

Monterey County

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



Meeting Agenda

Tuesday, July 19, 2016

9:00 AM

See separate agendas for Board of Supervisors of the Monterey County Water Resource Agency and all Board of Supervisors governed Agencies and Special Districts.

Board of Supervisors

*Chair Jane Parker - District 4
Vice Chair Dave Potter - District 5
Supervisor Fernando Armenta - District 1
Supervisor Simón Salinas - District 3
Supervisor John M. Phillips - District 2*

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.

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)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
 - b. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Booska, et al. v. County of Monterey, et al., Monterey Superior Court case no. M128953.
 - c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: Manuel Gonzalez and Brette NealEmployee Organization(s): Units A, B, C, D, E, F, G, H, J, K, L, M, N, Q and V

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.

9:30 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. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution proclaiming August 5, 2016 as Independent Transportation Network Day in Monterey County. (Supervisor Parker)

Attachments: [Independent Transportation Network Monterey County Ceremonial Resolution](#)

Appointments

4. Appoint Anita Dunsay to the Carmel Valley Road Committee, representing the Carmel Valley Village with a term ending June 30, 2019. (Supervisor Potter)

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

5. Appoint Hazel Tompkins to the Domestic Violence Coordinating Council to fill an unscheduled vacancy for an alternate with a term ending January 13, 2017. (Supervisor Parker)

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

6. Reappoint Viviana Gama to the Housing Authority of the County of Monterey with a term ending August 26, 2018. (Full Board)

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

7. Reappoint Kenneth C. Husby to the Monterey County Parks Commission with a term ending April 26, 2020. (Supervisor Phillips)

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

8. Appoint David A. Alexander to the Animal Control Program Advisory Board with a term ending July 1, 2019. (Supervisor Potter)

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

9. Appoint Richard Foster to the Spreckels Memorial District to fill an unscheduled vacancy with a term ending December 31, 2019. (Full Board)

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

10. Reappoint Linda Payne to the Mental Health Commission with a term ending May 31, 2019. (Supervisor Armenta)

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

11. Reappoint Levonne Stone to the Community Action Commission representing Group B with a term ending July 1, 2019. (Supervisor Parker)
Attachments: [Notification to Clerk - Stone](#)
12. Appoint Linda Fosler to the Mental Health Commission to fill an unscheduled vacancy with a term ending May 31, 2017. (Supervisor Potter)
Attachments: [Notification to Clerk - Fosler](#)
13. Reappoint Cecillia Correa to the Community Action Commission, representing Group B with a term ending July 1, 2019. (Supervisor Phillips)
Attachments: [Notification to Clerk - Correa](#)
14. Appoint Thomas Shields to the Area Agency on Aging Advisory Council to fill an unscheduled vacancy with a term ending January 1, 2017. (Supervisor Phillips)
Attachments: [Notification to Clerk - Shields](#)
15. Reappoint Alma McHoney to the Mental Health Commission with a term ending May 31, 2019. (Supervisor Phillips)
Attachments: [Mental Health Commission - McHoney](#)
- 15.1 Appoint Dora McKean to the Domestic Violence Coordinating Council to fill an unscheduled vacancy with a term ending January 13, 2017. (Supervisor Parker)
Attachments: [Notification to Clerk - McKean](#)

Other Board Matters

16. Board Comments
17. CAO Comments and Referrals
Attachments: [Referrals 07-19-16](#)
18. General Public Comment

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.

9:30 A.M. - Scheduled Matters

19. Adopt a resolution calling for a special election, to be consolidated with the General Election on November 8, 2016, in order to submit to the voters an ordinance authorizing the Transportation Agency for Monterey County to impose a three-eighths of one percent retail transactions and use tax to provide revenues for implementation of the Transportation Safety and Investment Plan for a period not to exceed thirty years, for specific transportation improvements. (4/5th approval required)

Attachments: [Board Report](#)
[Attachment A - Resolution](#)
[Exhibit A to Resolution – Ordinance](#)
[Exhibit B to Resolution – Transportation Safety and Investment Plan](#)

10:30 A.M. - Scheduled Matters

20. REF150048 (Chapter 7.90 and 7.95) and REF160043 (Chapter 7.100 - Tax)
Public hearing to consider:
- a. Adoption of an ordinance adding Chapter 7.90 to the Monterey County Code to require an annual commercial medical cannabis permit for commercial medical cannabis activities;
 - b. Adoption of an ordinance adding Chapter 7.95 to the Monterey County Code to require an annual personal medical cannabis permit for personal cultivation of one hundred square feet or less of medical marijuana exclusively for personal use;
 - c. Adoption of an ordinance adding 7.100 to impose a County general tax on commercial cannabis businesses in the unincorporated area of the County of Monterey as of January 1, 2017;
 - d. Adoption of a resolution calling an election for the voters in the unincorporated area of the County to consider adoption of an ordinance imposing a tax on commercial cannabis (marijuana) businesses, and consolidating that election with the statewide general election to be held on November 8, 2016; and
 - e. Authorizing the members of the Board of Supervisors ad hoc committee on medical marijuana to sign the argument in favor of the tax measure and any associated rebuttal argument on behalf of the Board of Supervisors.

Attachments: [Board Report](#)
[Attachment A - Ordinance adding Chapter 7.90-](#)
[Attachment B - Ordinance adding Chapter 7.95-](#)
[Attachment C - Ordinance adding Chapter 7.100](#)
[Attachment D - Tax rate information by year](#)
[Attachment E - Draft resolution](#)

12:00 P.M. - Recess to Lunch**1:30 P.M. - Reconvene - Monterey County Board of Supervisors****Roll Call****1:30 P.M. - Scheduled Matters**

21. a. Receive an oral presentation and approve the Area Agency on Aging 2016-20 Area Plan; and
b. Authorize the Chair of the Board of Supervisors to sign the Area Plan Transmittal Letter.

Attachments: [Board Report](#)
[AAA Area Plan 2016-20 070716 MH](#)

22. Receive a staff report on the progress of the competitive process for selecting a Concessionaire to manage and program Mazda Raceway Laguna Seca (MRLS) as well as other facilities and programs available at the Laguna Seca Recreation Area (LSRA) update from Parks Department regarding the Request for Proposal

Attachments: [Board Report](#)

23. a. Receive update from Parks Department regarding potential opening of Lake San Antonio for 2016 Summer Camping Season;
b. Approve the continuation of Lake San Antonio remaining closed for public use through at least April 2017;
c. Direct Parks Department to report back to the Board of Supervisors in November 2016 on different options on how to open up the LSA property for public use; and
d. Provide other direction to staff as appropriate.

Attachments: [Board Report](#)

Adjournment

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

24. a. Award Natividad Medical Center Job Order Contracts (JOC) for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.5 Million to the lowest responsive bidders as follows: NMC 2016-01 Ausonio Incorporated; and NMC 2016-02 John F. Otto, Inc. dba Otto Construction;
- b. Approve the Performance and Payment Bonds executed and provided by Ausonio Incorporated, Inc. in the amount of \$2 Million;
- c. Approve the Performance and Payment Bonds executed and provided by Otto Construction, Inc. in the amount of \$2 Million; and
- d. Authorize the Chief Executive Officer (CEO) of Natividad Medical Center to execute Job Order Contract Natividad Medical Center 2016-01 with Ausonio Incorporated, and Job Order Contract Facilities 2016-02 with John F. Otto, Inc. dba Otto Construction.

Attachments: [Board Report](#)
[Performance and Payment Bonds - Otto Construction.pdf](#)
[Performance and Payment Bonds - Ausonio.pdf](#)
[Agreement - Ausonio.pdf](#)
[Agreement - Otto Construction.pdf](#)

25. Adopt a Resolution to:
- a. Amend the Monterey County Personnel Policies and Practices Resolution No. 98-394 Appendix A to Add the New Classification of Hospital Interpreter Services Manager with Salary Range as Indicated in the Attached Resolution, effective March 5, 2016;
- b. Amend the Natividad Medical Center (Unit 9600) FY 2016-17 Adopted Budget to Approve Reallocation/Reclassification as Indicated by Position Numbers in the Attached Resolution, effective March 5, 2016;
- c. Authorize the Auditor-Controller to Incorporate the Approved Changes in the Natividad Medical Center (Unit 9600) FY 2016-17 Adopted Budget, effective March 5, 2016;
- d. Direct the County Administrative Office to Incorporate the Approved Position Changes in the Natividad Medical Center (Unit 9600) FY 2016-17 Adopted Budget, effective March 5, 2016; and
- e. Direct the Human Resources Department to Implement the Changes in the Advantage HRM System, effective March 5, 2016.

Attachments: [Board Report.pdf](#)
[Resolution - Hosp Int Svcs Mgr Reclass CORRECTION.pdf](#)

26. Approve Natividad Medical Center (NMC) to increase the total project cost for the Replace Boilers project, by \$475,357 for a revised total project cost of \$1,562,857.

Attachments: [Board Report](#)
[Exhibit 1 - Replace Boilers Project Budget.pdf](#)

27. Approve the Temporary Parking Lot project in the amount of \$1,610,400 and add the project to Natividad Medical Center capital project list.

Attachments: [Board Report](#)

28. Adopt Resolution to:
- a. Amend Personnel Policies and Practices Resolution No. 98-394 to Retitle the Classification of Clinical Laboratory Technician to Medical Laboratory Technician;
 - b. Amend Personnel Policies and Practices Resolution No. 98-394 to Adjust the Salary Range for the Classification of Medical Laboratory Technician as Indicated in the Attached Resolution; and
 - c. Direct the Human Resources Department to Implement the Changes in the Advantage HRM System.

Attachments: [Board Report](#)
[04.19.16 - RES - Retitle and Sal Adj MED LAB TECH.pdf](#)
04.19.16 - RES - Retitle and Sal Adj MED LAB TECH.doc.docx

29. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with Mission Linen Supply pursuant to the Request for Proposal (RFP) #9600-65 for linen processing services and scrub rental services, with an initial agreement term retroactive to July 1, 2016 through June 30, 2017, with the option to extend the agreement for four (4) additional one year periods, and for an original contract amount not to exceed \$400,000.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) no-extension amendments, in which the aggregate does not exceed 10% (\$40,000) of the original contract amount.
- c. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to four (4) future amendments, each of which would exercise a one year option to extend and add \$400,000 to the agreement, provided that the total cost for the agreement over a five year period does not exceed \$2,040,000 and so long as an appropriation for the costs of the amendments is included in the County Adopted Budget.

Attachments: [Board Report](#)
[Mission Linen Supply Agreement for Linen Processing Services and Scrub Ren](#)

30. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute an agreement with Philips Healthcare Services for routine maintenance of existing ultrasound equipment within NMC's radiology department (sites 45681263, 45681362, 45682902, 53740574 and 46178314) and cardiology department (site 60593692), and for routine maintenance of existing ultrasound equipment within NMC's Specialty Clinic (site 66995143), with a total agreement amount not to exceed \$352,803 and with a retroactive start date of July 1, 2016 through June 30, 2020.

Attachments: [Board Report](#)

[Philips Agreement for Ultrasound Maintenance.pdf](#)

Health Department

31. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a one (1) year Memorandum of Understanding with Alisal Union School District for the provision of therapeutic services to students by Monterey County Health Department/Behavioral Health Bureau in the amount of \$402,000 for Fiscal Year (FY) 2016-17, for a total Agreement amount not to exceed \$402,000 for the term of July 1, 2016 through June 30, 2017; 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%) (\$40,200) of the original Agreement amount and do not significantly alter the scope of services.

Attachments: [Board Report](#)

[AlisalUSD MOU 20160701-20170630.pdf](#)

32. Approve and authorize the Director of Health to contract with the Public Health Institute (PHI) to receive funds in the amount of \$25,000 for collaborating with PHI on convening partners to provide input on how counties can utilize the Institute of Medicine's Core Metrics as part of tracking health outcomes.

Attachments: [Board Report](#)

[PHI.pdf](#)

[AGM Admin PHI 20160701-20161230.pdf](#)

General Government

33. a. Approve and authorize the Assessor to enter into an Annual Maintenance Support Agreement with Megabyte Systems Inc. as of July 1, 2016 through June 30, 2017; not to exceed \$335,131.29; and
b. Accept non-standard County liability, indemnification, insurance, payment, and other contractual provisions as recommended by the Assessor; and
c. Authorize the Contracts/Purchasing Officer to sign up to three future annual renewals or other amendments to the Agreement under the same or similar terms where the total amount of the amendments does not exceed 10% of the

original contract amount (\$33,513.12) and the amendments do not significantly change the scope of work.

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

34. a. Receive the Certified Statement of Votes Cast and declare final the results of the June 7, 2016 Presidential Primary Election as set forth in the attached document;
b. Declare "elected" the candidates to each office under the Board's jurisdiction; and
c. Appoint in lieu of election the candidates to their respective offices that have insufficient nominees to cause an election as set forth in the attached document.

Attachments: [Board Report](#)
[Exhibit A-June 7, 2016 Final Official Report](#)
[Exhibit B-Appointments in Lieu of Election](#)
[Exhibit C-Statement of Votes Cast](#)

35. 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, 2017.

Attachments: [Board Report](#)
[North County FDP Resolution](#)
[North County FDP Regeust & Certification](#)

36. Adopt Resolution designating County staff positions to authorize and execute documents and applications for the purpose of obtaining financial assistance with the California Office of Emergency Services Fiscal Year 2016 Homeland Security Grant Program in the amount of \$508,963.

Attachments: [Board Report](#)
[Board resolution FY16 HSGP grant 07192016](#)
[Board Report resolution FY16 Homeland Security grant app 07192016](#)

37. Approve and authorize the Contracts/Purchasing Officer to sign Amendment 1 to the Agreement between Monterey County and Urban Park Concessionaires, dba "Monterey Lakes Recreation Company", extending the term of the agreement from July 26, 2016 through October 31, 2017 for management services of resort business operations at Monterey County Parks lakes resort.

Attachments: [Board Report](#)
[16-872_The Management Agreement with Urban Park Concessionaires](#)
[Amendment to No.1 Agreement](#)

38. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following meeting dates: Tuesday, May 10, 2016, Tuesday, June 7, 2016 and Tuesday, June 14, 2016.

Attachments: [Board Report](#)
[BOS Draft Minutes 2016-05-10](#)
[BOS Draft Minutes 2016-06-07](#)
[BOS Draft Minutes 2016-06-14](#)

RMA - General

39. Adopt an ordinance amending Chapters 2.27, 2.28, 2.29, 2.30, 2.31 and 2.36 of the Monterey County Code relating to the structure and functions of the Resource Management Agency and appointment of the County Surveyor. Note: RMA staff will request to continue this item to July 26, 2016, see Memo in attachments.

Attachments: [Board Report](#)
[Attachment A - Ordinance \(Title 2\)](#)
[Memo requesting Continuance to July 26, 2016](#)

RMA - Public Works

- 40.
- a. Ratify the submittal of three grant applications to the California Department of Transportation (Caltrans) for Active Transportation Program (ATP) grant funds for bicycle/pedestrian projects;
 - b. Authorize the Director of Public Works & Facilities, or his designee, to act as the agent for the County in processing all documentation to secure these funds; and
 - c. Direct the Resource Management Agency (RMA) to return to the Board for approval prior to acceptance of any grant award(s).

Attachments: [Board Report](#)
[Attachment A - ATP Grant Memo](#)
[Attachment B - MBSST- Moss Landing](#)
[Attachment C - Las Lomas](#)
[Attachment D - San Ardo and San Lucas ATP Grant App](#)