

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, April 1, 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 (REVISED)

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

0.1 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) County of Los Angeles v. Superior Court (Kennebrew) (Los Angeles County Superior Court Case no. BA 352179, Second District Court of Appeal case no. B249494)

(2) People v. George Manuel Garcia (Monterey County Superior Court case no. SS120524A)

(ADDED VIA ADDENDUM)

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 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- (See Supplemental Sheet)

1. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

2. Adopt Resolution commending Sergeant William King of the Monterey County Sheriff's ~~Department~~ Office upon his retirement ~~after 17 years of from public~~ service. (Full Board) (REVISED VIA SUPPLEMENTAL)

Attachments: [King Ceremonial Resolution](#)
[King Ceremonial Resolution Revised](#)

3. Adopt Resolution recognizing Benn and Elfriede Murray as two of six recipients of the 2012 Jefferson Award. (Full Board)

Attachments: [Murray Ceremonial Resolution](#)

4. Adopt Resolution designating the Week of April 6 - April 12, 2014 as National ~~national~~ Crime Victims' Rights Week in Monterey County. (Full Board) (REVISED VIA SUPPLEMENTAL)

Attachments: [National Crime Victims Week Ceremonial Resolution](#)

5. Adopt Resolution commending Debra "Debbie" Abbott, Associate Personnel Analyst, on her retirement from 26 years of dedicated public service with the Monterey County Department of Social Services. (Full Board)

Attachments: [Abott Ceremonial Resolution](#)

- 5.1 Adopt Resolution for Margaret L. Eaton, Pharm.D., J.D. of Natividad Medical Center Board of Trustee. (Full Board) (ADDED VIA ADDENDUM)

Attachments: [Eaton Ceremonial Resolution](#)

- 5.2 Adopt Resolution for Rod Braga of Natividad Medical Center Board of Trustee. (Full Board) (ADDED VIA ADDENDUM)

Attachments: [Braga Ceremonial Resolution](#)

- 5.3 Adopt Resolution for Roy Robbins of Natividad Medical Center Board of Trustee. (Full Board) (ADDED VIA ADDENDUM)

Attachments: [Robbins Ceremonial Resolution](#)

Appointments

6. Reappoint Pauline Tomasini and Edward Panziera to the Mission-Soledad Rural Fire Protection District, terms ending November 31, 2016. (Supervisor Salinas)

Attachments: [Tomasini Notification to Clerk](#)
[Panziera Notification to Clerk](#)

7. Reappoint Mary Paredes to the Castroville Cemetery District, term ending March 30, 2017. (Supervisor Calcagno)

Attachments: [Paredes Notification to Clerk](#)

Other Board Matters

8. Board Comments
9. CAO Comments and Referrals

Attachments: [Referrals 040114](#)

10. 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

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. Consider:
- a. Accepting the Annual Progress Report for the 2010 General Plan implementation pursuant to Government Code Section 65400;
 - b. Accepting the Annual Progress Report for the 2009-2014 Housing Element implementation to comply with State Department of Housing and Community Development requirements; and
 - c. Authorizing the Resource Management Agency - Director of Planning to submit the progress reports to the State Office of Planning and Research and State Department of Housing and Community Development.
(REF140012/Annual Progress Report for the 2010 General Plan Implementation)

Attachments: [Attachment A - Discussion](#)
[Attachment B - Annual Progress Report](#)

12:00 PM Recess to Lunch

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

13. Public hearing to consider:
Adoption of an ordinance amending Title 19 (non-coastal subdivision ordinance) and Title 21 (non-coastal zoning ordinance) of the Monterey County Code to establish notification and hearing procedures to address inactive land use discretionary permit applications in the non-coastal unincorporated area of Monterey County, upon finding that the ordinance is not a project under CEQA. (Inactive Discretionary Application Ordinance - REF100058, County-wide, Non-coastal areas; Exempt from CEQA.)
- Attachments:** [Attachment A - Discussion](#)
[Attachment B - Inactive Application Draft Ordinance](#)
[Attachment C - PC Resolution No. 14-014](#)
[Attachment D - Inactive Application Flowchart](#)
14. Approve the draft Urban County Annual Action Plan Fiscal Year 2014-2015, including recommendations for projects and programs to be funded, for issuance for a 30 day period of public review.
- Attachments:** [Action Plan FY 2014-15](#)
- 14.1 Public hearing continued from March 18, 2014 to consider adopting a resolution to:
- a. Deny the appeal by Sima Barnyard LLC from the Planning Commission's decision approving a General Development Plan to add a 2.6-acre portion of California State Parks property to the site of the Barnyard Shopping Center, denying a Variance for added signage for the Barnyard Shopping Center and denying a Design Review Application for the construction of a new 32 square foot monument sign and a new signage plan for the Shopping Center;
 - b. Find the project exempt per CEQA Guidelines Sections 15301;
 - c. Approve a General Development Plan to add a 2.6-acre portion of California State Parks property to the site of the Barnyard Shopping Center
 - d. Approve a Variance and Design Approval for the following:
 1. Water tower sign
 2. Barnyard Shopping and Dining Sign facing Highway 1 on the rear of the buildings advertising the Barnyard.
 3. No additional new signage on buildings facing Highway 1.
 4. Reduction of new tenant signage to 15 SF; all tenants would be limited to signage of 15 square feet. This will limit the overall amount of signage allowed on the buildings.
- (General Development Plan; Variance; and Design Approval - PLN120442/Sima

Barnyard LLC, Highway One at Carmel Valley Road, Greater Monterey Peninsula Area Plan/Carmel Valley Master Plan)

Attachments: [Attachment A - Discussion](#)
[Attachment B - Draft Board Resolution](#)
[Attachment C - Notice of Appeal](#)
[Attachment D - PC Resolution No. 13-041](#)
[Attachment E - Carmel Valley LUAC Minutes](#)
[Attachment F - Vicinity Map](#)

15.

Public hearing continued from March 18, 2014 to consider adoption of a resolution to:

- a. Deny the appeal by Save Aguajito Forever, et al. from the Planning Commission's approval of a Lot Line Adjustment application by Gordon and Sandra Steuck;
- b. Adopt a Negative Declaration for Lot Line Adjustment; and
- c. Approve a Lot Line Adjustment (Steuck) between two (2) legal lots of record of approximately 4.6 acres (portion of Assessor's Parcel Number 103-061-015-000 - "Northerly Parcel") and 4.3 acres (portion of Assessor's Parcel Number 103-061-015-000 - "Southerly Parcel"), resulting in two (2) reconfigured lots of 4.6 acres (westerly parcel, to be identified as Parcel A) and 4.3 acres (easterly parcel, to be identified as Parcel B).
(Lot Line Adjustment - PLN130209/Steuck, 570 Aguajito Road, Carmel, Greater Monterey Peninsula Area Plan)

Attachments: [Attachment A - Discussion](#)
[Attachment B - Draft Board Resolution](#)
[Attachment C - Negative Declaration](#)
[Attachment D - Notice of Appeal](#)
[Attachment E - PC Resolution No. 13-042](#)
[Attachment F - Comment Letters on IS & ND](#)
[Attachment G - Vicinity Map](#)

Adjournment

Supplemental Sheet, Consent Calendar

Natividad Medical Center

16. a. Approve and direct the Purchasing Manager for Natividad Medical Center (NMC) to execute the Second Amendment to Professional Services Agreement (A-12615) with Jackson & Coker Locum Tenens to provide referrals of locum tenens physicians at NMC, extending the term of the Agreement from April 1, 2014 to June 30, 2015 and adding \$200,000 for a revised amount not to exceed \$400,000 in the aggregate (for the period April 1, 2012 to June 30, 2015); and
b. Authorize the Purchasing Manager for NMC to execute up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

Attachments: [JACKSON & COKER SECOND AMENDMENT](#)

General Government

17. Authorize the Registrar of Voters to consolidate and render specified election services to certain districts relating to the conduct of the June 3, 2014 Statewide Primary Election.
- 17.1 Receive and approve draft letter addressed to the Mayor of the City of Salinas in response to the letter received dated February 24, 2014, regarding the Juvenile Hall Site Selection; Relocation of Monterey County Youth Center, and authorize the Chair to sign on behalf of the Monterey County Board of Supervisors.

Attachments: [Response Letter to the City of Salinas](#)

RMA - General

18. Adopt a Resolution to:
- a. ~~Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendix A to create, re-title, amend salary ranges, and abolish classifications to effectuate the changes due to the reorganization in the Resource Management Agency as indicated in the attached Resolution;~~
 - b. ~~Amend the Resource Management Agency's, Budget Unit 8170 Building Services; Budget Unit 8172 Planning; and Budget Unit 8222 Administration to approve reallocations and reclassifications as indicated by position numbers in the attached Resolution;~~
 - c. ~~Authorize a one time waiver of new probationary period requirement for incumbents who are reclassified to positions represented in Units J and F.~~
 - d. ~~Authorize the Auditor Controller to incorporate the approved changes in the FY 2013-14 Adopted Budget and direct the County Administrative Office to incorporate the approved position changes in the FY 2013-14 Adopted Budget and the Human Resources Department to implement the changes in the~~

~~Advantage HRM system.~~ (REMOVED VIA SUPPLEMENTAL)

19. Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendix A to reactivate the classification of Fleet Manager with the salary range as indicated in the attached Resolution;
 - b. Amend the Resource Management Agency Budget 3000, Unit 8185, to reallocate one (1) General Services Manager II to one (1) Fleet Manager as indicated in Attachment A;
 - c. Direct the County Administrative Office to incorporate the approved position changes into the FY 2013-14 Resources Management Agency Budget and the Human Resources Department to take the necessary action to program the Advantage HRM system to implement these actions.

Attachments: [Resolution](#)

RMA - Planning

20. Consider:
- a. Authorizing the State Coastal Conservancy to accept an Irrevocable Offer to Dedicate Public Access Easements, Recorded Instrument No. 21465, at Reel 2630 Pages 1143-1163, recorded on April 17, 1991 and extended for two years on April 13, 2012 in Document Number 2012022140;
 - b. Authorizing the Chair of the Board of Supervisors to sign the Certificate of Acceptance; and
 - c. Directing the Clerk of the Board to submit the signed Certificate of Acceptance to the County Recorder for filing/recordation.
(Acceptance of Offer to Dedicate - REF140011/Post Ranch LP and Onesimo LLC, 47100 Highway 1, Big Sur, Big Sur Coast Land Use Plan area)

Attachments: [Attachment A - Certificate of Acceptance](#)

[Attachment B - Extension of OTD](#)

[Attachment C - Vicinity Map](#)

21.
 - a. Approve Professional Services Agreement with Benchmark Land Use Group, Inc. dba Benchmark Resources for State of California Surface Mining and Reclamation Act (SMARA) annual inspection services (RFP #10443) for a total amount not to exceed \$389,720 for a term of April 1, 2014 to December 31, 2017 with the option to extend the term for one (1) optional one-year period; and
 - b. Authorize the Contracts/Purchasing Officer to execute the Professional Services Agreement and future amendments to the Agreement where the amendment does not significantly alter the scope of work or change the approved agreement amount.
(REF130078/State of California Surface Mining and Reclamation Act (SMARA) annual inspections (Request for Proposals No. 10443)

Attachments: [Attachment A - PSA with Benchmark Land Use Group, Inc.](#)

RMA - Public Works

22. a. Approve Amendment No. 1 to Agreement No. A-12434 with The Gordian Group, Inc. to include Job Order Contracting (JOC) Complete Solution *Plus*™, construction estimating services, and project budgeting and planning on a project-by-project basis with no change to the current contract amount not to exceed \$2,250,000 over a five year term, with a maximum amount of \$450,000 per fiscal year, for the existing term through April 1, 2016, with the option to extend the Agreement for two (2) additional one (1) year periods; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Agreement No. A-12434, and up to three (3) future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Attachments: [Amendment No. 1 to the Agreement with The Gordian Group, Inc.](#)
[Agreement No. A-12434](#)

Addendum/ Supplemental

23. Board of Supervisors Addendum / Supplemental for Tuesday, April 1, 2014

ADDENDUM

Add Closed Session

- 0.1 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) County of Los Angeles v. Superior Court (Kennebrew) (Los Angeles County Superior Court Case no. BA 352179, Second District Court of Appeal case no. B249494)
 - (2) People v. George Manuel Garcia (Monterey County Superior Court case no. SS120524A)

Add Under Ceremonial Resolutions

- 5.1 Adopt Resolution for Margaret L. Eaton, Pharm.D., J.D. of Natividad Medical Center Board of Trustee. (Full Board)
- 5.2 Adopt Resolution for Rod Braga of Natividad Medical Center Board of Trustee. (Full Board)
- 5.3 Adopt Resolution for Roy Robbins of Natividad Medical Center Board of Trustee. (Full Board)

Add Under Scheduled Matters

14.1 Public hearing continued from March 18, 2014 to consider adopting a resolution to:

- a. Deny the appeal by Sima Barnyard LLC from the Planning Commission's decision approving a General Development Plan to add a 2.6-acre portion of California State Parks property to the site of the Barnyard Shopping Center, denying a Variance for added signage for the Barnyard Shopping Center and denying a Design Review Application for the construction of a new 32 square foot monument sign and a new signage plan for the Shopping Center;
- b. Find the project exempt per CEQA Guidelines Sections 15301;
- c. Approve a General Development Plan to add a 2.6-acre portion of California State Parks property to the site of the Barnyard Shopping Center
- d. Approve a Variance and Design Approval for the following:
 1. Water tower sign
 2. Barnyard Shopping and Dining Sign facing Highway 1 on the rear of the buildings advertising the Barnyard.
 3. No additional new signage on buildings facing Highway 1.
 4. Reduction of new tenant signage to 15 SF; all tenants would be limited to signage of 15 square feet. This will limit the overall amount of signage allowed on the buildings.

(General Development Plan; Variance; and Design Approval - PLN120442/Sima Barnyard LLC, Highway One at Carmel Valley Road, Greater Monterey Peninsula Area Plan/Carmel Valley Master Plan)

SUPPLEMENTAL**Correction Under Ceremonial Resolutions**

2. Adopt Resolution commending Sergeant William King of the Monterey County Sheriff's ~~Department~~ Office upon his retirement after 17 years of ~~from~~ public service. (Full Board)
4. Adopt Resolution designating the Week of April 6 - April 12, 2014 as National ~~national~~ Crime Victims' Rights Week in Monterey County. (Full Board)

Remove from Consent Calendar - General

18. Adopt a Resolution to:
 - a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendix A to create, re-title, amend salary ranges, and abolish classifications to effectuate the changes due to the reorganization in the Resource Management Agency as indicated in the attached Resolution;
 - b. Amend the Resource Management Agency's, Budget Unit 8170-Building Services; Budget Unit 8172-Planning; and Budget Unit 8222-Administration to approve reallocations and reclassifications as

- indicated by position numbers in the attached Resolution;
- c. Authorize a one-time waiver of new probationary period requirement for incumbents who are reclassified to positions represented in Units J and F.
 - d. Authorize the Auditor Controller to incorporate the approved changes in the FY 2013-14 Adopted Budget and direct the County Administrative Office to incorporate the approved position changes in the FY 2013-14 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.