

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, April 21, 2015

9:00 AM

Board of Supervisors

*Chair Simón Salinas - District 3
Vice Chair Jane Parker - District 4
Supervisor Dave Potter - District 5
Supervisor Fernando Armenta - District 1
Supervisor John M. Phillips - District 2*

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. - Convene

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) Landwatch Monterey County v. County of Monterey, et al. (Monterey County Superior Court case no. M109434)
 - (2) The Open Monterey Project v. Monterey County Board of Supervisors, et al. (Monterey County Superior Court case no. M109441)
 - (3) County of Monterey v. Laz Paz Partners, et al. (Monterey County Superior Court case no. M124457)
 - (4) Jesse Hernandez, et al. v. County of Monterey, et al. (United States District Court case no. CV-13-2354 PSG)
 - b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: 559 E. Alisal Street, SalinasAgency Negotiators: Ray Bullick, Director of Health
Party: Ramiro Alcalá
Under negotiation: Price and terms
 - c. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.

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 Julie Ann Lozano as 2015 Woman of the Year by the Meals on Wheels of the Monterey Peninsula. (Supervisor Potter)

Attachments: [Lozano Ceremonial Resolution](#)

4. Adopt Resolution in appreciation of 41 years of Public Service to the North County Fire Protection District of Monterey County upon the retirement of Marvin Lenz. (Supervisor Phillips)

Attachments: [Lenz Retirement Resolution](#)

5. Adopt Resolution proclaiming the week of May 2 through May 10, 2015 as National Travel Tourism Week. (Full Board)

Attachments: [National Travel and Tourism Week Ceremonial Resolution](#)

- 5.1 Adopt Resolution proclaiming the month of May 2015 as Building Safety Month in Monterey County. (Full Board) (ADDED VIA ADDENDUM)

Attachments: [Building Safety Month Ceremonial Resolution](#)

Appointments

6. Appoint Britt Rios-Ellis and Mitchel L. Winick to the Natividad Medical Center Board of Trustees, with terms ending May 1, 2017. (Full Board)

Attachments: [Notification to Clerk - Rios-Ellis](#)

[Notification to Clerk - Winick](#)

Other Board Matters

7. Board Comments
8. CAO Comments and Referrals

Attachments: [Referrals 042115](#)

9. 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

10. a. Consider approval of the Manzanita County Park Sport Complex Concession Agreement between the County of Monterey and the North County Youth Recreation Association retroactively beginning on August 1, 2011 and for a period of ten (10) years from the date of execution of the agreement by the County; and
- b. Authorize the Chair of the Board of Supervisors to sign the agreement.

Attachments: [Board Report](#)
[Revised Manzanita Concession Agreement](#)

11. 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 by the Monterey Regional Waste Management Authority of Revenue Bonds for the benefit of the Monterey Regional Waste Management District in an aggregate amount not to exceed \$34,000,000 for the purpose of financing the design, acquisition, and construction of an expansion of and improvement to the district's solid waste disposal and recycling system and related facilities. A portion of such bond proceeds is intended to finance the construction of a parking and maintenance facility to park and service franchise hauler collection trucks (the "Project") located at the Marina Landfill, 14201 Del Monte Boulevard, Marina, California 93933 in the County of Monterey, to be initially leased to and operated by GreenWaste Recovery, Inc., and other matters relating thereto

Attachments: [Board Report](#)
[County Resolution for MRWMD](#)
[Monterey Regional Waste Management District SUMMARY OF 2015 Bonds](#)

12. Adopt a Resolution Consenting to the Inclusion of Properties within the County's Jurisdiction in the CSCDA Open PACE; Authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct contractual assessment proceedings, and levy contractual assessments within the territory of Monterey County, and Authorizing other related actions.

Attachments: [Board Report](#)
[CSCDA OPEN PACE Opt In Resolution March 2015](#)

13. Consider continuing the public hearing for sixty days to a date certain on June 23, 2015 regarding the renaming of Garrapata Ridge Road, a private road located in the Big Sur area, to Weston Ridge Road.

Attachments: [Board Report](#)
[Att..1 Notice of Public Hearing](#)
[Att. 2 01-27-15 Bd Ord.- File ID 14-1390 No. 16 Revised](#)

12:00 P.M. - Recess to Lunch - Continued Closed Session

1:30 P.M. - Reconvene

Roll Call

1:30 P.M. - Scheduled Matters

14. Public Hearing, continued from April 14, 2015, to consider:
- Finding the ordinance described below categorically exempt under the California Environmental Quality Act; and
 - Adopting an ordinance amending Section 21.66.050 (Archaeological Resources Standards) of Title 21 (non-coastal zoning) of the Monterey County Code to establish new policies and procedures for the protection of archaeological and tribal cultural resources, and amending Title 2 of the Monterey County Code to add Chapter 2.95 establishing a Native American Advisory Panel consistent with 2010 Monterey County General Plan Goals OS-6 and OS-8.
(REF110065/Archaeological and Tribal Cultural Resources Ordinance)

PROJECT INFORMATION:

Planning File Number: REF110065

Owner: N/A

Project Location: Inland Areas

APN: multiple

Agent: N/A

Plan Area: Inland Areas

Flagged and Staked: N/A

CEQA Action: Categorically Exempt per CEQA Guidelines Section 15308

- Attachments:** [Board Report](#)
[Attachment A - Discussion](#)
[Attachment B - Draft Ordinance \(redline\)](#)
[Attachment C - Draft Ordinance \(clean version\)](#)
[Attachment D - PC Resolution](#)
[Attachment E - Assembly Bill 52](#)

Adjournment

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

15. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 5 to the Agreement (MYA438) with Maintenance Connection Inc. for computerized facility maintenance system services at NMC, extending the Agreement an additional 6 month period for a revised term of June 1, 2010 through December 31, 2015 and adding \$31,307.68 for a revised total aggregate amount not to exceed \$131,307.68.

Attachments: [Board Report](#)[Maintenance Connection Inc Amendment 5.pdf](#)[Maintenance Connection Inc Amendment 4.pdf](#)[Maintenance Connection Inc Amendment 3.pdf](#)[Maintenance Connection Inc Amendment 2.pdf](#)[Maintenance Connection Inc Renewal and Amendment 1.pdf](#)[Maintenance Connection Inc Original Agreement.pdf](#)[Maintenance Connection Inc Spend Sheet.pdf](#)**Health Department**

16. Approve and authorize the Director of Health to sign Amendment No. 6 to the Mental Health Services Agreement A-12268 with Door To Hope for the provision of mental health rehabilitation services. Amendment No. 6 revises the Scope of Services, Payment and Billing Provisions and Budget and Expenditure Reports, and increases Fiscal Year (FY) 2014-15 annual amount by \$432,904 for a revised total Agreement amount not to exceed \$9,450,225 for FY 2012-13 through FY 2014-15.

Attachments: [Board Report](#)[Door to Hope, Mental Health Agreement, Amendment. No. 6.pdf](#)[Door To Hope, Mental Health Agreement, Amendment No. 5.pdf](#)[Door To Hope, Mental Health Agreement, Amendment No. 4.pdf](#)[Door To Hope, Mental Health Agreement, Amendment No. 3.pdf](#)[Door To Hope, Mental Health Agreement, Amendment No. 2.pdf](#)[Door To Hope, Mental Health Agreement, Amendment No. 1.pdf](#)[Door To Hope, Mental Health Agreement, 07 01 2012 - 06 30 2015.pdf](#)

17. a. Approve delegation of authority to the Director of Health to sign a three-year term Mental Health Services Agreement (July 1, 2015 to June 30, 2018) with Benjamin Macasaet dba New Horizon I Adult Residential Facility for the provision of services to adults with severe psychiatric disabilities in the amount of \$150,563.00 for Fiscal Year (FY) 2015-16, \$150,563.00 for FY 2016-17, and

\$150,563.00 for FY 2017-18, for a total Agreement in the amount of \$451,689.00; and

b. Approve delegation of authority to the Director of Health to execute up to three future amendments to this Agreement that do not significantly alter the scope of work or where the total amendments do not exceed 10% of the original contract amount.

Attachments: [Board Report](#)

[BenMacasaet NewHorizon I MHS Agreement FY 2015-16 thru FY 2017-18.pdf](#)

18.

Adopt Resolution to:

a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394, Section A.4.1 Eligibility for Step Advancements for Broadband classifications; and

b. Authorize the Human Resources Department to implement these changes.

Attachments: [Board Report](#)

[Attachment - Broadband.doc](#)

[Resolution - Broadband.doc](#)

19.

Approve delegation of authority to the Director of Health to execute the Acknowledgement and Consent to the Assignment and Assumption Agreement between Emmanuel Inneh dba Monterey Bay Guest Home and Monterey Bay Guest Home Inc. effective July 10, 2014, to allow the new business name and newly assigned Federal Employer Identification Number to assume the original agreement.

Attachments: [Board Report](#)

[Monterey Bay Guest Home Inc. BH Assignment and Assumption Agrment.pdf](#)

[Emmanuel Inneh, Fully executed Mntl Hlth Agrt FY 14-17.pdf](#)

General Government

20.

a. Approve and authorize the Agricultural Commissioner to sign a Memorandum of Understanding (MOU) with Monterey County Agricultural Education, Inc. to provide support of agricultural education efforts in Monterey County, and;

b. Authorize the Auditor-Controller to make payments in accordance with the terms of the MOU.

Attachments: [Board Report](#)

[Monterey County Agricultural Education Inc MOU.pdf](#)

21.

a. Modify the County budget for fiscal year 2014-15 to reflect the Board of Supervisors' prior September 30, 2014 authorization for the Economic Development Department to expend grant funds on various projects, thereby increasing this Department's estimated revenues and appropriations in the amount of \$478,165; and

b. Authorize the Auditor-Controller to amend the fiscal year 2014-15 Economic Development Department's adopted budget for Community Development, Fund 013, and Appropriation Unit DE0003, Unit 8200 to increase estimated revenues and appropriations by \$478,165. (4/5ths vote required)

Attachments: [Board Report](#)
[FY 15 Fund 013 Unit 8200 Breakdown](#)

22. Adopt a Resolution approving a Zero Property Tax Transfer for the proposed sphere of influence amendment and annexation of five Alco Water systems to the Pajaro/Sunny Mesa Community Service District.

Attachments: [Board Report](#)
[Resolution](#)
[Map of five water system locations](#)

23. Adopt a Resolution to:
- a. Authorize the Treasurer-Tax Collector to Sell 45 Specified Tax Defaulted Properties as set forth in the attached Exhibit A at public auction via the Internet in accordance with Revenue and Taxation Code section 3691 et. seq. or as a sealed bid sale pursuant to Chapter 7, Part 6, Division 1 of the Revenue and Taxation Code for at least the Minimum Bid.
- b. Authorize the Treasurer-Tax Collector to Re-offer any Unsold Properties at a Reduced Minimum Bid at the Conclusion of the Sale or within a 90-day period.

Attachments: [Board Report.pdf](#)
[Exhibit A Monterey County Auction Listing.pdf](#)

24. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following dates: Tuesday, September 9, 2014, Tuesday, November 4, 2014, Tuesday, December 2, 2014, Thursday, December 4, 2014, Tuesday, December 9, 2014 and Tuesday, January 13, 2015.

Attachments: [Board Report](#)
[BOS Draft Minutes 09-09-14](#)
[BOS Draft Minutes 11-04-14](#)
[BOS Draft Minutes 12-02-14](#)
[BOS Draft Minutes 12-04-14](#)
[BOS Draft Minutes 12-09-14](#)
[BOS Draft Minutes 01-13-15](#)

Addenda

25. Monterey County Board of Supervisors Addenda for the meeting of Tuesday, April 21, 2015

ADDENDA

Add Under Ceremonial Resolutions

5.1 Adopt Resolution proclaiming the month of May 2015 as Building Safety Month in Monterey County. (Full Board)