

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, DISSOLVING THE RESOURCE MANAGEMENT AGENCY AND CREATING A HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT, AND A COMMUNITY SERVICES DEPARTMENT

County Counsel Summary

*This ordinance dissolves that County agency known as the Resource Management Agency, creates two separate County departments to be entitled the Housing and Community Development Department, and the Community Services Department, and directs that appropriate changes be made to the County Code and other actions.*

WHEREAS, the Monterey County Resource Management Agency (“RMA”) was created to be a “comprehensive local agency to administer, coordinate, and oversee the development and implementation of policies and regulations concerning land use planning, building inspection, code compliance, public works, and general services,” providing efficiencies in the processing of development applications and the provision of services; and,

WHEREAS, from time-to-time additional functions and responsibilities have been assigned to the RMA; and,

WHEREAS, over time, the additional functions and responsibilities assigned to the RMA have created conditions that tended to negate the efficiencies originally intended in the establishment of the RMA; and,

WHEREAS, in 2019, the County retained the firm Citygate Associates, LLC (“Citygate”), to perform a study of the RMA and make recommendations regarding its organization; and,

WHEREAS, on July 28, 2020, Citygate presented its report to the Board of Supervisors with 76 total recommendations regarding a potential reorganization of the structure and functions within the RMA; and,

WHEREAS, also on July 28, 2020, the Board of Supervisors accepted the Citygate report, directed that the RMA be split into two new departments (Housing and Community Development, and Community Services), created two new director positions for each of the new departments, and directed that staff return with a further analysis and implementation plan, including budgetary impacts; NOW, THEREFORE,

The Board of Supervisors of the County of Monterey ordains as follows:

SECTION 1. The above recitals are true and correct.

**SECTION 2. Intent and purposes.**

It is the intent and purpose of the Board of Supervisors to dissolve that County agency known as the Resource Management Agency or “RMA,” and replace it with two new County departments, to be known as the Housing and Community Development Department (“HCD”), and the Community Services Department (“CS”). This ordinance shall govern that process, and provide for the duties of the new departments, notwithstanding any current provision of the Monterey County Code.

**SECTION 3. Dissolution of the Resource Management Agency.**

As of 12:01 a.m. on November 30, 2020, that County agency known as the Resource Management Agency, or “RMA,” shall cease to exist, and the duties and functions of the RMA shall devolve to two new County departments as described in this ordinance. In addition, the position known as the Resource Management Agency Director shall be eliminated.

**SECTION 4. Creation of a Housing and Community Development Department, and a Community Services Department.**

A. As of 12:01 a.m. on November 30, 2020, the HCD is created, and shall be organized generally as set forth in Exhibit A, attached hereto and incorporated herein by reference. The previously created Director of the Housing and Community Development Department shall be the department head in charge of the HCD.

B. As of 12:01 a.m. on November 30, 2020, the CS is created and shall organized generally as set forth in Exhibit B, attached hereto and incorporated herein by reference. The previously created Director of the Community Services Department shall be the department head in charge of the CS.

C. The general functions of the RMA are to be assigned to the HCD and CS as set forth in Exhibit C. Additional RMA functions may be assigned to each new department as necessary or appropriate by the County Administrative Officer (“CAO”) upon consultation with the Director of Housing and Community Development and Director of Community Services (collectively, the “Director(s)”), the Human Resources Department and County Counsel.

**SECTION 5. Appointment and supervision of the Director of Housing and Community Development and the Director of Community Services.**

The CAO is authorized and directed to make appointments to the Director positions whether, in the CAO’s discretion, with or without internal or external recruitment. The Directors shall report to and be supervised by the CAO or the CAO’s designee. The salaries upon appointment shall be at the discretion of the CAO, consistent with all applicable County policies.

Other positions within the two departments shall be filled effective November 30, 2020, by the respective Director with employees within the RMA upon consultation between the Directors, and with the CAO, County Counsel, Human Resources Department and representatives of the appropriate bargaining units, and using existing County class specifications and salary schedule.

Notwithstanding the general organization and functions set forth in Exhibits A through C, and the provisions of Section 4, above, the Directors may organize their respective departments in any manner as they may deem necessary or appropriate to carry out the functions assigned to the respective department. In so doing, the Directors shall be guided, but not bound, by the Citygate report.

Until the Monterey County Code is amended to reflect distribution of duties formerly held by the RMA Director in Chapter 2.27, and the duties of other RMA officials set forth in Chapters 2.28, 2.30, 2.31 and elsewhere, the Directors are authorized to carry out those duties in a manner that reflects the organization and functions set forth in Exhibits A through C. The CAO, upon consultation with the Directors, the Human Resources Department and County Counsel, shall have final decision-making authority regarding the duties of the respective Directors in the event that allocation of duties is not clear or requires consultation.

#### SECTION 6. Fiscal actions.

For the balance of Fiscal Year 2020-2021, the new departments shall operate within the adopted budget for the RMA. The CAO, Budget Director and Auditor – Controller are authorized and directed to take such actions as may be necessary to fund the activities of the new departments from that adopted budget without changes in appropriations. Any necessary or appropriate budget augmentations to implement the intent and purposes of this Ordinance shall be subject to approval by the Board of Supervisors.

The CAO and Budget Director are directed to prepare the budget for Fiscal Year 2021-2022 reflecting the new departments on a separate basis.

#### SECTION 7. Other actions.

The CAO, County Counsel, Director of Human Resources, Auditor – Controller, Director of the Information Technology, and the Clerk of the Board of Supervisors are authorized and directed to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this ordinance including causing appropriate revisions be made to the County Code without further direction or authorization from the Board of Supervisors.

SECTION 8. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 9. Effective date.

This ordinance shall become effective on the thirty-first day following its adoption.

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2020, by the following vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
Christopher M. Lopez, Chair,  
Monterey County Board of Supervisors

A T T E S T :

VALERIE RALPH  
Clerk of the Board

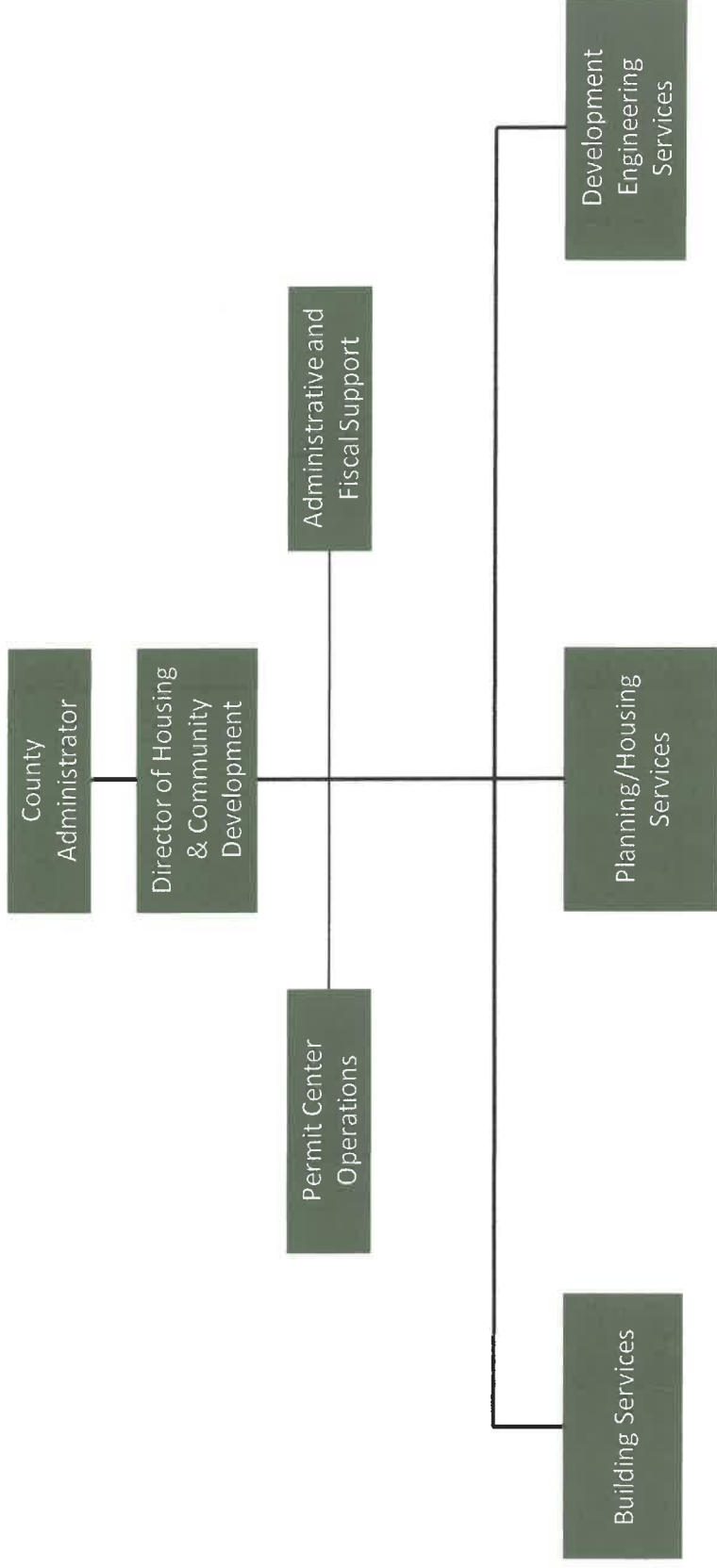
By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

LESLIE J. GIRARD  
County Counsel

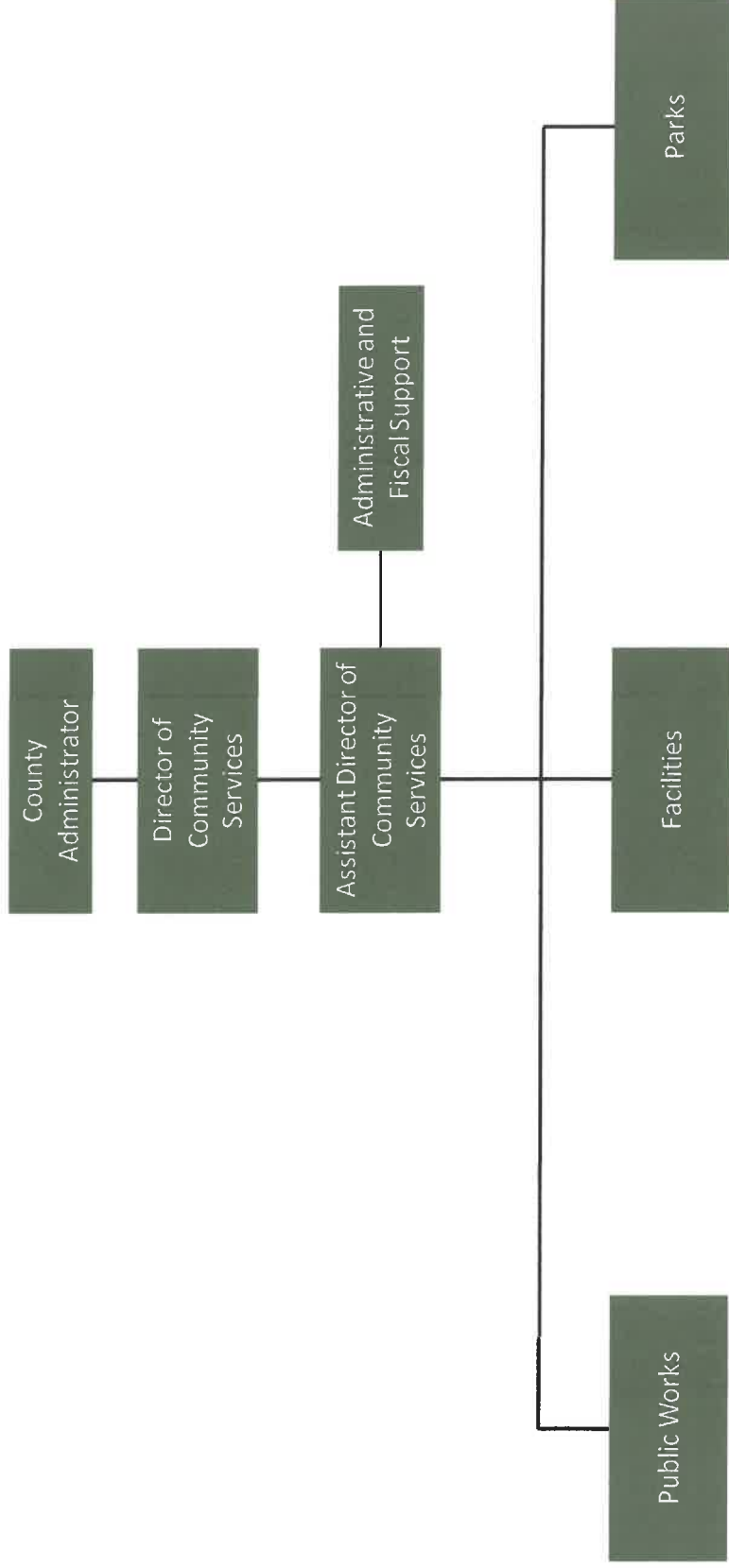
# EXHIBIT A

# EXHIBIT A HOUSING AND COMMUNITY DEVELOPMENT



# EXHIBIT B

# EXHIBIT B COMMUNITY SERVICES





# EXHIBIT C

## HOUSING AND COMMUNITY DEVELOPMENT

Building Services				HCD Director			Regulatory Oversight and Permitting Functions				
Building Services				Planning Services			Development Services		Administrative Services		
Plan Check	Inspections	Advanced Planning	Current Planning Review (Discretionary Permit Process, Project Management)	Housing	Stormwater Programs (from CSD)	Engineering	Special Projects/Programs	Permit Center	Admin & Fiscal Support		
Building Plan Check	Bldg Insp	Plan and Policy Development	Development Review (Discretionary Permit Process, Project Management)	Housing Policy Development	Stormwater Management Program (from CSD)	Encroachment Permits intake, review, inspection	CRFREE (Design, Permit)	Front Counter	Secretarial		
Grading Plan Check (from DES)	Code Insp	Policy Implementation	Condition Compliance (Leeper Settlement)	Housing Program Implementation	Floodplain Management Program (from CSD)	Subdivision maps	Carmel Lagoon (Design, Permit)	Call Center	Finance		
Erosion Control Plan Check (from DES)	Cannabis Insp	Mines, Oil & Gas	Mitigation Monitoring (MMRP)	CDBG Program	National Flood Insurance Program Activities (from CSD)	Project Review-Traffic	Fort Ord Habitat Management	Special Event Permits	Contracts		
Drainage Plan Check - Flood Control (from DES)	Encroachment Insp	Climate Action Plan	CEQA (CE, ND/MND, EIR)	Homeless (Units, not programs or services)	Community Rating System Activities (from CSD)	Subdivision Improvement Agreements	San Lucas Water (Design, Permit)	Ombudsperson	Grants		
	SWPP Compliance: Inspection (from DES)	General Plan(s)	Committees and Commissions (LUACs, PC, ZA, Airport)	HOME Program	NPDES Muni General Permit-Storm Drain System (from CSD)	Lot Line Adjustments	Successor Agency, Oversight Board	SOPs	Files		
		Land Use Plans		ESG advisory	WRA LU Functions	Certificates of Compliance	FORA Dissolution	MPWMD Water Allocation Tracking	Records		
		Ordinances			Elevation Certification	Franchise Agreements (intake, review, inspection)	Inclusionary Housing Admin	Reception	Budget		
		Long Term Sustainable Water Supply				Maintenance Agreements (intake, review, inspection)	Annual Report - Housing	Cashier	LU Fees		
		Wm Act (Ag Com?)						Reservations	CDBG Admin		
		Mills Act						Encroachment Permit (intake)	Traffic Fees		
		Annual Reporting (GP, Housing, Mills Act, etc)						Tree Permits			
		Housing Element						Design Approvals			
								Transportation Permits (intake only)			
								Addresses			

## COMMUNITY SERVICES

Infrastructure Maintenance and Op	Public Works (Roads and Bridges)			Facilities (Buildings and Grounds)			Parks		Administrative and Fiscal Support
	Capital Projects (Engineering Services)	Capital Projects (Engineering Services)	Traffic Engineering and Traffic Calming	Capital Projects (Architectural Services)	Facility Maintenance and Op	Open Space, Parks, and Trails	Event, Museum, and Recreation Programming	Administrative and Fiscal Support	
Litter Abatement	Engineering Design Road and Bridge Construction	Engineering Design Road and Bridge Construction	Speed Surveys and Traffic Calming	Architectural Design Construction	Property Management	Open Space, Parks, and Trails	Event, Museum, and Recreation Programming	Secretarial	
Road and Bridge Maintenance	NPDES Construction General Permit (PW Construction Projects)	NPDES Construction General Permit (PW Construction Projects)	Signal Maintenance	NPDES Industrial General Permit-Facilities Projects	Facility Trades	Park Planning and Development	Park Planning and Development	Finance	
Street Sweeping	SWPPP Permits - Project related	SWPPP Permits - Project related	Transportation Coordination (TAMC, CalTrans, etc)	SWPPP Permits - Project related	Lease Management	Parks Grounds Maintenance (Parks B&G)	Parks Grounds Maintenance (Parks B&G)	Contracts	
Sandbar Management	Asset Management-pavement and bridges	Grant Acquisition & Reporting	TAMC TAC	Asset Management-facilities	Facility Grounds	Contracts and Concessions (Naci, LSR/CAO)	Contracts and Concessions (Naci, LSR/CAO)	Grants (Billing)	
Cannabis Eradication	Infrastructure Inventory/Assesmnt	CIP planning and funding (i.e. 5-year CIP)		Grant Acquisition & Reporting	Building Maintenance	Ranger (armed) Operations	Ranger (armed) Operations	Files (via HCD)	
Hazardous Spills (Sanitation)	CIP planning and funding (i.e. 5-year CIP)	Project Scoping and Development		Infrastructure Inventory/Assesmnt	Infrastructure Inventory/Assesmnt	Event/Facility Agreements	Event/Facility Agreements	Records (via HCD)	
Pot Holes	Project Scoping and Development	Project Design and Environmental documentation		CIP planning and funding (i.e. 5-year CIP)	Security (contracted)	Water&Util Systems	Water&Util Systems	Budget	
	Project Design and Environmental documentation	Public Relations/Outreach (PIO) for CIP projects		Project Scoping and Development	Jamirorial (contracted)			SB1	
	Public Relations/Outreach (PIO) for CIP projects	Construction Management - Road and Bridge		Project Design and Environmental documentation				Measure X	
	Construction Management - Road and Bridge	CSA (Spec Dist) Admin (CSAs/CSDs, San Jerardo) - From PW Maint		Public Relations/Outreach (PIO) for CIP projects				FEMA	
	Condition surveys and reporting - Pavement	Closed Landfills (from PW Maint)		Public Relations/Outreach (PIO) for CIP projects				FHWA	
	Annual inspection/evaluations and documentation - Bridges	Sanitation Permits (from PW Maint)		Construction Management - Facilities				HUTA	
	Surveyor (from HCD)	County Service Area Projects/Maintenance		Condition surveys and reporting - Facilities				Sp Dist Budget	
	Monumentation Preservation (from HCD)	San Jerardo						Park Fees	
	R/W maintenance (from HCD)	Sanitation District Disposition						SOPs	
								Call Center (via HCD)	

	Project Construction surveys (from HCD)	County Service Area Committees (Admin, Budget)					
	Survey Records Management (from HCD)	Underground Utility District (20A)					
	Project regulatory permits and monitoring	Project regulatory permits and monitoring					
	Encroachment Permits - issuance and approval (contract to HCD for intake, review, inspection)						
	Franchise Agreements - issuance and approval (contract to HCD for intake, review, inspection)						
	Maintenance Agreements - issuance and approval (contract to HCD for intake, review, inspection)						