

# Monterey County

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



## Meeting Agenda - Final-Revised

Tuesday, October 1, 2019

9:00 AM

### Board of Supervisors

*Chair Supervisor John M. Phillips - District 2*

*Vice Chair Supervisor Chris Lopez - District 3*

*Supervisor Luis A. Alejo - District 1*

*Supervisor Jane Parker - District 4*

*Supervisor Mary L. Adams - District 5*

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

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

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

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

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

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

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

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

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

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un 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 agenda items are live web links. Click on the title to be directed to the corresponding Board Report.**

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

**Please refer to the separate agendas for Special Districts and Agencies governed by the Board of Supervisors that may be scheduled for agenda items today.**

**9:00 A.M. - Call to Order**

**Roll Call**

**Additions and Corrections for Closed Session by County Counsel**

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

**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) Brian Parker, (Workers Compensation Appeals Board case no. ADJ7519938)
    - (2) Darren Gurley, (Workers Compensation Appeals Board case no. ADJ9980585)
    - (3) Carmel Valley Association v. County of Monterey, et al. (Monterey County Superior Court case no. 17CV000131 and Court of Appeal, Sixth Appellate District case no. H046187)
  - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
    - (1) Designated representatives: Irma Ramirez-Bough and Kim Moore  
Employee Organization(s): All Units

**Public Comment**

**The Board Recesses for Closed Session Agenda Items**

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

**10:30 A.M. - Reconvene on Public Agenda Items**

**Roll Call****Pledge of Allegiance****Additions and Corrections by the Clerk**

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

**Consent Calendar- (See Supplemental Sheet)**

2. Approval of Consent Calendar Items No. 11 through 25.

**Ceremonial Resolutions**

3. Adopt Resolution commending Frank Dice, Chief ADO, ~~on his retirement from over~~ 49 years of dedicated public service with Monterey County. (Full Board) (REVISED VIA SUPPLEMENTAL)

**Attachments:** [Ceremonial Resolution - Frank Dice](#)

4. Adopt Resolution honoring George T. Riley for a lifetime of public service and activism to protect our environment for future generations. (Full Board)

**Attachments:** [Ceremonial Resolution - George Riley \(ADDED VIA ADDENDUM\)](#)

Ceremonial Resolution - Monterey County Employee Giving Campaign

5. Adopt a Resolution recognizing and congratulating Paulette Lynch for thirty years of leadership to Monterey County's creative sector and congratulating her on her retirement after fifteen years as executive director of the Arts Council for Monterey County. (Full Board)

**Attachments:** [Ceremonial Resolution - First Night Monterey](#)

**Appointments**

6. Appoint Anita Crawley to the Equal Opportunity Advisory Commission for a term ending at the pleasure of the Board. (Supervisor Adams)

**Attachments:** [Notification to Clerk- Crawley](#)

**Other Board Matters**

7. Board Comments
8. County Administrative Officer Comments and Referrals

**Attachments:** [Referrals 10-01-19](#)

9. General Public Comments

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

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

10. **PLN180238 - (CAHOON, KEITH ET AL)**  
Consider a Lot Line Adjustment between two (2) legal lots of record of approximately 40 acres (Parcel I) and 189 acres (Parcel II), resulting in two (2) legal lots of record of 49.36 acres (Adjusted Parcel I) and 179.64 acres (Adjusted Parcel II), respectively. The adjustment will not reduce the acreage under the existing Agricultural Preserve Land Conservation Contract.  
**Proposed California Environmental Quality Act (CEQA) Action:** Categorically Exempt per CEQA Guidelines California Code of Regulations (CCR) Section 15305 (Minor alterations in land use limitations)  
**Project Location:** 38900 East Carmel Valley Rd, Carmel Valley (Cachagua Area Plan)

**Attachments:** [Board Report](#)  
[Attachment A - Draft Resolution](#)  
[Attachment B - Vicinity Map](#)  
[Attachment C - Williamson Act Agricultural Preserve LCC No. 75-6](#)  
[Attachment D - Williamson Act Agricultural Preserve LCC No. 75-19](#)  
[Attachment E - Resolution for Processing of Lot Line Adjustments](#)

**12:00 P.M. - Recess to Lunch****1:30 P.M. - Reconvene****Roll Call**

**1:30 P.M. - Scheduled Matters**

**10.1**

Receive a Status Report from Housing Program Manager regarding Housing and Economic Development Programs (Referral #2018.21).

- a) Proposed Actions: Receive report regarding the Housing/Economic Development Program, referral number 2018.21
- b) Proposed Actions: Provide direction to staff (ADDED VIA ADDENDUM)

**Attachments:**    [Board Report](#)  
[Housing and Economic Development Department, County Administrative](#)

**Read Out from Closed Session by County Counsel**

*Read out by County Counsel will only occur if there is reportable action(s).*

**Adjournment**

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

11. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute a Program Letter of Agreement with Companeros en Salud for rotation of Natividad physician Residents with an agreement term retroactive to September 1, 2019 through August 31, 2021.
- b. Approve the NMC Chief Executive Officer's recommendation to accept non-standard indemnification and insurance provisions within the agreement.

**Attachments:** [Board Report](#)  
[Program Letter of Agreement with Companeros en Salud.pdf](#)

12. Authorize the Deputy Purchasing Agent of NMC to execute a Health Plan-Provider Agreement with the Fresno-Kings-Madera Regional Health Authority dba CalViva Health, a Medi-Cal Managed Care Plan ("CalViva") to provide for Medi-Cal managed care rate payment increases to NMC for healthcare services rendered in the period of July 1, 2018 to June 30, 2019, to CalViva's Medi-Cal managed care enrollees.

**Attachments:** [Board Report](#)  
[CalViva Health Plan Provider Agreement.pdf](#)

**Health Department**

13. a. Authorize the Director of Health, or Assistant Director of Health to execute a Pharmacy Services Agreement ("Agreement") with CVS Pharmacy, Inc. ("CVS") allowing CVS to manage and dispense 340B discounted drugs to eligible Monterey County Health Department Clinic Services Bureau ("Clinic Services") patients for a term beginning January 1, 2020 to December 31, 2022, and which shall auto renew thereafter until terminated; and
- b. Approve the recommendations of the Director of Health or Assistant Director of Health to accept the non-standard risk provisions (insurance, removal of subcontractors, indemnification and limitation of liability) in the Agreement; and
- c. Authorize the Director of Health or 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.

**Attachments:** [Board Report](#)  
[Agreement CVS Pharmacy](#)

14. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Fund Transfer Agreement with the Transportation Agency for Monterey County (TAMC) in the amount of \$1,167,173 for the term July 1, 2019 through



December 31, 2022, for the “Every Child: Community-Supported Safe Routes to School” project to implement traffic gardens and other safe routes to school programming in the Salinas Valley, Monterey Bay Peninsula and North Monterey County communities.

b. Accept non-standard mutual indemnification provision as recommended by the Director of Health; and

c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments up to ten percent (10%) (\$116,717.30) of the original contract amount, which does not significantly alter the scope of services.

**Attachments:** [Board Report](#)  
[TAMC\\_Every Child\\_AGM](#)  
[TAMC Exhibit B\\_Attachment 1](#)

15. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement with Walmart, Inc. to provide and administer immunizations to Monterey County employees for the period retroactive from September 30, 2019 to September 29, 2020, at no cost to the County.

**Attachments:** [Board Report](#)  
[WalmartMonterey County IMZ-final](#)

### **Criminal Justice**

16. a. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendment #2, with Aramark Services Inc Doing Business As Aramark Correctional Services, in the amount not to exceed \$4,418,318.00, and extend the term of the agreement one (1) additional year and one (1) month, retroactive to June 1, 2019, for an amended term of October 1, 2016 to June 30, 2020; and
- b. Ratify and Authorize the Auditor-Controller to issue a payment in the amount of \$246,513.53, for the critical services provided prior to the start of the new amendment; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign one (1) additional one (1) year amendment where the amendment does not significantly change the scope of work at cost not to exceed \$1,149,496.20 plus the Consumer Price Index, All Urban Consumers, U.S. City Average (“CPI-U”) as permitted under section 4.2 of the Agreement.

**Attachments:** [Board Report](#)  
[Original Aramark Board Order .pdf](#)  
[Aramark RFP#10538 Contract and Attachments.pdf](#)  
[Aramark Amendment#1 and exhibits.pdf](#)  
[Aramark Amendment#2 and exhibits.pdf](#)

17. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a non-standard Professional Services Agreement (PSA) with the Law Offices of Lawrence & Peck, in the amount of \$90,000, to provide case management and case supervision for the Alternate Defender Office with an effective term of October 1, 2019 through June 30, 2020;

**Attachments:** [Board Report](#)  
[Lawrence&Peck Agreement](#)

### **General Government**

18. Approve and authorize the Contracts/Purchasing officer to sign renewal and Amendment No. 2 to the 2016 Professional Service Agreement with Bickmore Actuarial, Inc. to provide actuarial analysis for workers' compensation and general liability self-insurance programs, safety consulting, claims consulting and enterprise risk management consulting services by extending the term by three years, retroactive from July 1, 2019 through June 30, 2022 and increasing compensation amount not to exceed \$90,000 for a total compensation not to exceed \$182,000.

**Attachments:** [Board Report](#)  
[Bickmore - Agreement](#)  
[Bickmore - Amendment 1](#)  
[Bickmore - Amendment 2](#)

19. a. Approve and authorize the Director of Child Support Services (CSS) to sign a Plan of Cooperation (POC) with the Superior Court of California, County of Monterey (Superior Court), to describe the distinct roles and responsibilities to be performed by CSS and the Superior Court as each entity complies with its respective duties under Family Code sections 4250 - 4253 and 10000 - 10015, collectively also known as the AB 1058 Program. The terms of this POC shall be effective upon signing of Parties and approval of the California Department of Child Support Services (DCSS) and the Center for Families, and the Judicial Council of California, and shall end on September 30, 2021.

**Attachments:** [Board Report](#)  
[Monterey 2019-21 Superior Court POC 072519](#)

20. Approve the Auditor-Controller's Fiscal Year 2019-20 Internal Audit Plan.

**Attachments:** [Board Report](#)  
[Attachment A - FY 2019-20 Internal Audit Plan](#)

21. Receive the action minutes from the May 13, 2019, meeting of the Legislative Committee.

**Attachments:** [Board Report](#)  
[05.13.19 LC minutes final](#)

22. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the First Amendment with New Cingular Wireless PCS, LLC for the purpose to modify and/or replace wireless equipment located at 1025 Monterey Highway 68, Salinas, California (aka WeatherTech Raceway Laguna Seca) in order to complete equipment upgrades and maintain compliance with current and future federal, state or local mandated applications, including but not limited to emergency 911 communications services as outlined within Exhibit B-2 of the First Amendment.

**Attachments:** [Board Report](#)  
[Agreement Cingular 20060607](#)  
[Amendment No1. Cingular](#)  
[Location Map Laguna Seca](#)

- 22.2 Adopt a Resolution authorizing the Assistant County Administrative Officer to 1) apply for and accept grant funds under the SB 2 Planning Grants Program (PGP) in the amount of \$310,000 to fund professional consulting services for developing: incentives for constructing Alternative Dwelling Units, the Castroville Nexus Study, and the Chualar Community Plan; and 2) enter into, execute, and deliver a State of California Agreement (Standard Agreement) as required by the PGP, subject to review and approval of the Office of the County Counsel as to form and legality. (ADDED VIA ADDENDUM)

**Attachments:** [Board Report](#)  
[2019 SB 2 Planning Grants NOFA](#)  
[SB2 Grant Amounts Per Jurisdiction 2019 NOFA](#)  
[SB2-Planning-Grant-Guidlines](#)  
[State of California Agreement \(Standard Agreement\)](#)  
[State of California Agreement \(SZ\) Exhibit C, "General Terms & Conditions"](#)  
[Resolution to submit SB 2 Planning Grant Application Final](#)

### **RMA – Public Works and Facilities**

23. a. Accept the Cathrein Acres Subdivision improvements (also known as Cathrein Estates Subdivision - PLN990330) as complete, as required by the Subdivision Improvement Agreement approved by the Board on August 27, 2013, and recorded September 13, 2013, as Document No. 2013057544 (Exhibit C);

- b. Approve the release of the Faithful Performance Bond, No. 105815148 (in the amount of \$1,175,688.00) for Cathrein Acres Subdivision, (PLN990330) improvements;
- c. Approve the release of the Subdivision Monument Bond, No. 105815151 (in the amount of \$29,750.00) for Cathrein Acres Subdivision, (PLN990330) improvements;
- d. Approve the release of Labor and Material Bond, No. 105815148 (in the amount of \$534,404.00) for Cathrein Acres Subdivision, (PLN990330) in accordance with Government Code Section 66499.7 after the passage of time for recording claims or liens; and
- e. Delegate authority to the Resource Management Agency Director or his designee to release the Warranty Bond after a period of one year, subject to the determination that the improvements are functioning as intended.

**Attachments:** [Board Report](#)

[Attachment A - Vicinity Map](#)

[Attachment B - Bonds](#)

[Attachment C - Subdivision Improvement Agreement](#)

[Attachment D - Engineer's Letter of Inspection](#)

- 24.**
- a. Award a contract to Monterey Peninsula Engineering the lowest responsible bidder, for the Cathedral Oak Road and Pescadero Road Repair Projects, in the total amount of \$221,131;
  - b. Approve the Performance and Payment Bonds executed and provided by Monterey Peninsula Engineering;
  - c. Authorize a contingency, not to exceed ten percent (10%) of the contract amount or \$22,113 to provide funding for approved contract change orders;
  - d. Authorize the Resource Management Agency Director to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work; and
  - e. Authorize the Resource Management Agency Director to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director or Deputy
  - f. Director determines that the contract is complete in all respects in accordance with Plans and Special Provisions for the construction of the Cathedral Oak Road and Pescadero Road Repair Projects by Monterey Peninsula Engineering.

**Attachments:** [Board Report](#)  
[Attachment A - Project Budget](#)  
[Attachment B - Location Map](#)  
[Attachment C -Contract](#)  
[Attachment D - Performance Bond](#)  
[Attachment E - Payment Bond](#)  
[Attachment F -Certificate of Liability](#)

- 25.**
- a. Approve Amendment No. 8 to Professional Services Agreement No. A-13815 with Quinn Company dba Quinn Power Systems to continue to provide services associated with maintenance and repairs on County emergency generators to increase the not to exceed amount by \$60,000 for a total amount not to exceed \$210,000 and to extend the expiration date for one (1) additional year, for a revised term from July 1, 2012 to October 2, 2020; and
  - b. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute Amendment No. 8 to Professional Services Agreement No. A-13815.

**Attachments:** [Board Report](#)  
[Attachment A - Amendment No. 8 to PSA](#)  
[Attachment B - Amendment No. 7 to PSA](#)  
[Attachment C - Amendment No. 6 to PSA](#)  
[Attachment D- Amendment No. 5 to PSA](#)  
[Attachment E - Amendment No. 4 to PSA](#)  
[Attachment F - Amendment No. 3 to PSA](#)  
[Attachment G - Amendment No. 2 to PSA](#)  
[Attachment H - Amendment No. 1 to PSA](#)  
[Attachment I - PSA](#)  
[Attachment J - Summary of PSA](#)  
[Attachment K - Summary of PSA Annual Expenditures and Balance](#)

### **Addenda/Supplemental**

**26. ADDENDUM**

**1:30 P.M. - Scheduled Matters**

Add Item

10.1 Receive a Status Report from Housing Program Manager regarding Housing and Economic Development Programs (Referral #2018.21).

- a) Proposed Actions: Receive report regarding the Housing/Economic Development Program, referral number 2018.21
- b) Proposed Actions: Provide direction to staff

**General Government**Add Item

22.1 Adopt a Resolution authorizing the Assistant County Administrative Officer to 1) apply for and accept grant funds under the SB 2 Planning Grants Program (PGP) in the amount of \$310,000 to fund professional consulting services for developing: incentives for constructing Alternative Dwelling Units, the Castroville Nexus Study, and the Chualar Community Plan; and 2) enter into, execute, and deliver a State of California Agreement (Standard Agreement) as required by the PGP, subject to review and approval of the Office of the County Counsel as to form and legality.

**SUPPLEMENTAL****Ceremonial Resolutions**Revised Ceremonial Resolution

3. Adopt Resolution commending Frank Dice, Chief ADO, 49 years of dedicated public service with Monterey County. (Full Board)

Replaced Attachment

4. Ceremonial Resolution - George Riley