

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, January 30, 2018

10:00 AM

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

Board of Supervisors

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

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901.

As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

CEREMONIAL/APPOINTMENTS/OTHER BOARD MATTERS: These items may include significant financial and administrative actions, and items of special interest, usually approved by majority vote for each program. The regular calendar also includes "Scheduled Items," which are noticed hearings and public hearings.

CONSENT CALENDAR: These matters include routine financial and administrative actions, appear in the supplemental section by program areas, and are usually approved by majority vote.

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Walk to the rostrum and wait for recognition by the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board's action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

TO ADDRESS THE BOARD DURING PUBLIC COMMENT: Please complete a Speaker Request Form, available on the rostrum, and submit it to the Clerk of the Board before the commencement of that agenda item. Public comments shall not pertain to matters on the agenda.

DOCUMENT DISTRIBUTION: Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

INTERPRETATION SERVICE POLICY: The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of

the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for 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.

PUBLIC COMMENT: Members of the public may address comments to the Board concerning each agenda item. Timing of public comment shall be at the discretion of the Chair.

10:00 A.M. - Call to Order (TIME CHANGED FROM 9:30 A.M. TO 10:00 A.M. VIA SUPPLEMENTAL)

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 54957.6, the Board will confer with negotiators:
~~(1) Designated representatives: Irma Ramirez-Bough and Brette Neal~~
~~Employee Organization(s): Unit R~~ REMOVED VIA SUPPLEMENTAL
(2) Designated representatives: Irma Ramirez-Bough and Brette Neal
Employee Organization(s): All Units
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter 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. Adopt Resolution commending P. C. Malia Jaurigue for her dedicated service for over twenty-five years to the County of Monterey upon her retirement (Full Board)

Attachments: [Jaurigue Ceremonial Resoution](#)

4. Adopt Resolution recognizing Ellen Martin as the recipient of the 2018 Champions of Arts Award by the Arts Council for Monterey County. (Full Board)

Attachments: [Martin Ceremonial Resolution](#)

5. Adopt Resolution commending Maria Ramos for her dedicated service for over twenty-six years to the County of Monterey upon her retirement. (Full Board)

Attachments: [Ramos Ceremonial Resolution](#)

6. Adopt Resolution recognizing Ramon Silva Ruelas as the recipient of the 2018 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)

Attachments: [Ruelas Ceremonial Resolution](#)

7. Adopt Resolution recognizing Angelica Muro as the recipient of the 2018 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)

Attachments: [Muro Ceremonial Resolution](#)

8. Adopt Resolution recognizing Walt deFaria as the recipient of the 2018 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)

Attachments: [deFaria Ceremonial Resolution](#)

9. Adopt Resolution recognizing Andrew Jackson as the recipient of the 2018 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)

Attachments: [Jackson Ceremonial Resolution](#)

10. Adopt Resolution recognizing Reg Huston as the recipient of the 2018 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)

Attachments: [Huston Ceremonial Resolution](#)

11. Adopt Resolution recognizing Sol Treasures as the non-profit recipient of the 2018 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)
- Attachments:** [Treasurers Ceremonial Resolution](#)
12. Adopt Resolution commending Deputy Fernando White upon his retirement from the Monterey County Sheriff's Office after 29.5 years of public service. (Full Board)
- Attachments:** [White Ceremonial Resolution](#)
- 12.1 Adopt Resolution commending Margarita Zarraga, Community Affiliations Manager, on her retirement from 34 years of dedicated public service with the Monterey County Department of Social Services. (Full Board)
- Attachments:** [Zarraga Ceremonial Resolution](#)

Appointments

13. Item removed from agenda.
14. Reappoint William Fraire to the Greenfield Cemetery District for a term ending December 31, 2019. (Supervisor Salinas)
- Attachments:** [Notification to Clerk -Fraire](#)
15. Appoint Anthony Rocha to the Mental Health Commission to fill an unexpired term ending May 31, 2019. ~~(Full Board)~~ (Supervisor Parker) (CORRECTED VIA SUPPLEMENTAL)
- Attachments:** [Notification to Clerk - Rocha](#)
16. Reappoint Nick Brockman to the Monterey County Fish & Game Commission for a term ending February 1, 2021. (Supervisor Parker)
- Attachments:** [Notification to Clerk - Brockman](#)
17. Reappoint Richard Hughett to the Monterey County Fish & Game Advisory Commission for a term ending February 1, 2021. (Supervisor Alejo)
- Attachments:** [Notification to Clerk - Hughett](#)
18. Reappoint Craig Evans to the Monterey County Fish & Game Advisory Commission for a term ending February 1, 2021. (Supervisor Parker)
- Attachments:** [Notification to Clerk - Evans](#)
19. Reappoint John Sargenti to the Monterey County Fish & Game Advisory Commission for a term ending February 1, 2021. (Supervisor Phillips)

Attachments: [Notification to Clerk - Sargenti](#)

Other Board Matters

- 20. Board Comments
- 21. CAO Comments and Referrals

Attachments: [Referrals 1-30-18](#)

- 22. General Public Comment

This portion of the meeting is reserved for persons to address the Board of Supervisors on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board of Supervisors 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 of Supervisors at a future meeting.

10:30 A.M. - Scheduled Matters

- 23. Accept the FY 2016-17 Annual Report from First 5 Monterey County (a.k.a. The Monterey County Children and Families Commission).

Attachments: [Board Report](#)
[F5MC Report.pdf](#)
[First 5 PowerPoint.pptx](#)

- 23.1
 - a. Receive an update on the status of the Board of Supervisors Referral #2017.16: “Request staff to solicit volunteer design proposals from local Monterey Bay artists for the Board of Supervisors to consider adopting one as the first-ever, official Monterey County flag.
 - b. Approve staff recommendation for proceeding with the submission, selection, printing and adoption process for the official Monterey County flag.

Attachments: [Board Report](#)
[Attachment A - Monterey County Flag Timeline](#)

- 23.2 Adopt a resolution authorizing the County of Monterey to:
 - a. Approve the Joint Exercise of Powers Agreement establishing the California Cannabis Authority;
 - b. Authorize the Board of Supervisors to execute the Joint Exercise of Powers Agreement on behalf of the County of Monterey; and
 - c. Appoint a County representative to serve as a member of the Authority’s Board of Directors and two representatives to serve as alternates.

Attachments: [Board Report](#)
[CCA - Resolution \(KLD\)](#)
[CCA - Joint Powers Agreement](#)
[California Cannabis Authority \(CCA\)](#)

Adjournment

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

24. a. Award Natividad Medical Center Job Order Contracts (JOC) for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.5 million to the lowest responsive bidders as follows: NMC 2017-01 Ausonio Incorporated; and NMC 2017-02 Staples Construction Company, Inc.;
- b. Approve the Performance and Payment Bonds executed and provided by Ausonio Incorporated, Inc. in the amount of \$2 million;
- c. Approve the Performance and Payment Bonds executed and provided by Staples Construction Company, Inc. in the amount of \$2 million; and
- d. Authorize the Chief Executive Officer (CEO) of Natividad Medical Center to execute Job Order Contract Natividad Medical Center 2017-01 with Ausonio Incorporated, and Job Order Contract Facilities 2017-02 with Staples Construction Company, Inc.

Attachments: [Board Report](#)
[NMC 2017-01 JOC Agreement.pdf](#)
[NMC 2017-02 JOC Agreement.pdf](#)

25. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Services Agreement with Specialists on Call, Inc., (“SOC”), a Delaware corporation; Tele-Physicians, P.C., a California professional corporation doing business as Specialists on Call Physicians, and as California Tele-Physicians (“TPP”) to provide tele-neurology services at NMC for an amount not to exceed \$500,000 for the period February 1, 2018 to March 31, 2020; and
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$50,000) of the original contract amount per each amendment.

Attachments: [Board Report](#)
[Specialists On Call Agreement.docx.pdf](#)

26. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the First Amendment to the Professional Services Agreement with the The Regents of the University of California, a public corporation, on behalf of the University of California, San Francisco, School of Medicine, Department of Pediatrics (UCSF) to provide pediatric hospitalist services, extending the term by fourteen months (February 1, 2018 to March 31, 2019) for a revised full term February 1, 2016 to March 31, 2019 and adding \$291,775.36 for a revised not to exceed amount of \$625,825.36 in the aggregate; and
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not

significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$33,405) of the original contract amount per each amendment.

Attachments: [Board Report](#)
[UCSF Pediatric Hospitalist Medical Director First Amendment.pdf](#)
[UCSF Peds Hospitalist Agreement.pdf](#)

Health Department

27. Adopt a Resolution authorizing the Director of Health, or Assistant Director of Health, on behalf of Monterey County, to execute and submit all necessary applications, contracts, payment requests, agreements, annual reports, expenditure reports, documents, and amendments thereto for the purposes of executing the State of California Natural Resources Agency's Department of Fish and Wildlife Grant Agreement for Local Government Oil Spill Contingency Plan Coordination [P1775018] and to accept funds from the grant with a maximum of \$10,000 for a term from July 1, 2017 or upon grant approval, whichever is later, through June 30, 2018, and to implement and carry out the purposes specified in the Grant Agreement.

Attachments: [Board Report](#)
[Resolution Fish Wildlife.docx](#)

28. a. Approve and authorize the Director of Health, or Assistant Director of Health, to sign an Agreement with the University of the Pacific, McGeorge School of Law, with a term starting upon execution through December 31, 2018 in an amount not to exceed \$35,000, for hearing officers to conduct administrative hearings where an impartial and neutral party must decide code enforcement cases for the Department of Health, Environmental Health Bureau and Animal Services Division.
- b. Accept the non-standard indemnity provisions and liability provisions pursuant to the recommendation of the Director of Health; and
- c. Authorize the Director of Health, or Assistant Director of Health, to sign up to two (2) amendments extending the Agreement by one (1) year each, subject to County Counsel review, where the amendments do not significantly change the scope of work, and any increases in cost per amendment do not exceed 10% (\$3,500 maximum increase).

Attachments: [Board Report](#)
[McGeorge School of Law Agmt.pdf](#)

29. Adopt a Resolution Amending Article I.b. of the Monterey County Master Fee Resolution effective March 1, 2018, to adjust certain fees related to the Health Department's Public Health Bureau Medical Marijuana Identification Card Program (MMICP) pursuant to the attached Fee Schedule.

Attachments: [Board Report](#)
[Proposed Resolution MMIC.docx](#)
[Proposed Article I.b fee schedule Strikethrough MMIC.pdf](#)
[Proposed Article I.b fee schedule clean MMIC.pdf](#)
[Public Health Bureau fee schedule calculations justification.pdf](#)
[Copy of Health and Safety Code section 11362.pdf](#)

Department of Social Services

30. a. Approve and authorize the Director of the Department of Social Services to sign Amendment No. 1 to Agreement A-13212 with Action Council of Monterey County adding \$883,857, effective February 1, 2018, increasing the contract total to \$1,900,273 to provide services and supports to those participating in Wraparound Monterey County through their developed service provider and extending the contract term for one additional fiscal year for a revised contract term of July 1, 2016 through June 30, 2019; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) additional amendments to this Agreement where the total amendments do not exceed 10% (\$190,027) of the current amended contract amount, and do not significantly change the scope of work.

Attachments: [Board Report](#)
[Action Council Original Agreement](#)
[Action Council Amendment #1](#)

Criminal Justice

31. a. Authorize the Chair of the Board to sign a Memorandum of Understanding (MOU) with the Superior Court of California, County of Monterey for continued participation of four County agencies in the Driving Under the Influence (DUI) Treatment Court grant, in the amount of \$600,000, retroactively for the period October 1, 2017 to September 30, 2018; and
- b. Authorize the Chair to sign Amendments to the MOU as required by the grant in case of extension.

Attachments: [Board Report](#)
[MOU-Superior Court - DUI Court Program 2017-2018](#)

General Government

32. Receive and Accept the Treasurer's Report of Investments for the Quarter Ending December 31, 2017.

Attachments: [Board Report](#)
[Exhibit A - Investment Portfolio Review 12.31.17](#)
[Exhibit B - Portfolio Management Report as of 12.31.17](#)
[Exhibit C - Monterey County Historical Yields vs. Benchmarks 12.31.17](#)
[Exhibit D - Aging Report as of 01.01.18](#)

- 33.** Adopt a resolution authorizing the Office of Emergency Services to submit an application and designate County staff positions to authorize and execute documents and applications for the purpose of obtaining financial assistance with the California Office of Emergency Services Fiscal Year 2018 Homeland Security Grant Program.

Attachments: [Board report](#)
[Board Reso FY18 HSGP application desig staff positions 01302018](#)

- 34.** a. Approve and authorize the Agricultural Commissioner to sign a Memorandum of Understanding (MOU) with the Grower-Shipper Association Foundation, not to exceed \$50,000, to provide support of agricultural education efforts in Monterey County, and;
b. Authorize the Auditor-Controller to make payments in accordance with the terms of the MOU.

Attachments: [Board Report](#)
[Grower-Shipper Association Foundation MOU.pdf](#)

- 35.** Authorize the Auditor-Controller to make an operating transfer out of \$120,241.00 for the FY 2017-18 from Library, Fund 003, Appropriation Unit LIB 001 to Fund 401, Appropriation Unit RMA 004, the Public Works San Lucas Project account 8548, in order to complete the financing of the San Lucas Branch Library Project, where Library has sufficient appropriations available in the adopted budget, FY 2017-18, to cover the transfer (4/5th vote required). (BOARD REPORT ATTACHED VIA SUPPLEMENTAL)

Attachments: [Board Report - ADDED VIA SUPPLEMENTAL](#)
[San Lucas Library Project Actual Cost Budget - PW](#)

- 35.1** Adopt one resolution authorizing the County Counsel to send notices to contractors providing services relating to or supporting the Risk Management functions of the County that notices from the contractors relating to contract matters be sent to the County Counsel or his designee, and that County Counsel or his designee is responsible for the management of the contracts.

Attachments: [Board Report](#)
[Contract Notice Resolution](#)

- 35.2** Appoint Charles J. McKee, County Counsel to CSAC-Excess Insurance Authority Board of Directors, thereby rescinding any prior appointments.

Attachments: [Board Report](#)

RMA - Administration

- 36.**
- a. Find that leasing a picnic area at an existing County park for a one-time event is Categorically Exempt pursuant to Section 15301 of the CEQA Guidelines; and
 - b. Approve the use of Toro Park - Buckeye Picnic Area on July 15, 2018 for a religious function serving up to 250 people held by Christ the King Church pursuant to Monterey County Code Section 14.12.130(A)(14).

Attachments: [Board Report](#)
[Attachment A - Reservation Confirmation](#)

- 37.**
- a. Find that leasing a picnic area at an existing County park for a one-time event is Categorically Exempt pursuant to Section 15301 of the CEQA Guidelines; and
 - b. Approve the use of the San Lorenzo Park - DeAnza Building on February 23, 24, and 25, 2018 for a religious function held by the Refuge Church in compliance with Monterey County Code Section 14.12.130(A)(14).

Attachments: [Board Report](#)
[Attachment A - Reservation Confirmation](#)

RMA - Public Works and Facilities

- 38.** Authorize the approval and designation of the 20-acre corral property located next to the Natividad Medical Center campus for future healthcare facilities.

Attachments: [Board Report](#)
[Attachment A - Site Map](#)

- 39.**
- a. Approve Amendment No. 8 to Professional Services Agreement No. A-11286 with Wood Rodgers, Inc. to provide additional tasks associated with project management, final plans, specifications and engineer's estimate, preparation of regulatory permits/applications, preparation of the Project Study Report/Project Report, assistance during bidding, assistance during construction and additional services for the Monterey Bay Sanctuary Scenic Trail - Moss Landing Segment, County Project No. 8668, to increase the not to exceed amount of \$1,819,408 by \$377,660 for a total amount not to exceed \$2,197,068, with no extension to the term of the Agreement from October 1, 2008 to June 30, 2022; and
 - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 8 to Professional Services Agreement No. A-11286 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Attachments: [Board Report](#)
[Attachment A - Amendment 8 to PSA with WRI](#)
[Attachment B - Amendment 1 to PSA with WRI](#)
[Attachment C - Amendment 2 to PSA with WRI](#)
[Attachment D - Amendment 3 to PSA with WRI](#)
[Attachment E - Amendment 4 to PSA WRI](#)
[Attachment F - Amendment 5 to PSA with WRI](#)
[Attachment G - Amendment 6 to PSA with WRI](#)
[Attachment H - Amendment 7 to PSA with WRI](#)
[Attachment I - PSA with WRI](#)
[Attachment J - Project Budget](#)
[Attachment K - Location Map](#)
[Attachment L - PSA Summary](#)
[Attachment M - PSA Balance](#)

Board of Supervisors Supplemental

40. Board of Supervisors Supplemental Agenda for the meeting of Tuesday, January 30, 2018.

SUPPLEMENTAL

Call to Order - Time Change

Call to Order for the Board of Supervisors Closed Session is now
10:00 A.M.

Closed Session - Remove Item 1. a. (1)

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough and Brette Neal
- Employee Organization(s): Unit R

Correction to Appointments

15. Appoint Anthony Rocha to the Mental Health Commission to fill an unexpired term ending May 31, 2019. (Supervisor Parker)

Board Report Attached - General Government

35. Authorize the Auditor-Controller to make an operating transfer out of \$120,241.00 for the FY 2017-18 from Library, Fund 003, Appropriation Unit LIB 001 to Fund 401, Appropriation Unit RMA 004, the Public Works San

Lucas Project account 8548, in order to complete the financing of the San Lucas Branch Library Project, where Library has sufficient appropriations available in the adopted budget, FY 2017-18, to cover the transfer (4/5th vote required).