

Monterey County

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



Meeting Agenda - Final-Revised

Tuesday, March 17, 2020

9:00 AM

**IMPORTANT NOTICE Regarding COVID 19 on Page 2-3;
AVISO IMPORTANTE SOBRE COVID 19 en la página 2-3**

Board of Supervisors

*Chair Supervisor Chris Lopez - District 3
Vice Chair Supervisor Jane Parker - District 4
Supervisor Luis A. Alejo - District 1
Supervisor John M. Phillips - District 2
Supervisor Mary L. Adams - District 5*

IMPORTANT NOTICE REGARDING COVID 19

Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of the COVID 19 virus, please do the following:

1. You are strongly encouraged to observe the live stream of the Board of Supervisors meetings at http://monterey.granicus.com/ViewPublisher.php?view_id=19 or <http://www.mgtvonline.com/>
2. If you choose not to attend the Board of Supervisors meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Monday prior to the Board meeting. Please submit your comment to the Clerk of the Board at cob@co.monterey.ca.us. Your comment will be placed into the record at the Board meeting.
3. If you are watching the live stream of the Board meeting and wish to make either a general public comment or to comment on a specific agenda item as it is being heard, please submit your comment, limited to 250 words or less, to the Clerk of the Board at publiccomment@co.monterey.ca.us. Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.
4. If you attend the Board of Supervisors meeting in person, you will be required to maintain appropriate social distancing, ie, maintain a 6-foot distance between yourself and other individuals.
5. Additional seating with audio of the Board meeting will be available in the Monterey Room on the 2nd floor of the County Government Center.

AVISO IMPORTANTE SOBRE COVID 19

Basado en la guía del Departamento de Salud Pública de California y la Oficina del Gobernador de California, para minimizar la propagación del virus COVID 19, haga lo siguiente:

1. Le recomendamos que observe la transmisión en vivo de las reuniones de la Junta de Supervisores en http://monterey.granicus.com/ViewPublisher.php?view_id=19 o <http://www.mgtvonline.com/>
2. Si elige no asistir a la reunión de la Junta de Supervisores pero desea hacer un comentario sobre un tema específico de la agenda, envíe su comentario por correo electrónico antes de las 5:00 pm del lunes anterior a la reunión de la Junta. Envíe su comentario al Secretario de la Junta a cob@co.monterey.ca.us. Su comentario se colocará en el registro en la reunión de la Junta.
3. Si está viendo la transmisión en vivo de la reunión de la Junta y desea hacer un comentario público general o comentar un tema específico de la agenda mientras se escucha, envíe su comentario, limitado a 250 palabras o menos, al Secretario de la Junta en

publiccomment@co.monterey.ca.us. Se hará todo lo posible para leer su comentario en el registro, pero algunos comentarios pueden no leerse debido a limitaciones de tiempo. Los comentarios recibidos después de un ítem de la agenda serán parte del registro si se reciben antes del final de la reunión.

4. Si asiste a la Junta de Supervisores de conocerlo en persona, usted será requerido a mantener el distanciamiento social adecuado, es decir, mantener una distancia de 6 pies entre usted y otras personas.

5. Asientos adicionales con el audio de la reunión de la Junta estará disponible en la habitación de Monterey en el 2° piso del Centro de Gobierno del Condado.

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.

**SUPERVISOR LUIS A. ALEJO WILL APPEAR BY TELECONFERENCE ON THIS DATE AT:
7237 S. 40th Lane Phoenix, AZ 85041**

9:00 A.M. - Call to Order

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.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough and Kim MooreEmployee Organization(s): All Units
 - b. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding matters posing a threat to the security of public buildings, essential public services, or the public's right of access to public services or facilities.

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. 17 through 26.

Ceremonial Resolutions

3. Proclaim the week of March 15 through March 21, 2020 as National Public Defender Week in Monterey County. (Full Board) Supervisor Lopez

Attachments: [Ceremonial Resolution - National Public Defender Week](#)

4. Resolution honoring Mary Warburton-Boland upon her selection as the recipient of the 2019 Monterey Peninsula Chamber of Commerce Volunteer of the Year Award. (Full Board) Supervisor Adams

Attachments: [Ceremonial Resolution - Mary Warbuton-Boland](#)

5. Resolution honoring Charles T. Chrietzberg, Jr. upon his selection as the 2019 Monterey Peninsula Chamber of Commerce Citizen of the Year. (Full Board) Supervisor Adams

Attachments: [Ceremonial Resolution - Charles T. Chrietzberg Jr.](#)

6. Resolution honoring Bret Silvestri upon his selection as the recipient of the 2019 Monterey Peninsula Chamber of Commerce Robert C. Littlefield Award for Lifetime Achievement. (Full Board) Supervisor Adams

Attachments: [Ceremonial Resolution - Bret Silvestri](#)

7. Adopt Resolution commending Margaret Huffman Deputy Director Aging and Adult Services, Social Services upon her retirement from thirty years of dedicated public service in Monterey County. (Full Board) Supervisor Lopez

Attachments: [Ceremonial Resolution - Margaret Huffman](#)

8. Resolution honoring Hon. Eduardo M. Ochoa as the 2019 Monterey Peninsula Chamber of Commerce Ruth Vreeland Memorial Public Official of the Year. (Full Board) Supervisor Lopez

Attachments: [Ceremonial Resolution - Eduardo Ochoa](#)

Appointments

9. Appoint Martha E. Campbell Lopez to the Commission on the Status of Women for a term ending on February 1, 2023. (Supervisor Alejo)

Attachments: [Notification to Clerk of Appt- Campbell Lopez](#)

Other Board Matters

- 9.1 Update on Governor's Executive Order and Guidelines on Mass Gatherings. (ADDED VIA ADDNEDA)
- 9.2 Authorize the County Administrative Officer to send a letter to the Monterey County Superior Court requesting they pause or suspend eviction proceedings, in light of impacts from Covid19. (ADDED VIA ADDENDA)
10. Board Comments
11. County Administrative Officer Comments and Referrals
- Attachments:** [Referrals 03-17-20](#)
12. 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

13. Receive a presentation on Fiscal Year 2018-2019 Bright Beginnings Early Childhood Development Initiative activities.

Attachments: [Board Report](#)
[PowerPoint Presentation](#)

12:00 P.M. - Recess to Lunch

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

14. 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. Consider adopting a resolution approving the issuance of California Enterprise Development Authority revenue obligations, in the aggregate principal amount not to exceed \$6,000,000 for the purpose of the financing of various capital improvements of the Society for the Prevention of Cruelty to Animals for Monterey County, Inc. (“the SPCA”).

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

15. Special presentation on Team Rubicon

Attachments: [Board Report](#)
[TR Talking Points powerpoint](#)

16. Receive a verbal presentation regarding The Regional Water Management Group: Planning and Funding Water Projects in Monterey County and the 2019 Storm Water Resource Plan.

Attachments: [Board Report](#)
[Attachment A-IRWM-SWRP Overview](#)
[IRWM-SWRP Presentation](#)

Read Out from Closed Session by County Counsel

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

Adjournment

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

17. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 5 to the Agreement (A-12838) with Integrated Archive Systems Inc. for Hardware and Software purchases necessary to augment existing data storage capacity, and to replace of NMC's Data Backup Hardware and Software, with no change to the agreement term of February 1, 2015 through June 30, 2024, and adding \$1,338,000 for a revised total agreement amount not to exceed \$3,880,727.

Attachments: [Board Report](#)
[Integrated Archive Systems Inc Amendment No. 5.pdf](#)
[Integrated Archive Systems Inc Amendment No. 4.pdf](#)
[Integrated Archive Systems Inc Amendment No. 3.pdf](#)
[Integrated Archive Systems Inc Amendment No. 2.pdf](#)
[Integrated Archive Systems Inc Amendment No. 1.pdf](#)
[Integrated Archive Systems Inc Agreement.pdf](#)

18. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with the California Department of Corrections and Rehabilitation (CDCR) for the purposes of Resident education for the Residents at Natividad, with an agreement term upon approval through January 31, 2023. There is no cost for this agreement.
- b. Approve the NMC Chief Executive Officer's recommendation to accept non-standard risk provisions (Indemnification, Insurance, Disclosure, and Liability) within the agreement.

Attachments: [Board Report](#)
[CDCR FINAL Contract-HQ-18-00072](#)

Health Department

19. a. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 2 to Standard Agreement A-13951 with Matthew R. Mock, Ph.D., Consultant for the provision of training and consultation services to extend the term for one (1) year for a revised term of June 1, 2018 to June 30, 2021, to add \$52,000, and to incorporate the Business Associate Agreement, for a revised total Agreement amount not to exceed \$81,000; and
- b. Approve the non-standard insurance language regarding professional liability coverage as recommended by the Director of Health.

Attachments: [Board Report](#)
[Amendment No 2](#)
[Amendment No 1](#)
[Agreement](#)

20. a. Authorize the Director of Health or Assistant Director of Health to execute a Standard Agreement with the County of Santa Clara not to exceed the amount of \$30,000 for the provision of diagnostic and confirmatory testing on specimens being tested for Syphilis and other diseases or conditions for the period retroactive from July 1, 2019 through June 30, 2025; and
b. Approve nonstandard indemnification and termination clauses in Agreement as recommended by the Director of Health.

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

General Government

21. Adopt an ordinance amending Chapter 7.90 of the Monterey County Code to modify commercial cannabis permit requirements concerning criminal background checks.

Attachments: [Board Report](#)
[cannabis.Chapter 7.90_BOS.3.3.20 \(redline\)](#)
[cannabis.Chapter 7.90_3.3.20 \(signed\)](#)
[Ordinance No. 5320](#)

22. Approve and authorize the Director of the Information Technology Department or designee to donate two (2) surplus computers and monitors to Victory Mission, Inc.

Attachments: [Board Report](#)

23. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following meeting dates: Monday, March 9, 2020 and Tuesday, March 10, 2020.

Attachments: [Board Report](#)
[DRAFT Special BOS Minutes 3-9-2020](#)
[DRAFT BOS Minutes 3-10-2020](#)

- 24.1** Adopt a resolution to amend personnel Policies and Practices Resolution (PPPR) No. 98-394 to modify Section A.33 Leave of Absence Without Pay and add Sections A.33.1 Leave of Absence Without Pay and A.33.2 Leave of Absence with Pay. (ADDED VIA ADDENDA)

Attachments: [Board Report](#)
[Attachment A - Redline](#)
[BOS Resolution Amend PPPR A.33 03-17-2020](#)

- 24.** Receive the Action Minutes of the Budget Committee for the 3rd and 4th Quarters of 2019 for the meetings held on August 28, 2019, September 13, 2019, September 25, 2019, October 24, 2019, November 22, 2019, and December 18, 2019.

Attachments: [Board Report](#)
[BC Action Minutes 8-28-19](#)
[BC Action Minutes 9-13-19](#)
[BC Action Minutes 9-25-19](#)
[BC Action Minutes 10-24-19](#)
[BC Action Minutes 11-22-19](#)
[BC Action Minutes 12-18-19](#)

RMA - Administration

- 25.**
- a. Approve Amendment No. 8 to Professional Services Agreement No. A-12755, Multiyear Agreement #3000*364, with ES Engineering Services, LLC dba Montrose Environmental Solutions, a wholly owned subsidiary of Montrose Environmental Group, Inc. (formerly ES Engineering Services, LLC, a Delaware Limited Liability Company) for continued on-call landfill monitoring services, increasing the not-to-exceed amount by \$198,745, for a total amount not to exceed of \$698,745, and extending the expiration date for one (1) additional year through March 21, 2021, for a revised term from March 21, 2012 to March 21, 2021; and
 - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 8 to Professional Services Agreement No. A-12755.

Attachments: [Board Report](#)
[Attachment A-Summary of PSA](#)
[Attachment B-Summary of PSA Annual Expenditures and Balance](#)
[Attachment C-A8 to PSA](#)
[Attachment D-A7 to PSA](#)
[Attachment E-A6 to PSA](#)
[Attachment F-A5 to PSA](#)
[Attachment G-Agreement and Consent to Assignment to PSA](#)
[Attachment H-A4 to PSA](#)
[Attachment I-A3 to PSA](#)
[Attachment J-A2 to PSA](#)
[Attachment K-A1 to PSA](#)
[Attachment L-PSA](#)

- 26.
- a. Receive a status report on the New Juvenile Hall, Project 8811
 - b. Adopt a resolution to:
 1. Authorize and direct the Auditor-Controller to amend the FY 2019-20 Resource Management Agency Adopted Budget, Fund 404, Appropriation Unit RMA015, to increase appropriations by \$725,835 and revenue by \$725,835, where the financing source is an operating transfer in of \$725,835 from General Fund 001, Contingencies Appropriation Unit CAO020, for change orders #204-#228 negotiated through February 4, 2020 (4/5ths vote required); and
 2. Effective June 12, 2019, authorize the RMA Director or designee to sign individual contract change orders with a not to exceed amount of \$150,000 and within Board approved Project funding, or sign change orders to prevent an adverse effect to the County's interest in accordance with item 3 of the County Change Order Policy adopted August 28, 2001.

Attachments: [Board Report](#)
[Attachment A - Project Summary and Critical Issues](#)
[Attachment B - Project Budget](#)
[Attachment C - Change Order History](#)
[Attachment D - Resolution](#)
[Attachment E - 2001 Change Order Policy](#)

Addenda/Supplemental

27.

ADDENDA

Added to Other Board Matters

- 9.1 Update on Governor’s Executive Order and Guidelines on Mass Gatherings
- 9.2 Authorize the County Administrative Officer to send a letter to the Monterey County Superior Court requesting they pause or suspend eviction proceedings, in light of impacts from Covid19.

Added to General Government

- 24.1 Adopt a resolution to amend personnel Policies and Practices Resolution (PPPR) No. 98-394 to modify Section A.33 Leave of Absence Without Pay and add Sections A.33.1 Leave of Absence Without Pay and A.33.2 Leave of Absence with Pay.