

Monterey County

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



Meeting Agenda - Final-revised

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*

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901.

As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

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

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

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

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

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

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

INTERPRETATION SERVICE POLICY: The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of

the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for translation assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un interprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

All documents submitted by the public must have no less than ten (10) copies. The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting. Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board's Office located at 168 W. Alisal St., 1st Floor, Salinas, California. during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5

NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Board Report.

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

9:00 A.M. - Call to Order

Roll Call

Additions and Corrections for Closed Session:

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Closed Session

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

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

10:30 A.M. - Reconvene

Roll Call

Pledge of Allegiance

Additions and Corrections

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

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

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

Attachments: [Craft Ceremonial Resolution](#)
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)

Attachments: [Fisher Retirement Resolution](#)

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

Attachments: [Gross Retirement Resolution](#)

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)

Attachments: [Notification to Clerk - Schindelheim](#)
[Letter & Resume of Dr. Chavis](#)

7. Appoint Jonathan Wizard to the Monterey County Planning Commission to fill an unexpired term ending January 27, 2019. (Supervisor Parker)

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

8. Appoint Margarita Robles to the Area Agency on Aging Advisory Council for a term ending January 1, 2021. (Full Board)

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

9. Reappoint Julie Edgcomb to the Central Coast Alliance for Health as a Public Representative for a term ending December 31, 2021. (Full Board)

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

10. Reappoint Rita Dady to the Housing Authority of the County of Monterey for a term ending January 12, 2020. (Full Board)

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

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)

Attachments: [TPS Resolution](#)

12. Board Comments

13. CAO Comments and Referrals

Attachments: [Referrals 12-05-17](#)

14. General Public Comment

This portion of the meeting is reserved for persons to address the Board of Supervisors on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board of Supervisors members may respond briefly to the statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Board of Supervisors at a future meeting.

10:30 A.M. - Scheduled Matters

- 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.

Attachments: [Board Report](#)
[Implementation Plan County of Monterey DRAFT](#)
[Themes from Engagement Work](#)
[Resolution for Name Change](#)
[Resolution for Associate Analyst](#)
[Resolution for Associate Analyst](#)

- 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.

Attachments: [Board Report](#)
[Exhibit A](#)
[Exhibit B](#)
[Notice 2.19](#)

- 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.

Attachments: [Board Report](#)
[Exhibit A](#)
[Exhibit B](#)
[Notice 2.80](#)

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)

Attachments: [Board Report](#)
[Attachment A – Discussion](#)
[Attachment B – Draft Ordinance amending Title 21 \(clean version\)](#)
[Attachment C – Draft Ordinance amending Title 21 \(redline version\)](#)
[Attachment D – Draft Resolution of Intent](#)
[REVISED Attachment D – Draft Resolution of Intent](#)
[Attachment E – Draft Ordinance amending Chapter 7.90 \(clean version\)](#)
[Attachment F – Draft Ordinance amending Chapter 7.02 \(clean version\)](#)
[Attachment G – PC Recommendation \(Resolution #17-047\)](#)
[Attachment H – Draft Ordinance amending Title 20 \(redline version\)](#)
[REVISED Attachment H – Draft Ordinance amending Title 20 \(redline version\)](#)
[ADDED Memorandum - Revisions 12-1-17](#)

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

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).

Attachments: [Board Report](#)

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 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).

Attachments: [Board Report](#)
[2017-18 Legislative Program Update for 12-5-17 BoS](#)
[2018 Strategic Grant Services Program for 2017-12-05 BoS](#)
[2017 Federal Legislative Report](#)
[2017 State Legislative Report](#)
[2017 Strategic Grant Srvcs. Report](#)

- 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

Attachments: [Board Report](#)
[Attachment A - Application Matrix](#)
[Attachment B - Maps](#)
[Attachment C - BOS Reso 01-486](#)
[Attachment D - BOS Reso 03-383](#)
[Attachment E - Financial Impact Analysis](#)
[Attachment F - Resolution for 2018 Williamson Act](#)

- 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

Attachments: [Board Report](#)
[Attachment A - Resolution](#)
[Attachment B - Vicinity Map](#)
[Attachment C - Ag. Preserve Land Conservation Contract No. 2012-025](#)
[Attachment D - Farmland Security Zone Contract No. 2005-007](#)
[Attachment E - Board Resolution No. 03-383](#)
[Attachment F - Board Resolution No. 00-462](#)
[Attachment G - Board Resolution No. 01-486](#)

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.

Attachments: [Board Report](#)
[Att A - Notice of Public Hearing](#)
[Att B - Certification of Clerk of the Board](#)
[Att C - Resolution Est New Rate](#)
[Att D - CSA 75 Chualar Final Wastewater Rate Study](#)
[Att E - Location Map](#)

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.

Attachments: [Board Report](#)
[Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)

Adjournment

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.

Attachments: [Board Report](#)
[Qventus Renewal & Amendment No 2.pdf](#)
[AnalyticsMD Renewal & Amendment No 1.pdf](#)
[AnalyticsMD Agreement.pdf](#)
[Qventus Spend Sheet.xls](#)

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.

Attachments: [Board Report](#)
[Monterey Bay Management Lease Agreement Aug 2017 - July 2020.pdf](#)

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.

Attachments: [Board Report](#)
[Muralidhara Raju MD First Amendment.pdf](#)
[Muralidhara Raju MD Agreement.pdf](#)

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.

Attachments: [Board Report](#)

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.

Attachments: [Board Report](#)
[SHI Quote-13796352.pdf](#)
[Microsoft Enterprise Enrollment EXECUTED.pdf](#)

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.

Attachments: [Board Report](#)
[Natividad Medical Foundation Amendment 2](#)
[Natividad Medical Foundation Amendment 1](#)
[Natividad Medical Foundation Agreement](#)
[Natividad Medical Foundation Spend Sheet](#)

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.

Attachments: [Board Report](#)
[Medical Information Technology Inc Amendment 2](#)
[Medical Information Technology Inc Amendment 1](#)
[Medical Information Technology Inc Agreement](#)
[Medical Information Technology Inc Spend Sheet](#)

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)

Attachments: [Board Report](#)

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.

Attachments: [Board Report](#)
[713 La Guardia Original Lease 4-1-01 to 3-31-06](#)
[Amendment No 1 3-30-01](#)
[713 Laguardia First Amendment 7-5-06](#)
[713 La Guardia Second Amendment 1-1-12 to 12-31-16](#)
[713 La Guardia - Amendment 3 Executed](#)
[713 La Guardia Fourth Amendment](#)

- 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)

Attachments: [Board Report](#)
[Resolution Declaration of Emergency for Safe Parking](#)

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.

Attachments: [Board Report](#)

General Government

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

Attachments: [Board Report](#)
[Attachment A - BOS Resolution](#)
[Attachment B - Conflict of Interest Code - strike through](#)
[Attachment C - Conflict of Interest Code - Clean](#)
[Attachment D - MCOE Board Minutes](#)

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

Attachments: [Board Report](#)
[Attachment A - Resolution](#)
[Attachment A - Resolution](#)
[Attachment B - Conflict of Interest Code - redlined](#)
[Attachment C - Conflict of Interest Code - clean s](#)
[Attachment D - NCRPD Minutes](#)

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

Attachments: [Board Report](#)
[Attachment A - BOS Resolution](#)
[Attachment B - Board Bylaws and COI](#)
[Attachment C - Signed Resolution](#)
[Attachment D - County Counsel memo](#)

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.

Attachments: [Board Report](#)
[Insight Azure Support Agrmt](#)

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.

Attachments: [Board Report](#)
[Attachment A - Proposed Article XIII \(Strike Out Version\) .pdf](#)
[Attachment B - Proposed Article XIII \(Clean Version\).pdf](#)
[Attachment C - Proposed Resolution.pdf](#)
[Attachment D - Other Agency Study.pdf](#)
[Attachment E - Monterey County Study.pdf](#)

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.

Attachments: [Board Report](#)
[Exhibit A](#)

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.

Attachments: [Board Report](#)
[Exhibit A](#)
[Exhibit B](#)
[Exhibit C](#)

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).

Attachments: [Board Report](#)
[Attachment A - BOS Resolution](#)
[Attachment B - CSA 66 FY17/18 Bdgt Appropriation Sheet](#)
[Attachment C - CSA 66 Oak Tree Place Prjct Budget](#)
[Attachment D - CSA 66 Location Map](#)

- 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.

Attachments: [Board Report](#)
[Attachment A - Resolution](#)
[Attachment B - RMA Position Cost Analysis](#)

- 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.

Attachments: [Board Report](#)
[Attachment A - Lease Agreement](#)
[Attachment B - Location Map](#)

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.

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

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.

- Attachments:** [Board Report](#)
[Attachment A – SA with Associated Right of Way Services, Inc.](#)
[Attachment B - SA with Bender Rosenthal, Inc.](#)
[Attachment C - SA with Briggs Field Services, Inc.](#)
[Attachment D - SA with Overland, Pacific & Cutler, LLC](#)
[Attachment E - RFQ #1702](#)
[Attachment F - Addendum No. 1 to RFQ #1702](#)
[Attachment G - Addendum No. 2 to RFQ #1702](#)

- 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.

Attachments: [Board Report](#)
[Attachment A - Project Budget](#)
[Attachment B - Location Map](#)
[Attachment C - Purchase Agreement with D. Johnston](#)
[Attachment D - Easement Deeds D. Johnston](#)
[Attachment E - Purchase Agreement with Cooper](#)
[Attachment F - Easement Deeds Cooper](#)
[Attachment G - Purchase Agreement with R. Johnston](#)
[Attachment H - Easement Deeds R. Johnston](#)
[Attachment I - Agreement with Joseph Vineyard](#)
[Attachment J - Easement Deeds Joseph Vineyard](#)

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.

Attachments: [Board Report](#)
[Attachment A - Amendment No. 6 to PSA](#)
[Attachment B - Amendment No. 5 to PSA](#)
[Attachment C - Amendment No. 4 to PSA](#)
[Attachment D - Amendment No. 3 to PSA](#)
[Attachment E - Amendment No. 2 to PSA](#)
[Attachment F - Amendment No. 1 to PSA](#)
[Attachment G - PSA](#)
[Attachment H - Summary of PSA](#)
[Attachment I - Summary of Annual Expenditures & Balance](#)

Board of Supervisors Addenda/Supplemental

46. Board of Supervisors Addenda/Supplemental Agenda for the meeting of Tuesday, December 5, 2017

ADDENDA

Add to 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.

Add to Department of Social Services

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.

SUPPLEMENTAL

10:30 A.M. - Scheduled Matters - Revised attachments submitted

Revised Attachment D - Draft Resolution of Intent

Revised Attachment H - Draft Ordinance Submitted

Added - Memorandum regarding revisions submitted

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).