

# Monterey County

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



## Meeting Agenda

**Tuesday, February 5, 2019**

**9:00 AM**

### **Board of Supervisors.**

*Chair John M. Phillips - District 2  
Vice Chair Chris Lopez - District 3  
Supervisor Luis A. Alejo - District 1  
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 agendas for Special Districts and Agencies governed by the Board of Supervisors that may be scheduled for agenda items today.**

**9:00 A.M. - Call to Order**

**Roll Call**

**Additions and Corrections for 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) Aera Energy LLC v. County of Monterey, et al., Monterey Superior Court Case No. 16CV003980
    - (2) California Resources Corporation v. County of Monterey, et al., Monterey Superior Court Case No. 17CV000790
    - (3) Chevron U.S.A. Inc., et al. v. County of Monterey, et al., Monterey Superior Court Case No.16CV003978
    - (4) Eagle Petroleum LLC v. County of Monterey, et al., Monterey Superior Court Case No. 17CV000935
    - (5) National Association of Royalty Owners-California, Inc., et al. v. County of Monterey, et al., Monterey Superior Court Case No. 17CV000871
    - (6) Trio Petroleum LLC, et al. v. County of Monterey, et al., Monterey Superior Court Case No. 17CV001012
    - (7) Lisa Adrian v. Christopher Plummer, et al., Monterey County Superior Court Case No. 17CV003377
  - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~three~~ four matters of significant exposure to litigation.  
(ADDED VIA SUPPLEMENTAL)
  - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding two matters of discipline, dismissal, or release of a public employee.  
(ADDED VIA SUPPLEMENTAL)

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

(1) Designated representatives: Irma Ramirez-Bough and Kim Moore

Employee Organization(s): Units A, B, C, D, E, F, G, H, J, K, L, M, N, Q and V.

## **Public Comment**

## **The Board Recesses 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.*

## **10:30 A.M. - Reconvene on Public Agenda Items**

### **Roll Call**

### **Pledge of Allegiance**

### **Additions and Corrections**

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

2. Approval of Consent Calendar Items No. 14 through 17.

### **Ceremonial Resolutions**

3. Adopt Resolution proclaiming February 11-16, 2019 "African American Mental Health Awareness Week" in Monterey County. (Full Board)

**Attachments:** [African American Mental Health Awareness Ceremonial Resolution](#)

4. Adopt Resolution recognizing David Chardavoynne for his years of service and leadership of the Monterey County Water Resource Agency. (Full Board)  
(REVISED VIA SUPPLEMENTAL)

**Attachments:** [David Chardavoynne Ceremonial Resolution](#)

- 4.1 Adopt Resolution Proclaiming February 2019 As Black History Month in the County of Monterey. (Supervisor Phillips) (ADDED VIA ADDENDA)

**Attachments:** [Black History Month Proclamation Ceremonial Resolution](#)

- 4.2 Adopt Resolution Recognizing and Congratulating 2-1-1 Monterey County.

(Supervisor Phillips)  
(ADDED VIA ADDENDA)

**Attachments:** [Resolution Recognizing & Congratulating 2-1-1 MoCo Ceremonial Resolution](#)

## **Appointments**

5. Appoint Francine Goodwin to the Housing Authority for a term ending January 9, 2020. (Supervisor Phillips)
- Attachments:** [Notification to Clerk - Goodwin](#)
- 5.1 Reappoint Ken Mahler to the Aromas Tri-County Fire Protection District for a term ending November, 2020. (Supervisor Phillips)
- Attachments:** [Notification to Clerk - Mahler](#)
- 5.2 Reappoint Ron Mesiroff to the Aromas Tri-County Fire Protection District for a term ending November 2020. (Supervisor Phillips)
- Attachments:** [Notification to Clerk - Mesiroff](#)
- 5.3 Reappoint Sam Daniels to the Military and Veterans Affairs Advisory Commission for a term ending February 2, 2021. (Supervisor Alejo)
- Attachments:** [Notification to Clerk - Daniels](#)
- 5.4 Appoint Gilbert Ramos to the Community Action Commission for a term ending July 1, 2020. (Supervisor Alejo) (ADDED VIA ADDENDA)
- Attachments:** [Notification to Clerk - Ramos](#)

## **Other Board Matters**

6. Board Comments
7. CAO Comments and Referrals
- Attachments:** [Referrals 02-05-19](#)
8. 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**

9. Receive a presentation from the County Administrative Office regarding 2018 Attendee Survey results for the events at WeatherTech Raceway Laguna Seca and a preview of the 2019 season.

**Attachments:** [Board Report](#)  
[Attachment - WTR LS - 2018 Attendee Survey Results](#)  
[Attachment - WeatherTech Raceway 2018 Economic Impact 2-5-19](#)  
[MS PowerPoint Presentation Presented at Hearing](#)

10. a. Consider options for the use of the former site of the County modular buildings 1, 2, 3, and 6 located at the southwest corner of Gabilan and Church Streets in Salinas; and  
b. Provide direction to staff.  
(Board referral 2018.22)

**Attachments:** [Board Report](#)  
[Attachment A - Option 1 Concept](#)  
[Attachment B - Option 2 Concept](#)  
[Attachment C - Option 3 Concept](#)  
[Attachment D - Option 4 Concept](#)  
[Attachment E - Rough Order Comparison](#)  
[Attachment F - Location Map](#)  
[MS PowerPoint Presentation Presented at Hearing](#)

**12:00 P.M. - Recess to Lunch****1:30 P.M. - Reconvene****Roll Call****1:30 P.M. - Scheduled Matters**

11. Accept the FY 2017-18 Annual Report from First 5 Monterey County (a.k.a. The Monterey County Children and Families Commission).

**Attachments:** [Board Report](#)  
[Community Annual Report FY 17 18 FINAL](#)  
[F5MC BOS MS PowerPoint 2.5.2019](#)  
[Final Revised MS PowerPoint Presented at Hearing](#)

12.

**PLN180204 - RAVA JERRY J II TR**

Public hearing to adopt a resolution for approval of a Lot Line Adjustment between three (3) legal lots of record of 160 acres (Parcel 1), 160 acres (Parcel 2) and 156.5 acres (Parcel 3) merging three (3) lots into two (2) resulting in lots of 91 acres (Parcel A) and 385.5 acres (Parcel B). The properties are located north of Wildhorse Canyon Road, near King City (Portion of Assessor's Parcel Number 420-091-010-000 and 420-091-018-000), Central Salinas Valley Area Plan. The properties are under Williamson Act Contract.

**Propose California Environmental Quality Act (CEQA) Action:** Categorically Exempt per California Environmental Quality Act (CEQA) Guidelines Section 15305(a)

**Project Location:** North of Wildhorse Canyon Road, near King City (Assessor's Parcel Number 420-091-010-000 and 420-091-018-000), Central Salinas Valley Area Plan.

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

[Attachment A - Proposed Resolution](#)

[Attachment B - Vicinity Map](#)

[Attachment C - Agricultural Preserve Land Conservation](#)

[MS PowerPoint Presentation Presented at Hearing](#)

13.

- a. Receive a report on the update process for the Affordable Housing Ordinance, the Inclusionary Housing Ordinance Financial Evaluation and provide direction on options for modifying the Ordinance;
- b. Receive a report on funding restricted for affordable housing to support the development and retention of affordable housing;
- c. Direct staff to analyze establishing a replacement reserve for the Kents Court in Pajaro to be funded from monthly lease income received from tenants of this affordable housing development;
- d. Authorize staff to issue a Request for Proposals for the preparation of a Housing Sustainability Plan for Monterey County and set aside \$210,000 from the Inclusionary Housing Fund for this purpose;
- e. Authorize staff to issue a Request for Proposals for affordable housing development and rehabilitation projects and planning activities to be funded from various restricted funding sources including the BEGIN program, HOME program, Inclusionary Housing In-Lieu Fees, and redevelopment low-moderate-income housing set-asides; and,
- f. Authorize staff to work with the Board of Supervisor's Legislative Committee, lobbyists, and other interested parties to advocate for changes to AB11 - Community Redevelopment Law of 2019.



- Attachments:** [Board Report](#)  
[Attachment 1 - 2018 California Housing Initiatives](#)  
[Attachment 2 - HCD NOFA Schedule](#)  
[MS PP Presentation Presented at Hearing: Affordable Housing Study Session](#)  
[MS PP Presentation Presented at Hearing: KMA Board Presentation](#)  
[Presented at Hearing: KMA Inclusionary Housing Ordinance Final Evaluation](#)

**Read Out from Closed Session**

**Adjournment**

**Supplemental Sheet, Consent Calendar****Health**

14. Approve and authorize the Contracts Purchasing Officer or Contracts Purchasing Supervisor to sign Amendment No. 4 with Bagley Enterprises, Inc. (with a term of July 1, 2013 through June 30, 2019 and not to exceed \$125,000) to change the scope to allow for annual inspections rather than more frequent inspections for services related to used oil and filter collection.

**Attachments:** [Board Report](#)  
[Bagely Enterprises Amend4](#)  
[Bagely Amend3](#)  
[Bagley Amendment 2](#)  
[Amendment1 Bagley Enterprises Inc.](#)  
[Bagley Enterprises Inc - Agmnt & Exhibits \(1\)](#)  
[14. Completed Board Order](#)

**General Government**

15. Accept the Monterey County Law Library Annual Report, Financial Year 2017-2018.

**Attachments:** [Board Report](#)  
[Monterey County Law Library Final Report FY 2017-2018](#)  
[15. Completed Board Order](#)

**RMA Administration**

16. Adopt a Resolution to:
- a. Amend the FY 2018-19 Resource Management Agency (RMA), General Fund 001, Unit 8170- Building Services, Appropriation Unit RMA011 Budget to reallocate one (1) Principal Office Assistant position to one (1) Supervising Office Assistant II position, as indicated in the attached Resolution;
  - b. Amend the FY 2018-19 RMA, General Fund 001, Unit 8196 - Development Services, Appropriation Unit RMA010 Budget to reallocate one (1) Engineering Technician position to one (1) Civil Engineer position and one (1) RMA Services Manager to one (1) Management Analyst II, as indicated in the attached Resolution;
  - c. Amend the FY 2018-19 RMA, General Fund 001, Unit 8475 - Parks Operations, Appropriation Unit RMA102 Budget to reallocate one (1) Sanitation Worker position to one (1) Parks Utilities and Water Systems Specialist position, as indicated in the attached Resolution;
  - d. Amend the FY 2018-19 RMA, Road Fund 002, Unit 8195 - Public Works

Engineering, Appropriation Unit RMA012 Budget to reallocate one (1) Project Manager II position to one (1) Project Manager III position, as indicated in the attached Resolution;

- e. Amend the FY 2018-19 RMA, Road Fund 002, Unit 8443 - Public Works Maintenance, Appropriation Unit RMA012 Budget to create a new allocation for a Road Superintendent position, as indicated in the attached Resolution; and
- f. Authorize the Auditor-Controller, Human Resources Department and the County Administrative Office to incorporate these changes in the FY 2018-19 Budget.

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

[Attachment A - Resolution](#)

[Attachment B-FY1819 Prpsd Reallctd Pos. Cst Anlys](#)

[Attachment C-FY1920 Prpsd Reallctd Pos. Cst Anlys](#)

[Item No. 16 Board Order & Resolution](#)

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

17.

Adopt a Resolution to:

- a. Approve a report on the status of development traffic impact fees for fiscal year ending June 30, 2018; and
- b. Adopt findings for retaining uncommitted funds in accordance with Government Code Section 66000 et. seq.

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

[Attachment A - Resolution](#)

[Item No. 17 Board Order & Resolution](#)

## **Addenda/Supplemental**

18.

### **ADDENDUM**

#### **Add to Ceremonial Resolutions:**

- 4.1 Adopt Resolution Proclaiming February 2019 As Black History Month in the County of Monterey. (Supervisor Phillips)
- 4.2 Adopt Resolution Recognizing and Congratulating 2-1-1 Monterey County. (Supervisor Phillips)

#### **Add to Appointments:**

- 5.4 Revised to Appoint Gilbert Ramos to the Community Action Commission for a term ending July 1, 2020. (Supervisor Alejo)

### **SUPPLEMENTAL**

#### **Revised Closed Session:**

- 1. b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~three~~ four matters of significant exposure to litigation.

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

**Revised Ceremonial Resolution:**

4. WHEREAS, David Chardavoyne was initially recruited to resolve a three-party contract dispute related to design and construction of a 10,000 acre-ft/year desalination plant and continued on to become General Manager of this state established agency having an annual budget of \$24 million. ~~and is currently managing a~~ A key task he undertook as General Manager was the \$78.2 million project to construct a 10-foot diameter tunnel between the two reservoirs; and