Meeting Agenda - Final-revised

Tuesday, April 18, 2017

10:00 AM

Board of Supervisors

Chair Mary L. Adams - District 5
Vice Chair Luis Alejo - District 1
Supervisor John M. Phillips - District 2
Supervisor Simon 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 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 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 corresponding Board Report.

PUBLIC COMMENT: Members of the public may address comments to the Board concerning each agenda item. Timing of public comment shall be at the discretion of the Chair.

10:00 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)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

   b. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
      (1) Keep Fort Ord Wild v. County of Monterey, et al., Monterey County Superior Court case no. M114961

      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 A.M. - 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. The public may comment on Closed Session items prior to the Board’s recess to Closed Session.
Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution commending Monterey County Sheriff’s Deputies Thomas W. Day and Joe Manuel Rafael Pomber. (Full Board)
   
   **Attachments:** Thomas W. Day and Joe Manuel Rafael Pomber Ceremonial Resolution

4. Adopt Resolution in honor and recognition of David Pendergrass for 38 years of service to the Monterey Regional Water Pollution Control Agency. (Full Board)
   
   **Attachments:** Pendergrass Ceremonial Resolution

Appointments

5. Reappoint Sandy Chamberlain to the Monterey County Workforce Development Board, representing business for a term ending April 27, 2020. (Full Board)
   
   **Attachments:** Notification to Clerk - Chamberlain

Other Board Matters

6. Board Comments

7. CAO Comments and Referrals
   
   **Attachments:** Referrals 4-18-17

8. General Public Comment

   *This portion of the meeting is reserved for persons to address the Board of Supervisors on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board of Supervisors 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 of Supervisors at a future meeting.*

10:30 A.M. - Scheduled Matters

9. Receive an oral presentation from the Monterey County Health Department, Public Health Bureau and the Monterey County Office of Education on the status of bullying prevention efforts in Monterey County.
   
   **Attachments:** Board Report
10. Public hearing to consider adoption of an ordinance:
   a. To make express findings that County amendments to the 2016 California
      Building Standards Code are reasonably necessary due to local climatic,
      geological or topographical conditions; and
   b. To repeal the 2013 California Building Standards Code with County
      amendments and adopt the 2016 California Building Standards Code with
      County amendments.

Attachments:  Board Report
              Attachment A – Ordinance (Clean Version)
              Attachment B – Ordinance (Redline Version)

Adjournment
Supplemental Sheet, Consent Calendar

Natividad Medical Center

11. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with ARxIUM for pharmacy purchasing and inventory management software services for an amount not to exceed $55,000 retroactive to August 1, 2016 through July 31, 2018.

   Attachments:  Board Report
                ARxIUM Agreement.pdf

12. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1 to the agreement with Healthcare Coding and Consulting Services, LLC for US-based remote medical record coding and consulting services, extending the agreement an additional two (2) year period (August 22, 2017 through August 21, 2019) for a revised full agreement term of August 22, 2016 through August 21, 2019, and adding $570,000 for a revised total agreement amount not to exceed $660,000

   Attachments:  Board Report
                Healthcare Coding and Consulting Services Amendment No. 1.pdf
                Healthcare Coding and Consulting Agreement.pdf
                Healthcare Coding and Consulting Spend Sheet.pdf

13. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement with FocusOne Solutions, LLC. pursuant to the Request for Proposal (RFP) #9600-62 for a Healthcare Vendor Management System to include a managed service provider, replacing current nurse and ancillary registries, with an initial Agreement term of April 19, 2017 through April 18, 2018 with the option to extend for two (2) additional two (2) year periods, and for an original contract amount not to exceed $5,000,000; and
b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) amendments, in which the total does not exceed 1% ($50,000) of the original contract amount across all amendments.

   Attachments:  Board Report
                FocusOne Solutions Agreement per RFP 9600-62.pdf

14. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute an Agreement with RehabCare Group Management Services, Inc. for Rehabilitation Program Management Services at NMC for an amount not to exceed $1,000,000 annually and an agreement term of May 1, 2017 through April 30, 2022 for a total Agreement amount not to exceed $5,000,000.
b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent
(10%) ($500,000) of the original cost of the agreement across all amendments in total.

**Attachments:** Board Report

RehabCare Agreement.pdf

## Health Department

**15.** Authorize the Director of Health or Assistant Director of Health to execute a no-extension Amendment No. 2, to the SB 18 Medi-Cal Renewal Services Contract Agreement A-13088 with Monterey Bay Central Labor Council to increase funding from $227,045.14 to $249,345.14 (an increase of $22,300.00) from additional state allocations for AB 82 Medi-Cal Outreach and Enrollment, and to replace Exhibit A1 Scope of Services/Payment Provisions with Exhibit A2 to include additional services, for a contract term of April 1, 2016 thru December 31, 2018.

**Attachments:** Board Report

MBLCL_Amd 2_A13088.pdf

MBLCL_Amd 1_A13088.pdf

MBCLC_Agr_A13088.pdf

**16.**

a. Ratify execution by the Outpatient Services Manager, as designee of the Director of Health, of a three-year Patient-Centered Medical Home (PCMH 2014) Recognition Program Agreement with the National Committee for Quality Assurance (NCQA) with a retroactive effective date of January 23, 2017, submitted in connection with an application to NCQA (“NCQA Application”) seeking renewal of NCQA’s recognition of the Laurel Internal Medicine Clinic as a Patient Centered Medical Home; and

b. Ratify execution by the Director of Health of a Business Associate Agreement (BAA) with NCQA, with an effective date of February 1, 2017 and which shall remain in effect for the term of the PCMH 2014 Recognition Program Agreement; and

c. Approve and authorize the Director of Health or Assistant Director of Health to sign up to one (1) future amendment to the PCMH 2014 Recognition Program Agreement or BAA where the amendments do not significantly change the scope of the Agreement.

**Attachments:** Board Report

PCMH 2014 Agreement.pdf

Business Associate Agreement.pdf
17. a. Approve and authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Agency Director to execute a three (3) year Agreement with ESO Solutions, Inc. for the provision of a Unified Electronic Patient Care Reporting (ePCR) Solution for all county first responders, ambulance transport, hospitals, and communication agencies, retroactive to March 31, 2017 through March 30, 2020 for an amount not to exceed $450,000.00; and
b. Accept the non-standard risk terms regarding limitations on liability and indemnification, as recommended by the Director of Health; and
c. Authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Agency Director, to sign up to three (3) future amendments to this Agreement where each amendment does not exceed ten percent (10%) ($45,000) of the original Agreement and does not significantly change the scope.

Attachments: Board Report
ESO Agreement.pdf

18. a. Authorize the Auditor - Controller to amend the FY 2016-17 Public Guardian/Administrator/Conservator’s adopted budget 001-4000-HEA008-8118 to increase appropriations by $347,254; (4/5th vote required) and
b. Authorize the Auditor - Controller to amend the FY 2016-17 Children’s Medical Services adopted budget 001-4000-8121-HEA004 to decrease appropriations by $269,000; (4/5th vote required) and
c. Authorize the Auditor - Controller to amend the FY 2016-17 Health Department Administration’s adopted budget 001-4000-8438-HEA014 to decrease appropriations by $78,254 (4/5th vote required).
d. Authorize the Auditor-Controller’s Office to incorporate, and the County Administrative Office to reflect, these approved modifications in the FY 2016-2017 Adopted Budget.

Attachments: Board Report
Board Resolution PAPG.docx

Department of Social Services

19. a. Approve and authorize the Director of the Department of Social Services to sign Amendment #1 to PSA1048 with First Alarm adding $43,580, effective May 1, 2017, for Digital Monitoring Products Access System security monitoring and maintenance, increasing the total contract amount to $143,545 and extending the term of the Agreement through March 31, 2018; and
b. Authorize the Director of the Department of Social Services to sign up to (3) additional amendments to this Agreement where the total amendments do not exceed 10% of the amended contract amount, and do not significantly change the scope of work.
Criminal Justice

20. Approve and authorize the District Attorney to sign, submit and execute grant applications for existing programs, including any extensions or amendments thereof under similar terms, for continued funding for FY 2017-18 from Federal and State agencies for the District Attorney’s Office Victim Assistance Unit and other Prosecution Programs.

General Government


23. Adopt an ordinance amending Section 7.13.070 of the Monterey County code to reauthorize the Public, Educational, and Government Access (PEG) Support Fee on cable operators and video service providers that hold state franchises and operate within unincorporated Monterey County.
24. Adopt a resolution to extend the Proclamation of a Local Emergency dated February 15, 2017, ratified on February 22, 2017, and reviewed and extended on March 21, 2017, in accordance with California Government Code 8630 for atmospheric river events which occurred between February 7, 2017 through February 20, 2017 that resulted in multiple significant rainfall events causing damage to public infrastructure and private property. (4/5ths vote required)

*Attachments: Board Report*

Board Reso Ext Emerg Feb proc 04182017
Emerg Proc Winter Storm signed 02152017 County of Monterey

25. Adopt a resolution to proclaim the termination of the Local Emergency dated February 15, 2017, ratified on February 22, 2017, and reviewed and extended March 21, 2017, in accordance with California Government Code 8630 for winter storm events which occurred between February 7, 2017 through February 12, 2017 that resulted in multiple significant rainfall events causing damage to public infrastructure and private property. (4/5ths vote required)

*Attachments: Board Report*

Board Reso Terminate Emerg Proc Big Sur 04182017
Emerg Proc Big Sur related signed 02152017

26. a. Approve and authorize the Contracts/Purchasing Officer to sign a Renewal and Amendment No. 1 to Agreement between the County of Monterey and Metropolitan Life Insurance Company (MetLife), retroactive to January 1, 2017, and extending the term of the agreement through December 31, 2017, with the option to extend the Agreement for one (1) additional one (1) year period.

b. Authorize the Contracts/Purchasing Officer to sign future amendments to the agreement where the amendments do not significantly change the scope of work or cause an increase in the agreement rates to a total of more than ten percent (10%) of the aggregate total of the contract.

*Attachments: Board Report*

MetLife Renewal-Amendment No. 1
MetLife Agreement

27. a. Approve the Assignment Agreement authorizing the Sports Car Racing Association of the Monterey Peninsula (SCRAMP) to assign the current Sponsorship Agreement with Mazda North American Operations (MNAO) to the County of Monterey

b. Authorize the Chair to execute the Assignment Agreement.

c. Approve the request for the County of Monterey to execute an extension of the Mazda Sponsorship Agreement through March 31, 2018.

d. Authorize the Chair of the Board to execute the Amendment No. 4 to the Sponsorship Agreement.
28. 

a. Amend Personnel Policies and Practices Resolution No. 98-394 Appendix A to adjust the salary ranges of the Library Page and Aide I classifications as indicated in the attached Resolution to comply with California Senate Bill No. 3, raising the minimum wage to $10.50/hour, retroactive to January 1, 2017; 
b. Amend Personnel Policies and Practices Resolution No. 98-394 Appendices A and B to abolish the classifications of Recreation Leader and Temporary Library Page; 
c. Authorize the Auditor-Controller to make payments to impacted employees, retroactive to January 1, 2017; and 
d. Direct the Human Resources Department to implement the changes in the Advantage HRM System.

28.1 

a. Approve and authorize the Contracts / Purchasing Officer or Designee to sign Amendment Number 4 to the Agreement with NICE Systems, Inc., to retroactively continue existing maintenance services of the NICE audio logging recording system for an additional year, March 27, 2017 through March 26, 2018 in the amount of $47,691, and to add purchase and maintenance of features required to make the system compatible with the NGEN system in the amount of $53,150, for a new Agreement amount not to exceed $100,841.00; 
b. Approve up to three (3) amendments providing for three (3) renewals of one year each for maintenance and support services, subject to review of County Counsel, provided the increased cost of such renewals does not exceed ten percent (10%) of Agreement costs ($10,084.10), for a total cost maximum cost of $110,925.10 per renewal, and provided that the terms of the Agreement remain substantially unchanged, including nonstandard provisions previously approved by the Board. (ADDED VIA ADDENDA)
RMA - Land Use and Community Development

29. a. Accept the Parcel Map for a minor subdivision to allow the reconfiguration of twenty (20) existing patents totaling 4,607 acres into twenty (20) legal lots totaling 4,607 acres;
b. Approve Contract Amendments to Agricultural Preserve Land Conservation Contract Nos. 69-10 and 72-15;
c. Authorize the Chair to execute the Contract Amendments to Agricultural Conservation Contract Nos. 69-10 and 72-15;
d. Approve the subject deed restrictions;
e. Direct the Clerk of the Board to submit the Parcel Map and the Amendments to Agricultural Preserve Land Conservation Contracts No. 69-10 and 72-15, and the subject deed restrictions to the County Recorder for recording, subject to the property owners’ submittal of the applicable recording fees.
Proposed CEQA Action: Statutorily Exempt per California Environmental Quality Act (CEQA) Guidelines Sections 15268 (b) (3); 15305(a); and 15061 (b) (3).
(PLN110015/Aurignac & Garrissere Ranch Co.)

Attachments: Board Report
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 - Tax Clearance Certification
Attachment F - Access Deed Restriction
Attachment G - EHB Deed Restrictions
Attachment H - Land Conservation Contract Nos. 69-10 and 72-15
Attachment I - Amend. to Land Conservation Contract Nos. 69-10 and 72-15

RMA - Public Works and Facilities

30. Adopt a resolution to:
a. Approve appropriation of $150,000 in the Fiscal Year 2016-17 Budget from the Castroville Area Regional Traffic Impact Fee Fund 002-3000-2652 to construct a pedestrian crosswalk on Merritt Street at Crane Street intersection in Castroville, an unincorporated area of the County (4/5th vote required); and
b. Authorize the Auditor-Controller to amend the FY 2016-17 Adopted Budget to increase appropriations and revenue by $150,000 in the Road Fund 002, Appropriation Unit RMA012, funded by the Castroville Area Regional Traffic Impact Fees (4/5th vote required).
31.

a. Adopt Plans and Special Provisions for the Bridge Preventive Maintenance Project (Methacrylate & Polyester Overlay), Project No. 1143, Federal Aid Project No: BPMPL-5944(122); and
b. Authorize the Resource Management Agency Director to advertise the “Notice to Bidders” in the Monterey County Weekly.

32.

a. Approve the recommendation of the Monterey County Fish and Game Advisory Commission to award seven (7) funding grants;
b. Approve and authorize the Auditor Controller’s Office to increase appropriations by $25,237 in the Fish and Game Propagation Fund 006-7500-8155-PAR002 to fund the award of seven (7) funding grants (4/5th vote required);
c. Approve and authorize the Auditor Controller’s Office to increase revenues by $13,303 in the Fish and Game Propagation Fund 006-7500-8155-PAR002 where the financing source is an operating transfer in from the CAO’s Other Financing Uses Fund 001-1050-8038-CAO017 (4/5th vote required); and
d. Approve the distribution of Fish and Game Propagation Fund grants in the amount of $29,700 for specified projects for Fiscal Year 2016 - 2017.
Add to Consent Calendar - General Government
28.1  a. Approve and authorize the Contracts / Purchasing Officer or Designee to sign Amendment Number 4 to the Agreement with NICE Systems, Inc., to retroactively continue existing maintenance services of the NICE audio logging recording system for an additional year, March 27, 2017 through March 26, 2018 in the amount of $47,691, and to add purchase and maintenance of features required to make the system compatible with the NGEN system in the amount of $53,150, for a new Agreement amount not to exceed $100,841.00;

b. Approve up to three (3) amendments providing for three (3) renewals of one year each for maintenance and support services, subject to review of County Counsel, provided the increased cost of such renewals does not exceed ten percent (10%) of Agreement costs ($10,084.10), for a total cost maximum cost of $110,925.10 per renewal, and provided that the terms of the Agreement remain substantially unchanged, including nonstandard provisions previously approved by the Board.