AGENDA
Tuesday, March 20, 2012

The Clerk of the Board will issue a Supplemental Agenda on the Friday preceding this meeting. To see if there are any changes, please go to the County’s website at, http://monterey.granicus.com/ViewPublisher.php?view_id=5 or call the Clerk of the Board office at 755-5066. Urgency items, submitted after posting of the Supplemental Agenda and/or Regular Agenda, may be read in by the Clerk of the Board at the beginning of the meeting.
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.

The agenda is divided into two sections:

**REGULAR CALENDAR:** These items include significant financial and administrative actions, and items of special interest, usually approved by a single majority vote for each program. The regular calendar also includes “Scheduled Matters,” which are noticed hearings, work sessions 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 a single 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 interpreter, 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 interpreter. 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
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, MARCH 20, 2012
9:00 AM

AGENDA

9:00 A.M.

ROLL CALL

1. 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

2. Closed Session under Government Code section 54950, relating to the following items:

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

   b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
      (1) Kurt and Sue Jaggers

   c. Pursuant to Government Code section 54957, the Board will confer regarding discipline, dismissal, or release of a public employee.

   d. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Natividad Medical Center CEO.

Acting as Board of Supervisors of the Monterey County Water Resources Agency:

CLOSED SESSION

   e. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
      (1) In the Matter of the Application of California-American Water Company (Application 04-09-019)
(2) Ag Land Trust v. Monterey County Water Resources Agency, et al.  
(Monterey County Superior Court case no. M110691)

f. Pursuant to Government Code section 54956.9(b), the Board will confer with 
legal counsel regarding one matter of significant exposure to litigation.

g. Pursuant to Government Code section 54956.9(c), the Board will confer with 
legal counsel regarding one matter of 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 A.M. RECONVENE

ROLL CALL

3. Pledge of Allegiance

4. 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.

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

CEREMONIAL RESOLUTIONS

6. Adopt Resolution honoring Cynthia M. Buhl as the recipient of the Monterey 
Peninsula Chamber of Commerce 2011 Robert C. Littlefield Award for Lifetime 
Achievement. (Supervisor Potter)

7. Adopt Resolution honoring Michael A. Houlemard, Jr. as the recipient of the 
Monterey Peninsula Chambers of Commerce 2011 Ruth Vreeland Memorial 
Public Official of the Year Award. (Supervisor Potter)

8. Adopt Resolution honoring Mark Verbonich as the recipient of the Monterey 
Peninsula Chambers of Commerce 2011 Citizen of the Year Award. (Supervisor 
Potter)

9. Adopt Resolution honoring "Undisclosed Recipient" as the Monterey Peninsula 
Chamber of Commerce 2011 Volunteer of the Year Award recipient. (Supervisor 
Potter)

10. Adopt Resolution honoring "Undisclosed Recipient" as the Monterey Peninsula 
Chamber of Commerce 2011 Business of the Year Award Recipient. (Supervisor 
Potter)
11. Adopt Resolution honoring Sam Teel as recipient of the Monterey County Hospitality Association 2011 Hospitality Professional of the Year Award. (Supervisor Potter)

12. Adopt Resolution commending the County of Monterey Commission on Disabilities on its 10th Anniversary. (Supervisor Potter)

13. Adopt Resolution commending Lawrence “Neal” Thompson, P.E., Traffic Engineer for the Department of Public Works, for his 20 years of dedicated service to the County of Monterey upon his retirement. (Supervisor Potter)


APPOINTMENTS

15. Appoint Albert Amaya to the Community Restorative Justice Commission term ending March 20, 2015. (Full Board)

OTHER BOARD MATTERS

16. Board Comments

17. CAO Comments and Referrals

18. Public Comment (Limited up to 3 minutes per speaker at the discretion of the Chair)

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 statements 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.

SCHEDULED MATTERS

S-1  a. Consider approval of the response to the 2011 Monterey County Grand Jury Final Report; and
   b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by April 8, 2012.

ADJOURNMENT

12:00 P.M. - Convene Joint Meeting of the Board of Supervisors and Board of Directors of the Monterey County Water Resources Agency
Monterey Room, 168 W. Alisal Street, 2nd Floor, Salinas, CA 93901
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

19. a. Approve and Amend the Fiscal Year (FY) 2011-2012 Natividad Medical Center Budget Unit 9600 to Add the Following Allocation(s): 1.0 FTE Hospital Maintenance Mechanic, 1.0 FTE Management Analyst I, and 1.0 Health Information Management Coder II;
b. Approve and Amend the FY 2011-2012 Natividad Medical Center Budget Unit 9600 to Reallocate one (1.0) FTE Social Worker V to one (1.0) Dietitian; and
c. Authorize the County Administrative Office to Incorporate Approved Changes into the FY 2011-2012 Natividad Medical Center Budget Unit 9600 to Reflect the Change in Position Count.

20. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Ortho Clinical Diagnostics for Laboratory Equipment Maintenance and Repair Services at NMC in an amount not to exceed $100,395 for the period February 20, 2012 to February 19, 2014;
b. Approve the modifications to standard County Insurance Requirements; and
c. Approve modifications to the County Standard Indemnification Language.

HEALTH AND SOCIAL SERVICES

21. Approve and authorize the Emergency Medical Services (EMS) Agency Director to sign and execute a Paramedic Service Provider Agreement with Monterey County Regional Fire District to provide paramedic services in the County of Monterey.

22. a. Amend Fiscal Year (FY) 2011-12 Health Department Budget 4000, HEA006-8109, to reallocate 1.0 FTE Emergency Services Analyst to 1.0 FTE Health Program Coordinator; and
b. Direct the County Administrative Office to incorporate approved changes into the FY 2011-12 Health Department Adopted Budget, 4000, HEA006-8109 to reflect change in position count.

23. a. Approve the addition of 3.0 FTE Chronic Disease Prevention Specialist I; and
b. Direct the County Administrative Office to incorporate approved changes to Fiscal Year (FY) 2011-12 Health Department Budget 4000, HEA003-8124 to reflect change in position count as outlined in the Board Order.

24. a. Approve and authorize the Director of Health to sign a Memorandum of Understanding (MOU) with the Monterey County Special Education Local Plan Area (SELPA) for reimbursement to the County for the provision of Educational Related Mental Health Services (ERMHS) in Fiscal Year 2011-12; and
b. Approve and authorize the Director of Health to sign the Inter-Agency Agreement (IA) with SELPA for the provision of ERMHS in Fiscal Year 2011-2012; and
c. Authorize the Director of Health to sign the extension of the MOU and the IA upon the mutual consent of both parties.

CRIMINAL JUSTICE

25. Approve and authorize the Sheriff to sign a grant application for the State of California Alcoholic Beverage Control's Grant Assistance Program (GAP).

26. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 2 in the amount of $37,500, for an aggregate of $337,500 through June 30, 2012 with Homeland Justice Systems, Inc. for maintenance of the Smart Probation Case Management System.

GENERAL GOVERNMENT

27. Approve recommendation from the Monterey County Parks Commission to name the special needs trail at Toro Park, the "Don Wolf Trail."

28. a. Find that satisfactory progress is being made by contractor Monterey Peninsula Engineering on construction of the Hyland Drive/El Rancho Way Street Improvement Project in the community of Boronda, and
b. Authorize the contract retention to be reduced from ten percent (10%) to five percent (5%).

29. Approve and authorize the Contracts/Purchasing Officer to execute the Renewal and Amendment No. 2 of Agreement No. 11606 with The Lipman Company (TLC) for benefits administration services, extending the term of the Agreement to September 30, 2012.

30. a. Approve a Sale and Purchase Agreement between the Big Sur Land Trust (seller) and the County of Monterey (buyer) for the County's acquisition of a 113.5 acre portion of the Marks Ranch contingent upon the award of a funding Grant from the State of California Wildlife Conservation Board (WCB) in the amount of $542,076;
b. Direct the Chair of the Board of Supervisors to execute the Agreement on behalf of the County of Monterey; and
c. Authorize the Director of Parks to utilize the Agreement and associated documents as part of the County's presentation to the WCB in support of the County's grant application, and permit the Director of Parks to execute any related documents necessary to process the grant application and accept the grant consistent with the 2007 prior Board authorization.

31. Accept and approve the amendments to the County's Cell Phone Policy bringing the current policy into compliance with the recent IRS Notice 2011-72 ruling related to business use of cell phones.
32. Adopt the Policy on Determining Indigency of Candidates for Payment of Statements of Qualification for Specified Offices Appearing in the Voter Information Portion of the Ballot Pamphlet Prepared and Distributed by the Monterey County Elections Department.

33. Authorize the Auditor-Controller to transfer $78,113 from General Fund Contingencies to increase appropriations in Department 1080 Equal Opportunity Office, Unit 8066, Appropriations Unit EQU001 (4/5ths Vote Required).

34. a. Authorize submittal of an application by the Monterey County Workforce Investment Board to the U.S. Department of Labor (DOL) – Employment and Training Administration (ETA) for grant funding in the amount of $5 million under the Workforce Innovation Fund (WIF) for the proposed “Creating Healthcare Career Pathways and Preparing Workers to Enter and Advance in the Healthcare Industry Senior Healthcare Sector” grant project; and b. Authorize the Director of the Economic Development Department to sign the grant application and all WIF grant documents as required by the DOL - ETA.

   b. Authorize the Economic Development Department Director to make minor modifications to the grant application as necessary to comply with Federal requirements and sign the grant application submittal documents.

35. Adopt Resolution to:
   a. Approve the creation of a Human Resources Department to include all Units within the County Administrative Office (CAO) Appropriations CAO003 and CAO021 as indicated in the attached Resolution;
   b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to create the classification of Director of Human Resources with the salary range as indicated in the attached Resolution and amend Section A.10.1 Department Heads Designated as indicated in Attachment A;
   c. Amend the County Administrative Office-Human Resources Budget 1050, CAO003-8049 to reallocate one (1) Assistant County Administrative Officer to one (1) Director of Human Resources;
   d. Authorize the County Administrative Office and the Auditor-Controller to take the necessary action to program the Advantage system to implement these actions including the transfer of positions, appropriations and units as well as the creation of a new department accounting structure and levels of appropriation control effective July 1, 2012 (4/5ths vote required);
   e. Introduce, waive reading, and set April 10, 2012 at 1:30 p.m. to consider adoption of an Ordinance of the County of Monterey, State of California, amending Subsection B of Section 2.12.040 of the Monterey County Code to provide for the appointment of the Director of Human Resources by the County Administrative Officer.

36. a. Approve the transfer of Risk Management to County Counsel to include all units within the County Administrative Office Appropriations CAO006, CAO009 and CAO010 as indicated in the attached Board Order;
b. Amend the County Administrative Office-Compliance Budget 1050, CAO006-8052 to delete one (1) Principal Compliance Analyst position;

c. Amend the County Counsel Budget 1210, COU001-8057 to reallocate one (1) Senior Legal Secretary-Confidential to one (1) Management Analyst III;

d. Appoint Steve Mauck, Principal Risk and Benefits Analyst to CSAC-Excess Insurance Authority Board of Directors, thereby rescinding the prior appointment of Keith Honda;

e. Authorize the County Administrative Office and the Auditor-Controller to take the necessary action to program the Advantage system to implement these actions including the transfer of positions, appropriations and units as well as the creation of a new department accounting structure and levels of appropriation control effective July 1, 2012 (4/5ths vote required); and

f. Introduce, waive reading and set April 10, 2012 at 1:30 p.m. as the date and time to consider adoption of an ordinance to amend Sections 5.16.010 and 5.16.020 of the Monterey County Code relating to claims against the County.

37. a. Approve and authorize the Contracts/Purchasing Officer to execute County Master Agreements with William Avery & Associates, Bob Murray & Associates, Ralph Andersen & Associates, RJA Management Services Inc., City Gate Associates LLC, Koff & Associates and Mathis Consulting Group for the provision of Executive Recruitment Services for the County of Monterey on an as-needed basis, for the initial term of three (3) years from the date of execution through and including March 20, 2015, in the amount that shall not exceed $200,000, per fiscal year each and to include the option to extend the Master Agreements for two (2) additional one (1) year periods in accordance with the terms and conditions set within each Agreement, and, the aggregate amount to be spent for all Agreements issued under RFP #10344 shall not exceed $2,000,000 combined aggregate over the life of the agreements; and

b. Authorize the Contracts/Purchasing Officer to exercise the options therein for two (2) additional one (1) year periods in accordance with the terms and conditions set within each Agreement; and

c. Authorize the Contracts/Purchasing Officer to execute similar additional Agreements for Executive Recruitment Services with qualified contractors who meet the minimum requirements of the County of Monterey.

38. Receive informational copies of the response by the District Attorney and Sheriff to the 2011 Monterey County Grand Jury Final Report.

39. a. Authorize the Auditor-Controller to work with the County Administrative Office to establish, fund and develop a disbursement protocol for the Low Income Health Program (LIHP);

b. Authorize the County's Risk Manager to acquire reinsurance (stop-loss insurance) for the LIHP;

c. Authorize the Director of Health to negotiate and execute the State Contract for the LIHP;
d. Authorize the Director of Health to negotiate and execute the Central California Alliance for Health Administrative Services Agreement; and
e. Authorize the Auditor-Controller to certify public expenditures for LIHP.

**RMA - PUBLIC WORKS**

40. a. Approve a project budget increase in the amount of $210,000 for 1410 Natividad - Refurbish Kitchen, Project No. 8532, to provide funding associated with the temporary kitchen operations for leases, increased operating costs, infrastructure, and equipment purchases; and

b. Authorize the reallocation of $210,000 from Jail Restroom Renovation - 1410 Natividad Rd, Project No. 8546, to 1410 Natividad - Refurbish Kitchen, Project No. 8532.

41. Adopt Resolution:

a. Approving an increase to the Contract for Public Work, Agreement No. A-11973, with Top Grade Construction, Inc., for the Davis Road Overlay, Contract No. 11-141065, in the amount of $24,923, for a total not to exceed $1,210,437;

b. Authorizing the Director of Public Works to execute all Change Orders and to add $24,923 to the Davis Road Overlay, Contract No. 11-141065;

c. Accepting the Certificate of Completion for construction of the Davis Road Overlay, Contract No. 11-141065, performed by Top Grade Construction, Inc., and

d. Authorizing the Director of Public Works to execute and record the Notice of Completion within 10 days for the Davis Road Overlay, Contract No. 11-141065, performed by Top Grade Construction, Inc.

42. a. Award a contract to R.M. Harris Co. Inc., the lowest responsible bidder, for the Schulte Road Bridge at Carmel River, County Bridge No. 501, State Bridge No. 44C-0115, Project No. 382065, State Project No. EA 05-141004L, Federal Aid Project No. BRLO-5944 (010), in the total amount of $2,802,499;

b. Approve the Performance and Payment Bonds executed and provided by R.M. Harris Co. Inc.;

c. Authorize a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders; and

d. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

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**MONTEREY COUNTY**

**BOARD OF SUPERVISORS**
Addendum / Supplemental for Tuesday, March 20, 2012
View Addendum reports at:

http://www.co.monterey.ca.us/cob/Supplemental_Addendum%202012/

ADDENDUM

Add Under Appointments
15.1 Appoint Richard Denier to the County Service Area 50, term ending March 20, 2015. (Supervisor Potter)

Add Under Consent Regular – General Government
39.1 a. Approve and authorize the County Librarian to sign a Vendor supplied standard Service Agreement with AT&T Corporation for high speed broadband connectivity from ten Monterey County Free Libraries branches to the County of Monterey’s Information Technology Department in an amount not to exceed $205,420 in the aggregate for the period of July 1, 2012 through 2017; and
   b. Waive detailed review and approval requirements by County Counsel, Auditor/Controller, Risk Management, and Contracts/Purchasing, and accept the vendor’s agreement, terms and conditions, including indeterminate exposure to financial and risk liability, and limited liability by AT&T as a business necessity.

Add Under Scheduled Items 1:30 p.m.
S-2 a. Receive presentation on process for appointments to the Oversight Boards pursuant to Health and Safety Code § 34179 for the cities of Gonzales, Greenfield, King City, Marina, Monterey, Salinas, Seaside, Soledad, and Sand City, and to the County of Monterey Oversight Board;
   b. Provide direction to staff on process to be followed, including preferences for “public members;”; and
   c. Direct staff to return with recommended appointments on March 27, 2012.

SUPPLEMENTAL

MATERIAL SUBMITTED
12:00 P.M. – AGENDA for Joint Meeting of the Monterey County Board of Supervisors and Monterey County Water Resources Agency Board of Directors

CORRECTION

Correction Under Consent Regular – General Government

39. Revised Report Submitted
   a. Authorize the Auditor-Controller to work with the County Administrative Office to establish, fund and develop a disbursement protocol for the Low Income Health Program (LIHP);
   b. Authorize the County’s Risk Manager to acquire reinsurance (stop-loss insurance) for the LIHP;
   c. Authorize the Director of Health and the Natividad Medical Center CEO to negotiate and execute the State Contract for the LIHP;
   d. Authorize the Director of Health and Natividad Medical Center CEO to negotiate and execute the Central California Alliance for Health Administrative Services Agreement; and
   e. Authorize the Auditor-Controller to certify public expenditures for LIHP.

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