Monterey County

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

Meeting Agenda

Tuesday, September 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 anticipación 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 AM 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) Lesley Lyle Green

   c. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.

   d. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
      (1) Property: Manzanita County Park
      Negotiators: Michael Ferry, Chief Ranger/Director of Parks
      Negotiating parties: North County Youth Recreation Association
      Under negotiation: Terms of concession agreement for the Sports Complex at Manzanita County Park

   e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
      (1) Designated representatives: James May and Brette Neal
      Employee Organizations: All Units

   f. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Equal Opportunity Officer.

Continuance of Closed Session to be held at the conclusion of the Board's Regular
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 proclaiming September 2013 as “Childhood Cancer Awareness Month” in Monterey County. (Supervisor Armenta)
   
   **Attachments:** Childhood Cancer Awareness Month Resolution

4. Adopt Resolution proclaiming the Month of September 2013 as “National Emergency Preparedness Month” in Monterey County. (Supervisor Armenta)
   
   **Attachments:** National Emergency Preparedness Month Resolution

5. Adopt Resolution proclaiming the month of September 2013 as “National Food Safety Education Month” in Monterey County. (Supervisor Armenta)
   
   **Attachments:** Food Safety Education Month

6. Adopt Resolution proclaiming the month of September 2013 as “Prostate Cancer Awareness Month” in Monterey County. (Supervisor Armenta)
   
   **Attachments:** Prostate Cancer Awareness Month Resolution

7. Adopt Resolution congratulating EMC Planning Group on the celebration of their 35th Anniversary, August 1, 2013. (Supervisor Potter)
   
   **Attachments:** EMC Planning Group 8.22.13

8. Adopt Resolution commending J. Michael Hogan upon his retirement for his 23 years of dedicated service in the Office of County Counsel. (Supervisor Armenta)
Appointments

9. Appoint Dr. Juvenal Luza to the Community Restorative Justice Commission to fill an unscheduled vacancy, term ending May 17, 2014. (Full Board)

10. Appoint Gina Larson to the Animal Control Advisory Committee to fill an unscheduled vacancy, term ending July 1, 2015. (Supervisor Calcagno)

11. Appoint Jessie Brodie to the Monterey County Workforce Investment Board, Youth Council, for a term ending September 10, 2015. (Full Board)

Other Board Matters

12. Board Comments

13. CAO Comments and Referrals

14. 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

15. a. Accept the Annual Report 2012-2013 from the Monterey County Children’s Council; and
b. Receive an oral presentation on Early Childhood Development Initiative (ECDI), as requested by Board of Supervisors Referral #2012.04.

12:00 PM Recess to Lunch

1:30 PM Reconvene

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

16. Consider the adoption of an ordinance, as revised,
   a. Amending Sections 12.24.010 and 12.24.020 of the Monterey County Code to designate Foothill Road a through highway from River Road to Paraiso Springs Road in Soledad and amending Section 12.24.020 to establish stop intersections at the intersections of Foothill Road and Colony Road, Foothill Road and Mile End Road, Foothill Road and Mission Road, and Foothill Road and Paraiso Springs Road in the Soledad area in the unincorporated area of the County of Monterey; and
   b. Continue to September 17, 2013 to adopt the ordinance, as revised.

**Attachments:**  
Attachment 1 Foothill Road Ordinance  
Attachment 2 Location Map  
Attachment 3 Foothill Road Proposed Through Highway Map

17. Consider the adoption of three ordinances amending Sections 12.12.010, 12.24.020, and 12.28.010 of the Monterey County Code establishing a 35-mph speed limit on Inter-Garrison Road from the intersection of Reservation Road generally southwest to the terminus of the County right of way, a three-way stop intersection at Inter-Garrison Road and Schoonover Road, and No Parking on the north side of Inter-Garrison Road from the centerline of Sherman Boulevard westerly to a point 500 feet east of the centerline of Abrams Drive (MP 1.50), in the former Fort Ord area, in the unincorporated area of the County of Monterey.

**Attachments:**  
Attachment 1 Ordinance 12.12.010  
Attachment 2 Ordinance 12.24.020  
Attachment 3 Ordinance 12.28.010  
Attachment 4 Inter-Garrison Road Location Map  
Attachment 5 Inter-Garrison Road Proposed Intersection Map


**Attachments:**  
GFOA 2012


Attachments: 2013 EOAC RECOMMENDATIONS.pdf

Adjournment
Supplemental Sheet, Consent Calendar

Natividad Medical Center

21.  
   a. Approve and Amend Personnel Policies and Practices Resolution No. 98-394 to Change the Structure of the Current Salary Table for the Classification of Hospital Chief Nursing Officer from a 7-Step to a Salary Range ($181,588 - $247,874 Annually); and
   b. Authorize the Human Resources Department to Make this Change Effective July 1, 2013.

Health and Social Services

22.  
   a. Approve and authorize the Contracts/Purchasing Officer to sign a one-year Service Agreement (July 1, 2013 to June 30, 2014) with Rancho Cielo, Inc. for psychiatric services at the Rancho Cielo site, and
   b. Authorize the Contracts/Purchasing Officer, to approve up to three future amendments to this Service Agreement where the amendments do not significantly change the scope of work.


Criminal Justice

23.  
   Authorize the Contracts/Purchasing Officer to sign Amendment No. 2 with Jim Guy, doing business as Introspect for Inmate Assessment and Intervention Program at the Monterey County Sheriff’s Office, Custody Operations Bureau, which would amend the existing Agreement with an extended scope of service and increase the total amount of the Agreement by $78,068 for Fiscal Year 2013-14 and 2014-15 with the AB109, the Public Safety Realignment Act of 2011, fund for a revised total amount of $245,072 per year.

   Attachments:  Amendment #2

24.  
   a. Amend the Sheriff’s Office Budget Unit 2300-SHE003-8233, to add one (1) FTE Sheriffs Commander to support the administration of the County Jail; and
   b. Authorize the County Administrative Office to incorporate approved position changes in the Fiscal Year 2013-14 Adopted Budget 2300-SHE003-8233.

25.  
   a. Approve Renewal of the Memorandum of Understanding (MOU) in the amount of $538,356 with the Salinas Union High School District for campus-based services effective July 1, 2013 through June 30, 2014;
   b. Approve and authorize the Contracts/Purchasing Officer to execute the MOU; and
   c. Authorize the Contracts/ Purchasing Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.
26. Approve and authorize the Chair to sign a reciprocal agreement between the Counties of Monterey and San Benito for the placement of youth at the other party’s Juvenile Hall effective July 1, 2013 through June 30, 2016.

**Attachments:** [BOS San Benito County 2013-2016.pdf](#)

### General Government

27. 

a. Approve a transfer totaling $123,643.26 from General Fund Contingencies, Appropriation Unit CAO020, to the Public Defender, Appropriation Unit PUB001, to close Fiscal Year (FY) 2012-13; 

b. Approve a transfer totaling $12,392.55 from General Fund Contingencies, Appropriation Unit CAO020, to the Sheriff-Coroner - Inmate Medical Costs, Appropriation Unit SHE004, to close Fiscal Year 2012-13; 

c. Approve a transfer totaling $8,043.15 from General Fund Contingencies, Appropriation Unit CAO020, to the Office of the District Attorney, Appropriation Unit DIS001, to close Fiscal Year 2012-13; 

d. Approve a transfer totaling $8,102.69 from General Fund Contingencies, Appropriation Unit CAO020, to Information Technology - Records Retention, Appropriation Unit INF004, to close Fiscal Year 2012-13.

**Attachments:** [County Budget Act Summary 8 26 13](#)

28. 

a. Approve and authorize the Contracts/Purchasing Officer to execute a Subscription Agreement with Safari Books Online, Inc in the amount of $10,650 for the period of September 16, 2013 through September 15, 2016 for a cumulative total of $31,950 for the provision of access for twenty-five county users to the online technical library; 

b. Accept non-standard contract provisions as recommended by the Director of Information Technology; and 

c. Authorize the Contracts/Purchasing Officer to exercise the renewal options to the Subscription Agreement under the same or similar terms.

**Attachments:** [Safari Online_Subscription Agreement](#) [Form 100A_USER LIST](#)

29. 

a. Approve the FY 2013-14 Development Set-Aside Agency Standard Agreement with the Monterey County Business Council retroactive to July 1, 2013; and 

b. Authorize the Economic Development Director to execute the Agreement with the Monterey County Business Council for the period of one (1) year, for the term July 1, 2013 through June 30, 2014, in an amount not to exceed $87,210.

**Attachments:** [MCBC Agreement.pdf](#)
RMA - Public Works

30.

a. Award a contract to Pacific States Environmental Contractors, Inc., the lowest responsible and responsive bidder for the 312 E. Alisal Site Remediation, Project No. 8780, in the total amount of $78,746.40;
b. Approve the Performance and Payment Bonds executed and provided by Pacific States Environmental Contractors, Inc.;
c. Authorize a contingency (not to exceed 20 percent of the contract amount) to provide funding for approved contract change orders;
d. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve contract change orders that do not significantly change the scope of work; and
e. Authorize the Director of Public Works to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when he determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the 312 E. Alisal Site Remediation, Project No. 8780, performed by Pacific States Environmental Contractors, Inc.

Attachments:  Project Budget
Bid Summary
Contract Agreement with Bonds
Location Map

31.

a. Award a contract to Cool Roofing Systems, Inc., the lowest responsible and responsive bidder for the Juvenile Hall Interim Repairs-Gym Roof Replacement, 1420 Natividad Road, Salinas CA, Project No. 8785, in the total amount of $89,400.00;
b. Approve the Performance and Payment Bonds executed and provided by Cool Roofing Systems, Inc.;
c. Authorize a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders;
d. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve contract change orders that do not significantly change the scope of work; and
e. Authorize the Director of Public Works to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when he determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the Juvenile Hall Interim Repairs-Gym Roof Replacement, 1420 Natividad Road, Salinas CA, Project No. 8785, performed by Cool Roofing Systems, Inc.

Attachments:  Project Budget
Bid Summary
Contract Agreement with Bonds
Location Map