

Monterey County

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



Action Minutes - Final

Tuesday, October 11, 2016

1:30 PM

**See separate agenda for Board of Supervisors of the Monterey
County Water Resources Agency.**

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*

1:30 P.M. - Call to Order

The meeting was called to order by Chair Parker.

Roll Call

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

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) Jason Pineda v. County of Monterey, et al. (Monterey County Superior Court case No. 16CV001579)
 - b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
(1) Designated representatives: Manuel Gonzalez and Brette Neal
Employee Position: Units A, B, C, G, L, M, N, Q & V
 - c. 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
 - d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
(ADDED VIA ADDENDA)

CLOSED SESSION REPORT

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) Jason Pineda v. County of Monterey, et al. (Monterey County Superior Court case No. 16CV001579)

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

b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:

(1) Designated representatives: Manuel Gonzalez and Brette Neal
Employee Position: Units A, B, C, G, L, M, N, Q & V

CLOSED SESSION REPORT: The Board conferred with labor negotiators and approved a tentative agreement with Unit G and the agreement can be implemented at this time. A formal MOU will come back for approval at a future date. The Board took no reportable action regarding Units A, B, C, L, M, N, Q, & V.

c. 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

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

d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
(ADDED VIA ADDENDA)

ITEM 1.d. WAS NOT DISCUSSED AND WAS REMOVED FROM THE AGENDA.

2:30 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

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Dave Potter.

Additions and Corrections

The Clerk advised of a technical issue regarding an inaccessible link to Board referrals online. The document was provided to the Board members and is available in the Clerk of the Board's office.

Consent Calendar

2. 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

3. Adopt Resolution commending Janet Brennan upon her recognition from the Democratic Women of Monterey County. (Supervisor Parker)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 16-260 commending Janet Brennan upon her recognition from the Democratic Women of Monterey County. (Supervisor Parker) ALL AYES

4. Adopt Resolution proclaiming October 16 - 22, 2016 as Workplace Civility Week. (Supervisor Parker)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 16-261 proclaiming October 16 - 22, 2016 as Workplace Civility Week. (Supervisor Parker) ALL AYES

Other Board Matters

5. Board Comments

Supervisor Phillips invited everyone to attend the 10th anniversary celebration of the Castroville Plaza where his office, the library and the resource center is located at 10:00 a.m.

Supervisor Parker announced she will be convening a conversation on homelessness, for the Marina community in particular, with Marina Councilmember Nancy Amadeo and Father John Perez. Anyone interested in the subject is invited to attend this Thursday at 7:00 pm at the Epiphany Lutheran Church in Marina.

6. CAO Comments and Referrals

There were no CAO comments or referrals.

7. General Public Comment

Christine Kemp; Michael Van Horn; Steve Eklund; Joe Vierra.

2:30 P.M. - Scheduled Matters

8. a. Conduct a Public Hearing to take comments on the draft Urban County Community Development Block Grant Consolidated Annual Performance and Evaluation Report for FY 15-16;

- b. Approve the Urban County Community Development Block Grant Consolidated Annual Performance and Evaluation Report for FY 15-16 for submittal to the U.S. Department of Housing and Urban Development;
- c. Authorize the Director of the Economic Development Department to make minor changes to the report as needed or in response to comments from HUD; and,
- d. Amend the Citizen Participation Plan to comply with U.S. Department of Housing and Urban Development regulations for public noticing requirements.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to:

- a. Conduct a Public Hearing to take comments on the draft Urban County Community Development Block Grant Consolidated Annual Performance and Evaluation Report for FY 15-16;**
- b. Approve the Urban County Community Development Block Grant Consolidated Annual Performance and Evaluation Report for FY 15-16 for submittal to the U.S. Department of Housing and Urban Development;**
- c. Authorize the Director of the Economic Development Department to make minor changes to the report as needed or in response to comments from HUD; and,**
- d. Amend the Citizen Participation Plan to comply with U.S. Department of Housing and Urban Development regulations for public noticing requirements.**

ALL AYES

Recess to continued Closed Session

Adjournment

APPROVED:

/s/ Mary L. Adams

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

ATTEST:

BY: /s/ Gail T. Borkowski

GAIL T. BORKOWSKI

CLERK OF THE BOARD

APPROVED ON 2/7/2016

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

9. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement with the United States Drug Testing Laboratories, Inc. (USDTL) for umbilical cord toxicology testing services for an amount not to exceed \$180,000 for the term October 15, 2016 through October 14, 2019; and
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$18,000) of the original cost of the agreement.

Approved - Agreement No. A-13321

10. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 3 to the Agreement (A-12530) with Modular Devices Inc. for the Lease Agreements for Mobile Computerized Tomography (CT), Mobile Angiography/Interventional Radiology (IR) Laboratory Services and Magnetic Resonance Imaging (MRI), to extend the term of the agreement for an additional one-year period for a revised term of August 1, 2013 through July 31, 2018 and adding \$1,754,500, for a revised total agreement amount not to exceed \$5,366,500.

Approved - Agreement No. A-12530

11. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement, with a retroactive start date of October 1, 2016, with CynergisTek, Inc., for the provision of Information Security, Assessment and Consulting services and containing non-standard risk terms regarding indemnification and limited warranty, in the amount of \$457,200, for the period of October 1, 2016 through September 30, 2019.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the Agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (\$45,720) of the original Agreement cost.

Approved - Agreement No. A-13322

Health Department

12. Approve and authorize the Director of Health or Assistant Director of Health to execute a no-extension Amendment No. 3 to Mental Health Services Agreement A-12683 with Davis Guest Home, Inc. in Modesto, California for

the provision of mental health services to Monterey County adult residents with severe psychiatric disabilities adding \$29,565 for Fiscal Year (FY) 2016-17 giving a new FY total of \$1,055,841, for a revised total Agreement amount not to exceed \$2,980,165, for the same term of FY 2014-15 through FY 2016-17.

Approved - Agreement No. A-12683

13. Authorize the Director of Health or the Assistant Director of Health to execute agreements on behalf of the County of Monterey with ConsumerInfo.com, Inc., also known as Experian Consumer Services, to ensure timely privacy and security breach response by enabling Monterey County Health Department (MCHD) to offer free credit monitoring services as needed through June 30, 2020.

Approved - Agreement No. A-13323

14. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a three (3) year Mental Health Services Agreement with Edgewood Center for Children and Families in San Francisco, CA for the provision of mental health services for Monterey County youth residents ages 5-18 with severe psychiatric disabilities in the amount of \$786,674 for Fiscal Year (FY) 2016-17, \$794,517 for FY 2017-18, and \$802,596 for FY 2018-19, for a total Agreement amount not to exceed \$2,383,787, retroactive to July 1, 2016 through June 30, 2019; and
b. 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%) (\$238,379) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No. A-13326

15. Approve and authorize the Director of Health or Assistant Director of Health to sign Amendment No. 5 to the Physician Services Agreement with Lucile Salter Packard Children's Hospital at Stanford University for perinatology services, extending the term one (1) additional year for a revised Agreement term of October 1, 2008 to September 30, 2017, and increasing the amount by \$120,000, for a revised total contract amount not to exceed \$1,080,000.

Approved - Agreement No. A-11332

16. Extend the Declaration of a Local Health Emergency for the Soberanes Fire Incident.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-266 to extend the Declaration of a Local Health Emergency for the Soberanes Fire Incident. ALL AYES

Department of Social Services

17. Approve and authorize the Director of the Department of Social Services and the Director of the Department of Health to sign a Memorandum of Understanding with each of Community Hospital of the Monterey Peninsula, Salinas Valley Memorial Hospital and George L. Mee Memorial Hospital, for a term effective on date of signing by all parties and terminable based on thirty (30) days' notice, to ensure compliance with Penal Code Section 11165.13 and Health and Safety Code Sections 1255.7 regarding substance-exposed infants and Safely Surrendered Infants.

Approved

18. a. Approve and authorize the Contracts/Purchasing Officer to execute a five (5) year Lease Agreement, subject to two (2) three (3) year options to extend the Lease, effective September 1, 2016, with Magna Plantare Inc., for approximately 1,790 square feet of space located at 1127 Baldwin Street, in Salinas, California, for use by the Department of Social Services, Family and Children's Services Branch;
- b. Direct the Auditor-Controller to make lease payments of \$2,048.00 per month and in accordance with the terms of the Lease Agreement; and
- c. Authorize the Contracts/Purchasing Officer to extend the term of the Lease Agreement for a maximum of six (6) additional years, with the same terms and conditions.

Approved - Agreement No. A-13327

19. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Seneca Family of Agencies for \$183,210 to support the Resource Family Approval (RFA) program throughout Monterey County for the period retroactive to July 1, 2016 through June 30, 2017; and
- b. Authorize the Director of the Department of Social Services, or his designee, to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% (\$18,321) of the original contract amount, and do not significantly change the scope of work.

Approved - Agreement No. A-13324

20. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Aspiranet for \$185,992 to support the Resource Family Approval (RFA) program throughout Monterey County for the period retroactive to July 1, 2016 through June 30, 2017; and
- b. 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% (\$18,599) of the original contract amount, and do not significantly change the scope of work.

Approved - Agreement No. A-13328

General Government**21.**

Adopt Resolution to:

- a. Amend the FY 2016-17 Information Technology Department Budget to reallocate one (1) Information Technology Support Technician III position in Unit 8435-Enterprise Operations to one (1) Management Analyst II position in Unit 8439- Administrative Services, as indicated in the attached Resolution (4/5th vote required);
- b. Amend the FY 2016-17 Information Technology Department Budget to reallocate one (1) Data Center Operations Technician III position in Unit 8435- Enterprise Operations to one (1) Office Assistant II position in Unit 8439- Administrative Services, as indicated in the attached Resolution (4/5th vote required);
- c. Authorize the Auditor-Controller and the County Administrative Office to incorporate these changes in the FY 2016-17 Budget (4/5th vote required); and
- d. Authorize 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. 16-262 to:

- a. Amend the FY 2016-17 Information Technology Department Budget to reallocate one (1) Information Technology Support Technician III position in Unit 8435-Enterprise Operations to one (1) Management Analyst II position in Unit 8439- Administrative Services, as indicated in the attached Resolution (4/5th vote required);**
- b. Amend the FY 2016-17 Information Technology Department Budget to reallocate one (1) Data Center Operations Technician III position in Unit 8435- Enterprise Operations to one (1) Office Assistant II position in Unit 8439- Administrative Services, as indicated in the attached Resolution (4/5th vote required);**
- c. Authorize the Auditor-Controller and the County Administrative Office to incorporate these changes in the FY 2016-17 Budget (4/5th vote required); and**
- d. Authorize the Human Resources Department to implement the changes in the Advantage HRM system. ALL AYES**

22.

Adopt an ordinance amending section 2.04.370 of the Monterey County Code regarding Board member salaries to:

- a. Change reference from municipal court to superior court; and
- b. Clarify the effective date of compensation adjustment to be the same as the effective date of adjustment for superior court judges.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Ordinance No. 5276 amending section 2.04.370 of the Monterey County Code regarding Board member salaries to:

- 1. Change reference from municipal court to superior court; and**
- 2. Clarify the effective date of compensation adjustment to be the same as the effective date of adjustment for superior court judges. ALL AYES**