

Monterey County

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



Action Minutes - Final

Tuesday, May 5, 2015

9:00 AM

See separate agenda for Pajaro County Sanitation District

Board of Supervisors

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

9:00 A.M. - Convene

The meeting was called to order by Chair Salinas.

Roll Call

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

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 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) County of Monterey v. McKesson Corporation, et al. (Monterey County Superior Court case no. M122114)
 - (2) Jesse Hernandez v. County of Monterey, et al. (United States District Court case no. CV 13 2354 PSG)
 - (3) Landwatch Monterey County v. County of Monterey, et al. (Monterey County Superior Court case no. M109434)
 - (4) The Open Monterey Project v. Monterey County Board of Supervisors, et al. (Monterey County Superior Court case no. M109441)
 - b. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.
 - c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding three matters of significant exposure to litigation.
 - d. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

(REMOVED VIA SUPPLEMENTAL)

~~(1) Property: 730 & 752 La Guardia Street, Salinas~~
~~Negotiator: John Guertin, Acting Deputy RMA Director~~
~~Party: Life Foundation Monterey, LLC~~
~~Under negotiation: Price and terms~~

~~(2) Property: 1000 S. Main Street, Salinas~~
~~Negotiator: John Guertin, Acting Deputy RMA Director~~
~~Party: Life Foundation Monterey, LLC~~
~~Under negotiation: Price and terms~~

(ADDED VIA ADDENDUM)

d. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

(1) Property: Concession Agreement re Mazda Raceway at Laguna Seca

Agency Negotiator(s): Nick Chiulos, Assistant CAO

Negotiating Parties: Gill Campbell, General Manager of SCRAMP

Under negotiation: Price and terms

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

10:30 A.M. - Reconvene

Roll Call

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

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Potter.

Additions and Corrections

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following correction:

Remove from Consent Calendar - General Government

17. Approve and Authorize the Contracts/Purchasing Office to execute a fifteen year Lease Agreement with WLKST Partners, LP, for 4,857 square feet of space located at 65 West Carmel Valley, Road, Carmel Valley, CA for use by MCFL. Direct the Auditor Controller to make lease payments of \$5,965.00 per month, effective July 1, 2015.

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

Consent Calendar- (See Supplemental Sheet)

2.

Approval of Consent Calendar (See Supplemental Sheet)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to approve the Consent Calendar with the exception of item 17. (See Supplemental Sheet). ALL AYES

Ceremonial Resolutions

3. Adopt Resolution proclaiming the week of May 17, 2015 through May 23, 2015 as National Public Works Week. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 15-049 proclaiming the week of May 17, 2015 through May 23, 2015 as National Public Works Week. (Full Board). ALL AYES**
4. Adopt Resolution proclaiming the month of May 2015 as Older Americans Month in Monterey County. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 15-093 proclaiming the month of May 2015 as Older Americans Month in Monterey County. (Full Board) ALL AYES**
5. Adopt Resolution proclaiming May 21, 2015 as Eat More Fruits and Vegetables Day in Monterey County. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 15-094 proclaiming May 21, 2015 as Eat More Fruits and Vegetables Day in Monterey County. (Full Board) ALL AYES**
6. Adopt Resolution proclaiming the week of May 10 through May 16, 2015 as National Hospital Week in Monterey County. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 15-100 proclaiming the week of May 10th through May 16th, 2015 as National Hospital Week in Monterey County. (Full Board) ALL AYES**
7. Adopt Resolution honoring Canterbury Woods an Episcopal Senior Community on the occasion of their 50th Anniversary. (Supervisor Parker)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 15-101 honoring Canterbury Woods an Episcopal Senior Community on the occasion of their 50th Anniversary. (Supervisor Parker) ALL AYES**

Appointments

8. Appoint Cindy Avelino to the In-Home Supportive Services Advisory Committee with a term ending June 30, 2018. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to Appoint Cindy Avelino to the In-Home Supportive Services Advisory Committee with a term ending June 30, 2018. (Full Board). ALL AYES**

Other Board Matters

9. Board Comments

Supervisor Armenta announced the Presidio of Monterey will recognize all veterans in Monterey County on May 8th at 8:30 am. He advised he has signed up and presented his name, rank and serial number.

Supervisor Armenta advised there will be public comment today on a possible healthcare pilot project. He requested this issue be calendared before the Board of Supervisors prior to Budget Hearings and that Health Department Director Ray Bullick do a presentation on the possibilities of a healthcare pilot project.

Supervisor Parker thanked those present to mark May as Older American's Month. She heard a presentation on high-cap medicare counseling program offered by the Alliance on Aging and the five most prevalent mistakes that baby-boomers make in signing up for medicare. She learned some things and encouraged others to check out the program offered by the Alliance on Aging that is offered for free. It's a great resource to our community.

Supervisor Parker announced Fort Ord Warhorse Day is Saturday, May 9th from 9:30 am - 2:00 pm at the Marina Equestrian Center Park. The event is free and there is historical information and activities.

Supervisor Parker advised of her regular Hot Topics meetings to review the Board of Supervisors' agendas on Monday evenings from 5:30 - 6:30 pm at various public locations in the county. The next Hot Topics event is next Monday at Me & Ed's Pizza in Seaside. This date is also her birthday and she invited the public to help her celebrate her birthday Monday night.

Supervisor Phillips announced he attended the first solo flight in the program "Any Kid Can Fly". The young man that flew has overcome a number of challenges and his solo flight was cause for celebration. He will serve as a role model for other young people. It's a worthwhile program run by Sean Tucker. Supervisor Salinas thanked Mr. Tucker for helping youth in the community.

Supervisor Salinas announced that he attended the Volunteers Luncheon for the Natividad Medical Center Auxiliary and thanked the volunteers for their 54,000 hours of dedicated service.

10. CAO Comments and Referrals

There were no CAO Comments or Referrals.

11. General Public Comment

Steve Ecklund; Richard Lesley; Alicia Hernandez Sanchez; Ramona Valerio; Guadalupe Flores; Jack Fong; Jesus Valenzuela; Mayor John Huerta; Katherine Stedman; Arthur McGlaughlin.

10:30 A.M. - Scheduled Matters

11.1 Receive an Oral Presentation on 2015 National Public Works Week.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to receive an Oral Presentation on 2015 National Public Works Week. ALL AYES

11.2

Consider:

- a. Supporting a capital projects proposal, covering 1441 Schilling Place, 240 Church (East & West Wings), 168 W. Alisal (Administration Building), and Government Center Modular Removal, Attachment A;
- b. Supporting a County of Monterey 1441 Schilling Place Buildings Tenant Improvement Project and Draft Schedule, Attachment B;
- c. Supporting a County of Monterey Administration Building Tenant Improvement Project and Draft Schedule, Attachment C;
- d. Support a County of Monterey East & West Wing Tenant Improvement Project and Draft Schedule, Attachment D;
- e. Supporting a County of Monterey Government Center Modular Removal Project and Draft Schedule, Attachment E;
- f. Direct staff to take all necessary actions for the issuance of Certificate of Participation not to exceed \$52,000,000; and
- g. Direct staff to take to determine the best funding options through the annual budget process for the costs for the Administration Building Tenant Improvement Project.(ADDED VIA ADDENDUM)

Public comment: Harry Gamotan.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to: a. Support a capital projects proposal, covering 1441 Schilling Place, 240 Church (East & West Wings), 168 W. Alisal (Administration Building), and Government Center Modular Removal, Attachment A;
b. Support a County of Monterey 1441 Schilling Place Buildings Tenant Improvement Project and Draft Schedule, Attachment B;
c. Support a County of Monterey Administration Building Tenant Improvement Project and Draft Schedule, Attachment C;
d. Support a County of Monterey East & West Wing Tenant Improvement Project and Draft Schedule, Attachment D;
e. Support a County of Monterey Government Center Modular Removal Project and Draft Schedule, Attachment E;
f. Direct staff to take all necessary actions for the issuance of Certificate of Participation not to exceed \$52,000,000; and
g. Direct staff to take to determine the best funding options through the annual budget process for the costs for the Administration Building Tenant Improvement Project. (ADDED VIA ADDENDUM) ALL AYES

11.3

Grant Debt Manager authority to execute documents to facilitate the issuance of Certificates of Participation to finance tenant improvements at Schilling Place and to rehabilitate the East and West Wings of the Courthouse in an amount not to exceed \$52,500,000. (ADDED VIA ADDENDUM)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to grant Debt Manager authority to execute documents to facilitate the issuance of Certificates of Participation to finance tenant improvements at Schilling Place and to rehabilitate the East and West Wings of the Courthouse in an amount not to exceed \$52,500,000. (ADDED VIA ADDENDUM) ALL AYES

Item 12 was heard after item 11.1.

12. Receive a Mid-Year Report on the Strategic Grant Services Program.

Public comment: Harry Gamotan.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to receive a Mid-Year Report on the Strategic Grant Services Program. ALL AYES

12:00 PM - Recess to Lunch - Continued Closed Session

1:30 PM Reconvene- Monterey County Board of Supervisors

Roll Call

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

1:30 P.M. - Scheduled Matters

13. a. Receive the Monterey County Parks Department Strategic Plan as approved by the Monterey County Parks Commission; and
b. Authorize the Parks Department to begin implementation of the Strategic Plan during Fiscal Year 2015-16 based on the implementation priority plan approved by the Monterey County Parks Commission.

Public comment: Michael Weaver; Eric Peterson; Arthur McGlaughlin; Jay Donato.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to receive the Monterey County Parks Department Strategic Plan as approved by the Monterey County Parks Commission. The Board took no action on item b. ALL AYES

Adjournment

APPROVED:

/s/ Simón Salinas

**SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: /s/ Gail T. Borkowski

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

APPROVED ON 07-28-2015

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

14. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute an Amendment No. 3 with Healthcare Services Management, Inc. (HSM), for Information Technology Consulting and Project Management Services at NMC to extend the term of the Agreement for one (1) additional year for a revised term of May 1, 2011 through June 30, 2016 with no additional cost to the total Agreement amount of \$2,023,675.

Approved - Agreement No. A-12118

15. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 4 to the Agreement (A-12461) with Navin, Haffty & Associates, LLC for Information Technology Project Management Consulting Services at NMC, adding \$1,365,000 for a revised total Agreement amount not to exceed \$6,241,000 and with no change to the term end date.

Approved - Agreement No. A-12461

Health Department

16. Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394, Section A.4.1 Eligibility for Step Advancements for Broadband Classifications of Operation's Manager; and
 - b. Authorize the Human Resources Department to implement these changes.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 15-105 to:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394, Section A.4.1 Eligibility for Step Advancements for Broadband Classifications of Operation's Manager; and**
- b. Authorize the Human Resources Department to implement these changes.**

ALL AYES

General Government

17. Approve and Authorize the Contracts/Purchasing Office to execute a fifteen year Lease Agreement with WLKST Partners, LP, for 4,857 square feet of space located at 65 West Carmel Valley, Road, Carmel Valley, CA for use by MCFL. Direct the Auditor Controller to make lease payments of \$5,965.00 per month, effective July 1, 2015.

Item removed via Additions & Corrections.

RMA - Public Works

18. Acting on behalf of County Service Area No. 45 - Oak Hills:
- a. Approve an increase in appropriations in the amount of \$9,000 in the FY 2014-15 Adopted Budget for County Service Area No. 45 - Oak Hills Fund 074-3000-8198-7531-RMA070, where the financing source is Unassigned Fund Balance, to purchase a radar speed sign (4/5th vote required);
 - b. Authorize the Auditor-Controller to amend the budget for County Service Area No. 45 - Oak Hills, Fund 074-3000-8198- 7531-RMA070, for FY 2014-15 by increasing appropriations in the amount of \$9,000 where Fund 074 Unassigned Fund Balance is the financing source to balance the appropriation increase;
 - c. Approve an increase in appropriations in the amount of \$39,600 in the FY 2014-15 Adopted Budget for County Service Area No. 45 - Oak Hills Open Space Fund 075-3000-8198-6311-RMA071, where the financing source is Unassigned Fund Balance, to fund open space maintenance projects (4/5th vote required); and
 - d. Authorize the Auditor-Controller to amend the budget for County Service Area No. 45 - Oak Hills Open Space Fund 075-3000-8198-6311-RMA071, for FY 2014-15 by increasing appropriations in the amount of \$39,600 where Fund 075 Unassigned Fund Balance is the financing source to balance the appropriation increase.

Approved

19. Acting on behalf of County Service Area No. 25 - Carmel Valley Golf & Country Club:
- a. Approve an increase in appropriations in the amount of \$159,005 in the FY 2014-15 Adopted Budget for County Service Area No. 25 - Carmel Valley Golf & Country Club, Fund 062-3000-8198-6311-RMA058, where the financing source is Unassigned Fund Balance, to fund road maintenance projects (4/5th vote required);
 - b. Authorize the Auditor-Controller to amend the budget for County Service Area No. 25 - Carmel Valley Golf & Country Club, Fund 062-3000-8198-6311-RMA058, for FY 2014-15 by increasing appropriations in the amount of \$159,005 where RMA Fund 062 Unassigned Fund Balance is the financing source to balance the appropriation increase.

Approved

20. Acting on behalf of County Service Area No. 50 - Rioway Tract:
- a. Accept the County Service Area No. 50 Final Lower Carmel River Stormwater Management and Flood Control Report; and
 - b. Approve the County Service Area No. 50 - Rioway Tract Citizens Advisory Committee recommendation to pursue the Future Conditions/FEMA protection level projects that will meet all applicable standards associated with flood protection measures identified by FEMA to allow for the County Service Area No. 50 - Rioway Tract area to be removed from the 100 - year floodplain and eliminate the need for mandatory flood insurance under the National

Flood Insurance Program.

Approved

21.

Acting on behalf of County Service Area No. 75 - Chualar:

- a. Set a Public Hearing on June 9, 2015, at 10:30 a.m., to hear the report of delinquent fees and consider any protests and objections to the report by landowners liable to be assessed for delinquent fees for County Service Area No. 75 - Chualar;
- b. Direct that a report of delinquent fees be prepared;
- c. Direct Resource Management Agency - Public Works to mail the Notice of Public Hearing to landowners listed in the report not less than ten (10) days prior to the date of hearing; and
- d. Direct the Clerk of the Board to publish Notice of Public Hearing on June 9, 2015 in the Monterey County Weekly.

Approved