

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, March 25, 2014

9:00 AM

**See separate agenda for Board of Supervisors of the Monterey
County Water Resources Agency**

Board of Supervisors

*Chair Louis R. Calcagno - District 2
Vice Chair Simón Salinas - District 3
Supervisor Armenta - District 1
Supervisor Jane Parker - District 4
Supervisor Dave Potter - 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 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(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
 - (1) The Estate of Alfredo Vargas
 - (2) Teresa Ordonez Zavala
 - (3) Anthony Vargas Vargas
 - (4) Perla N. Vargas Vargas
 - b. Pursuant to Government Code section 54956.8, the Board will confer with its real property negotiators:
 - (1) Property: 1441 & 1448 Schilling Place, Salinas
Agency Negotiator: Benny Young, Resource Management Agency Director
Negotiating Party: CBRE Commercial Real Estate Brokerage and Cushman and Wakefield
Under negotiation: Price and terms
 - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
California Public Utilities Commission Proceeding: In the Matter of the Application of California-American Water Company (U 210 W) for an Order Approving a Settlement Agreement with the County of Monterey and the Monterey County Water Resources Agency A.13-05-017 (ADDED VIA SUPPLEMENTAL)

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 AM 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- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution honoring Melinda Stirling upon her retirement from the Monterey Cooperative Extension after 35 years of dedicated service. (Full Board)
- Attachments:** [Stirling Retirement Resolution 2014 FINAL](#)
4. Adopt Resolution Commending Forensic Autopsy Technician Hilleary Ekberg of the Monterey County Sheriff's Office upon her receiving the Professional Staff Employee of the Year for 2013. (Full Board)
- Attachments:** [Ekberg Ceremonial Resolution](#)
- 4.1 Adopt Resolution commemorating the 100th anniversary of the Aromas Branch Library of the Monterey County Free Library System. (Full Board)
- Attachments:** [Aromas Branch Library Ceremonial Resolution](#)
- 4.2 Adopt Resolution honoring Chief Eric C. Sills of Soledad Police Department upon his selection as the 2013 Soledad-Mission Chamber of Commerce's Citizen of the Year. (Supervisor Salinas) (ADDED VIA ADDENDUM)
- Attachments:** [Sills Ceremonial Resolution](#)
- 4.3 Adopt Resolution honoring McDonald's upon its selection as the 2013 Soledad-Mission Chamber of Commerce's Business of the Year. (Supervisor Salinas) (ADDED VIA ADDENDUM)
- Attachments:** [McDonald's Ceremonial Resolution](#)

- 4.4 Adopt Resolution honoring Victory Outreach Soledad upon its selection as the 2013 Soledad-Mission Chamber of Commerce's Friend of the Chamber. (Supervisor Salinas) (ADDED VIA ADDENDUM)

Attachments: [Victory Outreach Soledad Ceremonial Resolution](#)

- 4.5 Adopt Proclamation proclaiming the Week of March 30 - April 5, 2014 as "Safety Seat Checkup Week" in Monterey County. (Full Board) (ADDED VIA ADDENDUM)

Attachments: [Safety Seat Proclamation](#)

Appointments

5. Appoint Kelly Morgan to the Commission on Disabilities, term ending December 31, 2016. (Full Board)

Attachments: [Morgan Notification to Clerk](#)

Other Board Matters

6. Board Comments
7. CAO Comments and Referrals

Attachments: [Referrals 03-25-14](#)

8. 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.

10:30 A.M. - Scheduled Matters

9. a. Approve and adopt the Equal Opportunity Plan for County of Monterey; and
b. Direct the Equal Opportunity Officer to implement and administer the Equal Opportunity Plan.

Attachments: [Equal Opportunity Plan - Final 1 29 14.pdf](#)
[Exhibit 1 - Department Organizational Profile.pdf](#)
[Exhibit 2 - Workforce Analysis.pdf](#)
[Exhibit 3 - Job Group Analysis.pdf](#)
[Exhibit 4 - Availability Analysis.pdf](#)
[Exhibit 5 - Internal Availability.pdf](#)
[Exhibit 6 - Comparison of Incumbency to Availability.pdf](#)
[Exhibit 7 - Personnel Transaction Summary.pdf](#)
[Exhibit 8 - Equal Opportunity & Non-Discrimination Policy.pdf](#)
[Exhibit 9 - Equal Opportunity for Persons with Disabilities.pdf](#)
[Exhibit 10 - Prevention of Sexual Harassment Policy.pdf](#)
[Exhibit 11 - Small-Local Business Outreach Program.pdf](#)
[Equal Opportunity Plan with Track Changes.pdf](#)

10.

Public hearing to consider:

- a. Receiving a report related to Mitigation Monitoring and Reporting for projects approved with Mitigation Measures in 2012 and 2013; and
- b. Adopting a Resolution accepting 2012 and 2013 Annual Reports for the Mitigation Monitoring and Reporting Program.

(Condition of Approval and Mitigation Monitoring and Reporting Program 2012 and 2013 Annual Reports - REF140016/Countywide)

Attachments: [Attachment A - Project List](#)
[Attachment B - Procedures for Condition Approval & MMRP](#)
[Attachment C - Resolution & Annual Reports](#)

11.

Consider adoption of an ordinance amending section 12.24.010 of the Monterey County Code to rescind the designation of the following roads as through highways: Barloy Canyon Road from Watkins Gate Road generally southeast to its terminus; Watkins Gate Road from West Camp Street generally northeast to its terminus; and West Camp Street from Sherman Boulevard generally southeast to its terminus in the East Garrison area of the unincorporated area of the County of Monterey.

Attachments: [Ordinance](#)
[Location Maps](#)

12:00 PM Recess to Lunch

1:30 PM Reconvene**Roll Call****1:30 P.M. - Scheduled Matters**

12. Receive a presentation and report on Managing for Results (MFR) from the Department of Emergency Communications.
13. a. Approve 2014-15 Monterey County Strategic Initiatives and Key Objectives;
and
b. Provide further direction to staff as necessary.

Attachments: [Attachment A - FY2012-13 Monterey County Strategic Initiatives](#)
[Attachment B - FY2014-15 Proposed Strategic Initiatives Key Objectives_propose](#)

Adjournment

Supplemental Sheet, Consent Calendar**Health Department**

14. a. Reallocate 3.0 FTE Office Assistant II to 3.0 FTE Office Assistant III positions in Health Department Budget Unit HEA004-8121;
b. Delete a vacant 1.0 FTE Office Assistant II in Health Department Budget Unit HEA004-8121;
c. Reallocate a vacant 1.0 FTE CA Children's Services Case Worker II to a 1.0 FTE Supervising CA Children's Services Case Worker in Health Department Budget Unit HEA004-8121; and
d. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2013-14 Adopted Budget.

Attachments: [Attach A BR realloc OAs and CCS Case Workers 3 25 14 BOS agenda.doc](#)

15. a. Approve and authorize the Director of Health to sign a Memorandum of Understanding (MOU) with California Youth Outreach (CYO) (February 3, 2014 to September 30, 2014) to formalize the collaboration between Monterey County Behavioral Health and CYO to provide services to youth returning to the Monterey County from incarceration, and
b. Authorize the Director of Health to sign up to three (3) future amendments to this MOU where the amendments do not significantly change the scope of work.

Attachments: [CYO MOU FY Feb 3 2014 - Sep 30 2014.pdf](#)

16. a. Approve and authorize the Director of Health or designee to sign Agreement #13-20933 with the California Department of Public Health in the amount of \$517,949, for the period of February 10, 2014 through February 9, 2015, to provide Supplemental Nutrition Assistance Program-Education (SNAP-Ed) training and technical assistance to local health departments in the applicable service area to promote the delivery of SNAP-Ed nutrition education and physical activity promotion; and
b. Authorize the Director of Health or designee to approve three future amendments up to ten percent (10%) of the annual amount, which does not significantly alter the scope of services or result in an increase to net county costs.

Attachments: [Agreement SNAP-Ed.pdf](#)

Criminal Justice

- 16.1 Adopt Resolution to:
- Amend Personnel Policies and Practices Resolution No. 98-394 and Appendix A to create the classifications of Deputy Sheriff Reserve I/II with the salary ranges as indicated in the attached Resolution; and
 - Direct Human Resources Department to implement the changes in the

Advantage HRM system. (ADDED VIA ADDENDUM)

Attachments: [BoS Res_Dpty Shrrf Rsv I-II](#)

General Government

17. Receive the attached Action Minutes of the Budget Committee for FY 2011-12: October 26, 2011, November 9, 2011, December 7, 2011, February 29, 2012, April 9, 2012, April 25, 2012, May 30, 2012 and June 27, 2012.

Attachments: [10-26-11 Sp BC Action Minutes](#)
[11-09-11 Sp BC Action Minutes](#)
[12-07-11 BC Action Minutes](#)
[2-29-12 BC Action Minutes](#)
[04-09-12 BC Action Minutes](#)
[04-25-12 BC Action Minutes](#)
[05-30-12 BC Minutes](#)
[06-27-12 BC Minutes](#)

18. Approve and authorize the Contracts/Purchasing Officer to execute a Renewal, Extension and Amendment No. 1 to an Agreement between with Robert Half International, Inc for \$74,412 in amount not-to-exceed \$149,292.00 to provide accounting and auditing assistance in reconciling the Advantage HRM (Payroll) System to the Advantage Financial (General Ledger) System.

Attachments: [RobertHalf Renew Extend & Amend No 1](#)
[RobertHalf PSA 13-14](#)

19. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Assessor-County Clerk-Recorder's Department.

Attachments: [Draft Resolution](#)
[ACCR Conflict of Interest \(clean version\)](#)
[ACCR Conflict of Interest \(strike out version\)](#)

RMA - Planning

20. Introduce, waive reading, and set April 8, 2014 at 1:30 P.M. as the date and time to consider adoption of an ordinance adding Chapter 18.28 to the Monterey County Code to establish an on-going, county-wide program to implement a state law commonly known as the Mills Act. The ordinance establishes uniform procedures under which the County may enter into a contract with owners of qualified historic properties to preserve, restore, and maintain the historic properties in exchange for preferential property tax assessment. (REF130101/Mills Act Ordinance, County-wide)

Attachments: [Attachment A - Discussion](#)
[Attachment B - Draft Ordinance](#)
[Attachment C - HHRB Resolution](#)

21. a. Approve a Memorandum of Agreement between the City of Gonzales and the County of Monterey regarding working cooperatively on common planning, growth and development issues; and
- b. Authorize the Chair of the Board of Supervisors to execute the Memorandum of Agreement.
- (Gonzales Memorandum of Agreement/REF090001/Exempt under CEQA)

Attachments: [Attachment A - Discussion](#)
[Attachment B - Government Code Section 56425](#)
[Attachment C - Draft MOA](#)

22. Consider a Resolution to:
- a. Approve a Lot Line Adjustment between three (3) legal lots of record under Land Conservation Contract No. 76-4, established by County Resolution No. 76-45-4, with no net decrease in acreage under Williamson Act Contract; and
- b. Authorize the Chair to execute a new or amended Land Conservation Contract or Contracts in order to rescind a portion of the existing Land Conservation Contract as it applies to the reconfigured lots only and simultaneously execute new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and Lance and Christina Batistich reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Policies or procedures; and
- c. Direct the Clerk of the Board to cause the new or amended Contract or Contracts to be filed with the Recorder on payment of fees to the Recorder concurrently with the recordation of the Certificates of Compliance for the reconfigured parcels.

(Lot Line Adjustment - PLN120829/Lance and Christina Batistich, 32800 Johnson Canyon Rd, Gonzales, Central Salinas Valley)

Attachments: [Attachment A - Discussion](#)
[Attachment B - Draft Board Resolution](#)
[Attachment C - Vicinity Map](#)
[Attachment D - Lot Line Adjustment Map](#)
[Attachment E - Land Conservation Contract No. 76-4](#)

RMA - Public Works

23. Adopt Resolution:
- a. Accepting the 2013 Annual Report of Mileage for Maintained County Roads; and

b. Authorizing the Director of Public Works to forward the resolution and summary sheet to the California Department of Transportation.

Attachments: [Resolution](#)
[Summary Sheet of 2013 Mileage of Maintained County Roads](#)

24. a. Adopt Plans and Special Provisions for the Davis Road Class II Bikeway Project, Project No. 14-869465; State Project No. 054A2784L; Federal Aid Project No. RPSTPLE 5944(104); and
b. Authorize the Director of Public Works to advertise the “Notice to Bidders” in the *Monterey County Weekly*.

Attachments: [Project Budget](#)
[Notice to Bidders](#)
[Book One-Notice to Bidders and Special Provisions](#)
[Book Two-Bid Form](#)
[Plans](#)
[Location Map](#)

25. Board of Supervisors acting as County Service Area No. 75- Chualar:
a. Adopt Plans and Special Provisions for the Chualar Sanitary Sewer Rehabilitation, Project No. 093-45, Bid No. 10479; and
b. Adopt Plans and Special Provisions for the Chualar Monitoring Well Replacement, Project No. 093-46, Bid No. 10480; and
c. Authorize the Director of Public Works to advertise the “Notice to Contractors” for the projects in the *Monterey County Weekly*. (ADDED VIA ADDENDUM)

Attachments: [Chualar Project Budget](#)
[Chualar Location Map](#)
[Notice To Contractors](#)
[Project 093-45 Plans](#)
[Project 093-45 Book 1 Spec & Plans](#)
[Project 093-46 Plans](#)
[Project 093-46 Book 1 Specs & Plans](#)

Addendum / Supplemental

26. Board of Supervisors Addendum/Supplemental for Tuesday, March 25, 2014

ADDENDUM

Add to Ceremonial Resolutions

- 4.2 Adopt Resolution honoring Chief Eric C. Sills of Soledad Police Department upon his selection as the 2013 Soledad-Mission Chamber of Commerce’s Citizen of the Year. (Supervisor Salinas)

- 4.3 Adopt Resolution honoring McDonald's upon its selection as the 2013 Soledad-Mission Chamber of Commerce's Business of the Year. (Supervisor Salinas)
- 4.4 Adopt Resolution honoring Victory Outreach Soledad upon its selection as the 2013 Soledad-Mission Chamber of Commerce's Friend of the Chamber. (Supervisor Salinas)
- 4.5 Adopt Proclamation proclaiming the Week of March 30 - April 5, 2014 as "Safety Seat Checkup Week" in Monterey County. (Full Board)

Add to Consent Calendar - Criminal Justice

- 16.1 Adopt Resolution to:
 - a. Amend Personnel Policies and Practices Resolution No. 98-394 and Appendix A to create the classifications of Deputy Sheriff Reserve I/II with the salary ranges as indicated in the attached Resolution; and
 - b. Direct Human Resources Department to implement the changes in the Advantage HRM system.

Add to Consent Calendar - Public Works

- 25. Board of Supervisors acting as County Service Area No. 75- Chualar:
 - a. Adopt Plans and Special Provisions for the Chualar Sanitary Sewer Rehabilitation, Project No. 093-45, Bid No. 10479; and
 - b. Adopt Plans and Special Provisions for the Chualar Monitoring Well Replacement, Project No. 093-46, Bid No. 10480; and
 - c. Authorize the Director of Public Works to advertise the "Notice to Contractors" for the projects in the *Monterey County Weekly*.

SUPPLEMENTAL

Addition Under Closed Session

- 1. Closed Session under Government Code section 54950, relating to the following items:
 - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation: California Public Utilities Commission Proceeding: In the Matter of the Application of California-American Water Company (U 210 W) for an Order Approving a Settlement Agreement with the County of Monterey and the Monterey County Water Resources Agency A.13-05-017