

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, October 9, 2018

9:00 AM

Board of Supervisors.

*Chair Luis A. Alejo - District 1
Vice Chair John M. Phillips - District 2
Supervisor Simón 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 interpreter 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 agenda items are live web links. Click on the title to be directed to the corresponding Board Report.

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

Please refer to the separate agenda for Monterey County Water Resources Agency.

9:00 A.M. - Call to Order

Roll Call

Additions and Corrections for Closed Session

County Counsel 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.

The Board Adjourned for Closed Session Agenda Items

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.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Kane County, Utah, et al. v. United States, U.S. Ct. of Fed. Claims, No. 17-739C
 - (2) Estate of Erick De Anda, by and through Successor in Interest, Enrique De Anda Garcia, et al. v. Ramond Herr, et al. (United States District Court case no. 17CV05320SVK)
 - 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.
 - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee. (ADDED VIA ADDENDA)

10:30 A.M. - Reconvene on Public Agenda Items**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- (See Supplemental Sheet)

2. Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt a Resolution in honor and recognition of Mary A. Zeeb President & Chief Executive Officer- California Association of County Treasurers & Tax Collectors 2018-19. (Full Board)

Attachments: [Mary Zeeb Ceremonial Resolution \(v2\)-10.9](#)

4. Adopt Resolution recognizing Salinas City Elementary School District upon their 150th anniversary. (Full Board)

Attachments: [Salinas City School District- Ceremonial Resolution](#)

- 4.1 Adopt a Resolution commending Billy F. DeBerry, for a lifetime of dedicated service to Monterey County. (Full Board)

Attachments: [Billy F. DeBerry - Ceremonial Resolution](#)

- 4.2 Adopt a Resolution recognizing North Monterey County Division Chief Humberto Arista upon his retirement after 26 years of loyal service to North Monterey County Fire Protection District. (Full Board) (ADDED VIA ADDENDA)

Attachments: [Humberto Arista- Ceremonial Resolution](#)

Appointments

5. Reappoint William Lopez to the San Ardo Water District for a term ending November 30, 2021. (Supervisor Salinas)

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

6. Reappoint William Kanthack to the San Ardo Water District for a term ending November 30, 2021. (Supervisor Salinas)

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

7. Appoint Henry Gonzales to the Equal Opportunity Advisory Commission for a term ending December 31, 2019. (Full Board)

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

8. Nominate one member of the Board of Supervisors to serve on the California State Association of Counties (CSAC) Board of Directors, and one member of the Board of Supervisors to serve as alternate, for a one-year term of office beginning on November 27, 2018.

Attachments: [Board Report](#)

Other Board Matters

9. Board Comments
10. CAO Comments and Referrals

Attachments: [Referrals 10-09-18](#)

11. General Public Comments

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

12. Receive status update from the Transportation Agency of Monterey County (TAMC) on funding for regional roadway projects, including Measure X and Senate Bill 1 gas tax.

Attachments: [Board Report](#)
[Attachment A - TAMC Report](#)
[Attachment B - SB1 Flyer](#)
[Attachment C - Measure X/SB1 Project List](#)

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene**Roll Call****1:30 P.M. - Scheduled Matters**

13. a. Conduct a Public Hearing to take comments on the draft Urban County Community Development Block Grant Consolidated Annual Performance and Evaluation Report for FY2017-18;
- b. Approve the Urban County Community Development Block Grant Consolidated Annual Performance and Evaluation Report for FY2017-18 for submittal to the U.S. Department of Housing and Urban Development;
- c. Authorize the County Administrative Officer to make minor changes to the report as needed or in response to comments from HUD; and,
- d. Amend the Citizen Participation Plan to comply with U.S. Department of Housing and Urban Development regulations for public noticing requirements.

Attachments: [Board Report](#)
[Draft CAPER 9-13-18](#)

Read Out from Closed Session**Adjournment****Supplemental Sheet, Consent Calendar****Natividad Medical Center**

14. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with Medamerica Consulting Services, LLC for Emergency Department strategic planning services at NMC for an amount not to exceed \$160,000 with an agreement term November 1, 2018 through October 31, 2019.
- b. Approve the NMC Chief Executive Officer's recommendation to accept non-standard risk provisions (insurance and indemnity) 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 ten percent (10%) (\$16,000) of the original cost of the agreement.

Attachments: [Board Report](#)
[Medamerica Agreement.pdf](#)

15. Adopt Resolution to:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and Appendices A and B to create the classification of Endoscopy Technician with the salary range as indicated;
- b. Amend Natividad (Unit 9600) FY 2018-19 Adopted Budget to approve reallocation/reclassification as indicated by position numbers listed in the attached Resolution, effective the pay period beginning September 29, 2018;
- c. Authorize the Auditor-Controller to incorporate the approved changes in the Natividad (Unit 9600) FY 2018-19 Adopted Budget;
- d. Direct the County Administrative Office to incorporate the new classification and approved position changes in the Natividad (Unit 9600) FY 2018-19 Adopted Budget; and
- e. Direct the Human Resources Department to implement the changes in the Advantage HRM System.

Attachments: [Board Report](#)
[RESOLUTION - Endoscopy Tech.pdf](#)

Criminal Justice

16. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 2 to the Professional Services Agreement with Jeffrey Gobell for legal representation of indigent defendants in juvenile criminal cases, modifying insurance provisions.

Attachments: [Board Report](#)
[Amend.No 2 FY19 Gobell](#)
[Amend.No.1 FY19 Gobell](#)
[PSA FY18 Gobell](#)

General Government

17.
 - a. Approve and authorize the Director of the Information Technology Department to execute a non-standard agreement with Environmental Systems Research Institute, Inc., (ESRI Inc.,) for purchase of the Enterprise Advantage Program, including consulting, training and technical services, for upgrade of the County's GIS system in an amount not to exceed \$200,000.00, for a term retroactive to October 1, 2018 to September 30, 2021; and
 - b. Accept non-standard language as recommended by the Director of the Information Technology Department; and
 - c. Authorize the Director of the Information Technology Department to sign up to two (2) amendments to this Agreement, subject to County Counsel review, which extend services by one (1) year each, where the total of any increased costs do not exceed 10% of the original contract amount (\$20,000 maximum total increase), and do not significantly alter the terms of the Agreement, including non-standard terms approved by the Board.

Attachments: [Board Report](#)
 [ESRI Agreement](#)

18. Adopt a Resolution to approve the Conflict of Interest Code of the Consolidated Oversight Board for the County of Monterey.

Attachments: [Board Report](#)
 [Draft BoS Resolution](#)
 [Consolidated Oversight Board COI](#)
 [Consolidated Oversight Board Resolution](#)

19. Adopt the Board of Supervisors' meeting schedule for the calendar year 2019.

Attachments: [Proposed 2019 BOS Meeting Schedule](#)

Board of Supervisors Addenda/Supplemental

20. **ADDENDA**

Add to Closed Session:

1. c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

Add to Ceremonial Resolutions:

- 4.2 Adopt a Resolution recognizing North Monterey County Division Chief Humberto Arista upon his retirement after 26 years of loyal service to North Monterey County Fire Protection District. (Full Board)