Meeting Agenda
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

Tuesday, May 15, 2012 9:00 AM

Please see separate agenda for the Monterey County Water Resources Agency
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.

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) LandWatch Monterey County v. County of Monterey (Monterey County Superior Court case no. M109434)

      (2) The Open Monterey Project v. Monterey County Board of Supervisors (Monterey County Superior Court case no. M109441)

      (3) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey (Monterey County Superior Court case no. M109442)

      (4) Salinas Valley Water Coalition, et al. v. County of Monterey (Monterey County Superior Court case no. M109451)

   b. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following public employee positions:

      (1) County Administrative Officer
      (2) County Counsel

10:30 AM Reconvene

ROLL CALL

Pledge of Allegiance

Additions and Corrections

Consent Calendar Regular (See Supplemental Sheet)
2. Approve Consent Calendar - Regular (see Supplemental Sheet, items 15 through 20)

Ceremonial Resolutions

3. Adopt Resolution proclaiming May 19 through May 25, 2012 as “National Safe Boating Week” in Monterey County. (Supervisor Salinas)

Attachments: National Safe Boating Week

4. Adopt Resolution congratulating Chief J. Michael Klein, Mental Health Commissioner after nine years of service with the Monterey County Mental Health Commission. (Supervisor Potter)

Attachments: Chief Michael J Klein Mental Health Commission

Appointments

5. Reappoint John O’Brien and Roy Robbins to the Natividad Medical Center Board of Trustees, terms ending June 30, 2015. (Full Board)

Attachments: O’Brien Notification to Clerk

Robbins Notification to Clerk

6. Appoint Judith Sulsona to the Natividad Medical Center Board of Trustees, term ending June 30, 2015. (Full Board)

Attachments: Sulsona Notification to Clerk

7. Reappoint Kelly O’Keefe, MD, PhD, FCAP to the Natividad Medical Center Board of Trustees, term ending June 30, 2014. (Full Board)

Attachments: O’Keefe Notification to Clerk

Other Board Matters

8. Board Comments

9. CAO Comments and Referrals

Attachments: Referrals 051512
10. **General Public Comments**

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 statements 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.

**Scheduled Matters**

11. **Consider adoption of an ordinance amending the section 12.28.010 of the Monterey County Code to establish no parking at any time on both sides of Harper Canyon Road from its terminus at Toro County Park (M.P.0.82) northwesterly for a distance of 500 feet.**

   **Attachments:**
   - Ordinance
   - Location Map
   - Proposed Parking Restrictions Map

12. **Public hearing to consider adoption of an ordinance to amend Section 20-47 of the zoning maps of the Monterey County Coastal Implementation Plan (Title 20 of the Monterey County Code) to rezone an approximately 90 acre parcel from the “WSC/40-D (CZ)” [Watershed and Scenic Conservation, 40 acres per unit, Design Control Overlay District, Coastal Zone] and “VSC-D (CZ)” [Visitor Serving Commercial, Design Control Overlay District, Coastal Zone] zoning classifications to the “WSC/40-D-HR (CZ)” [Watershed and Scenic Conservation, 40 acres per unit, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] and “VSC-D-HR (CZ)” [Visitor Serving Commercial, Design Control and Historic Resources Overlay Zoning Districts, Coastal Zone] zoning classifications.**
   
   **(Rezoning: PLN120136/Post Ranch LP, 47900 Highway 1, Big Sur, Big Sur Coast Land Use Plan area)**

   **Attachments:**
   - Attachment A - Ordinance with Exhibit 1 (Zoning District Map)
   - Attachment B - Vicinity Map
   - Attachment C - Planning Resolution No. 12-012
   - Attachment D - Planning Commission Resolution No. 89-176
13. Consider adoption of an ordinance adding Chapter 7.80 to the Monterey County Code to establish licensing requirements for tobacco retailing within the unincorporated area of the Monterey County.

Attachments: Tobacco Ordinance final 050412.doc
Tobacco Retailer License Ordinance.pdf

14. a. Receive a report on Monterey County Mills Act Pilot Program (Chapter 18.27 of the Monterey County Code); and
b. Direct staff to prepare an ordinance to convert the Pilot Program to an on-going Mills Act Program.
(Monterey County Mills Act/PLN080298, County-wide)

Attachments: Attachment 1 - Project Description_PLN080298
Attachment 2 - Monterey County Code Chapter 18.27 (The Pilot Program)
Attachment 3 - HRRB recommendation

Adjournment

Supplemental Sheet, Consent Calendar

Health and Social Services

15. a. Amend Health Department Budget 4000, HEA002-8082 to reclassify and reallocate 1.0 FTE Behavioral Health Unit Supervisor to 1.0 FTE Behavioral Health Services Manager I, (Attachment A); and
b. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2011-12 Budget and the FY 2012-13 Adopted Budget.

Attachments: Attachment A BH.doc

16. Authorize the Purchasing Manager to release a Request for Qualifications (RFQ# 10363) for soliciting proposals from general acute care hospitals located in the County of Monterey to be considered for designation as an adult Level II Trauma Center.

Attachments: RFQ 10363 5-16-12.docx
17. **Adopt a Resolution to:**
   a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Clinic Services Medical Director with the recommended salary range of $13,409 - $18,304/month;
   b. Amend Health Department Budget 4000, HEA007-8096 (0.5 FTE) 8105 (0.5 FTE) 4000 to reclassify and reallocate 1.0 FTE Clinic Physician II to 1.0 FTE Clinic Services Medical Director; and
   c. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2011-12 Budget and the FY 2012-13 Adopted Budget as outlined in the attached Board resolution.

**Attachments:**
- Attachment A HR.docx
- Attachment B HR.docx
- Attachment C HR.docx

18. **Approve and authorize the Emergency Medical Services (EMS) Agency Director to sign and execute an EMS Aircraft Service Provider Agreement with Mercy Air Service Inc. to provide EMS Aircraft services to the County of Monterey.**

**Attachments:**
- EMS Aircraft Service Provider Agreement.pdf
19. a. Approve and authorize the Contracts/Purchasing Officer to execute a Professional Services Agreement with Community Hospital of the Monterey Peninsula, in an amount not to exceed $137,400, to provide HIV/AIDS services to individuals and families, for the period of July 1, 2011 through June 30, 2013; and
b. Approve and authorize the Contracts/Purchasing Officer to execute a Professional Services Agreement with Central Coast HIV/AIDS Services, in an amount not to exceed $30,000, to provide education, counseling and testing services in relation to HIV/AIDS, STDs, and Hepatitis C for local alcohol/drug treatment recovery centers, for the period of July 1, 2011 through June 30, 2013; and
c. Authorize the modification of the County's standard insurance requirement pertaining to Worker's Compensation insurance for Central Coast HIV/AIDS Services; and
d. Authorize the Contracts/Purchasing Officer to approve up to three future amendments to these Agreements where the amendments do not exceed ten percent (10%) of the original Agreement amounts, and do not significantly change the scope of services or result in an increase in County General Fund Contribution.

Attachments: Central Coast HIV AIDS Services 5 15 12.pdf
Community Hospital Mtry Penin HIV AIDS 5 15 12.pdf

19.1 Adopt Resolution to:
Issue a report pursuant to Government Code Section 65858(d) describing the measures taken by the County to alleviate the conditions that led to the adoption of Interim Urgency Ordinance No. 5160 and its extensions, Ordinance No. 5163 and Ordinance No. 5176, temporarily prohibiting, with limited exceptions, the acceptance and processing of water well applications and issuance of water well permits on parcels of less than 2.5 acres within a portion of the California American Water Company - Monterey District Main System service area within the unincorporated County, pending the County's consideration of additional well regulations.

Attachments: Resolution Wells.doc

General Government
20. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to the Agreement A-11954 with RT Lawrence Corp. for the Tax Collector's Remittance Processing System, to extend the software and hardware maintenance as needed up to and including June 30, 2017, for a revised total Agreement amount that shall not exceed $584,253; b. Authorize the Contracts/Purchasing Officer to sign future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement total amount of more than five percent (5%).

Attachments: Amendment No 1 to Agreement A-11954.pdf
Exhibit B_1 of 2.xls
Exhibit B_2 of 2.pdf
Agreement A-11954.pdf
Amendment No 1 to Agreement A-11954 Routing Sheet.pdf

Addenda - See numbered items for related material


View Addendum reports at: http://monterey.legistar.com/Calendar.aspx

ADDENDA

Add Under Consent - Health & Social Services
19.1 Adopt Resolution to:
Issue a report pursuant to Government Code Section 65858(d) describing the measures taken by the County to alleviate the conditions that led to the adoption of Interim Urgency Ordinance No. 5160 and its extensions, Ordinance No. 5163 and Ordinance No. 5176, temporarily prohibiting, with limited exceptions, the acceptance and processing of water well applications and issuance of water well permits on parcels of less than 2.5 acres within a portion of the California American Water Company - Monterey District Main System service area within the unincorporated County, pending the County's consideration of additional well regulations.