



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Upon motion of Supervisor Parker seconded by Supervisor Phillips and carried by those members present, the Board of Supervisors hereby:

Approved the Monterey County Board of Supervisors Action Meeting Minutes for the following meeting dates:

Wednesday, May 27, 2015	Monday, June 5, 2017	Tuesday, July 11, 2017,
Tuesday, July 18, 2017	Tuesday, July 25, 2017	Tuesday, October 3, 2017
Tuesday, November 7, 2017	Tuesday, December 5, 2017	Tuesday, December 12, 2017
Wednesday, December 13, 2017	Thursday, December 14, 2017	//////////

PASSED AND ADOPTED on this 6th day of February 2018, by the following vote, to wit:

AYES: Supervisors Alejo, Salinas, Phillips, Parker and Adams
 NOES: None
 ABSENT: None

I, Nicholas E. Chiulos, Acting Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 80 for the meeting February 6, 2018

Dated: April 12, 2018
 File ID: MIN 18-001

Nicholas E. Chiulos, Acting Clerk of the Board of Supervisors
 County of Monterey, State of California

By *Demie Hancock*
 Deputy

Monterey County

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



Action Minutes - Final

Wednesday, May 27, 2015

11:00 AM

**Special Meeting - State Capitol - Sacramento, California
Specific Locations as listed on Agenda**

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*

11:00 A.M. - Call to Order

The meeting was attended by Chair Salinas, Supervisor Potter, Supervisor Armenta, Nick Chiulos, Annette D'Adamo, John Arriaga & Laurie Johnson (JEA Associates), Secretary John Laird, and Resource staff.

Roll Call

Present: 3 - Supervisor Dave Potter, Supervisor Simón Salinas and Supervisor Fernando Armenta

Absent: 2 - Supervisor Jane Parker and Supervisor John M. Phillips

11:00 A.M. - Scheduled Matter

1. Conduct a discussion regarding AB 394 (Stone) Alcoholic beverage control: labeling: Monterey County.

Discussed AB 394 (Stone) Alcoholic Beverare Control: Labeling: Monterey County which will insure that consumers recognize every bottle of wine produced from Monterey County grapes. In addition, the bill will build brand equity for Monterey County wines and preserve and strengthen the County's position as a recognized world-class wine region while increasing sales of wines produced from the region's grapes. NO REPORTABLE ACTION TAKEN.

1:00 P.M. - Scheduled Matter

2. Conduct a discussion regarding SB 16 (Beall) Transportation Funding.

Follow up discussion regarding the County's April 28th support letter, the County requested an amendment to SB 16 to eliminate the ongoing diversion to the State General Fund of price-based gas tax revenues related to fuel sales for off-highway vehicles and other vehicles that do not use roadways. This practice will have diverted approximately \$626 million away from transportation by the end of Fiscal Year 2014-15. The tax swap is required to be revenue neutral with what the sales tax on gasoline would have otherwise generated. Sales tax revenues never supported these funds for vehicles that do not use highways. As long as the state is diverting these revenues away from counties, cities and state highways, the state is not fully meeting their 2010 transportation tax swap commitment. NO REPORTABLE ACTION TAKEN.

3:30 P.M. - Scheduled Matter

3. Conduct a discussion regarding:
 - a. AB 1315 (Alejo) Public contracts: stormwater pollution prevention plans; and
 - b. AB 1504 (Alejo) Vote-by-mail pilot project: expansion.

A discussion was held regarding:

- a. AB 1315 (Alejo) Public contracts: stormwater pollution prevention plans; and
- b. AB 1504 (Alejo) Vote-by-mail pilot project: expansion.

Adjournment

APPROVED:

/ s/ Luis A. Alejo

**LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: / s/ Nicholas E. Chiulos

**NICHOLAS E. CHIULOS
ACTING CLERK OF THE BOARD
APPROVED ON February 6, 2018**

Monterey County

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



Action Minutes - Final

Monday, June 5, 2017

9:00 AM

**See separate agendas for all 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*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Clerk of the Board Gail T. Borkowski

Additions and Corrections

There were no additions or corrections to the agenda.

General Public Comment

There were no public comments on items not on today's agenda.

Scheduled Matters

1. Adopt a Resolution for the Fiscal Year 2017-18 GANN Appropriation Limits pursuant to Article XIII B of the California Constitution.
A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-398 for the Fiscal Year 2017-18 GANN Appropriation Limits pursuant to Article XIII B of the California Constitution. ALL AYES
2. Open the public hearing to consider the FY 2017-18 Recommended Budget.
Chair Adams opened the public hearing to consider the FY 2017-18 Recommended Budget.
3. County Administrative Officer's comments on the FY 2017-18 Recommended Budget.
County Administrative Officer Dr. Lew Bauman presented his comments on the FY 2017-18 Recommended Budget.
4. Report of the Budget Committee and Comments by Board Members.
Chair of the Budget Committee Supervisor Alejo provided comments on the County's budget. He advised of issues to be aware of that have budget impacts, including an expected recession, increased pension costs, storm and fire damage recovery, loss of TOT due to the storm and fire damage, and potential slashing of programs at the Federal level. This is a time to reflect and also be

cautious. The County's credit rating has increased and the County has increased its rainy day fund. He has a commitment to minimize impacts to County staff during this difficult budget.

Supervisor Jane Parker, Budget Committee Member stated that she appreciates the focus looking at the long view and the question is when looking at the budget is whether there is the ability to fund the programs and services that make sense for the well being for the people in the community and the County overall. Are we operating effectively and can we measure the effectiveness and what works. Are we spending tax payers monies as efficiently as possible. Balancing discretionary income with cost pressures is challenging. Her concern is that the County take the long view in order to see what's coming to alleviate surprises. She appreciates staff's work to bring about the most robust and effective spending of tax payer money to benefit the entire County.

Supervisor Salinas understands there are challenges and the County is often at the mercy of Sacramento and Washington. Fiscal prudence in Monterey County does not alleviate fiscal challenges. We can be fiscally sound and compassionate about the delivery of services to our constituents.

Supervisor Phillips concurs with other comments. This is a tough year. The County needs to be fiscally responsible and to be cautious with the budget given the concerns with the Federal government and impacts on healthcare and other things. Measure X will infuse some monies into our roads and cannabis tax will hopefully create a new tax base. There are capital improvements that are finally getting done such as the new Juvenile Hall, East/West Wing, new jail, Schilling Place. We should be proud that we're getting these projects done.

5. County Administrative Office presentation of the FY 2017-18 Recommended Budget. (ATTACHMENT SUBMITTED VIA SUPPLEMENTAL AGENDA ON 6-1-17)

Dewayne Woods and Paul Lewis presentation of the FY 2017-18 Recommended Budget. See Department items below.

6. Public Comment regarding the Recommended Budget & Departmental Budget Public Hearings (Limited to 3 minutes per speaker).

Regarding Veteran's Issues:

Jack Stewart; Candace Ingram; Sid Williams, Hiram Libby; Steve Culver; Bill Nye; Steve Block; Richard Garza; John Gay.

Regarding Monterey Bay Housing Trust:

Bud Colligan

Regarding Emergency Shuttle:

Erin Gaffle; Rich Aldanger; Butch Cronlon; Jody Hansen

Regarding the Office for Employment Training:

Alma McHoney; Harry Gamotan; Alan Ogletree; Ashley Wooster; Julie Filice.

Regarding Health Project:

Maria Ambriz; Juan Carlos Gonzalez; Veronica Torres, with Interpreter; Andrea Leon; Mel Mason; Rene Cosas; Mr. Villa; Cesar Lara; Regina Mason; Isaiah Gonzalez; Victoria Gonzalez; Pamela Westin; Lauria Fiori; Parker Moran; Michael Wold; Jim Short; Mary Penlake; Mary Arnold; David Alexander; Juan Gomez; Abraham Arriano; Jay Donato.

- 7. Departmental Budget Public Hearings Schedule (attached order of Departmental Budget Presentations).

Continued Budget Hearing to June 6, 2017.

- 8. Consideration of a Resolution:
a. Authorizing the issuance of lay-off notices to impacted employees no sooner than June 9, 2017 with an effective date of July 1, 2017;
b. Authorizing County negotiators to meet with the Unions/Associations upon request of the Unions/Associations;
c. Authorizing the Human Resources Department to collaborate with departments to provide in-placement and out-placement services;
d. Granting flexibility to withhold the issuance of a lay-off notice(s) due to unanticipated vacancies, retirements or resignations that may occur.
e. Authorizing the Human Resources Department to add Allocation on Loan positions as necessary due to lay-off timing and bumping process extending into the beginning of Fiscal Year 2017-18.

Continue Budget Hearing to June 6, 2017.

- 9. Continue Departmental Budget Public Hearings, if needed, to June 6, 2017 at 1:30 p.m. in the Government Center Building - Board Chambers, 168 W. Alisal Street, 1st Floor, Salinas, CA 93901.

Continued Departmental Budget Public hearings to June 6, 2017 at 1:30 p.m. in the Government Center Building - Board Chamber, 168 W. Alisal Street, 1st Floor, Salinas, CA 93901.

Recess to Lunch: Time to be Determined

APPROVED:

/ s/ Luis A. Alejo

**LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: / s/ Nicholas E. Chiulos

**NICHOLAS E. CHIULOS
ACTING CLERK OF THE BOARD
APPROVED ON** February 6, 2018

11. **1050 CAO Non-Departmental...pg. 187**
8028 Contributions - Proposition 172 (CAO007)
8029 Contributions-Other Agencies (CAO007)
8031 Trial Courts (CAO008)
8035 County Memberships (CAO013)
8037 Medical Care Services (CAO016)
8038 Other Financing Uses (CAO017)
8039 Other General Expenditures (CAO014)
8041 Non-Program Revenue (CAO019)
8412 Homeland Security Grant (CAO023)
8441 Laguna Seca Track (CAO029)
8472 Auxiliary Services (CAO027)
8483 Vehicle Replacement Planning (CAO032)

This General Agenda Item was approved

Budget Public Hearings Schedule

Finance and Administration (General Government)

Consent

10. **1000 Board of Supervisors (BOA001)...pg. 161**
- 1050 County Administrative Office...pg. 167**
8045 Administration & Finance (CAO001)
8046 Budget & Analysis (CAO001)
8047 Contracts/Purchasing (CAO002)
8054 Intergovernmental & Legislative Affairs (CAO004)
8056 Office of Emergency Services (CAO005)
8440 Office of Community Engagement and
Strategic Advocacy (CAO024)
8451 Fleet Administration (CAO025)
8452 Shuttle (CAO025)
8474 Records Retention (CAO028)
8478 Workforce Development Board (CAO030)

By consensus, the Board approved increase appropriations in the County Administrative Office by \$63,000 for a grant writing contract; decrease appropriations by \$162,085 and delete a Program Manager II position and decrease estimated cannabis review; increase appropriations by \$132,051 to restore a Management Analyst II position; and increase appropriations by \$277,797 to restore an Assistant CAO.

- 12. 1060 Human Resources Departmental...pg. 203**
8401 Labor & Employee Relations (HRD001)
8402 Employment & Information Services (HRD001)
8403 Learning & Organizational Development (HRD001)
8404 Employee Benefits (HRD001)
8445 HR Administration (HRD001)

- 13. 1060 Human Resources Non-Departmental...pg. 215**
8413 Dental (HRD002)
8414 Vision (HRD002)
8415 EAP (HRD002)
8416 Disability (HRD002)
8417 Unemployment (HRD002)
8418 Misc. Benefits (HRD002)
8419 OPEB (HRD002)

- 14. 1080 Equal Opportunity...pg. 245**
8066 Equal Opportunity Office (EQU001)

- 16. 1210 County Counsel Departmental...pg. 289**
8057 County Counsel (COU001)
8407 Risk Management (COU002)

- 15. 1170 Treasurer-Tax Collector...pg. 271**
8263 Property Tax (TRE001)
8264 Revenue (TRE001)
8266 Treasury (TRE001)

- 17. 1210 County Counsel Non-Departmental...pg. 298**
8405 Grand Jury (COU005)
8408 General Liability (COU003)
8409 Workers' Compensation (COU004)
8429 Enterprise Risk (COU006)

- 18. 1300 Clerk of the Board...pg. 305**
8019 Assessment Appeals Board (COB001)
8020 Clerk of the Board (COB001)

- 19. 1410 Elections...pg. 311**
8064 Elections (ELE001)

By consensus, the Board approved an increase in the appropriations in the Elections Department by \$55,586 for a Vote by Mail processing system, offset by \$55,586 reduction to the appropriation for contingencies.

- 20. 1930 Information Technology...pg. 327**
8432 ITD Administration (INF002)
8433 Applications (INF002)
8434 Service Delivery Division (INF002)
8435 Enterprise Operations (INF002)
8436 Infrastructure (INF002)
8437 Security (INF002)
8439 Information Technology Department (INF002)

Regular

- 21. 1110 Auditor-Controller Departmental...pg. 249**
8011 Auditor Controller (AUD001)
8371 Debt Management (AUD001)
8372 Disbursements (AUD001)
8373 Systems Management (AUD001)
8374 General Accounting (AUD001)
8375 Internal Audit (AUD001)
- 22. 1110 Auditor-Controller Non-Departmental...pg. 263**
8007 PIC Debt Service (AUD005)
8010 Annual Audits (AUD002)
8479 Enterprise Resource Planning (AUD008)
- 23. 1180 Assessor-County Clerk-Recorder...pg. 281**
8003 Assessor (ACR001)
8004 Clerk/Recorder (ACR002)

Land Use and Environment

- 24. 1070 Economic Development...pg. 223**
8043 Development Set-Aside (DEO019)
8044 Revolving Loan Program (DEO020)
8199 Community Development Reuse (DEO003)
8200 Community Development Grant (DEO003)
8208 Inclusionary Housing (DEO002)
8221 Economic Development Administration (DEO001)
8427 Office for Employment Training (DEO026)
8431 East Garrison Development Reimbursement (DEO028)

By consensus, the Board approved an increase in appropriations in the Economic Department by \$100,000 to help support the Salinas Valley Tourism & Visitors Bureau; increase appropriations by \$275,000 for support of the Big Sur Shuttle; increase appropriations by \$500,000 to fund the Monterey Bay Housing Trust and provide matching funds to obtain additional funding for affordable

housing loans; and increase appropriations and revenue by \$188,124 to extend support for seven positions within the Office of Employment Training for three months; and increase appropriations in the County Administrative Office by \$188,124 to make an operating transfer from the general fund to the Office of Employment Training.

26. 3000 Resource Management Agency...pg. 423

3000 RMA Land Use/Community Services...pg. 435

8170 Building Services (RMA011)

8172 Planning (RMA001)

8196 Development Services (RMA010)

8444 Environmental Services (RMA099)

By consensus, the Board approved an increase in appropriations in the Resource Management Agency by \$70,658 to extend a Building Inspector Supervisor position for six months; and an increase appropriations by \$117,148 to extend a Park Ranger III and a Park Ranger Supervisor position for six months.

Consent

25. 2810 Agricultural Commissioner...pg. 415

8001 Agriculture/Weights & Measures (AGR001)

8002 Produce Inspection (AGR001)

Regular

27. 3000 Public Works/Facilities...pg. 443

8173 Architectural Services (RMA003)

8176 Facilities Maintenance (RMA006)

8181 Grounds (RMA006)

8194 Litter Control (RMA002)

8195 Road & Bridge Engineering (RMA012)

8443 Roads & Bridges- Maintenance (RMA012)

8475 Park Operations (RMA006)

28. 3000 RMA Administration/General Services...pg. 456

8174 Facility Master Plan Projects (RMA015)

8175 County Disposal Sites (RMA039)

8177 Courier (RMA005)

8178 Mail (RMA005)

8182 Utilities (RMA098)

8184 Facilities Maintenance Projects (RMA004)

8198 County Service Areas (RMA047-RMA049,
RMA052-RMA088 & RMA090)

8222 RMA Administration (RMA013)

- 8468 Capital Projects (RMA014)
- 8469 Special District Administration (RMA100)
- 8476 Fish & Game Propagation (RMA101)
- 8477 Lake Operations (RMA102)
- 8481 Property Management (RMA103)

29.**4000 Health...pg. 477**

- 8096 Clinic Services Administration (HEA007)
- 8097 Alisal Health Center (HEA007)
- 8099 Laurel Family Practice (HEA007)
- 8100 Laurel Internal Medicine (HEA007)
- 8101 Laurel Pediatrics (HEA007)
- 8103 Marina Health Center (HEA007)
- 8105 Seaside Family Health Center (HEA007)
- 8108 Ambulance Service (HEA010)
- 8109 EMS Operating (HEA006)
- 8111 Uncompensated Care (HEA009)
- 8112 Consumer Health Protection Services (HEA005)
- 8113 Recycling and Resource Recovery Services (HEA005)
- 8114 Solid Waste Management Services (HEA005)
- 8115 Environmental Health Review Services (HEA005)
- 8116 Hazardous Materials Management Services (HEA005)
- 8117 Environmental Health Fiscal and Administration (HEA005)
- 8118 Public Guardian/Administrator/Conservator (HEA008)
- 8121 Children's Medical Services (HEA004)
- 8124 Public Health (HEA003)
- 8272 Drinking Water Protection Service (HEA005)
- 8410 Behavioral Health (HEA012, HEA015 & HEA016)
- 8424 Health Realignment (HEA013)
- 8438 Health Department Administration (HEA014)
- 8442 Animal Services (HEA001)
- 8446 Bienestar Salinas (HEA007)
- 8447 Marina Integrative Clinic (HEA007)
- 8448 Laurel Vista (HEA007)
- 8449 Clinic Services Quality Improvement (HEA007)
- 8450 Customer Service Center (HEA007)
- 8473 Whole Person Care (HEA017)

By consensus, the Board approved an increase in appropriations in the Health Department by \$166,891 to extend five animal services positions for six months; and increase appropriations by \$110,463 to add a new Public Guardian/Administrator/Conservator position.

Health and Sanitation

Regular

- 30. **9600 Natividad Medical Center...pg. 587**
8142 Natividad Medical Center (NMC001 & NMC002)

Consent

Natividad Medical Center

- 31. **5010 Social Services...pg. 525**
8252 CalWORKS/TANF (SOC001)
8253 General Assistance (SOC002)
8254 IHSS Wages/Benefits (SOC001)
8255 Out of Home Care (SOC001)
8257 Community Action Partnership (SOC007)
8258 Community Programs (SOC004)
8259 IHSS Public Authority (SOC008)
8260 Military & Veterans Services (SOC003)
8262 Social Services (SOC005)
8268 Area Agency on Aging (SOC010)
8425 Social Services Realignment (SOC012)
8464 Protective Services (SOC011)

By consensus, the Board approved an increase in appropriations in the Department of Social Services by \$15,000 for veteran stand down services; and an increase in appropriations by \$834,908 to add eight social worker positions and increase of \$417,540.

Public Assistance

Regular

- 32. **1520 Emergency Communications...pg. 317**
8065 Emergency Communications (EME001)
8480 NGEN Operations & Maintenance (EME003)

Public Safety/Criminal Justice

Consent

- 33. **2250 Child Support Services...pg. 351**

8018 Child Support Services (CHI001)

Regular

34. 2270 Public Defender...pg. 357

8168 Alternate Defenders Office (PUB001 & PUB002)

8169 Public Defender (PUB001 & PUB002)

By consensus, the Board approved an increase in appropriations by \$185,860 to add three positions.

38. 6110 Library...pg. 549

8141 Library (LIB001)

35. 2300 Sheriff-Coroner...pg. 363

8224 Fiscal Division (SHE001)

8225 Civil Unit (SHE001)

8226 Coroner Division (SHE002)

8227 Professional Standards Division (SHE001)

8229 Records and Warrants Division (SHE001)

8233 Custody Compliance & Administration Division
(SHE003 & SHE006)

8234 Court Services Division (SHE003 & SHE006)

8235 Transportation Unit (SHE003)

8237 Inmate Medical Program (SHE004)

8238 Jail Operations Division (SHE003 & SHE006)

8239 Inmate Programs Division (SHE003)

8240 Jail Support Services Division (SHE003)

8242 Enforcement Operations & Administration Division
(SHE001 & SHE006)

8245 Investigations Division (SHE001 & SHE006)

8246 Narcotics (SHE006)

8250 Special Operations Division (SHE001)

8273 Sheriff's Office Administration Division (SHE001)

8400 Administration Bureau (SHE001)

By consensus, the Board approved an increase of appropriations in the Office of the Sheriff by \$47,116 to restore a Senior Civil Clerk position; increase appropriations by \$154,855 to restore three Records Specialist II positions; increase appropriations by \$162,081 to restore two Corrections Specialists and one Senior Corrections Specialist positions; increase appropriations by \$51,802 to restore a Property Technician position; and increase appropriations by \$68,139 to restore a Vehicle Abatement Officer position.

36. 2550 Probation...pg. 395

8162 Alternative Programs (PRO001 & PRO002)

8163 Juvenile Hall (PRO001)

- 8164 Youth Center (PRO001 & PRO002)
- 8165 Adult Probation (PRO001 & PRO002)
- 8166 Juvenile Probation (PRO001 & PRO002)
- 8167 Probation Administration (PRO001)

37. 2240 District Attorney...pg. 341

- 8062 Civil (DIS001)
- 8063 Criminal (DIS001 & DIS002)

By consensus, the Board approved an increase in appropriations in the Office of the District Attorney by \$57,683 to add a new Legal Assistant position.

Recreation and Education Services

Consent

39. 6210 Cooperative Extension...pg. 555

- 8021 Cooperative Extension (EXT001)
- 8022 Cooperative Ext-Reimbursed Projects (EXT001)

Finance and Administration (General Government)

Regular

40. 1050 CAO Non-Departmental...pg. 192

- 8034 Contingencies (CAO020)

Adjournment

Monterey County

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



Action Minutes - Final

Tuesday, July 11, 2017

9:00 AM

See separate agendas for Board of Supervisors of the Monterey County Water Resources Agency and Special Joint Meeting of the Board of Supervisors, Board of Supervisors of the Water Resources Agency and the Water Resources Agency Board of Directors.

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*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Additions and Corrections for Closed Session:

There were no additions or corrections to Closed Session.

Closed Session:

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
(1) Property: 1000 S. Main Street, Salinas, CA
Negotiating Party: Life Foundation
Agency Negotiator: John Guertin, Deputy Resource Management Agency Director
Under negotiation: Price and terms
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
 - c. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
 - d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.
 - e. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
(1) Property: Concession Agreement regarding Mazda Raceway at Laguna Seca
Agency Negotiator(s): Dewayne Woods and Leslie J. Girard
Negotiating Parties: Friends of Laguna Seca
Under Negotiation: Price and Terms (ADDED VIA ADDENDUM)
 - f. Pursuant to Government Code section 54957.6 the Board will confer with Labor negotiators regarding Units S & H. County Negotiators Brette Neal and Irma Ramirez-Bough. (ADDED VIA ADDENDUM)

Public comment prior to Closed Session: Brenda Roncarati.

CLOSED SESSION REPORT: The Board took no reportable action on items 1.a. through 1.f.

10:30 A.M. - Reconvened

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Diego Celis.

Additions and Corrections

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following addition:

Correction to Consent Calendar – General Government

29.1 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 and June 13, 2017, in accordance with California Government Code 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)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simon Salinas to approve the addition to the agenda as item 29.1. ALL AYES

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker pulled items 18 and 32.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to approve the Consent Calendar (See Supplemental Sheet), with the exception of items 18 and 32. ALL AYES

Supervisor Parker commented on Item 18, noting her appreciation for the item.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to approve item 18. See item

Supervisor Parker questioned staff regarding item 32. Carl Holm responded.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor

John M. Phillips to approved item 32. See item.

Appointments

3. Appoint Marc Jeffrey Del Piero to the Assessment Appeals Board as Alternate member 1 for a term ending June 1, 2018. (Supervisor Salinas)
A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to appoint Marc Jeffrey Del Piero to the Assessment Appeals Board as Alternate member 1 for a term ending June 1, 2018. (Supervisor Salinas) ALL AYES
4. Reappoint Joseph Hertlein to the Monterey County Parks Commission for a term ending April 26, 2021. (Supervisor Adams)
A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parke to reappoint Joseph Hertlein to the Monterey County Parks Commission for a term ending April 26, 2021. (Supervisor Adams). ALL AYES
5. Reappoint Cortland Young to the Mental Health Commission for a term ending May 31, 2020. (Supervisor Adams)
A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to reappoint Cortland Young to the Mental Health Commission for a term ending May 31, 2020. (Supervisor Adams) ALL AYES
6. Reappoint Ron Dillender to the Community Restorative Justice Commission representing Education for a term ending May 17, 2020. (Full Board)
A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to reappoint Ron Dillender to the Community Restorative Justice Commission representing Education for a term ending May 17, 2020. (Full Board). ALL AYES
7. Appoint Magaly Zagal to the Community Action Commission representing Group C for a term ending July 1, 2020. (Supervisor Alejo)
A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to appoint Magaly Zagal to the Community Action Commission representing Group C - Low Income for a term ending July 1, 2020. (Supervisor Alejo) ALL AYES

Other Board Matters

8. Board Comments
Supervisor Phillips advised he attended the United Castroville Neighborhood Block Party at Pastor Rich's church, on Saturday, July 1st. The event featured a car show and other events and it was well attended.
Supervisor Phillips attended the 2nd Annual Salinas Valley Hospital Employee/Family Thank-You event for employees on July 8th. There was music, food and fun. Over 3500 people attended the event. They purchased

over 1000 Rancho Cielo Healthy Eating produce bags which generated \$20,000. He bought a bag for each Supervisor and the CAO. There will be another 1500 bags for sale in the August at Family Fun Day. He noted that there was an interesting mix of people working on the produce bag assembly line.

Supervisor Phillips announced he and Mayor Gunter threw out the balls for the start of the Little League Championship. It was a nice function. They played the national anthem and noted their tenants of playing hard and being good winners and good losers.

Supervisor Phillips recognized the Rancho Cielo Leadership Group that was selected as one of 10 youth teams from across the country for the Good Start Young 2017 Rally held in Chicago in June. Allstate Foundation partnered with Peace First and teamed up to select the top 10 out of 280 applicants. Four members of the team and two supervisors were flown to Chicago, based upon their community project. The team project focused on peace-keeping, compassion, courage & collaboration. The students created a video taking on the issue of homelessness, drugs and alcohol. They presented to a panel of judges during the rally and earned a \$2000 grant from the CAO for Lady Gaga's Born this Way Foundation and were offered sponsorship for their first community event.

Supervisor Salinas thanked the personnel down in South County fighting the fire. He also thanked Supervisor Alejo for his young leadership program and letting them see local government at work.

Supervisor Parker advised she represented the Board at Tassajara Zen Mountain Center's 50th Anniversary in July. She relayed their profound gratitude and appreciation of the good, warm, supportive relationship between the county and the Zen center. It was established in 1967 as the first Zen training monastery outside of Japan. Food is great and it's worth the journey and they have a natural hot spring.

Supervisor Parker thanked the residents of East Garrison to learn about the Community services District. She thanked Melanie Beretti and Lynette Redman for their presentation to the community about the community services district. There is an election coming up in August. There are over 400 registered voters and they are looking to be informed and active in local government.

Supervisor Alejo introduced the first class of his Young Supervisors Program. There are 15 students this year from Alisal High, Everett Alvarez High, Watsonville High, Salinas High, Greenfield, Hartnell, and CSUMB. This is a continuation of his Young Assemblyman Program that in his six years in the legislature, over 160 students have participated in the program. This is really an opportunity to teach young people about the County legislative process, meet other elected officials, business leaders, members of the press, and to learn about local history, networking and about giving back to their community. They receive a certificate at the end of the program and continued mentoring and support from Supervisor Alejo and his staff. Past participants have gone on to attend prestigious universities such as Stanford, Berkeley, St. Marys and UC School of Law.

Supervisor Adams applauded Supervisor Alejo's Young Supervisors Program and hopes it can be brought to other districts.

Supervisor Adams attended the naturalization ceremony on July 3rd where over 150 people were sworn in as new United States citizens. Nineteen countries were represented. Claudio Valenzuela, Registrar of Voters was there and encouraged everyone to register to vote and fulfill their responsibility by voting. She also attended the motorcycle races at Laguna Seca. It is a fantastic event and a study showed that in 2015 brought \$11.5 million back into the community. She applauded the work done there. She presented on behalf of Senator Monning to honoring Nicky Hayden, who was killed in a cycling accident a few weeks ago. He was known as the Kentucky Kid. Supervisor Adams shared that she is a 7th generation Kentucky woman.

Supervisor Adams wished David LaGuerre, 5th District resident a Happy Birthday.

9. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman advised of a Board Referral from District 3 (Supervisor Salinas): County Administration to work with Dr. Gray (NMC) to make a recommendation regarding participation in the CSUMB Master of Science program for Physicians Assistants; and that Natividad Medical Center participate as a community hospital, which would include a requested \$250,000 contribution each year for three years to get the program up and running. This will help create a pool of highly educated Physician Assistants to help with the healthcare system.

10. General Public Comment

Thelma McIntosh; Steve Eklund; Hans Jongens; Gary Cursio; Bud Riewertz.

10:30 A.M. - Scheduled Matters

11. a. Receive a report on the Phase I development of the new website for the Monterey County boards, committees and commissions (BCCs); and
b. Authorize and direct the Clerk of the Board & Information Technology Department staff to implement the changes to the County website.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to:

- a. Receive a report on the Phase I development of the new website for the Monterey County boards, committees and commissions (BCCs); and
b. Authorize and direct the Clerk of the Board & Information Technology Department staff to implement the changes to the County website; additionally directed staff to take the draft application to the Board Aides for discussion and feedback. ALL AYES**

12. Receive the Monterey County Commission on the Status of Women Annual Report Fiscal Year 2016- 2017.

By consensus, the Board received the Monterey County Commission on the Status of Women Annual Report Fiscal Year 2016- 2017.

12:00 P.M. - Recessed to Lunch**1:30 P.M. - Reconvened****Roll Call**

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

1:30 P.M. - Scheduled Matters

- 13.** Public hearing to consider an appeal filed by Tracy Alford from the Planning Commission's decision approving the application by Christopher and Sara Bardis for a Coastal Development Permit and Design Approval to construct driveway improvements, including construction of an approximate 12.5-foot-tall retaining wall (running 56 linear feet) and development on slopes exceeding 30 percent. (Coastal Development Permit - PLN140715-AMD1/Bardis, 1525 Riata Road, Pebble Beach, Del Monte Forest Land Use Plan, APN: 008-341-026-000)

Proposed CEQA Action: Categorically exempt per Section 15304 of the CEQA Guidelines

Anthony Lombardo addressed the Board on behalf of the Applicant.

John Bridges addressed the Board on behalf of the Appellant.

Public comment: Chris Bardis.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-222:

- a. Deny the Appeal filed by Tracy Alford from the Planning Commission's decision approving the application by Christopher & Sara Bardis for a Coastal Development Permit and Design Approval to construct driveway improvements, including construction of an approximate 12.5-foot-tall retaining wall (running 56 linear feet), for safety and to accommodate ADA and emergency vehicle access on slopes in excess of 30%;**
- b. Find the project Categorical Exempt per Section 15304 of the CEQA guidelines; and**
- c. Approve a Coastal Development Permit and Design Approval to construct driveway improvements, including construction of an approximate 12.5-foot-tall retaining wall (running 56 linear feet), if determined necessary, to accommodate ADA and emergency vehicle access on slopes in excess of 30%. 4-1 (Supervisor Parker voted No)**

1:30 P.M. - See separate minutes for Special Joint Meeting of the Monterey County Board of Supervisors, Board of Supervisors of the Monterey County Water Resources Agency and the Monterey County Water Resources Agency Board of Directors.

Adjournment

APPROVED:

/ s/ Luis A. Alejo

LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: / s/ Nicholas E. Chiulos _____

NICHOLAS E. CHIULOS

ACTING CLERK OF THE BOARD

APPROVED ON February 6, 2018

Supplemental Sheet, Consent Calendar

Natividad Medical Center

14. Approve revisions to the Natividad Medical Center (“NMC”) Bylaws, approved and submitted for Board of Supervisors’ consideration by the NMC Board of Trustees on May 5, 2017.
- Approved**
15. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with The CBORD Group, Inc., for food and nutrition software services at NMC for an amount not to exceed \$109,770.32 with an agreement term effective when signed by NMC for a one (1) year period (July 11, 2017 through July 10, 2018 ~~July 11, 2018 through July 12, 2018~~) and with the option to extend up to four (4) additional years via written amendment.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to four (4) ~~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.
(REVISED VIA SUPPLEMENTAL)
- Approved - Agreement No. A-13620**
16. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Second Amendment to the Professional Services Agreement (A-12925) with Stephen J. Brabeck M.D. to provide cardiology services adding \$200,000 for a revised not to exceed amount of \$640,000 in the aggregate with no change to the agreement term of August 1, 2015 to June 30, 2018; and
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to sign up to three (3) amendments to this Agreement where the total amendments do not extend the term by more than twelve (12) months, do not exceed 10% (\$40,000) of the original contract amount and do not significantly change the scope of work.
- Approved - Agreement No. A-12925**

Health Department

17. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a new three-year Mental Health Services Agreement with CF Merced Behavioral, LLC dba Merced Behavioral Center for the provision of mental health services to gravely disabled Monterey County adult residents with severe psychiatric disabilities in a secure Skilled Nursing Facility as an Institution for Mental Disease (IMD), for a maximum County obligation of \$4,642,654 for the term of

July 1, 2017 through June 30, 2020; and

b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$464,265) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No. A-13621

18.

- a. Accept the \$31,080 Grant Award from the California Department of Public Health (CDPH) for implementing the project Naloxone Distribution to reduce the rate of fatal overdose for opioid drugs including heroin and prescription opioids Agreement for the grant period of June 1, 2017 to June 30, 2019; and
- b. Authorize the Director of Health or Assistant Director of Health to execute the Grant Agreement No. 16-110007 with California Department of Public Health in the amount of \$31,080 for implementing the Naloxone Distribution project for the grant period of June 1, 2017 to June 30, 2019.

Item pulled by Supervisor Parker for comment.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to: a. Accept the \$31,080 Grant Award from the California Department of Public Health (CDPH) for implementing the project Naloxone Distribution to reduce the rate of fatal overdose for opioid drugs including heroin and prescription opioids Agreement for the grant period of June 1, 2017 to June 30, 2019; and

b. Authorize the Director of Health or Assistant Director of Health to execute the Grant Agreement No. 16-110007 with California Department of Public Health in the amount of \$31,080 for implementing the Naloxone Distribution project for the grant period of June 1, 2017 to June 30, 2019. ALL AYES

19.

- a. Accept the \$85,580.25 Grant Award from the California Department of Public Health to ensure lab capacity and capability for Zika virus testing; and
- b. Authorize the Director of Health or Assistant Director of Health to execute the Grant Agreement No. 16-11074 with the California Department of Public Health for implementation of the Zika Preparedness and Response project for a total Grant amount of \$85,580.25 for the grant period from approval date to June 30, 2018.

Approved

20.

Adopt a Resolution to:

- a. Authorize and direct the County of Monterey (County) to apply for and submit to the State of California Department of Housing and Community Development (HCD) the 2017 NPLH Program Technical Assistance Grant Application released April 10, 2017 in the amount of \$100,000.00; and
- b. Authorize the Director of Health or Assistant Director of Health to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement) for the amount of \$100,000.00, and any and all other documents required or deemed necessary or appropriate to evidence and secure the NPLH Program Technical Assistance Grant, the County's obligations related thereto, and

all amendments thereto (collectively, the “NPLH Technical Assistance Grant Documents”); and

c. Subject County to the terms and conditions as specified in the Standard Agreement, the NPLH Program Technical Assistance Guidelines, the NPLH statute (Welfare and Institutions Code §5849.1 et. seq.), and any applicable NPLH Program guidelines published by HCD; and

d. Authorize the Director of Health or Assistant Director of Health to execute the County of Monterey NPLH Program Technical Assistance Grant Application, the NPLH Program Technical Assistance Grant Documents, and any amendments thereto, on behalf of the County as required by HCD for receipt of the NPLH Program Technical Assistance Grant, and to sign and execute any and all related invoices on behalf of the County.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resoluton No. 17-230 to:

- a. Authorize and direct the County of Monterey (County) to apply for and submit to the State of California Department of Housing and Community Development (HCD) the 2017 NPLH Program Technical Assistance Grant Application released April 10, 2017 in the amount of \$100,000.00; and**
- b. Authorize the Director of Health or Assistant Director of Health to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement) for the amount of \$100,000.00, and any and all other documents required or deemed necessary or appropriate to evidence and secure the NPLH Program Technical Assistance Grant, the County’s obligations related thereto, and all amendments thereto (collectively, the “NPLH Technical Assistance Grant Documents”); and**
- c. Subject County to the terms and conditions as specified in the Standard Agreement, the NPLH Program Technical Assistance Guidelines, the NPLH statute (Welfare and Institutions Code §5849.1 et. seq.), and any applicable NPLH Program guidelines published by HCD; and**
- d. Authorize the Director of Health or Assistant Director of Health to execute the County of Monterey NPLH Program Technical Assistance Grant Application, the NPLH Program Technical Assistance Grant Documents, and any amendments thereto, on behalf of the County as required by HCD for receipt of the NPLH Program Technical Assistance Grant, and to sign and execute any and all related invoices on behalf of the County. ALL AYES**

Department of Social Services

21. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Hartnell Community College for \$173,106 to lead an Independent Living Program for current and former foster youth ages 14 to 24, retroactive to July 1, 2017 through June 30, 2019; 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% (\$17,310) of the original contract amount, and do not significantly change the scope of work.

Approved - Agreement No. A-13622

22. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Hartnell College for \$1,446,574 to provide Foster care training and recruitment services to eligible Monterey County employees, local community partners and current and prospective caregivers retroactive to July 1, 2017 through June 30, 2019; 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% (\$144,657) of the original contract amount, and do not significantly change the scope of work.

Approved - Agreement No. A-13642

23. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Meals on Wheels of the Salinas Valley for \$282,675 to provide home-delivered meals to seniors in Salinas, North and South Monterey County regions retroactive to July 1, 2017 through June 30, 2018; 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% (\$28,267) of the original contract amount, and do not significantly change the scope of work.

Approved - Agreement No. A-13623

Criminal Justice

24. Approve and authorize the Chair to sign a reciprocal agreement between the Counties of Monterey and San Benito for the placement of youth at the other party's Juvenile Hall retroactive to July 1, 2017 through June 30, 2020.

Approved - Agreement No. A-13644

25. a. Approve and authorize the Contracts/Purchasing Officer to execute the Amendment No. 3 to the Standard Parking Lot Lease Agreement with the International Church of the Foursquare Gospel, dba Harvestlands Foursquare Church, for an additional fifteen (15) parking spaces located at 327 Pajaro Street, in Salinas, California, for use by the Probation Department;
- b. Authorize the Auditor-Controller to make lease payments of \$1,350 per month and in accordance with the terms of the Agreement; and
- c. Authorize the extension of the Lease Agreement for one additional one-year period under the same terms and conditions, including minor revisions to the Lease Agreement if deemed by the Contracts/Purchasing Officer to be in the best interests of the County.

Approved - Agreement No. A-13624

General Government

26. a. Approve Standard Agreements for the Monterey County Convention and Visitors Bureau (MCCVB), the Arts Council for Monterey County (ACMC), the Monterey County Film Commission (MCFC), and the Monterey County Business Council (MCBC), in the cumulative amount of \$1,875,396.32, retroactive to July 1, 2017;
- b. Authorize the Director of the Economic Development Department to execute an Agreement with the MCCVB for the period of one (1) year, retroactive to July 1, 2017 through June 30, 2018, in an amount not to exceed \$1,192,875.47;
- c. Authorize the Director of the Economic Development Department to execute an Agreement with the ACMC for the period of one (1) year, retroactive to July 1, 2017 through June 30, 2018, in an amount not to exceed \$393,648.90;
- d. Authorize the Director of the Economic Development Department to execute an Agreement with the MCFC for the period of one (1) year, retroactive to July 1, 2017 through June 30, 2018, in an amount not to exceed \$188,871.95; and
- e. Authorize the Director of the Economic Development Department to execute an Agreement with the MCBC for the period of one (1) year, retroactive to July 1, 2017 through June 30, 2018, in the amount not to exceed \$100,000.
- Approved - Agreement Nos. A-13638 Monterey County Convention and Visitors Bureau); A-13639 (Arts Council for Monterey County); A-13640 (Monterey County Film Commission); A-13641 (Monterey County Business Council)**
27. Approve a request from the Greenfield Fire Protection District for dry period loan of \$325,000 for the Fiscal Year ending June 30, 2018.
- Approved**
28. Approve a request from the Monterey County Regional Fire District for dry period loan of \$6,000,000 for the Fiscal Year ending June 30, 2018.
- Approved**
29. Approve a request from the North County Fire Protection District for dry period loan of \$3,500,000 for the Fiscal Year ending June 30, 2018.
- Approved**
- 29.1 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 and June 13, 2017, in accordance with California Government Code 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)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-223 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 and June 13, 2017, in accordance with California Government Code 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)
ALL AYES

RMA - Land Use and Community Development

- 30.
- a. Approve Amendment No. 3 to Agreement No. A-12490 with Michael Baker International, Inc. to increase the fiscal year (FY) 2017-2018 maximum amount by \$200,000 for a total amount not to exceed \$300,000 for FY 2017-18, for a total Agreement amount not to exceed \$1,100,000, to continue to provide permit application review services and extend the expiration date from July 16, 2017 for one (1) additional year through July 16, 2018, for a revised term from July 16, 2013 to July 16, 2018; and
 - b. Approve Amendment No. 2 to Agreement No. A-12548 with Rincon Consultants, Inc. to increase the not to exceed amount of \$800,000 by \$300,000 for Fiscal Year 2017-18, for a total Agreement amount not to exceed \$1,100,000 to continue to provide permit application review services and extend the expiration date from August 16, 2017 for one (1) additional year through August 16, 2018, for a revised term from August 16, 2013 to August 16, 2018; and
 - c. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute Amendment No. 3 to Agreement No. A-12490 and Amendment No. 2 to Agreement No. A-12548.

Approved - Agreement Nos. A-12490 (Michael Baker, Internationl, Inc.); A-12548 (Rincon Consultants)

- 31.
- a. Accept the Villanueva Subdivision Improvements (PLN060043) as complete;
 - b. Approve the release of the Performance Bond, No. 703697S (in the amount of \$54,050.00) for the Villanueva Subdivision Improvements; and
 - c. Approve the release of the Labor and Material Bond, No. 703697S (in the amount of \$24,568.00) for the Villanueva Subdivision Improvements in accordance with Government Code Section 66499.7 after the passage of time for recording claims or liens.

Approved

- 32.
- a. Approve the Professional Services Agreement with Denise Duffy & Associates, Inc. where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area

- of North County, for a term of June 27, 2017 to June 27, 2019; and
- b. Approve Funding Agreement No. 3 with Jeffrey and Monica LaTourette where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to allow funding to Monterey County for costs incurred by Denise Duffy & Associates, Inc. to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area of North County, for a term of June 27, 2017 to June 27, 2019; and
- c. Authorize the Chief of Planning Services to execute the Professional Services Agreement with Denise Duffy & Associates, Inc. and Funding Agreement No. 3 with Jeffrey and Monica LaTourette and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved amount of the Agreements.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to:

- a. Approve the Professional Services Agreement with Denise Duffy & Associates, Inc. (A-13636) where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area of North County, for a term of June 27, 2017 to June 27, 2019; and**
- b. Approve Funding Agreement No. 3 with Jeffrey and Monica LaTourette (A-13654) where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to allow funding to Monterey County for costs incurred by Denise Duffy & Associates, Inc. to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area of North County, for a term of June 27, 2017 to June 27, 2019; and**
- c. Authorize the Chief of Planning Services to execute the Professional Services Agreement with Denise Duffy & Associates, Inc. and Funding Agreement No. 3 with Jeffrey and Monica LaTourette and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved amount of the Agreements. ALL AYES**

RMA - Public Works Facilities

33.

Adopt a Resolution to:

- a. Approve a report on the status of development traffic impact fees for fiscal year ending June 30, 2016; and
- b. Adopt findings for retaining uncommitted funds in accordance with Government Code Section 66000 et. seq.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-225 to:

- a. Approve a report on the status of development traffic impact fees for fiscal year ending June 30, 2016; and**
- b. Adopt findings for retaining uncommitted funds in accordance with Government Code Section 66000 et. seq.. ALL AYES**

- 34.** Adopt a resolution to:
- a. Approve Professional Services Agreement with Harris and Associates, Inc. to provide professional engineering services for Phase 2 of the Palo Colorado Road Emergency Repair at Rocky Creek Crossing in a total amount not to exceed \$418,428 for a term of July 11, 2017 to July 10, 2020;
 - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Professional Services Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount; and
 - c. Authorize the Auditor-Controller to amend the FY 2017-18 adopted budget by increasing operating transfers in and appropriations in the amount of \$1,615,460 in the Road Fund 002, Appropriation Unit RMA012, financed by an operating transfer out of \$1,615,460 from the General Fund 001, Appropriation Unit CAO017.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-236 to:

- a. **Approve Professional Services Agreement with Harris and Associates, Inc. to provide professional engineering services for Phase 2 of the Palo Colorado Road Emergency Repair at Rocky Creek Crossing in a total amount not to exceed \$418,428 for a term of July 11, 2017 to July 10, 2020;**
 - b. **Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Professional Services Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount; and**
 - c. **Authorize the Auditor-Controller to amend the FY 2017-18 adopted budget by increasing operating transfers in and appropriations in the amount of \$1,615,460 in the Road Fund 002, Appropriation Unit RMA012, financed by an operating transfer out of \$1,615,460 from the General Fund 001, Appropriation Unit CAO017. ALL AYES**
- 35.**
- a. Approve Professional Services Agreement with MNS Engineers, Inc. to provide construction management services for the State Route 1 Climbing Lane between Carmel Valley Road and Rio Road, Project No. 8690, under Request for Proposals (RFP) #8690, in a total amount not to exceed \$479,516, beginning June 15, 2017 for a period of three (3) years to June 15, 2020, with the option to extend the Agreement for two (2) additional one (1) year period(s); and
 - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Professional Services Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

Approved - Agreement No. A-13625

Monterey County

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



Action Minutes - Final

Tuesday, July 18, 2017

9:00 AM

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*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Mary Adams.

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Additions and Corrections for Closed Session:

There were no additions and corrections for 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) Fatima Nuray v. County of Monterey, et al. (Monterey County Superior Court case no. M133267)
 - b. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough and Brette Neal
Employee Organization(s): Units H & S
 - c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: Concession Agreement regarding Mazda Raceway at Laguna Seca
Agency Negotiator(s): Dewayne Woods and Leslie J. Girard
Negotiating Parties: Friends of Laguna Seca
Under Negotiation: Price and Terms

Public Comment on item 1.c.: Harry Wardwell; Gordon McCall; Bruce Canepa; Mike Avila; Ross Merrill; Darley Mossworth.
- CLOSED SESSION REPORT: The Board conferred with Counsel and took no reportable action on item 1.a. through 1.c.**

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

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by County Counsel Charles McKee.

Additions and Corrections

17.1 A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips, to move item number 17.1 from 10:30 a.m. Scheduled Matters and add to consent calendar under item number 2 on the agenda. ALL AYES

Approve and authorize recommendations from the Legislative Committee to:

- a. Award a Professional Services Agreement (Agreement) for RFP 10626 (Federal Legislative Advocacy Services) to Nossaman LLP in an amount not to exceed \$82,500 for the period of August 1, 2017 to June 30, 2018; and authorize an exemption to the workers' compensation insurance requirements in the PSA;
- b. Award an Agreement for RFP 10627 (State Legislative Advocacy Services) to Nossaman LLP in an amount not to exceed \$91,667 for the period of August 1, 2017 to June 30, 2018;
- c. Award an Agreement for RFP 10628 (Grant and Funding Advocacy Services) to Nossaman LLP in an amount not to exceed \$49,500 for the period of August 1, 2017 to June 30, 2018;
- d. Approve and authorize the Contracts/Purchasing Officer to sign the County's standard Professional Service Agreements (PSAs) with Nossaman LLP for RFPs 10626, 10627, and 10628; and
- e. Authorize the Contracts/Purchasing Officer to extend these Agreements for up to three (3) additional one (1) year periods under the same scope of work and payment provisions included in the Agreements subject to budget approval. (ADDED VIA ADDENDUM)

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

A motion was made by Supervisor Phillips, seconded by Supervisor Salinas to approve the Consent Agenda (See Supplemental Sheet), including item 17.1. ALL AYES

Ceremonial Resolutions

3. Adopt Resolution proclaiming July 16 - 22, 2017 as "Probation Services Week" in Monterey County. (Supervisor Adams)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor

Luis Alejo to adopt Resolution No. 17-217 proclaiming July 16 - 22, 2017 as "Probation Services Week" in Monterey County. (Supervisor Adams) ALL AYES

4. Adopt Resolution honoring Probation Services Manager Sonya Gattis upon her retirement from the Monterey County Probation Department after thirty-nine and half years of service. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-218 honoring Probation Services Manager Sonya Gattis upon her retirement from the Monterey County Probation Department after thirty-nine and half years of service. (Full Board) ALL AYES

5. Adopt Resolution recognizing Deputy Peter Ramos as the Monterey County Behavioral Health Crisis Intervention Team Award recipient for 2017. (Supervisor Adams)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-219 recognizing Deputy Peter Ramos as the Monterey County Behavioral Health Crisis Intervention Team Award recipient for 2017. (Supervisor Adams) ALL AYES

6. Adopt Resolution recognizing Deputy Charles West as the Monterey County Behavioral Health Crisis Intervention Team Award recipient for 2017. (Supervisor Adams)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-220 recognizing Deputy Charles West as the Monterey County Behavioral Health Crisis Intervention Team Award recipient for 2017. (Supervisor Adams) ALL AYES

7. Adopt Resolution commending Maria E. Serena, on her retirement from California Rural Legal Assistance after thirty-five years of service. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-221 commending Maria E. Serena, on her retirement from California Rural Legal Assistance after thirty-five years of service. (Full Board) ALL AYES

Appointments

8. Appoint Jordan Caballero to the Monterey County Parks Commission to fill an unscheduled vacancy with a term ending April 26, 2020. (Supervisor Phillips)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to appoint Jordan Caballero to the Monterey County Parks Commission to fill an unscheduled vacancy with a term ending April 26, 2020. (Supervisor Phillips) ALL AYES

9. Reappoint Brit Rios-Ellis to the Natividad Medical Center Board of Trustees for a term ending June 30, 2020. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John

M. Phillips to reappoint Brit Rios-Ellis to the Natividad Medical Center Board of Trustees for a term ending June 30, 2020. (Full Board) ALL AYES

10. Reappoint Mitch Winick to the Natividad Medical Center Board of Trustees for a term ending June 30, 2020. (Full Board)

Motion by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to reappoint Mitch Winick to the Natividad Medical Center Board of Trustees for a term ending June 30, 2020. (Full Board) ALL AYES

11. Reappoint Fernando Elizondo to the Natividad Medical Center Board of Trustees for a term ending June 30, 2020. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to reappoint Fernando Elizondo to the Natividad Medical Center Board of Trustees for a term ending June 30, 2020. (Full Board) ALL AYES

12. Reappoint Marcia Atkinson to the Natividad Medical Center Board of Trustees for a term ending June 30, 2020. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to reappoint Marcia Atkinson to the Natividad Medical Center Board of Trustees for a term ending June 30, 2020. (Full Board) ALL AYES

13. Appoint Gelacio Gonzalez to the In-Home Supportive Services Advisory Committee representing At-Large IHSS Provider for a term ending June 30, 2019. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to appoint Gelacio Gonzalez to the In-Home Supportive Services Advisory Committee representing At-Large IHSS Provider for a term ending June 30, 2019. (Full Board) ALL AYES

14. Reappoint Basil H. Smith to the Animal Control Program Advisory Board for a term ending July 1, 2020. (Supervisor Salinas)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to reappoint Basil H. Smith to the Animal Control Program Advisory Board for a term ending July 1, 2020. (Supervisor Salinas) ALL AYES

- 14.1 Appoint Rosi N. Gonzalez to the Monterey County Housing Advisory Committee for a term ending April 21, 2018. (Supervisor Salinas)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to appoint Rosi N. Gonzalez to the Monterey County Housing Advisory Committee for a term ending April 21, 2018. (Supervisor Salinas) ALL AYES

Other Board Matters**15.** Board Comments

Supervisor Parker commented that it was great to see so many Monterey County residents, as well as fellow Supervisors, at the Coastal Commission meeting in our area last week. Supervisor Parker thanked everyone that shared public comment on the Cemex agreement to cease sand mining operations and the Moro Cojo affordable housing issue.

Supervisor Alejo shared about upcoming events for the Rodeo in Salinas. Supervisor Alejo thanked his staff member, Shane McKeithan, for his service and shared that Shane is leaving Monterey County to continue his education and earn his Master's degree at CSU Long Beach.

Supervisor Adams shared that during July 15-29, 2017 the Carmel Bach Festival will celebrate it's 80th anniversary season.

16. CAO Comments and Referrals

There were no CAO comments or referrals.

17. General Public Comment

Bill Carrothers; Wes White; Hans Jongens.

10:30 A.M. - Scheduled Matters**17.1**

Approve and authorize recommendations from the Legislative Committee to:

- a. Award a Professional Services Agreement (Agreement) for RFP 10626 (Federal Legislative Advocacy Services) to Nossaman LLP in an amount not to exceed \$82,500 for the period of August 1, 2017 to June 30, 2018; and authorize an exemption to the workers' compensation insurance requirements in the PSA;
 - b. Award an Agreement for RFP 10627 (State Legislative Advocacy Services) to Nossaman LLP in an amount not to exceed \$91,667 for the period of August 1, 2017 to June 30, 2018;
 - c. Award an Agreement for RFP 10628 (Grant and Funding Advocacy Services) to Nossaman LLP in an amount not to exceed \$49,500 for the period of August 1, 2017 to June 30, 2018;
 - d. Approve and authorize the Contracts/Purchasing Officer to sign the County's standard Professional Service Agreements (PSAs) with Nossaman LLP for RFPs 10626, 10627, and 10628; and
 - e. Authorize the Contracts/Purchasing Officer to extend these Agreements for up to three (3) additional one (1) year periods under the same scope of work and payment provisions included in the Agreements subject to budget approval.
- (ADDED VIA ADDENDA)

Via Additions and Corrections:

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to move item 17.1 from 10:30 A.M. Scheduled Matters to the Consent Calendar. ALL AYES

- 18.
- a. Receive an oral report on available options for the establishment of a year-round shelter in the Salinas area;
 - b. Provide direction to the Department of Social Services and the Resource Management Agency (RMA) to pursue either the County facility at 1220 Natividad Road or a leased facility at 321 North Main Street for occupancy as a year-round shelter;
 - c. Provide direction to the Department of Social Services and the RMA for pursuing potential sites for establishing a temporary facility for a winter warming shelter in Salinas; and
 - d. Provide direction to Department of Social Services for financing and implementing year-round shelter programs in both the Salinas area and the Monterey Peninsula area in collaboration with the Lead Me Home Leadership Council, local city jurisdictions, philanthropic organizations, and local homeless providers.

Public Comment: Mayor Joe Gunter, City of Salinas; Nathaniel; Catherine Turney; Laurel Lee Alexander; Eric Peterson; Wes White.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to approve 1220 Natividad Road as the site for a permanent year-round shelter; enter into a lease agreement for 1-2 years for a temporary shelter at 321 North Main Street in the interim; enter into an RFP with a non-profit provider to run and build out the 1220 Natividad Road site; and conduct community outreach. ALL AYES

Item 19 heard after 1:30 pm reconvene.

- 19.
- Adopt Resolution to:
- a. Authorize the adoption of a policy for the relief and support of indigent and dependent residents of Monterey County (Attachment A);
 - b Provide the Department of Social Services and County Administrative Office with direction on strategies for financing the estimated \$776,143 increased costs of the modified General Assistance Program policy; and
 - c. Direct the Department of Social Services and the County Administrative Office to return to your Board with final financing recommendations by September 26, 2017. (REVISED ATTACHMENT B SUBMITTED VIA SUPPLEMENTAL)

This item was trailed to 1:30 p.m.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to adopt Resolution No. 17-233 to:

- a. Authorize the adoption of a policy for the relief and support of indigent and dependent residents of Monterey County (Attachment A);
- b Provide the Department of Social Services and County Administrative Office with direction on strategies for financing the estimated \$776,143 increased

costs of the modified General Assistance Program policy; and
c. Direct the Department of Social Services and the County Administrative Office to return to your Board with final financing recommendations by September 26, 2017. (REVISED ATTACHMENT B SUBMITTED VIA SUPPLEMENTAL) ALL AYES

12:00 P.M. - Recessed to Lunch

1:30 P.M. - Reconvened Monterey County Board of Supervisors

Roll Call

Supervisor John M. Phillips arrived a few moments after the Roll Call was taken.

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

1:30 P.M. - Scheduled Matters

- 20.**
- a. Consider approval of the response to the 2016 - 2017 Monterey County Civil Grand Jury Interim Final Report: "A Top to Bottom Review of Monterey County Elections Department"; and
 - b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 4, 2017.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to:

- a. Approve of the response to the 2016 - 2017 Monterey County Civil Grand Jury Interim Final Report: "A Top to Bottom Review of Monterey County Elections Department"; and
- b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 4, 2017. ALL AYES

- 20.1**
- a. Consider approval of the response to the 2016 - 2017 Monterey County Civil Grand Jury Interim Final Report: "Preservation of Historical Documents of Monterey County"; and
 - b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 4, 2017. (ADDED VIA ADDENDA)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to:

- a. Approve of the response to the 2016 - 2017 Monterey County Civil Grand Jury Interim Final Report: "Preservation of Historical Documents of Monterey County"; and
- b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 4, 2017. (ADDED VIA ADDENDA) ALL AYES

21. Public hearing to adopt a resolution for a Lot Line Adjustment between three (3) existing legal lots of 153, 44.6 and 6.32 acres, two (2) of which are currently under a Williamson Act Agricultural Preserve Land Conservation Agreement, resulting in three (3) lots of 141, 40 and 22.9 acres respectively.

Proposed CEQA Action: Categorically Exempt per CEQA Guidelines Section 15305

PLN160722 - Colburn/Monterey County Swiss Rifle Club, Central Salinas Valley Area Plan (ATTACHMENT: ERRATA MEMO 7-14-17 ADDED VIA SUPPLEMENTAL AGENDA)

Public Comment: Phil Bearman.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to:

Hold a public hearing to adopt Resolution No. 17-234 for a Lot Line Adjustment between three (3) existing legal lots of 153, 44.6 and 6.32 acres, two (2) of which are currently under a Williamson Act Agricultural Preserve Land Conservation Agreement, resulting in three (3) lots of 141, 40 and 22.9 acres respectively.

Proposed CEQA Action: Categorically Exempt per CEQA Guidelines Section 15305

PLN160722 - Colburn/Monterey County Swiss Rifle Club, Central Salinas Valley Area Plan (ATTACHMENT: ERRATA MEMO 7-14-17 ADDED VIA SUPPLEMENTAL AGENDA). ALL AYES

22. a. Receive staff analysis of the Board of Supervisors' referral relating to public notification of the Planning Director's administrative interpretations of the County zoning ordinance;
- b. Consider options for provision of public notification; and
- c. Provide direction to staff.

(Board Referral #2017.10, Public Notification of Planning Director Interpretations, Decisions & Opinions)

Public Comment: Pricilla Walton; Eric Sand; Jain Farnsworth; Rick Manning; Robert Korstanje; Carolyn Stone; Molly Erickson.

A motion was made by Supervisor Alejo, seconded by Supervisor Salinas to:

a. Received staff analysis of the Board of Supervisors' referral relating to public notification of the Planning Director's administrative interpretations of the County zoning ordinance.

b. Considered options for provision of public notification; and

c. Provided direction to staff as follows:

- **Direct staff to amend the process for the Director's Interpretation and require that when a Director's Interpretation is issued, it is formally agendaized on the Planning Commission agenda.**

- **The period to appeal a Director's Interpretation shall be fourteen (14) days from the date it appears on the Planning Commission agenda.**

- **The Director's Interpretation shall be posted on the Resource Management Agency's (RMA) website, which will be the centralized repository for Director's Interpretations.**

- **There shall be a lists where interested parties can sign up to be emailed the Director's Interpretation throughout the year. Notice will be mailed to**

properties within 300 feet of the location concerning the Director's Interpretation.

- Any Director's Interpretations cannot be acted upon until the expiration of the appeal period, unless there was no appeal.
- If there is an appeal, the Director's Interpretation cannot go in to affect until after all the appeals have been exhausted.
- The Director is authorized to charge the appropriate fees for a Director's Interpretation, to reimburse for staff time.
- The direction given today will be placed in writing as part of office policy.
- Direct staff to post this policy on the RMA website within 72 hours of July 18, 2017.
- Direct staff to draft a Resolution to establish a fee to request a Director's Interpretation, returning to the Board on August 29, 2017.
- In addition, directed staff to return to the Board with a modification to the Ordinance within 120 days from July 18, 2017. ALL AYES

23.

REF170007/2016 Annual Report for the General Plan and Housing Element

- a. Accept the 2016 Annual Progress Report for the Monterey County General Plan(s);
- b. Accept the 2016 Annual Progress Report for the 2015-2023 Housing Element;
- c. Authorize the Resource Management Agency Director or Chief of Planning to submit the final progress reports to the State Office of Planning and Research and State Department of Housing and Community Development, as required;
- d. Consider a report on the Long Range Planning Work Program priority list; and
- e. Provide direction on the Long Range Planning Work Program.

Proposed CEQA Action: This action is not a project subject to CEQA per Section 15060(c)(1) and 15378(b)(4) of the CEQA Guidelines

Public Comment: Janet Gwyneth; Molly Erickson.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to:

- a. Accept the 2016 Annual Progress Report for the Monterey County General Plan(s);
- b. Accept the 2016 Annual Progress Report for the 2015-2023 Housing Element;
- c. Authorize the Resource Management Agency Director or Chief of Planning to submit the final progress reports to the State Office of Planning and Research and State Department of Housing and Community Development, as required;
- d. Consider a report on the Long Range Planning Work Program priority list; and
- e. Provide direction on the Long Range Planning Work Program.

REF170007/2016 Annual Report for the General Plan and Housing Element

Proposed CEQA Action: This action is not a project subject to CEQA per Section 15060(c)(1) and 15378(b)(4) of the CEQA Guidelines ALL AYES

Adjournment

APPROVED:

/ s/ Luis A. Alejo

LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: / s/ Nicholas E. Chiulos _____

NICHOLAS E. CHIULOS
ACTING CLERK OF THE BOARD
APPROVED ON February 6, 2018 _____

Supplemental Sheet, Consent Calendar

Approval of the Consent Agenda

A motion was made by Supervisor Phillips, seconded by Supervisor Salinas, to approve the Consent Agenda, except for items 17. 1 ALL AYES

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips, to move item number 17.1 from 10:30 a.m. Scheduled Matters and add to the consent calendar under item number 2 on the agenda. ALL AYES

Motion by Supervisor Phillips, seconded by Supervisor Salinas approved item 17.1 ALL AYES

17.1 Approved and authorized recommendations from the Legislative Committee to:

- a. Award a Professional Services Agreement (Agreement) for RFP 10626 (Federal Legislative Advocacy Services, A-13633) to Nossaman LLP in an amount not to exceed \$82,500 for the period of August 1, 2017 to June 30, 2018; and authorize an exemption to the workers' compensation insurance requirements in the PSA;
- b. Awarded an Agreement for RFP 10627 (State Legislative Advocacy Services, A-13634) to Nossaman LLP in an amount not to exceed \$91,667 for the period of August 1, 2017 to June 30, 2018;
- c. Awarded an Agreement for RFP 10628 (Grant and Funding Advocacy Services, A-13635) to Nossaman LLP in an amount not to exceed \$49,500 for the period of August 1, 2017 to June 30, 2018;
- d. Approved and authorized the Contracts/Purchasing Officer to sign the County's standard Professional Service Agreements (PSAs) with Nossaman LLP for RFPs 10626, 10627, and 10628; and
- e. Authorized the Contracts/Purchasing Officer to extend these Agreements for up to three (3) additional one (1) year periods under the same scope of work and payment provisions included in the Agreements subject to budget approval.

Natividad Medical Center

24. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute renewal and amendment No. 1 to the agreement (A-13151) with Neimand Collaborative for new branding development services, extending the agreement an additional eighteen (18) month period (July 1, 2017 through December 31, 2018) for a revised full agreement term of July 1, 2016 through December 31, 2018, and adding \$97,000 for a revised total agreement amount not to exceed \$347,000.

Approved - Agreement No.: A-13151

25. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 2 to the agreement (A-13313) with Jane Finney, CLS, MBA, CPHQ, CPPS for Consulting Services, extending the agreement an additional one (1) year period (November 2, 2017 through

November 1, 2018) for a revised full agreement term of November 9, 2015 through November 1, 2018, and adding \$296,452 for a revised total agreement amount not to exceed \$496,452.

Approved - Agreement No.: A-13313

Department of Social Services

26. a. Approve and authorize the Chair of the Board of Supervisors to sign an Amended and Restated Joint Exercise of Powers Agreement with the Third Amended Bylaws, effective September 1, 2017 until terminated, with the California Automated Consortium Eligibility System; and
- b. Approve and authorize the Chair of the Board of Supervisors to sign a governance Memorandum of Understanding, effective September 1, 2017 until terminated, with the California Automated Consortium Eligibility System.

Approved - Agreement No.: A-13637

Criminal Justice

27. a. Adopt a resolution to authorize the Auditor-Controller to amend the FY 2017-18 budget for the District Attorney, DIS001, Unit 8063, in support of increased funding received for the VOCA (Victims of Crime Act), by increasing the revenues and appropriations by \$304,117 (4/5ths vote required); and
- b. Adopt a resolution to authorize the County Administrative Office to create one new position in the District Attorney's Department (2240), Unit 8063, for a Legal Secretary (80B22).

A motion was made by Supervisor Phillips, seconded by Supervisor Salinas to adopt Resolution No. 17-231 to:

a. Authorize the Auditor-Controller to amend the FY 2017-18 budget for the District Attorney, DIS001, Unit 8063, in support of increased funding received for the VOCA (Victims of Crime Act), by increasing the revenues and appropriations by \$304,117 (4/5ths vote required); and

b. Authorize the County Administrative Office to create one new position in the District Attorney's Department (2240), Unit 8063, for a Legal Secretary (80B22).

ALL AYES

28. a. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a new two (2) year Non-Standard Information Technology Agreement, retroactive to May 1, 2017, to provide software and hardware support and a replacement allowance for IBIS hand held fingerprinting units used in local law enforcement agencies, at a cost of \$193,800;
- b. Accept the non-standard County Liability and Indemnification provisions pursuant to the recommendation of the Sheriff/Coroner; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign up to two (2) amendments to the agreement where the amendments do not significantly change the scope of work, and the amendments in total do not exceed

10% (\$19,380) for a total cumulative not to exceed agreement amount of \$213,180.00.

Approved - Agreement No.: A-13671

General Government

29. ~~a. Approve a Memorandum of Understanding (MOU) between Goodwill Central Coast (GCC) and Monterey County, working through Monterey County Free Libraries (MCFL), to provide work experience and job training to participants in GCC's Organizational Work Program and provide MCFL with work assistance, from July 15, 2017 through December 31, 2022;~~
- ~~b. Authorize the Library Director, or her Designee, to sign the MOU on behalf of the County; and~~
- ~~c. Authorize the Library Director, or her Designee, to execute a maximum of five (5) amendments to the MOU, subject to County Counsel review, extending the term by one (1) year each, so long as the amendments do not significantly alter the terms of the MOU. (ITEM REMOVED VIA SUPPLEMENTA)~~

Item was removed from the agenda via Supplemental.

30. Adopt Resolution to:
- a. Amend and approve Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A to adjust the salary ranges for the Classifications of: Senior Civil Engineer, Chief of Surveys, Civil Engineer, Assistant Engineer, Engineering Technician, and Engineering Aide I/II/III as indicated in the attached resolution, effective the pay period beginning July 22, 2017;
- b. Amend PPPR No. 98-394, Section A.9.10 "County Surveyor Pay Premium," to abolish the pay premium for the County Surveyor, as indicated below, effective the pay period beginning July 22, 2017;
- c. Appoint Michael K. Goetz, Professional Land Surveyor (PLS), to serve as County Surveyor, effective the pay period beginning July 22, 2017; and
- d. Direct the Human Resources Department to implement the changes in the Advantage HRM System.

A motion was made by Supervisor Phillips, seconded by Supervisor Salinas to adopt Resolution No. 17-235 to:

- a. Amend and approve Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A to adjust the salary ranges for the Classifications of: Senior Civil Engineer, Chief of Surveys, Civil Engineer, Assistant Engineer, Engineering Technician, and Engineering Aide I/II/III as indicated in the attached resolution, effective the pay period beginning July 22, 2017;**
- b. Amend PPPR No. 98-394, Section A.9.10 "County Surveyor Pay Premium," to abolish the pay premium for the County Surveyor, as indicated below, effective the pay period beginning July 22, 2017;**
- c. Appoint Michael K. Goetz, Professional Land Surveyor (PLS), to serve as County Surveyor, effective the pay period beginning July 22, 2017; and**
- d. Direct the Human Resources Department to implement the changes in the**

Advantage HRM System. ALL AYES

31. Approve and authorize the Emergency Services Manager to execute a five (5) year Memorandum of Understanding (MOU), retroactive to May 25, 2017 through May 25, 2022, between Monterey County, acting through its Office of Emergency Services (MOCO OES) and the California Governor's Office of Emergency Services (CAL OES) for part time use of County office space for one employee of CAL OES at no cost.

Approved - Agreement No.: A-13636

32. Adopt a Resolution to:
- a. Amend the FY 2017-18 Information Technology Department, Unit 8434-Service Delivery Budget to reallocate one (1) Information Technology Support Technician III position to one (1) Systems Programmer Analyst II position, as indicated in Attachment A;
 - b. Amend the FY 2017-18 Information Technology Department, Unit 8436-Infrastructure Budget to reallocate one (1) Information Technology Supervisor position to one (1) Network Systems Engineer II position, as indicated in Attachment A;
 - c. Amend the FY 2017-18 Information Technology Department Budget to reallocate one (1) Information Technology Manager position in Unit 8439-Administration to one (1) IT Project Management Analyst II position in Unit 8436-Infrastructure, as indicated in Attachment A;
 - d. Amend the FY 2017-18 Information Technology Department, Unit 8436-Infrastructure Budget to reallocate one (1) Engineering Aide III position to one (1) IT Project Management Analyst II position, as indicated in Attachment A;
 - e. Approve the reclassification of one (1) Engineering Aide III to one (1) IT Project Management Analyst II; and
 - f. Authorize the Auditor-Controller and the County Administrative Office to incorporate these changes in the FY 2017-18 Budget.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt a Resolution No. 17-277 to:

- a. Amend the FY 2017-18 Information Technology Department, Unit 8434-Service Delivery Budget to reallocate one (1) Information Technology Support Technician III position to one (1) Systems Programmer Analyst II position, as indicated in Attachment A;
- b. Amend the FY 2017-18 Information Technology Department, Unit 8436-Infrastructure Budget to reallocate one (1) Information Technology Supervisor position to one (1) Network Systems Engineer II position, as indicated in Attachment A;
- c. Amend the FY 2017-18 Information Technology Department Budget to reallocate one (1) Information Technology Manager position in Unit 8439-Administration to one (1) IT Project Management Analyst II position in Unit 8436-Infrastructure, as indicated in Attachment A;
- d. Amend the FY 2017-18 Information Technology Department, Unit 8436-Infrastructure Budget to reallocate one (1) Engineering Aide III position to one (1) IT Project Management Analyst II position, as indicated in Attachment A;

- e. Approve the reclassification of one (1) Engineering Aide III to one (1) IT Project Management Analyst II; and
- f. Authorize the Auditor-Controller and the County Administrative Office to incorporate these changes in the FY 2017-18 Budget. ALL AYES

33.

Adopt a Resolution to:

- a. Support the Arts Council for Monterey County's (ACMC) grant application, in the amount of \$37,300, to the California Arts Council; and
- b. Acknowledge, for the California Arts Council, the continued designation of the Arts Council for Monterey County as the official partner agency for Monterey County.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt a Resolution No. 17-232 to:

- a. Support the Arts Council for Monterey County's (ACMC) grant application, in the amount of \$37,300, to the California Arts Council; and
- b. Acknowledge, for the California Arts Council, the continued designation of the Arts Council for Monterey County as the official partner agency for Monterey County. ALL AYES

34.

- a. Adopt a Resolution approving the forms of and authorizing the execution and delivery of a Trust Agreement, Ground Lease, Lease Agreement, Certificate Purchase Agreement, and a Continuing Disclosure Agreement in connection with the offering and sale of the County of Monterey Certificates of Participation (2017 Public Facilities Authority) (the "2017 COPs"), and authorizing the distribution of an Official Statement in connection therewith and authorizing execution of necessary documents, certificates, and certain other related actions.
- b. Direct the Authorized Officers and the officers and employees of the County the authority to amend and execute documents, determine appropriateness of bond terms and conditions, and to carry out, give effect to, and comply with the terms and intent of this Resolution.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to:

- a. Adopt a Resolution No. 17-282 approving the forms of and authorizing the execution and delivery of a Trust Agreement, Ground Lease, Lease Agreement, Certificate Purchase Agreement, and a Continuing Disclosure Agreement in connection with the offering and sale of the County of Monterey Certificates of Participation (2017 Public Facilities Authority) (the "2017 COPs"), and authorizing the distribution of an Official Statement in connection therewith and authorizing execution of necessary documents, certificates, and certain other related actions.
- b. Direct the Authorized Officers and the officers and employees of the County the authority to amend and execute documents, determine appropriateness of bond terms and conditions, and to carry out, give effect to, and comply with the terms and intent of this Resolution. ALL AYES

Monterey County

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



Action Minutes - Final

Tuesday, July 25, 2017

9:00 AM

**Supervisor Luis Alejo calling in from: Sandos Caracol Eco Resort Rm No.
295 Carretera Puerto Juarez- Chetumal, 77710 Playa Del Carmen,
Quintana Roo, Calica, Mexico**

See Separate Agendas for Board Governed Spec. Dist.

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*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Supervisor Luis Alejo called in from Sandos Caracol Eco Resort Room No. 295 Carretera Puerto Juarez-Chetumal, 77710 Playa Del Carmen, Quintana Roo, Calica, Mexico.

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Additions and Corrections for Closed Session:

There were no additions and corrections for 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)(4), the Board will confer with legal counsel regarding seven matters of potential initiation of litigation.
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
 - c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: Concession Agreement regarding Mazda Raceway at Laguna Seca
Agency Negotiators: Dewayne Woods and Leslie J. Girard
Negotiating Parties: Friends of Laguna Seca
Under negotiation: Price and terms
 - d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: Brette Neal and Irma Ramirez-Bough
Employee Organization(s): Unit F
 - e. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Aera Energy LLC v. County of Monterey, et al., Monterey Superior Court Case No. 16CV003980
 - (2) California Resources Corporation v. County of Monterey, et al., Monterey Superior Court Case No. 17CV000790

- (3) Chevron U.S.A. Inc., et al. v. County of Monterey, et al., Monterey Superior Court Case No.16CV003978
- (4) Eagle Petroleum LLC v. County of Monterey, et al., Monterey Superior Court Case No. 17CV000935
- (5) National Association of Royalty Owners-California, Inc., et al. v. County of Monterey, et al., Monterey Superior Court Case No. 17CV000871
- (6) Trio Petroleum LLC, et al. v. County of Monterey, et al., Monterey Superior Court Case No. 17CV001012

CLOSED SESSION REPORT: The Board conferred with Counsel and took no reportable action on items 1.a. through 1.e.

10:30 A.M. - Reconvened

Roll Call

Supervisor Luis Alejo called in from Sandos Caracol Eco Resort Room No. 295 Carretera Puerto Juarez-Chetumal, 77710 Playa Del Carmen, Quintana Roo, Calica, Mexico.

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Jane Parker, under the agenda for the Board of Supervisors of the Monterey County Water Resources Agency.

Additions and Corrections

There were no Additions or Corrections to the agenda.

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Jane Parker pulled items 30 and 35 for discussion.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to approve the Consent Calendar (See Supplemental Sheet), except items 30 and 35. **ALL AYES**

Re item #30: Supervisor Parker asked questions of staff. Kevin Oakley responded.

Public Comment: Erik Peterson; Sandra Weaver.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to approve item 30. **ALL AYES**

Re item #35: Supervisor Parker asked questions of staff. Jayanti Addleman and

Dr. Lew Bauman responded.

Public Comment: Sandra Weaver; City of Seaside Council Member David Pacheco; Nancy Harry.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to approve item 35. ALL AYES

Ceremonial Resolutions

3. Adopt Resolution recognizing Vicki Morris, General Manager of the Aromas Water District upon her retirement after 24 Years of Service. (Full Board)
A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas, to adopt Resolution No. 17-237 recognizing Vicki Morris, General Manager of the Aromas Water District upon her retirement after 24 Years of Service. (Full Board) ALL AYES
4. Adopt Resolution proclaiming the week of August 13-19, 2017 as “National Health Center Week” in Monterey County. (Supervisor Adams)
A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas, to adopt Resolution No. 17-238 proclaiming the week of August 13-19, 2017 as “National Health Center Week” in Monterey County. (Supervisor Adams) ALL AYES
5. Adopt Resolution proclaiming the Month of August 2017 as “Breastfeeding Awareness Month” in Monterey County. (Supervisor Adams)
A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-239 proclaiming the Month of August 2017 as “Breastfeeding Awareness Month” in Monterey County. (Supervisor Adams) ALL AYES
6. Adopt Resolution declaring August 2017 as Child Support Awareness Month in Monterey County. (Supervisor Adams)
A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simon Salinas, to adopt Resolution No. 17-240 delclaring August 2017 as Child Support Awareness Month in Monterey County. (Supervisor Adams) ALL AYES
- 6.1 Adopt Resolution honoring Leonard P. O’Neill on his retirement from UniteHERE Local 483 after 40 years of dedicated service. (Full Board) (ADDED VIA ADDENDA)
A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas, to adopt Resolution No. 17-241 honoring Leonard P. O’Neill on his retirement from UniteHERE Local 483 after 40 years of dedicated service. (Full Board) (ADDED VIA ADDENDA) ALL AYES

Appointments

7. Appoint Ann McLaughlin to the Cypress Fire Protection District to fill an unscheduled vacancy for a term ending November 30, 2019. (Full Board)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas, Appoint Ann McLaughlin to the Cypress Fire Protection District to fill an unscheduled vacancy for a term ending November 30, 2019. (Full Board) ALL AYES**
8. Appoint Wesley Hayes to the Community Restorative Justice Commission to fill an unscheduled vacancy with a term ending June 9, 2018. (Full Board)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to appoint Wesley Hayes to the Community Restorative Justice Commission to fill an unscheduled vacancy with a term ending June 9, 2018. (Full Board) ALL AYES**

Other Board Matters

9. Board Comments
- Supervisor Salinas stated that he and Supervisor Alejo were able to attend a cannabis conference the week of July 17, 2017 to get a sense of what is happening state-wide; Monterey County has done a good job trying to get ahead of cannabis regulation and develop the Ordinance; very eye opening and informative as to what is happening state-wide and what the State is looking at doing next year as they develop regulations for recreational cannabis.**
- Supervisor Adams introduce Anna Amaral, a senior at Monterey High School. Anna is doing an internship in the District 5 office. She is interested in Political Science and International Relations and hopes to attend UC Davis for college.**
- Supervisor Alejo explained that called into the Board meeting because he was attending his niece's wedding in Mexico and still wanted to participate in the Board meeting.**
- Supervisor Adams thanked colleagues on the Board, as well as staff, and Department Heads, for how helpful everyone has been during her first six months of service.**
10. CAO Comments and Referrals
- Dr. Lew Bauman stated that there were no new referrals, but an email was received from the National Procurement Institute (NPI), an organization that is half a century old. NPI was created to establish cooperative relations against it's members, facilitate education and professional development. NPI honored the Monterey County purchasing team with the NPI Achievement of Excellence in Procurement award. Dr. Bauman congratulated the purchasing staff, Mike Derr and Dewayne Woods.**

11. General Public Comment

Hans Jongens; Steve Eklund; Eric Peterson; Thelma McIntosh; Wes White.

10:30 A.M. - Scheduled Matters

- 12.**
- a. Approve the Memorandum of Agreement Between the County of Monterey and Monterey County Cities Regarding Credit Guaranty for Monterey Bay Community Power (“Cities Agreement”), contingent on approval by all member cities;
 - b. Approve the Shared Financial Agreement by and Among the County Members of the Monterey Bay Community Power Authority of Monterey, Santa Cruz and San Benito, contingent on approval by all member cities of the Cities Agreement;
 - c. Approve Non-Revolving Credit Guaranty with River City Bank to provide approximately 45.45% percent of the credit guaranty, contingent on approval by all members of the Cities Agreement; and
 - d. Authorize the County Administrative Officer to make modifications to all agreements that do not change the material terms and to execute the agreements on behalf of the County.

Public Comment: Eric Peterson; Wes White.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to:

- a. Approve the Memorandum of Agreement Between the County of Monterey and Monterey County Cities Regarding Credit Guaranty for Monterey Bay Community Power (“Cities Agreement”), contingent on approval by all member cities;**
 - b. Approve the Shared Financial Agreement by and Among the County Members of the Monterey Bay Community Power Authority of Monterey, Santa Cruz and San Benito, contingent on approval by all member cities of the Cities Agreement;**
 - c. Approve Non-Revolving Credit Guaranty with River City Bank to provide approximately 45.45% percent of the credit guaranty, contingent on approval by all members of the Cities Agreement; and**
 - d. Authorize the County Administrative Officer to make modifications to all agreements that do not change the material terms and to execute the agreements on behalf of the County. ALL AYES**
- Agreement No. A-13678**

- 13.** Consider approving the 5-year priority list of projects utilizing Measure X, Senate Bill 1, and Transient Occupancy Tax funds.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to approve the 5-year priority list of projects utilizing Measure X, Senate Bill 1, and Transient Occupancy Tax funds. 4-1 (Supervisor Alejo voted No)

- 13.1** Receive update on Board-directed procedures for public notification of Director of Planning’s administrative interpretations of the County zoning ordinance. (ADDED VIA ADDENDA)

By consensus, the Board received update on Board-directed procedures for public notification of Director of Planning's administrative interpretations of the County zoning ordinance. ALL AYES

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

Present: 4 - Supervisor Mary L. Adams, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Absent: 1 - Supervisor Luis Alejo

1:30 P.M. - Scheduled Matters

14.

Conduct public workshop to:

- a. Consider a preliminary draft ordinance to add Chapter 16.58 to the Monterey County Code to establish exemption procedures for land uses associated with oil and gas operations in order to implement provisions of Measure Z, a voter-approved initiative measure; and
- b. Provide direction to staff.

Proposed CEQA Action: Statutorily exempt per CEQA Guidelines section 15378(b)(5).

Public Comment: Mike Saint; Kathy Miller; Mike Ohman; Craig Moyer; Dr. Laura Solorio; Denyse Frishmuth; Alan Hoffa; Audrey Doocy; Robert Frischmuth; Diann Russell; Dr. Don King; Cassandra Palmeno; Dominic Dursa; Andrew Bell; Michael Roberts; Demetrio Pruneda; Judy Allen; Jan Shriner; Laurie Eavey; Andy Hsia-Coron; Steve Eklund; Peter Kaiser; Ed Hazard; Jody Hansen; Beverly Bean; Todd Smith; Barbara Evans; Janet Stahl; Lynn Yaghoubian; Judy Karas; Bill Carrothers; Herbard Olsen; Erik Peterson; Sam Downing; Wes White; Mary Hsia-Coron; Lori Palmer; Lucia Calderon.

By consensus, the Board conducted public workshop to:

- a. Consider a preliminary draft ordinance to add Chapter 16.58 to the Monterey County Code to establish exemption procedures for land uses associated with oil and gas operations in order to implement provisions of Measure Z, a voter-approved initiative measure; and
- b. Provide direction to staff.

Proposed CEQA Action: Statutorily exempt per CEQA Guidelines section 15378(b)(5). ALL AYES

14.1

Public hearing to consider an appeal filed by Tracy Alford from the Chief of Planning's decision to approve the application by Christopher & Sara Bardis for a Design Approval for the replacement of an existing stucco fence at the end of existing driveway with a wood fence of the same height and length, in the same location.

(Design Approval - PLN170482/Bardis, 1525 Riata Road, Pebble Beach, Del

Monte Forest Land Use Plan, APN: 008-341-026-000)
Proposed CEQA Action: Categorically exempt per Section 15301 of the CEQA
guidelines (REVISED ATTACHMENT B SUBMITTED VIA
SUPPLEMENTAL)

**This item was heard first after the 1:30 p.m. Reconvene.
A motion by Supervisor Simón Salinas, seconded by Supervisor John M.
Phillips to conduct a public hearing and adopt Resolution No. 17-285 to deny
the Appeal filed by Tracy Alford from teh Chief of Planning's decision
approving the application by Christopher & Sara Bardis for a Design Approval
for the replacement of an existing stucco fence at the end of existing driveway
with a wood fence of the same height and length, in the same location.
(Design Approval - PLN170482/Bardis, 1525 Riata Road, Pebble Beach, Del
Monte Forest Land Use Plan, APN: 008-341-026-000) Proposed CEQA Action:
Categorically exempt per Section 15301 of the CEQA guidelines (REVISED
ATTACHMENT B SUBMITTED VIA SUPPLEMENTAL) 3-1-1 (Supervisor Parker
voted No; Supervisor Alejo was absent)**

Adjournment

APPROVED:

/ s/ Luis A. Alejo
**LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISOERS**

ATTEST:

BY: / s/ Nicholas E. Chiulos
NICHOLAS E. CHIULOS
ACTING CLERK OF THE BOARD
APPROVED ON February 6, 2018

Supplemental Sheet, Consent Calendar

Approval of the Consent Agenda

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas, to approve the Consent Agenda, except items 30 and 35. ALL AYES

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to approve item 30. ALL AYES

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to approve item 35. ALL AYES

Natividad Medical Center

15. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 4 to the agreement with AE & Associates, LLC for ICD-9 and ICD-10 coding audits, on-site training, and remote coding support services, extending the agreement an additional two (2) year period (September 1, 2017 through August 31, 2019) for a revised full agreement term of July 1, 2013 through August 31, 2019, and adding \$61,850 for a revised total agreement amount not to exceed \$161,850.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to two (2) future no extension 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%) (\$1,900) of the original cost of the agreement per each amendment.
- Approved - Agreement No.: A-13656**
16. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Professional Services Agreement with Go Kids, Inc. for the provision of physician and consultative services at Go Kids, Inc. for the period August 1, 2017 to June 30, 2021.
- Approved - Agreement No.: A-13675**
17. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the agreement (A 14-008) with McKesson Technologies LLC for Relay Health Software services adding \$142,250 for a revised total agreement amount not to exceed \$1,345,833 with no change to the term of the agreement of January 28, 2014 through June 30, 2019.
- 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%) (\$12,035) of the original cost of the agreement per each amendment.

Approved - Agreement No.: A-12640

18. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 2 to the agreements with Medical Search, LLC d.b.a. SUMO Medical Staffing (A-12896), Staff Care, Inc. (A-12897), Next Medical Staffing, LLC (A-12898), MDA Holdings, Inc. d.b.a. Medical Doctor Associates, LLC (A-12899), and Jackson & Coker Locum Tenens, LLC d.b.a. Jackson & Coker (A12900) for locum tenens physician referral services at NMC pursuant to the Request for Proposals (RFP) #9600-61 to extend all agreements for an additional one (1) year period (August 1, 2017 through July 31, 2018) for a revised full agreement term of August 1, 2015 through July 31, 2018 and to add an additional \$2,000,000 for a revised total aggregate amount for all agreements not to exceed \$4,000,000.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to two (2) future amendments to the agreements to exercise the remaining options to extend the term for up to two (2) additional one (1) year periods, increasing the total aggregate amount by \$2,000,000 annually across all agreements provided that the total aggregate amount for all agreements over the full five (5) year term does not exceed \$8,000,000 and that appropriations for the increased costs per each amendment is included in the County Adopted Budget of the relevant fiscal year.

Approved - Agreement Nos.:

A-12896: Medical Search, LLC d.b.a. SUMO Medical Staffing; A-12897: Staff Care, Inc.; A-12898: Next Medical Staffing, LLC; A-12899: MDA Holdings, Inc. d.b.a Medical Doctor Associates, LLC

19. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with CDW-G for BCM Client Management software and associated services at NMC for an amount not to exceed \$141,768 with a retroactive agreement term May 16, 2017 through May 15, 2018.
- 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%) (\$14,177) of the original cost of the agreement across all amendments.
- c. Approve the NMC Chief Executive Officer's recommendation to accept non-standard indemnification provisions within the agreement.

Approved - Agreement No.: A-13657

- 19.1 a. Approve and authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or designee to execute Lease Renewal & Amendment No. 4 to Lease Agreement A-10756 (superseding Lease Agreement A-10986 as to Suites 230 and 250) with 1615 Bunker Hill, LLC by Thrust IV, Inc., its Managing Member as successor in interest to Creekbridge Office Center II, LLC, at 1615 Bunker Hill Road, Salinas, California. Lease Renewal & Amendment No. 4

renews and amends Lease Agreement A-10756 for Suite 100, and adds Suites 230 and 250 formerly occupied by the Health Department pursuant to Lease Agreement A-10986. The Lease Renewal & Amendment No. 4 is for Suites 100, 230, and 250 with a total square footage of 17,610 and with a renewal term of six (6) years effective October 1, 2017 for use by Natividad Medical Center; and

b. Authorize the Auditor-Controller to make lease payments of \$32,220 per month and in accordance with the terms of Lease Agreement A-10756 as amended.

(ADDED VIA ADDENDA)

Approved - Agreement No.: A-10986

Health Department

- 20.
- a. Approve and authorize the Director of Health or Assistant Director of Health to execute a three-year Mental Health Services Agreement with Dycora Transitional Health - San Jose, LLC for the provision of mental health services to gravely disabled Monterey County adult residents with severe psychiatric disabilities in a secure Skilled Nursing Facility as an Institution for Mental Disease (IMD), for a maximum County obligation of \$2,694,102 retroactive to July 1, 2017 through June 30, 2020; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$269,410) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No.: A-13672

- 21.
- Approve the Amendment to the Bylaws of the Emergency Medical Services Committee (EMCC) to create an alternate for each EMCC member and to allow the contracted 911 Exclusive Operating Area (EOA) ambulance provider to be represented on the EMCC. (CORRECT ATTACHMENT SUBMITTED VIA SUPPLEMENTAL)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-243 to approve the Amendment to the Bylaws of the Emergency Medical Services Committee (EMCC) to create an alternate for each EMCC member and to allow the contracted 911 Exclusive Operating Area (EOA) ambulance provider to be represented on the EMCC. (CORRECT ATTACHMENT SUBMITTED VIA SUPPLEMENTAL) ALL AYES

- 22.
- a. Approve and authorize the Director of Health or Assistant Director of Health to sign a one (1) year Agreement (August 1, 2017 to July 31, 2018) with Wolters Kluwer Health, UpToDate, Inc. to provide an UpToDate Anywhere Electronic Clinical Resource Subscription, for a total contract amount not to exceed \$9,900;
- b. Accept the recommendations of the Director of Health regarding modifications to the 'Insurance' and 'Royalties and Inventions' provisions in the Agreement; and
- c. Authorize the Director of Health or Assistant Director of Health to sign up to

three (3) future amendments that do not exceed ten percent (10%) (\$990) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No.: A-13669

23. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a one (1) year Memorandum of Understanding with the Monterey County Office of Education for the Monterey County Health Department, Behavioral Health Bureau to provide partial funding and consultation for the Positive Behavioral Intervention and Supports (PBIS) program implementation in South Monterey County school districts for Fiscal Year (“FY”) 2017-18, for a total Agreement amount not to exceed \$50,000 for the term August 1, 2017 through June 30, 2018; and
- b. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$5,000) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No.: A-13661

24. a. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign License Agreement with the National Training Institute Upstream “NTI” for the provision of a PDF copy of the 4P’s Plus Screening Tool, in the annual amount of \$1,000, for the period of June 1, 2017 through June 30, 2018; and
- b. Accept the Non-Standard Contract Provisions and Indemnification Language as recommended by the Director of Health; and
- c. Authorize the Contracts Purchasing Officer to approve up to three future NTI Agreements in the amount of \$1,000 each with National Training Institute Upstream, one agreement for each of Fiscal Year (“FY”) 2018-19, FY 2019-20, and FY 2020-21, in substantially the same form as that which has been presented to the Board, subject to approval by County Counsel and County Auditor-Controller, and so long as an appropriation for the costs of each of these Agreements is included in the county approved budget.

Approved - Agreement No.: A-13673

25. Approve and authorize the Contracts/Purchasing Officer to sign one year Amendment No. 1 to Agreement No. A-13421 with Access Support Network adding \$474, 685, for a revised total amount not to exceed \$949,370, for the revised full term of January 11, 2017 to September 15, 2018, to continue Human Immunodeficiency Virus (HIV) non-medical case management services to Ryan White Part B eligible clients.

Approved - Agreement No.: A-13421

26. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a one-year MHS Agreement with Crestwood Behavioral Health, Inc. for the provision of mental health services for adults with severe psychiatric disabilities,

for a maximum County obligation of \$1,348,840 retroactive to July 1, 2017 through June 30, 2018; and

b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$134,884) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No.: A-13674

Department of Social Services

27. a. Approve and authorize the Director of the Department of Social Services to sign Amendment No. 1 to PSA-1043 with Peninsula Business Interiors, adding \$62,000 effective August 1, 2017, to provide furniture installation for the Department of Social Services, increasing the contract total to \$160,000 for the period August 1, 2016 through June 30, 2019; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) additional amendments to this Agreement where the total amendments do not exceed 10% (\$16,000) of the current amended contract amount, and do not significantly change the scope of work.

Approved - Agreement No.: A-13663

Criminal Justice

28. a. Approve and authorize the Contracts/Purchasing Officer to execute Professional Services Agreements for legal representation in indigent adult and juvenile criminal cases, through the Alternate Defenders Office, with effective terms retroactive to July 1, 2017 through June 30, 2018, with the following attorneys in these amounts: Chenoa Summers for \$109,500; Jeffrey Gobell for \$109,500; Kelly Duncan for \$84,000; Jan Lindberg for \$96,000; Roland Soltesz for \$138,000; Richard West for \$138,000; Scott Erdbacher for \$138,000; and Eric Dumars for \$138,000; and
- b. Approve and authorize the Contracts/Purchasing Officer to execute up to three (3) amendments to these agreements, extending the terms of each by one (1) fiscal year per amendment, subject to County Counsel review and provided there is no significant change to the scope of work or increase in cost that exceeds five percent (5%) of the original amount of the Agreement per amendment.

Approved - Agreement Nos.:

A-13645: Chenoa Summers; A-13646: Jeffrey Gobell; A-13647: Kelly Duncan;

A-13648: Jan Lindberg; A-13649: Roland Soltesz; A-13650: Richard West;

A-13651: Scott Erdbacher; A-13652: Eric Dumars

29. Adopt a resolution to authorize the Auditor-Controller to amend the FY 2016-17 Adopted Budget for the District Attorney, increasing appropriations by \$270,000 in DIS001-001-2240-8063-6111, financed by an increase in grant revenue of \$270,000 in DIS001-001-2240-8063-5870 (4/5ths vote required).

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No 17-242 to authorize the Auditor-Controller to amend the FY 2016-17 Adopted Budget for the District Attorney, increasing appropriations by \$270,000 in DIS001-001-2240-8063-6111, financed by an increase in grant revenue of \$270,000 in DIS001-001-2240-8063-5870 (4/5ths vote required). ALL AYES

- 30.** Authorize advance step placement of John Mineau at Step 5 of the Undersheriff salary range in accordance with Personnel Policies and Practices Resolution (PPPR) #98-394, Sections A.1.11.1, A.1.11.4, and A.1.11.5.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to authorize advance step placement of John Mineau at Step 5 of the Undersheriff salary range in accordance with Personnel Policies and Practices Resolution (PPPR) #98-394, Sections A.1.11.1, A.1.11.4, and A.1.11.5. ALL AYES

- 31.** Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendix A to create the new classifications of Chief Deputy Public Defender and Chief Public Defender Investigator;
 - b. Amend the Public Defender's Office Fiscal Year (FY) 2017-18 Adopted Budget (PUB001-8169) to reallocate four (4.0) FTE Deputy Public Defender IV to four (4.0) FTE Chief Deputy Public Defender and reallocate one (1) FTE Supervising Public Defender Investigator to one (1.0) FTE Chief Public Defender Investigator as indicated in attached Resolution;
 - c. Authorize the Auditor-Controller to incorporate the approved changes in the Public Defender's Office FY 2017-18 Adopted Budget; and
 - d. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas, to adopt Resolution No. 17- 288 to:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendix A to create the new classifications of Chief Deputy Public Defender and Chief Public Defender Investigator;**
- b. Amend the Public Defender's Office Fiscal Year (FY) 2017-18 Adopted Budget (PUB001-8169) to reallocate four (4.0) FTE Deputy Public Defender IV to four (4.0) FTE Chief Deputy Public Defender and reallocate one (1) FTE Supervising Public Defender Investigator to one (1.0) FTE Chief Public Defender Investigator as indicated in attached Resolution;**
- c. Authorize the Auditor-Controller to incorporate the approved changes in the Public Defender's Office FY 2017-18 Adopted Budget; and**
- d. Direct the Human Resources Department to implement the changes in the Advantage HRM system. ALL AYES**

General Government

- 32.** Approve and authorize the Contract's/Purchasing Officer or his Designee to sign Amendment No. 2 to the System Purchase Agreement for a Computer Aided

Dispatch (CAD) system, entered into with TriTech on December 15, 2015, adding \$75,684 to the amended amount of \$2,156,718.87, for a new amount of \$2,232,402.87, for the addition of the TriTech ShotSpotter Interface per the Memorandum of Understanding (MOU) between the County and the City of Salinas previously approved by the Board of Supervisors.

Approved - Agreement No.: A-13000

- 33.** Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 3 to the Agreement No. 12022 between the County of Monterey and Pacific Health Alliance (PHA) for Third-Party Administration of the County Self-Insured Dental Program, extending the term of the original agreement for one additional year through December 31, 2019.

Approved - Agreement No.: A-12022

- 34.** Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 3 to the Agreement A-12162 between the County of Monterey and Vision Services Plan for Third-Party Administration of the County Self-Insured Vision Program, extending the term of the original agreement for two additional years through December 31, 2019.

Approved - Agreement No.: A-12162

- 35.** Approve amending the scheduled hours of operation for the Monterey County Free Libraries effective September 2, 2017.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to approve amending the scheduled hours of operation for the Monterey County Free Libraries effective September 2, 2017. ALL AYES

- 36.**
- a. Approve a Memorandum of Understanding (MOU) between Goodwill Central Coast (GCC) and Monterey County, working through Monterey County Free Libraries (MCFL), to provide work experience and job training to participants in GCC's Organizational Work Program and provide MCFL with work assistance, from July 15, 2017 through December 31, 2022;
 - b. Authorize the Library Director, or her Designee, to sign the MOU on behalf of the County; and
 - c. Authorize the Library Director, or her Designee, to execute a maximum of five (5) amendments to the MOU, subject to County Counsel review, extending the term by one (1) year each, so long as the amendments do not significantly alter the terms of the MOU.

Approved - Agreement No.: A-13670

- 37.**
- a. Receive and Accept the Treasurer's Report of Investments for the Quarter Ending June 30, 2017;
 - b. Receive and Approve the Treasurer's Investment Policy for FY 2017-18; and

c. Renew the Delegation of Investment Authority to the Treasurer-Tax Collector pursuant to California Government Code 53607.

Approved

38. Receive the action minutes from the June 12, 2017 meeting of the Legislative Committee.

Approved

39. Approve and authorize the Director of the Information Technology Department to sign a Non-Disclosure and Confidentiality Agreement with Visual Systems Group, Inc. (VSGi) regarding proprietary network design for the County's video conferencing system.

Approved - Agreement No.: A-13660

40. a. Authorize the Director of the Information Technology Department to execute a non-standard agreement with Equinix, LLC. for colocation of County technology infrastructure within an Equinix-hosted facility, to improve Office 365 performance, for the term of July 25, 2017 through July 24, 2018 for a total agreement amount of \$27,256;
- b. Accept non-standard contract provisions as recommended by the Director of the Information Technology Department;
- c. Authorize the Director of the Information Technology Department to execute order forms and change order forms as necessary to secure services as required by the County; and
- d. Authorize the Director of the Information Technology Department to sign, subject to County Counsel review, up to four (4) amendments to this Agreement, extending the term by one (1) year per amendment, where the amount of each amendment does not exceed the original cost (\$27,256) plus ten percent (\$2,725.60) for a total of \$29,981.60 per amendment, and where the amendments do not significantly change the scope of work and do not alter the non-standard terms of the Agreement.

Approved - Agreement No.: A-13653

41. a. Authorize the Director of the Information Technology Department to execute an agreement with EPS Enterprises Inc. (EPS) for cloud enablement professional services to improve the performance of Office 365 for the term of July 25, 2017 through July 24, 2018 for a total agreement amount of \$23,750;
- b. Accept non-standard contract provisions as recommended by the Director of the Information Technology Department; and
- c. Authorize the Director of the Information Technology Department to execute order forms and change order forms as necessary to secure services as required by the County.

Approved - Agreement No.: A-13644

42. a. Authorize the Director of the Information Technology Department to execute a non-standard agreement with The Corporate Executive Board (CEB) for subscription services to IT analysis and access to industry standard practice documentation and technical training for IT staff as needed, for the term of August 26, 2017 through August 25, 2019 in the maximum amount of \$48,000;
- b. Accept non-standard contract provisions as recommended by the Director of the Information Technology Department; and
- c. Authorize the Director of the Information Technology Department to sign, subject to County Counsel review, two (2) future amendments to this Agreement, where the amount of each amendment does not exceed the original cost (\$48,000) plus ten percent (\$4,800) for a total of \$52,800 per amendment, and where the amendments do not significantly change the scope of work and do not alter the non-standard terms of the Agreement.

Approved - Agreement No.: A-13667

43. 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, and July 11, 2017 in accordance with California Government Code 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)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-278 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, and July 11, 2017 in accordance with California Government Code 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) ALL AYES

44. 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, and June 27, 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)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-276 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, and June 27, 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)

45. a. Approve reinstatement of the centralized coordination of the Countywide Internship Program by the Human Resources Department; and
b. Authorize the Director of Human Resources, or Assistant Director of Human Resources, to execute a Student Placement Agreement between California State University Monterey Bay (CSUMB) and the County of Monterey for the placement of student interns within the County organization as part of the Countywide Internship Program, commencing on August 1, 2017 through July 31, 2022.

Approved

46. Approve a Resolution of support for the Pinnacles Gateway Partners.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-283 to approve support of the Pinnacles Gateway Partners.

47. Approve a request from the North County Recreation and Park District for dry period loan of \$150,000 for the Fiscal Year ending June 30, 2018.

Approved

48. Adopt a Resolution to:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394, to revise Sections A.9.14 Temporary Special Assignment; and B.5.7 Limited Term Employees; and
b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394, to revise and retitle Section A.8.9 Emergency Overtime for Exempt Classes to A.8.9 Additional Pay for Exempt Employees; and add Section A.8.9.1 Emergency Overtime for Exempt Classes and add Section A.8.9.2 Declared Local Emergency-Pay for Exempt Employees; and
c. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394, to add to Section V. Definitions two (2) new descriptions of Management Specialist and Executive Management Specialist Appointment and Management Specialist and Executive Management Specialist Employee; add Section B.5.8 Management Specialist and Executive Management Specialist Appointments; and
d. Direct the Human Resources Department to incorporate the changes.

A motion was made by Supervisor Phillips, seconded by Supervisor Salinas to adopt Resolution No. 17-287 to:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394, to revise Sections A.9.14 Temporary Special Assignment; and B.5.7 Limited Term Employees; and
b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394, to revise and retitle Section A.8.9 Emergency Overtime for Exempt Classes to A.8.9 Additional Pay for Exempt Employees; and add Section A.8.9.1**

Emergency Overtime for Exempt Classes and add Section A.8.9.2 Declared Local Emergency-Pay for Exempt Employees; and

c. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394, to add to Section V. Definitions two (2) new descriptions of Management Specialist and Executive Management Specialist Appointment and Management Specialist and Executive Management Specialist Employee; add Section B.5.8 Management Specialist and Executive Management Specialist Appointments; and

d. Direct the Human Resources Department to incorporate the changes. **ALL AYES**

- 48.1** Approve and Authorize the Economic Development Director to sign Amendment No. 1 to Agreement with Sur Transportation LLC, for a revised full agreement term of June 28, 2017 to October 29, 2017, and adding \$275,000, for a revised total agreement not to exceed \$327,000.

Approved - Agreement No.: A-13668

- 48.2** ~~a. Approve and authorize the Director of Emergency Communications to sign a Letter Agreement with the City of Salinas for County contribution to the cost of a study on the feasibility of forming a Joint Powers Authority (JPA) to provide 911 services in Monterey County, in the maximum amount of \$32,984.00.~~
- ~~b. Authorize the Auditor Controller to pay the invoice provided by the City of Salinas to Monterey County for the County contribution to the cost of the JPA study, dated July 18, 2017, for \$32,984.00, such payment to issue within 45 days of the Board's approval, as provided in the Letter Agreement. (ITEM REMOVED VIA SUPPLEMENTAL)~~

Item removed from the Agenda via Supplemental.

- 48.3**
- a. Approve and authorize the Contracts/Purchasing Officer or his Designee accept the non-standard Apple Developer Enterprise Program License Agreement Apple, Inc., in an amount not to exceed \$299, for one (1) year, starting August 1, 2017 through with July 31, 2018, to enable mobile users in the field to use iOS devices to access and use the recently installed Computer Aided Dispatch (CAD) System at the Emergency Communications Department.
- b. Approve non-standard provisions as recommended by the Director of the Emergency Communications Department.
- c. Authorize up to five (5) future annual purchases of the Apple Developer Enterprise Program License, subject to the review and approval of County Counsel, so long as the amendments add no more than 10% of the original agreement price, per agreement update, and the terms are not significantly altered by the vendor.

Approved - Agreement No.: A-13666

- 48.4**
- a. Amend the Public Finance Policy ("Debt Management Policy") approved on February 14, 2012 to update policies per new State statutory requirements and recent allocation of debt management functions.

b. Provide direction to staff. (ADDED VIA ADDENDA)

Approved

RMA - Administration

49. Acting on behalf of County Services Areas 1, 9, 15, 19, 20, 23, 24, 26, 30, 31, 32, 33, 35, 37, 38, 41, 44, 45, 47, 50, 51, 52, 53, 54, 56, 58, 62, 66, 68, 72, and 75:

Adopt Resolutions to:

- a. Certify compliance with State law with respect to the levying of general and specific taxes, assessments, and property related fees and charges for County Service Areas 1, 9, 15, 19, 20, 23, 24, 26, 30, 31, 32, 33, 35, 37, 38, 41, 44, 45, 47, 50, 51, 52, 53, 54, 56, 58, 62, 66, 68, 72, and 75; and
- b. Authorize the Auditor Controller to enter the amounts of the charges against the respective lots or parcels as they appear in the assessment roll for FY 2017-18 as described in Exhibit 1 of each Resolution.

Acting on behalf of County Services Areas 1, 9, 15, 19, 20, 23, 24, 26, 30, 31, 32, 33, 35, 37, 38, 41, 44, 45, 47, 50, 51, 52, 53, 54, 56, 58, 62, 66, 68, 72, and 75:

A motion was made by Supervisor Phillips, seconded by Supervisor Salinas to adopt Resolution Nos. to:

**County Service Area 1 - Carmel Point ("County of Service Area") RES 17-246;
County Service Area 9 – Bolsa Knolls Rosehart RES 17-247;
County Service Area 15 – Toro Park Serra Village ("County Service Area") RES 17-248;
County Service Area 19 – Carmel Meadows ("County Service Area") RES 17-249;
County Service Area 20 – Royal Estates ("County Service Area") RES 17-250;
County Service Area 23 – Carmel Rancho ("County Service Area") RES 17-251;
County Service Area 24 – Pedrazzi etal ("County Service Area") RES 17-252;
County Service Area 26 – New Moss Landing Heights ("County Service Area") RES 17-253;
County Service Area 30 – Rancho Mar Monte ("County Service Area") RES 17-254;
County Service Area 31 – Aromas Hills ("County Service Area") RES 17-255;
County Service Area 32 – Green Valley Acres ("County Service Area") RES 17-256;
County Service Area 33 – Otter Cove ("County Service Area") RES 17-257;
County Service Area 35 – Paradise Park ("County Service Area") RES 17-258;
County Service Area 37 – Colonial Oak Estates ("County Service Area") RES 17-259;
County Service Area 38 – Paradise Lake Estates ("County Service Area") RES 17-260;
County Service Area 41 – SL4 Boronda San Juan ("County Service Area") RES 17-261;
County Service Area 44 – Corral de Tierra Oaks ("County Service Area") RES 17-262;
County Service Area 45 –Oak Hills ("County Service Area") RES 17-263;
County Service Area 47 – Carmel Views ("County Service Area") RES 17-264;
County Service Area 50 –Carmel Rio Crossing ("County Service Area") RES**

17-281;
 County Service Area 51 –High Meadows (“County Service Area”) RES 17-265;
 County Service Area 52 – Carmel Valley Village (“County Service Area”) RES 17-266;
 County Service Area 53 –Arroyo Seco (“County Service Area”) RES 17-267;
 County Service Area 54 –Manzanita (“County Service Area”) RES 17-268;
 County Service Area 56 –Del Mesa Carmel (“County Service Area”) RES 17-269;
 County Service Area 58 –Vista Dorado (“County Service Area”) RES 17-270;
 County Service Area 62 – Rancho Del Monte No. 14 (“County Service Area”) RES 17-271;
 County Service Area 66 – Oak Tree View (“County Service Area”) RES 17-272;
 County Service Area 68 – Vierra Canyon and Knolls Tract 811 (“County Service Area”) RES 17-274;
 County Service Area 72 – Las Palmas (“County Service Area”) RES 17-275;
 County Service Area 75 – Chualar (“County Service Area”) RES 17-273

- a. Certify compliance with State law with respect to the levying of general and specific taxes, assessments, and property related fees and charges for County Service Areas 1, 9, 15, 19, 20, 23, 24, 26, 30, 31, 32, 33, 35, 37, 38, 41, 44, 45, 47, 50, 51, 52, 53, 54, 56, 58, 62, 66, 68, 72, and 75; and
- b. Authorize the Auditor Controller to enter the amounts of the charges against the respective lots or parcels as they appear in the assessment roll for FY 2017-18 as described in Exhibit 1 of each Resolution. ALL AYES

RMA - Land Use

50.
 - a. Approve Amendment No. 5 to Professional Services Agreement No. A-13444 with Kimley-Horn and Associates, Inc. to continue to provide services associated with plan review support services for Phase 3 of the East Garrison Subdivision, and to include the creation and uploading of Condition Compliance Forms for Phase 1, Phase 2 and Phase 3 of the East Garrison Project into Accela, the County’s computerized permit tracking system, to increase the not to exceed amount of \$134,800 by \$57,160 for a total amount not to exceed \$191,960, with no extension to the term of the Agreement beginning March 17, 2014 through June 30, 2019; and
 - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 5 to the Professional Services Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

Approved - Agreement No.: A-13444
51.
 - a. Find that a one-time event to hold the Dirtybird Campout event, at the Lake San Antonio South Shore is Categorical Exempt from CEQA pursuant to Section 15304(e) of the CEQA Guidelines;
 - b. Approve a one-time Concession Agreement for Special Events between The Do LaB, LLC, and the County of Monterey to hold the Dirtybird Campout event at Lake San Antonio South Shore on October 6-9, 2017; and
 - c. Authorize the RMA Director or his designee to sign the agreement.

Approved - Agreement No.: A-13664

- 52.
- a. Approve Amendment No. 9 to Professional Services Agreement (PSA) No. A-12306 with EMC Planning Group, Inc. where the Base Budget in the amount of \$283,573 is increased by \$26,313 to \$309,886 and the Contingency Budget in the amount of \$19,074 is increased by \$2,631 to \$21,705, which increases the not to exceed amount of \$302,647 by \$28,944 to a total amount not to exceed \$331,591, to update the Draft Environmental Impact Report (EIR) to include a new approach to the analysis of the Greenhouse Gas (GHG) emissions to meet goals set forth in Assembly Bill (AB) 32, Senate Bill (SB) 32, and to address climate change in the California Environmental Quality Act (CEQA) process for completion of the EIR for the Paraiso Hot Springs Resort (PLN040183) in South County, with no extension to the term of the PSA from September 10, 2012 to June 30, 2018;
 - b. Approve Amendment No. 4 to Funding Agreement (FA) No. A-12313 with Paraiso Springs Resort, LLC, previously Thompson Holdings, LLC, where the Base Budget in the amount of \$270,713 is increased by \$26,313 to \$297,026, the Contingency Budget in the amount of \$19,074 is increased by \$2,631 to \$21,705, the County Surcharge is unchanged at \$16,742, and the County Contract Administration Fee is unchanged at \$3,170, which increases the not to exceed amount of \$309,699 by \$28,944 to a total amount not to exceed \$338,643 to allow funding to Monterey County for costs incurred by EMC Planning Group, Inc. and County departments to update the Draft EIR to include a new approach to the analysis of the GHG emissions to meet goals set forth in AB 32, SB 32, and to address climate change in the CEQA process for completion of the EIR for the Paraiso Hot Springs Resort (PLN040183) in South County, with no extension to the term of the FA from September 10, 2012 to June 30, 2018; and
 - c. Authorize the Resource Management Agency Director or Chief of Planning Services to execute Amendment No. 9 to PSA No. A-12306 and Amendment No. 4 to FA No. A-12313 and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

Permit Type: PLN040183 / EIR for the Paraiso Hot Springs Resort in Soledad

Approved - Agreement Nos.: A-12306: EMC Planning Group; A-12313: Paraiso Springs Resort, LLC

RMA - Public Works and Facilities

- 53.
- a. Adopt Plans and Special Provisions for the procurement (delivery and application) of asphalt emulsion for the Seal Coat FY18, Project No. 5518; and
 - b. Authorize the Resource Management Agency Director to advertise the "Notice to Bidders" in the Monterey County Weekly.

Approved - Construction No. 2017-002

- 54.
- a. Approve a Grant Award from the California Department of Transportation

Monterey County

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



Action Minutes - Final

Tuesday, October 3, 2017

1:30 PM

**Supervisor Phillips will call in for Closed Session from The Hamilton at
1001 14th Street NW, Washington D.C., 20005**

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*

1:30 P.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Supervisor John M. Phillips was not present, but called into Closed Session.

Present: 4 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor Simón Salinas and Supervisor Jane Parker

Absent: 1 - Supervisor John M. Phillips

Additions and Corrections for Closed Session:

There were no Additions and Corrections for Closed Session.

Closed Session

Supervisor Phillips called in for Closed Session from The Hamilton at 1001 14th Street NW, Washington D.C., 20005. (ADDED VIA ADDENDUM)

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 discipline, dismissal, or release of a public employee.

There was no report out for Closed Session.

2:00 P.M. - Reconvene

Roll Call

Present: 4 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor Simón Salinas and Supervisor Jane Parker

Absent: 1 - Supervisor John M. Phillips

Pledge of Allegiance

The Pledge of Allegiance was led by Chair Mary Adams and Supervisor Simón Salinas. Chair Mary Adams requested a moment of silence in memory of the Las Vegas shooting victims.

Additions and Corrections

A Revised Referral Matrix was submitted to reflect that Referral No. 2017-22 is a referral submitted jointly by Supervisor Mary Adams and Supervisor Luis Alejo.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary Adams to approve the corrections to the agenda. 4-0 (Supervisor Phillips absent)

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to approve the Consent Agenda (See Supplemental Sheet). 4-0 (Supervisor Phillips Absent)

Ceremonial Resolutions

3. Adopt Resolution recognizing Congressman Sam Farr for being honored by the Pinnacles National Park Foundation with the initial Sam Farr Pinnacles Service Award. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-350 recognizing Congressman Sam Farr for being honored by the Pinnacles National Park Foundation with the initial Sam Farr Pinnacles Service Award. (Full Board) 4-0 (Supervisor Phillips absent)

Appointments

4. Reappoint Chris Daniel to the Assessment Appeals Board for a term ending September 4, 2020. (Supervisor Phillips)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to reappoint Chris Daniel to the Assessment Appeals Board for a term ending September 4, 2020. (Supervisor Phillips) 4-0 (Supervisor Phillips Absent)

5. Appoint Linda Cooperman to the Community Service Area No. 1 Advisory Committee to fill an unscheduled vacancy ending June 30, 2019. (Supervisor Adams)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to appoint Linda Cooperman to the Community Service Area No. 1 Advisory Committee to fill an unscheduled vacancy ending June 30, 2019. (Supervisor Adams) 4-0 (Supervisor Phillips Absent)

6. Appoint Dionne Ybarra to the Commission on the Status of Women to fill an unscheduled vacancy with a term ending February 1, 2018. (Supervisor Adams)
- A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to appoint Dionne Ybarra to the Commission on the Status of Women to fill an unscheduled vacancy with a term ending February 1, 2018. (Supervisor Adams) 4-0 (Supervisor Phillips Absent)**
7. Reappoint Richard Ravich to the Big Sur Multi-Agency Advisory Council for a term ending June 25, 2019. (Supervisor Adams)
- A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to reappoint Richard Ravich to the Big Sur Multi-Agency Advisory Council for a term ending June 25, 2019. (Supervisor Adams) 4-0 (Supervisor Phillips Absent)**
8. Appoint Jacqueline Jimenez to the Commission on the Status of Women to fill an unscheduled vacancy with a term ending February 1, 2019. (Supervisor Alejo)
- A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to appoint Jacqueline Jimenez to the Commission on the Status of Women to fill an unscheduled vacancy with a term ending February 1, 2019. (Supervisor Alejo) 4-0 (Supervisor Phillips Absent)**
9. Appoint Alejandrina Tirado to the King City Cemetery District for a term ending July 1, 2021. (Supervisor Salians)
- A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to appoint Alejandrina Tirado to the King City Cemetery District for a term ending July 1, 2021. (Supervisor Salians) 4-0 (Supervisor Phillips Absent)**
10. Appoint Laraine Lang to the Soledad-Mission Recreation District for a term ending January 31, 2021. (Supervisor Salinas)
- A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to appoint Laraine Lang to the Soledad-Mission Recreation District for a term ending January 31, 2021. (Supervisor Salinas) 4-0 (Supervisor Phillips Absent)**
- 10.1 Appoint Estevan R. Rojas to the Greenfield Memorial District to fill an unscheduled vacancy with a term ending November 30, 2019. (Supervisor Salinas)
- A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to appoint Estevan R. Rojas to the Greenfield Memorial District to fill an unscheduled vacancy with a term ending November 30, 2019. (Supervisor Salinas) 4-0 (Supervisor Phillips Absent)**

Other Board Matters

11. Board Comments
- Supervisor Salinas thanked all of the volunteers that helped with the California International Air Show Salinas. It was another successful event and it's always**

great to see the community come together.

Supervisor Alejo wanted to commend the parents of murdered children. Last Friday, there was a day of remembrance in honor of the loved ones that have been lost to violence in Monterey County. Special thanks to Angie Ortega and her team for putting together the ceremony to honor the loved ones that have been lost.

12. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman advised of a joint referral submitted by Chair Mary Adams and Supervisor Luis Alejo. The referral is to request a Community Engagement Plan & Budgetary Goals for Future Incremental Cannabis Tax Revenue Distribution.

13. General Public Comment

There was no Public Comment.

Adjournment

APPROVED:

/ s/ Luis A. Alejo

**LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: / s/ Nicholas E. Chiulos

**NICHOLAS E. CHIULOS
ACTING CLERK OF THE BOARD**

APPROVED ON February 6, 2018

Supplemental Sheet, Consent Calendar

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to approve the Consent Agenda (See Supplemental Sheet). 4-0 (Supervisor Phillips Absent)

Natividad Medical Center

14. Approve and authorize the Auditor-Controller to process payment to Quest Diagnostics on Natividad Medical Center's (NMC) behalf for Laboratory services at NMC, for one-time costs of outstanding invoices, in an amount not to exceed \$75,186 for FY17-18.
- Approved**
15. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 2 to the agreement with Himage Solutions, Inc. for remote retrospective abstraction, data collection and entry of trauma patients into NMC's Trauma One Database, adding \$250,000 for a revised total agreement amount not to exceed \$449,999 with an agreement term of July 1, 2016 through June 30, 2018.
- Approved Agreement No. A-13569**
16. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No.1 to the agreement with Arxium, Inc. for Pharmacy Purchasing and Inventory Management Software, adding \$55,000 for a revised total agreement amount not to exceed \$110,000 with no changes to the term of the Agreement August 1, 2016 through January 31, 2018.
- 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%) of the original cost of the agreement per each amendment.
- Approved Agreement No. A-13744**
17. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Renewal and Amendment No. 11 to the agreement (A-11065) with Kronos, Inc. for software support and professional services of a timekeeper system at NMC, increasing the total agreement amount by \$156,630 to continue services and for additional Kronos timekeeper user license for a revised total agreement amount of \$3,012,056 and extending the agreement an additional twelve (12) month period (July 1, 2017 through June 30, 2018) for a revised full agreement term of November 20, 2007 through June 30, 2018.
- Approved Agreement No. A-11065**

Health Department

18. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a two-year Renewal & Amendment No. 2 to Standard Agreement A-13310 with M-3 Information, LLC, for online access to the M3 Clinician mental health assessment application, extending the term to June 30, 2019 for an increased amount of \$8,000 for a new total Agreement amount not to exceed \$20,000 for the full-term July 1, 2015 to June 30, 2019.

Approved Agreement A-13310

Criminal Justice

19. a. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute a Professional Services Agreement containing non-standard language provisions, retroactive to March 7, 2017, by and between County of Monterey and Kronos, Incorporated for usage, troubleshooting and support of a time scheduling system at the Sheriff's Office in the amount of \$103,000; and
- b. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to approve up to three (3) future amendments to the Agreement where the amendment does not significantly change the scope of work, and together do not add more than ten (10) percent (\$10,300) for a total contract value of \$113,300.

Approved Agreement No. A-13745

20. a. Approve and authorize the Contracts/Purchasing Manager or Contracts/Purchasing Supervisor to sign Amendment No. 1 to Agreement A-13057 by and between County of Monterey and Cellebrite, Inc., for software and hardware support and upgrades for Universal Forensic Extraction Devices (UFED) used by the Sheriff's Investigative Unit. This amendment adds \$15,358.00 to the agreement, for a not to exceed amount of \$43,000.00; and
- b. Authorize the Contracts/Purchasing Manager or Contracts/Purchasing Supervisor to sign up to two (2) amendments to the agreement where the amendment does not significantly change the scope of work, and where the amendments in total do not exceed ten percent (10%) of the original contract amount (\$2,764.00) for a cumulative, not to exceed total of \$45,764.00.

Approved Agreement No. A-13057

General Government

21. Approve and authorize the Director of the Information Technology Department to sign a Product Evaluation and Mutual Confidentiality Agreement with SlashNext,

Incorporated to test and evaluate the SlashNext Active Cyber Defense System.

Approved Agreement No. A-13745

22. a. Authorize the Director of the Information Technology Department or his designee to execute a non-standard agreement with CommScope Technologies, LLC, dba Comsearch, for Federal Communications Commission license management services in an amount not to exceed \$20,750, for a term of October 10, 2017 through October 9, 2022; and
- b. Accept non-standard contract provisions as recommended by the Director of Information Technology.

Approved Agreement No. A-13747

23. Adopt the ordinance amending Chapter 1.10 of the Monterey County Ordinance Code authorizing and requiring electronic filing of campaign disclosure statements, reports, and other documents with the Registrar of Voters of Monterey County.

Approved Ordinance No. 5288

RMA - Administration

24. a. Approve Amendment No. 3 to Agreement No. A-11983 with Urban Park Concessionaires, dba Monterey Lakes Recreation Company (CalParks), to continue to provide lake resort management services and extend the expiration date from October 31, 2017 one (1) additional year through October 31, 2018; and
- b. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute Amendment No. 3 to Agreement No. A-11983.

Approved Agreement No. A-11983

RMA - Public Works and Facilities

25. a. Approve Standard Agreement with Granite Rock Company dba FMG to provide on-call rental of fully operated, fueled and maintained asphalt grinding and paver machines at various locations in the County, in a total amount not to exceed \$210,000, beginning October 3, 2017 through September 30, 2018; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Standard Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

Approved Agreement No. A-13748

(Caltrans) for a Highway Safety Improvement Program (HSIP) Grant in the amount of \$600,000 for upgrading guardrail at various locations along Carmel Valley Road, Carpenteria Road, Outlook Drive, Laureles Grade, Old Stage Road, Reservation Road, and San Juan Road;

b. Approve a Grant Award from Caltrans for a HSIP Grant in the amount of \$244,500 for installation of activated overhead beacon and street lights and/or rapid rectangular beacons at the intersections of Castroville Blvd and Elkhorn Road in the community of Castroville and Rio Road at Via Nona Marie in the community of Carmel Valley; and

c. Authorize the RMA Director or Deputy Director of Administrative Services to accept, administer, and execute documents to secure these funds from Caltrans.

Approved - Agreement No.: A-13676: Highway Safety Improvement Program (HSIP) Grant; A-13677: HSIP Grant

55.

a. Award a contract to American Civil Constructors West Coast, LLC., the lowest responsible bidder, for the Polyester Concrete Bridge Deck Overlay and Methacrylate Bridge Deck Seal, Project No. 1143, Federal Aid No. BPMPL-5944(122), in the total amount of \$2,280,000;

b. Approve the Performance and Payment Bonds executed and provided by American Civil Constructors West Coast LLC;

c. Authorize a contingency, not to exceed 10% of the contract amount or \$228,000, to provide funding for approved contract change orders;

d. Authorize the RMA Director or RMA Deputy Director of Public Works & Facilities 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 RMA Director or RMA Deputy Director of Public Works & Facilities to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director/Deputy Director determines that the contract is complete in all respects in accordance with Plans and Special Provisions for the construction of Polyester Concrete Bridge Deck Overlay and Methacrylate Bridge Deck Seal, Project No. 1143, Federal Aid No. BPMPL-5944(122), performed by American Civil Constructors West Coast, LLC.

Approved - Agreement No.: A-13665; Construction No. 2017-001

56.

a. Approve Professional Services Agreement with Kimley-Horn and Associates, Inc. to provide professional engineering services for a countywide roadway safety signing and striping audit, County Project No. 1145, Federal Project No. HSIPL-5944(127), under Request for Proposals (RFP) No. 1145, in a total amount not to exceed \$575,420, beginning July 25, 2017 for a period of three (3) years to July 25, 2020, with the option to extend the Agreement for two (2) additional one (1) year period(s); and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Professional Services Agreement and future amendments to the

Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

Approved - Agreement No.: A-13662

RMA - Parks

- 57.**
- a. Approve concept plans for Tatum’s Garden Foundation (TGF) project to use 25,000 square feet of Quail Meadows in Toro Park
 - b. Authorize the RMA Director to process plans, including the Development Review Committee (DRC), to address technical details.

Approved

Monterey County

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



Action Minutes - Final

Tuesday, November 7, 2017

9:00 AM

**See separate agendas for Board of Supervisors of the Monterey County
Water Resources Agency and Pajaro County Sanitation District.**

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*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Additions and Corrections to Closed Session:

There were no additions or corrections 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) Stagecoach Territory, Inc. v. County of Monterey, et al (Monterey Superior Court Case No. M104908 / Sixth District Court of Appeal H041076)
 - (2) JAL Berry Farms, LLC v. County of Monterey, et al. (Monterey Superior Court Case No. 17CV002964)
 - b. ~~Pursuant to Government Code section 54957.6, the Board will confer with negotiators:~~
 - ~~(1) Designated representatives: Irma Ramirez Bough and Brette Neal~~
 - ~~Employee Organization(s): Unit R (REMOVED VIA SUPPLEMENTAL)~~
 - c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
 - d. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
 - (1) Willoughby Farms, Inc.
 - (2) JAL Berry Farms, LLC
 - (3) Dobler & Sons, LLC

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a., c., and d. Item 1.b. was removed via the Supplemental.

10:30 A.M. - Reconvened

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Dr. Lew Bauman.

Additions and Corrections

There were no additions or corrections to the agenda.

Consent Calendar

- 2. Approval of Consent Calendar (See Supplemental Sheet)

Public comment regarding #13: Israel Villa; Alexis Magdalena; Steve Adams; Eddie Hancock; Tricia Bergeron; John Bocanich; Spanish speaking male with Interpreter; Steven Modina; Osca La Rosa with Interpreter; Marciano Huerta.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to approve the Consent Calendar (See Supplemental Sheet). ALL AYES

Ceremonial Resolutions

- 3. Adopt Resolution recognizing November 2017 as National Alzheimer’s Disease Awareness Month. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 17-384 recognizing November 2017 as National Alzheimer’s Disease Awareness Month. (Full Board). ALL AYES

- 3.1 Adopt Resolution recognizing November 2017 as National Family Caregivers Month in Monterey County. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 17-385 recognizing November 2017 as National Family Caregivers Month in Monterey County. (Full Board) ALL AYES

- 3.2 Adopt Resolution proclaiming November 2017 as “No Straw November” in Monterey County. (Supervisor Adams) (ADDED VIA ADDENDA)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 17-386 proclaiming November 2017 as “No Straw November” in Monterey County. (Supervisor Adams) (ADDED VIA ADDENDA) ALL AYES

- 3.3 Adopt Resolution honoring Lydia Gomez for her 29 years of providing In-Home Supportive Services. (Full Board) (ADDED VIA ADDENDA)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 17-387 honoring Lydia Gomez for her 29 years of providing In-Home Supportive Services. (Full Board) (ADDED VIA ADDENDA) ALL AYES

Appointments

4. Appoint Yessica Ramirez to the Housing Authority of Monterey County for a term ending April 1, 2021. (Supervisor Adams)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to appoint Yessica Ramirez to the Housing Authority of Monterey County for a term ending April 1, 2021. (Supervisor Adams) ALL AYES

- 4.1 Appoint Miguel Cervantes to the San Lucas County Water District for a term ending December 1, 2022. (Supervisor Salinas)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to appoint Miguel Cervantes to the San Lucas County Water District for a term ending December 1, 2022. (Supervisor Salinas). ALL AYES

Other Board Matters

5. Nominate one member of the Board of Supervisors to serve on the California State Association of Counties (CSAC) Board of Directors, and one member of the Board of Supervisors to serve as alternate, for a one-year term of office beginning on November 28, 2017.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Supervisor Luis Alejo to serve as Director on the California State Association of Counties (CSAC) Board of Directors, and Supervisor Mary Adams to serve as alternate, for a one-year term of office beginning on November 28, 2017. ALL AYES

6. Board Comments

Supervisor Salinas acknowledge the South County residents that attended today's meeting to address the consent item regarding Sunstreet Centers. He also acknowledged Councilwomen Noreen Acosta from King City and Yanelly Martinez from Greenfield. He stated it's always nice to have the South County elected officials attend Board meetings.

Supervisor Adams announced she attended the Veterans of the Year Awards Ceremony at the Monterey Elks Club. District 5 nominated Judge John Price, Judge Richard Curtis and Louis Getzelt. Each district nominated Veterans of the Year.

Supervisor Adams announced the Leadership meeting of the Board of Supervisors, Elected Officials and Department Heads scheduled for November 9, 2017. She requested that her colleagues be prepared to share their vision of

what they believe will be most beneficial to Monterey County residents.

Supervisor Alejo acknowledge all Veterans throughout Monterey County and expressed his pleasure at being the son and nephew of Vietnam Era Veterans that have served this country. He invited everyone to attend the Salinas Veteran's Day Parade this Saturday, November 11th, as well as the festivities at the Vietnam Memorial Park. This is an opportunity to give thanks and honor to Veterans and the organizers of this event for their service and commitment.

Supervisor Alejo advised he has been visiting sports clubs, specifically boxing gyms. It's an honor to see the community mentors and coaches keeping youth active after school. He visited the Rock Boxing Gym with Coach Danny Corona and the Team Villa's Boxing Gym with young professional fighter, Ruben Villa, who has a 9-0 professional record and is the pride of his community. He will be visiting the Salinas Boxing Gym to get a better sense of what these coaches are doing to keep the youth, as well as a number of young women, involved in sports and pursue their boxing dreams. He commended mentors and coaches for their leadership and saving lives through the sport of boxing.

Supervisor Parker announced she attended the Veteran's of the Year Awards Ceremony last Saturday. These awards are a way to honor and recognize veterans in their on-going public service to the community. Examples of public service include: coaching soccer, serving on the Planning Commission of their town, serving as a hospice volunteer, and advocacy and support for vulnerable or ill Veterans. It was a pleasure to be there to honor and recognize Veterans who are continuing their public service in substantial and meaningful ways.

7. CAO Comments and Referrals

There were no CAO comments or referrals.

8. General Public Comment

Steve Eklund; Rich Sweets; Wallflower; Becky Johnson; Rosa Gonzalez-Ruevas; Wes White; Ricarda Rodriguez with Interpreter; Eric Peterson.

10:30 A.M. - Scheduled Matters

9. Accept a 2017 Challenge Award from the California State Association of Counties (CSAC) for the Monterey County Farmworker Advisory Committee submitted by the Agricultural Commissioner.

Deann Baker presented the CSAC Challenge Award on behalf of CSAC.
Public comment: Norm Groot; Jim Bogart; Male-no name given.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to accept a 2017 Challenge Award from the California State Association of Counties (CSAC) for the Monterey County Farmworker Advisory Committee submitted by the Agricultural Commissioner. **ALL AYES**

10. Adopt the Monterey County Fiscal Year 18-20 Mental Health Services Act 3-Year Program and Expenditure Plan.

Public comment: Robin McRae; Woman - no name given; Beth Burrell; Catrina McTheater; Male - no name given; Ideal- last name unintelligible.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to adopt the Monterey County Fiscal Year 18-20 Mental Health Services Act 3-Year Program and Expenditure Plan. ALL AYES

12:00 P.M. - Recessed to Lunch

1:30 PM Reconvened

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

1:30 P.M. - Scheduled Matters

- 11.**
- a. Approve and authorize the Director of Health or Assistant Director of Health to sign a Memorandum of Agreement with the City of Salinas to authorize the Animal Control Services Administration Pilot Project, including funding of a joint Animal Services Administrator; and
 - b. Approve and adopt the Resolution for the Auditor-Controller to amend the Fiscal Year 2017-18 Animal Services operating adopted budget 001-4000-HEA001-8442 to increase appropriations by \$90,000, decrease appropriations in the Environmental Health operating adopted budget 001-4000-HEA005-8115 by \$45,000, and decrease General Fund Contingencies by \$45,000, 001-1050-CAO020-8034 to be used in the Animal Services budget (4/5th vote required).

Public comment: Alenis Leon; Nancy Ratto.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-393 to:

- a. Approve and authorize the Director of Health or Assistant Director of Health to sign a Memorandum of Agreement (A-13774) with the City of Salinas to authorize the Animal Control Services Administration Pilot Project, including funding of a joint Animal Services Administrator; and
- b. Approve and adopt the Resolution for the Auditor-Controller to amend the Fiscal Year 2017-18 Animal Services operating adopted budget 001-4000-HEA001-8442 to increase appropriations by \$90,000, decrease appropriations in the Environmental Health operating adopted budget 001-4000-HEA005-8115 by \$45,000, and decrease General Fund Contingencies by \$45,000, 001-1050-CAO020-8034 to be used in the Animal Services budget (4/5th vote required). **ALL AYES**

Adjournment

APPROVED:

/ s/ Luis A. Alejo

LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: / s/ Nicholas E. Chiulos

NICHOLAS E. CHIULOS

ACTING CLERK OF THE BOARD

APPROVED ON February 6, 2018

Supplemental Sheet, Consent Calendar**Health Department**

12. Approve and authorize the Contracts/Purchasing Officer to execute an 11-month Renewal and Amendment No. 1 to the Agreement with Insightformation, Inc. for the licensing of, and provision of training services for, a web-based planning and reporting tool, retroactive to August 16, 2017, for a revised full agreement term of March 24, 2017 through July 31, 2018, and adding \$35,753 for a revised total agreement amount not to exceed, \$85,603.
- Approved - Agreement No. A-13789**
13. Approve and authorize the Director of Health or Assistant Director of Health to execute a no-extension Amendment No. 4 to Alcohol and/or Drug Service Agreement A-12786 with Sun Street Centers for the provision of alcohol and drug recovery services in the increased amount of \$1,916,050 for FY 2017-18, for a revised total Agreement amount not to exceed \$7,549,839 for the full-term July 1, 2015 - June 30, 2018.
- Approved - Agreement No. A-12786 (See Consent item 4 for Public Comments)**
14. a. Approve and authorize the Director of Health or Assistant Director of Health to sign a two-year Alcohol and Drug Program Services Agreement with the Epicenter for the provision of youth services through the Friday Night Live (FNL) Program aimed at providing high school-aged young people youth development opportunities through youth-adult partnerships that create essential and powerful opportunities that enhance and improve local communities, in the amount of \$149,028 for Fiscal Year (FY) 2017-18 and \$149,028 for Fiscal Year (FY) 2018-19 for a total Agreement amount not to exceed \$298,056 retroactively to September 11, 2017 through June 30, 2019; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$29,806) of the original Agreement amount and do not significantly alter the scope of services.
- Approved - Agreement No. A-13780**
15. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a three-year Facility Use Agreement for the term October 24, 2017 to October 23, 2020 with California Rural Legal Assistance, Inc. ("CRLA") to use clinic space on County-leased premises located in Seaside, Marina and Salinas, California to provide on-site legal services to County patients at no cost; and
- b. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments

do not significantly change the scope of work.

Approved - Agreement No. A-13775

Department of Social Services

16. a. Ratify and approve the Director of the Department of Social Service's signature on the first amendment to Memorandum of Understanding No. 16-MOU-00731, revising the term end date from September 30, 2017 to "effective until terminated", with the California Department of Social Services to provide the Department of Social Services access to The Work Number, retroactively effective September 30, 2017; and
- b. Authorize the Director of the Department of Social Services to sign up to three additional amendments to this Memorandum of Understanding where the amendments do not significantly change the terms.

Approved

Criminal Justice

17. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a Standard Agreement created by Request for Proposals (RFP) No. 10614, Religious Services for the Monterey County Jail, with Prison Ministry of America, for the Sheriff's Office for a term from date of signing (11/8/2017 estimated) to November 7, 2020 in the amount of \$234,086; and
- b. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign up to two (2) future amendments to the agreement where the amendment does not significantly change the scope of work, and where the amendments in total do not increase the contract value more than 10% of total (\$23,409) for a revised not to exceed maximum contract cost of \$257,495

Approved - Agreement No. A-13773

18. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendment No. 9 to Agreement A-12200, retroactive to September 30, 2017, between the County of Monterey and California Forensic Medical Group, Inc. (CFMG) for provision of adult inmate medical services for the Monterey County Adult Detention Facility, extending the agreement retroactive from September 30, 2017 to December 31, 2017. The estimated total cost for the three month extension through December 31, 2017 is \$2,140,000.

Approved - Agreement No. A-12200

General Government

19. Authorize the Director of the Information Technology Department to execute either of two template non-disclosure agreements, including making minor alterations that do not substantially alter their terms, subject to County Counsel review, to facilitate work with vendors that requires the County to disclose confidential information about the County's network and information technology systems.

Approved

20. Approve and authorize the Economic Development Department Housing Office to use the most current version of the California Department of Housing and Community Development (HCD) Homebuyer Program Guidelines to implement the HOME-funded First Time Homebuyer (FTHB) Program.

Approved

21. a. Amend the FY 2017-18 Information Technology Department budget, Appropriation Unit INF002, Budget Unit 8434-Service Delivery to reallocate two (2) Information Technology Support Technician III positions to two (2) Systems Programmer Analyst II positions, as indicated in Attachment A;
- b. Amend the FY 2017-18 Information Technology Department budget, Appropriation Unit INF002, to reallocate one (1) Accounting Technician position in Budget Unit 8432- Fiscal Administration to one (1) Software Programmer Analyst II position in Budget Unit 8433- Applications, as indicated in Attachment A;
- c. Amend the FY 2017-18 Information Technology Department budget, Appropriation Unit INF002, to reallocate one (1) Telecommunications Technician III position in Budget Unit 8436-Infrastructure to one (1) Software Programmer Analyst II position in Budget Unit 8433- Applications, as indicated in Attachment A; and
- d. Authorize the Auditor-Controller and the County Administrative Office to incorporate these changes in the FY 2017-18 Budget.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-395 to:

- a. Amend the FY 2017-18 Information Technology Department budget, Appropriation Unit INF002, Budget Unit 8434-Service Delivery to reallocate two (2) Information Technology Support Technician III positions to two (2) Systems Programmer Analyst II positions, as indicated in Attachment A;**
- b. Amend the FY 2017-18 Information Technology Department budget, Appropriation Unit INF002, to reallocate one (1) Accounting Technician position in Budget Unit 8432- Fiscal Administration to one (1) Software Programmer Analyst II position in Budget Unit 8433- Applications, as indicated in Attachment A;**
- c. Amend the FY 2017-18 Information Technology Department budget, Appropriation Unit INF002, to reallocate one (1) Telecommunications Technician III position in Budget Unit 8436-Infrastructure to one (1) Software Programmer Analyst II position in Budget Unit 8433- Applications, as indicated**

in Attachment A; and
d. Authorize the Auditor-Controller and the County Administrative Office to incorporate these changes in the FY 2017-18 Budget. ALL AYES

22. Authorize the Treasurer-Tax Collector's Revenue Division to renew the Franchise Tax Board (FTB) Court-Ordered Debt collection program State Standard Contract for the period of January 1, 2018 to December 31, 2020 and direct the Chair of the Board to sign the State Standard Contract renewal.

Approved

23. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to the Site Lease Agreement with Weathertop Ranch LLC, authorizing the County to sublease the property and thereby enable other entities to install communications equipment at the County communications facility at the leased site, and increasing the amount of the lease fee to add \$500 annually per executed sublease, to be paid by sublessees.

Approved - Agreement No. A-12440

24. a. Authorize the Director of the Information Technology Department or his designee to execute a non-standard letter of engagement with Open Text, Inc. for a server upgrade and implementation services for the County's Right Fax system, for an amount not to exceed \$17,000 and a term of November 7, 2017 through November 6, 2018; and
b. Accept non-standard language as recommended by the Director of the Information Technology Department.

Approved - Agreement No. A-13776

25. Approve a request from the Soledad-Mission Recreation District for dry period loan of \$39,000 for the Fiscal Year ending June 30, 2018.

Approved

- 25.1 a. Approve and authorize the Contracts/Purchasing Officer or his designee to execute an Agreement with Armstrong Productions, Inc., for broadcast services for the Monterey County Government Channel for a term of November 7, 2017 through June 30, 2020, for a total not to exceed \$294,880; and
b. Approve and authorize the Contracts/Purchasing Officer or his designee to execute up to two (2) extensions of the Agreement, of one (1) year each, subject to County Counsel review, provided there is no significant change in Agreement terms and provided any increase in cost is limited to no more than ten (10) percent of the yearly amount (\$10,500 maximum increase per renewal). (ADDED VIA ADDENDA)

Approved - Agreement No. A-13772

26. Adopt a Resolution to:
Authorize the Auditor-Controller to amend the Fiscal Year (FY) 2016-17 Adopted Budget for the Information Technology Department (Fund 001, Appropriation Unit INF002) to increase appropriations by \$1,669,000, where the financing source is General Fund unassigned fund balance (BSA#3101) (4/5th vote required).

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-394 to authorize the Auditor-Controller to amend the Fiscal Year (FY) 2016-17 Adopted Budget for the Information Technology Department (Fund 001, Appropriation Unit INF002) to increase appropriations by \$1,669,000, where the financing source is General Fund unassigned fund balance (BSA#3101) (4/5th vote required). ALL AYES

RMA - Administration

27. Adopt a Resolution to:
- a. Accept the California Department of Resources Recycling and Recovery's Beverage Container Recycling Grant in the amount of \$248,794 for the improvement of waste and recycling facilities in County parks; and
 - b. Authorize the Auditor-Controller's Office to amend the Fiscal Year 2017-18 adopted budget, Fund 001, unit 8475, Appropriations Unit RMA006, to increase appropriations and revenue by \$248,794, where funding is provided by the California Department of Resources Recycling and Recovery (4/5th vote required); and
 - c. Authorize the RMA Director or his/her designee to accept, administer, and execute documents to secure and manage these grant funds from the California Department of Resources Recycling and Recovery; and
 - d. Authorize the Auditor-Controller's Office to incorporate approved appropriation and estimated revenue modifications to the FY2017-18 budget.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-396 to:

- a. Accept the California Department of Resources Recycling and Recovery's Beverage Container Recycling Grant in the amount of \$248,794 for the improvement of waste and recycling facilities in County parks; and**
- b. Authorize the Auditor-Controller's Office to amend the Fiscal Year 2017-18 adopted budget, Fund 001, unit 8475, Appropriations Unit RMA006, to increase appropriations and revenue by \$248,794, where funding is provided by the California Department of Resources Recycling and Recovery (4/5th vote required); and**
- c. Authorize the RMA Director or his/her designee to accept, administer, and execute documents to secure and manage these grant funds from the California Department of Resources Recycling and Recovery; and**
- d. Authorize the Auditor-Controller's Office to incorporate approved appropriation and estimated revenue modifications to the FY2017-18 budget.**

ALL AYES

RMA - Land Use and Community Development

- 28.
- a. Approve Amendment No. 8 to Professional Services Agreement No. A-11914 with EMC Planning Group, Inc. (EMC) where the Base budget in the amount of \$324,434 is increased by \$91,500 to \$415,934 and the Contingency budget in the amount \$45,014 is unchanged which increases the not to exceed amount of \$369,448 by \$91,500 to a total amount not to exceed \$460,948 to allow for additional services associated with existing tasks to complete the Environmental Impact Report (EIR) for the Moss Landing Community Plan Update (PD080541) in Moss Landing, and extend the expiration date from May 31, 2018 for four (4) additional months through September 30, 2018, for a revised term from May 4, 2010 to September 30, 2018; and
 - b. Approve Amendment No. 8 to Funding Agreement No. A-11927 with various Project Applicants where the Project Applicants' portion of the Base budget, Contingency budget and Deposits for County Staff services at a total not to exceed amount of \$334,466 is unchanged, and the County's portion of the Base budget in the amount of \$139,122 is increased by \$91,500 to \$230,622, for a total amount not to exceed of \$565,088, to allow funding by Monterey County for costs incurred by EMC to allow for additional services associated with existing tasks to complete the EIR for the Moss Landing Community Plan Update (PD080541) in Moss Landing, and extend the expiration date from May 31, 2018 for four (4) additional months through September 30, 2018, for a revised term from May 4, 2010 to September 30, 2018; and
 - c. Authorize the Chief of Planning Services to execute Amendment No. 8 to Professional Services Agreement No. A-11914, Amendment No. 8 to Funding Agreement No. A-11927 and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

Permit Type: GPZ090005/Environmental Impact Report (EIR) for the Moss
Landing
Community Plan Update

Approved - Agreement No. A- 11914 (EMC Planning); A-11927 (Various Project Applicants)

RMA - Public Works and Facilities

- 29.
- a. Award Roads & Bridges Job Order Contracts (JOC) for a term of one year from date signed by County or upon the payment by County to Contractor of the maximum amount payable under the agreement, whichever occurs earlier with a minimum contract value of \$25,000 and maximum contract value of \$4.766 million to the following bidders: 2017-01 Granite Rock Company; 2017-02 Granite Construction Company; and 2017-03 Newton Construction and

Management Inc.;

b. Award Facilities Job Order Contract (JOC) for a term of one year from date signed by County or upon the payment by County to Contractor of the maximum amount payable under the agreement, whichever occurs earlier, with a minimum contract value of \$25,000 and maximum contract value of \$4.766 million to the following bidders: 2017-01 Newton Construction; 2017-02 Ausonio

Incorporated;

c. Approve the Performance and Payment Bonds for Roads & Bridges JOC in the amount of \$4,766,357 each by Granite Rock Company; Granite Construction Company; and Newton Construction and Management Inc;

d. Approve the Performance and Payment Bonds for Facilities JOC in the amount of \$4,766,357 each by Newton Construction; and Ausonio Incorporated; and

e. Authorize the RMA - Deputy Director of Public Works & Facilities to execute the Roads & Bridges and Facilities Job Order Contracts.

Approved - Agreement No. A-13769 (Granite Rock); A-13771 (Newton Construction & Management, Inc.)

Monterey County

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



Action Minutes - Final

Tuesday, December 5, 2017

9:00 AM

See separate agenda for East Garrison Community Services District.

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*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Additions and Corrections for Closed Session:

There were no additions or corrections to Closed Session.

Public Comment:

Michael Baer.

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) Aera Energy LLC v. County of Monterey, et al. (Monterey Superior Court case no. 16CV003980)
 - (2) California Resources Corporation v. County of Monterey, et al. (Monterey Superior Court case no. 17CV000790)
 - (3) Chevron U.S.A. Inc., et al. v. County of Monterey, et al. (Monterey Superior Court case no.16CV003978)
 - (4) Eagle Petroleum LLC v. County of Monterey, et al. (Monterey Superior Court case no. 17CV000935)
 - (5) National Association of Royalty Owners-California, Inc., et al. v. County of Monterey, et al., (Monterey Superior Court case no. 17CV000871)
 - (6) Trio Petroleum LLC, et al. v. County of Monterey, et al. (Monterey Superior Court case no. 17CV001012)
 - (7) State of California, et al. v. Jefferson Sessions, et al. (United States District Court case no. 17-CV-4701-WHO)
 - (8) County of Santa Clara, et al. v. Donald Trump, et al., (United States District Court case no. 17-CV-00574-WHO)
 - (9) City and County of San Francisco, et al. v. Donald J. Trump, et al., (United States District Court case no. 17-CV-00485-WHO)
 - b. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Brette Neal
Employee Organization(s): Unit R

(2) Designated representatives: Irma Ramirez-Bough and Brette Neal
Employee Organization(s): Units D, E, G & L

c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Agricultural Commissioner/CA Sealer of Weights & Measures

d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding four matters 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.

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a. through e.

10:30 A.M. - Reconvene

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Gail T. Borkowski.

Additions and Corrections

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following correction:

Correction to Consent Calendar – General Government

33. A revised Resolution has been submitted

Adopt Resolution to approve the amendments to the Conflict of Interest Code of the North County Recreation and Park District.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to approve the correction to the agenda. ALL AYES

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Adams pulled items 38 and 43.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to approve the Consent Calendar (See Supplemental Sheet), except items 38 and 43. ALL AYES

Supervisor Adams asked questions of staff regarding item 38. Charles McKee responded and suggested revisions to the resolution on the item.

Re Item 38: A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to approve item 38, with revisions to the resolution as stated on the record. ALL AYES (See item)

Supervisor Adams commented on item 43.

A motion was made by Supervisor Simon Salinas, seconded by Supervisor Luis Alejo to approve item 43. ALL AYES (See item)

Ceremonial Resolutions

3. Adopt Resolution congratulating Gary Alan Craft on his distinguished law enforcement career of over forty-one years. (Full Board)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-402 congratulating Gary Alan Craft on his distinguished law enforcement career of over forty-one years. (Full Board) ALL AYES

4. Adopt Resolution honoring Probation Officer III, Kathy Fisher upon her retirement from the Monterey County Probation Department after more than twenty-nine years of County service. (Full Board)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-404 honoring Probation Officer III, Kathy Fisher upon her retirement from the Monterey County Probation Department after more than twenty-nine years of County service. (Full Board) ALL AYES

5. Adopt Resolution commending Michael L. Gross, Information Technology Department, upon his retirement from twenty-eight years of Public Service. (Full Board)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-403 commending Michael L. Gross, Information Technology Department, upon his retirement from twenty-eight years of Public Service. (Full Board) ALL AYES

Appointments

- 6. Reappoint Dr. Roy Schindelheim or appoint Dr. Anthony Chavis as a Provider Representative to the Central California Alliance for Health for a term ending December 31, 2021. (Full Board)

Public comment: Adrienne Laurent.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to appoint Dr. Anthony Chavis as a Provider Representative to the Central California Alliance for Health for a term ending December 31, 2021. (Full Board) 3-2 (Supervisors Salinas and Parker voted No)
- 7. Appoint Jonathan Wizard to the Monterey County Planning Commission to fill an unexpired term ending January 27, 2019. (Supervisor Parker)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to appoint Jonathan Wizard to the Monterey County Planning Commission to fill an unexpired term ending January 27, 2019. (Supervisor Parker) ALL AYES
- 8. Appoint Margarita Robles to the Area Agency on Aging Advisory Council for a term ending January 1, 2021. (Full Board)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to appoint Margarita Robles to the Area Agency on Aging Advisory Council for a term ending January 1, 2021. (Full Board) ALL AYES
- 9. Reappoint Julie Edgcomb to the Central Coast Alliance for Health as a Public Representative for a term ending December 31, 2021. (Full Board)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to reappoint Julie Edgcomb to the Central California Alliance for Health as a Public Representative for a term ending December 31, 2021. (Full Board) ALL AYES
- 10. Reappoint Rita Dady to the Housing Authority of the County of Monterey for a term ending January 12, 2020. (Full Board)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to reappoint Rita Dady to the Housing Authority of the County of Monterey for a term ending January 12, 2020. (Full Board) ALL AYES

Other Board Matters

- 11. Adopt Resolution urging the Federal Government to extend the Temporary Protected Status (TPS) for all (13) nations currently included in the program, and to establish a pathway to permanency for these recipients. (Supervisor Alejo)

Public comment: Joe Vierra; Cesar Lara; Steve Eklund.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón

Salinas to adopt Resolution No. 17-406 urging the Federal Government to extend the Temporary Protected Status (TPS) for all (13) nations currently included in the program, and to establish a pathway to permanency for these recipients. (Supervisor Alejo) ALL AYES

12.

Board Comments

Supervisor Parker announced the Friends of Marina Library has opened a brick and mortar community book store to sell used books. The proceeds will be used to support the County libraries. They accept donations of used books and videos. It's a great place to do some holiday shopping and support a local non-profit.

Supervisor Alejo announced he was honored to attend the California State Association of Counties annual conference in Sacramento last week. He is pleased to have been elected as the Chair of the Latino Caucus representing Latino Supervisors throughout the State. He was also elected as the Co-Chair of the Coastal Counties Regional Association of CSAC.

Supervisor Alejo advised that he, Supervisor Salinas and County Counsel Charles McKee were honored to attend the California Clerk of the Board of Supervisors Association (CCBSA) who honored Clerk of Board Gail T. Borkowski on her soon to be retirement. She was honored for her involvement with Clerks on a statewide level and Boards of Supervisors. This showed the respect for her leadership and her contributions on a statewide level.

Supervisor Alejo thanked everyone for their efforts in support of the homeless shelter opening last Friday. He's hearing that this shelter is making a difference in the lives of the County's most vulnerable residents. He commended Manny Gonzalez, Elliott Robinson and the City of Salinas for making this partnership happen. This is truly a success story and he looks forward to more successes in addressing the homeless crisis in Monterey County.

Supervisor Adams added Sue Chapman to the list of the those to be commended for the homeless shelter opening. Her efforts to move the Public Defenders office on such a short timeline was a significant contribution to the timely opening of the facility.

Supervisor Salinas echoed Supervisor Alejo's comments, saying you could feel the love for Gail T. Borkowski at the reception and while they were happy for her retirement, they were sad to lose her and her advocacy at the state level.

Supervisor Salinas sincerely thanked Mr. Moore at the Office of Emergency Services and Interpreter Diego Celis for their attendance at the meeting last night in Chualar. The meeting went on for two hours with the public asking many questions about emergency preparedness and the new systems in place. It was a well attended meeting. He thanked Diego for his excellent translation of very technical terms.

Supervisor Adams advised she will speak later to the support the Clerk of the Board has provided to so many and the appreciation she receives from her colleagues throughout the state, as there is one more Board meeting for the year.

Gail T. Borkowski thanked Supervisors Adams, Salinas, Alejo and Charles McKee for their attendance and support at the CCBSA annual conference.

Supervisor Adams was honored to attend the annual CSAC Conference and is now aware that all counties are experiencing the same challenges as Monterey County on issues such as cannabis, short term rental, homelessness, and CalPERS. It is a certain sense of comfort to know we are in the same situation as many our colleagues around the state.

Supervisor Adams was invited to attend a meeting, at the invitation of the Cal State University Monterey Bay School of Business, to take a quick trip to Costa Rica to look at eco-tourism and eco recreation and wellness programs to look at and find ideas to bring back and replicate. It was a real honor.

13. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman announced the following referrals:

1) Create an CSA Advisory Committee 47 (Carmel Views) of five to seven to work with staff on funding and projects (District 5 -Adams). Referred to the Resource Management Agency.

2) Request to begin the process of establishing an underground utility district for Carmel Highlands (District 5-Adams). Referred to Resource Management Agency.

3) Bring back a proposal to repair and replace a 48 inch tide gate on the northerly section of Elkhorn Road to prevent seawater intrusion in the upper slough. (District 2-Phillips) Referred to the Resource Management Agency, with direction to return to the Board next week with a proposal and an overview of permitting and construction costs for further direction from the Board.

14. General Public Comment

Steve Park; Joe Vierra; Steve Eklund; Eric Peterson; Wes White.

10:30 A.M. - Scheduled Matters

- 14.1**
- a. Approve the County of Monterey's Title VI Implementation Plan;
 - b. Adopt a resolution authorizing the Auditor-Controller to amend the FY 2017-18 Equal Opportunity Office Budget (001-1080-EQU001-8066) to add one Associate Equal Opportunity Analyst position, increasing appropriations by \$68,877 financed by a reduction in appropriations in the County Administrative Office's IGLA Division (001-1050-CA0004-8054) (4/5ths vote required);
 - c. Direct the Human Resources Department to implement the changes in the HRM system; and
 - d. Adopt a Resolution to re-name the Equal Opportunity Office to the Civil Rights Office and change the Titles of the Equal Opportunity Job Classification Series to reflect the name change.

Public comment: Andrea Mango; Alexis Magdaleno; Joe Vierra; Juan Gomez;

Wes White.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to:

- a. Approve the County of Monterey's Title VI Implementation Plan;**
- b. Adopt Resolution 17-409 authorizing the Auditor Controller to amend the FY 2017 18 Equal Opportunity Office Budget (001 1080 EQU001 8066) to add one Associate Equal Opportunity Analyst position, increasing appropriations by \$68,877 financed by a reduction in appropriations in the County Administrative Office's IGLA Division (001 1050 CA0004 8054) (4/5ths vote required);**
- c. Direct the Human Resources Department to implement the changes in the HRM system; and**
- d. Direct staff to return with options to look at funding when it returns through the budget process. ALL AYES**

15. Introduce, waive reading, and set December 12, 2017, as the date and time to consider adoption of an ordinance to amend Chapter 2.19 of the Monterey County Code to change the name of the Equal Opportunity Office to the Civil Rights Office and re-establish the duties of the Office and Officer.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary L. Adams to:

Introduce, waive reading, and set January 9, 2018, as the date and time to consider adoption of an ordinance to amend Chapter 2.19 of the Monterey County Code to change the name of the Equal Opportunity Office to the Civil Rights Office and re-establish the duties of the Office and Officer. ALL AYES

16. Introduce, waive reading, and set December 12, 2017, as the date and time to consider adoption of an ordinance to amend Chapter 2.80 of the Monterey County Code to change the name of the Equal Opportunity Office to the Civil Rights Office and re-establish the duties of the office and officer.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary L. Adams to:

Introduce, waive reading, and set January 9, 2018, as the date and time to consider adoption of an ordinance to amend Chapter 2.80 of the Monterey County Code to change the name of the Equal Opportunity Office to the Civil Rights Office and re-establish the duties of the office and officer. ALL AYES

17. REF150048 - Inland & REF160042 - Coastal
Commercial Cannabis (Marijuana) Regulations
Public hearing to consider:
- a. Adoption of an ordinance amending Title 21 (non-coastal zoning ordinance) of the Monterey County Code to regulate medicinal and adult-use commercial cannabis activities in the inland unincorporated area of Monterey County consistent with state law;
 - b. Adoption of a resolution of intent to:
 1. Adopt an ordinance amending the Monterey County Coastal Implementation Plan, Part 1 and Part 2 (Title 20, coastal zoning ordinance) of the Monterey County Code to regulate commercial cannabis activities in the coastal zone of unincorporated Monterey

County consistent with state law; and

2. Amend the text of the North County Land Use Plan to allow permitting of commercial cannabis activities at the former Kaiser National Refractories site located at 7697 Highway 1, Moss Landing, notwithstanding the coastal-dependent industrial land use designation on the site;

c. Adoption of an ordinance amending Chapter 7.90 to 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

d. Adoption of 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: Statutorily exempt pursuant to Business and Professions Code Section 26055(h) (CEQA exemption for the adoption of local commercial cannabis regulations that require subsequent discretionary permits that are themselves subject to CEQA review).

(REVISED ATTACHMENT D SUBMITTED; REVISED ATTACHMENT H SUBMITTED AND ADDED MEMORANDUM - REVISION SUBMITTED VIA SUPPLEMENTAL)

Public hearing held regarding REF150048 Inland & REF160042 Coastal Commercial Cannabis (Marijuana) Regulations.

Public comment: Mike Linder; Gaelen; Tiffany Wright; Daniel Sosa; Oliver Bates; Hansen Reed; Adam Gallegos; Sam Kemp; Dan DeGeorge; Juan Cervantes; Wes White; Katie Newman.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to:

- a. Adopt Ordinance 5292 amending Title 21 (non coastal zoning ordinance) of the Monterey County Code to regulate medicinal and adult use commercial cannabis activities in the inland unincorporated area of Monterey County consistent with state law;**
- b. Adopt Resolution of Intent 17-501 to:**
 - 1. Adopt an ordinance amending the Monterey County Coastal Implementation Plan, Part 1 and Part 2 (Title 20, coastal zoning ordinance) of the Monterey County Code to regulate commercial cannabis activities in the coastal zone of unincorporated Monterey County consistent with state law; and**
 - 2. Amend the text of the North County Land Use Plan to allow permitting of commercial cannabis activities at the former Kaiser National Refractories site located at 7697 Highway 1, Moss Landing, notwithstanding the coastal dependent industrial land use designation on the site;**
- c. Adopt Ordinance 5293 amending Chapter 7.90 to 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;**
- d. Adopt Ordinance 5294 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; and

e. Direct staff to return in January regarding setbacks for public parks in Big Sur, CA. Proposed CEQA action: Statutorily exempt pursuant to Business and Professions Code Section 26055(h) (CEQA exemption for the adoption of local commercial cannabis regulations. 4-1 (Supervisor Adams Abstained)

After the 1:30 P.M. Reconvene, Carl Holm addressed the Board on this item. No further action was taken by the Board.

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

1:30 P.M. - Scheduled Matters

17.1

(Public hearing continued from October 24, 2017) Continue to a date uncertain the public hearing on an ordinance to add Chapter 16.58 to the Monterey County Code to establish exemption procedures for land uses in support of oil and gas operations in order to implement provisions of Measure Z, a voter-approved initiative measure.

Proposed CEQA Action: Statutorily exempt per CEQA Guidelines section 15378(b)(5).

Public comment: Laura Solorio; Beverly Bean; Andy Hsia-Coron; Bill Carrothers; Richard Boyer.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to: Continue to a date uncertain the public hearing on an ordinance to add Chapter 16.58 to the Monterey County Code to establish exemption procedures for land uses in support of oil and gas operations in order to implement provisions of Measure Z, a voter-approved initiative measure. (Public hearing continued from October 24, 2017)

Proposed CEQA Action: Statutorily exempt per CEQA Guidelines section 15378(b)(5); additionally, the Board noted that the continuance will allow staff to review any court ruling and return to the Board within 30-45 days of a court ruling. ALL AYES

18.

Consider recommendations from the Legislative Committee to:

- a. Adopt the 2017-18 Legislative Program Update;
- b. Adopt the 2017 Strategic Grant Services Program;
- c. Receive an annual report from the County's federal legislative advocate, Brent Heberlee (Nossaman LLP);
- d. Receive an annual report form the County's state legislative advocates, Jennifer

Capitolo and Ashley Walker (Nossaman LLP);

e. Receive an annual report from the County's grant consultants, Jennifer Capitolo and Ashley Walker (Nossaman LLP).

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to:

Approve recommendations from the Legislative Committee to:

a. Adopt the 2017-18 Legislative Program Update, including updates from staff of Congressman Jimmy Panetta, Assemblymember Anna Caballero and Assemblymember Mark Stone;

b. Adopt the 2017 Strategic Grant Services Program;

c. Receive an annual report from the County's federal legislative advocate, Brent Heberlee (Nossaman LLP);

d. Receive an annual report from the County's state legislative advocates, Jennifer Capitolo and Ashley Walker (Nossaman LLP);

e. Receive an annual report from the County's grant consultants, Jennifer Capitolo and Ashley Walker (Nossaman LLP). ALL AYES

19.

REF170038- Williamson Act 2018 Contract Applications

Conduct a public hearing to consider seven (7) 2018 Williamson Act Applications and adopt a Resolution to:

a. Find that the project is for Open Space Contracts or Easements which qualifies as a Class 17 Categorical Exemption pursuant to Section 15317 of the CEQA Guidelines, and there are no exemptions pursuant to CEQA Guidelines Section 15300.2;

b. Continue three (3) applications to the 2019 round of applications;

c. Approve a total of four (4) contracts to create three (3) Farmland Security Zones ("FSZ") and FSZ Contracts and establish one (1) Agricultural Preserve ("AgP") and Land Conservation Contract;

d. Authorize the Chair to execute the recommended Farmland Security Zone Contracts and Agricultural Preserve Land Conservation Contract; and

e. Direct the Clerk of the Board of Supervisors to record the Farmland Security Zone and Agricultural Preserve Land Conservation Contracts prior to the January 1, 2018 property tax lien date subject to the submittal of recording fees by the property owners of record.

Proposed CEQA Action: Categorically Exempt per CEQA Guidelines Section 15317. Project Location: Various locations

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to:

a. Find that the project is for Open Space Contracts or Easements which qualifies as Class 17 Categorical Exemption pursuant to CEQA Guidelines Section 15317, and there are no exemptions pursuant to CEQA Guidelines Section 15300.2;

b. Continue the following three (3) applications to the 2019 round of 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 to create a Farmland Security Zone and Contract (Continued FSZ Application No. 2017-010);

2. No. 2018-006 (FSZ) - Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 to create a Farmland Security Zone and Contract (Continued FSZ Application No. 2017-011); and

3. 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 to establish an Agricultural Preserve and Land Conservation Contract (Continued AgP Application No. 2017-012) upon condition that a title company lot book report is timely submitted by September 15, 2018.

c. Approve the following four (4) applications to create three (3) Farmland Security Zones (FSZ) and FSZ Contracts and establish one (1) Agricultural Preserve (AgP) and Land Conservation Contract:

1. No. 2018-002 (AgP) - Kyler N. Hamann and Jamie Hamann and Kristan A. Hamann; APNs 423-151-059 and 423-151-060 to establish an AgP and approve a Land Conservation Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new AgP Land Conservation Contract No. 2018-002;

2. 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 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new FSZ Contract No. 2018-003;

3. No. 2018-004 (FSZ) - Blackie Road Holdings, LLC, a California Limited Liability Company; APNs 133-013-001; 133-013-002; 133-013-003 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new FSZ Contract No. 2018-004;

And Rescind a portion of Agricultural Preserve and Land Conservation Contract No. 77-1 and simultaneously place the property in a new Farmland Security Zone and Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Farmland Security Zone Contract No. 2018-004; and

4. No. 2018-005 (FSZ) - Thomas M. Borchard, Sr. and Katherine V. Borchard; APN 253-011-006 to create an FSZ and approve an FSZ Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new FSZ Contract No. 2018-005 and/or the reconfigured Parcel B which is the subject of an approved Lot Line Adjustment in PLN160515 (Borchard Lot Line Adjustment) subject to the approval and recordation of the Certificates of Compliance required per PLN160515 (Continued FSZ Application No. 2017-006).

d. Authorize the Chair to execute the recommended Farmland Security Zone Contracts and Agricultural Preserve Land Conservation Contract; and

e. Direct the Clerk of the Board of Supervisors to record the Farmland Security Zone Contracts and Agricultural Preserve Land Conservation Contract prior to the January 1, 2018 property tax lien date subject to the submittal of the applicable recording fees by the property owners of record. (REF170038 – Williamson Act Contract Applications 2018 – County-wide) ALL AYES

20.

PLN160381 - Amaral Williamson Act Lot Line Adjustment

Public hearing to adopt a resolution for a Lot Line Adjustment of Williamson Act lands between three (3) existing legal lots of 50.957 acres and 106.705 acres subject to Farmland Security Zone Contract No. 2005-007 and 180.00 acres subject to Land Conservation Contract No. 2012-025, resulting in three (3) lots of 83.45, 97.712 and 156.5 acres respectively.

Project Location: Located on Somavia Road, south of Harris Road between

Highway 101 and River Road, at the edge of Toro Area Plan and Greater Salinas Area.

Proposed CEQA Action: Categorically Exempt per CEQA Guidelines Section 15305

Public hearing held.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-528 for a Lot Line Adjustment of Williamson Act lands between three (3) existing legal lots of 50.957 acres and 106.705 acres subject to Farmland Security Zone Contract No. 2005-007 and 180.00 acres subject to Land Conservation Contract No. 2012-025, resulting in three (3) lots of 83.45, 97.712 and 156.5 acres respectively.

Project Location: Located on Somavia Road, south of Harris Road between Highway 101 and River Road, at the edge of Toro Area Plan and Greater Salinas Area. Proposed CEQA Action: Categorically Exempt per CEQA Guidelines Section 15305, PLN160381 - Amaral Williamson Act Lot Line Adjustment. ALL AYES

21.

Acting on behalf of County Service Area 75 - Chualar:

- a. Conduct a Public Hearing to hear objections to, or protests against, the proposed wastewater service fee increase by property owners within the service area pursuant to Proposition 218 requirements. Said fee increase reflects a Three (3)-Year Phase in and forgiveness of four (4) loans totaling \$1,166,483 as public benefit;
- b. Direct Clerk of the Board to tabulate and certify assessment ballots received before the conclusion of the public hearing;
- c. Determine if a majority protest exists, or, if no majority protest exists;
- d. If a majority protest exists, no assessment may be imposed; and
- e. If no majority protest exists, adopt a Resolution to approve the proposed wastewater rate increase.

Acting on behalf of County Service Area 75 - Chualar: A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to:

- a. Conduct a Public Hearing to hear objections to, or protests against, the proposed wastewater service fee increase by property owners within the service area pursuant to Proposition 218 requirements. Said fee increase reflects a Three (3)-Year Phase in and forgiveness of four (4) loans totaling \$1,166,483 as public benefit;**
- b. Direct Clerk of the Board to tabulate and certify assessment ballots received before the conclusion of the public hearing;**
- c. Determine if a majority protest exists, or, if no majority protest exists;**
- d. If a majority protest exists, no assessment may be imposed; and**
- e. Adopt Resolution No. 17-407 to approve the proposed wastewater rate increase. ALL AYES**

22.

Consider a recommendation from the Legislative Committee to support a proposal to change the name of Confederate Corners, an unincorporated community southwest of the City of Salinas, to Campesino Corners or other name(s) proposed by the community; and to convey the Board's recommendation to the U.S. Geological Survey, U.S. Board on Geographic Names.

Public comment: Regina Mason; Richard Boyer; A.J. Alvaro; John Tresh; Ron Van Sussten; Wes White.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary L. Adams to approve recommendation from the Legislative Committee to support a proposal to change the name of Confederate Corners, an unincorporated community southwest of the City of Salinas, to Springtown and to convey the Board's recommendation to the U.S. Geological Survey, U.S. Board on Geographic Names. ALL AYES

Adjournment

APPROVED:

/ s/ Luis A. Alejo

**LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: / s/ Nicholas E. Chiulos

**NICHOLAS E. CHIULOS
ACTING CLERK OF THE BOARD**

APPROVED ON February 6, 2018

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

23. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Renewal and Amendment No. 2 to the Agreement with Qventus (formerly known as AnalyticsMD, Inc.) for operational decision support software at NMC to extend the Agreement term for two (2) additional years (October 29, 2017 through October 28, 2019), for a revised full term of October 29, 2015 through October 28, 2019 and increasing the amount by \$190,000 for a revised total agreement amount not to exceed \$381,000.
- 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%) (\$19,100) of the original cost of the agreement in total.

Approved

24. Authorize execution by the Deputy Purchasing Agent for Natividad Medical Center (NMC) of a three-year renewal lease agreement with Monterey Bay Management Services, LLC ("Lease Agreement"), with a retroactive start date of August 1, 2017 and ending July 31, 2020, for 5,935 square feet of space located at 1441 Constitution Boulevard, Building No. 400, Suite 100, Salinas, California, for use as an eye care facility on the Natividad Medical Center campus at the monthly rate of \$13,668.00 and subject to an annual rent adjustment of three percent.

Approved

25. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the First Amendment to the Professional and Call Coverage Services Agreement (A-13055) with Muralidhara R. Raju, M.D. to provide neurosurgery services, extending the term by thirty-six (36) months (January 1, 2018 to December 31, 2020) for a revised full agreement term of March 1, 2016 to December 31, 2020 and adding \$200,000 for a revised amount not to exceed \$500,000 in the aggregate; and
- b. Authorize the Deputy Purchasing Agent for NMC 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% (\$30,000) of the original contract amount per each amendment.

Approved

26. Authorize the Chief Executive Officer of Natividad Medical Center ("NMC") until June 30, 2022 to execute agreements/amendments with commercial/private payers, including agreements/amendments containing non-standard risk provisions, for the

purpose of adding NMC as an in-network provider of healthcare services for both hospital and professional services and for establishing reimbursement methodologies used in healthcare payments, subject to County Counsel and Auditor-Controller approval.

Approved

27. Approve and authorize the Auditor-Controller to process payment in the amount of \$121,820.16 to Software House International (SHI) per Quote No. 13796352 on behalf of Natividad Medical Center (NMC) for an additional 721 Microsoft licenses owed and as required by the existing Microsoft Enterprise Enrollment Program Agreement, increasing the total cost of that agreement from \$936,040 to \$1,057,860.16, with no change to the term of the agreement of September 1, 2015 through August 31, 2018.

Approved

28. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 2 to the agreement (A-12650) with Natividad Medical Foundation (NMF) for NMC specially requested services and for NMF's philanthropic services, extending the agreement an additional two (2) year period (January 1, 2018 through December 31, 2019) for a revised full agreement term of January 1, 2015 through December 31, 2019 and increasing the amount by an additional \$1,915,370 for a revised total agreement amount not to exceed \$4,609,944.

Approved

29. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 2 to the agreement (A-13067) with Medical Information Technology, Inc. (MEDITECH) for the addition of a file importer software interface for the MEDITECH system at NMC, adding \$36,900 for a revised total agreement amount not to exceed \$156,359, and with an implementation term effective on January 1, 2018 through December 31, 2018.

Approved

Health Department

- 29.1 Approve and authorize the Director of Health or Assistant Director of Health to negotiate and execute an Agreement allowing Central Coast College to conduct Veterinary Technician and Veterinarian Assistant classes on site at the Monterey County Animal Services Shelter and to utilize the shelter clinic for spay and neuter services on Animal Services shelter animals, subject to review and approval of the Agreement by County Counsel, Risk Management, and, to the extent there are financial terms, Auditor-Controller. (ADDED VIA ADDENDA)

Approved

Department of Social Services

- 30. a. Approve and authorize the Contracts/Purchasing Officer to execute a Fourth Amendment to extend Lease Agreement No. A-08449, effective January 1, 2018, with La Guardia, LLC until December 31, 2018 for 28,244 square feet of general office and training space for use by the Department of Social Services; and
b. Authorize the Auditor-Controller’s Office to make Lease payments of \$43,011 in accordance with the terms of the Lease Agreement.

Approved

- 30.1 Adopt Resolution declaring a Shelter Crisis in Monterey County through December 31, 2018, in accordance with Government Code Sections 8698 through 8698.2. (ADDED VIA ADDENDA)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-509 declaring a Shelter Crisis in Monterey County through December 31, 2018, in accordance with Government Code Sections 8698 through 8698.2. (ADDED VIA ADDENDA) ALL AYES

Criminal Justice

- 31. Authorize the Chief Probation Officer and Public Defender to stop assessing and collecting specified administrative fees charged to the families of youth in the juvenile justice system, effective December 5, 2017 in order to implement SB 190.

Approved

General Government

- 32. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Monterey County Office of Education.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-536 to approve the amendments to the Conflict of Interest Code of the Monterey County Office of Education. ALL AYES

- 33. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the North County Recreation and Park District.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-532 to approve the amendments to the Conflict of Interest Code of the North County Recreation and Park District. ALL AYES

- 34. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Salinas City Elementary School District.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-537 to approve the amendments to the Conflict of Interest Code of the Salinas City Elementary School District. ALL AYES

35. 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 Microsoft government services, data backup software subscriptions and associated maintenance/support, for the period of January 1, 2018 through December 31, 2020 in the maximum amount of \$96,859.80; and
- b. Accept non-standard contract provisions as recommended by the Director of the Information Technology Department; and
- c. Authorize the Contracts/Purchasing Officer to issue purchase orders on an as-needed basis pursuant to this Agreement over the period of January 1, 2018 through December 31, 2020; and
- d. Approve and authorize the Contracts/Purchasing Officer to execute a renewal of the Agreement for one (1) additional 36-month term, subject to County Counsel approval, on the same or substantially similar contract terms and to issue purchase orders on an as-needed basis pursuant to Agreement renewal.

Approved - Agreement No. A-13804

36. Adopt a Resolution to approve the Amendment of Article XIII of the Master Fee Resolution, effective January 1, 2018, to set and authorize the adjusted fees contained in the attachment hereto for the Assessor-Clerk-Recorder's Office.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-538 to approve the Amendment of Article XIII of the Master Fee Resolution, effective January 1, 2018, to set and authorize the adjusted fees contained in the attachment hereto for the Assessor-Clerk-Recorder's Office. ALL AYES

37. a. Receive the Certified Statement of Votes Cast and declare final the results of the November 7, 2017 North Monterey County Unified School District Election as set forth in the attached document.
- b. Declare "elected" the candidate to the office of Trustee Area 2 of the North Monterey County Unified School District Governing Board Member.

Approved

38. Adopt a Resolution to approve closure of selected County departments and/or divisions for the winter holiday from December 26, 2017 through December 29, 2017 and for this purpose only, waive Ordinance No. 766, fixing the days and hours of operation of County offices.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-539, as revised, to approve closure of selected County departments and/or divisions for the winter holiday from

December 26, 2017 through December 29, 2017 and for this purpose only, waive Ordinance No. 766, fixing the days and hours of operation of County offices.
ALL AYES

RMA - Administration

39. Adopt a Resolution to authorize the Auditor-Controller to amend the FY 2017-18 adopted budget for County Service Area 66 Las Lomas/Monterra Ranch, Fund 087-3000-8198-RMA083, increasing appropriations in the amount of \$40,000 where Fund 087 Unassigned Fund Balance is the financing source (4/5th vote required).

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-514 to authorize the Auditor-Controller to amend the FY 2017-18 adopted budget for County Service Area 66 Las Lomas/Monterra Ranch, Fund 087-3000-8198-RMA083, increasing appropriations in the amount of \$40,000 where Fund 087 Unassigned Fund Balance is the financing source (4/5th vote required). ALL AYES

- 40.
- a. Amend the FY 2017-18 Resource Management Agency (RMA), Unit 8172- Planning Budget to reallocate one (1) Historical & Cultural Affairs position to one (1) Management Analyst II position, as indicated in the attached Resolution;
 - b. Amend the FY 2017-18 RMA, Unit 8173 - Architectural Services Budget to reallocate one (1) Architectural Services Manager position to one (1) Project Manager II, as indicated in the attached Resolution;
 - c. Amend the FY 2017-18 RMA, Unit 8222 - RMA Administration Budget to reallocate one (1) Senior Account Clerk position to one (1) Accounting Clerical Supervisor position, as indicated in the attached Resolution;
 - d. Amend the FY 2017-18 RMA, Unit 8444 - Environmental Services to reallocate one (1) Water Resources Technician position to one (1) Water Resources Hydrologist position, as indicated in the attached Resolution; and
 - e. Authorize the Auditor-Controller and the County Administrative Office to incorporate these changes in the FY 2017-18 Budget.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-516 to:

- a. Amend the FY 2017-18 Resource Management Agency (RMA), Unit 8172- Planning Budget to reallocate one (1) Historical & Cultural Affairs position to one (1) Management Analyst II position, as indicated in the attached Resolution;
- b. Amend the FY 2017-18 RMA, Unit 8173 - Architectural Services Budget to reallocate one (1) Architectural Services Manager position to one (1) Project Manager II, as indicated in the attached Resolution;
- c. Amend the FY 2017-18 RMA, Unit 8222 - RMA Administration Budget to reallocate one (1) Senior Account Clerk position to one (1) Accounting Clerical Supervisor position, as indicated in the attached Resolution;
- d. Amend the FY 2017-18 RMA, Unit 8444 - Environmental Services to reallocate one (1) Water Resources Technician position to one (1) Water Resources Hydrologist position, as indicated in the attached Resolution; and
- e. Authorize the Auditor-Controller and the County Administrative Office to

incorporate these changes in the FY 2017-18 Budget. ALL AYES

41. Approve and authorize the Contracts/Purchasing Officer to execute a Lease Agreement, effective upon mutual execution, with Westat, Inc. for a Term of Five (5) Months for the use of "Building G" approximately 2,880 square feet of "Office" space and a 10,000 square foot "Pad" located at 855 E. Laurel Drive Salinas, California 93901.
- Approved - Agreement No. A-13793**

RMA - Public Works and Facilities

42. a. Award a contract to A. Teichert & Son, dba Teichert Construction, the lowest responsible bidder, for the State Route 1 Climbing Lane, Project No. 8690, in the total amount of \$4,731,210;
- b. Approve the Performance and Payment Bonds executed and provided by A. Teichert & Son, dba Teichert Construction;
- c. Authorize a contingency, not to exceed 10% of the contract amount or \$473,121, to provide funding for approved contract change orders;
- d. Authorize the Resource Management Agency Director or Resource Management Agency Deputy Director of Public Works & Facilities 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 RMA Director or RMA Deputy Director of Public Works & Facilities 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 State Route 1 Climbing Lane, Project No. 8690, A. Teichert & Son, dba Teichert Construction.
- Approved - Agreement No. A-13806; Construction No. 2017-003**

43. a. Approve Standard Agreements with the following four (4) consultants: Associated Right of Way Services, Inc.; Bender Rosenthal, Inc.; Briggs Field Services, Inc.; and Overland, Pacific & Cutler, LLC to provide on-call real estate appraisal and acquisition services under Request for Qualifications #1702, in an amount not to exceed \$300,000 each for a combined total of \$1,200,000, for a period of three (3) years beginning December 5, 2017 to December 5, 2020, with the option to extend each Agreement for two (2) additional one (1) year period(s); and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute said Standard Agreements and future amendments to said Agreements where the amendments do not significantly alter the scope of work or change the approved amount of said Agreements.

A motion was made by Supervisor Simon Salinas, seconded by Supervisor Luis Alejo to approve

- a. Approve Standard Agreements with the following four (4) consultants: Associated Right of Way Services, Inc.; Bender Rosenthal, Inc.; Briggs Field Services, Inc.; and Overland, Pacific & Cutler, LLC to provide on-call real estate appraisal and acquisition services under Request for Qualifications #1702, in an amount not to exceed \$300,000 each for a combined total of \$1,200,000, for a period of three (3) years beginning December 5, 2017 to December 5, 2020, with the option to extend each Agreement for two (2) additional one (1) year period(s); and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute said Standard Agreements and future amendments to said Agreements where the amendments do not significantly alter the scope of work or change the approved amount of said Agreements.

Approved Agreements - Associated Right of Way Services, Inc (A-13795), Bender Rosenthal, Inc. (A-13796), Briggs Field Services, Inc (A-13797), Overland, Pacific & Cutler, LLC (A-13798) ALL AYES

44.

- a. Approve an Agreement for Purchase of Real Property to purchase a Permanent Roadway Easement, and a Temporary Construction Easement (0.028 acres and 0.130 acres, respectively) between County of Monterey and Don Keith Johnston and Susan J. Johnston, husband and wife as joint tenants (APN 424-091-019 & APN 424-091-020), in the amount of \$5,000, for Right-of-Way for the construction of Nacimiento Lake Drive Bridge Project, Project No. 2202;
- b. Approve an Agreement for Purchase of Real Property to purchase a Permanent Roadway Easement, and a Temporary Construction Easement (0.267 acres and 0.841 acres, respectively) between County of Monterey and Thomas A. Cooper and Randy R. Cooper, husband and wife as joint tenants (APN 424-091-017), in the amount of \$7,626, for Right-of-Way for the construction of Nacimiento Lake Drive Bridge Project, Project No. 2202;
- c. Approve the Real Property Purchase Agreement to Purchase Permanent Easement, and Temporary Construction Easement (.013 acres and .077 acres, respectively) with Richard C. Johnston and Desariee A. Johnston, husband and wife as joint tenants (APN 424-091-018), in the amount of \$5,000, for Right-of-Way for the construction of Nacimiento Lake Drive Bridge Project, Project No. 2202;
- d. Approve the Real Property Purchase Agreement to Purchase Permanent Easement, and Temporary Construction Easement (0.622 acres and 0.244 acres, respectively) with the Joseph Vineyard Estates, LLC (APN 424-091-015 and APN 424-091-016), in the amount of \$2,500.00, for Right-of-Way for the construction of Nacimiento Lake Drive Bridge Project, Project No. 2202; and
- e. Authorize the Resource Management Agency Deputy Director of Public Works and Facilities to execute the Agreements for Purchase of Real Property to purchase a Permanent Roadway Easement, and a Temporary Construction Easement, and the respective Certificates of Acceptance and Consent to Recordation on behalf of the County.

Approved - Agreement No. A-13799 (Don Keith Johnston & Susan J. Johnston);

A-13800 (Thomas A. Cooper & Randy R. Cooper); A-13801 (Richard C. Johnston & Desariee A. Johnston); A-13802 (Joseph Vineyards Estates, LLC)

- 45.**
- a. Approve Amendment No. 6 to the Professional Services Agreement (PSA) (Multi-Year Agreement [MYA] #3000 *648) with Quinn Power Systems to continue to provide preventative maintenance and repairs on County of Monterey emergency generators, to increase the not to exceed amount of \$100,000 by \$50,000 for a total amount not to exceed \$150,000, with no extension to the term beginning July 1, 2012 through October 2, 2018; and
 - b. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute Amendment No. 6 to the Professional Services Agreement.

Approved - Agreement No. A-13815

Monterey County

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



Action Minutes - Final

Tuesday, December 12, 2017

9:00 AM

See separate agendas for Monterey County Board of Supervisors and 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*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Additions and Corrections for Closed Session:

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following addition to Closed Session under Government Code section 54950, relating to the following items:

1.e. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter two matters of significant exposure to litigation.

This item is related to a letter received on December 8, 2017, delivered to the Board of Supervisors and County Counsel from Miller, Starr and Regalia.

A motion was made by Supervisor Simon Salinas, seconded by Supervisor Luis Alejo to add this additional item under 1.e. on the Closed Session. **ALL AYES**

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 Neal
Employee Organization(s): Unit R
 - (2) Designated representatives: Irma Ramirez-Bough and Brette Neal
Employee Organization(s): Units K
 - b. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
 - (1) Fred R. Kais
 - (2) Jeffrey Kais
 - (3) Rjay Kais
 - (4) Adrian Kais
 - (5) Allen John Mata Kais
 - (6) Archer Kais
 - (7) Leif Charlson Kais

- (8) Salvador Lopez
- (9) Maria Lopez
- (10) Estate of Fred Mata Kais, Jr.
- (11) Estate of Edenita Mata Kais
- (12) Estate of Sulema Lopez Kais
- (13) City of Salinas

c. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel and Sheriff regarding a potential threat to the security of public buildings and services.

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

- (1) Pamela Ward v. Alexander Morrison, et al. (Monterey County Superior Court case no. 17-CV-000661)

e. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

CLOSED SESSION REPORT

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 Neal
Employee Organization(s): Unit R**

**(2) Designated representatives: Irma Ramirez-Bough and Brette Neal
Employee Organization(s): Units K**

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a. (1) and (2).

b. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.

- (1) Fred R. Kais**
- (2) Jeffrey Kais**
- (3) Rjay Kais**
- (4) Adrian Kais**
- (5) Allen John Mata Kais**
- (6) Archer Kais**
- (7) Leif Charlson Kais**
- (8) Salvador Lopez**
- (9) Maria Lopez**
- (10) Estate of Fred Mata Kais, Jr.**
- (11) Estate of Edenita Mata Kais**
- (12) Estate of Sulema Lopez Kais**
- (13) City of Salinas**

CLOSED SESSION REPORT: The Board conferred with counsel and unanimously rejected the claims of (1) Fred R. Kais; (2) Jeffrey Kais; (3) Rjay Kais; (4) Adrian Kais; (5) Allen John Mata Kais; (6) Archer Kais; (7) Leif Charlson Kais; (8) Salvador Lopez; (9) Maria Lopez; (10) Estate of Fred Mata Kais, Jr.; (11)

Estate of Edenita Mata Kais; (12) Estate of Sulema Lopez Kais ; and (13) City of Salinas.

c. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel and Sheriff regarding a potential threat to the security of public buildings and services.

CLOSED SESSION REPORT: The Board took no reportable action on item 1.c.

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

(1) Pamela Ward v. Alexander Morrison, et al. (Monterey County Superior Court case no. 17-CV-000661)

CLOSED SESSION REPORT: The Board took no reportable action on item 1.d. (1).

e. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matter of significant exposure to litigation. (Additional added via Additions to Closed Session)

CLOSED SESSION REPORT: The Board took no reportable actions on item 1.e.

10:30 A.M. - Called to Order

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Adams.

Additions and Corrections

Remove from Scheduled Matters 10:30 A.M.

30.1 THIS IS LISTED TWICE ON THE AGENDA, IT IS ALSO 31.1

a. Make a conditional award of contract to Granite Construction Company, the lowest responsible bidder, for the Palo Colorado Road Repair Project. 621070, in the total amount of \$4,011,507 subject to funding allocation and upon proper execution of contracts, California Performance Bonds, California Payment Bond and Certificate of Insurance; or

b. Reject all bids for emergency repairs to Palo Colorado at Rocky Creek and direct staff to rebid project (ADDED VIA ADDENDUM)

Correction to Scheduled Matters 10:30 A.M.

31.1 REVISED BOARD REPORT HAS BEEN SUBMITTED AND DISTRIBUTED

a. Make a conditional award of contract to Granite Construction Company, the lowest responsible bidder, for the Palo Colorado Road Repair Project. 621070, in the total amount of \$4,011,507 subject to funding allocation and upon proper execution of contracts, California Performance Bonds, California Payment Bond and Certificate of Insurance; or

b. Reject all bids for emergency repairs to Palo Colorado at Rocky Creek and direct staff to rebid project (ADDED VIA ADDENDUM)

Correction to consent Calendar – General Government**77. A REVISED ATTACHMENT D WAS SUBMITTED AND DISTRIBUTED TO ALL SUPERVISORS**

- a. Consider approval of the Revised Response to Recommendations R 1, R 2 and R 3 to the 2016 2017 Monterey County Civil Grand Jury Interim Final Report: “Jail Crisis: Our De Facto Mental Health Facility”; Reps and
- b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey and the Grand Jury by December 20, 2017.

Remove from Consent Calendar – RMA - Administration

81. a. Approve a Five year Facility Use Agreement between Wildflower Triathlon LLC and the County of Monterey to promote and conduct the Wildflower Triathlon at Lake San Antonio South Shore for the years 2018 to 2022, with the right to negotiate a five year extension from 2022 to 2027 on terms and conditions to be mutually agreed to by the parties, if exercised by both parties;
- b. Find that the Wildflower Triathlon at the Lake San Antonio South Shore is Categorically Exempt from CEQA pursuant to Section 15304(e) of the CEQA Guidelines;
- c. Authorize the Chair of the Board to sign the Facility Use Agreement on behalf of the County; and
- d. Authorize the RMA Director, or designee to sign an annual Concession Agreement for Special Events each year (2018 2022) for the Wildflower Triathlon to address specific details on maintenance and operations pursuant to the terms of the Facility Use Agreement.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to approve the corrections to the agenda. **ALL AYES**

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker pulled item 34 and commented on the item.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to approve the Consent Calendar (See Supplemental Sheet), with the exception of item 34.

ALL AYES

RE Item #34: A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to approve item 34. **ALL AYES** (See item)

Ceremonial Resolutions

3. Adopt Resolution acknowledging the twenty-fifth anniversary of First Night Monterey and proclaiming First Night Monterey 2018 as Monterey County’s Official New Year’s Celebration. (Full Board)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-502 acknowledging the twenty-fifth anniversary of First Night Monterey and proclaiming First Night Monterey 2018

as Monterey County's Official New Year's Celebration. (Full Board) ALL AYES

4. Adopt Resolution commending Delinda Robinson, Resource Management Agency-Land Use and Community Development Senior Planner, on her retirement with thirty-six years of dedicated public service to the residents of Monterey County. (Full Board)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-503 commending Delinda Robinson, Resource Management Agency- Land Use and Community Development Senior Planner, on her retirement with thirty-six years of dedicated public service to the residents of Monterey County. (Full Board) ALL AYES**
5. Adopt Resolution commending Evelyn Roman upon her retirement from Monterey County Free Libraries for 30 years of dedicated service. (Full Board)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-504 commending Evelyn Roman upon her retirement from Monterey County Free Libraries for 30 years of dedicated service. (Full Board) ALL AYES**
6. Adopt Resolution honoring Juvenile Institutions Officer II Alfredo Esparza upon his retirement from the Monterey County Probation Department after twenty-one years of County Service. (Full Board)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-505 honoring Juvenile Institutions Officer II Alfredo Esparza upon his retirement from the Monterey County Probation Department after twenty-one years of County Service. (Full Board)ALL AYES**
7. Adopt Resolution commending Chris Eugene Oaks upon his retirement after twenty-nine years of public service. (Full Board)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-506 commending Chris Eugene Oaks upon his retirement after twenty-nine years of public service. (Full Board) ALL AYES**
8. Adopt Resolution commending Gail T. Borkowski, Clerk of the Board, on her retirement with 32 years of dedicated public service to the residents of the State of California and 17 years of service to California Clerk of the Board of Supervisors Association (CCBSA). (Full Board)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-507 commending Gail T. Borkowski, Clerk of the Board, on her retirement with 32 years of dedicated public service to the residents of the State of California and 17 years of service to California Clerk of the Board of Supervisors Association (CCBSA). (Full Board) ALL AYES**
- 8.1 Adopt Resolution congratulating Terri J. Gallardo on her retirement after thirty-one years of public service. (Full Board) (ADDED VIA ADDENDA)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-508 congratulating Terri J. Gallardo on her retirement after thirty-one years of public service. (Full Board) (ADDED VIA ADDENDA) ALL AYES
Resolution was presented after the 1:30 pm reconvene.

Appointments

9. Reappoint Sheila Lee Prader to the Monterey County Historic Resources Review Board for a term ending December 31, 2020. (Supervisor Phillips)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Sheila Lee Prader to the Monterey County Historic Resources Review Board for a term ending December 31, 2020. (Supervisor Phillips) ALL AYES
10. Reappoint Bertha Gonzalez to the Community Restorative Justice Commission for a term ending December 31, 2020. (Supervisor Phillips)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Bertha Gonzalez to the Community Restorative Justice Commission for a term ending December 31, 2020. (Supervisor Phillips) ALL AYES
11. Appoint Josie Avila to the Area Agency on Aging Advisory Council to fill and unscheduled vacancy with a term ending January 1, 2019. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to appoint Josie Avila to the Area Agency on Aging Advisory Council to fill and unscheduled vacancy with a term ending January 1, 2019. (Full Board) ALL AYES
12. Appoint Barbara Hutchison to the Area Agency on Aging Advisory Council to fill an unscheduled vacancy with a term ending January 1, 2019. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to appoint Barbara Hutchison to the Area Agency on Aging Advisory Council to fill an unscheduled vacancy with a term ending January 1, 2019. (Full Board) ALL AYES
13. Appoint Tyller Williamson to the Monterey County Housing Advisory Committee for a term ending December 12, 2019. (Supervisor Adams)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to appoint Tyller Williamson to the Monterey County Housing Advisory Committee for a term ending December 12, 2019. (Supervisor Adams) ALL AYES
14. Reappoint Wayne Ross to the Housing Advisory Committee for a term ending April 9, 2019. (Supervisor Adams)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Wayne Ross to the Housing Advisory Committee for a term ending April 9, 2019. (Supervisor Adams) ALL AYES

15. Reappoint Lorin Letendre to the Community Service Area No. 1 Advisory Committee for a term ending June 30, 2020. (Supervisor Adams)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Lorin Letendre to the Community Service Area No. 1 Advisory Committee for a term ending June 30, 2020. (Supervisor Adams) ALL AYES**
16. Reappoint Frederick Brown to the Community Service Area No. 1 Advisory Committee for a term ending June 30, 2020. (Supervisor Adams)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Frederick Brown to the Community Service Area No. 1 Advisory Committee for a term ending June 30, 2020. (Supervisor Adams) ALL AYES**
17. Reappoint Nick Huntington to the Agricultural Advisory Committee as an At-Large member with a term ending June 30, 2020. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Nick Huntington to the Agricultural Advisory Committee as an At-Large member with a term ending June 30, 2020. (Full Board) ALL AYES**
18. Reappoint Jocelyn Bridson to the Agricultural Advisory Committee for a term ending June 30, 2020. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Jocelyn Bridson to the Agricultural Advisory Committee for a term ending June 30, 2020. (Full Board) ALL AYES**
19. Reappoint Richard Peery to the Community Services Area No. 1 Advisory Committee for a term ending June 30, 2020. (Supervisor Adams)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Richard Peery to the Community Services Area No. 1 Advisory Committee for a term ending June 30, 2020. (Supervisor Adams) ALL AYES**
20. Appoint Florentino Arellano to the Emergency Medical Care Committee representing 911 EOA Ambulance Provider for a term ending June 30, 2019. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to appoint Florentino Arellano to the Emergency Medical Care Committee representing 911 EOA Ambulance Provider for a term ending June 30, 2019. (Full Board) ALL AYES**
21. Appoint Erik Heacox to the Agricultural Advisory Committee representing the Grower-Shipper Association for a term ending June 30, 2020. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to appoint Erik Heacox to the Agricultural Advisory Committee**

representing the Grower-Shipper Association for a term ending June 30, 2020.
(Full Board) ALL AYES

22. Reappoint Amy Roberts to the Monterey County Planning Commission for a term ending January 23, 2022. (Supervisor Parker)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Amy Roberts to the Monterey County Planning Commission for a term ending January 23, 2022. (Supervisor Parker) ALL AYES

23. Reappoint Harry Wiggins to the Pajaro/Sunny Mesa Community Service District for a term ending November 30, 2021. (Supervisor Phillips)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Harry Wiggins to the Pajaro/Sunny Mesa Community Service District for a term ending November 30, 2021. (Supervisor Phillips) ALL AYES

24. Reappoint Michael Moore to the Pajaro/Sunny Mesa Community Service District for a term ending November 30, 2021. (Supervisor Phillips)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to reappoint Michael Moore to the Pajaro/Sunny Mesa Community Service District for a term ending November 30, 2021. (Supervisor Phillips) ALL AYES

25. Appoint Sanford Coplin to the Pajaro/Sunny Mesa Community Service District for a term ending November 30, 2021. (Supervisor Phillips)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to appoint Sanford Coplin to the Pajaro / Sunny Mesa Community Service District for a term ending November 30, 2021. (Supervisor Phillips). ALL AYES

Other Board Matters

26. Board Comments

Supervisor Parker advised of an excellent op-ed piece, written by Mayor Bruce Delgado, that appeared on December 4th in the San Francisco Chronicle about the statewide significance of the Cal Am slant wells and how they relates to the seawater intrusion and the overdraft in the Salinas Valley Basin.

Supervisor Alejo thanked the public and staff and wished them Merry Christmas and Happy New Year. He thanked those that attended his holiday open house. He holds events at least twice a year to celebrate key moments throughout the year with his constituents.

Supervisor Alejo thanked local playwright and Alisal High graduate, Luis Chago Juarez, as well as the performers and artists involved in the recent production. He and Supervisors Salinas attended on the last performance. It was a beautiful example of community theater, with an inter-generational group of actors, who conveyed through this holiday play a message about the struggles, triumphs, sorrows of families, and hopes for the future of young

people of Salinas. It instilled a sense of community pride. He commended community members committed to making a difference.

Supervisor Salinas added his comments about the local play and commended the playwright and performers for the truly inspiring production. He wished County staff and the community Happy Holidays.

Supervisor Adams thanked everyone for paying attention, commenting that the only way to have good governance is with the public's participation.

27. CAO Comments and Referrals

There were no CAO comments or referrals.

28. General Public Comment

Yolanda Hayes; Dale Hillard.

10:30 A.M. - Scheduled Matters

29. Receive and accept the FY 2016-17 Budget End of Year Report from the County Administrative Office.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to receive and accept the Fiscal Year (FY) 2016-17 Budget End of Year Report from the County Administrative Office. ALL AYES

30. Adopt a Resolution to amend the Monterey County Free Libraries budget:

- a. Authorize the Auditor-Controller to amend the FY 2017-18 Monterey County Free Libraries budget, Fund 003, Appropriation Unit LIB001, reducing appropriations by \$1,168,589.26 and reducing estimated revenue by \$1,870,664.55, where the reduction in the contribution to fund balance is a result of the appropriation and estimate revenue decrease (4/5ths vote required);
- b. Authorize the Auditor-Controller to amend the FY 2017-18 budget, reducing appropriations in Fund 001, Contingencies (CAO020), by \$51,299 and increasing appropriations for Other Financing Uses, Fund 001, Appropriation Unit CAO017, by \$51,299 (4/5ths vote required); and
- c. Authorize an operating transfer in FY 2017-18 to the Monterey County Free Libraries, Fund 003, Appropriation Unit LIB001, in the amount of \$51,299, financed by an operating transfer out of \$51,299 from Other Financing Uses, Fund 001, Appropriation Unit CAO017 (4/5ths vote required).

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Simón Salinas to adopt a Resolution to amend the Monterey County Free Libraries budget:

**to cover the Librarian's salary in the amount of \$230,912 using cannabis monies. 3-2 (Supervisors Phillips and Alejo voted NO) 4/5ths vote required
-MOTION FAILED**

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M.

Phillips to adopt Resolution No. 17-533 to amend the Monterey County Free Libraries budget:

- a. Authorize the Auditor-Controller to amend the FY 2017-18 Monterey County Free Libraries budget, Fund 003, Appropriation Unit LIB001, reducing appropriations by \$1,168,589.26 and reducing estimated revenue by \$1,870,664.55, where the reduction in the contribution to fund balance is a result of the appropriation and estimate revenue decrease (4/5ths vote required);
- b. Authorize the Auditor-Controller to amend the FY 2017-18 budget, reducing appropriations in Fund 001, Contingencies (CAO020), by \$51,299 and increasing appropriations for Other Financing Uses, Fund 001, Appropriation Unit CAO017, by \$51,299 (4/5ths vote required);
- c. Authorize an operating transfer in FY 2017-18 to the Monterey County Free Libraries, Fund 003, Appropriation Unit LIB001, in the amount of \$51,299, financed by an operating transfer out of \$51,299 from Other Financing Uses, Fund 001, Appropriation Unit CAO017; and
- d. Additionally directed staff to find a way to fund Librarian's salary and modify the Libraries budget, to include \$230,912, to be brought back to the Board in the budgeting process, to allow the Board to have more information on the uses of cannabis monies. (4/5ths vote required). **ALL AYES**

30.1

- a. Make a conditional award of contract to Granite Construction Company, the lowest responsible bidder, for the Palo Colorado Road Repair Project. 621070, in the total amount of \$4,011,507 subject to funding allocation and upon proper execution of contracts, California Performance Bonds, California Payment Bond and Certificate of Insurance; or
- b. Reject all bids for emergency repairs to Palo Colorado at Rocky Creek and direct staff to rebid project (ADDED VIA ADDENDUM)

Item 30.1 Motion by Supervisor Alejo, seconded by Supervisor Parker removed via Additions and Corrections.

31.

Adopt a Resolution to:

- a. Amend the Department of Social Services Budget Unit 001-5010-8262-SOC005 to add three (3) FTEs: one (1) Deputy Director Social Services, one (1) Senior Secretary, and one (1) Associate Personnel Analyst;
- b. Amend the Department of Social Services Budget Unit 001-5010-8262-SOC005 to reallocate one (1) Accountant I to one (1) Accountant III, one (1) Senior Departmental Information Systems Coordinator to one (1) Business Technology Analyst IV, and one (1) Employment & Training Worker II to one (1) Administrative Services Assistant;
- c. Authorize the County Administrative Office to incorporate the changes to the FY 2017-18 Adopted Budget Unit 001-5010-8262-SOC005 to reflect the change in position counts;
- d. Approve the increase to the Department of Social Services General Fund Contribution on an ongoing basis in the amount of \$78,000 for FY 2017-18 and \$105,000 for FY 2018-19, and annually thereafter, in support of the approved transfer of the Office for Employment Training to the Department of Social Services, financed from cannabis revenue from the County Administrative Office budget

- 001-1050-8041-CAO019-4130 (4/5th vote required);
- e. Approve the increase to estimated appropriations in the amount of \$202,214 and revenues in the amount of \$124,214 for the Department of Social Services Fund 001-5010-8262-SOC005 (4/5th vote required); and
- f. Authorize the Auditor-Controller's Office to incorporate approved modifications in the FY 2017-18 Adopted Budget.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary L. Adams to adopt Resolution No. 17-515 to:

- a. Amend the Department of Social Services Budget Unit 001-5010-8262-SOC005 to add three (3) FTEs: one (1) Deputy Director Social Services, one (1) Senior Secretary, and one (1) Associate Personnel Analyst;**
- b. Amend the Department of Social Services Budget Unit 001-5010-8262-SOC005 to reallocate one (1) Accountant I to one (1) Accountant III, one (1) Senior Departmental Information Systems Coordinator to one (1) Business Technology Analyst IV, and one (1) Employment & Training Worker II to one (1) Administrative Services Assistant;**
- c. Authorize the County Administrative Office to incorporate the changes to the FY 2017-18 Adopted Budget Unit 001-5010- 8262-SOC005 to reflect the change in position counts;**
- d. Approve the increase to the Department of Social Services General Fund Contribution on an ongoing basis in the amount of \$78,000 for FY 2017-18 and \$105,000 for FY 2018-19, and annually thereafter, in support of the approved transfer of the Office for Employment Training to the Department of Social Services, financed from a reduction to the appropriations for contingencies from the County Administrative Office budget 001-1050-8034-CAO020 (4/5th vote required);**
- e. Approve the increase to estimated appropriations in the amount of \$202,214 and revenues in the amount of \$124,214 for the Department of Social Services Fund 001-5010-8262-SOC005 (4/5th vote required); and**
- f. Authorize the Auditor-Controller's Office to incorporate approved modifications in the FY 2017-18 Adopted Budget. ALL AYES**

Item 31.1 heard in the late afternoon

31.1

- a. Make a conditional award of contract to Granite Construction Company, the lowest responsible bidder, for the Palo Colorado Road Repair Project. 621070, in the total amount of \$4,011,507 subject to funding allocation and upon proper execution of contracts, California Performance Bonds, California Payment Bond and Certificate of Insurance; or
- b. Reject all bids for emergency repairs to Palo Colorado at Rocky Creek and direct staff to rebid project (ADDED VIA ADDENDUM)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to:

Make a conditional award of contract to Granite Construction Company, the lowest responsible bidder, for the Palo Colorado Road Repair Project. 621070, in the total amount of \$4,011,507 subject to funding allocation and upon proper execution of contracts, California Performance Bonds, California Payment Bond and Certificate of Insurance. (ADDED VIA ADDENDUM) (TITLE CORRECTED VIA ADDITIONS/CORRECTIONS) ALL AYES

Approved: Agreement No. A-13818; Construction No. 2017-006

12:00 P.M. - Recessed to Lunch

1:30 P.M. - Reconvened

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

1:30 P.M. - Scheduled Matters

32.

Conduct a public hearing to adopt a Resolution to:

- a. Approve Amendment No. 7 to the Unified Franchise Agreement A-11631 (UFA) between the County of Monterey and Waste Management, Inc., dba USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County to amend Exhibit 1 - "Approved Rates and Charges" of said UFA to adjust rates in accordance with the UFA price index provisions.
- b. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 7 to the UFA between the County of Monterey and Waste Management, Inc., dba USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County.

Public hearing held.

Public comment: Phillip Melchor.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-535 to:

- a. Approve Amendment No. 7 to the Unified Franchise Agreement A-11631 (UFA) between the County of Monterey and Waste Management, Inc., dba USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County to amend Exhibit 1 - "Approved Rates and Charges" of said UFA to adjust rates in accordance with the UFA price index provisions.**
- b. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 7 to the UFA between the County of Monterey and Waste Management, Inc., dba USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County. ALL AYES**

- 33.** PLN150149 - Del Monte Forest Area Local Coastal Program Amendment (Policy 20)
Public hearing to consider amendments to the County's Local Coastal Program (LCP) including:
- a. Acknowledging receipt of the California Coastal Commission resolution approving the Monterey County Local Coastal Program (LCP) Amendment No. LCP-3-MCO-16-0070-2 (Monterey Cypress Habitat Development Standards) with suggested modifications;
 - b. Adoption of a resolution to amend Policy 20 of the Del Monte Forest Area Land Use Plan to modify standards of development within the indigenous Monterey cypress habitat; and
 - c. Adoption of an ordinance to amend corresponding text of Section 20.147.040.D.2 of the Coastal Implementation Plan (Title 20 of the Monterey County Code), Part 5, regulating development within the indigenous Monterey cypress habitat in the Del Monte Forest Land Use Plan area;
- Proposed CEQA Action: Statutorily Exempt per Section 21080.9 of the Public Resources Code and Section 15265 of the CEQA Guidelines.
Project Location: Del Monte Forest Indigenous Monterey Cypress Habitat Area, Pebble Beach, Del Monte Forest

Public hearing held to consider amendments to the County's Local Coastal Program (LCP) including:

- a. **Acknowledging receipt of the California Coastal Commission resolution approving the Monterey County Local Coastal Program (LCP) Amendment No. LCP-3-MCO-16-0070-2 (Monterey Cypress Habitat Development Standards) with suggested modification.**

Public comment: Angus Jeffries.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Jane Parker to:

- b. **Adopt Resolution 17-522 to amend Policy 20 of the Del Monte Forest Area Land Use Plan to modify standards of development within the indigenous Monterey cypress habitat; and**
 - c. **Adopt Ordinance 5295 of an ordinance to amend corresponding text of Section 20.147.040.D.2 of the Coastal Implementation Plan (Title 20 of the Monterey County Code), Part 5, regulating development within the indigenous Monterey cypress habitat in the Del Monte Forest Land Use Plan area;**
- Proposed CEQA Action: Statutorily Exempt per Section 21080.9 of the Public Resources Code and Section 15265 of the CEQA Guidelines.**
Project Location: Del Monte Forest Indigenous Monterey Cypress Habitat Area, Pebble Beach, Del Monte Forest. PLN150149 Del Monte Forest Area Local Coastal Program Amendment (Policy 20) ALL AYES

- 33.1**
- a. Receive a report from the Sheriff's Office on a new multi-year contract with California Forensic Medical Group (CFMG) to provide comprehensive inmate health care services in the Monterey County Jail;
 - b. Approve and authorize the Contracts/Purchasing Officer or

Contracts/Purchasing Supervisor to sign a contract with CFMG for the period of January 1, 2018 to December 31, 2021, with the opportunity to earn an extension of one (1) year according to the terms of the renewal provisions of the Agreement where the renewal does not significantly change the scope of work, and where the renewal does not increase the Agreement value more than 1% of the latest annual amount; and

c. Adopt a resolution to authorize the Auditor-Controller to amend the Sheriff's Office Fiscal Year (FY) 2017-18 budget as listed in the Financing Section based on the Board's approval (4/5th vote required).

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to:

- a. Receive a report from the Sheriff's Office on a new multi-year contract with California Forensic Medical Group (CFMG) to provide comprehensive inmate health care services in the Monterey County Jail;
- b. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a contract with CFMG for the period of January 1, 2018 to December 31, 2021, with the opportunity to earn an extension of one (1) year according to the terms of the renewal provisions of the Agreement where the renewal does not significantly change the scope of work, and where the renewal does not increase the Agreement value more than 1% of the latest annual amount; and
- c. Adopt Resolution No. 17-526 to authorize the Auditor-Controller to amend the Sheriff's Office Fiscal Year (FY) 2017-18 budget as listed in the Financing Section based on the Board's approval (4/5th vote required). **ALL AYES**

33.2

- a. Receive a report regarding replacement of tidal gates on Elkhorn Road; and
- b. Direct RMA to work with the CAO to prioritize capital project funding allocations to accomplish completion of emergency repairs.

(Board Referral: 2017.27)

Public comment: Ken Klemy; Steve Green; Javier Zamora; Steve Silverstein.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to:

- a. Receive a report regarding replacement of tidal gates on Elkhorn Road; and
- b. Direct RMA to work with the CAO to prioritize capital project funding allocations to accomplish completion of emergency repairs.

(Board Referral: 2017.27) **ALL AYES**

Adjournment

APPROVED:

/ s/ Luis A. Alejo

LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: / s/ Nicholas E. Chiulos

NICHOLAS E. CHIULOS

ACTING CLERK OF THE BOARD

APPROVED ON February 6, 2018

Supplemental Sheet, Consent Calendar

Natividad Medical Center

34. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the First Amendment to Professional Services Agreement with Kristin A. Bakhda, WHNP, CNM to provide nurse midwife services, extending the term by twenty-four (24) months (January 1, 2018 to December 31, 2019) for a revised full agreement term of January 1, 2017 to December 31, 2019 and adding \$200,000 for a revised amount not to exceed \$300,000 in the aggregate; and
- b. Authorize the Deputy Purchasing Agent for NMC 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% (\$10,000) of the original contract amount per each amendment.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to:

- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the First Amendment to Professional Services Agreement with Kristin A. Bakhda, WHNP, CNM to provide nurse midwife services, extending the term by twenty-four (24) months (January 1, 2018 to December 31, 2019) for a revised full agreement term of January 1, 2017 to December 31, 2019 and adding \$200,000 for a revised amount not to exceed \$300,000 in the aggregate; and**
- b. Authorize the Deputy Purchasing Agent for NMC 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% (\$10,000) of the original contract amount per each amendment. ALL AYES Approved Agreement No. A-13816**
35. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1 to the Agreement with Leidos Health, LLC, pursuant to the Request for Proposal (RFP) #9600-67 for information technology (IT) consulting services, to extend the term for an additional one (1) year period (January 11, 2018 through January 10, 2019) for a revised full agreement term of January 11, 2017 through January 10, 2019;
- b. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1 to the Agreement with Jacobus Consulting, Inc., pursuant to the Request for Proposal (RFP) #9600-67 for information technology (IT) consulting services, extending the term for an additional one (1) year period (January 11, 2018 through January 10, 2019) for a revised full agreement term of January 11, 2017 through January 10, 2019;
- c. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the agreement with Navin Haffty & Associates, LLC pursuant to the Request for Proposal (RFP) #9600-67 for

information technology (IT) consulting services, extending the term for an additional one (1) year period (January 11, 2018 through January 10, 2019) for a revised full term of April 1, 2017 through January 10, 2019;

d. Authorize an increase of \$3,717,000 to the aggregate total amount for all agreements for IT Consulting per RFP #9600-67 for the additional one (1) year of services for a revised total aggregate amount not to exceed \$7,581,000 across all agreements; and

e. Authorize the Deputy Purchasing Agent or designee to execute up to three (3) one year future amendments to the agreements with Leidos Health, LLC, Jacobus Consulting, Inc., and Navin Haffty & Associates, LLC, which do not significantly alter the scope of work and do not provide for an individual monetary liability for each agreement.

Approved - Agreement Nos.: A-13411(Leidos Health, LLC); A-13412 (Jacobus Consulting, Inc.) and A-13413 (Navin Haffty & Associates, LLC)

36. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1 to the agreement with CALSTAR Air Medical Services, LLC (formerly California Shock Trauma Air Rescue) for patient transfer coordination and facilitation services, extending the agreement an additional three (3) year period (December 15, 2017 through December 14, 2020) for a revised full agreement term of December 15, 2014 through December 14, 2020, and adding \$450,000 for a revised total agreement amount not to exceed \$550,000; and
- 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%) (\$10,000) of the original cost of the agreement per each amendment.

Approved: Agreement No. A-13817

37. a. Ratify execution by Natividad Medical Center (“NMC”) Chief Executive Officer (“CEO”) of original agreement with Network Providers, LLC (“NPLLC”), an affiliate of Health Net Federal Services, with original term of August 1, 2011 through July 31, 2013, authorizing NMC’s participation in NPLLC’s provider network, automatically renewing for successive one year periods unless terminated with 180 days prior written notice.
- b. Authorize execution of Amendment No. One which provides reimbursement for additional services provided by NMC, effective January 1, 2018.

Approved - Agreement No. A-13819

38. Adopt Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendices A & B to create the classification of Supervising Cardiopulmonary Technician with the salary range as indicated in the attached resolution;

- b. Approve and Amend the FY 2017-18 Natividad Medical Center adopted budget (Appropriation Unit NMC001) to reallocate 1.0 FTE Senior Cardiopulmonary Technician to 1.0 FTE Supervising Cardiopulmonary Technician as indicated in the attached resolution;
- c. Authorize the County Administrative Office and the Auditor-Controller to incorporate the approved changes into the FY 2017-18 Natividad Medical Center adopted budget (Appropriation Unit NMC001) (4/5 vote required); and
- d. Direct the Monterey County Human Resources Department to implement the changes in the Advantage HRM System.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-541 to:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendices A & B to create the classification of Supervising Cardiopulmonary Technician with the salary range as indicated in the attached resolution;**
- b. Approve and Amend the FY 2017-18 Natividad Medical Center adopted budget (Appropriation Unit NMC001) to reallocate 1.0 FTE Senior Cardiopulmonary Technician to 1.0 FTE Supervising Cardiopulmonary Technician as indicated in the attached resolution;**
- c. Authorize the County Administrative Office and the Auditor-Controller to incorporate the approved changes into the FY 2017-18 Natividad Medical Center adopted budget (Appropriation Unit NMC001) (4/5 vote required); and**
- d. Direct the Monterey County Human Resources Department to implement the changes in the Advantage HRM System. ALL AYES**

- 39.**
- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 2 to the agreement with Verge Solutions, LLC for web based software license to access a quality compliance software system, extending the agreement an additional two (2) year period (January 1, 2018 through December 31, 2019) for a revised full agreement term of January 1, 2016 through December 31, 2019, and adding \$97,318 for a revised total agreement amount not to exceed \$187,738.
 - 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%) (\$9,042) of the original cost of the agreement per each amendment.

Approved - Agreement No. A-13820

- 40.**
- Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 4 to the agreement (A-11012) with GE Healthcare for biomedical equipment services to extend the term of the agreement for an additional seventy-five day (75) day period (December 15, 2017 through February 28, 2018) for a revised full agreement term of September 1, 2007 through February 28, 2018, with no increase to the total agreement amount of \$2,972,506.

Approved - Agreement No.: A-11012

41. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Renewal and Amendment No. 1 to the agreement with Corazon, Inc. for assessment and strategic plan development services retroactively (May 1, 2017 through April 30, 2018) for a revised full agreement term of February 1, 2017 through April 30, 2018, and adding \$83,195 for a revised total agreement amount not to exceed \$127,438; and
- 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%) (\$4,424) of the original cost of the agreement per each Amendment.

Approved - Agreement No.: A-13821

42. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute a three-year Amendment No. 1 to the Agreement with A&B Fire Protection and Safety, Inc. for repair, maintenance and testing of fire alarm systems at NMC. Effective January 1, 2018 for a revised full agreement term of July 1, 2015 through December 31, 2020, and adding \$159,161 for a revised total agreement amount not to exceed \$228,068; and
- 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%) (\$6,890) of the original cost of the agreement per each amendment.

Approved - Agreement No. A-13834

43. a. Authorize the Auditor-Controller to transfer appropriations from Natividad Medical Center's Enterprise Fund NMC001-451-9600-8142 to the Strategic Capital Fund NMC002-404-9600-8142 in the amount of \$59,896,475 for major capital projects and expenditures.
- b. Authorize the Auditor-Controller to transfer funds from Natividad Medical Center Fund 404, Appropriation Unit, NMC002 (Capital Fund) to Natividad Medical Center Fund 451, Appropriation Unit, NMC001 (Enterprise Fund) for reimbursement of on-going capital expenditures paid on a monthly basis as requested by NMC, retroactive to April, 2017.
- c. Authorize the Auditor-Controller to transfer appropriations from NMC's Enterprise Fund NMC001-451-9600-8142 to the County General Fund, Committed Fund Balance, NMC Strategic Reserve Fund 3111, in the amount of \$7,200,000, to increase funds available for NMC's annual operating expenses by approximately 10%.

Approved

Health Department

44. Accept and approve the Emergency Medical Services Agency (EMS) Annual Report for Fiscal Year 2016-17.

Approved

45. a. Accept a \$21,000 Grant Award from Blue Shield of California Foundation's (BSCF) 2017 Community Health Center Core Support Initiative for the purpose of providing funding in preparation for payment reform programs; and
b. Ratify and approve the acceptance to the Terms and Conditions of Grant No. Core 1708-11647 by the Clinic Services Bureau Chief for the BSCF 2017 Community Health Center Core Support Grant in the amount of \$21,000 and effective October 1, 2017 - September 30, 2018.

Approved

46. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Non-Disclosure Agreement with Nurse-Family Partnership ("NFP") for NFP to disclose certain Confidential Information to the County of Monterey for exploring a potential agreement between the parties; and
b. Accept the Non-Standard Indemnification Language as recommended by the Director of Health.

Approved - Agreement No. A-13826

47. a. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement with Clinica de Salud del Valle de Salinas (CSVs) for the referral of CSVs patients to the Monterey County Health Department, Behavioral Health Services, retroactive from November 1, 2017 through October 31, 2018; and
b. Accept non-standard risk provisions (indemnity, insurance) as recommended by the Director of Health; and
c. Authorize the Director of Health or Assistant Director of Health to sign up to four amendments to the Agreement, subject to County Counsel approval.

Approved - Agreement No. A-13822

48. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 2 to Agreement No. A-13421 with Access Support Network reducing the contract liability by \$316,685, for a revised total amount not to exceed \$633,185, for the full term of January 11, 2017 to September 15, 2018, to continue Human Immunodeficiency Virus (HIV) non-medical case management services to Ryan White Part B eligible clients.

Approved - Agreement No. A-13421

49. Approve and authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Director, to execute the California Mutual Aid Region II Intra-Region Cooperative Agreement for Emergency Medical and Health Disaster Assistance.

Approved - Agreement No. A-13823

50. Approve and authorize the Director of Health or Assistant Director of Health to sign Amendment No. 3 to the Agreement with Scarr Moving and Storage, Inc., to extend the term for one (1) additional year, for a new term of July 1, 2015 to December 31, 2018, and to increase the contract amount by \$45,000, for a revised contract amount not to exceed \$143,380, to provide document storage and retrieval services.

Approved - Agreement No.: A-13827

51. a. Accept a \$300,000 Grant Award from Central California Alliance for Health (CCAH) to support intensive case management funding for medically complex Medi-Cal patients at the Alisal Health Center; and
b. Approve and authorize the Director of Health or Assistant Director of Health to sign a Medi-Cal Capacity Grant Agreement (Grant Agreement), Grant number 0817-MCHD-CS-ICM2, between Central California Alliance for Health (CCAH) and the County of Monterey, on behalf of the Health Department, Clinic Services Bureau ("County"), in the amount up to \$300,000 for intensive case management funding for medically complex Medi-Cal patients at the Alisal Health Center, effective on December 1, 2017 through January 31, 2020.

Approved

52. a. Accept a \$300,000 Grant Award from Central California Alliance for Health (CCAH) to support intensive case management funding for medically complex Medi-Cal patients at the Seaside Family Health Center; and
b. Approve and authorize the Director of Health or Assistant Director of Health to sign a Medi-Cal Capacity Grant Agreement (Grant Agreement), Grant number 0817-MCHD-CS-ICM3, between Central California Alliance for Health (CCAH) and the County of Monterey, on behalf of the Health Department, Clinic Services Bureau ("County"), in the amount up to \$300,000 for intensive case management funding for medically complex Medi-Cal patients at the Seaside Family Health Center, effective on December 1, 2017 through January 31, 2020.

Approved - Agreement No. A-13828

53. a. Accept a \$300,000 Grant Award from Central California Alliance for Health (CCAH) to support intensive case management funding for medically complex Medi-Cal patients at the Laurel Family Practice clinic; and
b. Approve and authorize the Director of Health or Assistant Director of Health to sign a Medi-Cal Capacity Grant Agreement (Grant Agreement), Grant number

0817-MCHD-CS-ICM1, between Central California Alliance for Health (CCAH) and the County of Monterey, on behalf of the Health Department, Clinic Services Bureau (“County”), in the amount up to \$300,000 for intensive case management funding for medically complex Medi-Cal patients at the Laurel Family Practice clinic, effective on December 1, 2017 through January 31, 2020.

Approved

54. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding (MOU) by and between County of Monterey, on behalf of Monterey County Health Department (hereinafter referred to as “Health”) and Junsay Oaks, L.P. with CHISPA GP, LLC doing business as CHISPA, Inc. as managing partner (CHISPA), for the purpose of facilitating case management services to Whole Person Care enrollees and other community residents at the Junsay Oaks apartment complex, to be located at 3098 De Forest Road in Marina, California, for a period of ten (10) years, under the County of Monterey Whole Person Care (WPC) Pilot Program; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to sign up to three (3) future amendments to this MOU where the amendments do not significantly change the agreement herein.

Approved - Agreement No. A-13803

55. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 5 to the Professional Services Agreement with The Regents of the University of California, a California Constitution corporation, on behalf of the University of California, San Francisco, School of Medicine, Department of Medicine at Zuckerberg San Francisco General, Division of Endocrinology, for physician services, extending the term for an additional year for a revised term of September 21, 2011 to December 31, 2018 and increasing the amount by \$55,300 for a revised total not to exceed \$356,550.

Approved - Agreement No. A-12549

56. a. Accept a \$14,599 Grant Award from Central California Alliance for Health (CCAH) in support of the purchase of audiometers, dopplers, a jaundice meter and bariatric wheelchair for the Seaside Family Health Center; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to execute a Medi-Cal Capacity Grant Allocation Agreement (“Agreement”), Grant number 0717-MCHD-CS-E2, with CCAH to the County of Monterey, on behalf of Monterey County Health Department, Clinic Services Bureau (“County”), in the amount of \$14,599 for the purchase of audiometers, dopplers, a jaundice meter and bariatric wheelchair for the Seaside Family Health Center, effective on the date of the last signature on Agreement and terminating three (3) years after the Grant effective date or such later date as the parties may mutually agree in writing.

Approved - Agreement No. A-13829

57. a. Accept a \$13,872 Grant Award from Central California Alliance for Health (CCAH) in support of the purchase of a wheelchair scale, reclining wheelchair, cryosurgery sprayers, handheld pulse oximeters and electrosurgical system for OB/GYN at Laurel Family Practice; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to execute a Medi-Cal Capacity Grant Allocation Agreement (“Agreement”), Grant number 0717-MCHD-CS-E3, with CCAH to the County of Monterey, on behalf of Monterey County Health Department, Clinic Services Bureau (“County”), in the amount of \$13,872 for the purchase of a wheelchair scale, reclining wheelchair, cryosurgery sprayers, handheld pulse oximeters and electrosurgical system for OB/GYN at Laurel Family Practice, effective on the date of the last signature on Agreement and terminating three (3) years after the Grant effective date or such later date as the parties may mutually agree in writing.

Approved

58. a. Accept a \$14,760 Grant Award from Central California Alliance for Health (CCAH) in support for the Equipment program grant for the purchasing of an audiometer, jaundice meter, baby scales, infant measuring device, spirometer, glucose testing system, pulse oximeter and ophthalmoscope/otoscope set at the Laurel Pediatric Clinic; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to execute a Medi-Cal Capacity Grant Allocation Agreement (“Agreement”), Grant number 0717-MCHD-CS-E4, with CCAH to the County of Monterey, on behalf of Monterey County Health Department, Clinic Services Bureau (“County”), in the amount of \$14,760 for the Equipment program grant for the purchasing of an audiometer, jaundice meter, baby scales, infant measuring device, spirometer, glucose testing system, pulse oximeter and ophthalmoscope/otoscope set at the Laurel Pediatric Clinic, effective on the date of the last signature on Agreement and terminating three (3) years after the Grant effective date or such later date as the parties may mutually agree in writing.

Approved - Agreement No. A-13830

59. a. Accept a \$19,070 Grant Award from Central California Alliance for Health (CCAH) in support of the purchase of vital signs monitors/stands, audiometer, dopplers, cryosurgery sprayers and jaundice meter at the Alisal Health Center; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to execute a Medi-Cal Capacity Grant Allocation Agreement (“Agreement”), Grant number 0717-MCHD-CS-E1, with CCAH to the County of Monterey, on behalf of Monterey County Health Department, Clinic Services Bureau (“County”), in the amount of \$19,070 for the purchase of vital signs monitors/stands, audiometer, dopplers, cryosurgery sprayers and jaundice meter at the Alisal Health Center, effective on the date of the last signature on Agreement and terminating three (3)

years after the Grant effective date or such later date as the parties may mutually agree in writing.

Approved

- 60.
- a. Accept a \$19,573 Grant Award from Central California Alliance for Health (CCAH) in support of the purchase of a baby scale, coagulation analyzer and jaundice meters at Laurel Internal Medicine; and
 - b. Approve and authorize the Director of Health or Assistant Director of Health to execute a Medi-Cal Capacity Grant Allocation Agreement (“Agreement”), Grant number 0717-MCHD-CS-E5, with CCAH to the County of Monterey, on behalf of Monterey County Health Department, Clinic Services Bureau (“County”), in the amount of \$19,573 for the purchase of a baby scale, coagulation analyzer and jaundice meters at Laurel Internal Medicine, effective on the date of the last signature on Agreement and terminating three (3) years after the Grant effective date or such later date as the parties may mutually agree in writing.

Approved - Agreement No.: A-13831

- 61.
- Approve and authorize the Director of Health or Assistant Director of Health to execute a no-extension Amendment No. 2 to Alcohol and/or Drug Service Agreement A-13209 with Valley Health Associates for the provision of alcohol and drug recovery services in the increased amount of \$88,695 for FY 2017-18 and \$88,895 for FY 2018-19, for a revised total Agreement amount not to exceed \$2,763,871 for the full-term July 1, 2016 - June 30, 2019.

Approved - Agreement No.: A-13207

Criminal Justice

- 62.
- a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute an Agreement with Motorola Solutions, Inc, for the leasing of portable digital radios, for the period of December 1, 2017 through December 31, 2024, in the maximum amount of \$199,000.00;
 - b. Accept non-standard contract provisions as recommended by the District Attorney;
 - c. Authorize the Contract/Purchasing Officer or Contracts Purchasing Supervisor and the District Attorney 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 this Agreement over the period of December 1, 2017 through December 31, 2024; and
 - e. This action modifies the pricing and dates in Agreement No. A-13754, dated October 11, 2017.

Approved - Agreement No. A-13754

- 63.
- a. Accept a federal grant award in the amount of \$400,000 from the Bureau of Justice Assistance, for the Monterey County Veterans Treatment Court Enhancement Project, retroactively for the period October 1, 2017 to September 30, 2020; and
 - b. Authorize the Chief Probation Officer to sign all related documents as required by the grant; and
 - c. Authorize the Chief Probation Officer to sign Memorandum of Understanding (MOU) with Monterey County Superior Court for participation in the Veterans Treatment Court.

Approved

General Government

- 64.
- Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution No. 98-394 Appendix A to adjust the salary ranges of the Aide I and Library Page classifications as indicated in the attached Resolution to comply with California Senate Bill No. 3, raising the minimum wage to \$11.00/hour effective January 1, 2018; and
 - b. Direct the Human Resources Department to implement the changes in the Advantage HRM System. (REVISED RESOLUTION SUBMITTED VIA SUPPLEMENTAL)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-519 to:

- a. Amend Personnel Policies and Practices Resolution No. 98-394 Appendix A to adjust the salary ranges of the Aide I and Library Page classifications as indicated in the attached Resolution to comply with California Senate Bill No. 3, raising the minimum wage to \$11.00/hour effective January 1, 2018; and**
- b. Direct the Human Resources Department to implement the changes in the Advantage HRM System. (REVISED RESOLUTION SUBMITTED VIA SUPPLEMENTAL) ALL AYES**

- 65.
- ~~a. As Chief Elected Official, approve and authorize the Executive Director of the Monterey County Workforce Development Board to execute a contract with Arbor E & T, LLC, doing business as ResCare Workforce Services, effective retroactive to January 1, 2018 through June 30, 2019, for provision of One Stop Operator services in an amount not to exceed \$125,000.~~
 - ~~b. Approve and authorize the Executive Director of the Monterey County Workforce Development Board to execute one (1) renewal to extend the agreement for one (1) additional year, subject to County Counsel review, on substantially the same terms~~

Item removed via Supplemental.

- 66.
- Approve and authorize the Director of the Information Technology Department to send a letter to the California Public Utilities Commission, expressing County

support for Charter Communication's request for an exemption from the requirements of Public Utilities Code section 320.

Approved

67. 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, October 17, 2017 and November 14, 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)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-511 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, October 17, 2017 and November 14, 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) ALL AYES

68. Adopt a Resolution to:
Authorize the Auditor-Controller to amend the FY 2017-18 Adopted Budget to increase appropriations and revenues by \$289,324 for the County Clerk/Recorder (001-1180-ACR002-8004), funded by the recognition of restricted revenues in the amount of \$289,324 from the County Clerk/Recorders' Modernization Account of the Restricted Revenue Fund (020-2751). (4/5th vote required)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-542 to authorize the Auditor-Controller to amend the FY 2017-18 Adopted Budget to increase appropriations and revenues by \$289,324 for the County Clerk/Recorder (001-1180-ACR002-8004), funded by the recognition of restricted revenues in the amount of \$289,324 from the County Clerk/Recorders' Modernization Account of the Restricted Revenue Fund (020-2751). (4/5th vote required) ALL AYES

69. Adopt Resolution to amend Article XV of the Monterey County Master Fee Resolution, effective January 15, 2018, establishing new fees and adjusting existing fees for Treasurer-Tax Collector services and enforcement requirements.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-529 to amend Article XV of the Monterey County Master Fee Resolution, effective January 15, 2018, establishing new fees and adjusting existing fees for Treasurer-Tax Collector services and enforcement requirements. ALL AYES

70. Adopt a Resolution to:
- Authorize the Treasurer-Tax Collector to Sell 56 Specified Tax Defaulted Properties as set forth in the attached Exhibit "A" at public auction via the Internet in accordance with Revenue and Taxation Code section 3691 et. seq. or as a sealed bid sale pursuant to Chapter 7, Part 6, Division 1 of the Revenue and Taxation Code for at least the Minimum Bid; and
 - Authorize the Treasurer-Tax Collector to Re-offer any Unsold Properties at a Reduced Minimum Bid at the Conclusion of the Sale or within a 90-day period.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-518 to:

- Authorize the Treasurer-Tax Collector to Sell 56 Specified Tax Defaulted Properties as set forth in the attached Exhibit "A" at public auction via the Internet in accordance with Revenue and Taxation Code section 3691 et. seq. or as a sealed bid sale pursuant to Chapter 7, Part 6, Division 1 of the Revenue and Taxation Code for at least the Minimum Bid; and**
- Authorize the Treasurer-Tax Collector to Re-offer any Unsold Properties at a Reduced Minimum Bid at the Conclusion of the Sale or within a 90-day period.**

ALL AYES

71. Adopt a Resolution to amend Personnel Policies and Practices Resolution No. 98-394 to amend Section A. 30.12 Annual Leave on Class Change to Representation Unit with Lower Accrual Cap.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-523 to amend Personnel Policies and Practices Resolution No. 98-394 to amend Section A. 30.12 Annual Leave on Class Change to Representation Unit with Lower Accrual Cap. ALL AYES

72. 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, October 17, 2017 and November 14, 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)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-520 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, October 17, 2017 and November 14, 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)ALL AYES

73. a. Approve and authorize the Chair of the Board of Supervisors, as the Chief

Elected Official for the Monterey County local workforce development area, to execute amendments to the Memorandums of Understanding with Monterey County, acting through its Office for Employment Training, Rancho Cielo, Inc., and Turning Point of Central California, Inc., extending the term and adjusting award amounts for provision of Supervised Populations Workforce Training (AB 2060) Grant services; and

b. Approve and authorize the Executive Director of the Monterey County Workforce Development Board to sign the amendments.

Approved

74.

Adopt a resolution to:

a. Amend the County Administrative Office - Intergovernmental and Legislative Affairs Division Fiscal Year (FY) 2017-18 Adopted Budget CAO001-8054 to reallocate one (1) Management Analyst III to one (1) Program Manager II as indicated in the attached Resolution; and

b. Authorize the Auditor-Controller and direct the County Administrative Office to incorporate the approved changes in the FY 2017-18 Adopted Budget.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-543 to:

a. Amend the County Administrative Office - Intergovernmental and Legislative Affairs Division Fiscal Year (FY) 2017-18 Adopted Budget CAO001-8054 to reallocate one (1) Management Analyst III to one (1) Program Manager II as indicated in the attached Resolution; and

b. Authorize the Auditor-Controller and direct the County Administrative Office to incorporate the approved changes in the FY 2017-18 Adopted Budget. ALL AYES

75.

Approve and adopt a Resolution for the renewal of a Memorandum of Understanding (MOU) with the Cities of Oakland and San Jose, San Francisco and the Counties of Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Sonoma that provides governance structures and procedures for application, allocation and distribution of federal Urban Area Security Initiative (UASI) programs and reappoints a primary and alternate member to the UASI Approval Authority.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-510 to approve the renewal of a Memorandum of Understanding (MOU) with the Cities of Oakland and San Jose, San Francisco and the Counties of Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Sonoma that provides governance structures and procedures for application, allocation and distribution of federal Urban Area Security Initiative (UASI) programs and reappoints a primary and alternate member to the UASI Approval Authority. ALL AYES

76.

Approve the Monterey County Board of Supervisor's Draft Action Meeting Minutes for the following meeting dates: Tuesday, October 10, 2017, Tuesday, October 17, 2017 and Tuesday, October 24, 2017.

Approved

77. a. Consider approval of the Revised Response to Recommendations R-1, R-2 and R-3 to the 2016 - 2017 Monterey County Civil Grand Jury Interim Final Report: "Jail Crisis: Our De Facto Mental Health Facility"; Reps and
- b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey and the Grand Jury by December 20, 2017.

Approved

- 77.1 a. Approve an agreement, containing non-standard insurance provisions, with Monterey Bay Housing Trust in the amount of \$500,000, to support the creation and retention of affordable housing in Monterey County;
- b. Authorize the County Administrative Officer to execute the agreement;
- c. Authorize Monterey County's deposit of \$500,000 as a financial contribution to the Monterey Bay Housing Trust.

Approved - Agreement No. A-13824**RMA - Administration**

78. Receive a 2017 Annual Review on the implementation of the Memorandum of Understanding with the City of Salinas regarding mutual planning and implementation of government services and facilities in downtown Salinas.

Approved

79. a. Approve adding four unfunded projects to the approved FY 2017-18 Fund 401 - Facilities Maintenance Project list: Emergency Mold Remediation at Emergency Operations Center (#8510), Carmel River Floodplain Restoration (#1605), Parkfield Library (#61114) and Bradley Library (#L-1603); and
- b. Amend the approved FY 2017-18 Fund 401 - Facilities Maintenance Project list in the amount of \$471,117 reducing the Project Improvements To Be Determined (TBD) line item by \$471,117. (4/5th vote required)

Approved

80. a. Adopt a resolution to establish an Advisory Committee for the CSA 47; and
- b. Adopt the CSA 47 Advisory Committee By-Laws. (Board Referral: 2017.26)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to:

- a. Adopt Resolution No. 17-544 to establish an Advisory Committee for the CSA 47; and**
- b. Adopt the CSA 47 Advisory Committee By-Laws. (Board Referral: 2017.26).**
- ALL AYES**

81. a. Approve a Five-year Facility Use Agreement between Wildflower Triathlon

LLC and the County of Monterey to promote and conduct the Wildflower Triathlon at Lake San Antonio South Shore for the years 2018 to 2022, with the right to negotiate a five-year extension from 2022 to 2027 on terms and conditions to be mutually agreed to by the parties, if exercised by both parties;

b. Find that the Wildflower Triathlon at the Lake San Antonio South Shore is Categorically Exempt from CEQA pursuant to Section 15304(e) of the CEQA Guidelines;

c. Authorize the Chair of the Board to sign the Facility Use Agreement on behalf of the County; and

d. Authorize the RMA Director, or designee to sign an annual Concession Agreement for Special Events each year (2018-2022) for the Wildflower Triathlon to address specific details on maintenance and operations pursuant to the terms of the Facility Use Agreement.

This item was removed via Additions/Corrections- Motion by Supervisor Alejo, Seconded by Supervisor Parker ALL AYES

RMA - Land Use and Community Development

- 82.** Approve Second Amendment to Urban Services Agreement by and between the County of Monterey and the East Garrison Community Services District relating to East Garrison to transfer responsibility for ownership and maintenance of neighborhood parks from the East Garrison Homeowners Association to the East Garrison Community Services District.

Proposed CEQA Action: Not a project pursuant to CEQA Guidelines section 15378(b)(4)

Approved - Agreement No. A-12422

- 83.** a. Approve and authorize the Chair to sign an Indemnification Agreement with UCP East Garrison, LLC related to erosion, flooding, stormwater runoff, grading, or discharge as a result of construction of East Garrison as required by Condition of Approval #235 of Combined Development Permit PLN030204; and
- b. Authorize the Clerk of the Board to record the executed Agreement.

Approved

- 84.** a. Approve Amendment No. 2 to Joint Funding Agreement (JFA) 16WSCA600466210 with the U.S. Geological Survey (USGS) to include new additional tasks to complete the Salinas Valley Groundwater Basin Investigation which includes hydrologic model development and technical reports and trainings, in the amount of \$509,622 (\$463,292 to be funded by County; \$46,330 to be funded by USGS), for a total amount not to exceed \$1,330,560 (\$1,220,622 to be funded by County; \$109,938 to be funded by USGS), and extend the term to October 31, 2021; and
- b. Authorize the Resource Management Agency Director to execute Amendment

No. 2 to Joint Funding Agreement No. 16WSCA600466210 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

Approved - Agreement No. A-13077

- 85.**
- a. Accept the Phase 3 Final Map of the East Garrison Subdivision dividing a 67.12 acre parcel into 192 residential parcels, a 150-unit condominium parcel, 5 open space/park parcels, 2 townhome parcels, 2 apartment parcels, and 23 parcels for development of the future Arts-Historic District;
 - b. Approve and accept a Conservation & Scenic Easement Deed over a 14.6-acre portion of APN 031-161-036 as required by Condition of Approval #17 of Combined Development Permit PLN030204, and authorize the Chair to sign the Acceptance and Consent to Recordation;
 - c. Approve the Subdivision Improvement Agreement for East Garrison Phase 3 and authorize the Chair to execute the Agreement;
 - d. Accept the Tax Clearance Letter and Subdivision Map Guarantee;
 - e. Direct the Clerk of the Board to submit the executed Scenic & Conservation Easement, Final Map, and Subdivision Improvement Agreement to the County Recorder for filing with recording fees paid by the applicant, and submit the Faithful Performance and Labor and Material Security, and the Tax Clearance Letter from the Tax Collector as required by the County Recorder's Office.
 - f. (Final Map - PLN030204/UCP East Garrison, LLC, Fort Ord Master Plan, East Garrison Specific Plan)
- Proposed CEQA Action: Statutorily Exempt per Section 15268(b)(3)
Location: East Garrison Track 0, Former Fort Ord, south of Reservation Road, northeast of the intersection of West Camp Street and Watkins Gate Road
(REVISED REPORT AND ATTACHMENT G SUBMITTED VIA SUPPLEMENTAL)

Approved

RMA - Public Works and Facilities

- 86.**
- Adopt a Resolution agreeing to maintain a pedestrian crossing with a rapid rectangular flashing beacon, marked crosswalk, and required signage at the intersection of Merritt Street and Crane Street in Castroville until Caltrans alters, removes, or assumes maintenance responsibility for the crossing.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-517 agreeing to maintain a pedestrian crossing with a rapid rectangular flashing beacon, marked crosswalk, and required signage at the intersection of Merritt Street and Crane Street in Castroville until Caltrans alters, removes, or assumes maintenance responsibility for the crossing. ALL AYES

Monterey County

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



Action Minutes - Final

Wednesday, December 13, 2017

11:00 AM

**See separate agenda for Board of Supervisors of the Monterey County
Water Resources Agency.**

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*

11:00 A.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Supervisor Parker arrived prior to Closed Session.

Present: 4 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips and Supervisor Simón Salinas

Absent: 1 - Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Phillips.

Additions and Corrections

There were no additions or corrections to the agenda.

Other Board Matters

1. General Public Comment

Auditor Controller Michael Miller introduced Harvey Howells, the newly appointed Chief Deputy Auditor-Controller.

11:00 A.M. - Scheduled Matters

2. Receive a Report of Compliance Review of County’s Claims Procedures for General Liability and Workers’ Compensation Claims from the Office of the Auditor-Controller and support recommendations for corrective actions.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to receive a Report of Compliance Review of County’s Claims Procedures for General Liability and Workers’ Compensation Claims from the Office of the Auditor-Controller and support recommendations for corrective actions. 4-0 (Supervisor Parker Absent)

3. Receive a report from the Auditor-Controller regarding the award of the Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2016.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to Receive a report from the Auditor-Controller regarding the award of the Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2016. 4-0 (Supervisor Parker Absent)

Closed Session

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

a. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Equal Opportunity Officer.

b. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Public Defender.

CLOSED SESSION REPORT: The Board took no reportable actions on items 4.a. and b. The meeting adjourned at the conclusion of Closed Session.

Adjournment

APPROVED:

/ s/ Luis A. Alejo

**LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: / s/ Nicholas E. Chiulos

NICHOLAS E. CHIULOS

ACTING CLERK OF THE BOARD

APPROVED ON February 6, 2018

Monterey County

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



Action Minutes - Final

Thursday, December 14, 2017

9:00 AM

Special Meeting

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*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Dr. Lew Bauman.

9:00 A.M. - Scheduled Matter

0.1

Consider adopting a Resolution to:

- a. Rescind the Board of Supervisors' action of December 5, 2017 adopting a resolution declaring a Shelter Crisis in Monterey County through December 31, 2018;
- b. Declare the Board of Supervisors' unconditional commitment to cease, desist from, and not repeat the past action that is alleged to violate the Brown Act, and authorize the Chair of the Board to execute and transmit to Marina Community Partners a letter stating that unconditional commitment;
- c. Find that a significant number of persons within the County of Monterey are without the ability to obtain shelter and that the situation has resulted in a threat to the health and safety of those persons;
- d. Find that the Declaration of Shelter Crisis is statutorily exempt under CEQA; and,
- e. Declare pursuant to Government Code sections 8698 through 8698.2 that a shelter crisis exists, and will continue to exist, throughout the incorporated and unincorporated areas of Monterey County until December 31, 2018. (ADDED VIA ADDENDA)

Public comment: Doug Yount.

Motion No. 1: A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-527 to:

- a. Rescind the Board of Supervisors' action of December 5, 2017 adopting a resolution declaring a Shelter Crisis in Monterey County through December 31, 2018. ALL AYES**

Motion No. 2: A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-527 to:

- b. Declare the Board of Supervisors' unconditional commitment to cease, desist from, and not repeat the past action that is alleged to violate the Brown Act, and authorize the Chair of the Board to execute and transmit to Marina Community Partners a letter stating that unconditional commitment. ALL AYES**

Motion No. 3: A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-527 to:

- c. Find that a significant number of persons within the County of Monterey are without the ability to obtain shelter and that the situation has resulted in a threat to the health and safety of those persons;**
- d. Find that the Declaration of Shelter Crisis is statutorily exempt under CEQA; and,**
- e. Declare pursuant to Government Code sections 8698 through 8698.2 that a shelter crisis exists, and will continue to exist, throughout the incorporated and unincorporated areas of Monterey County until December 31, 2018. (ADDED VIA ADDENDA) ALL AYES**

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 provide a performance evaluation for the County Counsel.
 - b. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Administrative Officer.
 - c. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation. (ADDED VIA ADDENDA)

CLOSED SESSION REPORT:

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

- a. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Counsel.

CLOSED SESSION REPORT: Counsel advised there is no reportable action on item 1.a. and the meeting will adjourn at the conclusion of Closed Session.

- b. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Administrative Officer.

CLOSED SESSION REPORT: Counsel advised there is no reportable action on item 1.b. and the meeting will adjourn at the conclusion of Closed Session.

- c. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation. (Added via Addenda) **ITEM REMOVED VIA ADDITIONS & CORRECTIONS.**

Adjournment

APPROVED:

/ s/ Luis A. Alejo

LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: / s/ Nicholas E. Chiulos _____

NICHOLAS E. CHIULOS
ACTING CLERK OF THE BOARD
APPROVED ON February 6, 2018 _____