

# Monterey County

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



## Meeting Agenda - Final-revised

Tuesday, May 3, 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 two matters of significant exposure to litigation.
  - b. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding two matters of discipline, dismissal, or release of a public employee(s).
  - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Public Administrator/Public Guardian.
  - d. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) Application 12-04-019, Before the Public Utilities Commission of the State of California, of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates. (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. - 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. Adopt Resolution Commending Deputy Eric “Chiefy” Byrom, Monterey County Sheriff’s Office upon his retirement from 36 Years of Public Service.  
(Supervisor Parker)

**Attachments:** [Byrom Ceremonial Resolution](#)

4. Adopt Resolution honoring Cheryl Miller upon her retirement from the Health Department, Behavioral Health Bureau after a combined 34 ½ years of dedicated public service. (Full Board)

**Attachments:** [Miller Ceremonial Resolution](#)

5. Adopt Resolution declaring May 2016 as Older American’s Month in Monterey County. (Supervisor Parker)

**Attachments:** [Older American's Month Ceremonial Resolution](#)

6. Adopt Resolution recognizing Bruce A. Welden, REA, REHS, a Monterey County Employee, for his 27 years of service with the Environmental Health Bureau, Monterey County Health Department. (Full Board)

**Attachments:** [Welden Ceremonial Resolution](#)

7. Adopt Resolution of the Board of Supervisors of the County of Monterey, State of California, Honoring Public Service Recognition Week and the Employees Providing Public Service. (Supervisor Parker)

**Attachments:** [Public Service Recognition Week Ceremonial Resolution](#)

**Appointments**

8. Concur in the appointment of Interim Director of Health Elsa Jimenez to also serve as Monterey County Public Administrator/Public Guardian.

**Attachments:** [Oath - E Jimenez](#)

9. Appoint Bob Lockwood to the Greenfield Memorial District to fill an unscheduled vacancy with a term ending November 30, 2019. (Supervisor

Salinas)

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

### **Other Board Matters**

10. Board Comments

11. CAO Comments and Referrals

**Attachments:** [Referrals 05-03-16](#)

12. 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**

13. Public hearing to consider adoption of a resolution to amend Article XIX (Resource Management Agency-Building Services) of the Monterey County Fee Resolution to establish new fees and revise existing fees for County construction permitting and inspection services.

**Attachments:** [Board Report](#)  
[Attachment A - Discussion](#)  
[Attachment B - Resolution & Exhibit 1](#)

### **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**

14. a. Receive a presentation on the Monterey Bay Community Power Project.  
b. Provide direction to staff as appropriate.

**Attachments:** [Board Report](#)  
[MBCP Project Info Packet](#)  
[MBCP PowerPoint](#)

15. Hold a noticed public hearing to:
- a. Receive a report regarding the status of Condition of Approval No. 74 for the Monterra Ranch Standard Subdivision (SB 826, Resolution No. 87-527), calling for the construction of a 20-car park and ride lot; and
  - b. Give direction to staff to process a modification of the condition or other appropriate action.

**Attachments:** [Board Report](#)  
[Attachment A – Summary](#)  
[Attachment B – 68218 Aerial View](#)  
[Attachment C – FEIR](#)  
[Attachment D – Portion 1989 Tent. Map](#)  
[Attachment E – Condition Checklist](#)  
[Attachment F – Phase 1 condition letter](#)  
[Attachment G – Phase 1 Engineer's letter](#)  
[Attachment H – York Highlands Matrix](#)

## **Adjournment**

*Adjourn In Memory of Anthony (Tony) Costa*

## Supplemental Sheet, Consent Calendar

### Natividad Medical Center

16. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 3 to the Agreement (A-12739) with Schipper Design, LLC. for Marketing and Design Services at NMC, extending the Agreement for one (1) year with the option to extend for one additional one (1) year period remaining as per the provisions within RFP 9600-47, for a revised full term of January 1, 2014 through June 30, 2017 and adding \$570,000 for a revised total Agreement amount not to exceed \$1,070,000.

**Attachments:** [Board Report](#)  
[Schipper Design Amendment 3.pdf](#)  
[Schipper Design \(Marketing\) Amendment 2.pdf](#)  
[Schipper Design \(Marketing\) Amendment 1.pdf](#)  
[Schipper Design Agreement \(Marketing & Graphic Design Services\).pdf](#)  
[Schipper Design LLC \(Marketing\) Spend Sheet.pdf](#)

### Health Department

17. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Mental Health Services Agreement for a term from September 1, 2015 through June 30, 2018 with Greenacre Homes, Inc. for the provision of mental health services to Monterey County boys and young men ages 8-19 with developmental delays or emotional disturbances, in the amount of \$77,460 for Fiscal Year (FY) 2015-16, \$92,952 for FY 2016-17, and \$92,952 for FY 2017-18 for a total Agreement not to exceed the amount of \$263,364; and  
b. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future one year amendments that do not exceed (10%) (\$26,336.40) of the original Agreement amount and do not significantly alter the scope of services.

**Attachments:** [Board Report Greenacre.pdf](#)  
[Agreement Greenacre Homes.pdf](#)

18. a. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Standard Agreement for the term of July 1, 2016 through June 30, 2018 with LocumTenens.com to refer Locum Tenens Psychiatric Service Providers for the provision of mental health treatment services to adults and children with psychiatric impairments and disabilities in the amount of \$750,000 for Fiscal Year (FY) 2016-17 through FY 2018-19, for a total Agreement not to exceed the amount of \$750,000; and  
b. Authorize the Contracts Purchasing Officer, to approve up to three (3) future one year amendments that do not exceed ten percent (10%) (\$75,000) of the original Agreement amount and do not significantly alter the scope of services.

**Attachments:** [Board Report](#)  
[Locum Tenens Agreement.pdf](#)

### **Department of Social Services**

19. a. Approve and authorize the Director of the Department of Social Services to sign Amendment No. 1 to agreement A-12864 with Aspiranet for operation of the CHERISH Receiving Center adding \$39,326 to include Emergency Shelter Foster Homes (ESFH), increasing the total contract amount to \$208,461 for the period July 1, 2015 - June 30, 2016; 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% (\$16,914) of the original contract amount, and do not significantly change the scope of work.

**Attachments:** [Board Report](#)  
[Aspiranet Amend #1](#)

20. Approve and authorize the Director of Social Services and the Interim Director of Health to sign Memorandums of Understanding (MOUs) between the County of Monterey and Community Hospital of the Monterey Peninsula, Natividad Medical Center, Salinas Valley Memorial Hospital and George L. Mee Memorial Hospital to ensure compliance with Penal Code §11165.13 and Health & Safety Code §1255.7 regarding substance-exposed infants and Safely Surrendered Infants.

**Attachments:** [Board Report](#)  
[Mee Memorial MOU](#)  
[SVMH MOU](#)  
[CHOMP MOU](#)  
[Natividad Medical Center MOU](#)

21. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with American Public Human Services Association for \$137,690 to provide consultation and technical assistance to the Department of Social Services and its Family and Children's Services Branch, retroactive from April 15, 2016 through April 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% of the original contract amount (\$13,769), and does not significantly change the scope of work.

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

**Criminal Justice**

22. Approve and Authorize the District Attorney to sign, submit and execute a Grant Application and Grant Acceptance for the Workers Compensation Insurance Fraud Grant, including any extensions or amendments thereof under similar terms and conditions, for continued programming and funding for FY 2016-17 from the California Department of Insurance, for the local Office of the District Attorney Workers Compensation Insurance Fraud Program.

**Attachments:** [Board Report](#)  
[Modified Budget Approval dtd 6 Aug 2015.pdf](#)  
[Monterey County Award Announcement dtd 30 July 2015.pdf](#)  
[Monterey County Workers Compensation Ins Fraud RFA FY 2015-2016.pdf](#)  
[Signed Award Agreement dtd Oct 2015.pdf](#)

23. Approve and Authorize the Monterey County Sheriff's Office as the agency to collect restitution, fines and/or fees from Penal Code Section 1170(h)(1)(2)(3) offenders currently imprisoned in the Monterey County Jail pursuant to Penal Code Section 2085.5.

**Attachments:** [Board Report](#)  
[California Penal Code Section 2085.5](#)  
[Resolution for collection of inmate restitution](#)

**General Government**

24. Authorize the Registrar of Voters to consolidate and provide specified election services to certain districts relating to the conduct of the June 7, 2016, Presidential Primary Election.

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

25. Authorize the Auditor-Controller to transfer FY2015 - 16 General Fund 001 appropriations of \$387,000 from County Counsel Enterprise Risk Appropriation Unit COU006, to County Counsel Appropriation Unit COU001 (4/5th vote required).

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

26. a. Approve and authorize the Contracts/Purchase Officer or Contracts Purchasing Supervisor to sign a Memorandum of Sublease Agreement with Sprint Spectrum Realty Company, L.P., to provide access and provide access to property located at the corner of Parker Flats Cut-Off Road and Eucalyptus Road located in Seaside, California 93955 within the property of Marina Coast Water District for the purpose of the construction, operation and maintenance Next Generation Radio Project (NGEN) site for a term of five (5) years from the Commencement date,

- b. Approve and authorize the Contracts/Purchase Officer or Contracts Purchasing Supervisor to sign up to four (4) additional five (5) year extension periods for the Memorandum of Sublease Agreement with Sprint Spectrum Realty Company, L.P.as requested by the Director of Emergency Communications,
- c. Approve Collocation Sublease Agreement with Sprint Spectrum Realty Company, L.P., for space up to (5) antenna(s), comprised of (2) microwaves to be specifically mounted at the Tenant's option and ground space in the location described in the Agreement at said location for a term of (5) years, monthly fee payable at \$2,500.00 with an annual cost increase of 3%,
- d. Approve and authorize the Contracts/Purchase Officer or Contracts Purchasing Supervisor to sign up to one (1) additional five (5) year extension period of the Collocation Sublease Agreement with Sprint Spectrum Realty Company, L.P., as requested by the Director of Emergency Communications,
- e. Approve and authorize signature of the Sprint/County Collocation Sublease Agreement letter addressed to Howard Gustafson at Marina Coast Water acknowledging the modification of Standard Terms and Payment Provisions as an adjunct to the initial five year sublease agreement between Sprint Spectrum Realty Company and the County, and
- f. Accept Non-Standard County Liability, Indemnification, and Insurance Provisions as recommended by the Director of Emergency Communications.

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

[Memorandum of Sublease for Board Report 2016\\_04\\_21](#)

[Collocation Sublease Agreement for Board Report 2016\\_04\\_21](#)

[Sprint\\_County Collocation Sublease Agreement Letter](#)

**26.1**

Agreement between Monterey County and Urban Park Concessionaires, doing business locally as "Monterey Lakes Recreation Company", approving the Agreement retroactively to February 1, 2015 and extending the current term through October 31, 2017 for management services of resort business operations at Monterey County Parks lakes resort

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

[Mangement Agreement with Urban Park Concessionaires dated 5-11-11](#)

**RMA - Public Works**

**27.**

Acting on behalf of County Service Area 66 - Oak Tree Views:

- a. Approve an increase in appropriations in the amount of \$5,756 in the FY 2015-16 Adopted Budget for County Service Area 66 - Oak Tree Views, Fund 087-3000-8198-RMA083, where the financing source is Unassigned Fund Balance, to fund open space mowing (4/5th vote required); and
- b. Authorize the Auditor-Controller to amend the budget for County Service Area 66 - Oak Tree Views, Fund 087-3000-8198-RMA083, for FY 2015-16 by increasing appropriations in the amount of \$5,756 where Fund 087 Unassigned Fund Balance is the financing source to balance the appropriation increase.

(4/5th vote required)

**Attachments:** [Board Report](#)  
[Project Budget](#)  
[Financial Summary](#)  
[Location Map](#)

28. Acting on behalf of County Service Area No. 30 - Rancho Mar Monte:
- a. Approve an increase in appropriations in the amount of \$5,200 in the FY 2015-16 Adopted Budget for County Service Area No. 30 - Rancho Mar Monte, Fund 064-3000-8198-RMA060, where the financing source is Unassigned Fund Balance, to fund tree removal projects (4/5th vote required); and
  - b. Authorize the Auditor-Controller amend the budget for County Service Area No. 30 - Rancho Mar Monte, Fund 064-3000-8198-RMA060, for FY 2015-16 by increasing appropriations in the amount of \$5,200 where RMA Fund 064 Unassigned Fund Balance is the financing source to balance the appropriation increase.

**Attachments:** [Board Report](#)  
[Project Budget](#)  
[Financial Summary](#)  
[Location Map](#)

## **RMA - Planning**

29. a. Approve Amendment No. 2 to Professional Services Agreement No. A-12775 with Denise Duffy & Associates, Inc. to increase the not to exceed amount of \$321,769 by \$6,095 for a total amount not to exceed \$327,864 to allow the completion of tasks required by the United States Fish and Wildlife Services (USFWS) and the California Department of Transportation (Caltrans) to complete the Carmel River Floodplain Restoration and Environmental Enhancement Project in the Carmel Area Land Use Plan, for a term beginning July 29, 2014 through July 29, 2017; and
- b. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute Amendment No. 2 to Professional Services Agreement No. A-12775 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

**Attachments:** [Board Report](#)  
[Attachment A - Summary of PSA](#)  
[Attachment B - Amendment No. 2 to PSA with DD&A](#)  
[Attachment C - PSA and Amendment No. 1 to the PSA with DD&A](#)

30. a. Approve Amendment No. 2 to Professional Services Agreement (PSA) No. A-12772 with ICF Jones & Stokes, Inc. where the Base Budget in the amount of \$205,665 is increased by \$46,695 to \$252,360 and the Contingency Budget is unchanged at \$30,850, which increases the PSA amount from a total amount not to exceed \$236,515 to a total amount not to exceed \$283,210 to provide additional services for existing tasks associated with the completion of The Pebble Beach Company's Inclusionary Housing Environmental Impact Report (EIR) (PLN130447) in Pebble Beach, and extend the expiration date from June 30, 2016 for an additional six (6) months through December 31, 2016; and
- b. Approve Amendment No. 2 to Funding Agreement (FA) No. A-12781 with The Pebble Beach Company where the Base Budget in the amount of \$205,665 is increased by \$46,695 to \$252,360, the Contingency Budget is unchanged at \$30,850, and the County Contract Administration Fee is unchanged at \$3,170, which increases the FA amount from a total amount not to exceed \$239,685 to a total amount not to exceed \$286,380 to allow funding to Monterey County for costs incurred by ICF Jones & Stokes, Inc. and County departments to provide additional services for existing tasks associated with the completion of The Pebble Beach Company's Inclusionary Housing Environmental Impact Report (EIR) (PLN130447) in Pebble Beach, and extend the expiration date from June 30, 2016 for an additional six (6) months through December 31, 2016; and
- c. Authorize the Resource Management Agency Director to execute Amendment No. 2 to Professional Services Agreement No. A-12772, Amendment No. 2 to Funding Agreement No. A-12781 and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.
- [Permit Type: PLN130447 / EIR for The Pebble Beach Company's Inclusionary Housing Project]

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

[Attachment A - Summary of PSA and FA](#)

[Attachment B – Amendment No. 2 to PSA with ICF](#)

[Attachment C – Amendment No. 2 to FA with The Pebble Beach Company](#)

### **Board of Supervisors Addenda for Tuesday, May 3, 2016**

31. Monterey County Board of Supervisor's Addenda Agenda for Tuesday, May 3, 2016.

#### **ADDENDA**

##### **Addition to Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:

d. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

(1) Application 12-04-019, Before the Public Utilities Commission of the

State of California, of California-American Water Company (U210W)  
for Approval of the Monterey Peninsula Water Supply Project and  
Authorization to Recover All Present and Future Costs in Rates.