

Monterey County

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



Meeting Agenda - Final-Revised

Tuesday, July 16, 2019

9:00 AM

Board of Supervisors

Chair Supervisor John M. Phillips - District 2

Vice Chair Supervisor Chris Lopez - District 3

Supervisor Luis A. Alejo - District 1

Supervisor Jane Parker - District 4

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.

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. 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 Health & Safety Code section 1462, the Board will receive a report and confer regarding health care facility/hospital trade secret. Discussion will concern a new Health Care Facility/Hospital Trade Secret, New Program.
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
 - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Director of Department of Social Services.
 - d. Pursuant to Government Code section 54957.6, the Board will provide direction to labor negotiators:
 - (1) Designated representatives: Lew Bauman and Charles McKeeEmployee Position: Director of Department of Social Services
 - e. 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
 - f. Pursuant to Government Code section 54956.8, the Board will confer with real

property negotiators:

(1) Property: Lease of office space at 142 West Alisal St. Salinas CA 93901

Agency Negotiator(s): Carl Holm & Charles McKee

Negotiating Parties: Congressman Jimmy Panetta

Under negotiation: Price and terms

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

2. 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)

3. Approval of Consent Calendar Items No. 12 through 27.

Ceremonial Resolutions

4. Adopt Resolution recognizing and congratulating Paulette Lynch upon her retirement from fifteen years of service as the Executive Director of the Arts Council for Monterey County. (Full Board)

Attachments: [Lynch Ceremonial Resolution](#)

5. Adopt Resolution supporting the work of the Blue Zones Project. (Full Board-Supervisor Alejo)

Attachments: [Blue Zones Ceremonial Resolution](#)

Appointments

- 5.1 Appoint Mariano Parra to the Greenfield Public Recreation District for a term ending December 31, 2022. (Supervisor Lopez) (ADDED VIA ADDENDA)

Attachments: Notification to Clerk - Parra

- 5.2 Appoint Carla Stewart to the Animal Control Program Advisory Board for a term ending July 1, 2020. (Supervisor Lopez) (ADDED VIA ADDENDA)

Attachments: Notification to Clerk - Stewart

Other Board Matters

6. Board Comments
7. County Administrative Officer Comments and Referrals

Attachments: [Referrals 07-16-19](#)

8. 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.

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

INTRODUCING SUPERVISOR LUIS A. ALEJO'S YOUNG SUPERVISORS PROGRAM CLASS OF 2019 (ADDED VIA ADDENDA)

9. Receive a presentation from state and local agency representatives on qualified Opportunity Zones.

Attachments: [Board Report](#)
[Monterey County Opportunity Zones - Map -062419](#)

10. Consider options for an ordinance related to attorney and non-attorney communications with members of the Board of Supervisors and other decision-makers acting in an adjudicative capacity.

Attachments: [Board Report](#)
[Rule 3.5](#)
[Rule 4.2](#)
[Memo from 2 Bar Trustees Regarding Rule 3.5](#)

11. Public hearing to consider the following amendments to the Monterey County Fee Resolution relating to fees for processing applications for land use permits and entitlements:

- a. Amend and update Article XIX (RMA-Building Services) to revise building fees to reflect updates to inspection rates based on valuation;
- b. Amend and update Article IX - (RMA- Planning) to update and consolidate land use application fees for Planning, Public Works and Environmental Services;
- c. Rescind and Reserve Article X (RMA-Public Works);
- d. Rescind and Reserve Article XX - (RMA -Environmental Services); and
- e. Amend and update Article XVII (County Counsel) to align with revisions to Article IX.

Attachments: [Board Report](#)
[Attachment A - 2019 RMA Comprehensive Fee Study](#)
[Attachment B - Current Fee Articles](#)
[Attachment C - Resolution](#)

Read Out from Closed Session by County Counsel

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

Adjournment

Supplemental Sheet, Consent Calendar**Natividad Medical Center**

12. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 2 to the agreement with Applied Statistics & Management Inc. for subscription to access web-based medical staff database services for verifying and tracking medical care provider licenses and adding \$12,834 for a revised total agreement amount not to exceed \$112,634, with no changes to the term of the Agreement July 1, 2015 through June 30, 2020.

Attachments: [Board Report](#)
[Applied Statistics & Management Inc Amendment 2.pdf](#)
[Applied Statistics & Management Inc Addendum.pdf](#)
[Applied Statistics & Management Inc Amendment 1.pdf](#)
[Applied Statistics & Management Inc Agreement.pdf](#)

13. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 3 to the agreement (A-13464) with Pacific Medical, Inc. for orthopedic soft goods, durable medical equipment and orthotics and prosthetics services, adding \$163,000 for a revised total agreement amount not to exceed \$488,000 and with no change to the current agreement term of May 1, 2015 through April 30, 2020.

Attachments: [Board Report](#)
[Pacific Medical Inc. Amendment 3.pdf](#)
[Pacific Medical Inc. Amendment 2.pdf](#)
[Pacific Medical Inc. Amendment 1.pdf](#)
[Pacific Medical Inc. Agreement.pdf](#)

14. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the Addendum with The Gordian Group to the Sourcewell (formerly NJPA) Contract 071415 for administrative services of the Job Order Contracting (JOC) program, to increase the total amount an additional \$175,000 for a revised total spending limit not to exceed \$275,000 for NMC JOC projects initiated during the term of the Sourcewell Contract September 15, 2015 through September 15, 2020.

Attachments: [Board Report](#)
[Amendment No. 1 to Addendum with The Gordian Group.pdf](#)
[Addendum with The Gordian Group to the Sourcewell Contract 071415.pdf](#)
[Sourcewell \(NJPA\) Contract 071415 with Gordian Group.pdf](#)
[NJPA RFP 071415 for Construction Contracting System Services.pdf](#)

Health Department

15. Approve and authorize the Director of Health or the Assistant Director of Health to sign an Agreement with Sun Street Centers for the provision of Whole Person Care Access Services (“WPCAS”) for transportation and accompaniment of Whole Person Care (“WPC”) enrollees to medical, mental health, social services, housing services, and meetings with housing providers and prospective landlords as coordinated by the County of Monterey Health Department (Health), for a total Agreement amount of \$206,501, for the term retroactive to July 1, 2019 through December 31, 2020.

Attachments: [Board Report](#)
[SunStreet_AGM_2019-2020](#)

16. Approve and authorize the Director of Health or the Assistant Director of Health to sign an Agreement with MidPen Resident Services Corporation (MidPen) for case management services for clients in the Whole Person Care program (WPC) qualifying for permanent supportive housing at Moon Gate Plaza, coordinated by the County of Monterey Health Department (Health) for the term retroactive to July 1, 2019 through June 30, 2024 for a total agreement, not to exceed, \$929,099.

Attachments: [Board Report](#)
[MidPen_AGM_2019-2024](#)

17. Adopt a Resolution Amending Article I.B - Public Health Bureau of the Monterey County Master Fee Resolution effective August 16, 2019, to adjust fees pursuant to the attached Fee Schedule relating to services provided by the Health Department’s Administration and Public Health Bureau.

Attachments: [Board Report](#)
[Resolution Public Health Proposed](#)
[PH Fee Schedule - Article 1.b Clean](#)
[PH Fee Schedule-Article I.B - Strikethrough](#)

Criminal Justice

18. Approve and authorize the Contracts/Purchasing Officer to sign, Amendment No. 3 to the Professional Service Agreement with Jan Lindberg for providing legal representation of indigent criminal defendants through the Alternate Defender’s Office, extending the terms by one year, retroactive from July 1, 2019 to June 30, 2020 and adding \$96,000 for a total agreement amount of \$336,000.00.

Attachments: [Board Report](#)

19. Approve and adopt a Resolution amending Article VII of the Master Fee Resolution to set fees and authorize collection of fees by the Sheriff's Office effective August 9, 2019, as set forth in the attached in Exhibit A.

Attachments: [Board Report](#)
[Exhibit A - Sheriff Fees Article VII FY 19 clean nr 07 8 19.pdf](#)
[Exhibit A - Sheriff Fees Article VII FY 19 \(Track Changes\)nr 7 8 19.pdf](#)
[Proposed Fee Resolution FY 2018-19 070219 final.doc](#)
[CALCULATION SHEETS FOR NEW FEE SCHEDULE 8-9-19.pdf](#)

General Government

20. Adopt a resolution authorizing the Office of Emergency Services to submit an application in the amount of \$214,452 and designating County staff positions to authorize and execute documents and applications for the purpose of obtaining financial assistance with the California Office of Emergency Services Fiscal Year 2019 Emergency Management Performance Grant Program.

Attachments: [Board Report](#)
[Board resolution FY19 EMPG application 07162019](#)

21. Approve and authorize the Contracts Purchasing Officer or his designee, to execute Amendment No. 3 to the Non-Standard Agreement with Qualys, Inc. on behalf of the Information Technology Department, adding \$130,645.00 to the existing contract amount of \$391,935, for an amended total of \$522,580, to continue to provide QualysGuard Vulnerability Management Enterprise services, and to extend the term of the agreement by an additional year, ending on July 19, 2020.

Attachments: [Board Report](#)
[Qualys Amendment No. 3](#)
[Qualys Amendment No. 2](#)
[Qualys Amendment No. 1](#)
[Qualys Agreement](#)

22. Approve and authorize the Director of the Information Technology Department to sign a non-standard Professional Services Agreement with David Lloyd, doing business as Jane's Answering Service, for after-hours telephone answering services for the County Information Technology Department, in the maximum amount of sixty-thousand dollars (\$60,000) for a term retroactive to July 1, 2019 through June 30, 2022.

Attachments: [Board Report](#)
[Agreement with David Lloyd, dba Janes Answering Service](#)

23. a. Authorize the Director of Information Technology, or his designee, to execute a Software Subscription Agreement with DoCircle, Inc. dba Trumpia, for subscription to use and access the Trumpia Media Messaging Toolkit, in the maximum amount of \$1,872 for the term of August 9, 2019 through August 8, 2020;
- b. Authorize the Director of Information Technology, or his designee, to execute order forms and such documents as are necessary to implement the agreement with DoCircle, Inc. for the County's use of subscription services; and
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology.

Attachments: [Board Report](#)
[DoCircle, Inc. dba Trumpia Software Subscription Agreement](#)

24. a. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor, on behalf of the County Clerk/Recorder (CCR) to execute an agreement with Iron Mountain Information Management, LLC (Iron Mountain), for microfilm/microfiche storage in an amount not to exceed \$28,000, retroactive from July 1, 2019 to June 30, 2021; and
- b. Accept non-standard language in the agreement provided by the vendor as recommended by the County Clerk/Recorder (CCR); and
- c. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to sign up to three future amendments to the agreement, each for a one-year extension, with the same scope of services and the same non-standard language provisions, each amendment/year shall not exceed \$15,400 annually.

Attachments: [Board Report](#)
[Iron Mountain 070119](#)

RMA - Administration

25. Approve the release of Indemnification Bond for Stormwater, Grading, and Erosion Control in the amount of \$1,000,000, Bond No. SUR0043485, related to said improvements in accordance with Combined Development Permit No. PLN030204 Condition of Approval No. 235 and *Indemnification Agreement* terms.

Attachments: [Board Report](#)
[Attachment 1-Indemnification Agreement](#)
[Attachment 2-Indemnification Bond Stormwater/Grading/Erosion](#)
[Attachment 3-County Phase 1 Infrastructure Improvement Accept](#)
[Attachment 4-County Phase 2 Infrastructure Improvement Accept](#)
[Attachment 5-County Phase 3 Infrastructure Improvement Accept](#)
[Attachment 6-EGCSD Phase 1 On-site Drainage Acceptance](#)

RMA - Land Use and Community Development**26.****PLN140910-AMD1 - STRAINE KERRY KEVIN & MCLEOD OLIVIA
DEE TRS**

- a. Find that the project involves acceptance of a Conservation and Scenic Easement Deed and Map, which qualifies as a Class 17 Categorical Exemption pursuant to Section 15317 of the CEQA Guidelines and there are no exceptions pursuant to Section 15300.2;
- b. Accept the Conservation and Scenic Easement Deed and Map to satisfy Condition No. 8 of Monterey County Planning File No. PLN140910-AMD1;
- c. Authorize the Chair to execute the Conservation and Scenic Easement Deed and Map; and
- d. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed and Map to the County Recorder for recording with all applicable recording fees paid by the applicant.

Project Location: 1145 Spyglass Hill Road, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone.

Proposed CEQA action: Categorically Exempt per Section 15317 of the CEQA Guidelines

Attachments: [Board Report](#)

[Attachment A - Memorandum to the COB](#)

[Attachment B - Conservation and Scenic Easement](#)

[Attachment C - Zoning Administrator Res. No. 17-008](#)

RMA – Public Works and Facilities**27.**

- a. Award a contract to Precision Grade, Inc., the lowest responsible bidder, for the Slope Repairs at Various Locations Project (Hall Road @ Sill Road, Hall Road @ Pini Road, Hall Road @ Las Lomas Road, Aromas Road @ MP 0.5, and San Juan Road @ Aromas Road), in the total amount of \$1,732,748;
- b. Approve the Performance and Payment Bonds executed and provided by Precision Grade, Inc;
- c. Authorize a contingency, not to exceed ten percent (10%) of the contract amount or \$173,275 to provide funding for approved contract change orders;
- d. Authorize the Resource Management Agency Director to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work; and
- e. Authorize the Resource Management Agency Director to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director or Deputy Director determines that the contract is complete in all respects in accordance with Plans and Special Provisions for the construction of the Slope Repairs at Various Locations Project by Precision Grade, Inc.

Attachments: [Board Report](#)
[Attachment A - Contract for Public Work Insurance & Bonds](#)
[Attachment B - Project Budget](#)
[Attachment C - Location Map](#)

Addenda/Supplemental

28.

ADDENDA

Add to Appointments

- 5.1 Appoint Mariano Parra to the Greenfield Public Recreation District for a term ending December 31, 2022. (Supervisor Lopez)
- 5.2 Appoint Carla Stewart to the Animal Control Program Advisory Board for a term ending July 1, 2020. (Supervisor Lopez)

Add to 1:30 P.M. - Scheduled Matters

Introducing Supervisor Luis A. Alejo's Young Supervisors Program Class of 2019