Monterey County

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

Meeting Agenda - Final-revised

Tuesday, March 12, 2013
9:00 AM

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 the 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 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
   b. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
      (1) Charles Vold
      (2) Juan Polanco
   c. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center CEO.
   d. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
   e. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators.
      (1) Property: Parcel E18.1.2 (Veteran’s Cemetery)
      Negotiators: Fort Ord Reuse Authority and Carl Holm, Monterey County Resource Management Agency
      Under negotiation: Terms
      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 the Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution Honoring “Undisclosed Recipient” of the Monterey Peninsula Chamber of Commerce 2012 Volunteer of the Year Award. (Supervisor Potter)

   Attachments: Undisclosed Recipient Volunteer of the Year

4. Adopt Resolution Honoring “Undisclosed Recipient” of the Monterey Peninsula Chamber of Commerce 2012 Business of the Year Award. (Supervisor Potter)

   Attachments: Undisclosed Recipient Chamber Business of the Year

5. Adopt Resolution honoring David K. Pendergrass as recipient of the Monterey Peninsula Chamber of Commerce 2012 Ruth Vreeland Memorial Public Official of the Year Award. (Supervisor Potter)

   Attachments: Pendergrass Resolution

6. Adopt Resolution honoring Dan Limesand as recipient of the Monterey Peninsula Chamber of Commerce 2012 Robert C. Littlefield Award for Lifetime Achievement. (Supervisor Potter)

   Attachments: Limesand Resolution

7. Adopt Resolution honoring Julie Packard as recipient of the Monterey Peninsula Chamber of Commerce 2012 Citizen of the Year Award. (Supervisor Potter)

   (REVISED RESOLUTION SUBMITTED VIA SUPPLEMENTAL)

   Attachments: Packard Resolution
   Revised Packard Resolution

8. Adopt Resolution Honoring “Undisclosed Recipient” in recognition of being awarded the 2013 Al Smith Friend of Agriculture award by the Santa Cruz County Farm Bureau. (Supervisor Calcagno)

   Attachments: Undisclosed Recipient Al Smith Award

9. Adopt Resolution honoring Michael Oprish as recipient of Monterey County
Hospitality Association 2012 Hospitality Professional of the Year. (Supervisor Potter)

**Attachments:** Oprish Resolution

### Appointments

**10.** Reappoint Charley Rider to the Castroville Cemetery District for a term ending March 30, 2016. (Supervisor Calcagno)

**Attachments:** Rider Notification to Clerk

**11.** Reappoint George W. Haines and Gaudenz Panholzer to the Monterey County Regional Fire District, terms ending March 1, 2017. (Supervisor Potter)

**Attachments:** Haines Notification to Clerk  
Panholzer Notification to Clerk

**12.** Reappoint Anne Trebino to the Soledad-Mission Recreation District, for a term ending January 31, 2017. (Supervisor Salinas)

**Attachments:** Trebino Notification to Clerk

**13.** Reappoint Dennis Miskell and Cindy Smith-Jones to the North County Recreation & Park District, terms ending November 30, 2016. (Supervisor Calcagno)

**Attachments:** Miskell Notification to Clerk  
Smith-Jones Notification to Clerk

**14.** Reappoint Kevin Healy to the Housing Authority of Monterey County, term ending April 1, 2017. (Supervisor Calcagno)

**Attachments:** Healy Notification to Clerk

**15.** Appoint Tom Gano to the Carmel Valley Road Committee as an alternate representing Cachagua, term ending March 12, 2016. (Supervisor Potter)

**Attachments:** Gano Notification to Clerk

**16.** Reappoint Ester Rubio to the Monterey County Children & Families Commission (aka - First 5 Monterey County) for a term ending March 31, 2016. (Full Board)

**Attachments:** Rubio Notification to Clerk

**17.** Reappoint Pete Perez to the Greenfield Public Recreation District, term ending December 31, 2015. (Full Board) (Supervisor Salinas) (REVISED VIA SUPPLEMENTAL)

**Attachments:** Perez Notification to Clerk
18. Reappoint Alma Almanza to the In-Home Supportive Services Advisory Committee with a term ending June 30, 2013. (Supervisor Calcagno)

**Attachments:** [Almanza Notification to Clerk](#)

19. Reappoint Joy Rosales to the Animal Control Program Advisory Board, term ending July 1, 2015. (Supervisor Calcagno)

**Attachments:** [Rosales Notification to Clerk](#)

**Other Board Matters**

20. Board Comments

21. CAO Comments and Referrals

**Attachments:** [Referrals 031213](#)

22. 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 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**

23. Receive and accept the County of Monterey Three-Year Forecast for the period of 2012-13 through 2015-16.

**Attachments:** [Summ Attachment](#)

[Forecast_Final_BOS](#)

**12:00 PM Recess to Lunch**

**1:30 PM Reconvene**

**Roll Call**

**1:30 P.M. - Scheduled Matters**

24. Open a public hearing on the proposed County FY 2013/14 Community Development Block Grant (CDBG) Program Funding Allocations and then continue the hearing to March 19, 2013.

**Adjournment**

*Adjourn In Memory of Abel M. Quinones & Bruno Odello*
Supplemental Sheet, Consent Calendar

Health and Social Services

25. Adopt a Resolution to:
   a. Amend Health Department Budget 4000, HEA002-8410 to reclassify and reallocate 2.0 FTE Patient Services Representatives II to 2.0 FTE Departmental Information Systems Coordinator; and
   b. Authorize the County Administrative Office to incorporate the approved changes in the FY 2012-13 Adopted Budget as outlined in the Board resolution.

   Attachments: Attachment A.doc

26. Authorize the Auditor-Controller’s Office to amend the Health Department’s FY 2012-13, Fund 025-4000-HEA013 Adopted Budget to increase estimated revenues and appropriations in the amount of $11,500,000 to allow for the transfer of Health Realignment Funds to reimburse General Fund health expenditures.

27. a. Approve Amendment No. 3 to the Joint Powers Agreement Between the City of Salinas, the City of Gonzales, the City of Greenfield, the City of King, the City of Soledad, and the County of Monterey Creating the Salinas Valley Solid Waste Authority (County Agreement No. A-07261) to amend Section 13. ASSUMPTION OF PROGRAM RESPONSIBILITIES, relating to the formation of a Regional Agency, excluding the County of Monterey, for the purposes of consolidating annual AB 939 reporting and for compliance evaluation; and
   b. Authorize the Chair of the Board of Supervisors to execute Amendment No. 3 when the original is received from the Salinas Valley Solid Waste Authority; and
   c. Direct the Clerk of the Board of Supervisors to transmit the executed Amendment No. 3 to the Salinas Valley Solid Waste Authority.

   Attachments: Attachment A - Proposed Amendment No 3 to the JPA.pdf
   Attachment B - SVSWA's October 18 2012 Staff Report with Attachments.pdf

28. a. Approve and authorize the Director of Health to sign a three fiscal year term Mental Health Services Agreement (FY 2012-13, 2013-14 and 2014-15) with FamiliesFirst Inc., Residential Treatment Program in the amount of $83,680 for FY 2012-13, $125,520 for FY 2013-14, and $125,520 for FY 2014-15 for a total Agreement amount of $334,720; and
   b. Authorize the Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) of the annual amount, which does not significantly alter the scope of work or result in an increase to General Fund Contribution.

   Attachments: Agreement Families First Inc.pdf
Criminal Justice

29. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Professional Services Agreement with Dr. Venus Azar for conducting postmortem examinations through the Coroner’s Office in the amount not to exceed $430,000 and for extending the contract term to March 1, 2014.

Attachments: Amendment No 1 Dr Venus Azar

General Government

30. Authorize the Auditor Controller to increase appropriations and estimated revenue by $128,337 in DIS001, District Attorney’s Office, Budget Unit 8063; $204,360 in SHE001, Sheriff’s Office Administration and Enforcement Bureau, Budget Unit 8242; and $128,337 in SHE003, Sheriff’s Office Custody Operations Bureau, Budget Unit 8238 (4/5th vote required).

Attachments: COPS_Attachments

31. a. Approve and authorize the Contracts/Purchasing Officer to execute an Agreement with Actuate Corporation on behalf of the County of Monterey for the provision of consulting services for the InfoWeb software product in the amount of $20,000 for the period of March 1, 2013 through February 29, 2016; and
b. Accept non-county standard language and indemnification as recommended by the Director of Information Technology.

Attachments: Actuate Service Agreement  
Exhibit A_Actuate Service Agreement  
Exhibit B_Amendment to County Agreement

32. a. Reallocate a vacant one (1.0) Business Technology Analyst III to a one (1.0) appointed Administrative Services Assistant in the Treasurer-Tax Collector’s Department Budget Unit 1170; and
b. Amend the FY 2012-13 Treasurer-Tax Collector’s, Revenue Division 1170, Unit 8264 Budget to Reallocate one Business Technology Analyst III to one Administrative Services Assistant; and

Attachments: Reallocate BTAIII to ASA Attachment

33. Authorize advance step placement of Manuel T. Gonzalez at Step 4 of the Assistant County Administrative Officer (CAO) salary range in accordance with Personnel Policies and Practices Resolution (PPPR) #98-394, Sections A.1.11.1 and A.1.11.5.
34.  
a. Accept the recommendation of the Monterey County Fish and Game  
Commission to award five (5) funding grants; and  
b. Approve the distribution of Fish and Game grant funds in the amount of  
$17,000 for the following specified grant projects for Fiscal Year 2012 - 2013:  
    CalTIP                                                                       $1,000  
    Monterey County Parks Department                         $3,000  
    COHA Foundation                                                     $2,500  
    Monterey Bay Salmon Trout Project                         $8,000  
    Lazy Arrow                                                                $2,500

Attachments:  F&G Grant section of minutes from 2122013 meeting.docx

35.  
Set the time and place for Hearing the Pebble Beach Company’s Appeal of  
Transient Occupancy Tax Penalty.

36.  
Adopt a resolution approving the amended Conflict of Interest Code for the  
Office of County Counsel, County of Monterey.

              COI Code CoCo - Atrch B Resolution

37.  
Approve and authorize:  
a. An agreement between the County of Monterey and the City and County of  
San Francisco for the distribution of FY 2011 Urban Area Security Initiative  
(UASI) Grant Funds; and  
b. Designate and authorize the Emergency Services Manager to execute the  
Agreement; and  
c. Approve and authorize the Office of Emergency Services Manager to enter into  
a MOU with the Bay Area UASI; and  
d. Approve amendment of the Fiscal Year (FY) 2012-13 Office of Emergency  
Services Fund 001 CAO005 Budget to increase estimated revenue and  
appropriations in the amount of $145,000 (4/5th Vote Required); and  
e. Authorize the Auditor-Controller to amend the Fiscal Year (FY) 2012-13  
Office of Emergency Services Fund 001 CAO005 Budget to increase estimated  
revenue and appropriations in the amount of $145,000.

Attachments:  FY2011 UASI MOU - Monterey_final appptto

38.  
a. Approve specifications for Track Drainage Improvements for the Parks  
Department at Laguna Seca Recreation Area, Bid No. 10416; and  
b. Authorize and direct the Clerk of the Board to advertise the “Notice to  
Bidders” in The Californian on March 18, 2013 and March 25, 2013; and  
c. Set April 4, 2013 at 10:30 a.m. for the opening of the bids.

Attachments:  Track Drainage Improvements Bid 2013.doc  
              NOTICE TO CONTRACTORS track drainage IN NEWSPAPER.doc
39.  
   a. Consider staffing and reorganization for the County Administrative Office to provide greater oversight and administration of County operations by approval to add one Assistant County Administrative Officer (ACAO) position in Budget Unit 1050-8046-CAO001 and one ACAO position in Budget Unit 1050-8054-CAO004.
   b. Authorize the County Administrative Office to incorporate the changes in the FY 2012-13 adopted budgets to reflect the change in position counts.

40.  
   a. Approve the Bingo Permit Application for the American Legion Post #593 pursuant to Chapter 7.08 of the Monterey County Code; and
   b. Authorize the Clerk of the Board to issue the Bingo License.

   **Attachments:**  
   - Bingo Application
   - Memorandum to Sheriff
   - Draft Bingo License

41.  
   Adopt Resolution to approve the Conflict of Interest Code of the Human Resources Department of the County of Monterey. (REVISED ATTACHMENT A, CLEAN & STRIKE THROUGH VERSIONS SUBMITTED VIA SUPPLEMENTAL)

   **Attachments:**  
   - HRD_COI Code Resolution.pdf
   - HRD_COI Code_Attachment A.pdf
   - Revised Attachment A to Resolution STRIKEOUT VERSION
   - Revised Attachment A to Resolution CLEAN VERSION

**RMA - Public Works**

42.  
   Adopt a Resolution:
   a. Accepting the Certificate of Completion for construction of the County of Monterey Project 8810 Bid Package #10261 Agricultural Commissioner’s Addition and Renovation, 1428 Abbott Street, Salinas, CA, Landscape & Irrigation Component, performed by K & D Landscaping;
   b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the County of Monterey Project 8810 Bid Package #10261 Agricultural Commissioner’s Addition and Renovation, 1428 Abbott Street, Salinas, CA, Landscape & Irrigation Component, performed by K & D Landscaping; and
   c. Authorizing the Resource Management Agency to re-allocate the estimated project fund balance of $31,224 to the Agricultural Commissioners’ designated fund balance.
RESOLUTION

Project Budget
Certificate of Completion
Notice of Completion
Location Map

RMA - Planning

43. a. Approve Amendment No. 1 to Professional Services Agreement No. A-12306 with EMC Planning Group, Inc. (EMC) where the Base Budget is increased by $6,850.00 for a total amount not to exceed $150,404.80 to provide for new tasks associated with additional analysis to determine consistency with the 1982 General Plan, impact on oak woodlands and stream channel modification for completion of the Environmental Impact Report (EIR) for the Paraiso Hot Springs Resort (PLN040183), in Soledad, and extend the term through June 30, 2014; and

b. Authorize the Director of Planning to execute Amendment No. 1 to Professional Services Agreement No. A-12306 and future amendments to this Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

(Contract - REF110063/EMC Planning Group, Inc. and PLN040183/Environmental Impact Report for the Paraiso Hot Springs Resort in Soledad)

Attachments: Attachment A - Amendment No. 1 to PSA No. A-12306

RMA - General

44. Adopt Resolution to:

a. Amend the FY 2012-13 Resource Management Agency RMA Admin Unit 8222 to delete one Supervising Personnel Analyst (14B28) and add one Senior Personnel Analyst (14B32) as indicated in the attached Exhibit A; and

b. Authorize the Human Resources Department and County Administrative Office to make the position adjustment in the Department’s Budget with no other changes as approved by the Board

Attachments: Exhibit A – Reallocation to Senior Personnel Analyst

Supplemental for Tuesday, March 12, 2013

45. Supplemental for Tuesday, March 12, 2013

SUPPLEMENTAL

CORRECTIONS

Under Ceremonial Resolutions
7. Adopt Resolution honoring Julie Packard as recipient of the Monterey
Peninsula Chamber of Commerce 2012 Citizen of the Year Award.
(Supervisor Potter)
Revised Resolution submitted

Under Appointments
17. Reappoint Pete Perez to the Greenfield Public Recreation District, term ending December 31, 2015. (Full Board) (Supervisor Salinas)

Under Consent - General Government
41. Adopt Resolution to approve the Conflict of Interest Code of the Human Resources Department of the County of Monterey.
Revised Attachment A submitted, Clean & strike through versions

Attachments: 41. Revised Attachment A STRIKEOUT VERSION
41. Revised Attachment A CLEAN VERSION
7. Revised Packard Resolution