

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, October 2, 2018

9:00 AM

Board of Supervisors.

*Chair Luis A. Alejo - District 1
Vice Chair John M. Phillips - District 2
Supervisor Simón Salinas - District 3
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

Roll Call

Additions and Corrections for Closed Session

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.

The Board Adjourned 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.

Closed Session

1.
 - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Jose Bocanegra, et al. v. County of Monterey, et. al. (Monterey County Superior Court case no. 17CV001352)
 - (2) AWC Holding Trust et al., v. County of Monterey, et al., Monterey Superior Court case no. 18CV001746
 - (3) Steven F. Mauck v. County of Monterey, et al. (United States District Court case no. 18CV04482NC)
 - b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: Sewer system of CSA 75-Chualar
Agency Negotiator: Carl Holm and Nick Chiulos
Negotiating Parties: California American Water and Monterey One Water
Under Negotiation: Price and Terms
 - c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.

d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

10:30 A.M. - Reconvene on Public Agenda Items

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)

Ceremonial Resolutions

2. Adopt resolution honoring the life of **Bob Morales** in Monterey County. (Full Board)

Attachments: [Bob Morales- Ceremonal Resolution](#)

Other Board Matters

3. Board Comments
4. CAO Comments and Referrals
- Attachments:** [Referrals 10-02-18](#)
5. 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

6. a. Receive a report from the Human Resources Department on Board Referral No. 2017-18 Commissioner Compensation.

Attachments: [Board Report](#)
[Power Point Presentation](#)

- 6.1 Receive the Managing for Results (MFR) Fiscal Year (FY) 2017-18 Annual Report; Direct departments to include Department Key Performance Measures in their annual budget submission for the Recommended Budget Book information; and Provide direction to staff as appropriate.

Attachments: [Board Report](#)
[MFR FY 2017 18 Annual Report](#)

12:00 P.M. - Recess to Lunch**1:30 P.M. - Reconvene****Roll Call****1:30 P.M. - Scheduled Matters**

7. Receive the presentation provided by the Sheriff's Office on the programs being provided to the inmates at the County jail.

Attachments: [Board Report](#)
[MCSO Power Point Presentation.ppt](#)

- 7.1 a. Consider approval of Expansion of the Role and Responsibilities of the Board of Supervisors Health and Human Services Committee ("HHS Committee") to include the review of requests and the making of recommendations on policies and programs related to housing;
b. Consider change of name of HHS Committee to Board of Supervisors Health, Housing, and Human Services Committee; and
c. Consider approval of Board of Supervisors Health, Housing, and Human Services Committee Role and Responsibilities; and
d. Provide direction to staff. (ADDED VIA ADDENDA)

Attachments: [Board Report](#)
[ATTACHMENT 1 HHHS Committee Roles/Responsibilities PROPSD \(2018.v3\)](#)
[ATTACHMENT 2 HHHS Committee Roles/Responsibilities 2008 \[redlined\] \(v.3\)](#)
[ATTACHMENT 3 Jan 15 2008 Board Report and Board Order](#)

- 7.2
- a. Consider the Fort Ord Reuse Authority (FORA) Transition Plan Draft Resolution;
 - b. Consider making recommendations to FORA; and
 - c. Provide direction to staff. (ADDED VIA ADDENDA)

Attachments: [Board Report](#)
[Attachment 1-092818BrdPacket FORA 8e Transition Plan](#)
[Attachment 2-BOS 9.25.18 Rpt Itm 16.1 FORA Trnstr](#)
[Attachment 3-09-27-18 Letter to FORA](#)

Read Out from Closed Session

Adjournment

Supplemental Sheet, Consent Calendar

Health Department

8. Approve and authorize the Director of the Health Department or Assistant Director of the Health Department, on behalf of Monterey County, to submit a grant proposal to Friends of Community Animal Services (FoCAS) for grant funds not to exceed \$5,000 for a County Feral Cat Spay/Neuter Program (“Community Cats”) for Monterey County Animal Services; to receive these funds in conformity with the program proposal; and, to execute any documents associated with the application and/or necessary to receive and utilize the grant funds.

Attachments: [Board Report](#)
[Grant FoCAS](#)

9. Approve and authorize the Contracts/Purchasing Officer or designee on behalf of Monterey County, to sign Amendment No. 5 with Bayside Oil II, Inc. adding \$50,000 for an amount not to exceed \$175,000 for used oil and filter collection, hauling, and recycling in connection with a grant for the County’s Used Oil and Filter Collection and Recycling Program with no change in the term dates. Due diligence will be conducted for this Agreement to allow for competition with other vendors upon the term end date.

Attachments: [Board Report](#)
[Amend 5_Bayside Oil](#)
[Amend 4_Bayside Oil](#)
[Amend 3_Bayside Oil](#)
[Amend 2_Bayside Oil](#)
[Amend 1_Bayside Oil](#)
[Agreement_Bayside Oil](#)

Criminal Justice

10. a. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendment #1 to a sole source contract with Jesse Aguirre, Doing Business as J.K. Mortuary Services for on-call pick up, transport and delivery of deceased remains for the Coroner. Amendment #1 adds two (2) years to the contract, retroactive to 8/28/2018, and provides an end date of 8/28/2020 and brings the cumulative, three (3) year contract cost to \$375,000.00; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign up to two (2) amendments to the agreement where the amendments do not significantly change the scope of work, and the amendments in total do not exceed 10% (\$37,500) for a total cumulative not to exceed agreement amount of \$412,500.00.

Attachments: [Board Report](#)

[Professional Service Agreement with Jesse Aguirre DBA JK Mortuary Services.](#)

11. a. Approve and Authorize the Sheriff or Undersheriff to sign a two (2) year Memorandum of Understanding (MOU) with the Carmel Unified School District, for provision of a School Resource Officer funded via a Tobacco Law Enforcement Grant for a not to exceed amount of \$248,878 in FY 2018-19 and \$236,508 for FY 2019-20 for a total, not to exceed amount of \$485,386 over two (2) years;
- b. Add one (1.0) FTE Deputy Sheriff-Enforcement to the Sheriff's Office Budget Unit 001-2300-SHE001-8242, effective August 4, 2018;
- c. Authorize the County Administrative Office to incorporate the position change into the Sheriff's Office FY 2018-19 Adopted Budget; and
- d. Authorize the Auditor-Controller to increase appropriations and revenues for FY 2018-19 in Sheriff's Office Budget Unit 001-2300-SHE001-8242-6111/5570 by \$248,878, respectively for Year 1 of this MOU.

Attachments: [Board Report](#)

[MOU between CUSD and Monterey County Sheriff's Office.pdf](#)

[Tobacco Law Enforcement Grant Program.pdf](#)

General Government

12. Adopt Resolution granting consent for the City of Monterey to create the Monterey County Tourism Improvement District (MCTID), granting the City Council of the City of Monterey jurisdiction for all the purposes in connection with the creation, operation, and future renewals of the proposed MCTID.

Attachments: [Board Report](#)
[Resolution - October 2018](#)
[Attachment A - City of Monterey Letter](#)
[Attachment B - CA Tourism Improv Dist](#)
[Attachment C - 2018-19 MCCVB TID Oversight Committee](#)
[Attachment D - MC TID Conversion Timeline](#)

13. Adopt a Resolution to:
- a. Authorize the Registrar of Voters to consolidate and provide specified election services to certain districts relating to the November 6, 2018 Statewide General Election;
 - b. Appoint candidates to governing boards of various districts where the number of persons who filed a declaration of candidacy do not exceed the number of offices to be filled at the November 6, 2018 Statewide General Election, and;
 - c. Solicit candidates for appointment of qualified persons to governing board member positions where no person has filed a declaration of candidacy, as set forth in the attached Exhibits.

Attachments: [Board Report](#)
[Exhibit A - Appointments In-Lieu of Election 11-06-2018](#)
[Exhibit B - Open District Seats 11-06-2018](#)

14. Adopt a Resolution to amend Personnel Policies and Practices Resolution No. 98-394 to amend Section B.6 Initial Probationary Period to clarify language related to probationary status as indicated in Attachment A.

Attachments: [Board Report](#)
[Attachment A](#)
[Resolution](#)

15. a. Receive and approve the new County of Monterey Healthy Food Policy G-120 as recommended by the Director of Health; and
b. Provide direction as appropriate.

Attachments: [Board Report](#)
[G-120 Healthy Food Policy](#)
[G-120 Healthy Food Policy Toolkit](#)

- 15.1 Authorize and direct the Auditor-Controller to County Counsel employees for all litigation related expenses, including lodging and travel expenses, incurred during trials of *Aquino v. County of Monterey*, CASE NO. 14-CV-03387 EJD, and *Simonelli v. County of Monterey*, Case No.: 5:17-cv-01448-SVK, upon authorization by County Counsel that they were necessary litigation expenses. (ADDED VIA ADDENDA)

Attachments: [BoardReport27-Sep-2018-12-41-15](#)

Board of Supervisor Addenda/Supplemental

16. ADDENDA

Add to the 1:30 P.M. - Scheduled Matters

- 7.1** a. Consider approval of Expansion of the Role and Responsibilities of the Board of Supervisors Health and Human Services Committee (“HHS Committee”) to include the review of requests and the making of recommendations on policies and programs related to housing;
- b. Consider change of name of HHS Committee to Board of Supervisors Health, Housing, and Human Services Committee; and
- c. Consider approval of Board of Supervisors Health, Housing, and Human Services Committee Role and Responsibilities; and
- d. Provide direction to staff.

- 7.2** a. Consider the Fort Ord Reuse Authority (FORA) Transition Plan Draft Resolution;
- b. Consider making recommendations to FORA; and
- c. Provide direction to staff.

Add to the Consent Calendar - General Government

15.1 Authorize and direct the Auditor-Controller to County Counsel employees for all litigation related expenses, including lodging and travel expenses, incurred during trials of Aquino v. County of Monterey, CASE NO. 14-CV-03387 EJD, and Simonelli v. County of Monterey, Case No.: 5:17-cv-01448-SVK, upon authorization by County Counsel that they were necessary litigation expenses.