

# Monterey County

*Monterey County Government Center  
Board of Supervisors Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901*



## Meeting Agenda - Final-Revised

**Tuesday, March 10, 2020**

**9:00 AM**

### **Board of Supervisors**

*Chair Supervisor Chris Lopez - District 3  
Vice Chair Supervisor Jane Parker - District 4  
Supervisor Luis A. Alejo - District 1  
Supervisor John M. Phillips - District 2  
Supervisor Mary L. Adams - 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 interpreter 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 agenda items are live web links. Click on the title to be directed to the corresponding Board Report.**

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

**Please refer to the separate agendas for Special Districts and Agencies governed by the Board of Supervisors that may be scheduled for agenda items today.**

**SUPERVISOR LUIS A. ALEJO WILL APPEAR BY TELECONFERENCE ON THIS DATE AT:  
7237 S. 40th Lane Phoenix, AZ 85041**

**9:00 A.M. - Call to Order**

**Roll Call**

**Additions and Corrections for Closed Session by County Counsel**

*County Counsel 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.*

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) Maria Keeling (Worker's Compensation Appeals Board case no. ADJ12051774)
    - (2) Maria Keeling (Worker's Compensation Appeals Board case no. ADJ12010453)
    - (3) Fort Ord Reuse Authority v. All Persons Interested, et al. (Monterey County Superior Court case no 20CV000381)
  - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
    - (1) Designated representatives: Irma Ramirez-Bough and Kim MooreEmployee Organization(s): All Units
  - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Director of Child Support Services.
  - d. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

**Public Comment****The Board Recesses for Closed Session Agenda Items**

*Closed Session may be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting, before or after the scheduled time, 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 on Public Agenda Items****Roll Call****Pledge of Allegiance****Additions and Corrections by Clerk**

*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 Items No. 11 through 19.

**Ceremonial Resolutions**

3. In recognition of the Filipino Women's Club of Salinas of Monterey County on their ninetieth anniversary. (Full Board) Supervisor Lopez

**Attachments:** [Ceremonial Resolution - Filipino Women's Club of Salinas](#)

**Other Board Matters**

- 3.1 Adopt a Resolution ratifying Proclamation of Local Emergency by the County Administrative Officer related to the 2019 Novel Coronavirus. (ADDED VIA ADDENDA)

**Attachments:** [Resolution](#)  
[Board Report](#)  
[Emerg Proc March2020\\_Covid](#)

4. Board Comments
5. County Administrative Officer Comments and Referrals

**Attachments:** [Referrals 03-10-20](#)

**6.** General Public Comments

*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**

- 7.** a. Consider Board Referral 2020.05 regarding County support of the Covia Home Match Pilot Program; and  
b. Provide direction to staff.

**Attachments:** [Board Report](#)  
[Covia Home Match Monterey Proposal Feb 28 2020](#)

- 8.** a. Receive a presentation from the Monterey County Health Department, Tobacco Control Program on the dangers of electronic smoking devices and flavored tobacco products; and  
b. Provide direction regarding amending the Monterey County Tobacco Retail Ordinance to address the ban of electronic cigarettes and flavored tobacco products. (Board Referral: 2020:03)

**Attachments:** [Board Report](#)  
[PowerPoint Presentation](#)

**12:00 P.M. - Recess to Lunch****1:30 P.M. - Reconvene****Roll Call****1:30 P.M. - Scheduled Matters**

- 9.** Conduct a public hearing to:  
a. Approve Amendment No. 9 to the Unified Franchise Agreement A-11631 (UFA) between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County to amend Exhibit 1 - "Approved Rates and Charges" of said UFA to adjust rates (effective retroactive to January 1, 2020) in accordance with the UFA Refuse Rate Index provisions; and  
b. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 9 to the UFA between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County.

- Attachments:** [Board Report](#)  
[UFA Amendment No 9](#)  
[UFA Amendment No 8](#)  
[UFA Amendment No 7](#)  
[UFA Amendment No 6](#)  
[UFA Amendment No 5](#)  
[UFA Amendment No 4](#)  
[UFA Amendment No 3](#)  
[UFA Amendment No 2](#)  
[UFA Amendment No 1](#)  
[UFA Agreement](#)  
[Resolution](#)

- 10.** Receive and accept an oral report from the Prescribe Safe Initiative regarding efforts and outcomes for the county including Naloxone (Narcan) distribution efforts.

- Attachments:** [Board Report \(REVISED VIA SUPPLEMENTAL\)](#)  
[PowerPoint Presentation](#)

**Read Out from Closed Session by County Counsel**

*Read out by County Counsel will only occur if there is reportable action(s).*

**Adjournment**

*Adjourn in the memory of Officer Florencio Lopez (ADDED VIA ADDENDA)*

**Supplemental Sheet, Consent Calendar****Health Department**

11. a. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement with the University Corporation at Monterey Bay (Contractor), for the term retroactive to December 01, 2019 through December 31, 2020, for the purpose of establishing and launching the Chinatown Health Engagement Center (CHE) to provide medical, mental health, and ancillary health assessment and treatment, in the amount of \$380,000; and
- b. Approve the Director of Health's recommendation to accept non-standard mutual indemnification provision in the Agreement; and
- c. Approve the Director of Health's recommendation to accept the change to Royalties and Inventions, providing a method for students at California State University of Monterey Bay (CSUMB) to publish written summaries of their accomplishments and self-evaluations of their work; and
- d. Approve and authorize the Director of Health or Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the Agreement herein.

**Attachments:** [Board Report](#)  
[Agreement](#)

12. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Fund Transfer Agreement with the Transportation Agency for Monterey County (TAMC), transferring \$159,354 in grant funds awarded by the Transportation Planning Grant Program of the California Department of Transportation and \$10,646 in matching funds from TAMC, for a total of \$180,000 in funding, for the purpose of reimbursing Monterey County Health Department for its public outreach and public engagement activities as part of the Salinas Safe Routes to School Plan, a systematic and comprehensive assessment and analysis of traffic safety conditions at and near forty-four school sites across the City of Salinas, with a term retroactive to November 20, 2019 through April 30, 2022; and
- b. Accept non-standard mutual indemnification, limited indemnity, and insurance provisions as recommended by the Director of Health; and
- c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments up to ten percent (10%) (\$18,000.00) of the original contract amount, which do not significantly alter the scope of services.

**Attachments:** [Board Report](#)  
[Agreement](#)



13. Approve and authorize the Director of Health or Assistant Director of Health to execute a renewal Amendment No. 1 to the Master License Agreement A-14190 with Ovid Technologies, Inc. to provide an Internet-based subscription product of Medical Psychiatry Journals, extending the term to April 15, 2021 for an increased amount of \$8,858, for a new total Agreement amount not to exceed \$17,188 for the term of January 1, 2019 to April 15, 2021.

**Attachments:** [Board Report](#)  
[Amendment No 1](#)  
[Agreement](#)

14. a. Ratify the electronic execution by the Contracts/Purchasing Officer of a 340B Prime Vendor Participation Agreement ("Agreement") with Apexus, LLC. ("340B Prime Vendor") with a retroactive effective date of January 15, 2020, which shall auto renew for one (1) year periods until terminated, for continued access to discounted outpatient pharmaceuticals for the County of Monterey Health Department's Federally Qualified Health Center clinics; and
- b. Approve recommendation of Director of Health to accept all non-standard provisions in Agreement, including indemnification, governing law, and confidentiality, provisions; and
- c. Authorize the Director of Health or Assistant Director of Health or their designees to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work.

**Attachments:** [Board Report](#)  
[Agreement](#)

### **Department of Social Services**

15. Approve the proposed amendments to the Bylaws of the In-Home Supportive Services Advisory Committee.

**Attachments:** [Board Report](#)  
[Proposed Bylaws Changes IHSSAC \(Current\) 3-5-19](#)  
[Proposed Bylaws Changes IHSSAC \(Edited\) 7-30-19](#)  
[Proposed Bylaws Changes IHSSAC \(Clean\) 7-30-19](#)

### **General Government**

16. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a five (5) year Lease Agreement, effective on or around May 1, 2020, with Parco Family Investments LP, a California limited liability partnership, for approximately 13,222 rentable square feet of space located at 344 Salinas Street, Salinas, California, for use by the Monterey County Workforce Development Board;
- b. Authorize the Auditor-Controller to make lease payments of \$22,345 per month

and in accordance with the terms of the agreement; and  
c. Authorize the extension of the Lease Agreement for two additional two-year periods under the same terms and conditions and authorize minor revisions to the Lease Agreement if deemed by the Contracts/Purchasing Officer to be in the best interests of the County.

**Attachments:** [Board Report](#)  
[Lease Agreement 344 Salinas Street](#)  
[Location Map 344 Salinas Street](#)

- 17.** Approve the Memorandum of Understanding (MOU) for Service Employee International Union (SEIU) Units F, H, J and K for the period July 1, 2019 through June 30, 2021.

**Attachments:** [Board Report](#)  
[SEIU MOU 7-1-19 6-30-21 Final](#)  
[SEIU MOU 7-1-19 6-30-21 Redline](#)

- 18.** Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following meeting dates: Tuesday, December 10, 2019, Wednesday, December 11, 2019, Thursday, December 12, 2019, Tuesday, January 7, 2020, Tuesday, January 14, 2020, Tuesday, January 28, 2020, Tuesday, February 4, 2020, Tuesday, February 11, 2020, Friday, February 21, 2020, Tuesday, February 25, 2020 and Tuesday, March 3, 2020.

**Attachments:** [DRAFT BOS Minutes 12-10-2019](#)  
[DRAFT BOS Minutes 12-11-2019](#)  
[DRAFT Special BOS Minutes 12-12-2019](#)  
[DRAFT BOS Minutes 1-7-2020](#)  
[DRAFT BOS Minutes 1-14-2020](#)  
[DRAFT BOS Minutes 1-28-2020](#)  
[DRAFT BOS Minutes 2-4-2020](#)  
[DRAFT BOS Minutes 2-11-2020](#)  
[DRAFT Special BOS Minutes 2-21-2020](#)  
[DRAFT BOS Minutes 2-25-2020](#)  
[DRAFT BOS Minutes 3-3-2020](#)

- 18.1** It is recommended that the Board of Supervisors:
- a. Approve and authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute month-to-month License Agreement, effective on or about March 1, 2020, with the Judicial Council of California, for approximately 320 square feet of space located at 250 Franciscan Way, King City, California (commonly known as the King City Courthouse Facility), for use as a satellite Child Advocacy Center operated by Natividad Medical Center in Conjunction with the District

Attorney's Office.

- b. Authorize the Auditor-Controller to make license fee payments of \$190.10 per month and in accordance with the terms of the License Agreement. and
- c. Authorize minor revisions to the License Agreement if deemed to be in the best interests of the County by the Contracts/Purchasing Officer. (ADDED VIA ADDENDUM)

**Attachments:** [250 Franciscan Way Lic for CAC \(JCC executed\)](#)  
[Board Report](#)  
[250 Franciscan Way Location Map \(2-25-20\)](#)

- 18.2** Approve a change in date for the Sea Otter Classic Sports Festival at Laguna Seca Recreation Area for the year 2020 as mutually agreed upon with Sea Otter Classic, Inc. (ADDED VIA ADDENDA)

**Attachments:** [Board Report](#)  
[Sea Otter Classic - Board Order and Agreement No. A-13415](#)

- 18.3** Receive and approve the bi-annual Cannabis Program performance indicators, which include information on staffing allocations, resource utilization, issuance of County permits/licenses, and tax revenue. (ADDED VIA ADDENDA)

**Attachments:** [Board Report](#)  
[Attachment A](#)

### **RMA - Administration**

- 19.**
- a. Authorize the Resource Management Agency Director to accept the Grant from California State Coastal Conservancy for the Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment (MBSST), Project No. 8668; and
  - b. Authorize the Resource Management Agency Director to execute the grant agreement.

**Attachments:** [Board Report](#)  
[Attach A - Resolution](#)  
[Attach B - Grant Agreement](#)  
[Attach C - Project Budget](#)  
[Attach D - Location Map](#)

### **Addenda/Supplemental**

- 20.** **ADDENDA**

#### **Added to Other Board Matters**

- 3.1 Adopt Resolution ratifying Proclamation of Local Emergency by the County

Administrative Officer related to the 2019 Novel Coronavirus.

**Added to Adjournment**

Adjourn in the memory of Officer Florencio Lopez.

**Added to General Government**

- 18.1 It is recommended that the Board of Supervisors:
- a. Approve and authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute month-to month License Agreement, effective on or about March 1, 2020, with the Judicial Council of California, for approximately 320 square feet of space located at 250 Franciscan Way, King City, California (commonly known as the King City Courthouse Facility), for use as a satellite Child Advocacy Center operated by Natividad Medical Center in Conjunction with the District Attorney's Office.
  - b. Authorize the Auditor-Controller to make license fee payments of \$190.10 per month and in accordance with the terms of the License Agreement. and
  - c. Authorize minor revisions to the License Agreement if deemed to be in the best interests of the County by the Contracts/Purchasing Officer.
- 18.2 Approve a change in date for the Sea Otter Classic Sports Festival at Laguna Seca Recreation Area for the year 2020 as mutually agreed upon with Sea Otter Classic, Inc.
- 18.3 Receive and approve the bi-annual Cannabis Program performance indicators, which include information on staffing allocations, resource utilization, issuance of County permits/licenses, and tax revenue.

**SUPPLEMENTAL**

**Revised Board Report to 1:30 P.M. - Scheduled Matters**

10. Receive and accept an oral report from the Prescribe Safe Initiative regarding efforts and outcomes for the county including Naloxone (Narcan) distribution efforts.