

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, January 15, 2019

9:30 AM

Board of Supervisors.

*Chair John M. Phillips - District 2
Vice Chair 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 intérprete, 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 intérprete. 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

9:30 A.M. - Call to Order

Roll Call

Additions and Corrections for Closed Session

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.

Public Comment

The Board Adjourns 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.

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) Jennifer Mitchell (Worker's Compensation Appeals Board case no. ADJ10600452)
 - (2) Estate of Mark Vasquez Pajas, et al. v. County of Monterey, et al. (United States District Court case no. 16-CV-00945-BLF) (ADDED VIA ADDENDA)
 - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough and Kim Moore
Employee Organization(s): Unit H

10:30 A.M. - Reconvene on Public Agenda Items**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 Items No. 24 through 33.

Ceremonial Resolutions

3. Adopt Resolution commending Christine Raptis upon her retirement from thirty-eight years of dedicated public service in Monterey County.

Attachments: [Raptis Ceremonial Resolution](#)

4. ~~Adopt Resolution recognizing Eden Valley Care Center as a Monterey County Environmental Health Bureau Annual Food Safety Conference recipient of the Award of Excellence for 2018.~~ (REMOVED VIA SUPPLEMENTAL)

Attachments: Eden Valley Care Center Ceremonial Resolution

5. ~~Adopt Resolution recognizing Salinas Valley Memorial Healthcare System as a Monterey County Environmental Health Bureau Annual Food Safety Conference recipient of the Award of Excellence for 2018.~~ (REMOVED VIA SUPPLEMENTAL)

Attachments: Salinas Valley Memorial Healthcare System Ceremonial Resolution

6. Resolution recognizing and congratulating Ronald “Ronn” Rygg upon his retirement from a public service career that spans more than four decades.

Attachments: [Rygg Ceremonial Resolution](#)

7. ~~Adopt Resolution recognizing California Pizza Kitchen as a Monterey County Environmental Health Bureau Annual Food Safety Conference recipient of the Award of Excellence for 2018.~~ (REMOVED VIA SUPPLEMENTAL)

Attachments: California Pizza Kitchen Ceremonial Resolution

8. Adopt Resolution Honoring Kimberley “Kim” Breton upon her retirement from the County of Monterey after thirty-four years of Public Service.

Attachments: [Breton Ceremonial Resolution](#)

Appointments

9. Reappoint Richard Medley to the Fish and Game Advisory Commission for a term ending February 1, 2022. (Supervisor Phillips)

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

10. Reappoint Francisco Mendoza to the Planning Commission for a term ending January 23, 2013-2023. (Supervisor Phillips) (REVISED VIA SUPPLEMENTAL)

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

11. Appoint Fred Rubin to the Carmel Valley Road Advisory Committee for a term ending June 30, 2021. (Supervisor Adams)

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

12. Appoint Eric H. Sands Sand to the Carmel Valley Road Advisory Committee for a term ending June 30, 2021. (Supervisor Adams)
(REVISED VIA SUPPLEMENTAL)

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

13. Appoint Belinda Taluban to the ~~Historical Advisory Committee~~ Historic Resources Review Board for a term ending December 31, 2021. (Supervisor Phillips)
(REVISED VIA SUPPLEMENTAL)

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

14. Appoint Maria Villa-Gomez to the Greenfield Cemetery District for a term ending December 31, 2022. (Supervisor ~~Phillips~~ Lopez)
(REVISED VIA SUPPLEMENTAL)

Attachments: [Notification to Clerk - Villa-Gomez](#)

Other Board Matters

15. Board Comments

16. CAO Comments and Referrals

Attachments: [Referrals 01-15-19](#)

17. 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

- 18.**
- a. Consider adoption of an ordinance amending Section 12.28.010 of the Monterey County Code to prohibit parking at all times on the east side of State Highway 1 from the centerline of the Point Lobos State Park entrance northerly for a distance of 1800 feet and from the centerline of the Point Lobos State Park entrance southerly for a distance of 1800 feet, in the unincorporated area of Monterey County;
 - b. Consider adoption of an ordinance amending sections 12.28.010 and 12.28.021 of the Monterey County Code to change the parking restriction on both sides of Rio Road from Carmel Rancho Boulevard easterly to its terminus in the unincorporated area of Monterey County, from no parking between 10:00 p.m. and 6:00 a.m. to no parking at any time; and
 - c. Authorize the Director of Resource Management Agency to apply on behalf of the County for an encroachment permit from Caltrans to install no parking signs on the east side of State Highway 1 adjacent to Point Lobos State Park.

Attachments: [Board Report](#)

[Attachment A - Draft Ordinance for State Highway 1](#)

[Attachment B - Draft Ordinance for Rio Road](#)

[Attachment C - Location Map](#)

[Attachment D - Ordinance 4166](#)

[Attachment E - Redline for Rio Rd No Parking Ordinance](#)

- 19.** Authorize appointment and an advanced step placement at Step 5 for retired CalPERS annuitant Martín J. Gómez, selected for the position of Interim Library Director, in accordance with Personnel Policies and Practices Resolution No. 98-394, Sections A.1.11.1 and A.1.11.5, effective January 22, 2019.

Attachments: [Board Report](#)

- 19.1**
- a. Authorize the County Executive Officer enter into agreement with the State of California Complete Count Committee Census 2020 as a grantee of Monterey County's allocation in the amount of \$401,996 (Full board); and
 - b. Adopt a Resolution to affirm the County of Monterey's support of and partnership with the 2020 Census. (Full board). (MOVED VIA SUPPLEMENTAL)

Attachments: [Board Report](#)
[A - Resolution - Monterey County 2020 Census](#)
[Attachment B](#)
[Attachment C](#)

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

1:30 P.M. - Scheduled Matters

20. Consider options and approve the selected option for stabilizing operations at Lake Nacimiento and Lake San Antonio.

Attachments: [Board Report](#)

21. **PLN150063 - (Lot Line Adjustment involving two lots of record) Kathryn A. Emery, Trustee of the Emery Family Trust u/d/d March 22, 2004; Michelle Urquidez, Trustee of the Urquidez Family Trust u/d/d May 5, 2010; Marilyn L. Saake and William J. Saake, as Trustees of the Saake Family Trust dated June 25, 1997; Christopher M. Powers; Andrew J. Powers; Timothy S. Powers; Katherine A. Dulik; Amy Perusse; Matthew C. Powers; and Marilyn L. Saake and Mathew Powers, as Successor Co-Trustees of the Ersilia L. Binsacca Living Trust u/d/d October 29, 1990.**
- Public hearing to adopt a resolution for approval of a Lot Line Adjustment between two (2) legal lots of record (one [1] of which is under a Williamson Act contract) of approximately 143.67 acres (Existing Parcel A) and of 0.29 acres (Existing Parcel B), resulting in two (2) legal lots of record of the same sizes: 143.67 acres (Proposed Parcel A) and 0.29 acres (Proposed Parcel B), a proposed 5-foot wide easement for water line and a 50 foot by 50 foot well easement. The resultant parcels will not have a decrease in acreage under the Williamson Act Contract.
- Propose California Environmental Quality Act (CEQA) Action:** Categorically Exempt per CEQA Guidelines Section 15305 (Minor alterations in land use limitations)
- Project Location:** 35625 and 35495 Fort Romie Road, Soledad, Central Salinas Valley Area Plan.

Attachments: [Board Report](#)
[Attachment A - Draft Resolution](#)
[Attachment B - Vicinity Map](#)
[Attachment C - Conservation Contract No. 73-40](#)

- 22.**
- a. Receive and accept an oral report from the Prescribe Safe Initiative regarding initiative efforts and outcomes for the county; and
 - b. Direct staff to identify funding in the amount of \$14,400 for two years of disposal costs of unwanted medication for six safe medication disposal sites at \$1,200 per site per year.

Attachments: [Board Report Prescribe Safe](#)
[2019 01 15 Rx Safe](#)

- 23.**
- a. Receive a report on preparation of amendments to Monterey County's Local Coastal Program to be consistent with the Coastal Act regarding affordable housing; and
 - b. Provide direction to staff.
(Board Referral #: 2018.28)

Attachments: [Board Report](#)

Read Out from Closed Session

Adjournment

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

24. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute renewal and amendment No. 1 to the agreement (A-13620) with The CBORD Group, Inc. for food and nutrition software services, extending the agreement an additional twelve (12) months (July 11, 2018 through July 10, 2019) for a revised full agreement term of July 11, 2017 through July 10, 2019, and adding \$12,145.54 for a revised total agreement amount not to exceed \$121,915.86.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$10,977) of the original cost of the agreement per each amendment.

Attachments: [Board Report](#)
[CBORD Renewal and Amendment No. 1.pdf](#)
[CBORD Agreement.pdf](#)

Health Department

25. Accept an update from the Health Department regarding safe disposal of pharmaceuticals and sharps in reference to Board Referral #2018.07.

Attachments: [Board Report](#)

Department of Social Services

26. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with SkillSurvey Inc., including nonstandard vendor liability limits and payment provisions, for \$42,311 to purchase an online employment reference assessment software system retroactively effective January 1, 2019 through December 31, 2021; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% (\$4,231) of the original contract amount and do not significantly change the scope of work.

Attachments: [Board Report](#)
[Skill Survey Agreement.pdf](#)

General Government

27. a. Approve and authorize the Assessor to enter into a renewed two (2) year agreement with the California Assessors' Association (a non-profit assoc.), Harold W. Bertholf, Inc. (a California Professional Corp (contractor), and the Participating Assessors' ("Participating Assessors") in Counties containing oil, gas and geothermal energy-producing properties, for a Petroleum & Geothermal Property Sales Study, retroactive to November 1, 2018 through and including October 31, 2020; and
b. Accept and acknowledge the non-standard terms of the Agreement; whereas the terms of the Agreement provide greater protection to the County than the standard terms; therefore, the Agreement is not detrimental to Monterey County.

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

28. Approve and authorize the Director of Information Technology (ITD) to execute a non-standard Entry and Testing Agreement with SBA Structures, LLC, enabling the County to perform radio site testing at 3400 Red Wolf Drive, Carmel, CA, for the term of 90 days to begin February 1, 2019 at no cost.

Attachments: [Board Report](#)
[SBA Structure Entry and Testing agreement](#)

29. Approve and authorize the Director of Information Technology or his designee to execute a termination agreement with the State of California, ending the County's lease of telecommunications vault, rack, and antenna space at the state Ben Lomond Radio Site, Santa Cruz County, effective June 30, 2017, and providing for termination fees of \$3,729.34.

Attachments: [Board Report](#)
[Ben Lomond Termination Letter](#)
[Communications Vault Lease Ben Lomond](#)

30. Adopt a resolution to revise and approve amendments to the Conflict of Interest Code of the Monterey Regional Waste Management District.

Attachments: [Board Report](#)
[Board of Supervisors' Reso for the Monterey Regional Waste Management Dist](#)
[Monterey Regional Waste Management District \(Red-Line\)](#)
[Monterey Regional Waste Management District \(Clean\)](#)
[Monterey Regional Waste Management District Resolution 2018-18](#)
[County Counsel Memo MC Regional Waste Management District](#)

- 31.** Adopt a resolution to approve amendments to the Conflict of Interest Code of the Soledad Unified School District.

Attachments: [Board Report](#)
[Board Resolution Soledad Unified School District 2018 \(Word\)](#)
[Board Resolution Soledad Unified School District 2018](#)
[Soledad USD \(Redline Version\)](#)
[Soledad USD \(Clean Version\)](#)
[Soledad USD Minutes from 11-14-2018](#)

- 32.** Agenda Item No. 32 moved from the Consent Calendar to the 10:30 A.M. Scheduled Matters as Item No. 19.1

- 32.1**
- a. Approve the Auditor-Controller's Internal Audit Charter; and
 - b. Authorize the Auditor-Controller to execute a professional services Agreement with Macias Gini & O'Connell in the amount of \$48,840 for Countywide risk assessment services; and
 - c. Amend the FY 2018-19 Adopted Budget increasing appropriations by \$48,840 in the Auditor-Controller, Internal Audit Division unit (001-AUD001-8375), offset by a decrease of \$48,840 in the County Administrative Office, Other General Expenditures unit (001-CAO014-8039-6601) (4/5 vote required).

Attachments: [Board Report](#)
[Attachment A - Internal Audit Charter](#)
[Macias Gini O'Connell Agreement](#)

- 32.2**
- Approve and authorize the Chair of the Board, to execute a sole source three-year Specialized Marketing and Management Services Agreement with All Fields Sports, LLC retroactive to January 1, 2019, for the purpose of performing specialized corporate sponsorship and hospitality marketing and management services for Laguna Seca Recreation Area (LSRA), including WeatherTech Raceway Laguna Seca, the camping grounds and shooting range and "The Lake Resort."

Attachments: [Board Report](#)
[All Fields Sports LLC](#)

- 32.3** Approve and authorize the Assistant County Administrative Officer to execute a two-year Sponsorship Agreement, between Bridgestone Americas Tire Operations, LLC and the County of Monterey for exclusive Title and Tire sponsorship of the INDYCAR Monterey Grand Prix at WeatherTech Raceway Laguna Seca.

Attachments: [Board Report](#)
[Firestone Agreement-Title Sponsor](#)

RMA - Land Use and Community Development

- 33.** Adopt a resolution:
- a. Approving and authorizing the County Administrative Officer to execute a Master Memorandum of Understanding between the County of Monterey and the Monterey County Water Resources Agency regarding the provision of and compensation for services by and between the two public entities; and
 - b. Approving and authorizing the Director of the Resource Management Agency to execute Appendix A to the Master Memorandum of Understanding regarding the division of responsibility for certain land use related services between the County of Monterey and the Monterey County Water Resources Agency.

Attachments: [Board Report](#)
[Attachment A - Master Resolution with Appendix A](#)

Addenda/Supplemental

- 34.** **ADDENDA**

Add to Closed Session:

1. a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

(2) Estate of Mark Vasquez Pajas, et al. v. County of Monterey, et al. (United States District Court case no. 16-CV-00945-BLF)

SUPPLEMENTAL

Remove from Ceremonial Resolutions:

4. Adopt Resolution recognizing Eden Valley Care Center as a Monterey County Environmental Health Bureau Annual Food Safety Conference recipient of the Award of Excellence for 2018.

5. Adopt Resolution recognizing Salinas Valley Memorial Healthcare System as a Monterey County Environmental Health Bureau Annual Food Safety Conference recipient of the Award of Excellence for 2018.

7. Adopt Resolution recognizing California Pizza Kitchen as a Monterey County Environmental Health Bureau Annual Food Safety Conference recipient of the Award of Excellence for 2018.

Revised Appointments:

10. Reappoint Francisco Mendoza to the Planning Commission for a term ending January 23, ~~2013~~ 2023. (Supervisor Phillips)

12. Appoint Eric H. ~~Sands~~ Sand to the Carmel Valley Road Advisory Committee for a term ending June 30, 2021. (Supervisor Adams)

13. Appoint Belinda Taluban to the ~~Historical Advisory Committee~~ Historic Resources Review Board for a term ending December 31, 2021. (Supervisor Phillips)

14. Appoint Maria Villa-Gomez to the Greenfield Cemetery District for a term ending December 31, 2022. (Supervisor ~~Phillips~~ Lopez)

Consent Calendar:

32. Moved from the Consent Calendar to the 10:30 A.M. Scheduled Matters as Item No. 19.1