

# Attachment F

ORDINANCE NO. 5342

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF  
CALIFORNIA, DISSOLVING THE RESOURCE MANAGEMENT AGENCY AND  
CREATING A HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT, AND A  
COMMUNITY SERVICES DEPARTMENT

County Counsel Summary

*This ordinance dissolves that County agency known as the Resource Management Agency, creates two separate County departments to be entitled the Housing and Community Development Department, and the Community Services Department, and directs that appropriate changes be made to the County Code and other actions.*

WHEREAS, the Monterey County Resource Management Agency (“RMA”) was created to be a “comprehensive local agency to administer, coordinate, and oversee the development and implementation of policies and regulations concerning land use planning, building inspection, code compliance, public works, and general services,” providing efficiencies in the processing of development applications and the provision of services; and,

WHEREAS, from time-to-time additional functions and responsibilities have been assigned to the RMA; and,

WHEREAS, over time, the additional functions and responsibilities assigned to the RMA have created conditions that tended to negate the efficiencies originally intended in the establishment of the RMA; and,

WHEREAS, in 2019, the County retained the firm Citygate Associates, LLC (“Citygate”), to perform a study of the RMA and make recommendations regarding its organization; and,

WHEREAS, on July 28, 2020, Citygate presented its report to the Board of Supervisors with 76 total recommendations regarding a potential reorganization of the structure and functions within the RMA; and,

WHEREAS, also on July 28, 2020, the Board of Supervisors accepted the Citygate report, directed that the RMA be split into two new departments (Housing and Community Development, and Community Services), created two new director positions for each of the new departments, and directed that staff return with a further analysis and implementation plan, including budgetary impacts; NOW, THEREFORE,

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. The above recitals are true and correct.

## SECTION 2. Intent and purposes.

It is the intent and purpose of the Board of Supervisors to dissolve that County agency known as the Resource Management Agency or “RMA,” and replace it with two new County departments, to be known as the Housing and Community Development Department (“HCD”), and the Community Services Department (“CS”). This ordinance shall govern that process, and provide for the duties of the new departments, notwithstanding any current provision of the Monterey County Code.

## SECTION 3. Dissolution of the Resource Management Agency.

As of 12:01 a.m. on November 30, 2020, that County agency known as the Resource Management Agency, or “RMA,” shall cease to exist, and the duties and functions of the RMA shall devolve to two new County departments as described in this ordinance. In addition, the position known as the Resource Management Agency Director shall be eliminated.

## SECTION 4. Creation of a Housing and Community Development Department, and a Community Services Department.

A. As of 12:01 a.m. on November 30, 2020, the HCD is created, and shall be organized generally as set forth in Exhibit A, attached hereto and incorporated herein by reference. The previously created Director of the Housing and Community Development Department shall be the department head in charge of the HCD.

B. As of 12:01 a.m. on November 30, 2020, the CS is created and shall organized generally as set forth in Exhibit B, attached hereto and incorporated herein by reference. The previously created Director of the Community Services Department shall be the department head in charge of the CS.

C. The general functions of the RMA are to be assigned to the HCD and CS as set forth in Exhibit C. Additional RMA functions may be assigned to each new department as necessary or appropriate by the County Administrative Officer (“CAO”) upon consultation with the Director of Housing and Community Development and Director of Community Services (collectively, the “Director(s)”), the Human Resources Department and County Counsel.

## SECTION 5. Appointment and supervision of the Director of Housing and Community Development and the Director of Community Services.

The CAO is authorized and directed to make appointments to the Director positions whether, in the CAO’s discretion, with or without internal or external recruitment. The Directors shall report to and be supervised by the CAO or the CAO’s designee. The salaries upon appointment shall be at the discretion of the CAO, consistent with all applicable County policies.

Other positions within the two departments shall be filled effective November 30, 2020, by the respective Director with employees within the RMA upon consultation between the Directors, and with the CAO, County Counsel, Human Resources Department and representatives of the appropriate bargaining units, and using existing County class specifications and salary schedule.

Notwithstanding the general organization and functions set forth in Exhibits A through C, and the provisions of Section 4, above, the Directors may organize their respective departments in any manner as they may deem necessary or appropriate to carry out the functions assigned to the respective department. In so doing, the Directors shall be guided, but not bound, by the Citygate report.

Until the Monterey County Code is amended to reflect distribution of duties formerly held by the RMA Director in Chapter 2.27, and the duties of other RMA officials set forth in Chapters 2.28, 2.30, 2.31 and elsewhere, the Directors are authorized to carry out those duties in a manner that reflects the organization and functions set forth in Exhibits A through C. The CAO, upon consultation with the Directors, the Human Resources Department and County Counsel, shall have final decision-making authority regarding the duties of the respective Directors in the event that allocation of duties is not clear or requires consultation.

#### SECTION 6. Fiscal actions.

For the balance of Fiscal Year 2020-2021, the new departments shall operate within the adopted budget for the RMA. The CAO, Budget Director and Auditor – Controller are authorized and directed to take such actions as may be necessary to fund the activities of the new departments from that adopted budget without changes in appropriations. Any necessary or appropriate budget augmentations to implement the intent and purposes of this Ordinance shall be subject to approval by the Board of Supervisors.

The CAO and Budget Director are directed to prepare the budget for Fiscal Year 2021-2022 reflecting the new departments on a separate basis.

#### SECTION 7. Other actions.

The CAO, County Counsel, Director of Human Resources, Auditor – Controller, Director of the Information Technology, and the Clerk of the Board of Supervisors are authorized and directed to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this ordinance including causing appropriate revisions be made to the County Code without further direction or authorization from the Board of Supervisors.

SECTION 8. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 9. Effective date.

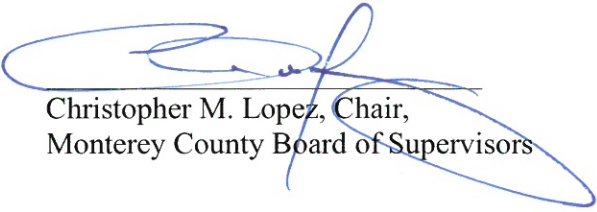
This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED this 29<sup>th</sup> day of Sept, 2020, by the following vote:

AYES: SUPERVISOR ALEJO, PHILLIPS, LOPEZ, PARKER AND ADAMS

NOES: NONE

ABSENT: NONE

  
Christopher M. Lopez, Chair,  
Monterey County Board of Supervisors

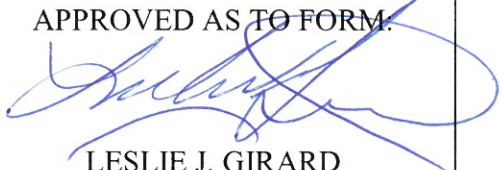
A T T E S T :

VALERIE RALPH  
Clerk of the Board

By: 

Deputy

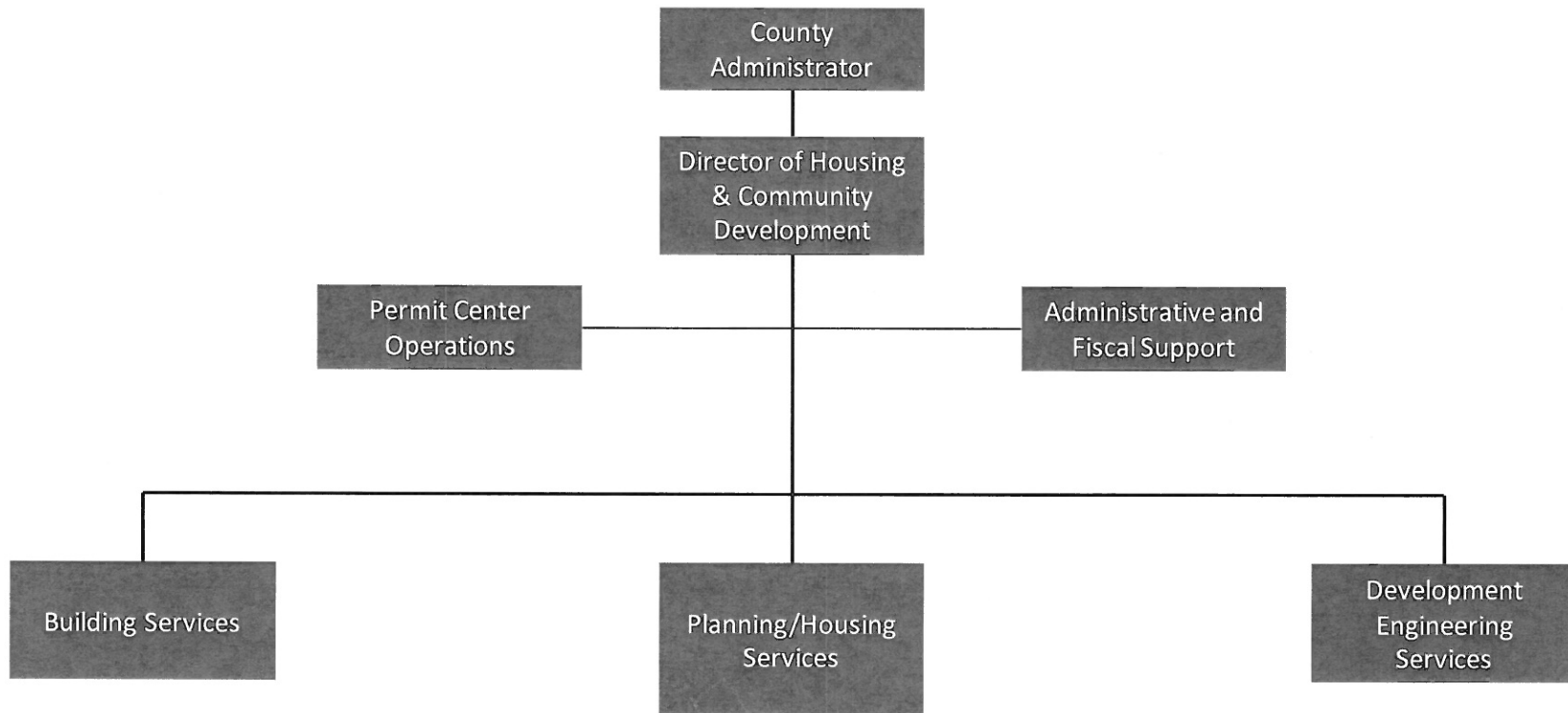
APPROVED AS TO FORM.

  
LESLIE J. GIRARD  
County Counsel

## EXHIBIT A

# EXHIBIT A

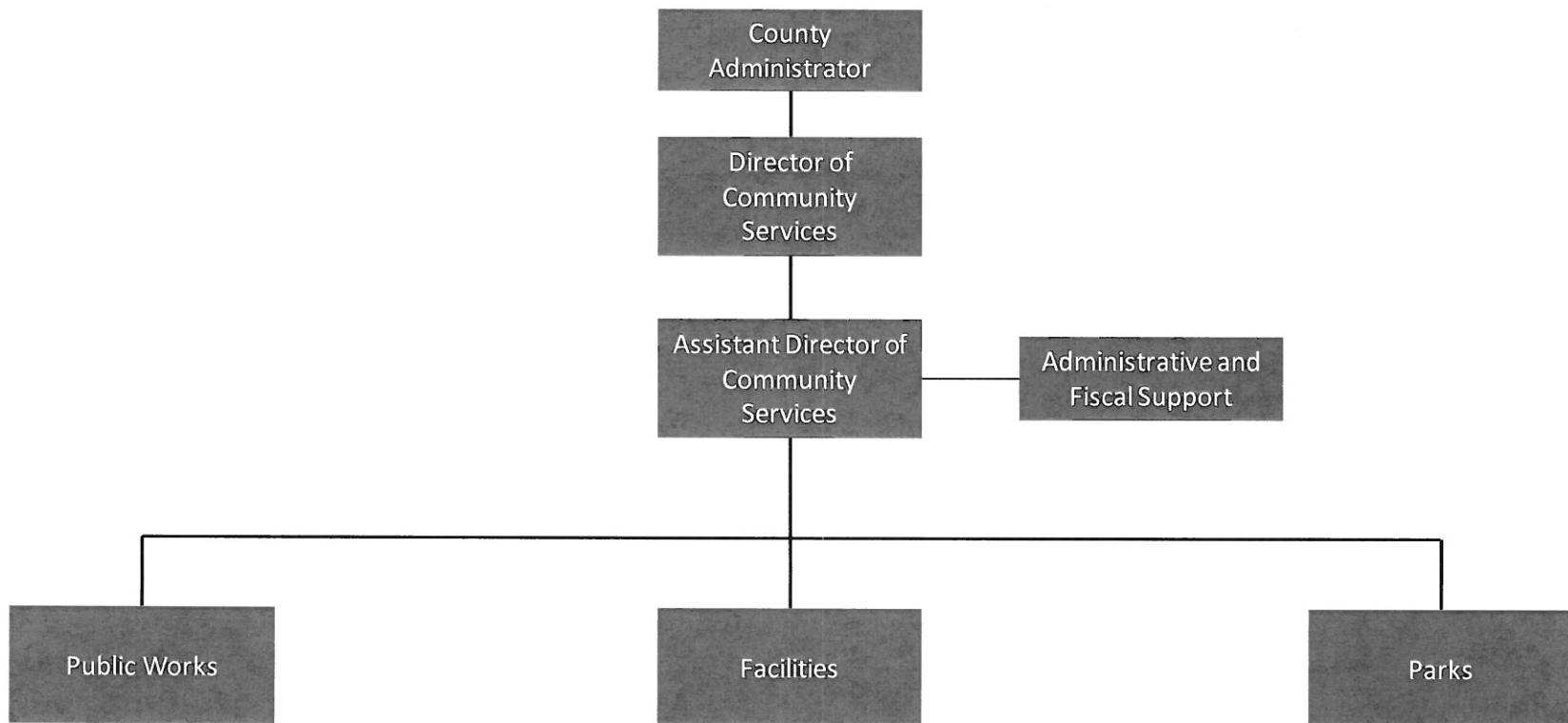
## HOUSING AND COMMUNITY DEVELOPMENT



## EXHIBIT B



# EXHIBIT B COMMUNITY SERVICES



## EXHIBIT C

# HOUSING AND COMMUNITY DEVELOPMENT

EXHIBIT C  
HOUSING AND COMMUNITY DEVELOPMENT FUNCTIONAL RESPONSIBILITIES

| HCD Director                                      |   |  |  |   |   |   |                                      |   |                        |
|---|---|--|--|---|---|---|--------------------------------------|---|------------------------|
| Building Services                                 |   | Planning Services                                  |  |   | Development Services  |   | Administrative Services              |   |                        |
| Plan Check  | Inspections                               | Advanced Planning                                  | Current Planning   | Housing                                       | Environmental Services<br>Stormwater Programs<br>(from CSD)   | Engineering   | Special<br>Projects/Programs         | Permit Center                           | Admin & Fiscal Support |
| Building Plan Check                               | Bldg. Insp                                | Plan and Policy<br>Development                     | Development Review<br>(Discretionary Permit<br>Process, Project<br>Management) | Housing Policy<br>Development                 | Stormwater<br>Management Program<br>(from CSD)                | Encroachment Permits<br>intake, review,<br>inspection     | CRFREE (Design, Permit)              | Front Counter                           | Secretarial            |
| Grading Plan Check<br>(from DES)                  | Code Insp                                 | Policy Implementation                              | Condition Compliance<br>(Leeper Settlement)                                    | Housing Program<br>Implementation             | Floodplain Management<br>Program (from CSD)                   | Subdivision maps  | Carmel Lagoon (Design,<br>Permit)    | Call Center                             | Finance                |
| Erosion Control Plan<br>Check (from DES)          | Cannabis Insp                             | Mines, Oil & Gas                                   | Mitigation Monitoring<br>(MMRP)  | CDBG Program                                  | National Flood<br>Insurance Program<br>Activities (from CSD)  | Project Review-Traffic                                    | Fort Ord Habitat<br>Management       | Special Event Permits                   | Contracts              |
| Drainage Plan Check -<br>Flood Control (from DES) | Encroachment Insp                         | Climate Action Plan                                | CEQA (CE, ND/MND, EIR)   | Homeless (Units, not<br>programs or services) | Community Rating<br>System Activities (from<br>CSD)           | Subdivision<br>Improvement<br>Agreements                  | San Lucas Water (Design,<br>Permit)  | Ombudsperson                            | Grants                 |
|   | SWPP Compliance,<br>Inspection (from DES) | General Plan(s)                                    | Committees and<br>Commissions (LUACs, PC,<br>ZA, Airport)                      | HOME Program                                  | NPDES Muni General<br>Permit-Storm Drain<br>System (from CSD) | Lot Line Adjustments                                      | Successor Agency,<br>Oversight Board | SOPs                                    | Files                  |
|   |   | Land Use Plans                                     |  | ESG advisory                                  | WRA LU Functions  | Certificates of<br>Compliance                             | FORA Dissolution                     | MPWMD Water<br>Allocation Tracking      | Records                |
|   |   | Ordinances   |  |   | Elevation Certification                                       | Franchise Agreements<br>(intake, review,<br>inspection)   | Inclusionary Housing<br>Admin        | Reception                               | Budget                 |
|   |   | Long Term Sustainable<br>Water Supply              |  |   |   | Maintenance<br>Agreements (intake,<br>review, inspection) | Annual Report - Housing              | Cashier                                 | LU Fees                |
|   |   | Wm Act (Ag Com?)                                   |  |   |   |   |                                      | Reservations                            | CDBG Admin             |
|   |   | Mills Act  |  |   |   |   |                                      | Encroachment Permit<br>(Intake)         | Traffic Fees           |
|   |   | Annual Reporting (GP,<br>Housing, Mills Act, etc.) |  |   |   |   |                                      | Tree Permits                            |                        |
|   |   | Housing Element                                    |  |   |   |   |                                      | Design Approvals                        |                        |
|   |   |  |  |   |   |   |                                      | Transportation Permits<br>(Intake only) |                        |
|   |   |  |  |   |   |   |                                      | Addresses                               |                        |
|   |   |  |  |   |   |   |                                      |   |                        |

**Footnotes:**

Black text under Functional Task column reflects functions identified in Citygate report

Rex text shaded in salmon reflects tasks identified by Citygate under a different functional area than what RMA is recommending.

Black text under Functional Task column with blue shading reflects functions identified in Citygate report under HCD but RMA recommending under CSD

Black text under Functional Task column with green shading reflects functions identified in Citygate report

Red text under Functional Task column reflects additional functional tasks identified by RMA

Blue text under functional task column reflects Citygate recommendations under CSD Department

Red text under Functional Task column shaded orange reflects functional areas under CSD to be contracted under HCD as identified by RMA

Blue Text shaded in grey reflects tasks identified by Citygate under CSD, but RMA recommends under HCD

Red Text shaded in grey reflects tasks identified by RMA and based on Citygate recommendations would fall under CSD, but RMA recommends under HCD

## COMMUNITY SERVICES

EXHIBIT C  
COMMUNITY SERVICES FUNCTIONAL RESPONSIBILITIES

CS Director

| Public Works (Roads and Bridges)  |  |  |  | Facilities (Buildings and Grounds)                  |                                     | Parks                                     | Administrative and Fiscal Support |
|-----------------------------------|--|--|--|---|-------------------------------------|---|-----------------------------------|
| Infrastructure Maintenance and Op | Capital Projects (Engineering Services)                      | Capital Projects (Engineering Services)                          | Traffic Engineering                                | Capital Projects (Architectural Services)           | Facility Maintenance and Op         | Open Space, Parks, and Trails             |                                   |
| Litter Abatement                  | Engineering Design   | Engineering Design   | Speed Surveys and Traffic Calming                  | Architectural Design                                | Property Management                 | Event, Museum, and Recreation Programming | Secretarial                       |
| Road and Bridge Maintenance       | Road and Bridge Construction                                 | Road and Bridge Construction                                     | Signal Maintenance                                 | Construction Management-Bldgs                       | Facility Trades                     | Park Planning and Development             | Finance                           |
| Street Sweeping                   | NPDES Construction General Permit (PW Construction Projects) | NPDES Construction General Permit (PW Construction Projects)     | Transportation Permits                             | NPDES Industrial General Permit-Facilities Projects | Lease Management                    | Parks Grounds Maintenance (Parks B&G)     | Contracts                         |
| Sandbar Management                | SWPP Permits - Project related                               | SWPP Permits - Project related                                   | Transportation Coordination (TAMC, CalTrans, etc.) | SWPP Permits - Project related                      | Facility Grounds                    | Contracts and Concessions (Naci, LSR/CAO) | Grants (Billing)                  |
| Cannabis Eradication              | Asset Management-pavement and bridges                        | Grant Acquisition & Reporting                                    | TAMC TAC   | Asset Management-facilities                         | Building Maintenance                | Ranger (armed) Operations                 | Files (via HCD)                   |
| Hazardous Spills (Sanitation)     | Infrastructure Inventory/Assessment                          | CIP planning and funding (i.e. 5-year CIP)                       |  | Grant Acquisition & Reporting                       | Infrastructure Inventory/Assessment | Event/Facility Agreements                 | Records (via HCD)                 |
| Pot Holes                         | CIP planning and funding (i.e. 5-year CIP)                   | Project Scoping and Development                                  |  | Infrastructure Inventory/Assessment                 | Security (contracted)               | Water&Util Systems                        | Budget                            |
|                                   | Project Scoping and Development                              | Project Design and Environmental documentation                   |  | CIP planning and funding (i.e. 5-year CIP)          | Janitorial (contracted)             |   | SB1                               |
|                                   | Project Design and Environmental documentation               | Public Relations/Outreach (PIO) for CIP projects                 |  | Project Scoping and Development                     |                                     |   | Measure X                         |
|                                   | Public Relations/Outreach (PIO) for CIP projects             | Construction Management - Road and Bridge                        |  | Project Design and Environmental documentation      |                                     |   | FEMA                              |
|                                   | Construction Management - Road and Bridge                    | CSA (Spec. Dist.) Admin (CSAs/CSDs, San Jerardo) - From PW Maint |  | Public Relations/Outreach (PIO) for CIP projects    |                                     |   | FHWA                              |
|                                   | Condition surveys and reporting - Pavement                   | Closed Landfills (from PW Maint)                                 |  | Construction Management - Facilities                |                                     |   | HUTA                              |
|                                   | Annual inspection/evaluations and documentation - Bridges    | Sanitation Permits (from PW Maint)                               |  | Condition surveys and reporting - Facilities        |                                     |   | Special Districts Budget          |
|                                   | Surveyor (from HCD)  | County Service Area Projects/Maintenance                         |  |   |                                     |   | Park Fees                         |

EXHIBIT C  
COMMUNITY SERVICES FUNCTIONAL RESPONSIBILITIES

CS Director

| Public Works (Roads and Bridges)  |   |  |                     | Facilities (Buildings and Grounds)        |                             | Parks                         | Administrative and Fiscal Support |
|-----------------------------------|---|--|---------------------|---|-----------------------------|-------------------------------|-----------------------------------|
| Infrastructure Maintenance and Op | Capital Projects (Engineering Services)   | Capital Projects (Engineering Services)        | Traffic Engineering | Capital Projects (Architectural Services) | Facility Maintenance and Op | Open Space, Parks, and Trails |                                   |
|                                   | Monumentation Preservation (from HCD)   | San Jerardo                                    |                     |   |                             |                               | SOPs                              |
|                                   | R/W maintenance (from HCD)  | Sanitation District Disposition                |                     |   |                             |                               | Call Center (via HCD)             |
|                                   | Project Construction surveys (from HCD)   | County Service Area Committees (Admin, Budget) |                     |   |                             |                               |                                   |
|                                   | Survey Records Management (from HCD)  | Underground Utility District (20A)             |                     |   |                             |                               |                                   |
|                                   | Project regulatory permits and monitoring   | Project regulatory permits and monitoring      |                     |   |                             |                               |                                   |
|                                   | Encroachment Permits - issuance and approval (contract to HCD for intake, review, inspection)   |  |                     |   |                             |                               |                                   |
|                                   | Franchise Agreements - issuance and approval (contract to HCD for intake, review, inspection)   |  |                     |   |                             |                               |                                   |
|                                   | Maintenance Agreements - issuance and approval (contract to HCD for intake, review, inspection) |  |                     |   |                             |                               |                                   |

**Footnotes:**

Black text under Functional Task column reflects functions identified in Citygate report

Red text shaded in salmon reflects tasks identified by Citygate under a different functional area than what RMA is recommending.

Black text under Functional Task column reflects functions identified in Citygate report under HCD but RMA recommending under CSD

Black text shaded in green under Functional Task column reflects functions identified in Citygate report

Red text under Functional Task column reflects additional functional tasks identified by RMA

Blue text under functional task column reflects Citygate recommendations under CSD Department

Red text under Functional Task column shaded orange reflects functional areas under CSD to be contracted under HCD as identified by RMA

Blue Text shaded in grey reflects tasks identified by Citygate under CSD, but RMA recommends under HCD

Red Text shaded in grey reflects tasks based on Citygate recommendations would fall under CSD, but RMA recommends under HCD

Red Text shaded in yellow reflects tasks identified by Citygate under a different functional area than being recommended by RMA

## EXHIBIT D



## EXHIBIT D

### **Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendices A & B and Section A.10.2 Assistant Department Heads Designated to Retitle Classification:**

|  |            |
|--|------------|
| Title  | Class Code |
| From: Assistant Director of Resource Management Agency | 12C23      |
| To: Assistant Director of Community Services           | 12C23      |

#### **Add Positions:**

Amend Resource Management Agency Budget 3000-RMA013 Unit 8222

| Class Code | Position Title                              | Position Number | Position Increase/Decrease | Revised Total FTE |
|------------|---|-----------------|----------------------------|-------------------|
| 11A34      | Director of Housing & Community Development | 0001            | 1.0                        | 1.0               |

Amend Resource Management Agency Budget 3000-RMA012 Unit 8195

|       |                                |      |     |     |
|-------|--------------------------------|------|-----|-----|
| 11A33 | Director of Community Services | 0001 | 1.0 | 1.0 |
|-------|--------------------------------|------|-----|-----|

#### **Delete Positions:**

Amend Resource Management Agency Budget 3000-RMA013 Unit 8222

| Class Code | Position Title                      | Position Number | Position Increase/Decrease | Revised Total FTE |
|------------|-------------------------------------|-----------------|----------------------------|-------------------|
| 11A27      | Resource Management Agency Director | 0001            | (1.0)                      | 0.0               |

Amend Resource Management Agency Budget 3000-RMA012 Unit 8195

|       |   |      |       |     |
|-------|---|------|-------|-----|
| 11A24 | Deputy Director Public Works and Facilities | 0001 | (1.0) | 0.0 |
|-------|---|------|-------|-----|

Amend Resource Management Agency Budget 3000-RMA110 Unit 8529

|       |  |      |       |     |
|-------|--|------|-------|-----|
| 11A23 | Deputy Director Land Use and Community Development | 0001 | (1.0) | 0.0 |
|-------|--|------|-------|-----|

### **Transfer administrative oversight of the Housing function, including incumbents of the below identified positions, from the County Administrative Office to the Housing and Community Development Department:**

| Dept-Unit | Class Code | Position Title                              | Position Number |
|-----------|------------|---|-----------------|
| 1050-8514 | 14M22      | Housing Program Manager                     | 0001            |
| 1050-8514 | 41F32      | Redevelopment & Housing Project Analyst III | 0003            |
| 1050-8514 | 41F31      | Redevelopment & Housing Project Analyst II  | 0001            |
| 1050-8514 | 41F30      | Redevelopment & Housing Project Analyst I   | 0001            |
| 1050-8514 | 80A32      | Senior Secretary                            | 0001            |