

# **Monterey County**

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



## **Meeting Agenda - Final-revised**

**Tuesday, May 1, 2018**

**9:00 AM**

### **Board of Supervisors**

*Chair Luis A. 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.**

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

**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**

*Closed Session may be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting, before or after the scheduled time, announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.*

**0.1**

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) Stagecoach Territory, Inc. v. County of Monterey, et al. (Monterey County Superior Court case no. M104905/Sixth District Court of Appeal case no. H041076)

b. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

c. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Brette Neal  
Employee Organization(s): All Labor Units

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

(1) Deputy Sheriff's Association of Monterey County, et al. v. Steve Bernal, et al.

(Monterey County Superior Court case no. 18CV001422)

e. 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) Willoughby Farms, Inc.

(2) Dobler and Sons, LLC

(3) JAL Berry Farms, LLC (ADDED VIA ADDENDA)

## **10:00 A.M. - Reconvene**

### **Roll Call**

### **Pledge of Allegiance**

1. Resolution recognizing Asian American and Pacific Islander Heritage Month, with special presentation by Willington Lee and Special Taiko Performance by The Obon.

Resolution recognizing the life accomplishments of Joe Garcia Kapp and declaring May 1, 2018 “Joe Garcia Kapp Day” in Monterey County, with special introduction by his son, Joseph John Kapp.

### **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- (See Supplemental Sheet)**

2. Approval of Consent Calendar (See Supplemental Sheet)

### **Ceremonial Resolutions**

3. Adopt Resolution recognizing Asian American and Pacific Islander Heritage Month. (Full Board)

**Attachments:** [Asian American & Pacific Islander Heritage Month Ceremonial Resolution](#)

4. Adopt Resolution recognizing the life accomplishments of Joe Garcia Kapp and declaring May 1, 2018 “Joe Garcia Kapp Day” in Monterey County. (Full Board)

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

5. Adopt Resolution proclaiming the month of May 2018 as “Foster Care Month” in Monterey County. (Full Board)

**Attachments:** [Foster Care Month Ceremonial Resolution](#)

6. Adopt Resolution in honor and recognition of Dr. Willard Clark Lewallen - Cal Poly Alumni Association - 2018 Distinguished Alumni Award Recipient. (Full Board)

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

7. Adopt Resolution commending Michael R. Shapiro upon his retirement after 29.5 years of service with the Monterey County Sheriff's Office. (Full Board)

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

8. Adopt Resolution commending Thomas Dovas, Information Technology Department, upon his retirement from 22 years of Public Service. (Full Board)

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

### **Appointments**

9. Appoint Paulina Mejia to the Commission on the Status of Women for a term ending February 1, 2020. (Supervisor Phillips)

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

### **Other Board Matters**

10. a. Create a Monterey County Agriculture Employer-Sponsored Farmworker Housing Ad Hoc Committee; and  
b. Appoint two members of the Board of Supervisors to serve on the Ad Hoc Committee, and direct the two appointees to report back to the Board of Supervisors no later than February 26, 2019.

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

11. Board Comments

12. CAO Comments and Referrals

**Attachments:** [Referrals 5-01-18](#)

13. 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.*

**10:00 A.M. - Scheduled Matters**

14. a. Adopt Resolutions to:
- 1.Support the Ag Land Trust Agricultural Conservation Easement proposal to the California Department of Conservation Sustainable Agricultural Lands Conservation (SALC) Program for the Whalebone Farm;
  - 2.Support the Ag Land Trust Agricultural Conservation Easement proposal to the California Department of Conservation Sustainable Agricultural Lands Conservation (SALC) Program for the Gabilan Farm;
  - 3.Support the Ag Land Trust Agricultural Conservation Easement proposal to the California Department of Conservation Sustainable Agricultural Lands Conservation (SALC) Program for the Esperanza Farm;
  - 4.Support the Ag Land Trust Agricultural Conservation Easement proposal to the California Department of Conservation Sustainable Agricultural Lands Conservation (SALC) Program for the Schween Home Farm;
  - 5.Support the Ag Land Trust Agricultural Conservation Easement proposal to the California Department of Conservation Sustainable Agricultural Lands Conservation (SALC) Program for the Mothershed Farm; and
- b. Support the Ag Land Trust grant funding application to receive grant funds from the State of California Department of Conservation SALC Program to acquire Agricultural Conservation Easements over the Whalebone Farm, Gabilan Farm, Esperanza Farm, Schween Home Farm and Mothershed Farm.
- REF170028 -Ag Land Trust Support

**Attachments:**    [Board Report](#)  
[Attachment A - Vicinity Maps](#)  
[Attachment B - Resolution of Support for Whalebone Farm](#)  
[Attachment C - Resolution of Support for Gabilan Farm](#)  
[Attachment D - Resolution of Support for Esperanza Farm](#)  
[Attachment E - Resolution of Support for Schween Hom Farm](#)  
[Attachment F - Resolution of Support for Mothershed Farms](#)

15. ~~Receive a community update from Monterey-Salinas Transit.~~ (REMOVED VIA SUPPLEMENTAL)

**Attachments:**    Board Report  
MST 2018 Power Point Presentation

**Adjournment**

*Adjourn in memory of Elias De Leon Jr.*

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

16. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with TCAR Programs for Trauma Care After Resuscitation (TCAR) education services at NMC for an amount not to exceed \$51,000 effective from the date of execution by the County through December 31, 2018.

**Attachments:** [Board Report](#)  
[Agreement with Visionem dba TCAR Education Programs.pdf](#)

17. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 3 to the agreement with Himage Solutions, Inc. for remote data abstraction data collection, and entry of trauma patients into NMC's Trauma One Database, extending the agreement an additional one (1) year period (July 1, 2018 through June 30, 2019) for a revised full agreement term of July 16, 2016 through June 30, 2019, and adding \$76,693 for a revised total agreement amount not to exceed \$526,692.

**Attachments:** [Board Report.pdf](#)  
[Himage Solutions Inc Amendment 3.pdf](#)  
[Himage Solutions Inc Amendment 2.pdf](#)  
[Himage Solutions Inc Amendment 1.pdf](#)  
[Himage Solutions Inc Agreement.pdf](#)

18. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with Premier Healthcare Solutions, Inc. for budget and financial reporting software services at NMC for an amount not to exceed \$484,412 with an agreement term of May 1, 2018 through April 30, 2023.  
b. Accept the NMC Chief Executive Officer's recommendation to accept non-standard indemnification, insurance, sole remedy, limitations of liability, and limitation on damages provisions within the agreement.  
c. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than twenty percent (20%) (\$96,882) of the original cost of the agreement in total.

**Attachments:** [Board Report](#)  
[Premier Services Agreement signed by vendor only.pdf](#)  
[Premier Addendum No. 1 signed by vendor only.pdf](#)  
[County Travel Business Expense Policy 12-5-12.pdf](#)  
[Premier BAA signed by vendor only.pdf](#)



**Criminal Justice**

19. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a new two (2) year agreement with Central Valley Toxicology in the amount of \$160,000.00 for the period of July 1, 2018 to June 30, 2020; and  
b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign up to three (3) future amendments to the agreement where the amendments do not significantly change the scope of work, and where the amendments do not increase the contract value more than ten percent (10%) or \$16,000.00, for a maximum, not to exceed amount of \$176,000.00.
- Attachments:** [Board Report](#)  
[Agreement with Central Valley Toxicology Inc.pdf](#)
20. a. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to sign a new agreement with Amar Forensics, retroactive to February 27, 2018 (date of incorporation with Amar Forensics), with non-standard insurance coverage, for provision of forensic pathology services and autopsy reports. The agreement is a two (2) year agreement, based on a “per autopsy” fee and the estimated contract cost for two (2) years is \$848,000.00.  
b. Authorize the Contracts/Purchasing officer or the Contracts/Purchasing Supervisor to sign up to three amendments to the agreement which do not significantly change the scope of work and where the amendments do not exceed ten percent (10%) (\$84,800.00) of the initial agreement amount for a maximum not to exceed amount of \$932,800.00.
- Attachments:** [Board Report](#)  
[AMAR Forensics.pdf](#)
21. Approve the transfer of \$3,572 from the Juvenile Ward Trust Fund 020 to Fund 001, Department 2550-Probation for the purchase of recreational equipment for indoor and outdoor sports for juveniles in the Monterey County Youth Center and Juvenile Hall.
- Attachments:** [Board Report](#)  
[Juvenile Ward Fund Details 2018](#)

**General Government**

22. a. Authorize the Director of the Information Technology Department to execute a non-standard agreement with U.S Forest Service to contribute \$15,500 to the cost of repair of damage caused by rain and fire to the North Coast Ridge Road, used by the County for access to its Anderson Peak public safety communications site; and  
b. Authorize the Director of the Information Technology Department to execute one (1) amendment to the agreement, subject to County Counsel review, to provide for

contribution in the maximum additional amount of \$2,000, and to extend the completion date of the road repair project by six (6) months, in the event of unexpected additional costs or construction delays.

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

[US Department of Agriculture US Forest Service Collections Agreement](#)

**22.1**

- a. Approve a Sponsorship Agreement between Lexus USA and the County of Monterey for official luxury auto sponsorship of the WeatherTech Raceway at Laguna Seca.
- b. Authorize the Chair of the Board to execute the Agreement retroactively to March 31, 2018.

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

[Sponsorship - Lexus Agreement - Mar 2018 - ADDED VIA SUPPLEMENTAL](#)

**RMA - Administration**

**23.**

- a. Approve the use of Toro Park, Sycamore Picnic Area on May 28, 2018 for a religious function held by the Iglesia Cristiana Monte Horeb subject to approval of all required County permits and in compliance with Monterey County Code Section 14.12.130(A)(14); and
- b. 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.

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

[Attachment A - Facility Use Agreement](#)

**24.**

- a. Adopt a resolution approving Monterey County's FY 2018-19 list of projects funded by Senate Bill 1 (SB1): The Road Repair and Accountability Act; and
- b. Authorize the RMA Director or RMA Deputy Director of Public Works, Parks and Facilities to submit the Monterey County's FY 2018-19 list to the California Transportation Committee (CTC). (ADDED VIA ADDENDA)

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

[Attachment A - Resolution](#)

**Board of Supervisors Addenda/Supplemental**

**25.**

Board of Supervisors Addenda/Supplemental Agenda for the meeting of Tuesday, May 1, 2018.

**ADDENDA**

**Add to Closed Session**

- 0.1** e. 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) Willoughby Farms, Inc.

- (2) Dobler and Sons, LLC
- (3) JAL Berry Farms, LLC

**Add to Consent Calendar - RMA - Public Works and Facilities**

24. a. Adopt a resolution approving Monterey County's FY 2018-19 list of projects funded by Senate Bill 1 (SB1): The Road Repair and Accountability Act; and
- b. Authorize the RMA Director or RMA Deputy Director of Public Works, Parks and Facilities to submit the Monterey County's FY 2018-19 list to the California Transportation Committee (CTC).

**Add to Adjournment**

Adjourn in memory of Elias De Leon Jr.

**SUPPLEMENTAL**

**Remove from Scheduled AM - Matters**

15. Receive a community update from Monterey-Salinas Transit.

**Consent Calendar - General Government: Add Attachment - Sponsorship**

**Lexus Agreement**

- 22.1 a. Approve a Sponsorship Agreement between Lexus USA and the County of Monterey for official luxury auto sponsorship of the WeatherTech Raceway at Laguna Seca.
- b. Authorize the Chair of the Board to execute the Agreement retroactively to March 31, 2018.