

Monterey County

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



Meeting Agenda - Final-Revised

Tuesday, August 27, 2019

9:00 AM

Board of Supervisors

Chair Supervisor John M. Phillips - District 2

Vice Chair Supervisor Chris Lopez - District 3

Supervisor Luis A. Alejo - District 1

Supervisor Jane Parker - District 4

Supervisor Mary L. Adams - 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 interpreter 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 agenda items are live web links. Click on the title to be directed to the corresponding Board Report.

PUBLIC COMMENT: Members of the public may address comments to the Board concerning each agenda item. The timing of public comment shall be at the discretion of the Chair.

Please refer to the separate agendas for Special Districts and Agencies governed by the Board of Supervisors that may be scheduled for agenda items today.

9:00 A.M. - Call to Order

Moment of silence for the recent mass shooting victims

Roll Call

Additions and Corrections for Closed Session by County Counsel

County Counsel 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) Protect the Process v. County, et al. (Monterey County Superior Court case no. 19CV002885)
 - (2) Michelle Moore (Workers Compensation Appeals Board case no. ADJ10697839)
 - (3) Barbara Espe (Workers Compensation Appeals Board case no. ADJ11059933)
 - (4) Barbara Espe (Workers Compensation Appeals Board case no. ADJ110947843)
 - (5) Luciano Reyes v. County of Monterey, et al. (United States District Court case no. 18CV03935) (ADDED VIA ADDENDUM)
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
 - c. ~~Pursuant to Government Code section 54957(b)(1), the Board will confer regarding recruitment for the position of County Administrative Officer. (REMOVED VIA SUPPLEMENTAL)~~
 - d. Pursuant to Government Code section 54957(b)(1), the Board will confer

regarding appointment to the position of Director of Child Support Services.

e. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

f. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Kim Moore
Employee Organization(s): All Units.

Public Comment

The Board Recesses for Closed Session Agenda Items

Closed Session may be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting, before or after the scheduled time, 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 on Public Agenda Items

Roll Call

Pledge of Allegiance

Additions and Corrections by Clerk

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 Items No. 27 through 64.

Ceremonial Resolutions

3. Adopt Resolution recognizing September 2019 as Childhood Cancer Awareness Month in the County of Monterey. (Full Board)

Attachments: [Childhood Cancer Awareness Month Ceremonial Resolution](#)

4. Adopt Resolution proclaiming the month of September 2019, as "National Food Safety Education Month". (Supervisor Phillips)

Attachments: [September Food Safety Month Resolution](#)

5. Adopt Resolution commending Alice Jeanette White, Social Work Supervisor II, on her retirement from over 23 years of dedicated public service with the Monterey County Department of Social Services, Family and Children's Services Branch. (Supervisor Phillips)
- Attachments:** [White Retirement Resolution](#)
6. Adopt Resolution Recognizing Henry Espinosa's 35 years of Service to the County of Monterey. (Supervisor Alejo)
- Attachments:** [Retirement for Henry Espinosa Resolution](#)
- 6.1 Adopt Resolution in appreciation of Tammy Blount-Canavan for her more than seven years of work in support of sustainable tourism development in Monterey County. (Full Board) (ADDED VIA ADDENDUM)
- Attachments:** [Blount-Canavan Ceremoial Resolution](#)

Appointments

7. Reappoint Linda Cortez to the In-Home Supportive Services Advisory Council for a term ending June 30, 2022. (Full Board)
- Attachments:** [Notification to the Clerk - Cortez](#)
8. Appoint Eugene Doherty to the Assessment Appeals Board for a term ending September 4, 2020. (Supervisor Phillips)
- Attachments:** [Notification to the Clerk - Doherty](#)
9. Appoint John Huerta to the Natividad Medical Center Board of Trustees for a term ending June 30, 2022. (Full Board)
- Attachments:** [Notification to the Clerk - Huerta](#)
10. Appoint Anthony Ivanich to the Monterey County Behavioral Health Commission for a term ending May 31, 2022. (Full Board)
- Attachments:** [Notification to the Clerk - Ivanich](#)
11. Appoint Richard Kuehn to the Area Agency on Aging Advisory Council for a term ending January 1, 2022. (Supervisor Adams)
- Attachments:** [Notification to the Clerk - Kuehn](#)

12. Appoint Lori Medina to the Monterey County Children & Families Commission for a term ending at the pleasure of the Board. (Full Board)
Attachments: [Notification to the Clerk - Medina](#)
13. Appoint Lorena Miranda to the North County Recreation & Park District for a term ending November 30, 2020. (Supervisor Phillips)
Attachments: [Notification to the Clerk - Miranda](#)
14. Appoint Esmeralda Ortiz to the Commission on Disabilities for a term ending December 31, 2021. (Full Board)
Attachments: [Notification to the Clerk - Ortiz](#)
15. Appoint Kirk Williams to the Monterey County Agricultural Advisory Commission for a term ending June 30, 2022. (District 3)
Attachments: [Notification to the Clerk - Williams](#)

Other Board Matters

16. Board Comments
17. County Administrative Officer Comments and Referrals
Attachments: [Referrals 08-27-19](#)
18. General Public Comments

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

19. a. Conduct a public hearing under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended; and
b. Adopt a resolution approving the issuance of California Statewide Communities Development Authority (CSCDA) revenue obligations, in the aggregate principal amount not to exceed \$45,000,000 for the purpose of for the financing and refinancing of various healthcare-related capital improvements of the Community Hospital of the Monterey Peninsula (CHOMP) and affiliated entities and certain matters relating thereto.

Attachments: [Board Report](#)
[Resolution](#)
[Proof of Publication](#)
[Notice of Public Hearing](#)

20. a. Consider approval of the response to the 2018 - 2019 Monterey County Civil Grand Jury Final Report - " Enterprise Resource Planning, Costly Lessons from a Decade-Long Systems Enhancement Effort "
b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 21, 2019.

Attachments: [Board Report](#)
[CGJ ERP Report Response 2019.8.11](#)
[2018 - 2019 CGJ ERP Report](#)
[ERP Response by Auditor \(ADDED VIA SUPPLEMENTAL\)](#)

21. a. Consider approval of the response to the 2018 - 2019 Monterey County Civil Grand Jury Final Report - "Rape Kit Processing in Monterey County", and;
b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 21, 2019.

Attachments: [Board Report](#)
[CGJ Bos response Rape Kit Processing](#)
[2018-2019 CGJ Report Rape Kit Processing In Monterey County](#)
[RapeKit Response by City of Marina \(ADDED VIA SUPPLEMENTAL\)](#)
[RapeKit Response by City of PG \(ADDED VIA SUPPLEMENTAL\)](#)
[RapeKit Response by DA \(ADDED VIA SUPPLEMENTAL\)](#)
[RapeKit Response by MoCo Sheriff_08152019 \(ADDED VIA SUPPLEMENTAL\)](#)
[RapeKit Response by MoCo Sheriff_08082019 \(ADDED VIA SUPPLEMENTAL\)](#)

22. Receive the 2019 Monterey County Homeless Census and Survey Report.

Attachments: [Board Report](#)
[2019 Homeless Census](#)
[JURISDICTION CHART for BOS presentation](#)

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

1:30 P.M. - Scheduled Matters

23. Consider making appointments to the Primary and Alternate Public Member Director and two of the Agricultural Director positions on the Board of Directors of the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”) for terms commencing July 1, 2019, through June 30, 2022.

Attachments: [Board Report](#)
[Bramers](#)
[Chapin Hodges](#)
[Church](#)
[Rossi](#)
[Reso Public Member and Ag Director appts](#)

24. Public Hearing, continued from February 26, 2019, April 23, 2019, and May 21, 2019 to consider appeals by Matt and Carol Donaldson and by Paul Smith from the November 14, 2019 Planning Commission decision approving a Combined Development Permit establishing a commercial operation, construction of an office, workshop, storage area, and formal parking area with associated site improvements and tree removal within environmentally sensitive habitat areas.

Project Location: 46821 Highway 1, Big Sur, Big Sur Coast Land Use Plan area (APN: 419-201-007-000)

Proposed CEQA action: Adopt a Mitigated Negative Declaration
PLN160851 - MORGENRATH (BLAZE ENGINEERING)

Attachments: [Board Report](#)
[Revised Attachment A - Draft Resolution](#)
[Attachment A - Draft Resolution](#)
[Attachment B - Notice of Appeal, Donaldson, filed 11-30-18](#)
[Attachment C - Notice of Appeal, Smith, filed 11-20-18](#)
[Attachment D - Initial Study - Negative Declaration](#)
[Attachment E - Planning Commission Resolution No. 18-045](#)
[Attachment F - Vicinity Map](#)

25. Public hearing to consider the appeal by Marina Coast Water District from the April 24, 2019 Planning Commission decision approving a Use Permit and Design Approval for a 764 square foot pump station to deliver water to the California American Water Company (CalAm) Monterey District service area as a component of the overall Monterey Peninsula Water Supply Project (MPWSP).

Project Location: 26530 Rancho San Carlos Road, Carmel Valley (Assessor's Parcel Number 015-251-030-000), Carmel Valley Master Plan area.

Proposed CEQA Action: Consider an Environmental Impact Report/Environmental Impact Statement (EIR/EIS) certified by the California Public Utilities Commission for the Monterey Peninsula Water Supply Project (SCH#2006101004).

PLN150653 - California American Water Company (Carmel Valley Pump Station component of the Monterey Peninsula Water Supply project)

Attachments: [Board Report](#)
[Attachment A - Project Data Sheet](#)
[Attachment B - Draft Resolution](#)
[Attachment C - Detailed Discussion](#)
[Attachment D - Color Elevations](#)
[Attachment E - Marina Coast Water District Appeal of PLN150653](#)
[Attachment F - LUAC Minutes](#)
[Attachment G - Vicinity Map](#)
[Attachment H - Notice of Preparation for the Supplemental EIR](#)
[Attachment I - Planning Commission Resolution 19-007](#)
[Attachment J - EIR - Environmental Impact Statement](#)

26. a. Receive a report on parking conditions at and around the Monterey County Government Center-Alisal Campus;
b. Consider options for short-term and long-term parking solutions;
c. Approve Lease of City Property Amendment No. 1 for the purpose of accommodating juror parking at 111 West Alisal Street, and find that the approval is categorically exempt from CEQA under section 15301 of the CEQA Guidelines; and
d. Provide direction to staff.
(Board Referral 2018.22)
Proposed CEQA Action for Approval of Amendment No. 1: Categorically exempt per section 15301 of the CEQA Guidelines.

Attachments: [Board Report](#)
[Attachment A-Concept Plan](#)
[Attachment B-Lease of City Property Amendment 1](#)
[Attachment C-Lease of City Property \(1997\)](#)
[Attachment D-Letter of Notice of Termination of License Agreement](#)

Read Out from Closed Session by County Counsel

Read out by County Counsel will only occur if there is reportable action(s).

Adjournment

Adjourn in memory of Matthew Alvarado, David Parnie and Matthew Lavorato

Supplemental Sheet, Consent Calendar**Natividad Medical Center**

27. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute a Memorandum of Understanding (MOU) with California State University at Monterey Bay (CSUMB) for a Master of Science Physician's Assistant (MSPA) Program at Natividad, with a five year agreement term effective when signed by both parties.

Attachments: [Board Report](#)
[MOU with CSUMB for MSPA Program.pdf](#)

28. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with Johnson Controls Inc. for repair and maintenance services on automation for heating, ventilation, air conditioning and the variable frequency drive (VFD) system at NMC for an amount not to exceed \$150,000 with an agreement term September 1, 2019 through August 31, 2022.
b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$15,000) of the original cost of the agreement.

Attachments: [Board Report](#)
[Johnson Controls Inc. Agreement.pdf](#)

29. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with HealthStream Inc. for Web based clinical education content services at NMC for an amount not to exceed \$137,344 with an agreement term retroactive to July 1, 2019 through June 30, 2022.
b. Approve the NMC Chief Executive Officer's recommendation to accept non-standard indemnification, insurance, limitations on liability, and limitations on damages provisions within the agreement.

Attachments: [Board Report](#)
[HealthStream Inc Agreement.pdf](#)

30. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 2 to the agreement (A-17-287, Board Order A-13598) with Pacific Health Alliance for project administration ("PA") services for the County of Monterey's Pilot Project for the Remaining Uninsured, extending the agreement an additional twelve (12) month period (January 1, 2020 through a run out period of December 31, 2020) for a revised full agreement term of August 1, 2017 through December 31, 2020, and adding \$400,000 for a revised total agreement amount not to exceed \$900,000.

Attachments: [Board Report](#)
[PHA PILOT Project Amendment 2.pdf](#)
[PHA PILOT Program Amendment 1 eff 070118.pdf](#)
[PHA PILOT Project Agreement eff 080117.pdf](#)

31. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the First Amendment to the Professional Services Agreement with The Regents of the University of California, a public corporation, on behalf of the University of California, San Francisco, School of Medicine, Department of Pediatrics (UCSF) to provide pediatric cardiology services extending the term by twenty-four months for a revised full agreement term of January 1, 2018 to December 31, 2020, and adding \$200,000 for a revised total not to exceed amount of \$300,000 in the aggregate; and
- b. Authorize the Deputy Purchasing Agent for NMC to sign up to three (3) future amendments to this agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$10,000) of the original contract amount.

Attachments: [Board Report](#)
[UCSF peds cardiology first amendment.pdf](#)
[UCSF Agreement \(Peds Cardio\) 12312019.pdf](#)

32. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Second Amendment to the Professional and Call Coverage Services Agreement (A-13055) with Muralidhara R. Raju, M.D. to provide neurosurgery services, adding \$300,000 for a revised amount not to exceed \$800,000 in the aggregate, but with no change to the contract term of March 1, 2016 to December 31, 2020; and
- b. Authorize the Deputy Purchasing Agent for NMC to sign up to three (3) future amendments to this agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$30,000) of the original contract amount.

Attachments: [Board Report](#)
[Muralidhara Raju MD Second Amendment.pdf](#)
[Muralidhara Raju MD First Amendment 12312020.pdf](#)
[Muralidhara Raju MD Agreement 12312017.pdf](#)

33. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the agreement (A-13725) with DrFirst.com Inc. (DrFirst) for the Controlled Substance Utilization Review and Evaluation System (CURES), which gives access to California's Prescription Drug Monitoring Program (PDMP), adding \$18,060 for a revised total agreement amount not to exceed \$267,060, with no changes to the term of the Agreement of July 1, 2017 through June 30, 2020.

b. Approve the NMC Chief Executive Officer's recommendation to accept non-standard indemnification provisions within the amendment.

Attachments: [Board Report](#)
[DrFirst Amendment 1.pdf](#)
[DrFirst Agreement w BAA.pdf](#)

34. a. Amend Personnel Policies and Practices Resolution No. 98-394 and Appendix B to adjust the salary ranges for the classifications of: Hospital Director of Nursing Education and Hospital Chief Nursing Officer as indicated below; and
b. Direct the Monterey County Human Resources Department to implement the changes in the Advantage HRM System.

Attachments: [Board Report](#)
[Resolution 19.0000](#)

Health Department

35. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding template for the provision of Therapeutic Services to students with each of the following Monterey County School Districts ("School Districts"): Alisal Union, Salinas City Elementary, and Soledad Unified School Districts, for a total maximum amount for all School Districts of \$1,054,578, see Exhibit A for total amount per School District, for the term retroactive to August 1, 2019 through June 30, 2020; and
b. Accept the Director of Health's recommendation to incorporate non-standard indemnification, limitation on liability, and insurance provisions; and
c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments to each MOU that, in total, do not exceed ten percent (10%) of the initial liability of each MOU, as shown in Exhibit A, and that do not significantly change the scope of services.

Attachments: [Board Report](#)
[Sch Dists.-Alisal,SalinasCityElem,SoledadUnified MOU FY 2019-20](#)
[Board Exhibit A_Alisal,SalinasCityElem,Soledad_RP 6-20-19](#)

36. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 1 to Agreement A-13603 with Crisis Support Services of Alameda County for suicide prevention and intervention services in an increased amount of \$75,082 for the term retroactive to July 1, 2019 through June 30, 2020.

Attachments: [Board Report](#)
[CSSAC Amend No. 1](#)
[Agreement CSS of Alameda County](#)

37. a. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement with Kristin Lynn Dempsey for the provision of training and consultation services for a total Agreement not to exceed \$60,000 for the term beginning September 1, 2019 through June 30, 2021; and
- b. Approve the modified automobile liability insurance and insurance endorsement provisions in the Agreement, as recommended by the Director of Health; and
- c. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$6,000) of the original Agreement amount and do not significantly alter the scope of services.
- Attachments:** [Board Report](#)
[Agreement_Kristin Lynn Dempsey](#)
38. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding template for the provision of Therapeutic Services to students with Gonzales Unified School District (“School District”), for a total maximum amount of \$101,360, effective August 1, 2019 through June 30, 2020; and
- b. Accept the Director of Health’s recommendation to incorporate non-standard indemnification, limitation on liability, and insurance provisions; and
- c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that, in total, do not exceed ten percent (10%) (\$10,136) of the original amount and that do not significantly change the scope of services.
- Attachments:** [Board Report](#)
[Sch Dists.-GonzalesUnified MOU FY 2019-20](#)
39. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 3 to Agreement A-13173 with Foley & Lardner, LLP for independent consulting and legal services, to increase the total Agreement by \$150,000 to cover additional services, for the term May 1, 2016 through June 30, 2020, for a total Agreement not to exceed, \$480,000.
- Attachments:** [Board Report](#)
[FoleyLardner Amd 3](#)
[FoleyLardner Amd 2](#)
[FoleyLardner Amd 1](#)
[FoleyLardner_20160501-20180630](#)

Department of Social Services

- 40.
- a. Approve and authorize the Director of the Military & Veterans Affairs Office to execute funding agreement 19XS0018 with the California Department of Veterans Affairs to receive \$49,000 in Proposition 63 - Mental Health and Services Act funding to provide mental health outreach services to local veterans on behalf of the County retroactive to July 1, 2019 through June 30, 2020;
 - b. Authorize the Director of the Military & Veterans Affairs Office to sign up to three (3) amendments to this funding agreement where the amendments do not significantly change the scope of work;
 - c. Approve an increase in appropriations and estimated revenues of \$49,000 for the Military and Veterans Affairs Budget Unit 001-5010-SOC003-8260 FY 2019-20 Adopted Budget (4/5ths vote required); and
 - d. Authorize the Auditor-Controller to amend the FY 2019-20 Adopted Budget by increasing appropriations and estimated revenues by \$49,000 in Military and Veterans Affairs Budget Unit 001-5010-SOC003-8260 (4/5ths vote required).

Attachments: [Board Report](#)
[Resolution](#)
[Agreement 19XS0018](#)

- 41.
- a. Approve and authorize the Director of the Department of Social Services to execute Privacy and Security Agreement v2019 06 24 with the California Department of Social Services (CDSS) to continue to use data hosted by the Social Security Administration (SSA) and the Medi-Cal Eligibility Data System (MEDS) for the period of September 1, 2019 through September 1, 2022;
 - b. Approve and authorize the Director of the Department of Social Services to execute Medi-Cal Privacy and Security Agreement 19-32 with the Department of Health Care Services (DHCS) to continue to use data hosted by DHCS for the period of September 1, 2019 through September 1, 2022; and
 - c. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to each of the two agreements above where the amendments do not significantly change the responsibilities of the parties.

Attachments: [Board Report](#)
[Privacy and Security Agreement v2019 06 24](#)
[Medi-Cal Privacy and Security Agreement 19-32](#)

Criminal Justice

42. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign Agreement with USC Internal Merger Co, LLC dba US Corrections, LLC, for prisoner extradition services for the Sheriff's Office. The initial term of the Agreement will begin July 1, 2019 (retroactive) and terminate June 30, 2022. This Agreement is retroactive due to the amount of time it took for the vendor to successfully register as a vendor with the County of Monterey. Work contracted under this Agreement shall not exceed a total cost of \$99,000.00, and will be in accordance with the terms and conditions set within the Agreement; and
- b. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to approve two (2) additional one (1) year amendments to the contract, provided that the amendment does not significantly change the scope of services and where the amendments in total do not increase the contract value more than \$35,000 per year, for a new not to exceed maximum of \$169,000.00.

Attachments: [Board Report](#)
[USC Internal Merger dba US Corrections Agreement.pdf](#)

43. a. Authorize the Sheriff to issue notice of non-renewal of the 1977 Permit issued to the Peace Officers Association of the County of Monterey (MCPOA) for use of the Law Enforcement Firearm Range ("Range") at the Laguna Seca Recreational Area; and
- b. Designate the Monterey County Sheriff's Office to be responsible for operation, control, and maintenance of the Range for use by the Sheriff's Office upon termination of the Permit and ensure continuing access and use of the Range by all law enforcement agencies within Monterey County.

Attachments: [Board Report](#)
[Resolution 77-86 Permit for Range at Laguna Seca Recreation Area.pdf](#)

44. Adopt a Resolution Authorizing and direct the Auditor-Controller to increase appropriations by \$412,000 for the Sheriff's Office FY 18-19 Adopted Budget to cover a deficiency in appropriations. Increase appropriations in 001-SHE001-2300-8497-6111 in the amount of \$412,000 financed by a decrease in appropriations of \$412,000 from general fund contingency appropriation 001-CAO020-1050-8034; (4/5ths Vote Required).

Attachments: [Board Report](#)
[Resolution for appropriation increase FY 2019.pdf](#)

General Government

45. a. Approve a request from the San Lucas Cemetery District (“SLCD”) for an exemption to the annual audit requirement pursuant to Government Code section 26909 (unanimous vote required); and
- b. Authorize preparation of a Five-Year Audit of the SLCD covering the five-year period ending June 30, 2020, and every five-year period ending June 30th thereafter (unanimous vote required).

Attachments: [Board Report](#)
[Attachment A - 2010 Board Report and Board Order](#)
[Attachment B - District Letter of Request](#)
[Attachment C - District Board Approval](#)
[Attachment D - Audit Fee Increase Letter](#)

46. a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute a non-standard Agreement with Fluence Automation, LLC to provide software, maintenance and support services for a “Vote by Mail” processing system for a term retroactive to November 1, 2018 through October 31, 2021, for a total amount not to exceed \$96,657;
- b. Accept non-standard warranty, liability and indemnification contract provisions as recommended by the Registrar of Voters; and
- c. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute no more than two amendments, subject to County Counsel review, extending the Agreement by one (1) year each, which do not significantly alter the scope of work and do not exceed an increase of 10% of the original amount.

Attachments: [Board Report](#)
[Proposed Fluence Agreement 2019](#)

47. a. Approve and authorize the Director of Information Technology or his designee to execute a non-standard Agreement with Cenergy International Services, Inc. for support and maintenance of the County’s Solar Winds network monitoring software for the term of September 1, 2019 through August 31, 2020, in the amount of \$15,164;
- b. Accept non-standard provisions as recommended by the Director of Information Technology; and
- c. Authorize the Director of Information Technology or his designee to sign up to four (4) amendments, extending the Agreement by one (1) additional year each, subject to County Counsel review, provided the maximum increase in total cost is no more than ten percent (10%) of the agreement price (\$1,516.40 total maximum increase), and provided the amendments do not significantly alter the terms of the Agreement.

Attachments: [Board Report](#)
[Cenergy International Services, Inc. agreement](#)

48. a. Authorize and approve the Director of Information Technology to execute a Support Agreement with Questys Solutions for maintenance and technical support used for Digital Information Management Program, for the period of September 1, 2019 through August 31, 2022, in the maximum amount of \$376,124.08;
- b. Authorize the Director of Information Technology to sign up to two (2) amendments to this Agreement, extending the term by one (1) year each, where the additional costs per year do not exceed ten percent 10% (\$13,154) of the cost of the prior year, subject to County Counsel review, and provided that the terms and conditions of the agreement remain substantially the same; and
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology.

Attachments: [Board Report](#)
[Questys Solutions Support Agreement](#)

49. a. Approve and authorize the Director of Information Technology or his designee to sign a non standard Master Agreement with AT&T, enabling the County to procure AT&T telecommunication services at discounted rates through authorized AT&T Solution Providers; and
- b. Authorize the Director of the Information Technology Department to execute pricing schedules, order forms and similar documents, as necessary, to utilize the AT&T Master Agreement to purchase AT&T Services through authorized AT&T Solution Providers, subject to prior County Counsel review, in the maximum total aggregate amount of \$1,200,000 from September 1, 2019 through August 31, 2021; and
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology.

Attachments: [Board Report](#)
[ATT Master Agreement](#)

50. Authorize the County Counsel to execute amendment no. 1 to the Agreement for specialized legal services with the law firm Liebert Cassidy Whitmore, extending the agreement for an additional one year (to December 31, 2020) and adding \$105,000 to the agreement for a total amount not to exceed \$200,000.

Attachments: [Board Report](#)
[LCW Agreement Labor Negotiations](#)
[LCW Amend 1 - final](#)

51. a. Approve and authorize the Director of Child Support Services to sign a Plan of Cooperation (POC) with California Department of Child Support Services (DCSS), and all future amendments approved by County Counsel, to define responsibilities for securing child support, including child support establishment, collection, and disbursement services; medical support; determining paternity; and providing other public services in accordance with the provisions of Title IV-D of the Social Security Act for the period of October 1, 2019 through September 30, 2020. The POC, by its terms, renews automatically each year but, if amended, will be submitted to the Board of Supervisors for review and approval at least once every three years.

Attachments: [Board Report](#)
[Monterey 2020 State POC 072519](#)

52. a. Approve and authorize the Library Director of Monterey County Free Libraries to execute an Operations and Maintenance Agreement between Monterey County and Shandon Unified School District for Monterey County Free Libraries to operate a joint school library and public library at 70585 Parkfield-Coalinga Road, Parkfield, California for a twenty-five (25) year term, retroactive to July 1, 2019 through June 30, 2044.
- b. Approve and authorize the Contracts/Purchasing Officer to execute a County of Monterey Standard Lease Agreement with Shandon Unified School District, leasing the school facility located at 70585 Parkfield-Coalinga Road, Parkfield, California to Monterey County at no cost, for a twenty-five (25) term, retroactive to July 1, 2019 through June 30, 2044, for Monterey County Free Libraries to operate a joint school library and public library.
- c. Authorize the Library Director of Monterey County Free Libraries to make minor revisions to the Operations and Maintenance Agreement if deemed by the Library Director to be in the best interest of the County.
- d. Authorize the Contracts/Purchasing Officer to 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](#)
[Lease Agreement Parkfield Library](#)
[Agreement Governing Operations & Maintenance of Joint School Public Library](#)
[Board Order No. 17-1235, approving funding of Parkfield Library Project](#)

53. a. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute a Lease Agreement with Lenovo Financial Services, a third-party lessor to the Countywide Service Agreement with EDX Information Systems, Inc. for Desktop Solution Services, retroactive to July 1, 2019 and extending through and including April 11, 2020;
- b. Approve and authorize County staff are hereby authorized and directed to take such other and further actions as may be necessary or appropriate to implement

the intent and purpose of this board order; and
c. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to exercise the option to extend the Lease Agreement in accordance of the terms and conditions of the Lease Agreement.

Attachments: [Board Report](#)
[Lenovo Financial Services Third Party MLA](#)
[Board Order A13145-A13147](#)
[EDX information Systems Agreement](#)
[EDX Information Systems Amendment](#)

54. a. Approve and Authorize Amendment No. 2 to the Digital Library Reserve Content Service Plan Application Services Agreement between the County of Monterey, on behalf of Monterey County Free Libraries, and OverDrive, Inc., renewing and extending the period to three years, from November 24, 2019 through November 24, 2022, in the amount not to exceed \$200,000.00, to continue receiving license and hosting services for downloadable library services. Approve non-standard indemnity language; and
b. Authorize the Director of Monterey County Free Libraries, or his/her Designee, to sign Amendment No.2 to the Digital Library Reserve Content Service Plan Application Services Agreement between the County of Monterey, on behalf of Monterey County Free Libraries and OverDrive, Inc.

Attachments: [Board Report](#)
[OverDrive - Renewal and Amendment 2](#)
[Board Order and Renewal Amendment No. 1](#)
[OVERDRIVE CONTRACT](#)

55. Approve and authorize the Contracts/Purchasing Officer or designee to sign the Ergonomics Services Amendment No. 2 with Ergovera and Humanscale extending the time for performance of each Contractor to March 31, 2020 with no increase in value; and

Attachments: [Board Report](#)
[Ergovera Agreement - Signed Contract](#)
[Ergovera - Signed Amendment No. 1](#)
[Humanscale Agreement - Signed Contract](#)
[Humanscale - Signed Amendment No. 1](#)

56. a. Authorize the Director of Information Technology or his designee to execute a Memorandum of Understanding, Letter of Agency, and Non-Disclosure Agreement with Bridgepointe Technologies, to serve as a broker for the County's purchase of AT&T services at discounted rates;
b. Authorize the Director of Information Technology or his designee to sign order forms and associated documents for purchase of AT&T services through

Bridgepointe Technologies; and

c. Accept non-standard contract provisions as recommended by the Director of Information Technology.

Attachments: [Board Report](#)
[BridgePointe Technologies Letter of Agency](#)
[County and BridgePoint Technologies MOU](#)
[BridgePoint Technologies Non-Disclosure Agreement](#)

57. a. Authorize the Director of Information Technology or his designee to execute a Memorandum of Understanding, Letter of Agency, and Non-Disclosure Agreement with Nobilete Communications LLC to serve as a broker for the County's purchase of AT&T services at discounted rates;
- b. Authorize the Director of Information Technology or his designee to sign order forms and associated documents for purchase of AT&T services through Nobilete; and
- c. Accept non-standard contract provisions as recommended by the Director of Information Technology.

Attachments: [Board Report](#)
[Nobilete Letter of Agency](#)
[County and Nobilete Memorandum of Understanding](#)
[Nobilete Non-Disclosure Agreement](#)

58. Approve a request from the North County Recreation and Park District for a dry period loan of \$150,000 for the fiscal Year ending June 30, 2020.

Attachments: [Board Report](#)
[NCRPD Request and Certification for Temporary Transfer of Funds.pdf](#)
[NCRPD Special District Resolution.pdf](#)

59. a. Introduce, waive reading, and consider an ordinance of the County of Monterey, State of California, adding Section 2.04.355 to the County Code related to attorney communications with members of the Board of Supervisors and other decision-makers acting in an adjudicative capacity; and
- b. Set September 10, 2019, at 10:30 a.m., or later, as the date and time for adoption of the ordinance.

Attachments: [Board Report](#)
[Ordinance.final. 2.04.355 re Ex parte Communications and State Bar rule 3.5](#)
[Rule 3.5](#)
[Rule 4.2](#)

- 59.1** Adopt an ordinance suspending Sections 3 and 6, and a portion of Section 5, of Ordinance 5310, concerning Point of Use/Point of Entry water treatment, until December 11, 2019. (ADDED VIA ADDENDUM)

Attachments: [Board Report](#)
[A - Draft Ordinance \(w/Ordinance No. 5310\)](#)

RMA - Administration

- 60.** Adopt a Resolution to:
- Adopt the Plans and Specifications for 855 East Laurel Drive-Emergency Shelter, Project No. 8875, Bid Package No.10736;
 - Authorize the Resource Management Agency Director to advertise for bids in the *Monterey County Weekly*;
 - Authorize and direct the Auditor-Controller to amend the FY 2019-20 Facilities Master Plan Project Fund, Fund 404, Appropriation Unit RMA015, to increase appropriations and estimated revenues by \$4,376,893, financed by an operating transfer in of \$656,893 from Fund 401, Appropriation Unit RMA004, for the County Match, \$200,000 for the City of Salinas Match, and \$3,520,000 from the Homeless Emergency Aid Program (4/5th vote required); and
 - Authorize and direct the Auditor-Controller to increase appropriations for the County Match toward the 855 East Laurel Emergency Shelter of \$656,893, from Fund 401, Appropriation Unit RMA004, where the financing source is Unassigned Fund Balance (Fund 401-BSA 3101) (4/5th vote required).

Attachments: [Board Report](#)
[Attachment A- Project 8875 855 E Laurel Emergency Shelter Project Budget](#)
[Attachment B-Plans & Specifications](#)
[Attachment C-Notice to Bidders](#)
[Attachment D-Location Map](#)
[Attachment E-Draft Resolution](#)

- 61.**
- Approve and authorize the Contracts/Purchasing Officer to execute a ten (10) year Lease Agreement with Community Human Services, a 501(c)(3) non-profit corporation, for the 4,500- square-foot County modular building with adjacent parking area located at 1292 Olympia Avenue, Seaside, California to be used as a permanent, year-round homeless shelter, rent free, pursuant to Section 26277 of the Government Code, in a form substantially similar to the proposed Lease Agreement set forth in Attachment A. Lease term is to commence on July 1, 2020, or upon completion of Community Human Services-specified improvements to the County property, whichever is earlier; and
 - Approve and authorize the Resource Management Agency Director to execute and record a ten (10) year Deed Restriction and Covenant document as required by the Homeless Emergency Aid Program (“HEAP”) for Community Human Services’

requested funding, in a form substantially similar to the proposed Deed Restriction and Covenant set forth in Attachment C.

Attachments: [Board Report](#)
[Attachment A-Lease1292 Olympia Ave](#)
[Attachment B-Section 26227 of Government Code](#)
[Attachment C-Deed Restriction and Covenant](#)
[Attachment D-Location Map2](#)

RMA - Land Use and Community Development

- 62.**
- a. Approve and accept a Conservation and Scenic Easement Deed protecting an area of the Dunes Golf Course, a portion of “Club Lot 1” of the map entitled “Monterey Peninsula Country Club Subdivision No. 2” along Sawmill Gulch Creek as an area containing environmentally sensitive habitat and subject to restoration and enhancement efforts as a condition of approval for PLN140432;
 - b. Approve and accept a Conservation and Scenic Easement Deed protecting Archaeological resources for portions of “Club Lot 2” of the map entitled “Monterey Peninsula Country Club Subdivision No. 2” as a condition of approval for PLN140432
 - c. Authorize the Chair to sign the Acceptance and Consent to Recordation; and
 - d. Direct the Clerk of the Board to submit the two separate Conservation and Scenic Easement Deeds to the County Recorder for filing with any applicable recording fees to be paid by the applicant.

Project Location: Del Monte Forest, Pebble Beach bound by Spanish Bay Road and 17 Mile Drive.

Proposed CEQA Action: Notice of Determination filed for PLN140432 on February 3, 2015

PLN140432 - Monterey Peninsula Country Club

Attachments: [Board Report](#)
[Attachment A - Conservation Easement \(Archaeological\)](#)
[Attachment B - Conservation Easement \(Open Space\)](#)
[Attachment C - Memo to Clerk of the Board](#)

- 63.**
- REF190015-PROOF OF ACCESS ORDINANCE**
- Introduce, waive reading, and set September 17, 2019 at 1:30 p.m. as the date and time to conduct a public hearing to consider adoption of an ordinance repealing Section 21.64.320 of the Monterey County Code related to regulations for development utilizing private streets, roads, and other travelled ways (“Proof of Access”) from the non-coastal zoning regulations and moving the regulations to a new Chapter 16.80 of the Monterey County Code to establish County-wide coastal and non-coastal regulations Proof of Access regulations.

Location: County-wide unincorporated Monterey County

CEQA action: Not a project pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).

Attachments: [Board Report](#)

[Attachment 1 - BOS adopted Resolution of Intent No. 14-250](#)

[Attachment 2 - California Coastal Commission staff letter](#)

[Attachment 3 - Planning Commission Resolution No. 19-013](#)

[Attachment 4 - Draft ordinance](#)

RMA – Public Works and Facilities

- 64.**
- a. Adopt the Monterey County 2019 Construction Task Catalogs, Job Order Contracting (JOC) 2019 - Roads & Bridges Project Specifications and JOC 2019 - Facilities Project Specifications, and Monterey County 2019 Technical Specifications for JOC 2019, Project No. JOC 2019, Bid No. Roads & Bridges 2019-01, Bid No. Roads & Bridges 2019-02, and Bid No. Roads & Bridges 2019-03, and Project No. JOC 2019, Bid No. Facilities 2019-01, Bid No. Facilities 2019-02, and Bid No. Facilities 2019-03;
 - b. Authorize the Resource Management Agency (RMA) Director to advertise for bids in the Monterey County Weekly.

Attachments: [Board Report](#)

[Attachment A - 1 JOC 2019 R&B Construction Task Catalog®](#)

[Attachment A - 2 JOC 2019 Facilities Construction Task Catalog®](#)

[Attachment B - JOC 2019 R&B Project Specifications](#)

[Attachment C - JOC 2019 Facilities Project Specifications](#)

[Attachment D - 1 JOC 2019 R&B Tech Specifications](#)

[Attachment D - 2 JOC 2019 Facilities Tech Specifications](#)

[Exhibit 1 - JOC System License Fee Agreement](#)

[Exhibit 2 - Contractor Evaluation](#)

[Exhibit 3 - CDBG Standard Provisions and Requirements](#)

[Exhibit 4 - Federal Provisions and Requirements](#)

[Exhibit 5 - FEMA Standard Provisions and Requirements](#)

[Exhibit 6 - Monterey County Cabling Specifications](#)

[Exhibit 7 - Notice to Bidders](#)

Addenda/Supplemental

65. ADDENDA

Added to Closed Session:

1. Closed Session under Government Code section 54950, relating to the following items:

(5) Luciano Reyes v. County of Monterey, et al. (United States District Court case

no. 18CV03935)

Added to Ceremonial Resolutions:

6.1 Adopt Resolution in appreciation of Tammy Blount-Canavan for her more than seven years of work in support of sustainable tourism development in Monterey County. (Full Board)

Added to General Government - Consent Calendar:

59.1 Adopt an ordinance suspending Sections 3 and 6, and a portion of Section 5, of Ordinance 5310, concerning Point of Use/Point of Entry water treatment, until December 11, 2019.

SUPPLEMENTAL

Removed from Closed Session:

1. Closed Session under Government Code section 54950, relating to the following items:

c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding recruitment for the position of County Administrative Officer.

10:30 A.M. - Scheduled Matters:

20. a. Consider approval of the response to the 2018 - 2019 Monterey County Civil Grand Jury Final Report - " Enterprise Resource Planning, Costly Lessons from a Decade-Long Systems Enhancement Effort "

b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 21, 2019.

Added one (1) additional attachment:

Response by Auditor

21. a. Consider approval of the response to the 2018 - 2019 Monterey County Civil Grand Jury Final Report - "Rape Kit Processing in Monterey County", and;

b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 21, 2019.

Added five (5) additional attachments:

Rape Kit Response by City of Marina

Rape Kit Response by City of PG

Rape Kit Response by DA

Rape Kit Response by MoCo Sheriff 08-15-2019

Rape Kit Response by MoCo Sheriff 08-08-2019

1:30 P.M. - Scheduled Matters:

24. Public Hearing, continued from February 26, 2019, April 23, 2019, and May 21, 2019 to consider appeals by Matt and Carol Donaldson and by Paul Smith from the November 14, 2019 Planning Commission decision approving a Combined Development Permit establishing a commercial operation, construction of an office, workshop, storage area, and formal parking area with associated site improvements and tree removal within environmentally sensitive habitat areas.

Project Location: 46821 Highway 1, Big Sur, Big Sur Coast Land Use Plan area
(APN: 419-201-007-000)

Proposed CEQA action: Adopt a Mitigated Negative Declaration
PLN160851 - MORGENRATH (BLAZE ENGINEERING)

Revised Attachment A: Now includes the draft conditions of approval. Further, the first sentence of Finding No. 1, Evidence "e" contains a typo. The sentence should be correct to read: "The project allows for the removal of -le 10 protected trees."