Monterey County

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

Meeting Agenda - Final-revised

Tuesday, September 24, 2013

9:00 AM

See separate agendas for East Garrison Community Services District and 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 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 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 54957.6, the Board will confer with labor negotiators:
      (1) Designated representatives: James May and Brette Neal
      Employee Organizations: All Units

   b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.

   c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
      (1) In re: Deputy Sheriff Mike Richards (CSMCS case no. ARB 12-0286)
      (2) In re: Sergeant Joseph M. Banuelos, Jr. (CSMCS case no. ARB 12-0366)
      (3) In re: Sergeant Joseph M. Banuelos, Jr. (CSMCS case no. ARB 13-0040)
      (4) Joseph M. Banuelos, Jr. v. County of Monterey, et al. (Monterey County Superior Court case no. M119940)

   d. 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) Michael D. Richards
      (2) Joseph M. Banuelos, Jr.

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)

Appointments

3. Reappoint Nancy Upadhye to the Mental Health Commission, term ending May 31, 2016. (Supervisor Armenta)

   Attachments: Upadhye Notification to Clerk

4. Appoint John Bosio to CSA-15 to fill an unscheduled vacancy, term ending January 1, 2016. (Full Board)

   Attachments: Bosio Notification to Clerk

Other Board Matters

5. Board Comments

6. CAO Comments and Referrals

   Attachments: Referrals_092413

7. 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

8. Public hearing to consider:
   Adoption of an ordinance to amend Section 21.70.060.A of Title 21 of the Monterey County Code to clarify the criteria that trigger referral of Administrative Permit applications to public hearing.
   (Ordinance Amending MCC Section 21.70.060.A.5.- Administrative Permits, Non-Coastal Areas, Statutorily exempt per CEQA Guidelines Sections 15060 (c)(3) and 15378 (b)(5))
12:00 PM Recess to Lunch and:

Special Joint Meeting of the Monterey County Board of Supervisors and the
Natividad Medical Center Board of Trustees (CANCELLED VIA ADDENDUM)

Adjournment
Supplemental Sheet, Consent Calendar

Natividad Medical Center

9. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement (A-12461) with Navin, Haffty & Associates LLC for Information Technology Project Management Consulting Services at NMC, for the period July 1, 2013 through July 31, 2014 and adding $1,857,000 for a revised total Agreement amount not to exceed $3,764,500 in the aggregate.

Attachments: Navin Haffty & Assoc. Spend Sheet
Navin Haffty Associates LLC Amendment #1

Health and Social Services

10. a. Approve and authorize the Director of Health to accept and implement the Letters of Award for an eleven (11)-month and a nine (9)-month No-Cost Grant Extensions for the Substance Abuse and Mental Health Services Administration (SAMHSA)/ Center for Substance Abuse (CSAT), Monterey County ‘Juvenile’ and ‘Adult’ Treatment Drug Courts (Grant Numbers 5H79TI022902-03 & 5H79TI023415-03), respectively; and
b. Approve and authorize the Contracts/Purchasing Officer to sign the Standard Agreement with Allen/Loeb Associates to continue to perform the evaluation services and reports for the SAMHSA/CSAT, Monterey County ‘Juvenile’ and ‘Adult’ Treatment Drug Courts grants, and provide grant evaluation development and implementation, and grant preparation and writing for other mental health grant programs, including Bienestar, in the amount of $160,650 for Fiscal Year (FY) 2013-14, $76,100 for FY 2014-15, and $68,000 for FY 2015-16, for a total contract amount not to exceed $304,750; and
C. Authorize the Contracts/Purchasing Officer to approve amendments to this Agreement where the amendments do not exceed 10% of the original Agreement amount and do not significantly change the scope of work.

Attachments: Notice of Award Adult NCE.pdf
Notice of Award Juvenile NCE.pdf
Allen Loeb Agreement_09302013-06302016.pdf

11. Approve and authorize the Director of Health to sign Amendment 1 to the three-year Agreement A-21328 with Milhous Children’s Services to increase the existing Agreement amount of $278,083 by $128,236 for a new Agreement amount of $406,319.

Attachments: FINAL_Amend 1 Milhous_FY 11-14.docx

12. a. Approve and authorize the Contracts/Purchasing Officer to sign a one-year Memorandum of Understanding (MOU) (July 1, 2013 to June 30, 2014) with
Monterey Peninsula Unified School District for provision of psychiatric services at the Juan Cabrillo Family Resource Center, and
b. Authorize the Contracts/Purchasing Officer to approve up to three future amendments to this MOU where the amendments do not significantly change the scope of work.

**Attachments:**  MPUSD MOU FY2013-14.pdf

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**Criminal Justice**

13.  

a. Approve Renewal and Amendment No. 1 to the Memorandum of Understanding in the amount of $105,000 with the Monterey Peninsula Unified School District for collaborative campus-based services with the Monterey High, Seaside High and Central Coast High School sites during FY 2013-2014; and
b. Approve and authorize the Contracts/Purchasing Officer to execute the Renewal and Amendment to the MOU.

**Attachments:**  Monterey Peninsula Unified School District Agreement 2013-14.pdf

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**General Government**

14.  

Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Chualar Elementary Union School District.

**Attachments:**  Draft Resolution  
Chualar Elementary USD COI 2013  
Chualar Resolution adopting amendments  
Memo to Board of Supervisors

15.  

Approve and adopt revisions to the Bylaws of the Equal Opportunity Advisory Commission.

**Attachments:**  Attachment A Current (2010) EOAC ByLaws.pdf  

16.  

a. Approve Renewal and Amendment #4 to Agreement #A-11754 with California Coastal Rural Development Corporation (CCRDC) to manage the day-to-day operation of the County’s Small Business Revolving Loan Fund (SBRLF) retroactive to July 1, 2013, for a revised total agreement amount not to exceed $397,000.00 and an extended term through and including December 31, 2013; and
b. Authorize the Director of Economic Development to execute Renewal and Amendment #4.

Attachments: Ag Advisory Committee 2012-2013 Annual Report.doc

18. a. Approve an Agricultural lease at San Lorenzo County Park to Mission Ranches for an annual rent of $8,000, for the term of May 1, 2013 through April 30, 2018; and
b. Authorize the Chair of the Board to execute the lease.

Attachments: Mission Ranches proposed lease document.pdf

19. a. Approve and authorize the Contracts Purchasing Officer to sign an Agreement for an Emergency and Non-Emergency Notification System between County and Everbridge for a term of one year and up to four optional one year renewal periods in an amount not to exceed $79,234 per year subject to minor non-substantive changes approved by County Counsel and agreed to by County.
b. Accept Non-Standard County Liability and Indemnification Provisions as recommended by the Director of Emergency Communications; and
c. Approve and authorize an auto-renewal clause.

Attachments: Version6-Agreement - DRAFT - Everbridge.pdf

RMA - General

20. Adopt Resolution to:
b. Direct the Human Resources Department to incorporate these changes.

Attachments: Resolution

RMA - Planning

21. a. Approve the Parcel Map for the San Bernabe Subdivision;
b. Authorize the Chair to execute the Amendment to Land Conservation Contract No. 72-44, Land Conservation Agreement No. 69-9 and Land Conservation Agreement No. 68-101; and
c. Direct the Clerk of the Board to record the Parcel Map, Indemnification Agreement, Permit Approval Notice, Amendment to Land Conservation Contract No. 72-44, Land Conservation Agreement No. 69-9 and Land
Conservation Agreement No. 68-101 and Deed Restrictions for Environmental Health Bureau Conditions of Approval Nos. 9, 10 and 11. (Parcel Map - PLN090333/ San Bernabe Vineyards LLC)

**Attachments:**
- Attachment A - Cover Letter to the Clerk of the Board
- Attachment B - Vicinity Map
- Attachment C - Parcel Map
- Attachment D - Parcel Map Guarantee
- Attachment E - Property Tax Clearance Certification
- Attachment F - Indemnification Agreement
- Attachment G - Permit Approval Notice
- Attachment H - Amended Land Conservation Contract
- Attachment I - Deed Restrictions for EH

**RMA - Public Works**

22. 

a. Approve Amendment No. 1 to Professional Services Agreement MYA #3000*266 with Schaaf and Wheeler to continue to provide on-call County Service Area/County Sanitation District engineering services (RFQ #10249), in the amount of $100,000 for a total amount not to exceed $200,000 and extend the term to January 25, 2015, with the option to extend the Agreement for two (2) additional one (1) year periods, in accordance with the terms and conditions of the Agreement; and

b. Approve Amendment No. 1 to Professional Services Agreement MYA #3000*267 with Wallace Group to continue to provide on-call County Service Area/County Sanitation District engineering services (RFQ #10249), in the amount of $100,000 for a total amount not to exceed $200,000 and extend the term to January 25, 2015, with the option to extend the Agreement for two (2) additional one (1) year periods, in accordance with the terms and conditions of the Agreement; and

c. Authorize the Contracts/Purchasing Officer to execute the Amendments to the Professional Services Agreements and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

**Attachments:**
- Amendment 1 to the PSA and PSA with Schaaf & Wheeler
- Amendment 1 to the PSA and PSA with Wallace Group

23. 

Approve and authorize the Chair to sign a Quitclaim Deed to transfer ownership of a 381-square foot portion of APN 031-161-034 (“Travel Camp”) to UCP East Garrison, LLC, owner of APN 031-164-098 (“East Garrison Fire Station Site”) in conjunction with the East Garrison development project on the former Fort Ord for public fire station purposes.
24. **Supplemental**

Cancel the Special Joint Meeting of the Monterey County Board of Supervisors and the Natividad Medical Center Board of Trustees.