

Monterey County

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



Meeting Agenda

Tuesday, November 14, 2017

9:00 AM

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

Board of Supervisors

*Chair Mary L. Adams - District 5
Vice Chair Luis Alejo - District 1
Supervisor John M. Phillips - District 2
Supervisor Simon Salinas - District 3
Supervisor Jane Parker - District 4*

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.

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

9:00 A.M. - 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. 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 Government Code section 54957.6, the Board will confer with negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough and Brette NealEmployee Organization(s): Unit R
 - b. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Regents University of CA, et al. v. U. S. Dept. of Homeland Security, et. al. (United States District Court case no. 17-CV-05211-WHA)
 - c. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Counsel.
 - 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 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

10:30 A.M. - Reconvene**Roll Call****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

2. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution honoring Dr. Trevor V. Suslow upon his selection as the recipient of the 2017 Valley of the World Education Award. (Full Board)

Attachments: [Suslow Ceremonial Resolution](#)
4. Adopt Resolution honoring Bill Ramsey upon his selection as the recipient of the 2017 Valley of the World Hall of Fame Award. (Full Board)

Attachments: [Ramsey Ceremonial Resolution](#)
5. Adopt Resolution honoring Janice Souza upon her selection as the recipient of the 2017 Valley of the World Ag Education Award. (Full Board)

Attachments: [Janice Souza Ceremonial Resolution](#)
6. Adopt Resolution honoring Sherwood Darington upon his selection as the recipient of the 2017 Valley of the World Ag Leader Award. (Full Board)

Attachments: [Darington Ceremonial Resolution](#)
- 6.1 Adopt Resolution honoring and recognizing Don Rochester for 15 years of dedicated service to the Monterey County Planning Commission. (Full Board)

Attachments: [Rochester Ceremonial Resolution](#)

Appointments

7. Appoint Debra Long to the Animal Control Advisory Board for a term ending July 1, 2020. (Supervisor Parker)

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

Other Board Matters

8. Board Comments
9. CAO Comments and Referrals

Attachments: [Referrals 11-14-17](#)

10. General Public Comment

This portion of the meeting is reserved for persons to address the Board of Supervisors on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board of Supervisors 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 of Supervisors at a future meeting.

10:30 A.M. - Scheduled Matters

11.
 - a. Authorize NMC to create a Local Institutional Review Board (IRB) to act as the local oversight for research projects approved by Central IRB partners with at least one member of the local IRB to have certification in Human Subjects Research.
 - b. Authorize NMC to apply for a Federal-wide Assurance (FWA) registration for the Protection of Human Rights Subjects with US Department of Health and Human Services, which enables NMC to enter into agreements with Central Institutional Review Boards (IRBs) to pursue Human Subjects Research projects under Central IRB oversight.

Attachments: [Board Report](#)
[IRB Requirements and Responsibilities.pdf](#)
[Generic Central IRB-Reliant IRB requirements.pdf](#)
[Presentation on IRB Program.pdf](#)

- 11.1
 - a. Adopt a resolution authorizing the Auditor-Controller to execute an operating transfer of \$1,358,801 from the Social Services (realignment) Subaccount (025-0255-5010-SOC012-CMS) to the Health (realignment) Subaccount (025-0254-4000-HEA013-PH) to help support the Nurse Family Partnership and Maternal, Child, and Adolescent Health programs (4/5ths vote required); and
 - b. Adopt a resolution authorizing the Auditor-Controller to amend the Health Department's Fiscal Year (FY) 2017-18 operating budget (025-0254-4000-HEA013) by reducing appropriations and estimated revenue by \$450,000 to reflect a reduction in realignment revenue supporting the Health Department's Clinic Services Bureau (4/5th vote required); and
 - c. Adopt a resolution authorizing the Auditor-Controller to amend the Health Department's FY 2017-18 operating budget (025-0254-4000-HEA013) by

- reducing appropriations and estimated revenue by \$51,516 to reflect a reduction in realignment revenue available for community flu clinics (4/5th vote required); and
- d. Adopt a resolution authorizing the Auditor-Controller to amend the Health Department's FY 2017-18 operating budget (025-0254-4000-HEA013) by reducing appropriations and estimated revenue in the amount of \$239,700 to reflect reduced realignment revenue supporting administrative positions that are currently vacant (4/5th vote required); and
- e. Adopt a resolution authorizing the Auditor-Controller to amend the Health Department's FY 2017-18 operating budget (025-0254-4000-HEA013) by reducing appropriations and estimated revenue in the amount of \$1,122,530 to reflect decreased operating transfers of realignment funding to the Sheriff's Office for inmate medical care (4/5th vote required); and
- f. Adopt a resolution authorizing the Auditor-Controller to amend the Health Department's FY 2017-18 operating budget (025-0254-4000-HEA013) by increasing appropriations by \$1,238,518, financed by unassigned health realignment fund balance (4/5th vote required).

Attachments: [Board Report](#)
[Q1_1718_Update_092617](#)
[Resolution](#)
[Resolution](#)

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

1:30 P.M. - Scheduled Matters

12. Public hearing to:
- a. Consider and take action on the appeal by Hilltop Ranch LLC (Richard Lumpkin) of the Monterey County Planning Commission's Administrative Interpretation relative to allowed uses for a commercial vineyard located in a non-coastal Low Density Residential zone; and
- b. Consider and take action on Hilltop Ranch's request to waive the appeal fee. Proposed CEQA Action: Statutorily exempt per CEQA Guidelines section 15378(b) (5)

Attachments: [Board Report](#)
[Attachment A - Draft BOS Resolution](#)
[Attachment B - 7-26-17 PC Staff Report with Attachments](#)
[Attachment C - PC Resolution](#)
[Attachment D - Hilltop Appeal](#)

13. Receive a status report on the County's Annual Spend for FY 2016-17.

Attachments: [Board Report](#)
[Exhibit A - Annual Spend Report presentation](#)

14. a. Receive and approve the status report on Board Referral 2017.14, County Mandated Services;
b. Direct departments to diligently work with staff to complete the referral; and
c. Provide direction to staff as appropriate.

Attachments: [Board Report](#)
[Attachment A - Amended 8-25-17 Referral 2017.14 - Mandated Services](#)
[Attachment B - County mandates_bydept_bycriteriatype](#)

Adjournment

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

15. a. Approve the Plans and Specifications for the Natividad Medical Center, Project No. 9600-54 Radiology Modernization, Bid No. NMC-1013 for contractors to bid on construction; and
- b. Authorize Natividad Medical Center to advertise the “Notice to Contractors” in a newspaper of general circulation.

Attachments: [Board Report](#)
[Attachment A - Project Manual.pdf](#)
[Attachment B - Notice to Bidders.pdf](#)
[Attachment C - Plan Vol 1.pdf](#)
[Attachment D - Plan Vol 2.pdf](#)
[Attachment E - Specs.pdf](#)
[Attachment F - EQUIP BINDER .pdf](#)

16. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Professional Services Agreement with Amara A. Lieberman, M.D. to provide dermatology services at NMC for an amount not to exceed \$312,000 for the period December 1, 2017 to December 31, 2020; and
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$31,200) of the original contract amount per each amendment.

Attachments: [Board Report](#)
[Amara Lieberman MD Agreement.pdf](#)

Health Department

17. a. Set a public hearing for December 12, 2017 at 1:30 p.m. to consider and adopt Resolution to approve Amendment No. 7 with [Proposed] Exhibit 1 “Approved Rates and Charges” to Unified Franchise Agreement A-11631 regarding proposed rates for services and adjustments to current rates for the Unified Franchise Agreement A-11631 between the County of Monterey and Waste Management, Inc. dba USA Waste of California dba Carmel Marina Corp., for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County; and
- b. Direct the Clerk of the Board to publish the Notice of Public Hearing in newspapers of general circulation to provide for County-wide Notice of Public Hearing on or before November 22, 2017.

Attachments: [Board Report](#)
[Amendment No. 7 UFA..DOCX](#)
[UFA_Public Hearing Notice_BoradReady.doc](#)
[UFA Rates - 2018.pdf](#)

- 18.
- a. Authorize the Director of Health or Assistant Director of Health to sign an Agreement with X2AI, Inc., to provide “Tess Services”, a texting system that provides bilingual behavioral health services to patients with mild to moderate mental health issues, for the term November 15, 2017 to November 30, 2019 and a total contract amount not to exceed \$442,900; and
 - b. Accept recommendation of the Director of Health or the Assistant Director of Health to accept non-standard risk provisions (indemnity, limitation of liability).
 - c. Authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments where the amendments do not exceed 10% of the total contract amount (\$44,290) and do not significantly change the scope of work.

Attachments: [Board Report](#)
[X2AI Standard Agreement 20117-19.pdf](#)

Department of Social Services

- 18.1
- a. Adopt a Resolution to allow the Department of Social Services to create and implement a temporary Safe Parking Program to assist those living in their vehicles (4/5th vote required);
 - b. Approve and authorize the Director of the Department of Social Services to sign an agreement with Orphan Productions for \$150,000 to provide a safe parking program for the period of November 30, 2017 through November 29, 2018;
 - c. Authorize the Director of the Department of Social Services to sign up to three amendments to this agreement where the total amendments do not exceed 10% of the original contract amount (\$15,000), and do not significantly change the scope of work;
 - d. Find the project Categorical Exempt per Section 15269(c) of the CEQA Guidelines as an Urgent Threat to the Public Health and Safety;
 - e. Approve the attached Resolution with findings and evidence supporting this recommendation for consideration. Staff recommends approval; and
 - f. Approve and authorize the Auditor-Controller to increase appropriations in the adopted FY 17/18 Community Programs Budget 001-5010-SOC004-8258 in the amount \$87,500 using funds from one of the options discussed in the Financing Section of this Board Report (4/5ths vote required).

Attachments: [Board Report](#)
[Orphan Productions Sole Source](#)
[Orphan Productions Agreement](#)
[2017-19 OP Safe Parking Board Resolution-bc](#)

- 18.2**
- a. Approve and authorize the Director of the Department of Social Services to negotiate and execute an agreement with Community Homeless Solutions for \$345,957 to operate the Winter Warming Shelter for the period of December 1, 2017 to May 31, 2018;
 - b. Authorize the Director of the Department of Social Services to sign up to three (3) future amendments to this Agreement where the total amendments do not exceed ten percent (10%) of the original contract amount and do not significantly alter the scope of work; and
 - c. Approve and authorize the Auditor-Controller to increase appropriations in the adopted FY 17/18 Community Programs Budget 001-5010-SOC004-8258 in the amount \$447,645 using funds from one of the options discussed in the Financing Section of this Board Report (4/5ths vote required).

Attachments: [Board Report](#)
[MOU with City of Salinas](#)

- 18.3**
- a. Approve a resolution to approve and authorize an increase in appropriations and revenues in the amount of \$6,139,413 in the FY 2016-17 Adopted Budget for the Department of Social Services, Fund 001-5010-8262-SOC005, where the financing source is Other Financing Sources-Lease Proceeds, to record the Capital Lease for the LIFE Foundation Building located at 1000 S. Main Street in Salinas(4/5ths vote required); and
 - b. Authorize the Auditor-Controller to amend the budget for Social Services, Fund 001-5010-8262-SOC005, for FY 2016-17 by increasing appropriations and revenues in the amount of \$6,139,413, where the financing source is Other Financing Sources-Lease Proceeds. (4/5ths vote required.)

Attachments: [Board Report](#)
[Board Resolution - Capital Lease-mm_11-3-17](#)

Criminal Justice

- 19.**
- a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute an Agreement with Motorola Solutions, Inc., for the leasing of forty (40) radios, for the time period of November 1, 2017 through October 31, 2022, in the maximum amount of \$141,200.00 for the Monterey County Adult Correction Facility;
 - b. Accept non-standard contract provisions as recommended by the Sheriff;
 - c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor and the Sheriff to sign and execute the appropriate documents and verifications when required;
 - d. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to issue purchase orders on an as-needed basis pursuant to this Agreement over the period of November 1, 2017 to October 31, 2022.

Attachments: [Board Report](#)
[Non-Standard Lease Agreement – County of Monterey and Motorola Solutions](#)

General Government

20. a. Approve a Compensation Agreement regarding the proposed transfer of property located at 300 Pacific Street, Monterey, from the City of Monterey Successor Agency to the City of Monterey; and
b. Authorize the County Administrative Officer to sign the Compensation Agreement.

Attachments: [Board Report](#)
[2017-11-14_Hotel Pacific_Compensation Agmt](#)

21. Approve and authorize the Director of Child Support Services to sign a Plan of Cooperation (POC) with the Superior Court of California, County of Monterey (Court), retroactive from July 1, 2017 and extending through June 30, 2019, to secure the assistance of the Court to perform the duties in relation to the child support enforcement program under Title IV-D of the Social Security Act (42 U.S.C. §601 et seq.)

Attachments: [Board Report](#)
[POC_MCDCSS_Monterey Superior Court_July 1, 2017 to June 30, 2019.pdf](#)

22. Appoint Adrian Ayala to North Monterey County Unified School District, Trustee Area 4 as the number of persons who filed a declaration of candidacy did not exceed the number of seats to be filled at the November 7, 2017 election.

Attachments: [Board Report](#)

23. Approve the Memorandum of Understanding (MOU) for the Monterey County Probation Managers' Association Unit L for the period July 1, 2016 through June 30, 2019.

Attachments: [Unit L Final MOU REDLINE](#)
[Unit L Final MOU CLEAN](#)
[Unit L Negotiation Summary 2016](#)

24. Approve the Memorandum of Understanding (MOU) for the Monterey County Registered Nurses' Association Unit S for the period February 1, 2017 through January 31, 2020.

Attachments: [Unit S Final Redline](#)
[FINAL Unit S MOU](#)
[MCRNA Negotiation Summary 2016](#)

25. a. Approve and authorize the Director of the Information Technology Department (ITD) to execute a non-standard "Authorization To Order" under the State of

California CALNET 3 Agreement for telecommunications services with Comcast Business Communications, LLC for a term beginning on November 15, 2017 and ending June 30, 2018; and

b. Authorize the Director of ITD to sign up to two one-year extensions to the Agreement, subject to County Counsel review, under the same terms and conditions of the Agreement; and

c. Approve and authorize the Contracts/Purchasing Officer to issue purchase orders for specific services authorized under the Agreement, as may be requested by ITD and other County Departments, for telecommunication services with the total of all purchase orders not to exceed \$500,000 per year.

Attachments: [Board Report](#)

[CALNET 3 Agreement cover page](#)

[CALNET 3 Agreement General Provision](#)

[CALNET 3 Agreement Special Terms and Conditions Telecommunications CAL](#)

[CALNET 3 Agreement Amend No 1 CAT_3 7.21.2017](#)

[CALNET 3 Agreement Amend No 1 CAT-5 7.21.2017](#)

[CALNET-ATO Form for Comcast Business Communications LLC ethernet](#)

26. a. Approve and authorize the Contracts/Purchasing Officer, on behalf of the Department of Information Technology (ITD), to execute a non-standard agreement with Sable Computers Inc., dba KIS (Keep IT Simple), an authorized partner of McAfee, for the provision of the McAfee product enhanced support and licensing for all County users in the amount of \$60,243.80 for the term of January 23, 2018 through January 22, 2019; \$60,243.80 for the term of January 23, 2019 through January 22, 2020; and \$60,243.80 for the term of January 23, 2020 through January 22, 2021, in an amount not to exceed \$180,731.40 in the aggregate;
- b. Accept the non-standard language in the Agreement provided by McAfee as recommended by the Director of ITD; and
- c. Authorize the Contracts/Purchasing Officer to issue purchase orders on an as needed basis, as recommended by the Director of ITD, for the next three (3) years not to exceed \$60,243.80 annually, and \$180,731.40 in the aggregate.

Attachments: [Board Report](#)

[Sable Computers dba KIS Agreement](#)

27. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following dates: Tuesday, July 14, 2015, Friday, July 17, 2015, Tuesday, November 17, 2015, Tuesday, June 6, 2017, Tuesday, June 27, 2017, Tuesday, August 29, 2017 and Tuesday, September 26, 2017.

Attachments: [Board Report](#)
[BoS Draft Minutes 07-14-2015](#)
[BoS Draft Minutes 07-17-2015](#)
[BoS Draft Minutes 11-17-2015](#)
[BoS Draft Minutes 06-06-2017](#)
[BoS Draft Minutes 06-27-2017](#)
[BoS Draft Minutes 08-29-2017](#)
[BoS Draft Minutes 09-26-2017](#)

28. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 4 to professional services agreement with Intercare Holdings Insurance Services, Inc. for the administration of the County's Workers' Compensation Program retroactive from October 1, 2017 through September 30, 2018, with a provision for an extension of up to two (2) additional one (1) year extensions, subject to the County Risk Manager's prior written approval, not to exceed 3% increase.

Attachments: [Board Report](#)
[Intercare - Amendment 4](#)
[Intercare - Amendment 3](#)
[Intercare - Amendment 2](#)
[Intercare - Amendment 1](#)
[Intercare - Agreement](#)

29. a. Approve and authorize the Contracts Purchasing Officer or the Contracts Purchasing Supervisor to execute a State and Local Agency Server and Cloud Enrollment Agreement with Insight Direct USA, Inc. (Insight), a Microsoft licensing reseller, for the purchase of government services, data storage subscriptions and associated maintenance/support, for the period of December 1, 2017 through December 31, 2017 in the maximum amount of \$1,000.00; and
b. Accept non-standard contract provisions as recommended by the Director of the Information Technology Department.

Attachments: [Board Report](#)
[Insight Direct USA, Inc. Agreement](#)

30. Approve and authorize the Contracts/Purchasing Officer or his designee to execute an Agreement with Armstrong Productions, Inc. for video production services for the Monterey County Government Channel for a term of November 14, 2017 to June 30, 2020 in an amount not to exceed \$145,000.

Attachments: [Board Report](#)
[Attachment - Armstrong Productions, Inc. Agreement](#)

31. Adopt a Resolution to extend the Proclamation of a Local Emergency dated February 15, 2017, ratified on February 22, 2017, and reviewed and extended on March 21, 2017, April 18, 2017, May 16, 2017, June 13, 2017, July 11, 2017, July 25, 2017, August 3, 2017, August 29, 2017, September 19, 2017, and October 17, 2017, in accordance with California Government Code Section 8630 for atmospheric river events which occurred between February 7, 2017 through February 20, 2017, that resulted in multiple significant rainfall events causing damage to public infrastructure and private property. (4/5ths vote required)

Attachments: [Board Report](#)
[Board Reso Ext Emerg Proc Feb Winter Storm 11142017](#)
[Board Reso Ext Emerg Feb proc 11142017](#)
[Emerg Proc Winter Storm signed 02152017 County of Monterey](#)

32. Adopt a Resolution to extend the Proclamation of a Local Emergency dated January 12, 2017, ratified on January 19, 2017, and reviewed and extended on February 14, 2017, March 14, 2017, April 11, 2017, May 9, 2017, June 6, 2017, June 27, 2017, July 25, 2017, August 3, 2017, August 29, 2017, September 19, 2017 and October 17, 2017, in accordance with California Government Code Section 8630 for a succession of significant winter storm events which occurred between January 4, and 12, 2017, that resulted in significant damage to public infrastructure and private property within Monterey County. (4/5ths vote required)

Attachments: [Board Report](#)
[Board Reso Ext Emerg Proc Jan Winter Storm 11142017](#)
[Board Reso Ext Emerg Jan Winter Storm 11142017](#)
[Emerg Proc signed Jan 12 2017](#)

33. Approve the Joint Meeting of the Board of Supervisors, Board of Supervisors of the Water Resources Agency and the Water Resources Agency Board of Directors Meeting Minutes for the Tuesday, March 24, 2015.

Attachments: [Board Report](#)
[Joint Meeting Draft Minutes 03-24-2015](#)

RMA - Administration

34. Adopt a Resolution to:
Authorize the RMA Director and RMA Deputy Directors to grant refunds for RMA-Parks fees as adopted in Article V of the Monterey County Master Fee Resolution, or as established by the Director of Parks per Section 14.12.180.B.7 of the Monterey County Code.

- Attachments:** [Board Report](#)
[Attachment A - MC Code Chapter 14.12](#)
[Attachment B - MC Mstr Fee Res Artcle V Paks Dept](#)
[Attachment C - Resolution](#)

RMA - Land Use and Community Development

35. REF150048 - Inland & REF160042 - Coastal Commercial Cannabis (Marijuana) Regulations
Introduce, waive reading, and set December 5, 2017 at 10:30 AM. as the date and time to consider adoption of:
- a. An ordinance amending Chapter 7.90 of the Monterey County Code to add commercial adult-use cannabis activities to the County's current commercial medical cannabis permit regulatory structure and to regulate the operation of commercial adult-use cannabis activities in a manner that is consistent with state law; and
 - b. An ordinance amending Section 7.02.060 of the Monterey County Code to add commercial adult-use cannabis activities as a type of business that must obtain a business license within the unincorporated area of Monterey County.
- Location: County-wide
Proposed CEQA action: Introduction of the ordinances is statutorily exempt pursuant to Section 15268 of the CEQA Guidelines (ministerial).

- Attachments:** [Board Report](#)
[Attachment A - Chapter 7.90 \(clean\)](#)
[Attachment B - Chapter 7.90 \(redline\)](#)
[Attachment C - Chapter 7.02 \(clean\)](#)
[Attachment D - Chapter 7.02 \(redline\)](#)
[Attachment E - Medicinal and Adult Law \(MAUCRSA\)](#)

36. Approve a Memorandum of Understanding to designate the Transportation Agency for Monterey County (TAMC) as the lead agency for environmental review for the proposed Fort Ord Regional Trail and Greenway (FORTAG) project.

- Attachments:** [Board Report](#)
[Attachment 1 - FORTAG TAMC Lead Agency MOU](#)
[Attachment 2 - FORTAG Maps](#)

37. REF170038 - Williamson Act 2018 Contract Applications (BOS Hearing 12.05.2017)
- a. Set a public hearing for December 5, 2017 at 1:30 p.m. to consider seven (7) 2018 Williamson Act Applications:
 1. No. 2018-001 (FSZ) - Clinton F. Miller, Jr. and Karen V. Miller, Trustees of the Miller Family Trust dated December 9, 1999; APNs 117-411-012 and

- 117-411-024 (Continued FSZ Application No. 2017-010)
2. No. 2018-002 (AgP) - Kyler N. Hamann and Jamie Hamann and Kristan A. Hamann; APNs 423-151-059 and 423-151-060
 3. No. 2018-003 (FSZ) - Mechanics Bank, Sole Successor Trustee under and pursuant to the Decree of Distribution in the matter of the Estate of Edie Westphal Herold, deceased; APN 223-061-023-000
 4. No. 2018-004 (FSZ) - Blackie Road Holdings, LLC, a California Limited Liability Company; APNs 133-013-001; 133-013-002; 133-013-003
 5. No. 2018-005 (FSZ) - Thomas M. Borchard, Sr. and Katherine V. Borchard; APN 253-011-006 (Continued FSZ Application No. 2017-006)
 6. No. 2018-006 (FSZ) - Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 (Continued FSZ Application No. 2017-011)
 7. No. 2018-007 (AgP) - George R. Work as Trustee of the WORK FAMILY ESTATE TRUST, George R. Work, Colleen M. Work, Jody L. Birks, Johnita A. Fisher Life Estate; APNs 424-161-020; 424-181-022 and 424-181-002 (Continued AgP Application No. 2017-012)
- b. Direct the Clerk of the Board of Supervisors to publish Notice of Public Hearing for the Public Hearing to take place on December 5, 2017 at 1:30 p.m. to consider the 2018 applications, including four (4) continued applications, to create five (5) Farmland Security Zones (“FSZ”) and FSZ Contracts and establish two (2) Agricultural Preserves (“AgP”) and Land Conservation Contracts.
- (REF170038 - Williamson Act 2018 Contract Applications, County-wide)

Attachments: [Board Report](#)
[Attachment A - Notice of Hearing for December 5, 2017](#)
[Attachment B - Board Resolution No. 01-485](#)
[Attachment C - Board Resolution No. 01-486](#)
[Attachment D - 2018 Application Matrix](#)
[Attachment E - County-wide Map - MC 2018 Williamson Act Applications](#)

38.

- Adopt a resolution to:
- a. Approve Agreement No. 4CA03694 between the County and California Department of Forestry and Fire Protection (Cal Fire) to provide fire protection and emergency services in South County in the non-peak fire season in connection with the California Flats Solar Project, in a maximum amount not to exceed \$755,323, retroactive to July 1, 2017 through June 30, 2019 and to take effect only upon execution of the agreement by the parties;
 - b. Approve a Funding Agreement with California Flats Solar, LLC (Cal Flats) to provide funding to County, for the services provided by Cal Fire under Agreement No. 4CA03694 and associated contract administration costs, in a maximum amount not to exceed \$758,493, for a term from November 14, 2017 to June 30, 2019; and
 - c. Authorize the Director of the County Resource Management Agency to approve

Cal Fire Agreement Number 4CA03694 and execute the Funding Agreement with Cal Flats and future amendments to the agreements where the amendments do not significantly alter the scope of work or change the approved agreement amounts.

Attachments: [Board Report](#)
[Attachment A - Board Resolution](#)
[Attachment B - Cal Fire Agreement No. 4CA03694](#)
[Attachment C - FA with Cal Flats](#)

RMA - Public Works and Facilities

- 39.
- a. Approve Change Order No. 13 for the Castroville Bicycle/Pedestrian Path and Railroad Crossing Project No.8622, Federal Aid Project No. RSTPLE-5944(111) (“Project”), to provide funding for contract change orders by Viking Construction Company;
 - b. Approve Amendment No. 1 to Professional Services Agreement No. A-13344 with Vali Cooper & Associates, Inc. increasing the not to exceed amount of \$749,984 by \$211,107 for a total amount not to exceed \$961,091, to continue to provide construction management services associated with the construction phase of the Castroville Bicycle/Pedestrian Path and Railroad Crossing, County Project No. 8622, Federal Aid Project No. RSTPLE-5944 (111), under Request for Proposals (RFP) No. 8622, with no extension to the term of the Agreement beginning October 25, 2016 through October 24, 2019, including the option to extend the Agreement for two (2) additional one (1) year period(s); and
 - c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 1 to Professional Services Agreement No. A-13344 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved amount of the Agreement.

Attachments: [Board Report](#)
[Attachment A - Project Budget](#)
[Attachment B - Location Map](#)
[Attachment C - Amendment No. 1 to PSA](#)
[Attachment D - PSA](#)
[Attachment E - Summary of Expenditures & Balances](#)

- 40.
- a. Ratify and Approve Amendment No. 1 to Professional Services Agreement Resolution No. 17-236 with Harris & Associates, Inc. to: 1) ratify the effective term of June 13, 2017 to June 13, 2020; and 2) include Federal Emergency Management Agency Federal Provisions to continue to provide professional engineering services for Phase 2 of the Palo Colorado Road Emergency Repair at Rocky Creek Crossing with no increase to the total not-to-exceed amount of \$418,428; and
 - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 1 to Professional Services Agreement Resolution No.

17-236 and any future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Attachments: [Board Report](#)
[Attachment A - Amendment No. 1 to PSA](#)
[Attachment B - PSA](#)
[Attachment C - Project Budget](#)
[Attachment D - Location Map](#)

- 41.**
- a. Authorize the Chair of the Board of Supervisors to execute the First Amendment to the Board of State and Community Corrections Jail Construction Agreement (in substantially the form attached) which corrects a clerical error and allows the Jail Housing Addition Project to proceed under the terms of AB 900 Jail Financing Program Phase II; and
 - b. Authorize and direct the County Administrative Officer, Resource Management Director, and Sheriff to take such other further actions as may be necessary or appropriate to meet State requirements as defined under the AB 900 Jail Financing Program.

Attachments: [Board Report](#)
[Attachment 1 - Amendment No. 1 to BSCC AB 900 II Construction Agreement](#)
[Attachment 2 - County Executed BSCC Jail Construction Agreement December](#)