

Monterey County

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



Meeting Agenda

Tuesday, October 14, 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 Fernando 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(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Hector Campos, DFEH case no. 368152-126105-R
 - (2) Gabriel Ramirez, DFEH case no. 268152-126137-R
 - b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: James May and Brette Neal
Employee Organization(s): Unit H
 - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

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 an Undisclosed Recipient of Wayside Inn/Inns-by-the Sea upon being named recipient of the 2014 Monterey County Hospitality Association Papa Vince Award. (Supervisor Potter)

Attachments: [Undisclosed Recipient Ceremonial Resolution](#)

Appointments

4. Appoint one member of the Board of Supervisors to serve as Director and one member of the Board of Supervisors to serve as Alternate on the 2014-2015 Board of Directors of the California State Association of Counties (CSAC).

Attachments: [Board Report](#)
[Exhibit A - CSAC Memo](#)

Other Board Matters

5. Board Comments
6. CAO Comments and Referrals

Attachments: [Referrals 101414](#)

7. 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

8. Receive an oral report from Monterey County's representative for the 30th Assembly District, Assemblymember Luis A. Alejo.

Attachments: [Board Report](#)
[Exhibit A - Bio Asm Alejo](#)

9. Receive an oral report and presentation on the General Liability and Workers' Compensation programs for Fiscal Year-End 2013-14.

12:00 PM Recess to Lunch

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

10. Public Hearing to consider County initiated Notices of Non-Renewal of Williamson Act Land Conservation Contracts effective January 1, 2015
- a. Consider adoption of Resolution approving County-initiated Notices of Non-Renewal for portions of fifteen (15) Williamson Act Agricultural Preserve Land Conservation Contracts due to not meeting Williamson Act Program and County Land Conservation Contract requirements and/or with the Property Owner's consent.
 - b. Direct the Clerk of the Board of Supervisors to record County-initiated Notices of Non-Renewal for portions of fifteen (15) Contracts with the County Recorder on or before November 1, 2014 and to provide a copy of the recorded Notices of Non-Renewal to the Department of Conservation, Williamson Act Program.
- (REF140054 - County initiated Notices of Non-Renewal 2014 - Portions of Williamson Act Agricultural Preserve Land Conservation Contracts)

Attachments: [Board Report](#)
[Attachment A - County-wide Non-Renewal & Aerial Photo Maps](#)
[Attachment B - Non-Renewal List](#)
[Attachment C - Proposed Resolution](#)
[Attachment D - Proposed Notices of Non-Renewal](#)
[Attachment E - Notice of Public Hearing](#)

Adjournment

Supplemental Sheet, Consent Calendar**Health Department**

11. a. Approve and authorize the Contracts/Purchasing Officer to execute a five (5) year Lease Agreement, effective on or around October 1, 2014, with King City Town Square, LLC for approximately 8,713 rental square feet of office space located at 200 Broadway, Suites 70 and 88 in King City, California for use by the Health Department's Behavioral Health Bureau; and
- b. Authorize the Auditor-Controller to make lease payments of up to \$9,845.69 per month in accordance with the terms of the Lease Agreement; and
- c. Authorize the extension of the Lease Agreement for two (2) additional three (3) year terms under the same terms and conditions, and make minor revisions to the Lease Agreement if deemed by the Contracts/Purchasing Officer to be in the best interest of the County.

Attachments: [Board Report](#)
[BR lease Agreement 200 Broadway KC](#)
[BR 200 Broadway KC Location Map](#)

12. Adopt Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394, Section A.48.3 Sexual Assault Forensic Examiner - Per Diem language; and
- b. Authorize the Human Resources Department to implement these changes.

Attachments: [Board Report](#)
[9-30-2014 SAFE -Bd Resolution - Final](#)
[9-30-2014 SAFE Amendment to PPPR No. 98-394 - Final](#)

Criminal Justice

13. Authorize the Sheriff to accept a donation of a 2003 Ford Type III modular "box rig" ambulance (VIN# 1FDXE45F53HB48182) from American Medical Response.

Attachments: [Board Report](#)

General Government

14. Receive the action minutes from the May 19, 2014 and August 25, 2014 meetings of the Legislative Committee.

Attachments: [Board Report](#)
[May 19, 2014 Legislative Committee Meeting - Action Minutes](#)
[August 25, 2014 Legislative Committee Meeting - Action Minutes](#)

15. Adopt Resolution authorizing the Director of the Parks Department, or

designee, to apply for Mussel Fee Grant Funds from the California Department of Boating and Waterways and to negotiate and execute a grant agreement with the Department to receive and expend said funds to implement the mussel prevention program at Lakes Nacimiento and San Antonio.

Attachments: [Board Report](#)
[EXHIBIT A - Resolution](#)

RMA - Planning

16. Introduce, waive reading, and set October 28, 2014 at 1:30 P.M. as the date and time to consider adoption of an ordinance amending Chapter 16.40, commonly known as the “Right to Farm” ordinance, of the Monterey County Code in order to increase the protection of agricultural operations from nuisance claims, with the goal of promoting the long-term protection of agricultural lands in Monterey County.
(Right-to-Farm ordinance - REF130040, County-wide; exempt under CEQA)

Attachments: [Board Report](#)
[Attachment A - Discussion](#)
[Attachment B - Draft Ordinance](#)
[Attachment C - Draft Ordinance \(redline\)](#)
[Attachment D - PC Resolution No. 14-037](#)

RMA - Public Works

17. a. Approve a Grant Award from the California Department of Transportation for an Active Transportation Program Grant in the amount of \$913,000 for the Castroville Bicycle/Pedestrian Path and Railroad Crossing Project; and
b. Authorize the Director of Public Works, or his designee, to accept, administer, and execute documents to secure these funds from the California Department of Transportation.

Attachments: [Board Report](#)

18. a. Approve a Grant Award from the Transportation Agency for Monterey County for a Regional Surface Transportation Program Competitive Grant in the amount of \$361,622 for the State Highway 68 at Corral de Tierra Project; and
b. Authorize the Director of Public Works, or his designee, to accept, administer, and execute documents to secure these funds from the Transportation Agency for Monterey County.

Attachments: [Board Report](#)
[Attachment 1-TAMC Resolution No. 2014-12](#)