

# Monterey County

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



## Meeting Agenda - Final-revised

Tuesday, November 6, 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 intérprete, 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 intérprete. 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.**

### **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) Estate of Jacob Parenti, et al. v. County of Monterey, et al. (United States District Court case no. 14-CV-05481-BLF)
    - (2) Marina Coast Water District, et al. v. County of Monterey, et al. (Monterey County Superior Court case no. 18CV000816)
    - (3) People of the State of California, et al. v. Atlantic Richfield Company, et al. (Santa Clara County Superior Court case no. 1-00-CV-788657)
    - (4) York Highlands, LLC, et al. v. United Security Bank, et al. (Monterey County Superior Court case no. 18CV003339)
    - (5) Susan Samaro (Worker's Compensation Appeals Board case no. ADJ9240725)
    - (6) Cheryl Armstrong (Worker's Compensation Appeals Board case no. ADJ6819157)
    - (7) Cheryl Armstrong (Worker's Compensation Appeals Board case no. ADJ664384)
    - (8) Marc Cryder (Worker's Compensation Appeals Board case no. ADJ7891337)
    - (9) Marc Cryder (Worker's Compensation Appeals Board case no. ADJ11271608)

(10) Matthew Marrow (Worker's Compensation Appeals Board case no. ADJ8092717)

(11) County of Monterey v. Blue Cross of CA dba Anthem Blue Cross, et al. (Federal Court, Northern District of CA case no. 5:17CV04260-LHK)

(12) County of Monterey v. California Employees Retirement System dba CalPers, et al. (Monterey County Superior Court case no. 17CV002800)

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(a), the Board will confer with County Counsel regarding a potential threat to the security of public buildings (or use facilities and services).

d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation. (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. Approval of Consent Calendar Items No. 30 through 58.

### **Ceremonial Resolutions**

3. Adopt Resolution Honoring the City of Gonzales with the Monterey County Childrens Council First Annual Champion for Children Award. (Full Board- Supervisor Parker)

**Attachments:** [Childrens Council Champion Award Ceremonial Resolution](#)

4. Adopt Resolution commending the Association of Monterey Bay Area Governments on 50 years of dedicated public service to the Monterey Region. (Full Board)

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

5. Adopt Resolution: Congratulating Bengard Ranch on the National Steinbeck Center “Hall of Fame Award” (Full Board)
- Attachments:** [Bengard Ceremonial Resolution](#)
6. Adopt Resolution recognizing November 2018 as National Family Caregivers Month in Monterey County. (Full Board)
- Attachments:** [National Family Caregivers Month Ceremonial Resolution](#)
7. Adopt Resolution commending Cheryl Pirozzoli Departmental Human Resources Manager, Social Services upon her retirement from 40 years of dedicated public service in Monterey County. (Full Board)
- Attachments:** [Pirozzoli Ceremonial Resolution](#)
8. Adopt a Resolution commending Cleta Packwood, ERP Business Analyst, Office of the Auditor-Controller, on her retirement from 25 years of dedicated public service with Monterey County. (Full Board)
- Attachments:** [Packwood Ceremonial Resolution](#)
9. Adopt Resolution recognizing Dr. Nancy Kotowski upon her retirement and for her dedicated service of 26 years to the residents of the County of Monterey. (Full Board)
- Attachments:** [Dr. Kotowski Ceremonial Resolution](#)
10. Adopt Resolution: Congratulating Herb Fleming and John Derdivanis on the National Steinbeck Center “Hall of Fame Award” (Full Board)
- Attachments:** [Herb and John Ceremonial Resolution](#)
11. Adopt Resolution: Congratulating Monterey County Free Libraries on the National Steinbeck Center “Education Award” (Full Board)
- Attachments:** [Monterey County Free Libraries Ceremonial Resolution](#)
12. Adopt Resolution: Congratulating Stephen Pessagno on the National Steinbeck Center “Ag Leader Award” (Full Board) (REVISED VIA SUPPLEMENTAL)
- Attachments:** [Pessagno Ceremonial Resolution](#)  
[Pessagno Ceremonial Resolution \(Red-Line\)](#)  
[Pessagno Ceremonial Resolution \(Clean Version\)](#)
13. Adopt Resolution honoring World War II Japanese American veterans of the 442nd Regimental Combat Team and 100th Infantry Battalion, Sam Isamu Sakamoto and Isamu “Sam” Shingai.  
(Full Board)

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

14. Adopt Resolution honoring World War II Japanese American veterans of the 442nd Regimental Combat Team and 100th Infantry Battalion, Sam Isamu Sakamoto and Isamu “Sam” Shingai. (Full Board)

**Attachments:** [Sam Isamu Sakamoto Ceremonial Resolution](#)

15. Adopt Resolution honoring the Salinas Veteran's Day Parade Committee and Volunteers. (Full Board)

**Attachments:** [Salinas Veteran's Day Parade Committee Ceremonial Resolution](#)

16. Adopt Resolution: Congratulating Steve Church on the National Steinbeck Center “Ag Leader Award” (Full Board)

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

- 16.1 Adopt Resolution recognizing Blanca Maldonado for her dedicated service of 9 years in preserving and maintaining the interior cleanliness of the Monterey County Government Center. (Full Board) (ADDED VIA ADDENDA)

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

## **Appointments**

17. Appoint Suzzann W. Clark (Suzzi) to the San Ardo CA Water District with a term ending November 30, 2021. (Supervisor Salinas)

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

18. Reappoint James Perry to the Historical Advisory Committee with a term ending February 1, 2022. (Supervisor Phillips)

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

19. Appoint Beatriz Vera-Morga to the Domestic Violence Coordinating Council for a term ending on January 1, 2019. (Supervisor Salinas)

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

20. Appoint Darlene Acosta to the Domestic Violence Coordinating Council for a term ending on January 3, 2021. (Supervisor Salinas)

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

21. Appoint Sherwood Darrington to the Agricultural Advisory Committee with a term ending June 30, 2021. (Supervisor Parker)

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

- 22.** Appoint Caryn Lewis to the Monterey County Children & Families Commission aka First 5 Monterey County to fill a unscheduled vacancy with a term ending March 31, 2019. (Full Board)
- Attachments:** [Notification to Clerk - Lewis](#)
- 23.** Appoint Aaron Baucom to the Spreckels Community Services District with a term ending December 31, 2020. (Full Board)
- Attachments:** [Notification to Clerk - Baucom](#)
- 23.1** Appoint Margaret Polanco to the Area Agency on Aging Advisory Council with a term ending January 1, 2021. (Full Board)
- Attachments:** [Notification to Clerk - Polanco](#)
- 23.2** Appoint Luana Conley to the Area Agency on Aging Advisory Council with a term ending January 1, 2021. (Full Board)
- Attachments:** [Notification to Clerk - Conley](#)

### **Other Board Matters**

- 24.** Board Comments
- 25.** CAO Comments and Referrals
- Attachments:** [Referrals 11-06-18](#)
- 26.** 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**

- 27.** Consider a Resolution to:
- a. Find that the Safe Parking and Supportive Services Program located at 2616 First Ave. in Marina, CA qualifies for a Class 1 categorical exemption pursuant to Section 15301(c) of the CEQA Guidelines, and none of the exceptions to the categorical exemption pursuant to Section 15300.2 apply;



- b. Approve and authorize the Director of the Department of Social Services to sign Amendment #1 to Agreement #A-13791, subtracting \$18,245, effective November 30, 2018, and extending operation of the Monterey County Safe Parking and Supportive Services Program through March 31, 2019, decreasing the total contract amount to \$131,755;
- c. 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% (\$13,175) of the current amended contract amount, and do not significantly change the scope of work;
- d. Approve and authorize the Auditor-Controller to increase appropriations in the adopted FY 18-19 Community Programs Budget 001-5010-SOC004-8258 in the amount \$18,750.65 to fund the Safe Parking and Supportive Services program using funds from one of the options discussed in the Financing Section of this Board Report (4/5ths vote required); and
- e. Approve and authorize the Auditor-Controller to increase appropriations in the adopted FY 18-19 Community Programs Budget 001-5010-SOC004-8258 in the amount \$10,000 for the CEQA Study using funds from one of the options discussed in the Financing Section of this Board Report (4/5ths vote required). (REVISED VIA SUPPLEMENTAL)

**Attachments:** [Revised Board Report](#)  
[Safe Parking Resolution.docx](#)  
[Categorical Exemption Report.pdf](#)  
[Original Agreement](#)  
[Amendment #1](#)  
[Site Search Memo - Added Via Supplemental](#)

## **12:00 P.M. - Recess to Lunch**

## **1:30 P.M. - Reconvene**

## **Roll Call**

## **1:30 P.M. - Scheduled Matters**

28. **REF150048 - Inland and REF160042 - Coastal Commercial Cannabis (Marijuana) Permit Requirements and Dispensary Setbacks**  
Public hearing to consider:
- a. Adoption of an ordinance amending Title 21 (non-coastal zoning ordinance) to:
    - 1. Change commercial cannabis activities from a conditional use allowed subject to a Use Permit in each case within specified zoning districts, to a principal use allowed subject to an Administrative Permit in each case within the same specified zoning districts; and
    - 2. Establish required permits and criteria for retail facility applications that do not

comply with the 1,500-foot setback from another approved retail facility.

- b. Adoption of a Resolution of Intent to adopt an ordinance amending the Monterey County Coastal Implementation Plan, Part 1 (Title 20 coastal zoning ordinance) to:
1. Change commercial cannabis activities from a conditional use allowed subject to a Coastal Development Permit in each case within specified zoning districts, to a principal use allowed subject to a Coastal Administrative Permit in each case within the same specified zoning districts; and
  2. Establish required permits and criteria for retail facility applications that do not comply with the 1,500-foot setback from another approved retail facility.
- c. Adoption of a Resolution clarifying permit fees where applicants have paid for a Use Permit/Coastal Development Permit and the type of permit is amended.

**Location:** County-wide

**Proposed CEQA action:** Statutorily exempt pursuant to Business and Professions Code section 26055(h) (CEQA exemption for the adoption of local commercial cannabis regulations that require subsequent discretionary permits that are themselves subject to CEQA review). (REVISED VIA SUPPLEMENTAL)

**Attachments:** [Board Report](#)  
[Revised Board Report](#)  
[Attachment A - Draft Zoning Ordinance \(Title 21, Inland\) Redline Version](#)  
[Attachment B - Draft Zoning Ordinance \(Title 21, Inland\) Clean Version](#)  
[Attachment C - Draft Resolution of Intent - Redline Draft \(Title 20, Coastal\)](#)  
[Attachment D - PC Recommending adoption & Intent to adopt](#)  
[Attachment E - Draft Ordinances presented to the Cannabis Committee](#)  
[Attachment F - Fee Resolution](#)

29.

**PLN170624 - GREER (GLASS)**

Public hearing to consider an appeal by Andres Czerwiak from the August 9, 2018 Zoning Administrator decision approving a Coastal Administrative Permit to allow the conversion of an existing test well to a permanent, single connection well and a Design Approval for related appurtenant components.

**Project Location:** 124 Fern Canyon, Carmel, Carmel Area Land Use Plan

**Proposed CEQA Action:** Categorical Exemption pursuant to Section 15301(b) of the CEQA Guidelines.

**Attachments:** [Board Report](#)  
[Attachment A - Project Data Sheet](#)  
[Attachment B - Draft Resolution](#)  
[Attachment C - Notice of Appeal](#)  
[Attachment D - Letter, Fenton & Keller](#)  
[Attachment E - Letter, Noland, Hamerly, Etienne, Hoss](#)  
[Attachment F - ZA Resolution 18-046](#)  
[Attachment G - Vicinity Map](#)

**29.1**

Receive staff presentation and consider the Fort Ord Reuse Authority (FORA) Transition Plan and provide direction to staff regarding the following:

- a. FORA Transition Plan process;
- b. Revised draft FORA Resolution;
- c. Participating in facilitated discussions with the Fort Ord Reuse Authority and jurisdictions;
- d. Preparing draft Transition Plan Implementation Agreement terms that address the County's concerns; and
- e. Recommendations to FORA. (ADDED VIA ADDENDA)

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

[Attachment 1 - Transition Planning Process Update](#)

**Read Out from Closed Session****Adjournment**

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

30. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with Nextgate Solutions, Inc. for Enterprise Master Person Index System services for an amount not to exceed \$1,387,049 with an agreement term of November 6, 2018 through November 5, 2023.
- b. Approve the NMC Chief Executive Officer's recommendation to accept non-standard indemnification, insurance, limitation on 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 ten percent (10%) (\$138,705) of the original cost of the agreement.

**Attachments:** [Board Report](#)  
[NextGate Agreement per RFP 9600-71.pdf](#)

31. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment no. 3 to the agreement with Medical Education Speakers Network (formerly Martin Martin, Inc.) for providing professional and medical speakers and course development services, adding \$100,000 for a revised total agreement amount not to exceed \$175,000 and with no change to the current agreement term of April 1, 2016 through March 31, 2020.

**Attachments:** [Board Report](#)  
[Medical Education Speakers Network Amendment 3](#)  
[Martin Martin Inc DBA Medical Education Speakers Network Amendment 2](#)  
[Martin Martin Inc DBA Medical Education Speakers Network Amendment 1](#)  
[Martin Martin Inc DBA Medical Education Speakers Network Agreement](#)

32. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute renewal and amendment No. 3 to the agreement with Certified Medical Testing for testing, maintenance and repairs of piped medical gas and vacuum systems at NMC, retroactively extending the agreement an additional two (2) year period (July 1, 2018 through June 30, 2020) for a revised full agreement term of July 1, 2015 through June 30, 2020, and adding \$77,360 for a revised total agreement amount not to exceed \$177,360.
- b. 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%) (\$9,000) of the original cost of the agreement.

**Attachments:** [Board Report](#)  
[Certified Medical Testing Renewal and Amendment no. 3.pdf](#)  
[Certified Medical Testing Amendment 2.pdf](#)  
[Certified Medical Testing Amendment 1.pdf](#)  
[Certified Medical Testing Agreement.pdf](#)

- 32.1** Adopt resolution to amend the Personnel Policies and Practices Resolution No. 98-394 to add Section A.30.14 Annual Leave Cash Out: Unit U Physicians with Over One (1) Year of Service, as indicated in Attachment A. (ADDED VIA ADDENDA)

**Attachments:** [Board Report](#)  
[ATT A - Add Unit U to Ann Leave Cash-out Pgm.pdf](#)  
[11.06.18 - RES Add Unit U to PPPR Annual Leave Buyback.pdf](#)

## **Health Department**

- 33.** Receive and accept the 2018-2020 EMS System Strategic Plan prepared by Fitch & Associates, LLC for the Emergency Medical Services (EMS) Agency.

**Attachments:** [Board Report](#)  
[2018-2020 EMS System Strategic Plan](#)

- 34.** Accept and approve the Monterey County Behavioral Health Commission 2017 Annual Report.

**Attachments:** [Board Report](#)  
[Behavioral Health Commission Annual Report 2017](#)

- 35.**
- a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding (“MOU”) with Monterey County Special Education Local Plan Area for reimbursement to the County for the provision of mental health and residential treatment services pursuant to a student’s Individualized Education Plan, for a total amount not to exceed \$2,886,089.60 for the term retroactive to July 1, 2018 through June 30, 2019; and
  - b. Approve and authorize the Director of Health or Assistant Director of Health to execute an Interagency Agreement, Exhibit A to the MOU, with Monterey County Special Education Local Plan Area; and
  - c. Accept the Director of Health’s recommendation to incorporate non-standard indemnification, limitation of liability, and insurance provisions; and
  - d. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$288,608.96) of the original MOU amount and do not significantly change the scope of services.

**Attachments:** [Board Report](#)  
[Pending - SELPA\\_BH\\_20180701-20190630](#)

36.

Accept a status update regarding stakeholder involvement and staff work on the ordinance amending Chapter 15.04 of the Monterey County Code and adding Chapter 15.06 to the Monterey County Code relating to point-of-use and point-of-entry water treatment systems.

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

36.1

a. Set a public hearing for December 11, 2018 at 1:30 p.m. to consider and adopt Resolution to approve Amendment No. 8 effective January 1, 2019 with [Proposed] Exhibit 1 “Approved Rates and Charges” to Unified Franchise Agreement A-11631 with a term of November 1, 2010 through June 30, 2020 regarding proposed rates for services and adjustments to current rates for the Unified Franchise Agreement A-11631 between the County of Monterey and Waste Management, Inc. dba USA Waste of California dba Carmel Marina Corp., for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County; and  
b. Direct the Clerk of the Board to publish the Notice of Public Hearing in newspapers of general circulation to provide for County-wide Notice of Public Hearing on or before December 2, 2018. (ADDED VIA ADDENDA)

**Attachments:** [Board Report](#)  
[UFA Amend8\\_DRAFT\\_9.18.18](#)  
[UFA\\_Public Hearing Notice\\_DRAFT\\_9.18.18](#)  
[2019 UFA Rates](#)

### **Department of Social Services**

37.

Consider a Resolution to:

a. Approve an increase in appropriations and revenues in the amount of \$8,357,931 in the FY 2017-18 Modified Budget for the Department of Social Services, Fund 025-5010-8425-SOC012, where the financing source is 1991 H&W Realignment - Social Services (4/5th vote required); and  
b. Authorize the Auditor-Controller to amend the budget for Social Services, Fund 025-5010-8425-SOC012, for FY 2017-18 by increasing appropriations and revenues in the amount of \$8,357,931, where the financing source is 1991 H&W Realignment - Social Services (4/5th vote required).

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

38.

a. Approve and authorize the Auditor-Controller to amend the FY 2018-19 Adopted Budget for the Department of Social Services-Area Agency on Aging Unit 001-5010-SOC010-8268 by increasing both appropriations and revenues by

\$447,016 for Area Agency on Aging program (4/5th vote required); and  
b. Approve and Authorize the Auditor-Controller to amend the FY 2018-19 Adopted Budget by increasing appropriations by \$177,500 in Social Services-Community Programs Unit 001-5010-SOC004-8258, financed by as decrease in appropriations in the Social Services Unit 001-5010-SOC005-8262 (4/5ths vote required).

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

## **Criminal Justice**

39. a. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a new two (2) year agreement containing non-standard language with Covanta Holding Corp. DBA Covanta Energy LLC for incineration of narcotics, knives and other small weapons in the amount of \$20,000.00; 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 \$2,000.00, for a maximum, not to exceed amount of \$22,000.00.

**Attachments:** [Board Report](#)  
[Agreement -Covanta Environmental Solutions LLC for incineration of narcotics](#)

## **General Government**

40. a. Acting as Chief Elected Official, approve and authorize the Executive Director of the Monterey County Workforce Development Board to execute agreements with five contractors (Monterey Adult School, Alliance Career Training Schools, Dynamic Works Institute, New York Wired for Education, Treehouse Island) to provide job readiness training to Adults, Dislocated Workers, and Youth in the maximum combined amount of \$150,000, for the period retroactive to October 1, 2018 through June 30, 2019;  
b. Acting as Chief Elected Official, approve and authorize the Executive Director of the WDB to execute up to four amendments to each agreement, extending services for one (1) year per amendment, subject to review by County Counsel, provided the amendments do not significantly change the scope of work

**Attachments:** [Board Report](#)  
[Monterey Adult School Agreement](#)  
[Advanced Computer Training Schools Agreement](#)  
[Dynamic Works Job Readiness Training Agreement](#)  
[New York Wired Online Training Agreement](#)  
[Treehouse Island Agreement](#)

41. Adopt a resolution to approve the Conflict of Interest Code of the Moss Landing Harbor District.
- Attachments:** [Board Report](#)  
[BOS Resolution for the Moss Landing Harbor District](#)  
[Moss Landing Harbor District Ordinance No. 203](#)  
[Resolution No. 18-14 with Exhibit A & B](#)  
[Moss Landing Harbor District Conflict of Interest Code](#)
42. Receive the action minutes from the September 10, 2018 meeting of the Legislative Committee.
- Attachments:** [Board Report](#)  
[09.10.18 LC DRAFT MINUTES](#)
43. a. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to sign a Service Agreement with Kofile Technologies, Inc. in an amount not exceeding \$141,458 for the term of November 1, 2018 to June 30, 2019 for the preservation and conservation of the County Clerk/Recorder's maps; and  
b. Authorize the Auditor- Controller to amend the FY 2018-19 Adopted Budget increasing appropriations by \$141,458 in the County Clerk/Recorder's Budget unit (001-1180-ACR002-8004), funded by a transfer from the County Clerk/Recorder's Modernization Account (001-3041-MODN) (4/5th vote required).
- Attachments:** [Board Report](#)  
[Service Agreement](#)
44. a. Approve and authorize the Contracts/Purchasing Officer to sign a non-standard Professional Services Agreement with Michelle Slade, doing business as C4 Consulting, to provide planning and consulting services to Monterey County Free Libraries, in an amount not to exceed \$12,000, for the term beginning November 15, 2018 through February 28, 2019;  
b. Approve non-standard insurance provisions as recommended by the County Librarian.
- Attachments:** [Board Report](#)  
[C4 Consulting contract with MCFL](#)
45. a. Receive and Accept the Treasurer's Report of Investments for the Quarter Ending September 30, 2018.



**Attachments:** [Board Report](#)  
[Exhibit A - Investment Portfolio Review 09.30.18](#)  
[Exhibit B - Portfolio Management Report 09.30.18](#)  
[Exhibit C - Aging Report 10.01.18](#)

46. Approve and authorize the Assistant County Administrative Officer, to execute a four-year Event Agreement with Sportscar Vintage Racing Association (SVRA) for the right to conduct a Pro Trans Am and Vintage Festival event at WeatherTech Raceway Laguna Seca for the years 2019 through 2022.

**Attachments:** [Board Report](#)  
[Laguna Seca SVRA Final Agreement](#)

47. a. Approve and authorize the Contracts Purchasing Officer or Contracts Purchasing Supervisor to execute a Reciprocal Access and Parking Easement Agreement, effective on or around October 1, 2018, between the County of Monterey and the Roman Catholic Bishop of Monterey-Fresno (a sole corporation) for the purpose of providing reciprocal vehicular parking for the County's Porter Vallejo Mansion, Pajaro Community Center, and future Agricultural Commissioner Offices located at 29, 29A and 29B Bishop Street in the township of Pajaro, California, and for Our Lady of Assumption Church located at 100 Salinas Road in the township of Pajaro, California; and
- b. Approve and authorize the Contracts Purchasing Officer or Contracts Purchasing Supervisor to execute a Certificate of Acceptance and Consent to Recordation.

**Attachments:** [Board Report](#)  
[Attachment A.pdf](#)  
[Attachment B.pdf](#)  
[Attachment C.pdf](#)

48. Adopt a Resolution opposing the proposed "Public Charge" rule released by the U.S. Department of Homeland Security.

**Attachments:** [Board Report](#)  
[2018-11-06 BoS Reso - Proposed Public Charge Rule \(1\)](#)

49. Approve a revised Travel and Business Reimbursement Policy

**Attachments:** [Board Report](#)  
[2012 County Travel Bus Expense Policy 12 5 12](#)  
[Redline County Travel Bus Expense Policy 2018-10-31](#)  
[Revised County Travel Bus Expense Policy 2018-10-31](#)

## **RMA - Administration**

50. Adopt a Resolution to:

- a. Find that the project is categorically exempt from CEQA pursuant to CEQA Guidelines section 15308 (Class 8);
- b. Ratify the submittal of a grant by the Resource Management Agency to the California Department of Forestry and Fire Protection's California Climate Investments (CCI) Fire Prevention Grant Program in the amount of \$116,789 for reducing fuel load to manage wildfire risk at Jacks Peak County Park; and
- c. Authorize the Director of the Resource Management Agency to execute an Agreement accepting the grant award.

**Attachments:** [Board Report](#)  
[Attachment A - Resolution](#)  
[Attachment B - Grant Agreement and Application](#)  
[Attachment C - Award Letter](#)

- 51.
- a. Approve Amendment No. 3 to Joint Funding Agreement (JFA) 16WSCA600466210 with the U.S. Geological Survey (USGS) in order for the Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA) to utilize the Salinas Valley Integrated Hydrologic Model (SVIHM), on a reimbursement basis, in the amount of \$50,514 (\$45,949 to be funded by County; \$4,565 to be provided as match funding by USGS), for a total amount not to exceed \$1,381,074 (\$1,226,571 to be funded by County; \$114,503 to be provided as match funding for USGS); and,
  - b. Authorize the Resource Management Agency Director to execute Amendment No. 3 to Joint Funding Agreement No. 16WSCA600466210 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 1 - Summary of Joint Funding Agreement](#)  
[Attachment 2 - JFA No. 16WSCA600466210\\_A3](#)  
[Attachmetn 3 - SVBGSA MOU](#)

## **RMA - Land Use and Community Development**

- 52.
- PLN180329 - Long/Caswell**
- a. Accept an Amended Conservation and Scenic Easement Deed (Attachment A) for the Long Property (APN 187-541-020-000), as required as a Condition of Approval for PLN180198, and authorize the Chair to sign the Acceptance and Consent to Recordation; and
  - b. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation, with recording fees to be paid by applicant.  
(9 Story Road, Carmel Valley, Carmel Valley Master Plan)

**Attachments:** [Board Report](#)  
[Attachment A - Amended Conservation and Scenic Easement](#)

53. Adopt a resolution to approve adding the “James E. Wansbrough” house to the Monterey County Register of Historic Resources, the Local Official Register of Historic Resources. The project is located at 3035 Valdez Road, Pebble Beach (Assessor’s Parcel Number 007-301-011-000).  
**Proposed CEQA action:** Statutorily exempt per CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).  
**Attachments:** [Board Report](#)  
[Attachment A - Board of Supervisors Resolution](#)  
[Attachment B HRRB Resolution No. 18-001](#)  
[Attachment C Historic Listing Request & Phase 1 Assessment](#)
54. Adopt a resolution to approve adding the “Charles Moore” house to the Monterey County Register of Historic Resources, the Local Official Register of Historic Resources. The project is located at 4175 Sunset Lane, Pebble Beach (Assessor’s Parcel Number 008-072-013-000).  
**Proposed CEQA action:** Statutorily exempt per CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).  
**Attachments:** [Board Report](#)  
[Attachment A - Draft Board of Supervisors Resolution](#)  
[Attachment B - HRRB Resolution No. 18-002](#)  
[Attachment C - Historic Listing Request & Phase 1 Assessment](#)
55. a. Set a public hearing for December 4, 2018 to consider twelve (12) 2019 Williamson Act Applications (REF180014):  
1. **No. 2019-001 (AgP)**- Sanders Family Vineyard, LLC; APN 422-081-064  
2. **No. 2019-002 (FSZ)**- Michael G. & Vicki L. Reed, Cotrustees of the MV Reed Revocable Living Trust; Philip Reed, Trustee; Amelia M. Reed Irrevocable Trust; Kenneth Reed; James Reed; Kevin Reed; APNs 221-021-005 and 221-021-006  
3. **No. 2019-003 (FSZ)**- Craig D. McPherson and Jennifer L. McPherson, Trustees of the McPherson Family Trust dated July 19, 2013, as Craig McPherson’s sole and separate property, an undivided fifty percent (50%); and Heather M. Washington, Trustee of the Heather M. Washington Separate Property Trust dated February 29, 2016, and undivided fifty percent (50%); APNs 137-091-002; 137-091-003; and 137-091-004  
4. **No. 2019-004 (FSZ)**- Craig D. McPherson and Jennifer L. McPherson, Trustees of the McPherson Family Trust dated July 19, 2013, as Craig McPherson’s sole and separate property, an undivided fifty percent (50%); and Heather M. Washington, Trustee of the Heather M. Washington Separate Property Trust dated February 29, 2016, and undivided fifty percent (50%) APNs 137-051-006 and 137-081-001  
5. **No. 2019-005 (FSZ)**- Wilder Ranch LLC, a California limited liability company (undivided ½ interest); and Wilder Sly Ranch LLC (undivided ½ interest); APN 227-051-004

6. **No. 2019-006 (FSZ)**- aka Fairview Road Ranch; Andrew P. Gilmour; Maureen G. Cook; J. Link Leavens; and Leslie A. Leavens; APN 216-022-002
  7. **No. 2019-007 (FSZ)**- Lawrence Abram, Trustee of the Abram Family Trust dated February 24, 1983; Lawrence Abram, Trustee of the Abram Family Trust u/t/a dated June 28, 1993; Lawrence Abram, Trustee of the Bypass Trust Under the Abram Family Trust u/t/a dated May 7, 1982; Lori Abram, Trustee of the 2007 Lori A. Abram Irrevocable Trust dated September 2, 2007; APN 137-051-009
  8. **No. 2019-008 (FSZ)**- Clinton F. Miller, Jr. and Karen V. Miller, Trustees of the Miller Family Trust dated December 9, 1999; APNs 117-411-012 and 117-411-024 (Continued FSZ Application No. 2018-001)
  9. **No. 2019-009 (FSZ)**- Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 (Continued FSZ Application No. 2018-006)
  10. **No. 2019-010 (AgP)**- George R. Work as Trustee of the WORK FAMILY ESTATE TRUST, George R. Work, Colleen M. Work, Jody L. Birks, Johnita A. Fisher Life Estate; APNs 424-161-020; 424-181-001; 424-181-002; and 424-181-022 (Continued AgP Application No. 2018-007)
  11. **No. 2019-011 (FSZ)**- Ag Land Trust Inc.; APN 253-014-003
  12. **No. 2019-012 (AgP)**- Assellus Monterey II LLC; APNs 422-121-004; 422-121-005; and 422-121-032
- b. Direct the Clerk of the Board of Supervisors to publish Notice of Public Hearing for the Public Hearing to take place on December 4, 2018 at 10:30 a.m. to consider the 2019 applications, including three (3) continued applications, to create nine (9) Farmland Security Zones (“FSZ”) and FSZ Contracts and establish three (3) Agricultural Preserves (“AgP”) and Land Conservation Contracts.

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

[Attachment A - Notice of Hearing for December 4, 2018](#)

[Attachment B - Board Resolution No. 01-485, as amended by Board Resolution](#)

[Attachment C - Board Resolution No. 01-486](#)

[Attachment D - 2019 Application Matrix](#)

[Attachment E - County-wide Map - 2019 Williamson Act Applications](#)

**56.**

**PLN010252 - COELHO**

- a. Accept the Conservation and Scenic Easement Deed (Attachment A) for the Coelho property (APN 419-372-002-000) which will amend the current easement to accurately protect areas with slopes in excess of 30 percent; and
- b. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for recordation, with recording fees to be paid by applicant.  
(30001 Olivia Drive, Greenfield, Central Salinas Valley Area Plan)

- Attachments:** [Board Report](#)  
[Attachment A - Conservation and Scenic Easement Deed](#)  
[Attachment B - Certificate of Correction](#)  
[Attachment C - Topographic Map](#)  
[Attachment D - Biological Report](#)

## **RMA – Public Works and Facilities**

57. Adopt a resolution to:
- a. Approve a 3-year Master Agreement between the Transportation Agency for Monterey County and the County of Monterey for Regional Surface Transportation Program (RSTP) Exchange Funds, Transportation Development Act 2% (TDA 2%) funds, and Regional Development Impact Fee (RDIF) funds for County projects, for a term retroactive from March 22, 2017 to March 21, 2020; and
  - b. Authorize the Resource Management Agency Director to execute documents to secure these funds from the Transportation Agency for Monterey County.

- Attachments:** [Board Report](#)  
[Attachment A - Resolution](#)  
[Attachment B - Master Agreement w/TAMC](#)

58.
  - a. Approve Amendment No. 3 to Professional Services Agreement No. A-13805, Resolution No. 17-236, with Harris & Associates, Inc. to continue to provide additional Project Management, complete and implement the Environmental Documentation and Permits, and Design Support During Construction, and to assist with closing out the permit documents to complete services for Phase 2 of the Palo Colorado Road Emergency Repair at Rocky Creek Crossing, to increase the not to exceed amount by \$144,880 for a total amount not to exceed \$720,366, with no term extension to the term of June 13, 2017 to June 13, 2020; and
  - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 3 to Professional Services Agreement No. A-13805, Resolution No. 17-236, and any future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

- Attachments:** [Board Report](#)  
[Attachment A - Amendment No. 3 to PSA](#)  
[Attachment B - Amendment No. 2 to PSA](#)  
[Attachment C - Amendment No. 1 to PSA](#)  
[Attachment D - PSA](#)  
[Attachment E - Project Budget](#)  
[Attachment F - Location Map](#)  
[Attachment G - Summary Of PSA](#)  
[Attachment H - Summary Of PSA Annual Expenditures and Balance](#)

**Addenda/Supplemental Agenda**

59.

**ADDENDA****Add to Closed Session**

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

1. d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

**Add under Resolutions**

16.1 Adopt Resolution recognizing Blanca Maldonado for her dedicated service of 9 years in preserving and maintaining the interior cleanliness of the Monterey County Government Center.

**Add to Consent Calendar - Natividad Medical Center**

32.1 Adopt resolution to amend the Personnel Policies and Practices Resolution No. 98-394 to add Section A.30.14 Annual Leave Cash Out: Unit U Physicians with Over One (1) Year of Service, as indicated in Attachment A.

**Add to Consent Calendar - Health Department**

- 36.1 a. Set a public hearing for December 11, 2018 at 1:30 p.m. to consider and adopt Resolution to approve Amendment No. 8 effective January 1, 2019 with [Proposed] Exhibit 1 "Approved Rates and Charges" to Unified Franchise Agreement A-11631 with a term of November 1, 2010 through June 30, 2020 regarding proposed rates for services and adjustments to current rates for the Unified Franchise Agreement A-11631 between the County of Monterey and Waste Management, Inc. dba USA Waste of California dba Carmel Marina Corp., for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County; and
- b. Direct the Clerk of the Board to publish the Notice of Public Hearing in newspapers of general circulation to provide for County-wide Notice of Public Hearing on or before December 2, 2018.

**SUPPLEMENTAL**

**Revised Resolution**

12. Adopt Resolution: Congratulating Stephen Pessagno on the National Steinbeck Center “Ag Leader Award” (Full Board)

**Scheduled AM - Revised Board Report and Attachment Added**

27. Consider a Resolution to:

- a. Find that the Safe Parking and Supportive Services Program located at 2616 First Ave. in Marina, CA qualifies for a Class 1 categorical exemption pursuant to Section 15301(c) of the CEQA Guidelines, and none of the exceptions to the categorical exemption pursuant to Section 15300.2 apply;
- b. Approve and authorize the Director of the Department of Social Services to sign Amendment #1 to Agreement #A-13791, subtracting \$18,245, effective November 30, 2018, and extending operation of the Monterey County Safe Parking and Supportive Services Program through March 31, 2019, decreasing the total contract amount to \$131,755;
- c. 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% (\$13,175) of the current amended contract amount, and do not significantly change the scope of work;
- d. Approve and authorize the Auditor-Controller to increase appropriations in the adopted FY 18-19 Community Programs Budget 001-5010-SOC004-8258 in the amount \$18,750.65 to fund the Safe Parking and Supportive Services program using funds from one of the options discussed in the Financing Section of this Board Report (4/5ths vote required); and
- e. Approve and authorize the Auditor-Controller to increase appropriations in the adopted FY 18-19 Community Programs Budget 001-5010-SOC004-8258 in the amount \$10,000 for the CEQA Study using funds from one of the options discussed in the Financing Section of this Board Report (4/5ths vote required).

**Scheduled PM - Revised Board Report**

28. REF150048 - Inland and REF160042 - Coastal Commercial Cannabis (Marijuana) Permit Requirements and Dispensary Setbacks

Public hearing to consider:

- a. Adoption of an ordinance amending Title 21 (non-coastal zoning ordinance) to:
  1. Change commercial cannabis activities from a conditional use allowed subject to a Use Permit in each case within specified zoning districts, to a principal use allowed

subject to an Administrative Permit in each case within the same specified zoning districts; and

2. Establish required permits and criteria for retail facility applications that do not comply with the 1,500-foot setback from another approved retail facility.

b. Adoption of a Resolution of Intent to adopt an ordinance amending the Monterey County Coastal Implementation Plan, Part 1 (Title 20 coastal zoning ordinance) to:

1. Change commercial cannabis activities from a conditional use allowed subject to a Coastal Development Permit in each case within specified zoning districts, to a principal use allowed subject to a Coastal Administrative Permit in each case within the same specified zoning districts; and

2. Establish required permits and criteria for retail facility applications that do not comply with the 1,500-foot setback from another approved retail facility.

c. Adoption of a Resolution clarifying permit fees where applicants have paid for a Use Permit/Coastal Development Permit and the type of permit is amended.

Location: County-wide

Proposed CEQA action: Statutorily exempt pursuant to Business and Professions Code section 26055(h) (CEQA exemption for the adoption of local commercial cannabis regulations that require subsequent discretionary permits that are themselves subject to CEQA review).