

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, May 19, 2015

9:00 AM

**See separate agendas for Board of Supervisors governed Agencies
and Special Districts.**

Board of Supervisors

*Chair Simón Salinas - District 3
Vice Chair Jane Parker - District 4
Supervisor Dave Potter - District 5
Supervisor Fernando Armenta - District 1
Supervisor John M. Phillips - District 2*

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901. As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

CEREMONIAL/APPOINTMENTS/OTHER BOARD MATTERS: These items may include significant financial and administrative actions, and items of special interest, usually approved by majority vote for each program. The regular calendar also includes "Scheduled Items," which are noticed hearings and public hearings.

CONSENT CALENDAR: These matters include routine financial and administrative actions, appear in the supplemental section by program areas, and are usually approved by majority vote.

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Walk to the rostrum and wait for recognition by the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board's action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

TO ADDRESS THE BOARD DURING PUBLIC COMMENT: Please complete a Speaker Request Form, available on the rostrum, and submit it to the Clerk of the Board before the commencement of that agenda item. Public comments shall not pertain to matters on the agenda.

DOCUMENT DISTRIBUTION: Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

INTERPRETATION SERVICE POLICY: The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for translation assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un interprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un interprete. Los pedidos se deberán hacer lo 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 items are live web links. Click on the title to be directed to corresponding Board Report.

9:00 AM - Call to Order

Roll Call

Additions and Corrections for Closed Session

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Natividad Medical Center Chief Executive Officer.
 - b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: Manuel Gonzalez, Interim Director of Human Resources and Kimberley Moore, Assistant Director of Human Resources
Unrepresented Unit: Natividad Medical Center Chief Executive Officer
 - (2) Designated representatives: Elliott Robinson, Director of Social Services
Unit: IHSS
 - c. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two matters of potential initiation of litigation.
 - d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
 - e. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: All or a portion of APN: 031-161-340, 031-161-009, 031-161-012, 031-161-038, 031-161-028, 031-161-029, 031-101-026, and COE Parcel Number: E19a.4, E19a.2, and E19a.3; E11b.8, E8a.1.1.1, E8a.2, E19a.2, E19a.4, E11b.6.1, E11b.7.1.1.
Agency Negotiator: Carl Holm, Acting RMA Director
Negotiating Party: Monterey Peninsula Regional Park District
Under negotiation: Price and terms
 - (2) Property: All or a portion of 4093 Rio Road, Carmel
Agency Negotiator: Carl Holm, Acting RMA Director

Negotiating Party: DeeAnne Howe
Under negotiation: Price and terms

f. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

g. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:

(1) Designated representatives: Kimberly Moore, Assistant Director of Human Resources

Unrepresented Units: P, X, XL, Y and Z. (ADDED VIA ADDENDUM)

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 AM - Reconvene

Roll Call

Pledge of Allegiance

Additions and Corrections

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution honoring Ernie Farley upon the completion of his term as Chairman of the Grower-Shipper Association. (Full Board)

Attachments: [Ernie Farley Ceremonial Resolution](#)

4. Adopt Resolution Proclaiming the week of May 17 through May 23, 2015 as Emergency Medical Services Week in Monterey County. (Full Board)

Attachments: [Emergency Medical Services Week Ceremonial Resolution](#)

Appointments

5. Appoint Cindy Avelino to the Area Agency on Aging Advisory Council for a term ending January 1, 2018. (Full Board)

Attachments: [Notification to Clerk- Avelino](#)

6. Appoint Marcella Zobel to the Animal Control Program Advisory Board for a term ending July 1, 2018. (Full Board)

Attachments: [Notification to Clerk- Zobel](#)
[Zobel - Letter of Interest](#)

- 6.1 Appoint Molly Doty to the Commission on the Status of Women with a term ending February 1, 2018. (Supervisor Salinas)

Attachments: [Notification to Clerk - Doty](#)

Other Board Matters

7. Board Comments

8. CAO Comment and Referrals

Attachments: [Referrals 051915](#)

9. General Public Comment

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.

- 9.1 Consider and appoint an applicant to a vacancy on the Monterey County Airport Land Use Commission.
(REF150014/Airport Land Use Advisory Committee)(ADDED VIA ADDENDUM)

Attachments: [Board Report](#)
[Attachment A - Notice of Unscheduled Vacancy](#)
[Attachment B - Cleveland Letter of Interest](#)
[Attachment C - Healy Letter of Interest](#)

10:30 A.M. - Scheduled Matters

10. Receive the Pavement Asset Management Plan 2015 summarizing the condition of roads in the unincorporated areas of Monterey County.

Attachments: [Board Report](#)
[Pavement Asset Management Plan 4-17-15 jp DSL](#)

12:00 PM Recess to Lunch

1:30 PM Reconvene - Monterey County Board of Supervisors**Roll Call****1:30 PM - Scheduled Matters**

11. Public hearing to consider:
- a. Appeal by the Ecological Rights Foundation from the Planning Commission's approval of ten-year extensions of Coastal Development Permits for S& S Land Development (PLN030510), Pick n Pull Auto (PLN03498), and Gerard and Deborah Cutler (PLN030501) to allow the continued operation of auto dismantling facilities at the following three parcels on Dolan Road in Moss Landing:
- Parcel A (Assessor's Parcel Number 131-054-001-000) (S&S Land Development/ PLN140713, renewal of PLN03510);
 - Parcel B (Assessor's Parcel Number 131-054-002-000) (Pick-n-Pull Auto/PLN140677, renewal of PLN030498); and
 - Parcel C (Assessor's Parcel Number 131-054-003-000) (Gerard & Deborah Cutler/PLN140714, renewal of PLN030510); and
- b. Continuing the hearing on the appeal for a period not exceeding 15 months for additional factual analysis, while allowing the auto dismantling facilities to continue operating under their existing Coastal Development Permits while the appeal is pending.
- (Coastal Development Permit Extensions - PLN140713/PLN140677/PLN140714) The properties are located at 516 A, 516 B & 516 C Dolan Road, Moss Landing, North County Land Use Plan, Coastal Zone.)

Attachments: [Board Report](#)
[Attachment A - Discussion](#)
[Attachment B - Conditions of Project Approval](#)
[Attachment C - Appeal](#)
[Attachment D-1 - PC Resolution 15-020 - PLN140713](#)
[Attachment D-2 - PC Resolution 15-021 - PLN140677](#)
[Attachment D-3 - PC Resolution 15-022 - PLN140714](#)
[Attachment E - Vicinity Map](#)
[Attachment F - Initial Study \(Mitigated\) ND](#)
[Attachment G - EH Memo](#)

Adjournment

Supplemental Sheet, Consent Calendar**Health Department**

12. Adopt Resolution to:
Amend Article I.E. of the Monterey County Master Fee Resolution effective July 1, 2015, to adjust fees relating to oversight and services provided by the Health Department's Environmental Health Bureau pursuant to the attached Fee Schedule.

Attachments: [Board Report EH Fees](#)
[EH Proposed Resolution.doc](#)
[Attachment 1 - Revised EH Fee Schedule - Strikethroughdocx](#)
[Attachment 1a - Revised EH Fee Schedule - Clean.docx](#)

- 12.1 a. Approve and authorize the Direct of Health or designee to sign the Agreement for the provision of software license subscription, software maintenance/support in a vendor hosted data environment, and other related services between the County of Monterey and Decade Software Company, LLC effective May 1, 2015 through June 30, 2018 for an amount not to exceed \$278,892.25; and
b. Authorize the Director of Health or designee to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work. (ADDED VIA ADDENDUM)

Attachments: [Board Report Decade.pdf](#)
[Decade Software Agreement FY15-18_2015012.pdf](#)

- 12.2 Ratify and authorize the Director of Health to execute the Memorandum of Understanding ("MOU") between the Monterey County Health Department, Behavioral Health Bureau ("BHB") and Alisal Union School District, for the provision of therapeutic services by BHB to Alisal USD students for Fiscal Year 2014-2015, County's costs to be reimbursed by a mix of funding dollars from Alisal USD (for a maximum liability of \$240,000), California Medical Assistance Program ("Medi-Cal"), and Mental Health Services Act ("MHSA"). (ADDED VIA ADDENDUM)

Attachments: [Board Report MOU AUSD.pdf](#)
[MOU Alisal Union School District_FY2014-2015_stt.pdf](#)
[Attachment A - Alisal School Dist](#)

- 12.3 Ratify execution by the Director of Health of the Memorandum of Understanding ("MOU") between the Monterey County Health Department, Behavioral Health Bureau ("BHB") and Salinas Union High School District for the provision of therapeutic services by BHB to Salinas UHSD students for the

Fiscal Year 2014-2015, County's costs to be reimbursed by a mix of funding dollars from Salinas UHSD (for a maximum liability of \$120,000), Medi-Cal and Mental Health Services Act ("MHSA").(ADDED VIA ADDENDUM)

Attachments: [Board Report MOU SUHSD.pdf](#)
[MOU Salinas Union High School District FY2014-2015 STT.pdf](#)
[Attachment A - Salinas Union](#)

Department of Social Services

13. a. Approve the CY 2016-2017 Community Action Plan; and
b. Authorize the Chair of the Board of Supervisors to sign the CY 2016-2017 Community Action Plan.

Attachments: [Board Report](#)
[2016-17 Community Action Plan](#)

General Government

14. Approve an increase in appropriations totaling \$73,084.09 in AUD002 - Annual Audits and an increase in revenue totaling \$73,084.09 in CAO007 - Contributions to fund HdL Companies 15% recovery fee for obtaining an additional \$487,227.93 in Public Safety Sales Tax for Monterey County. (4/5ths Vote Required)

Attachments: [Board Report](#)

15. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following dates: Monday, April 20, 2015, Tuesday, April 21, 2015 and Tuesday, April 28, 2015.

Attachments: [Board Report](#)
[Special BOS Draft Minutes 04-20-2015](#)
[BOS Draft Minutes 04-21-2015](#)
[BOS Draft Minutes 04-28-2015](#)

16. Introduce, waive reading, and set June 2, 2015 at 10:30 a.m., as the date and time to consider adoption of an ordinance to amend Chapter 2.04 of the Monterey County Code to permit the Board of Supervisors, and its standing and advisory committees, to hold regular meetings at locations other than the county seat (Salinas, California).

Attachments: [Board Report](#)
[Meeting location ord v2-ATTACH A.pdf](#)
[Meeting location ord und-strkout v2-ATTACH B.pdf](#)

- 16.1 Approve the use of San Lorenzo Park on June 7, 2015 and August 16, 2015 for two functions held by Grace Lutheran Church in compliance with Monterey

County Code 14.12.130.

Attachments: [Board Report.pdf](#)

RMA - General

17. a. Authorize and direct the Resource Management Agency Director to sign the County owned property petition supporting the creation of a downtown City of Salinas Community Benefit District if a majority of property owners, excluding County and City held lands, support the petition.

Attachments: [Board Report](#)
[Attachment A-Downtown Salinas CBD Newsletter](#)
[Attachment B-Community Benefit District Petition](#)
[Attachment C-Fee Estimate](#)

RMA - Planning

18. a. Approve Amendment No. 1 to Settlement and Release Agreement between Carmel Rio Road, LLC and County of Monterey;
- b. Approve a Professional Services Agreement with Rincon Consultants, Inc. where the Base Budget is \$158,386 and the Contingency Budget is \$23,758, for a total amount not to exceed \$182,144 to provide an Environmental Impact Report (EIR) for the Carmel Rio Road Subdivision Project (PLN140089) in Carmel, for a term of May 19, 2015 through May 19, 2017;
- c. Approve a Funding Agreement with Carmel Rio Road, LLC where the Base Budget is \$158,386 and the Contingency Budget is \$23,758, for a total amount not to exceed \$182,144 to allow funding to Monterey County for costs incurred by Rincon Consultants, Inc. to provide an EIR for the Carmel Rio Road Subdivision Project (PLN140089) in Carmel, for a term of May 19, 2015 through May 19, 2017; and
- d. Authorize the Director of Planning to execute the Professional Services Agreement, Funding Agreement and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.
(REF140074/Rincon Consultants, Inc. - PLN140089/Environmental Impact Report for the Carmel Rio Road Subdivision Project, in Carmel Valley)

Attachments: [Board Report](#)
[Attachment A - Amendment No. 1](#)
[Attachment B - PSA with Rincon Consultants, Inc.](#)
[Attachment C - FA with Carmel Rio Road, LLC](#)
[Attachment D - Settlement & Release Agreement](#)

RMA - Public Works

19.

Adopt a resolution:

- a. Approving and authorizing the Chair of the Board of Supervisors to execute the Project Delivery and Construction Agreement with the State Public Works Board, California Department of Corrections and Rehabilitation, and Board of State and Community Corrections (in substantially the form attached), thereby allowing the New Juvenile Hall Project to proceed under the terms of SB 81 Local Youthful Offender Rehabilitative Facility Financing Program;
- b. Approving and authorizing the Chair of the Board of Supervisors to execute the Board of State & Community Corrections Jail Facility Construction Agreement (in substantially the form attached), thereby allowing the New Juvenile Hall Project to proceed under the terms of SB 81: Local Youthful Offender Rehabilitative Facility Financing Program;
- c. Approving and authorizing the Chair of the Board of Supervisors to execute a Certificate of Matching Funds (in substantially the form attached) for the Monterey County New Juvenile Hall Project for Monterey County's "Cash and In-kind Match" of \$17,791,824 ; and
- d. Directing that an updated County Project Staff Designation be provided to the State as follows: Architectural Services Manager as the construction manager; RMA Finance Manager as the project financial officer, and Probation Department Juvenile Hall Division Director as project contact person (current incumbents Donald Searle, Shawne Ellerbee, and Jose Ramirez respectively) and authorizing the County Administrative Officer to provide written notice to the State on the County's behalf regarding any future project staff designation updates.

Attachments: [Board Report](#)[BSCCCA](#)[PDCA](#)[Certificate of Matching Funds](#)[SB81 Project Milestone Schedule](#)[Resolution](#)[Location Map](#)**20.**

Adopt a resolution to:

- a. Adopt the Mitigated Negative Declaration for the New Juvenile Hall Project (Project No. 8811);
- b. Adopt a Mitigation Monitoring Reporting Program; and
- c. Authorize the Probation Department and Resource Management Agency-Public Works to proceed with the New Juvenile Hall Project located at 1420 Natividad Road in Salinas.

Attachments: [Board Report](#)[5-19-15 BOS Res MND New Juv Hall-ws050815](#)[Final Mo. Co. New Juv. Hall Mit Neg Dec](#)[Mit. Monitoring Report Progrm Table](#)

21. a. Award a contract to Statewide Traffic Safety & Signs, Inc. the lowest responsible bidder, for the construction of River Road Pavement Delineation, Project No.1428, State Project No. 0513000080L-N, Federal Aid Project No. HRRRL-5944(113) in the amount of \$140,361;
- b. Approve the Performance and Payment Bonds executed and provided by Statewide Traffic Safety & Signs, Inc.;
- c. Authorize a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders;
- 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; and
- e. Authorize the Director of Public Works to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when he determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of River Road Pavement Delineation project, Project No.1428, State Project No. 0513000080L-N, Federal Aid Project No. HRRRL-5944(113), performed by Statewide Traffic Safety & Signs, Inc.

Attachments: [Board Report](#)
[Project Budget](#)
[Bid Summary](#)
[Contract, Performance Bond, Payment Bond](#)
[Location Map](#)

Addendum

22. Board of Supervisors Addendum Agenda for the meeting of Tuesday, May 19, 2015

ADDENDUM

Add to Closed Session

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

g. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:

(1) Designated representatives: Kimberly Moore, Assistant Director of Human Resources

Unrepresented Units: P, X, XL, Y and Z.

Add to Other Board Matters

- 9.1 Consider and appoint an applicant to a vacancy on the Monterey County

Airport Land Use Commission.
(REF150014/Airport Land Use Advisory Committee)

Add to Consent Calendar -Health

- 12.1 a. Approve and authorize the Director of Health or designee to sign the Agreement for the provision of software license subscription, software maintenance/support in a vendor hosted data environment, and other related services between the County of Monterey and Decade Software Company, LLC effective May 1, 2015 through June 30, 2018 for an amount not to exceed \$278,892.25; and
- b. Authorize the Director of Health or designee to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

Add to Consent Calendar -Health

- 12.2 Ratify and authorize the Director of Health to execute the Memorandum of Understanding (“MOU”) between the Monterey County Health Department, Behavioral Health Bureau (“BHB”) and Alisal Union School District, for the provision of therapeutic services by BHB to Alisal USD students for Fiscal Year 2014-2015, County’s costs to be reimbursed by a mix of funding dollars from Alisal USD (for a maximum liability of \$240,000), California Medical Assistance Program (“Medi-Cal”), and Mental Health Services Act (“MHSA”).

Add to Consent Calendar -Health

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