Monterey County

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

Meeting Agenda - Final-revised

Tuesday, December 10, 2013

9:00 AM

See separate agenda for Monterey County Water Resources Agency

Board of Supervisors

Chair Fernando Armenta - District 1
Vice-Chair Louis R. Calcagno - District 2
Supervisor Simón Salinas - District 3
Supervisor Jane Parker - District 4
Supervisor Dave Potter - District 5
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 más 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 corresponding Board Report.

9:00 A.M. - 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 54957.6, the Board will confer with labor negotiators:
      (1) Designated representatives: James May and Brette Neal
      Employee Organization: Unit S

   b. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(e)(3), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.
      Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

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. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution commending Candice Chin upon her retirement from Monterey County’s County Administrative Office after 39 years of public service. (Supervisor Armenta)
   
   **Attachments:**  Candice Chin Resolution

4. Adopt Resolution commending Glenn Oania upon his retirement from the Castroville Community Services District of Monterey County after 41 years of service. ( Supervisor Calcagno)
   
   **Attachments:**  OANIA Ceremonial Resolution

Appointments

5. Reappoint Mayor John Huerta to the Community Restorative Justice Commission, term ending October 26, 2016. (Full Board)
   
   **Attachments:**  Huerta Notification to Clerk

6. Reappoint Bruce Dodson and Nita Thomas to the South Monterey County Fire Protection District, terms ending December 12, 2017 and reappoint James Massey with a term ending December 20, 2017. (Supervisor Salinas)
   
   **Attachments:**  Dobson Notification to Clerk, Massey Notification to Clerk, Thomas Notification to Clerk

7. Reappoint Julie Edgcomb to the Santa Cruz -Monterey-Merced Managed Medical Care Commission aka Central California Alliance for Health, term ending December 31, 2017. (Full Board)
   
   **Attachments:**  Edgcomb Notification to Clerk

Other Board Matters

8. Board Comments

9. CAO Comments and Referrals
   
   **Attachments:**  Referrals 121013
10. 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 the statement 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


Attachments: EMS Agency Recommendations Matrix.pdf

12. a. Approve Amendment No. 3 to the Unified Franchise Agreement (Agreement No. A-11631) between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County, effective January 1, 2014, in order to amend Exhibit 1 of the Unified Franchise Agreement to adjust collection rates, to amend Exhibit 2 of the Unified Franchise Agreement to change the disposal categories of the Refuse Rate Index, and to amend Article 17.07.1.1ff of the Unified Franchise Agreement to modify the hazardous waste recognition and response training requirements; and
b. Approve and authorize the Director of Health to execute Amendment No. 3 to the Unified Franchise Agreement (Agreement No. A-11631) between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County.

Attachments: ATTACHMENT A - PROPOSED AMENDMENT NO 3.pdf
ATTACHMENT B - AB939 FEE COMPUTATIONS.pdf
ATTACHMENT C - SVSWA AND MRWMD BOUNDARIES.pdf
ATTACHMENT D - EXHIBIT 2 REFUSE RATE INDEX.pdf
ATTACHMENT E - REFUSE RATE INDEX CALCULATIONS.pdf
ATTACHMENT F - SUMMARY OF RATE INCREASES & EXHIBIT 1 APPROVEI
ATTACHMENT G - PROPOSED RESOLUTION.doc

12:00 PM Recess to Lunch - Continued Closed Session

1:30 P.M. Reconvene

Roll Call
1:30 P.M. - Scheduled Matters

13. a. Receive a report and consider a recommendation by the Legislative Committee to adopt the revised 2013-14 Legislative Program; b. Receive the annual legislative report from Monterey County’s federal legislative advocate, Brent R. Heberlee of Nossaman LLP; and c. Receive the annual legislative report from Monterey County’s state legislative advocate, John E. Arriaga of JEA & Associates.

   **Attachments:**  EXHIBIT A - Summary of Changes  
   EXHIBIT B - REVISED 2013-14 Legislative Program  
   EXHIBIT C - 2013 State Legislative Report  
   EXHIBIT D - 2013 Federal Legislative Report

14. Authorize the Chief Executive Officer of Natividad Medical Center (NMC) to execute an Agreement (ICHC 12164) with the California Department of Corrections and Rehabilitation (CDCR), to enroll eligible patient-inmates identified by the California Department of Health Care Services (DHCS) in the ViaCare Low Income Health Program (LIHP) operated by Monterey County for inpatient hospital services provided off-site from state correctional institution grounds. The term of this agreement is March 1, 2013 through June 30, 2014.

   **Attachments:**  California Department of Corrections & Rehabilitation

15. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with The Greeley Company, a Division of HCPro Inc. for Central Sterile Operations Review and Central Sterile Process Redesign Services at NMC, for the period November 5, 2013 through June 30, 2015 for a total Agreement amount not to exceed $130,000 in the aggregate.

   **Attachments:**  Greeley Central Sterile Agreement 10.16.13.pdf

16. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 1 to the Agreement (A-11898) with FujiFilm Medical Systems USA Inc. for Software/Hardware Support Services at NMC, extending the Agreement to August 30, 2015 and adding $125,576.80 (over two years) for a revised total Agreement amount not to exceed $238,576.80 in the aggregate.

   **Attachments:**  FujiFilm Medical System Renewal & Amendment #1  
   FujiFilm Medical Systems Spend Sheet 1

Adjournment

*Adjourn in Memory of Nelson Mandela*
Supplemental Sheet, Consent Calendar

Health Department

17. a. Approve and authorize the Director of Health to sign a Data Use Agreement ("Agreement") with the Association of State and Territorial Health Officials; b. Accept non-standard warranty and limitation on liability provisions contained in Sections 11 and 12 of the Data Use Agreement, as recommended by the Director of Health; c. Accept and approve the standard Syndromic Surveillance and Situational Awareness Memorandum of Agreement ("SSSA Agreement") template, used to partner with local hospitals and clinics for the purpose of obtaining and sharing important health-related data; d. Authorize the Director of Health to sign future SSSA Agreements with local hospitals and clinics using the template in substantially the same form as that which has been presented to the Board, without significant change to its content, subject to review and approval of County Counsel; and e. Authorize the Director of Health to approve up to three future amendments to this Agreement that do not significantly change the scope of work.

Attachments:  INFORMATION SHARING AND DATA USE AGREEMENT.pdf
SSSA MEMORANDUM OF AGREEMENT.pdf

18. Approve and authorize the Director of Health to sign Amendment No. 3 to the Mental Health Services Agreement A-11985 with Psynergy Programs, Inc. for provision of mental health services for Monterey County adult residents with severe psychiatric disabilities. Amendment No. 3 revises the Payment and Billing Provisions, adds Exhibit H Budget and Expenditures Report and Exhibit I Annual Reports(s), Cost Report Settlement, and Audit; and increases Fiscal Year 2013-14 annual amount by $404,130 for a revised total Agreement amount not to exceed $1,423,422.

Attachments:  Psynergy Programs Inc_Amendment No 3_12102103.pdf

Criminal Justice

19. Authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to Professional Service Agreement with Identix, a MorphoTrust USA Company, to provide annual maintenance for 16 live scan machines in the amount of $105,846 for Fiscal Year 2013-14.

Attachments:  Attachment A

20. a. Amend the Sheriff’s Office Budget Unit 2300-SHE002-8226, to reallocate one (1) vacant part-time Office Assistant II (OAII) position to a part-time Forensic Autopsy Technician (FAT); and b. Authorize the County Administrative Office and the Auditor/Controller to
incorporate the changes into the FY 2013-14 2300-SHE002-8226 adopted budget to reflect the change in position counts as indicated in the attached Board Order.

**Attachments:** FY 2013-14 Budget Request to Classify Part Time FAT
Attachment A

**General Government**

21. a. Receive the Certified Statement of Votes cast and declare the results of the November 5, 2013 City, School and Special District Election; and
b. Declare elected the candidates to their respective offices who received the highest number of votes on November 5, 2013, for which the Board of Supervisors has jurisdiction.

**Attachments:** Election Results November 5, 2013

22. a. Approve and authorize the Contracts / Purchasing Officer to sign a County of Monterey Standard Agreement with DELTAWRX Management Consultants for project management and related services for the Monterey County Next Generation Radio System Project (NGEN) in an amount not to exceed $361,000 for the period of December 15, 2013 through July 14, 2015 to provide project management and related services for the NGEN Project which is administered by the Department of Emergency Communications subject to final, non-substantive changes agreeable to County and to be approved by County Counsel;
   b. Approve and authorize the Contracts / Purchasing Officer to sign up to three (3) amendments to this agreement, where the total amendments do not exceed ten percent (10%) of the original contract amounts, and do not significantly change the scope of work upon approval of County Counsel and the Director of Emergency Communications provided that funds are available in the NGEN Project Fund (EME002); and
   c. Approve and authorize the Auditor-Controller to reimburse DELTAWRX for authorized third party expenses such as travel outside of Monterey County or specific technical support authorized by the Director of Emergency Communications.

**Attachments:** 20131127-FinalAgreement2withexhibitA.pdf

23. a. Amend the Personnel Policies and Practices Resolution No. 98-394 to adjust salary range for Assistant Assessor-Valuation (12A15) and Assistant County Clerk/Recorder (12A05) as shown in Attachment A, effective 12/14/2013;
b. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

**Attachments:** Assistant Exhibit A
RES- Asst Assessor-Valuation and Asst County Clerk Recorder
24. Amend Personnel Policies and Practices Resolution No. 98-394 Section A.40 to adjust the retirement contribution rate for “Classic” PERS members in Units O, P, X, XL, Y and Z such that non-Safety employees will pay an additional 3.5% toward the employee contribution and Safety employees will pay an additional 2.5% as indicated in Attachment A;

b. Amend Personnel Policies and Practices Resolution No. 98-394 Appendix A to add a 3.5% base salary increase for Units O, P, X, XL, Y (excluding X & Y Safety classifications) and Z effective November 16, 2013; express an intent to add a 2% increase effective the first full pay period in July 2014 and a 3% increase effective the first full pay period in July 2015;

c. Amend Personnel Policies and Practices Resolution No. 98-394 Appendix A to add a 2.5% base salary increase for Safety classifications in Units X, and Y effective November 16, 2013; express an intent to add a 1% increase effective the first full pay period in July 2014 and a 2% increase effective the first full pay period in July 2015;

d. Authorize the Auditor-Controller and Human Resources Department to implement these changes in the Advantage HRM System.

Attachments: OPXYZ 3 5 PERS Attach A
OPXYZ~3 5 PERS BReso

25. Approve an Agreement for the Treasurer-Tax Collector to sell to the City of Salinas the Tax Defaulted Property described as APN 002-194-016-000 for the purchase price of $26,500.00 and authorize the Chair of the Board of Supervisors to sign the Agreement and the Treasurer-Tax Collector’s office to issue the related Tax Deed and other documents to complete the transaction.

Attachments: Attachment A

26. Approve and Authorize the Contracts/Purchasing Officer to execute an Agreement between the County of Monterey Treasurer-Tax Collector and PFM Asset Management LLC, in the amount of $60,000 per annum for Investment Consulting and Advisory Services.

Attachments: RFP 10390 Agreement for PFM Asset Management LLC

27. Receive the action minutes from the September 16 and October 22, 2013 meetings of the Legislative Committee.

Attachments: Action Minutes of September 16, 2013
Action Minutes of October 22, 2013

28. Adopt Resolution to:

a. Amend Personnel Policies and Practices Resolution No. 98-394 to: create the new classification of Assistant Library Director; increase the salary ranges of existing classifications, specifically: Library Page, Library Assistant I, Library Assistant II, Library Assistant III, and Managing Librarian; re-title, change salary ranges and bargaining units of Librarian, Supervising Librarian, and
Principal Librarian classifications; and re-title and change salary range of County Librarian classification, as detailed in the attached Resolution; b. Authorize the County Administrative Office to incorporate the approved changes in the FY 2013-14 County Library Adopted Budget; and c. Authorize the County Administrative Office, Human Resources Department and Auditor-Controller to take necessary action to implement these recommendations into the Advantage system.

**Attachments:**
- Attachment A - Resolution 2013-12-10
- Attachment B - Final Strategic Plan 2013-2016.docx

**RMA - Public Works**

29. a. Approve Amendment No. 5 to Professional Services Agreement No. A-11433 with Biggs Cardosa Associates, Inc. to prepare a Mitigated Negative Declaration and obtain the Incidental Take Permit required by the California Department of Fish and Wildlife for completion of the Peach Tree Road Bridge Replacement Project, in the amount of $38,229, for a total amount not to exceed $330,913, for a term to September 30, 2016; and
b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 5 to Professional Services Agreement No. A-11433, and up to three (3) future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

**Attachments:**
- Amendment No. 5 to PSA with Biggs Cardosa Associates, Inc.
  - Exhibit A - Amendment No. 4
  - Exhibit B - Amendment No. 3
  - Exhibit C - Amendment No. 2
  - Exhibit D - Amendment No. 1
  - Exhibit E - Professional Services Agreement
  - Project Budget
  - Location Map

30. Adopt a resolution:
  a. Accepting a Quitclaim Deed transferring ownership of 337 acres of development and habitat reserve property known as “Parker Flat Phase 1” on the former Fort Ord, specifically designated as Parcel L32.1 (drainage disposal site), Parcel R (portions of Parcel E19a.3 and E19a.4), and Parcel V (portions of Parcel E19a.2 and E19a.3) from the Fort Ord Reuse Authority to the County of Monterey;
  b. Authorizing the Chair of the Board to sign the Quitclaim Deed accepting the parcels on behalf of the County, and the Deed Restriction and Covenants applicable to the property; and
  c. Authorizing the Public Works Director to record the signed Quitclaim Deed and the Deed Restriction and Covenants with the County Recorder.
Attachments:  Board Resolution
              Quitclaim Deed
              Deed Restriction & Covenants
              Location Map

Addendum for Tuesday, December 10, 2013

31. Add Adjournment in Memory of Nelson Mandela