

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, February 9, 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)(2), the Board will confer with legal counsel regarding three matters of significant exposure to litigation.
 - b. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
 - (1) James Egar
 - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) In Re the Application Charter Communications Inc. for merger approval, before the California Public Utilities Commission (CPUC no. 15-07-009).
(ADDED VIA ADDENDA)

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. - Call to Order

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. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution in honor of Illusions of Grandeur for their service to the County of Monterey. (Full Board)
- Attachments:** [Illusions of Grandeur Ceremonial Resolution](#)
4. Adopt Resolution proclaiming the month of February as Environmental Justice Month and in commendation of the Fort Ord Environmental Justice Network in Monterey County. (Full Board)
- Attachments:** [Environmental Justice Month Ceremonial Resolution](#)
5. Adopt Resolution Proclaiming 2016 as the Year of the Veteran in Monterey County. (Full Board)
- Attachments:** [Year of the Veteran Ceremonial Resolution](#)
6. Adopt Resolution congratulating the Housing Authority of the County of Monterey on the occasion of its 75th Anniversary. (Full Board)
- Attachments:** [Housing Authority Ceremonial Resolution](#)
7. Adopt Resolution recognizing Sharlene Hughes as the recipient of the King City Chamber of Commerce and Agriculture's 2015 Friend of the Community Award. (Supervisor Salinas)
- Attachments:** [Hughes Ceremonial Resolution](#)
8. Adopt Resolution recognizing Gill's Family of Businesses as the recipient of the King City Chamber of Commerce and Agriculture's 2015 Business of the Year Award. (Supervisor Salinas)
- Attachments:** [Gill's Family of Businesses Ceremonial Resolution](#)
9. Adopt Resolution recognizing Danny Lee Conatser as the recipient of the King City Chamber of Commerce and Agriculture's 2015 Citizen of the Year Award. (Supervisor Salinas)
- Attachments:** [Conatser Ceremonial Resolution](#)
10. Adopt Resolution honoring Jose Galindo, of King City Cemetery District, upon his retirement after twenty-five years of public service. (Supervisor Salinas)
- Attachments:** [Galindo Ceremonial Resolution](#)

Appointments

11. Reappoint Michael Wildgoose to the Historical Advisory Commission for a term ending February 1, 2020. (Supervisor Parker)
- Attachments:** [Notification to Clerk - Wildgoose](#)
12. Reappoint Sharon Albert to the Workforce Development Board - Youth Committee, representing Education for a term ending February 14, 2018. (Full Board)
- Attachments:** [Notification to Clerk -Albert](#)
13. Reappoint Mark Gonzalez to the Workforce Development Board - Youth Committee representing Apprenticeship Training Program for a term ending February 14, 2018. (Full Board)
- Attachments:** [Notification to Clerk - Gonzalez](#)
14. Reappoint Richard Garza to the Military & Veterans Affairs Advisory Commission for a term ending January 1, 2019. (Supervisor Phillips)
- Attachments:** [Notification to Clerk - Garza](#)
15. Reappoint Yolanda Cervantes to the Commission on the Status of Women for a term ending February 1, 2019. (Supervisor Armenta)
- Attachments:** [Notification to Clerk - Cervantes](#)

Other Board Matters

16. Board Comments
17. CAO Comments and Referrals
- Attachments:** [Referrals 02-09-16](#)

18. 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

19. Presentation of a report regarding activities throughout 2015, and anticipated major legislative issues in 2016, related the County's federal Legislative Program.

Attachments: [Board Report](#)
[EXHIBIT A - Federal Legislative 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 Matters

20. Continue to February 23, 2016 the public hearing on an appeal by Timothy and Kathleen Rhein from a decision of the Director of Planning approving an application (Sims/PLN150582) for a Design Approval for a six-foot tall redwood fence, in the front yard of 26401 Scenic Drive, Carmel Land Use Plan Area.
(Appeal, PLN150582/Sims Design Approval, 26401 Scenic Drive, Carmel)

Attachments: [Board Report](#)
[Attachment A - Appellant email agreeing to continuance.pdf](#)
[Attachment B - Applicant email agreeing to continuance.pdf](#)

21. Continue to February 23, 2016 the public hearing on an appeal by Nancy Ausonio from a decision of the Monterey County Planning Commission approving an application (Idris Mohssin [Urban Housing Communities]) for a Combined Development Permit consisting of: 1) Use Permit to allow the construction of a 36,000 square foot (42-unit; 36 one bedroom units and 6 two-bedroom units) apartment veterans housing complex and 3,300 square foot community center building; 2) Use Permit to allow a reduction in the required parking from 97 spaces to 47 spaces; and 3) Design Approval.
(Appeal, PLN150730/Mohssin; South of Poole and Merritt Streets (APN 030-171-001-000), Castroville)

Attachments: [Board Report](#)
[Attachment A - Appellant email agreeing to continuance.pdf](#)
[Attachment B - Applicant email agreeing to continuance.pdf](#)

Adjournment

Adjourn In Memory of Angela Duffy

Supplemental Sheet, Consent Calendar

Natividad Medical Center

22. a. Authorize the Auditor-Controller to amend the FY 2015-2016 Adopted Budget, Fund 404, Appropriation Unit 8142, increasing the appropriation by \$6,462,031 for capital asset purchases and building remodel costs, financed by NMC's Enterprise Fund. (4/5th vote required); and
- b. Authorize the Auditor-Controller to transfer \$20,551,191 for the FY 2015-2016 from Natividad Medical Center, Fund 451, Appropriation Unit 8142, to Natividad Medical Center, Fund 404, Appropriation Unit 8142. (4/5th vote required)

Attachments: [Board Report](#)

[Attachment A to Board Report for NMC Transfer of Funds-Capital Adjustment.p](#)

23. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1 to Standard Agreement A-12838 with Integrated Archive Systems, Inc. to provide new backup and storage hardware, software, licensing, maintenance and implementation for NMC, for an amount not to exceed \$1,017,513, for a revised total amount of the Agreement not to exceed \$1,591,764, and to extend the term by eleven (11) months for a new term of February 1, 2015 through December 14, 2018.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to two (2) 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%) of the original cost of the Agreement.

Attachments: [Board Report](#)

[Original Agreement A-12838.pdf](#)

[Amendment No. 1 to the Agreement with Integrated Archive Systems, Inc doc.p](#)

[Spend Sheet.pdf](#)

Health Department

24. Approve and authorize the Director of Health or Assistant Director of Health to execute a no-extension Amendment No. 2 to Mental Health Services Agreement A-12683 with Davis Guest Home, Inc. for the provision of mental health services to Monterey County adult residents with severe psychiatric disabilities in the increased amount of \$1,026,276 for Fiscal Year (FY) 2015-16, and \$1,026,276 for FY 2016-17 (a 9.08% increase over Amendment No. 1, and a 14.07% increase over the original Agreement amount), for a new total Agreement amount of \$2,950,600 for the same term of FY 2014-15 through FY 2016-17.

Attachments: [Board Report](#)
[Davis GH Amend No. 2 to A-12683_20140701-20170630.pdf](#)
[Davis GH Amend No. 1 to A-12683.pdf](#)
[Davis, Agrt A-12683.pdf](#)

Criminal Justice

- 25.
- a. Approve and Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign a Standard Agreement with Teleosoft, Inc. the amount of \$343,000 to purchase software for the Civil Division of the Sheriff's Office (\$196,429) and to fund five (5) years of maintenance costs at a not to exceed amount of \$146,571;
 - b. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign up to three (3) amendments to the agreement where the amendment does not significantly change the scope of work, and the amendments in total do not exceed 10% of the value (\$34,300) for a total cumulative not to exceed contract amount of \$377,300;
 - c. Increase appropriations and revenues by \$215,953 in the Sheriff's Civil Unit 001-2300-SHE001-8225-7562/5570, financed by increased revenue from the Civil Automation Fee Fund 020-2774 (\$196,429 for purchase, \$19,524 for prorated software support) (4/5ths Vote Required); and
 - d. Authorize the Auditor-Controller to modify the Sheriff's Fiscal Year 2015-16 Adopted Budget.

Attachments: [Board Report](#)
[Standard County Agreement between County of Monterey and Teleosoft, Inc.](#)

General Government

- 26.
- a. Approve and authorize the reinstatement of 10 Workers' Compensation Allocation on Loan Positions; and
 - b. Approve and authorize the County Administrative Office and Auditor-Controller's Office to incorporate the position changes in the FY 2015-16 Adopted Budget.

Attachments: [Board Report](#)

- 27.
- a. Amend and approve Personnel Policies and Practices Resolution (PPPR) No. 98-394 to adjust the salary range for the classification of Workforce Investment Board (WIB) Employment Program Supervisor (60G43) from \$4,716-\$6,438 to \$5,030-\$6,866;
 - b. Direct the Human Resources Department to implement the changes in the Advantage HRM System.

Attachments: [Board Report](#)
[WIB Employment Program Supervisor Salary Table](#)
[Resolution](#)

- 28.
- a. Approve the attached Agreement retroactive to January 1, 2016, with the Monterey County Agricultural and Rural Life Museum (MCARLM) to allow for their continued operation of the museum at San Lorenzo Park for an additional 10 years as recommended by the County's Park Commission;
 - b. Authorize the Board Chair to execute the agreement on behalf of the County; and
 - c. Direct the Parks Director, or his designated agent(s), to carry out the provisions of the Agreement on behalf of the County

Attachments: [Board Report](#)
[Agreement for SLP 01.25.2015](#)

- 29.
- a. Amend the FY 2015-16 Information Technology Department Budget to add one (1) Assistant Director of Information Technology position to Unit 8439-Administrative Services and delete one (1) Information Technology Business Manager position from Unit 8433-Applications;
 - b. Amend the FY 2015-16 Information Technology Department Budget to add one (1) Division Manager-Information Technology to Unit 8433-Applications and delete one (1) Information Technology Supervisor position from Unit 8434- Customer Support;
 - c. Amend the FY 2015-16 Information Technology Department Budget Unit 8436- Infrastructure add one (1) Network Systems Engineer II position and delete one (1) Telecommunications Technician III position;
 - d. Amend the FY 2015-16 Information Technology Department Budget Unit 8435-Enterprise Operations to delete one (1) Data Center Operations Technician III position; and
 - e. Direct the Auditor-Controller and the County Administrative Office to incorporate these changes in the FY 2015-16 Adopted Budget.

Attachments: [Board Report](#)
[Board Order- Division Manager2](#)

- 30.
- a. Approve the reallocation of one (1.0) vacant FTE Business Technology Analyst II (16C87) position to one (1.0) FTE Associate Administrative Analyst (14A20) position in the County Administrative Office's Budget & Analysis Division Budget 1050-8046.
 - b. Direct the County Administrative Office to incorporate the approved changes in the FY 2015-16 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

Attachments: [Board Report](#)
[Attachment A - FY 2016 Reallocate BTA](#)

31. Receive a report on the Governor's 2016-17 Proposed Budget.
- Attachments:** [Board Report](#)
[Attachment - State Budget Impacts](#)
32. Approve the Surety Rider to the Performance and Payment Bonds executed and provided by Pueblo Construction, Inc. in the amount of \$4,590,340.
- Attachments:** [Board Report](#)
[1.29.16 Payment Performance Bond](#)
33. Approve request to:
- a. Amend the Risk Management Budget (1210-COU002-8407) to add two (2) Safety Coordinator/Investigators (74K50); and
 - b. Approve and authorize the County Administrative Office and Auditor Controller's Office to incorporate the position changes in the FY 2015-16 Adopted Budget.
- Attachments:** [Board Report](#)
[Exhibit 1 WC New Claims and Organization Chart](#)
[Exhibit 2 Safety Coordinator Investigator Budget](#)

RMA - General

34. Approve and authorize the Chair of the Board of Supervisors to sign a Memorandum of Understanding by and between the County of Monterey and the City of Salinas regarding the mutual planning and implementation of government services and facilities in downtown Salinas.
- Attachments:** [Board Report](#)
[Att A Proposed County-City Downtown Government Center MOU 12 17 15](#)
[Att B Memorandum of Understanding](#)

RMA - Planning

35. Receive a report on the status of the development of medical marijuana regulations for the unincorporated area of Monterey County (Medical Marijuana Ordinance - REF150048)
- Attachments:** [Board Report](#)
[Attachment A - Draft Cannabis Ord Use Permit.pdf](#)
[Attachment B - Draft Medical Marijuana Permit Ordinance.pdf](#)
[Attachment C - Draft Business License Ordinance.pdf](#)
[Attachment D - Letter to the State.pdf](#)
[Attachment E - Projected Timeline for Marijuana Ordinances.pdf](#)

RMA - Public Works

- 36.
- a. Approve Amendment No. 6 to Professional Services Agreement No. A-11433 with Biggs Cardosa Associates, Inc. to include construction support services for the Peach Tree Road Bridge Replacement at Pancho Rico Creek, County Bridge No. 412, County Project No. 220165, Federal Aid Project No. STPLZ-5944 (041), in the amount of \$74,300 for a total amount not to exceed \$405,213, and extend the term to February 28, 2017; and
 - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 6 to Professional Services Agreement No. A-11433 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Attachments: [Board Report](#)[Amendment No. 6 PSA Biggs Cardosa Associates, Inc.](#)[Project Budget](#)[Attachment A: Summary of PSA](#)[Location Map](#)[Executed Amendment No. 5](#)[Executed Amendment No. 4](#)[Executed Amendment No. 3](#)[Executed Amendment No. 2](#)[Executed Amendment No. 1](#)[Executed Professional Services Agreement](#)

- 37.
- a. Approve an increase in appropriations in the amount of \$25,109 in the FY 2015-16 Adopted Budget for County Service Area No. 45 - Oak Hills, Fund 074-3000-8198-RMA070, where the financing source is Unassigned Fund Balance, to fund the purchase and installation of a radar speed sign (4/5th vote required);
 - b. Authorize the Auditor-Controller amend the FY 2015-16 Adopted Budget for County Service Area No. 45 - Oak Hills, Fund 074-3000-8198-RMA070, by increasing appropriations in the amount of \$25,109 where RMA Fund 074 Unassigned Fund Balance is the financing source to balance the appropriation increase (4/5th vote required);
 - c. Approve an increase in appropriations in the amount of \$32,000 in the FY 2015-16 Adopted Budget for County Service Area No. 46 - Oak Hills, Open Space Fund 075-3000-8198-RMA071, where the financing source is Unassigned Fund Balance, to fund open space maintenance projects (4/5th vote required); and
 - d. Authorize the Auditor-Controller amend the FY 2015-16 Adopted Budget for County Service Area No. 46 - Oak Hills, Open Space Fund 075-3000-8198-RMA071, by increasing appropriations in the amount of \$32,000 where RMA Fund 075 Unassigned Fund Balance is the financing

source to balance the appropriation increase. (4/5th vote required)

Attachments: [Board Report](#)
[Project Budget](#)
[Fund 074 Financial Summary](#)
[Fund 075 Financial Summary](#)
[Location Map](#)

Board of Supervisors Addendum February 9, 2016

38. Monterey County Board of Supervisors Addenda for the meeting of Tuesday, February 9, 2016.

ADDENDA

Add to Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) In Re the Application Charter Communications Inc. for merger approval, before the California Public Utilities Commission (CPUC no. 15-07-009).