



Monterey County

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Board Order

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

Adopted Resolution No.: 15-108:

- a. Certifying that the Board has considered the Environmental Impact Report for the Monterey County Government Center and the Supplemental Environmental Impact Report for the East and West Wings Renovation Project;
 - b. Adopting Findings for project approval pursuant to the California Environmental Quality Act;
 - c. Authorizing the East and West Wing and Administration Building tenant improvements and modular removal at the Government Center Facility located at 230 Church Street and 168 West Alisal Street, and modular removal at 111 West Alisal Street, Salinas; and
 - d. Adopting a Mitigation Monitoring and Reporting Program.
- (REF140014/East/West Wing Improvements and Modular Removal, Government Center, Salinas)

PASSED AND ADOPTED on this 12th day of May 2015, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter
NOES: None
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 78 for the meeting on May 12, 2015.

Dated: May 12, 2015
File ID: 15-0460

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

RESOLUTION 15-108

- Resolution of the Monterey County Board of Supervisors to)
- a. Certify that the Board has considered the Environmental Impact Report for the Monterey County Government Center and the Supplemental Environmental Impact Report for the East and West Wings Renovation Project;)
- b. Adopt Findings pursuant to the California Environmental Quality Act;)
- c. Authorize the East and West Wing and Administration Building tenant improvements and modular removal at the Government Center Facility located at 230 Church Street and 168 West Alisal Street, and modular removal at 111 West Alisal Street, Salinas; and)
- d. Adopt a Mitigation Monitoring and Reporting Program.....)
- (East and West Wing Renovation; REF140014)
- (APN: 002-253-027)))

The Monterey County Government Center Administration Building and East and West Wings Renovation Project, including removal of modular units and restoration of the modular sites, came before the Monterey County Board of Supervisors on May 12, 2015. Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Board of Supervisors finds and decides as follows:

FINDINGS

- 1. **FINDING:** **PROJECT DESCRIPTION** – The project the Board is authorizing by this action consists of East and West Wing and Administration Building tenant improvements and modular removal, all at the Government Center Facility located at 230 Church Street and 168 West Alisal Street, and modular removal at 111 West Alisal Street, Salinas. The project will also include restoration of the sites where the modulares will be removed. The 2003 Environmental Impact Report (EIR) and 2015 Supplemental Environmental Impact Report (SEIR) analyzed improvements located at the Government Center located at 240 Church Street and 168 W. Alisal Street in Salinas. The improvements evaluated in the 2003 EIR included the construction of the Administration Building, a phased renovation of the North Wing and the East and West Wings, a pedestrian promenade and parking modifications. All components of the Government Center project have been completed

and are currently occupied, except for the renovation of the East and West Wings. Subsequent to the certification of the EIR, the East and West Wings were designated as historic resources by being listed on the National Register of Historic Places. The SEIR provided supplemental analysis of the East and West Wings Renovation Project (E&W Wings Renovation) related to potential effects on the historic nature of the structures. The E&W Wings Renovation includes replacement of windows, doors, seismic retrofits, cleaning and sealing exterior, exterior and interior Americans with Disabilities Act improvements, removal of some interior walls, creation of new walls partitions, a new elevator in the East Wing, automatic fire sprinklers, upgrades to heating, ventilation, and air condition system, update sanitary system, a new elevated pedestrian bridge/walkway, landscaping, and renovation of the existing courtyard planter. The Administration Building tenant improvements and the East and West Wings work will allow departments to vacate the modular buildings, which will then be removed by the County.

EVIDENCE: The application, project plans, and related support materials submitted by the Monterey County RMA – Public Works Department for the project found in Project File REF140014.

2. **FINDING:** **CEQA (EIR AND SUPPLEMENTAL EIR)** – The County of Monterey previously certified an Environmental Impact Report (EIR) for the Monterey County Government Center and certified the Supplemental EIR (SEIR) for the Monterey County Government Center East and West Wings Renovation Project to address changes to cultural resources since certification of the EIR. The County prepared the EIR and SEIR in compliance with CEQA; both reflect the County of Monterey’s independent judgment and analysis.

- EVIDENCE:**
- a) In 2003, Monterey County released a Draft EIR that evaluated environmental impacts related to the construction of a new three-story County Administration building; renovations of the North Wing of the Courthouse; renovations of the East and West Wings (E & W Wings) of the Courthouse; pedestrian promenade tying the new Administration building, the North Wing; the E&W Wings and parking modification.
 - b) The EIR was certified by the Monterey County Board of Supervisors on October 16, 2003 (Resolution No. 03-346). The Monterey County Government Center has since been constructed and occupied.
 - c) The 2003 EIR analyzed environmental impacts related to renovation of the E&W Wings. However, since certification of the EIR, the E&W Wings were placed on the National Register of Historic Places (National Register) by the National Park Service in January 2009. As a result of being placed on the National Register, the property has also been listed in the California Register of Historic Resources. Given the heightened historic status of the property, the County of Monterey determined that preparing a supplement to the 2003 EIR was appropriate to determine if any impacts to the building or the courtyard sculpture would occur—or could be avoided—with implementation of

- the renovation project. In addition, minor changes with respect to planned building occupancy have occurred since 2003.
- d) The County prepared a Supplemental Environmental Impact Report (SEIR) pursuant to Section 15163 of the California Environmental Quality Act (CEQA) Guidelines to assess potential Archeological and Historical impacts of the E&W Wings Renovation Project, which is a component of the 2003 EIR. The SEIR analyzed potential impacts on Cultural/Historical resources, as related to renovation of the E&W Wings. Cultural resources are defined as prehistoric and historic sites, structures, or any other physical evidence associated with human activity considered important to a culture, a subculture, or a community for scientific, traditional, or religious reasons. Paleontological resources include fossil remains, as well as fossil localities and formations that have produced fossil material. This section of the SEIR replaces Section 3.3 of the certified 2003 EIR in its entirety.
 - e) The SEIR was certified by the Monterey County Board of Supervisors on April 14, 2015 (Resolution No. 15-091).
 - f) No significant and unavoidable impacts identified in the Government Center FEIR are applicable to the project. The EIR identified significant and unavoidable impacts related to construction noise due to pile driving activities for the Government Center. No such activities will be utilized for the current project, which consists of tenant improvements and the removal of modular buildings. All potentially significant impacts for the current project have been reduced to less than significant levels through the imposition of mitigation measures (see Finding 3, below). Among the actions the Board is taking by this resolution is adoption of a Mitigation Monitoring and Reporting Program to ensure implementation of all applicable mitigation measures identified in the EIR and SEIR.
 - g) Monterey County RMA-Public Works, located at 168 West Alisal Street, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decisions to certify the EIR and SEIR were based.

3. FINDING:

POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED IN THE EIR AND SUPPLEMENTAL EIR THAT ARE REDUCED TO LESS THAN SIGNIFICANT - Per Section 15091 of the CEQA Guidelines, with respect to significant effects of the proposed project identified in the EIR and Supplemental EIR, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects. The Supplemental EIR identified potentially significant impacts of the proposed project to air quality, cultural and historic resources, hazards and hazardous materials. The EIR for the Monterey County Government Center evaluated a larger project, including the construction of the County Administration Building, which had additional impacts that do not pertain to the proposed

project. The EIR and SEIR identified no significant unavoidable impacts associated with the project the Board is currently authorizing.

EVIDENCE: a) **Air Quality - Impact 3.2-1** Construction activities such as site clearing, excavation and grading operations, construction vehicle traffic and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that would temporarily affect local air quality for adjacent land uses. Impact 3.2-1 is reduced to less than significant by adoption of **Mitigation Measure (MM) 3.2-1**, which requires construction contractors to implement a dust abatement program. All construction contracts for outdoor work will require the following:

- Water all active construction sites at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Prohibit all grading activities during periods of high wind (over 15 mph).
- Apply non-toxic soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- Cover all trucks hauling dirt, sand or loose materials, or maintain at least 2 feet of freeboard.
- Cover inactive storage piles.
- Sweep streets if visible solid material is carried out from the construction site.

Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance).

b) **Cultural and Historic Resources - Impact 3.3-1** - Although the site contains no recorded or anticipated resources of archaeological, cultural, or pre-historic significance, site preparation and grading could disrupt undiscovered archaeological and cultural resources of importance under CEQA and/or eligible for listing on the California Register. Impact 3.3-1 is reduced to less than significant by adoption of the following mitigation measures:

MM 3.3-1a. Should any previously undisturbed cultural, historic or archaeological resources be uncovered in the course of site preparation, clearing or grading activities, all operations within 150 feet of the find shall be halted until such time as a qualified professional archaeologist can be consulted to evaluate the find and recommend appropriate action. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.

MM 3.3-1b. In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery,

there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of Monterey County has determined whether the remains are subject to the coroner's authority. This is in accordance with Section 7050.5 of the California Health and Safety Code. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of identification. Pursuant to Section 5097.98 of the Public Resource Code, the Native American Heritage Commission will identify a "Native American Most Likely Descendent" to inspect the site and provide recommendations for the proper treatment of the remains and any associated grave goods.

- c) **Historical Resources - Impact 3.3-2.** Implementation of the proposed project may alter or remove significant historic architectural features. Because the proposed project is listed on the NRHP and CRHR and is considered a historic resource, special considerations apply when implementing the proposed project. Impact 3.3-2 is reduced to less than significant by adoption of the following mitigation measures: **MM 3.3-2a.** To ensure compliance with Standard 5, distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterized the property will be preserved. The following mitigations shall be incorporated with project construction.
- Courtyard landscaping shall be replaced or pruned to allow for greater visibility of the Jo Mora sculpture, building design features, and the courtyard in general.
 - Repair of the windows and doors shall be the first option, if feasible to obtain the objectives of the project. Replacement of windows and doors shall be considered the second option only if repair cannot be done. The National Park Service Preservation Briefs 13 (see EIR **Appendix B**) shall be consulted and followed as specific plans are made and products considered for windows and doors in order to maintain the historic appearance of distinctive features.
 - Prior to renovation activities that will affect the existing elevator and/or recessed exterior doors, the County shall take measures to ensure that the existing decorative features are properly protected and preserved for reapplication. If it is determined that the decorative features cannot be properly protected in place, the decorative features shall be removed and kept in a safe place and reapplied after renovation activities are complete. If it is determined that the decorative features cannot be reapplied in the same manner as they currently exist, the decorative features are to be applied within the building near the existing elevator and/or recessed exterior doors in order to retain the historic location of these features, whichever is applicable.
 - The former law library shall be retained as a distinct space as

part of the renovation. The historic features of the former law library, including bookcases, molding, and fabric, shall be retained and repaired.

MM 3.3-2b. To ensure compliance with Standard 6, deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence. The following mitigation shall be incorporated and/or noted on the final project plans and implemented with project construction.

- If deteriorated features are discovered during the renovation of the building, these features shall be repaired or replaced in a way that matches the old in design, color, texture, and, where possible, materials in order to be consistent with Standard 6.

MM 3.3-2c. To ensure compliance with Standard 7, chemical or physical treatments, if appropriate, shall be undertaken using the gentlest means possible. Treatments that cause damage to historic materials, such as the Mora sculptures, will not be used. The following mitigation shall be incorporated and/or noted on the final project plans and implemented with project construction.

- All cleaning of the exterior of the building, including the doors, concrete facades, and sculptural elements, shall follow guidelines presented in Preservation Brief 15 (NPS 2007). In all cases, the gentlest methods shall be employed.

MM 3.3-2d. To ensure compliance with Standard 9 and 10, new additions, exterior alterations, or related new construction shall not destroy historic materials, features, and spatial relationship that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment. The following mitigations shall be incorporated and/or noted on the final project plans and implemented with project construction.

- The project includes retrofitting to meet current seismic building standards. The retrofitting shall be designed to be inconspicuous and not be visible from street level public spaces and conform to the consideration identified in Preservation Brief 41 (NPS 1997).
- Specific to the second floor walkway/pedestrian bridge, this element shall use floor-to-ceiling glass; a floor check that is as thin as architecturally feasible and that presents a profile that does not impede on the verticality of the columns; a non-reflective material for the floor deck; and a color that is consistent with the building. The design shall be as transparent and unobtrusive as possible, with no diagonal bracing. The walkway shall be designed in such a manner that it will be possible to remove it in the future without impacting the form or

- integrity of the existing building.
- d) **Hazards and Hazardous Material - Impact 3.5-2**
 Implementation of the project may pose a health and safety hazard to project construction workers, employees, visitors and other site users due to existing site contamination. Impact 3.5-2 is reduced to less than significant by adoption of the following mitigation measures:
- MM 3.5-2a.** The Applicant shall prepare to close and abandon the UST in accordance with the scope of work prepared by Axiom Engineers, Lee and Associates on May 15, 2003. In addition, the applicant shall comply with all conditions specified by MCHD as described below:
- The Applicant shall secure all appropriate permits from MCHD. This includes a soil-boring permit for obtaining soil samples.
 - An inspector from the MCHD shall be on site during any sampling of the soil in the vicinity of the UST, and when the sand slurry is placed in the UST.
 - The Applicant shall prepare and submit a site safety plan to the MCHD prior to commencing work. Documentation of Hazwopper Training from the contractor and all employees is to be included in the site safety plan submittal.
 - The MCHD Maximum Contamination Levels will be used to assess any and all on site soil contamination.
- MM 3.5-2b.** Prior to any renovations, the County shall retain a qualified licensed asbestos abatement contractor to prepare general abatement drawings based on the results of the sampling and testing performed by ATC and reported in the Suspected Hazardous Materials Assessments for the North, South and East Wings (April 2003). All appropriate asbestos removal permits shall be approved and implemented prior to any construction or renovation activities at the site.
- MM 3.5-2c.** Materials containing amounts of asbestos greater than 1% shall be removed and disposed of by a licensed asbestos abatement contractor using appropriate engineering controls and personal protective equipment, prior to any future restoration.
- MM 3.5-2d.** Contractors responsible shall notify Cal/OSHA district office at least 24 hours prior to any asbestos related work.
- MM 3.5-2e.** Abatement contractors shall notify MBUAPCD at least ten (10) working days prior to any asbestos related work.
- MM 3.5-2f.** Prior to any renovation all flaking or peeling lead containing paint (LCP) shall be removed and disposed of by an abatement contractor using worker protection and proper engineering controls. Lead related activities shall not include the use of wire brushing, flame torching, dry scraping, sanding, stripping, abrasive methods, or the use of heat guns unless proper engineering controls and worker protection are in place.

MM 3.4-2g. At the time of removal, LCP samples shall be collected and analyzed to determine whether waste is considered a non-hazardous solid or hazardous waste before transporting to a landfill.

MM 3.5-2h. Materials containing PCBs shall be removed prior to renovation and handled and disposed of as hazardous waste. There are two disposal options for PCB ballasts: (1) placement in lab packs for disposal in a hazardous landfill, or (2) incineration at a facility permitted to incinerate PCB waste. Fluorescent tubing may be recycled at an authorized facility, or up to 25 tubes may be disposed of at one time per bin at a Class III landfill.

- e) **Hazards and Hazardous Material - Impact 3.5-3** Implementation of the project may result in the handling and removal of hazardous materials within one-quarter of a mile from Roosevelt Elementary School. Impact 3.5-3 is reduced to less than significant by adoption of mitigation measures **MM 3.5-2a – h**, which would minimize the impacts associated with the handling and removal of hazardous materials near the elementary school.

DECISION

NOW, THEREFORE, BASED ON THE ABOVE FINDINGS AND EVIDENCE, BE IT RESOLVED, that the Board of Supervisors does hereby:

- a. Certifies that the Board of Supervisors has considered the Environmental Impact Report for the Monterey County Government Center and the Supplemental Environmental Impact Report for the East and West Wings Renovation Project;
- b. Adopts Findings for project approval pursuant to the California Environmental Quality Act;
- c. Authorizes the East and West Wing and Administration Building tenant improvements and modular removal, all at the Government Center Facility located at 230 Church Street and 168 West Alisal Street, and modular removal at 111 West Alisal Street, Salinas; and
- d. Adopts a Mitigation Monitoring and Reporting Program.

PASSED AND ADOPTED upon motion of Supervisor Parker, seconded by Supervisor Phillips carried this 12th day of May 2015, by the following vote, to wit:

AYES: Supervisors Armenta, Phillips, Salinas, Parker and Potter

NOES: None

ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 78 for the meeting on May 12, 2015.

Dated: May 12, 2015
File Number: 15-0460

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By Denise Hancock
Deputy