S. Department of Labor, Employment and Training Administration - Final Rules, implementing the Workforce Innovation and Opportunity Act.
- Approved**
17. Adopt a Resolution to:
- Amend the FY 2016-17 Public Defender's Office Budget 2270-PD001-8169 to reallocate one (1) Senior Legal Secretary to one (1) Supervising Legal Secretary as indicated in the attached Resolution; and
  - Authorize the Auditor-Controller and the County Administrative Office to incorporate the approved changes in the FY 2016-17 Adopted Budget; and
  - Authorize the Human Resources Department to implement the changes in the Advantage HRM System.
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 16-306 to:**
- Amend the FY 2016-17 Public Defender's Office Budget 2270-PD001-8169 to reallocate one (1) Senior Legal Secretary to one (1) Supervising Legal Secretary as indicated in the attached Resolution; and**
  - Authorize the Auditor-Controller and the County Administrative Office to incorporate the approved changes in the FY 2016-17 Adopted Budget; and**
  - Authorize the Human Resources Department to implement the changes in the Advantage HRM System. 3-0 (Supervisors Armenta and Parker Absent)**
- 18.
- Approve and authorize the Interim Director of the Information Technology Department to execute a non-standard agreement with Latitude Geographics Group Ltd., for support and maintenance of the County GIS data base and application, Geocortex Essentials, in an amount not to exceed \$75,000.00, for a term retroactive to October 10, 2016 through October 9, 2019;
  - Accept non-standard language as recommended by the Interim Director of the Information Technology Department; and
  - Authorize the Interim Director of the Information Technology Department to sign up to two (2) amendments to this Agreement, subject to County Counsel review, extending services by one (1) year each, where any increased costs do not exceed 10% (\$7,500) of the original contract amount, cumulatively, and do not significantly alter the terms of the Agreement, including the non-standard terms approved by the Board.

**Approved - Agreement No. A-13351**

- 19.
- a. Authorize the Chair of the Board of Supervisors to sign as the Chief Elected Official of the Monterey County local workforce development area, in agreement to the contract with Santa Cruz County, retroactive to September 1, 2016 through September 30, 2017, for provision of Proposition 39 (The California Clean Energy Jobs Act) Pre-Apprenticeship Support, Training, and Placement Grant services; and
  - b. Approve and authorize the Executive Director of the Monterey County Workforce Development Board to sign the contract.

**Approved**

- 20.
- Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for Tuesday, July 19, 2016.

**Approved****RMA - Land Use and Community Development**

- 21.
- a. Approve Renewal and Amendment No. 1 to Professional Services Agreement No. A-12648 with Amec Foster Wheeler Environment & Infrastructure, Inc. (previously AMEC Environmental and Infrastructure, Inc.) to continue to provide consulting engineering services for feasibility analysis, preliminary engineering, environmental review, and final engineering services for the San Lucas Water District Public Water Supply Replacement Project under Request for Qualifications (RFQ) No. 10433, to renew and extend the expiration date from September 30, 2016 for approximately seventeen (17) additional months through February 19, 2018, for a revised term from February 19, 2014 to February 19, 2018, with the option to extend the Agreement for one (1) additional one (1) year period, with no associated dollar amount increase to the total not to exceed amount of \$440,000; and
  - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Renewal and Amendment No. 1 to the Professional Services 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-12648**