

# Monterey County

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



## Meeting Agenda - Final-Revised

**Tuesday, March 19, 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 by County Counsel**

*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.*

**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) Mauck, Steven F. v. County of Monterey, et al. (United States District Court case no. 18-cv-04482 NC)
    - 2) Collins v. County of Monterey, et al, (U.S. District Court case 5:19-cv-01214-NC) (ADDED VIA SUPPLEMENTAL)
  - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding three matters of significant exposure to litigation.
  - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of:
    - 1) Director of Social Services
    - 2) Library Director
  - d. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
    - 1) Property: APN 161-251-010-000

Agency Negotiator(s): Les Girard, Chief Assistant County Counsel

Negotiating Parties: Cypress Community Church

Under negotiation: Price and terms

~~e. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:~~ (REMOVED VIA SUPPLEMENTAL)

2) Property: Fort Ord Landfill Parcels and Landfill Buffer Parcels, APNS

031-101-039, 031-101-040, 031-101-41, 031-101-042, 031-101-056,

031-101-057, 031-101-058, 031-161-041, 031-161-058, and Army owned Parcel E8a.2 (No APN)

Agency Negotiator(s): Carl Holm, Resource Management Agency Director

Negotiating Parties: City of Marina

Under negotiation: Price and terms

e. 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): Unit H

### **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**

### **Presentation**

**1.1** Salinas Valley Promise Scholarship (ADDED VIA ADDENDA)

**Attachments:** [Salinas Valley Promise Scholarship- BOS](#)

### **Additions and Corrections by Clerk**

*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. 11 through 20.

**Ceremonial Resolutions**

3. Adopt Resolution honoring Undisclosed Recipient upon its selection as the recipient of the 2018 Monterey Peninsula Chamber of Commerce Business of the Year Award. (Full Board)

**Attachments:** [Undisclosed Recipient Ceremonial Resolution](#)

4. Adopt Resolution commending Ramon O. Serrano, Information Technology Department, upon his retirement from 22 years of Public Service. (Full Board)

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

**Appointments**

5. Reappoint Caryn Lewis to the Children and Families First Commission for a term ending March 31, 2022. (Full Board)

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

**Other Board Matters**

6. Board Comments
7. CAO Comments and Referrals

**Attachments:** [Referrals 03-19-19](#)

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. a. Receive an update on the Request for Proposals (RFP) regarding the Old Monterey County Jail; and  
b. Provide direction to staff. (Board Referral #: 2017.15)

**Attachments:**   [Board Report](#)  
[Attachment A - Board report \(10/10/17\)](#)

**9.1****PLN180149 - CATHREIN LAND, LLC (CHAPIN)**

Public Hearing to consider amending the final map for Cathrein Acres subdivision (also known as Cathrein Estates) to reduce the agricultural buffer from 200 feet to 75 feet and to relocate the building envelope on Lot 10 of the Subdivision.

Project Location: 20530 Cathrein Court, Salinas area, (Assessor's Parcel Number 125-291-028-000), North County Area Plan.

Proposed (CEQA) Action: Consider Addendum to a previously adopted Mitigated Declaration (PLN990330).

**Attachments:**   [Board Report](#)  
[Attachment A - Vicinity Map](#)  
[Attachment B - Draft Resolution](#)  
[Attachment C - Monterey County Board Order 13-0865](#)  
[Attachment D - Addendum to Mitigated Negative Declaration](#)  
[Attachment E - Mitigated Negative Declaration](#)

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

- 10.**                      ~~Receive a status of the Homeless Emergency Aid Program (HEAP) (REMOVED VIA SUPPLEMENTAL)~~

**Attachments:**   Board Report

**10.1**

Direct staff to submit a Letter of Intent to Community Human Services (CHS) to support CHS' application for Homeless Emergency Aid Program (HEAP) program funds to the Salinas/Monterey and San Benito County Continuum of Care CA-506 (CoC), necessary for CHS to lease, make tenant improvements, and operate a shelter for women and children at a County owned building located at 1292 Olympia Avenue, Seaside

**CEQA ACTION:** not a project pursuant to CEQA Guidelines 15004(b)(2)(a).  
(ADDED VIA ADDENDA)

**Attachments:**   [Board Report](#)  
[Robin McCrae Comm Human Svs Fin Ltr 1292 Olympia HEAP](#)

**10.2**

Adopt a Resolution to submit an application from the County of Monterey to the Homeless Emergency Aid Program (HEAP) program to fund operations of a

warming shelter located at 111 West Alisal Street to the Salinas/Monterey and San Benito County Continuum of Care CA-506. (ADDED VIA ADDENDA)

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

**10.3**

- a. Receive a report on the City of Salinas 855 East Laurel shelter and status of the Homeless Emergency Aid Program (HEAP) City/County application.
- b. Approve a Resolution to submit an application from the County of Monterey for HEAP funding for the construction of a permanent shelter located at 855 East Laurel Drive. The application will be submitted to the Salinas/Monterey and San Benito County Continuum of Care CA-506 (CoC). (ADDED VIA ADDENDA)

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

**10.4**

- a. Consider the Fort Ord Reuse Authority's Draft Legislative Language to Implement the Transition Plan; and
- b. Authorize the Chief Administrative Officer to send a letter conveying the Board's position to the Fort Ord Reuse Authority. (ADDED VIA ADDENDA)

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

[Attachment 1 – FORA Draft Language re Transition Plan](#)

[Completed Board Order](#)

**Read Out from Closed Session by County Counsel**

**Adjourned**



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

11. a. Authorize the Auditor-Controller to execute an operating transfer of \$250,000 from the 1991 Social Services Realignment Subaccount (025-0255-5010-SOC012-CMS) to the 1991 Health Realignment Subaccount (025-0254-4000-HEA013-PH) to fund the Bright Beginnings program; and
- b. Authorize the Auditor-Controller to execute an operating transfer of \$1,218,318 from the 1991 Social Services Realignment Subaccount (025-0255-5010-SOC012-CMS) to the 1991 Health Realignment Subaccount (025-0254-4000-HEA013-PH) to fund Children's Medical Services programs; and
- c. Authorize the Auditor-Controller to amend the FY 2018-19 Health Department's operating budget (025-4000-HEA013-8424-7614 and 5940) to increase appropriations and estimated revenue by \$1,218,318, funded by an operating transfer from 1991 Social Services Realignment (025-0255-5010-SOC012-CMS); 4/5th's vote required; and
- d. Authorize the Auditor-Controller to execute an operating transfer of \$243,148 from the 1991 Social Services Realignment Subaccount (025-0255-5010-SOC012-CMS) to the 1991 Health Realignment Subaccount (025-0254-4000-HEA013-PH) to fund the Nurse Family Partnership and Maternal, Child, and Adolescent Health programs; and
- e. Authorize the Auditor-Controller to amend the FY 2018-19 Health Department's operating budget (025-4000-HEA013-8424-7614 and 5940) to increase appropriations and estimated revenue by \$243,148, funded by an operating transfer from 1991 Social Services Realignment, 4/5th's vote required

**Attachments:** [Board Report](#)  
[Resolution PH Operating Funds](#)

12. Adopt a Resolution supporting the establishment of a statewide Commission on Recycling Markets to address China's trade import policies restricting recyclable materials and its impact on California's compliance with waste diversion mandates.

**Attachments:** [Board Report](#)  
[Resolution National Sword 3-1-2019](#)

**Department of Social Services**

13. a. Approve and authorize the Director of the Department of Social Services to sign Amendment #1 to Agreement #A-14024 with Housing Resource Center of Monterey County, adding \$415,930 to continue the Family Stabilization Program and Housing Support Program for CalWORKs recipients at maximum program capacity, increasing the total contract amount to \$1,415,930; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3)

additional amendments to this agreement, where the total amendments do not exceed 10% (\$141,593) of the current amended contract amount, and do not significantly change the scope of work.

**Attachments:** [Board Report](#)  
[Original Agreement.pdf](#)  
[Amendment #1.pdf](#)

## **General Government**

- 14.** Authorize the Auditor-Controller to amend the Emergency Communications FY 2018-19 Adopted Budget, EME001-001-1520-8065 to increase appropriations and revenues by \$1,144,664, financed by \$1,019,096 in additional revenue from Participating Agencies (EME001-001-1520-8065-5445/4675/5750), and \$125,568 from a decrease in appropriations from General Fund contingencies (CAO020-001-1050-8034-7811) (4/5ths vote required).

**Attachments:** [Board Report](#)  
[FY 2018 - 2019 Augmentation Request Detail](#)  
[FY 2018 - 2019 Dispatch Billing Worksheet NO RESERVE](#)  
[Resolution FY19](#)

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

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

- 16.** Approve and authorize the County Counsel's Office to execute the attached Amendment #5, with Kennedy/Jenks Consultants, in an amount not to exceed \$495,000, for a new total contract amount of \$683,500, for the period March 1, 2016 extended to September 1, 2022, for the construction, testing, reporting and oversight of a bioventing system at the Lake San Antonio Resort/Marina site, required by the California State Water Resources Control Board and Regional Board ("Water Boards") to address fuel spill remediation at the lake, to be funded from County Counsel - Enterprise Risk (001-1210-8429-COU006).

**Attachments:** [Board Report](#)  
[Kennedy-Jenks - Proposed amend 5 San Antonio w-Ex A \(2\)](#)  
[Kennedy-Jenks - San Antonio contract](#)  
[Kennedy-Jenks - amend 1 San Antonio contract](#)  
[Kennedy-Jenks - amend 2 San Antonio contract](#)  
[Kennedy-Jenks - amend 3 San Antonio contract](#)  
[Kennedy-Jenks - amend 4 San Antonio final all sigs](#)

### **RMA - Administration**

17. a. Approve Amendment No. 7 to the Professional Services Agreement with TruePoint Solutions, LLC to: include additional as needed programming and report customization to support the Accela Automation application; increase the not to exceed amount by \$60,000 for a total amount not to exceed \$144,900; and to extend the expiration date for thirty-nine (39) additional months for a revised term from April 15, 2012 to June 30, 2022; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 7 to the Professional Services Agreement 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 A - Amendment No. 7 to PSA](#)  
[Attachment B - Amendment No. 6 to PSA](#)  
[Attachment C - Amendment No. 5 to PSA](#)  
[Attachment D - Amendment No. 4 to PSA](#)  
[Attachment E - Amendment No. 3 to PSA](#)  
[Attachment F - Amendment No. 2 to PSA](#)  
[Attachment G - Amendment No. 1 to PSA](#)  
[Attachment H - PSA](#)  
[Attachment I - Summary of PSA](#)  
[Attachment J - Smry, PSA Annual xpndtrs & Balnce](#)

18. a. Approve Amendment No. 7 to Professional Services Agreement No. A-12755, Multi-Year Agreement #3000\*364, with ES Engineering Services, LLC, a Delaware Limited Liability Company, to continue to provide on-call landfill monitoring services, Request for Qualifications #10249, to extend the expiration date for one (1) additional year through March 21, 2020, for a revised term from March 21, 2012 to March 21, 2020, with no increase to the total not-to-exceed amount of \$500,000; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 7 to the Professional Services Agreement.

**Attachments:**   [Board Report](#)  
[Attachment A - Amendment No. 7 to PSA 030719](#)  
[Attachment B - Amendment No. 6 to PSA](#)  
[Attachment C - Amendment No. 5 to PSA](#)  
[Attachment D - Amendment No. 4 to PSA](#)  
[Attachment E - Amendment No. 3 to PSA](#)  
[Attachment F - Amendment No. 2 to PSA](#)  
[Attachment G - Amendment No. 1 to PSA](#)  
[Attachment H - PSA](#)  
[Attachment I - Summary of PSA](#)  
[Attachment J - Smry, PSA Annl Expendtres & Blnc](#)

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

- 19.                    PLN130447 - PEBBLE BEACH COMPANY**
- a. Find that accepting the Conservation and Scenic Easement Deed is statutorily exempt per Section 15268 of the CEQA Guidelines;
  - b. Accept the Conservation and Scenic Easement Deed to satisfy Condition No. 31 of RMA-Planning File No. PLN130447;
  - c. Authorize the Chair to execute the Conservation and Scenic Easement Deed, and associated Subordination Agreement; and
  - d. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed, and associated Subordination Agreement, to the County Recorder for recording with all applicable recording fees paid by the applicant.
- Proposed CEQA Action:** Statutorily Exempt per CEQA Guidelines Section 15268  
**Project Location:** Area D (located east of SFB Morse Drive and south of Ortega Road), Pebble Beach, Del Monte Forest, Greater Monterey Peninsula Area Plan

**Attachments:**   [Board Report](#)  
[Attachment A - Conservation and Scenic Easement Deed](#)  
[Attachment B - Subordination Agreement](#)

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

- 20.**                    Authorize the Resource Management Agency Director or Resource Management Agency Deputy Director of Public Works, Parks, & Facilities to execute a Certificate of Completion and record a Notice of Completion for the Schulte Road Bridge at Carmel River Replacement Project, County Bridge No. 501, Federal Aid Project No. BRLO-5944 (010), Project No. 382065 performed by R.M. Harris Company, Inc.

**Attachments:**    [Board Report](#)  
                          [Attachment A - Resolution](#)  
                          [Attachment B - Project Budget](#)  
                          [Attachment C - Certificate of Completion](#)  
                          [Attachment D - Notice of Completion](#)  
                          [Attachment E - Location Map](#)

## **ADDENDA/SUPPLEMENTAL**

### **21.                    ADDENDA/ SUPPLEMENTAL:**

#### **Closed Session**

##### **Added to Closed Session:**

2) Collins v. County of Monterey, et al, (U.S. District Court case 5:19-cv-01214-NC)

##### **Removed from Closed Session:**

~~e. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:~~

##### **Presentation:**

##### **Added Salinas Valley Promise Scholarship**

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

##### **Removed from 1:30 P.M. Scheduled Matters**

##### **~~10. Receive a status of the Homeless Emergency Aid Program (HEAP)~~**

##### **Added to 1:30 P.M. Scheduled Matters:**

**10.1** Direct staff to submit a Letter of Intent to Community Human Services (CHS) to support CHS' application for Homeless Emergency Aid Program (HEAP) program funds to the Salinas/Monterey and San Benito County Continuum of Care CA-506 (CoC), necessary for CHS to lease, make tenant improvements, and operate a shelter for women and children at a County owned building located at 1292 Olympia Avenue, Seaside

CEQA ACTION: not a project pursuant to CEQA Guidelines 15004(b)(2)(a).

**10.2** Adopt a Resolution to submit an application from the County of Monterey to the Homeless Emergency Aid Program (HEAP) program to fund operations of a warming shelter located at 111 West Alisal Street to the Salinas/Monterey and San

Benito County Continuum of Care CA-506.

- 10.3** a. Receive a report on the City of Salinas 855 East Laurel shelter and status of the Homeless Emergency Aid Program (HEAP) City/County application.
- b. Approve a Resolution to submit an application from the County of Monterey for HEAP funding for the construction of a permanent shelter located at 855 East Laurel Drive. The application will be submitted to the Salinas/Monterey and San Benito County Continuum of Care CA-506 (CoC).

- 10.4** a. Consider the Fort Ord Reuse Authority's Draft Legislative Language to