Monterey County

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

Meeting Agenda - Final-revised

Tuesday, July 24, 2012
9:00 AM

Note: Joint Meeting of the Monterey County Board of Supervisors and the Natividad Medical Center Board of Trustees beginning at approximately 12:00 P.M. in the Monterey Room, 2nd Floor, 168 W. Alisal St., Salinas, CA 93901

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
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 intérprete, 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 intérprete. Los pedidos se deberán hacer lo más pronto posible, y a lo mínimo 24 horas de antelación 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.

Call to Order

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(c), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

   b. Pursuant to Government Code section 54957, the Board will confer regarding discipline, dismissal, or release of two public employees.

   c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
      (1) Designated representative: Izetta Birch
      Employee Organizations: Unit E

10:30 AM Reconvene

Roll Call

Pledge of Allegiance

Additions and Corrections

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

Consent Calendar- (See Supplemental Sheet)

2. Approve Consent Calendar - Regular (See Supplemental Sheet, items 17 through 33)
Ceremonial Resolutions

3. Adopt Resolution commending Elm House on its 5th Anniversary. (Supervisor Potter)
   
   *Attachments*: Elm House Resolution

4. Resolution honoring Dr. Phoebe K. Helm on her retirement as President/Superintendent of Hartnell Community College Adopt Resolution. (Supervisor Armenta)
   
   *Attachments*: Dr. Phoebe K. Helm Resolution

Appointments

5. Reappoint Kit Elliott to the Mental Health Commission term ending May 31, 2015. (Supervisor Parker)
   
   *Attachments*: Elliott-Notification to Clerk

6. Appoint Caroline Haskell to the Mental Health Commission, term ending May 31, 2013. (Supervisor Parker)
   
   *Attachments*: Haskell-Notification to Clerk

7. Appoint Max Chaplin to the Carmel Valley Road Committee, term ending June 30, 2014. (Supervisor Potter)
   
   *Attachments*: Chaplin-Notification to Clerk

8. Appoint Kathryn Picetti to the County Service Area One to fill unscheduled vacancy, term ending June 30, 2013. (Supervisor Potter)
   
   *Attachments*: Picetti-Notification to Clerk

Other Board Matters

9. Board Comments

10. CAO Comments and Referrals

   *Attachments*: Referrals 072412

11. General Public Comment

   *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.*
10:30 A.M. - Scheduled Matters

12. Public hearing to consider:
Adoption of an ordinance to amend Title 19 (non-coastal subdivision ordinance) and Title 21 (non-coastal zoning ordinance) of the Monterey County Code to change the process for consideration of applications for subdivisions and lot line adjustments in the unincorporated inland area of the County of Monterey. Changes to the process include dissolution of the County of Monterey’s Minor and Standard Subdivision Committees, elimination of the Director of Planning’s authority to decide upon minor subdivisions and lot line adjustments, and designation of the Monterey County Planning Commission as the appropriate authority to consider applications for subdivisions and lot line adjustments in the inland unincorporated area of the County. (REF100014, Elimination of Minor and Standard Subdivision Committees, Non-Coastal Ordinance Amendments)

Attachments:
Attachment A - Discussion
Attachment B-1 - Draft Ordinance (REDLINE version) Amending Title 19
Attachment B-2 - Draft Ordinance Amending Title 19 and Title 21
Attachment C - Planning Commission Resolution No. 12-002
Attachment D - Board Order, Board of Supervisors

13. Item Deleted

12:00 PM - Recess to Lunch and Joint Meeting of the Monterey County Board of Supervisors and the Natividad Medical Center Board of Trustees

Roll Call

14. Closed Session under Government Code section 54950, relating to the following items:

a. Pursuant to Health and Safety Code section 1462, the Boards will receive a report and confer regarding health care facility/hospital trade secret. Discussion will concern a new service or new facility.

b. Pursuant to Government Code section 54956.9(b), the Boards will confer with legal counsel regarding one matter of significant exposure to litigation.

c. Pursuant to Government Code section 54957.6, the Boards will confer with labor negotiators.
(1) Designated representative: Harry Weis
Employee Organization(s): Units R and S

d. Pursuant to Government Code section 54957, the Boards will provide a
performance evaluation for the Natividad Medical Center CEO.

Adjournment

2:30 PM Reconvene - Monterey County Board of Supervisors

Roll Call

Scheduled Matters

15. Public hearing to consider:
   a. Approving a Lot Line Adjustment of Williamson Act Lands consisting of the removal of 477 acres from an existing 950 acre parcel [Assessor’s Parcel Numbers 145-181-003-000, 145-181-004-000, and 145-181-005-000 (Parcel C)] and the addition of 477 acres to an existing 40-acre parcel [Assessor’s Parcel Number 145-181-002-000 (Parcel B)]. The existing parcels are within Williamson Act Agricultural Preserves per Land Conservation Contract No. 68-094, (Assessor’s Parcel Nos. 145-181-002-000 and 145-181-005-000), owned by TMV Lands; and Land Conservation Contract No. 71-001 (Assessor’s Parcel Number 145-181-003-000) owned by TMV Lands; and Land Conservation Contract No. 72-017 (Assessor’s Parcel Number 145-181-004-000), owned by TMV Lands. The Lot Line Adjustment would result in two (2) parcels of 517 acres (Parcel 1) and 473 acres (Parcel 2); and
   b. Authorizing the Chair to execute new or amended Land Conservation Contracts, in order to rescind a portion of the existing Land Conservation Contracts as applicable to the reconfigured lots only and simultaneously execute new or amended Land Conservation Contracts for the reconfigured lots between the County and the Property Owners of Record, reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
   c. Directing the Clerk of the Board to record the new or amended Contracts concurrently with the recordation of the Certificate of Compliance for the reconfigured Williamson Act parcels.
   (Lot Line Adjustment - PLN110267/TMV Lands, Chualar Canyon Road and Old Stage Road, east of Old Stage Road and south of Chualar Canyon Road, east of the town of Chualar, Central Salinas Area Plan)

Attachments: Attachment A - Discussion
                   Attachment B - Proposed Resolution and Conditions of Approval
                   Attachment C - Vicinity Map
                   Attachment D - Land Conservation Contracts

16. a. Authorize the County Administrative Office to reduce the position count in the Office of Employment and Training by 12, as detailed below;
b. Authorize the issuance of layoff notices to impacted employees no sooner than August 10, 2012, with an effective date of September 1, 2012;
c. Direct the Human Resources Department to provide in-placement and out-placement services;
d. Authorize budgetary adjustments in Fund 007, Budget Unit 8261 - Office of Employment and Training as detailed below (4/5ths vote required);
e. Authorize the County Administrative Office, Auditor Controller and Human Resources Department to implement the actions as outlined in this report. (4/5ths vote required).

Adjournment

Supplemental Sheet, Consent Calendar

Natividad Medical Center

17. 
   a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to enter into a Master Agreement pursuant to the Request for Proposals (RFP #9600-22) for Ancillary Registry Services at NMC.
b. Authorize the Purchasing Manager for NMC to execute contracts pursuant to RFP #9600-22 for Ancillary Registry Services with Alara Healthcare Staffing Inc., Aureus Radiology LLC, Integrated Healthcare Staffing, Maxim Staffing Solutions, Per Diem Staffing Systems Inc., Sonotemps Inc. and SHC Services Inc, for a total aggregate amount of $3,600,000 over three years (or $1,200,000 per fiscal year) for all contracts issued under the Master Agreement for the period August 1, 2012 to June 30, 2015.
c. Authorize the Purchasing Manager for NMC to approve up to two (2) future amendments to all contracts pursuant to Master Agreement, RFP #9600-22 where the amendments do not exceed 10% of the original Master Agreement amount and do not significantly change the scope of services or result in an increase in County General Fund Contribution.

   Attachments:  
   Alara Healthcare Staffing (Ancillary Registry)  
   Aureus Radiology (Ancillary Registry)  
   Maxim Staffing Solutions (Ancillary Registry)  
   Per Diem Staffing Systems Inc (Ancillary Registry)  
   Sonotemps (Ancillary Registry)  
   SHC (Ancillary Registry)  
   Integrated Healthcare Staffing LLC

Health and Social Services

18. 
   a. Amend the FY 2012-13 Health - Clinic Services Budget 4000, HEA007, Unit 8097 and 8105 to reallocate two (2.0) FTE Nurse Practitioner II’s to two (2.0) FTE
Physician Assistant II’s; and
b. Authorize the County Administrative Office to incorporate approved changes in the FY 2012-13 Adopted Budget.

**Attachments:** Attachment A 7 24 12.doc

19. Accept the First 5 Monterey County Annual Report to the Community and the First 5 Monterey County Connecting the Dots Evaluation Report.

**Attachments:** F5MC Ann Report Spanish
F5MC Ann Report.doc
F5MC Evaluation Highlights

20. Approve the bylaws of the Commission on the Status of Women

**Attachments:** CSW Bylaws

21. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign contracts with the Alliance on Aging, Legal Services for Seniors, Meals on Wheels of the Salinas Valley, and Meals on Wheels of the Monterey Peninsula for a total of $1,128,781 to provide services to Monterey County seniors for the period July 1, 2012 through June 30, 2013; and
b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to these agreements, where the total amendments do not exceed 10% of the original contract amounts, and do not significantly change the scopes of work.

**Attachments:** AOA
AOA LSS
AOA MOWMP
AOA MWSV

21.1 Adopt a resolution discouraging Community Health Center expansion into Monterey County until completion and consideration of the Regional Safety Net Provider Assessment Project and Report by the California State University Monterey Bay, anticipated in October of 2012.

**Attachments:** FQHC Resolution 7 17 12 LJG SLS edits.docx

21.2 Authorize the Director of Health, or his designee, on behalf of Monterey County, as Lead Agency for the County and the twelve incorporated cities of Monterey County, to execute and submit all necessary applications, contracts, payment requests, agreements, annual reports, expenditure reports, documents and amendments thereto for the purposes of securing Used Oil Payment Program funds for FY 12-13 in an amount not to exceed $200,000, and for subsequent agreements for FY 13-14, FY 14-15, FY 15-16 and FY 16-17 in amounts not to exceed $200,000 annually, and to implement and carry out the purposes specified in the applications.
Criminal Justice

22. Approve and adopt a Resolution amending Article VII of the Master Fee Resolution to set fees and authorize collection of fees by the Sheriff’s Office effective August 1, 2012 as attached in Exhibit I.

Attachments:
- Sheriff Resolution 062012 Final Article VII
- Sheriff Fees Article VII Track Changes 062012
- Exhibit I - Revised

23. Authorize the Auditor-Controller to amend the FY 2011-12 District Attorney’s Budget, DIS001, to increase revenues and appropriations by $687,332 (4/5ths vote required).

General Government

24. 
   a. Approve Amendment No. 1 (Amendment) to the Subrecipient Agreement (Agreement) between the County of Monterey and the Housing Resource Center (HRC) of Monterey County to extend the term through April 30, 2013, and increase the contract amount by $25,000 for a total of $50,000 to continue providing homebuyer counseling and education services related to the County’s Neighborhood Stabilization Program (NSP1); and
   
   b. Authorize the County Administrative Officer, or designee, to execute the Amendment and make minor revisions to it provided the overall feasibility of the objectives of the Amendment is not in jeopardy, no additional funds are required from the County, and no material term of the Amendment is altered.

Attachments:
- Amendment No. 1 to Subrecipient Agreement with HRC
- Original Subrecipient Agreement between HRC and the County of Monterey

25. Approve authorizing the Office of the Auditor-Controller to modify the appropriations in the FY 2011-12 Adopted Budget, up to the amounts listed on Attachment A, as necessary, to reflect the changes required in the allocation of the County’s property insurance premiums (4/5ths Vote Required).

Attachments:
- County Property Insurance Attachment A 07-24-12.pdf

26. Adopt a Resolution:
   
   a. Thanking County Counsel and the Treasurer-Tax Collector for their service on the Housing Loan Committee (HLC);
   
   b. Changing the composition of the HLC to consist of the Auditor-Controller, the Director of the Resource Management Agency, and the Chair of the Housing Advisory Committee, or their designees; and
c. Changing the body which hears appeals of HLC decisions from the Housing Advisory Committee to the Economic Development Director, or his designee.

**Attachments:**  Housing Loan Committee Resolution

**27.**

Receive and Accept the Treasurer’s Report of Investments for the quarter ending June 30, 2012;
b. Receive and Approve the Treasurer’s investment policy for FY 2012-13; and
c. Renew the Delegation of Investment Authority to the Treasurer-Tax Collector pursuant to California Government Code 53607.

**Attachments:**  Exhibit A - Portfolio Review 03.31.12
                  Portfolio Management Report 6.30.12 - Exhibit B
                  Quarterly Yield Review 06.30.12-Exhibit C
                  Aging Summary 06.30.12 - Exhibit D
                  MMF Pie Charts 06.30.12 - Exhibit E
                  Investment Policy Red Line Exhibit F - Updated 06.30.12
                  Investment Policy Final_ Exhibit G- Updated 06.30.12

**28.**


**Attachments:**  10-26-11 BC Action Minutes.doc
                  11-09-11 BC Action Minutes.doc
                  12-07-11 BC Action Minutes.doc

**29.**

Approve a request from the Greenfield Fire Protection District for dry period loan of $325,000.00 for the Fiscal Year ending June 30, 2013.

**Attachments:**  Greenfield FPD 2013 Resolution.pdf
                  Greenfield FPD 2013 Request & Certification.pdf

**RMA - Planning**

**30.**

a. Approve the Parcel Map for a minor subdivision to divide a 3.02 acre parcel into two 1.51 acre parcels; and
b. Direct the Clerk of the Board to submit the Parcel Map to the County Recorder for filing.

(Parcel Map - PLN080458/Santa Barbara Bank and Trust (Denver Dudley Stanton Dale Trust et al), 1272 Sombria Lane, Pebble Beach, Del Monte Forest Area Land Use Plan)
31.

a. Approve a Professional Services Agreement with ICF Jones & Stokes, Inc. where the Base Budget is $268,190.00 with a Contingency of $40,228.50, for a total amount not to exceed $308,418.50 to provide an Environmental Impact Report (EIR) for the Stonewall Canyon Quarry (PLN060550) in the Central Salinas Valley Area Plan in South County, for a term through January 31, 2014; and
b. Approve a Funding Agreement with Syar Industries, Inc. where the Base Budget is $268,190.00 with a Contingency of $40,228.50 and the County contract administration fee is $3,170.00, for a total amount not to exceed $311,588.50, to allow funding to Monterey County for costs incurred by ICF Jones & Stokes, Inc. to provide an EIR for the Stonewall Canyon Quarry (PLN060550) in the Central Salinas Valley Area Plan in South County, for a term through January 31, 2014; and
c. Authorize the Director of Planning to execute the Professional Services Agreement, Funding Agreement and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

(REF110024/ICF International, County-wide and PLN 060550/Stonewall Quarry, Central Salinas Valley Area Plan, South County)

32.

Adopt a Resolution of Intent directing the Director of Planning to investigate, evaluate, and initiate the process of amendment to the 2010 General Plan and zoning to change the land use designation and zoning of two parcels totaling approximately 116 acres in the Fort Ord Master Plan, located at the northeast corner of 7th Avenue and Intergarrison Road (known as the Whispering Oaks site), from Planned Development-Mixed Use (Public/Quasi-Public zoning) to Open Space (APN: 031-101-041-000, 031-101-056-000).

(REF120055/Whispering Oaks, Board Referral 2012.02)

33.

Road;
b. Authorize the Director of Public Works to execute the Project Agreement;
c. Authorize the Clerk of the Board to submit the Project Agreement to the County Recorder for filing upon execution by Federal Highway Administration of the Project Agreement; and
d. Authorize the Director of Public Works to execute all future amendments that do not significantly alter the scope of work or change the approved Project Agreement amount.

Attachments:  Project Budget
              Project Agreement
              Location Map

Addenda for Monterey County Board of Supervisors

34. Addenda for Monterey County Board of Supervisors Agenda of Tuesday, July 24, 2012.

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

ADDENDA

Add Under Consent Regular - Health & Social Services

21.2 Authorize the Director of Health, or his designee, on behalf of Monterey County, as Lead Agency for the County and the twelve incorporated cities of Monterey County, to execute and submit all necessary applications, contracts, payment requests, agreements, annual reports, expenditure reports, documents and amendments thereto for the purposes of securing Used Oil Payment Program funds for FY 12-13 in an amount not to exceed $200,000, and for subsequent agreements for FY 13-14, FY 14-15, FY 15-16 and FY 16-17 in amounts not to exceed $200,000 annually, and to implement and carry out the purposes specified in the applications.