

# **Monterey County**

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



## **Meeting Agenda**

**Tuesday, November 15, 2016**

**9:00 AM**

**See separate agenda for Board of Supervisors of the Monterey  
County Water Resource Agency.**

### **Board of Supervisors**

*Chair Jane Parker - District 4  
Vice Chair Dave Potter - District 5  
Supervisor Fernando Armenta - District 1  
Supervisor Simón Salinas - District 3  
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. - Call to Order**

**Roll Call**

**Additions and Corrections for Closed Session:**

*The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code. The public may comment on Closed Session items prior to the Board's recess to Closed Session.*

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) Carmel Valley Association v. Board of Supervisors of the County of Monterey, et al. (Monterey County Superior Court case no. M109442)
    - (2) The Open Monterey Project v. Monterey County Board of Supervisors (Monterey County Superior Court case no. M109441)
    - (3) Landwatch Monterey County v. County of Monterey, et al. (Monterey County Superior Court case no. M109434);
  - b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
    - (1) Designated representatives: Manuel Gonzalez and Brette NealEmployee Organization(s): Units A, B, C, E, L, M, N & S;
  - c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
    - (1) Property: Concession Agreement regarding Mazda Raceway at Laguna SecaAgency Negotiator(s): Dewayne Woods, Assistant County Administrative Officer; Leslie J. Girard, Chief Assistant County Counsel  
Negotiating Parties: Friends of Laguna Seca  
Under negotiation: Price and Terms; and
  - d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to 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 A.M. - 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**

2. Approval of Consent Calendar (See Supplemental Sheet)

### **Ceremonial Resolutions**

3. Correct the title of Resolution No. 16-292 to read as follows: Adopt Resolution honoring Miles Reiter and Garland Reiter as recipients of the National Steinbeck Center's 2016 Valley of the World Hall of Fame Award. (Full Board)

**Attachments:** [Miles Reiter & Garland Reiter Ceremonial Resolution](#)

- 3.1 Correct the title of Resolution No. 16-285 to read as follows: Adopt Resolution posthumously honoring William H. Barker as a recipient of the National Steinbeck Center's 2016 Valley of the World Hall of Fame Award. (Full Board)

**Attachments:** [William H. Barker Valley of the World](#)

### **Appointments**

4. Appoint Anthony Rocha to the Mental Health Commission representing youth associates for a term ending December 31, 2016. (Supervisor Parker)  
  
**Attachments:** [Notification to Clerk - Rocha](#)
5. Appoint Greg Morrison to the Mission-Soledad Rural Fire Protection District for a term ending November 30, 2019. (Supervisor Salinas)  
  
**Attachments:** [Notification to Clerk - Morrison](#)
6. Appoint Diane Dossche to the Mission-Soledad Rural Fire Protection District for a term ending November 30, 2019. (Supervisor Salinas)

**Attachments:** [Notification to Clerk - Dossche](#)

7. Appoint Mark Mirassou to the Mission-Soledad Rural Fire Protection District for a term ending November 30, 2019. (Supervisor Salinas)

**Attachments:** [Notification to Clerk - Mirassou](#)

### **Other Board Matters**

8. Board Comments
9. CAO Comments and Referrals

**Attachments:** [Referrals 11-15-16](#)

10. 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**

11. Receive a presentation from the County's Natividad Medical Center and Health Department staff on Medi-Cal 2020: the five year renewal of California's Section 1115 Medicaid Waiver.

**Attachments:** [Board Report](#)  
[BOS PRIME EP and TP and WPC 20161115 Health final 5 pm.pptx](#)

12. Receive an oral update on the remaining Uninsurable in Monterey.

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

### **12:00 P.M. - Recess to Lunch**

### **1:30 P.M. - Reconvene - Monterey County Board of Supervisors**

### **Roll Call**

### **1:30 P.M. - Scheduled Matter**

13. Receive a report regarding a proposed Joint Powers Authority to be the Groundwater Sustainability Agency for the greater Salinas Valley Groundwater Basin.

**Attachments:** [Board Report](#)  
[BOS rpt SGMA presentation2.pdf](#)  
[BOS rpt SGMA presentation-ATTACH.pdf](#)

**Adjournment**

**Supplemental Sheet, Consent Calendar****Department of Social Services**

14. a. Approve and authorize the Director of the Department of Social Services to sign an agreement for \$350,000 with Aspiranet for operation of the Visitation Center retroactive for the period November 1, 2016 through June 30, 2017; and
- b. Authorize the Director of the Department of Social Services to sign up to (3) amendments to this agreement where the total amendments do not exceed 10% (\$35,000) of the original contract amount, and do not significantly change the scope of work.

**Attachments:** [Board Report](#)  
[Nov15 Aspiranet Visitation Center Agreement](#)

**Criminal Justice**

15. a. Approve and authorize the Contracts Purchasing Officer or Contracts Purchasing Supervisor to execute the Renewal of and Amendment #1 to an agreement with Salinas Union High School District (SUHSD) for provision of HiSET high school equivalency testing and services, for the period retroactive to July 1, 2016 through June 30, 2018, and adding \$38,000 to the agreement, for a total cost of \$98,000; and
- b. Authorize the Contracts Purchasing Officer or Contracts/Purchasing Supervisor to sign one (1) amendment of up to ten (10) percent (\$9,800) to the agreement where the amendment does not significantly change the scope of work and the total cumulative cost of the contract does not exceed \$107,800.

**Attachments:** [Board Report](#)  
[Agreement with Salinas Union High School District](#)

16. a. Accept non-standard contract provisions as recommended by the Public Defender;
- b. Authorize the Contracts Purchasing Officer to execute an Agreement with West Publishing Corporation for CLEAR Government Fraud Investigative Software, for the period retroactive to November 1, 2016 through October 31, 2019, in the maximum amount of \$24,000.00;
- c. Authorize the Contracts Purchasing Officer and the Public Defender to sign and execute the appropriate documents and verifications when required; and
- d. Authorize the Contracts Purchasing Officer to issue purchase orders as needed pursuant to this Agreement for the period retroactive to November 1, 2016 through October 31, 2019.

**Attachments:** [Board Report](#)  
[Agreement with West Publishing Corporation, CLEAR Government](#)



- 17.
- a. Accept non-standard contract provisions as recommended by the Public Defender;
  - b. Authorize the Contracts Purchasing Officer to execute an Agreement with West Publishing Corporation for West Complete Library, for the period retroactive to November 1, 2016 through October 31, 2019, in the maximum amount of \$4,000.00;
  - c. Authorize the Contracts Purchasing Officer and the Public Defender to sign and execute the appropriate documents and verifications when required; and
  - d. Authorize the Contracts Purchasing Officer to issue purchase orders as needed pursuant to this Agreement over the period retroactive to November 1, 2016 through October 31, 2019.

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

[Agreement with West Publishing Corporation, West Complete Library](#)

- 18.
- a. Accept non-standard contract provisions as recommended by the Public Defender;
  - b. Authorize the Contracts Purchasing Officer to execute an Agreement with West Publishing Corporation for Westlaw Pro Government Plan Online Legal Research, for the period retroactive to November 1, 2016 through October 31, 2021, in the maximum amount of \$230,000.00;
  - c. Authorize the Contracts Purchasing Officer and the Public Defender to sign and execute the appropriate documents and verifications when required; and
  - d. Authorize the Contracts Purchasing Officer to issue purchase orders as needed pursuant to this Agreement over the period retroactive to November 1, 2016 through October 31, 2021.

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

[Agreement West WESTLAW PRO with Exhibits A B C\\_Final](#)

- 19.
- a. Approve and Authorize the Contracts/Purchasing Officer or Contracts/ Purchasing Supervisor to sign a Non-Standard Information Technology Agreement with LexisNexis for a law library kiosk for the Monterey County Jail in the amount of \$25,256 for two years, retroactive from September 1, 2016 through and to August 31, 2018; and
  - b. Accept the non-standard County Liability and Indemnification provisions pursuant to the recommendation of the Sheriff/Coroner; and
  - c. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign up to three (3) amendments of up to ten (10) percent (\$2,525.60) to the agreement where the amendment does not significantly change the scope of work and the total cumulative cost of this contract does not exceed \$27,781.60.

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

[Non-Standard IT Agreement with LexisNexis](#)

**General Government**

20. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Economic Development Department.
- Attachments:** [Board Report](#)  
[Attachment A Board resolution](#)  
[Attachment B COI of the Economic Development Dept. strikethrough](#)  
[Attachment C COI for Economic Development Dept. clean version](#)
21. Adopt Resolution to approve the amendments to the Conflict of Interest Code of Marina Coast Water District.
- Attachments:** [Board Report](#)  
[Attachment A - Conflict of Interest Code](#)  
[Attachment B - BOS Resolution](#)  
[Attachment C - Resolution adopted by MCWD](#)
22. a. Receive a report on the General Liability and Workers' Compensation programs for Fiscal Year Ending 2015-16; and  
b. Approve the recommended 70% Confidence Level Funding Allocations for FY 2017-18.
- Attachments:** [Board Report](#)  
[PowerPoint Presentation - FYE 2015-16](#)
23. Receive the notice of adjustment of the annual salary of the members of the Board of Supervisors, in accordance with Section 2.04.370C of the County of Monterey Code, consistent with the Fiscal year 2016-17 salary increase of 1.36% provided to the superior court judges. The salary adjustment will be implemented November 26, 2016 with an effective date of July 1 2016.
- Attachments:** [Board Report](#)  
[FY 2016-17 BOS Salary Increase.Att.111516](#)
24. a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute a non-standard Agreement with Democracy Live, Inc. to provide initial configuration and training, grant a license for use of LiveBallot software for accessible electronic voter guide and ballot delivery, and provide annual maintenance, hosting and support for the period retroactive to October 1, 2016 through December 31, 2020, for a total amount not to exceed \$50,000;  
b. Approve the non-standard terms and conditions contained in the vendor's contact pursuant to the recommendation of the Registrar of Voters; and  
c. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute one future Extension for no more than one (1) successive term of one (1) year which does not significantly impact the scope of work or exceed \$10,000 per

additional year.

**Attachments:** [Board Report](#)  
[Proposed Democracy Live Agreement 2016](#)

25. Adopt a Proclamation terminating the Proclamation of Local Emergency for the Soberanes fire approved under Board Resolution No. 16-271 on October 18, 2016.

**Attachments:** [Board Report](#)  
[Soberanes Emerg Proc 10182016](#)  
[20161115 Board resolution Soberanes Fire Proc Term](#)

26. Continue to December 14, 2016, the public hearing regarding:  
a. Addendum No. 3 to the Final Environmental Impact Report for the 2010 Monterey County General Plan (#7-01, SCH #20071212001)(“FEIR”); and  
b. Amendments to the 2010 Monterey County General Plan to implement litigation settlement agreements with Land Watch Monterey County and The Open Monterey Project. (REF150010/General Plan Amendment No. 3)

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

## **RMA - Administration**

27. a. Approve and authorize increasing appropriations in the amount of \$25,000 in the FY 2016-2017 Adopted Budget for Resource Management Agency (RMA) Facilities Project Fund Appropriation Unit 401-3000-8184-RMA004 where the funding source is unassigned fund balance, to fund the completion of the San Ardo Landfill Cap Repair project (4/5th vote required) and;  
b. Authorize the Auditor Controller’s Office to incorporate approved modifications in the FY 2016-2017 Adopted Budget (4/5th vote required).

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

## **RMA - Land Use and Community Development**

- 27.1 REF160046- Williamson Act 2017 Contract Applications (BOS Consent Item; 11.15.2016)  
a. Set a public hearing for December 6, 2016 at 1:30 p.m. to consider the 2017 applications, including two (2) continued applications, to create a total of eight (8) Farmland Security Zones (“FSZ”) and FSZ Contracts and establish two (2) Agricultural Preserves (“AgP”) and Land Conservation Contracts;  
b. Direct the Clerk of the Board of Supervisors to publish Notice of Public Hearing for the Public Hearing to take place on December 6, 2016 at 1:30 p.m. to consider the 2017 applications, including two (2) continued applications, to create eight (8) Farmland Security Zones (“FSZ”) and FSZ Contracts and establish two (2) Agricultural Preserves (“AgP”) and Land Conservation Contracts.  
(REF160046- Williamson Act 2017 Contract Applications, County-wide)

**Attachments:**    [Board Report](#)  
                              [Attachment A-Public Hearing Notice](#)  
                              [Attachment B-Board Resolution No. 01-485](#)  
                              [Attachment C-Board Resolution No. 01-486](#)  
                              [Attachment D-2017 Application Matrix](#)  
                              [Attachment E-Countywide Map of 2017 Application Locations](#)

## **RMA - Public Works and Facilities**

- 28.
- a. Award Roads & Bridges Job Order Contracts (JOC) for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.659 million to the lowest responsive bidders as follows: 2016-01 Granite Rock Company; 2016-02 Granite Construction Company; and 2016-03 Newton Construction;
  - b. Award Facilities Job Order Contract (JOC) for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.659 million to the lowest responsive bidders as follows: 2016-01 Sea Pac Engineering Inc.; 2016-02 Staples Construction Company, Inc.; and 2016-03 Ausonio Incorporated;
  - c. Approve the Performance and Payment Bonds for Roads & Bridges JOC in the amount of \$4,659,196 each by Granite Rock Company; Granite Construction Company; and Newton Construction;
  - d. Approve the Performance and Payment Bonds for Facilities JOC in the amount of \$4,659,196 each by Sea Pac Engineering Inc.; Staples Construction Company, Inc.; and Ausonio Incorporated; and
  - e. Authorize the RMA - Interim Deputy Director of Public Works & Facilities to execute the Roads & Bridges and Facilities Job Order Contracts.

**Attachments:**   [Board Report](#)  
[Attachment A - Bid Summaries](#)  
[Attachment B - JOC R&B Granite Rock Co Agrmt Pkt](#)  
[Attachment C - JOC R&B Granite Constr Agrmt Pkt](#)  
[Attachment D - JOC R&B Newton Constr Agrmt Pkt](#)  
[Attachment E - JOC FAC 2016-01 Sea Pac Eng Agrmt Pkt](#)  
[Attachment F - JOA FAC 2016-02 Staples Agrmt Pkt](#)  
[Attachment G - FAC 2016-03 Ausonio Inc Agrmt Pkt](#)  
[Attachment H - JOC R& B 01 Granite Rock Bonds](#)  
[Attachment I – JOC R&B 02 Granite Constr Co Bonds](#)  
[Attachment J – JOC R& B 03 Newton Constr Bonds](#)  
[Attachment K – JOC FAC 2016-01 Sea Pac Eng Bonds](#)  
[Attachment L – JOC FAC 2016-02 Staples Constr Bonds](#)  
[Attachment M – JOC FAC 2016-03 Ausonio Inc Bonds](#)

29. Adopt an ordinance amending the Monterey County Code, Title 12, Section 12.24.020 to establish a stop intersection on Bishop Street at Florence Street, on Cayetano Street at Florence Street, and on Jonathan Street at Florence Street in Pajaro, an unincorporated area of the County of Monterey.

**Attachments:**   [Board Report](#)  
[Attachment A - Ordinance](#)  
[Attachment B - Location Map](#)

30. a. Approve and authorize the Auditor-Controller to amend the FY16-17 Adopted Budget by increasing appropriations in the amount of \$317,727 for County Service Area 50 - Rioway Tract, Fund 077, Appropriation Unit RMA073, where the financing source is Unassigned Fund Balance, to fund grading for the Lower Carmel River Notch Expansion, emergency notch opening (if necessary due to potential flood threat); and, a permanent easement along the Rio Road Tie-Back Levee (4/5th vote required);
- b. Ratify payment of \$150,000 for the permanent easement from Resource Management Agency, Fund 401, Appropriation Unit RMA004 to be reimbursed by County Service Area 50 - Rioway Tract when appropriations become available; and
- c. Authorize the Auditor-Controller to transfer an amount not to exceed \$150,000 in FY16-17 from the County Service Area 50 - Rioway Tract, Fund 077, Appropriation Unit RMA073, to Resource Management Agency, Fund 401, Appropriation Unit RMA004 to reimburse the payment for the permanent easement (4/5th vote required).

**Attachments:**   [Board Report](#)  
[Attachment A - CSA 50 Budget](#)

