

# Monterey County

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



## Meeting Agenda - Final-Revised

**Tuesday, October 8, 2019**

**9:00 AM**

**Final Revised as of 4:45 p.m. on 10-04-2019**

### Board of Supervisors

*Chair Supervisor John M. Phillips - District 2*

*Vice Chair Supervisor 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.*

**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) Steven F. Mauck v. County of Monterey, et al. (United States District Court 19-cv-04482)
    - (2) Kyron Jackson (Workers Compensation Appeals Board case no. ADJ11876822)
    - (3) Catherine McGrew (Workers Compensation Appeals Board case no. ADJ11850264)
    - (4) Sabih v. County of Monterey, et al. (Monterey County Superior Court case no M93135)
  - b. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Administrative Officer.
  - c. 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): All Units
  - d. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two matters of potential initiation of litigation.

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

### **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 by the 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. 14 through 21.

### **Appointments**

3. Reappoint Maximiliano Cuevas, MD to the Santa Cruz-Monterey-Merced Managed Medical Care Commission with a term ending December 31, 2023. (Full Board)

**Attachments:** [Notification to Clerk of Appt - Cuevas](#)

4. Reappoint Dr. Gary R. Gray to the Santa Cruz-Monterey-Merced Managed Medical Care Commission with a term ending December 31, 2023. (Full Board)

**Attachments:** [Notification to Clerk of Appt - Gray](#)

5. Reappoint Elsa Jimenez to the Santa Cruz-Monterey-Merced Managed Medical Care Commission with a term ending December 31, 2023. (Full Board)

**Attachments:** [Notification to Clerk of Appt - Jimenez](#)

6. Reappoint Elsa Quezada to the Santa Cruz-Monterey-Merced Managed Medical Care Commission with a term ending December 31, 2023. (Full Board)

**Attachments:** [Notification to Clerk of Appt - Quezada](#)

7. Appoint Tony Marci to the Agricultural Advisory Committee representing the California Strawberry Commission for a term ending on June 30, 2022. (Full Board)

**Attachments:** [Notification to Clerk of Appt - Marci](#)

### **Other Board Matters**

8. Board Comments
9. County Administrative Officer Comments and Referrals.

**Attachments:** [Referrals 10-08-19](#)

10. 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**

11. Receive a presentation by GEO Reentry on the Monterey Day Reporting Center for adult offenders upon the anniversary of its 10th year of operation in Monterey County.

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

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

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

### **Roll Call**

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

12. Receive Executive Committee's presentation on the 2018-19 Monterey County Employees' Giving Campaign providing a summary of the employees' caring and giving power from 2018; and Ardently launch the 2019 Monterey County Employees' Giving Campaign to "Embrace Our Cape" from the SuperHero Within.

**Attachments:** [Board Report](#)  
[Attachment A - Resolution No. 19-321 - Sept. 24, 2019](#)  
[Attachment B - Government Code 26227](#)  
[Attachment C - Government Code 1157.2](#)  
[Attachment D - Policy Adopted - August 31, 1965](#)  
[Attachment E - Resolution No. 89-012 - January 3, 1989](#)  
[Attachment F - Resolution No. 94-170 - April 26, 1994](#)  
[Attachment G - Agreement March 15, 1995](#)  
[Attachment H - Resolution No. 04-137 - April 20, 2004](#)  
[Attachment I - Proposed Board Letter for Chair's Signature](#)  
[Attachment J - Nonprofit Raffle Registration Confirmation June 11, 2019](#)

- 13.**
- a. Receive an update on the feasibility and costs for a mobile shower facility at 111 West Alisal Street;
  - b. Add the 111 West Alisal -Furnish and Install Portable Restrooms/Showers, Project 8413, to the approved FY 2019-2020 Capital Projects Project list;
  - c. Approve and authorize the Contracts Purchasing Officer or Contracts/Purchasing Supervisor to execute a purchase order for up to \$117,000 with Comforts of Home Services, Inc., for the purchase and delivery of a trailer-mounted shower toilet room facility;
  - d. Authorize and direct the Auditor-Controller to amend the FY 2019-20 Adopted Budget, by increasing appropriations by \$173,431 in the Capital Projects Fund 402, Appropriation Unit RMA014 financed by an operating transfer in up to \$117,000 from General Fund 001, Health Department Administration Appropriation Unit HEA014 and an operating transfer in up to \$56,431 from General Fund 001, Contingencies Appropriation Unit CAO020 (4/5th vote required); and
  - e. Authorize and direct the Auditor-Controller to transfer up to \$117,000 from the General Fund 001, Health Department Administration Appropriation Unit HEA014 and up to \$56,431 from the General Fund 001, Contingencies Appropriation Unit CAO020 Fiscal Year 2019-20 budgets to the Capital Projects Fund 402, Appropriation Unit RMA014 budget, where both the Health Department Administration and General Fund Contingencies have sufficient appropriations available in the adopted budget to cover the transfers (4/5th vote required).  
(Board Referral #: 2019.06)

**Attachments:** [Board Report](#)  
[Attachment A - Project Budget](#)  
[Attachment B - Resolution](#)

- 13.1**
- a. Receive an update regarding the Fort Ord Reuse Authority proposal to issue a bond against its statutory share of property tax revenue for building removal on the former Fort Ord;
  - b. Consider making a recommendation to the Fort Ord Reuse Authority and provide

direction to staff regarding the bond issuance; and

c. Adopt a resolution to: Authorize and direct the Auditor-Controller to amend FY 2019-20 Resource Management Agency Adopted Budget, Fund 001, Appropriation Unit RMA013, to increase appropriations by \$50,000 to be used for financial analysis and specialized bond counsel services, financed by an operating transfer from General Fund Contingencies, Fund 001, Appropriation Unit CAO020, of \$50,000 (4/5th vote required); Approve Standard Agreement with Fieldman, Rolapp & Associates, Inc. to provide financial analysis to the County for the Fort Ord Reuse Authority proposed bond issuance for a total amount not to exceed amount \$25,000 for a term of October 8, 2019 to December 31, 2020; Authorize the Resource Management Agency Director or his designee to execute the Standard Agreement and up to two (2) future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount by more than 10%; and Authorize County Counsel to retain specialized bond counsel services in an amount not to exceed \$25,000.

**Attachments:** [Board Report](#)  
[Attachment A - Resolution](#)  
[Attachment B - Standard Agreement -Fieldman, Rolapp & Associates](#)  
[Attachment C - 9-23-19 FOC Agenda Item No. 1 - Staff Report](#)  
[Attachment D - 9-23-19 Memo - Board Hearing requirements for Bond Issuance](#)

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

*Read out by County Counsel will only occur if there is reportable action(s).*

### **Adjournment**



**Supplemental Sheet, Consent Calendar****Department of Social Services**

14. Consider a Resolution to:
- Approve amending the Department of Social Services (DSS) Budget Unit 001-5010-8262-SOC005 to add one (1) Business Technology Analyst II to backfill for a current employee that will be assigned to the CalSAWS Migration Project;
  - Authorize the County Administrative Office to incorporate the changes to the FY 2019-20 Adopted Budget Unit 001-5010-8262-SOC005 to reflect the change in position counts;
  - Approve an increase in appropriations and estimated revenues of \$70,764 for the Social Services Budget Unit 001-5010-8262-SOC005 FY 2019-20 Adopted Budget (4/5ths vote required); and
  - Authorize the Auditor-Controller to amend the FY 2019-20 Adopted Budget by increasing appropriations and estimated revenues by \$70,764 in the Social Services Budget Unit 001-5010-8262-SOC005 (4/5ths vote required).

**Attachments:** [Board Report](#)  
[Resolution - CalSAWS 10-1-19](#)

**Criminal Justice**

15. a. Authorize the one-time release of \$109,000 from the Cannabis Assignment for the continuation of the existing Driving Under the Influence (DUI) Treatment Court program for adult offenders for Probation for fiscal year 19-20 (4/5th vote required); and
- b. Authorize the one-time release of \$51,000 from the Cannabis Assignment for the continuation of the existing Driving Under the Influence (DUI) Treatment Court program for adult offenders for the Health Department, Behavioral Health Bureau, for fiscal year 19-20 (4/5th vote required).

**Attachments:** [Board Report](#)  
[DUI Court Program Information](#)

**General Government**

16. a. Authorize and approve the Director of Information Technology to execute Amendment No. 3 with Honeywell International, Inc. for continued maintenance of the heating, ventilation, and air conditioning (HVAC) system service, increasing the Agreement amount by \$23,000.00 for a for a total Agreement amount not to exceed \$234,813.08 in the aggregate; and
- b. Authorize the Director of Information Technology to sign up to two (2)

amendments to this Agreement, extending the term by one (1) year each, where the additional costs per year do not exceed ten percent 10% (\$4,828) of the cost of the prior year's maintenance, subject to County Counsel review, and provided that the terms and conditions of the agreement remain substantially the same.

**Attachments:** [Board Report](#)  
[Honeywell Amend No. 3](#)  
[Honeywell Amend No. 2](#)  
[Honeywell Amend No. 1](#)  
[Honeywell Agreement](#)

17. Approve and authorize the Contracts / Purchasing Officer or his Designee to sign Amendment No. 4 to the contract between the County of Monterey and Everbridge, Inc. effective October 8, 2013, to increase the amount of the contract in the amount of \$88,850 plus taxes as applicable, from \$513,818 to \$ 602,668 and to extend services through October 7, 2020, as requested by the Director of Emergency Communications.  
[Agreement A-12565]

**Attachments:** [Board Report](#)  
[Everbridge Agreement](#)  
[Amendment #1](#)  
[Amendment #2](#)  
[Amendment # 3](#)  
[Proposed Amendment #4](#)  
[Everbridge Quotation 2019-2020](#)

18. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following meeting dates: Tuesday, January 8, 2019 through Tuesday, September 24, 2019.

**Attachments:** [DRAFT BOS Minutes 1-8-2019](#)  
[DRAFT BOS Minutes 1-15-2019](#)  
[DRAFT BOS Minutes 1-29-2019](#)  
[DRAFT BOS Minutes 2-5-2019](#)  
[DRAFT BOS Minutes 2-12-2019](#)  
[DRAFT BOS Minutes 2-26-2019](#)  
[DRAFT BOS Minutes 3-12-2019](#)  
[DRAFT BOS Minutes 3-19-2019](#)  
[DRAFT BOS Minutes 3-26-2019](#)  
[DRAFT Special BOS Minutes 4-1-2019](#)  
[DRAFT BOS Minutes 4-2-2019](#)  
[DRAFT BOS Minutes 4-9-2019](#)  
[DRAFT BOS Minutes 4-23-2019](#)  
[DRAFT BOS Minutes 4-30-2019](#)  
[DRAFT BOS Minutes 5-7-2019](#)  
[DRAFT BOS Minutes 5-14-2019](#)  
[DRAFT BOS Minutes 5-21-2019](#)  
[DRAFT Special BOS Minutes 5-28-2019](#)  
[DRAFT Special BOS Minutes 5-30-2019](#)  
[DRAFT Special BOS Minutes 5-31-2019 @ 9:00 am](#)  
[DRAFT Special BOS Minutes 5-31-2019 @ 10:30 am](#)  
[DRAFT BOS Minutes 6-3-2019](#)  
[DRAFT BOS Minutes 6-4-2019](#)  
[DRAFT BOS Minutes 6-11-2019](#)  
[DRAFT BOS Minutes 6-18-2019](#)  
[DRAFT BOS Minutes 6-25-2019](#)  
[DRAFT BOS Minutes 7-9-2019](#)  
[DRAFT Special BOS Minutes 7-15-2019](#)  
[DRAFT BOS Minutes 7-16-2019](#)  
[DRAFT BOS Minutes 7-23-2019](#)  
[DRAFT Special BOS Minutes 8-22-2019](#)  
[DRAFT BOS Minutes 8-27-2019](#)  
[DRAFT Special BOS Minutes 8-29-2019](#)  
[DRAFT Special BOS Minutes 8-30-2019](#)  
[DRAFT Special BOS Minutes 9-9-2019](#)  
[DRAFT BOS Minutes 9-10-2019](#)  
[DRAFT BOS Minutes 9-17-2019](#)  
[DRAFT BOS Minutes 9-24-2019](#)

**RMA - Administration**

19. a. Approve and authorize the Resource Management Agency Director or designee to execute two (2) Memoranda of Understanding (State Form FC-31) with the California Department of Forestry and Fire Protection for a term of one-(1) year for the use of Gabilan and Cuesta Conservation Camp crews to provide special fire suppression/reduction, flood protection efforts, and other activities in Monterey County parks, lakes, County Service Areas, County Road Rights-of-Way, and areas threatened by floodwaters;
- b. Approve and authorize the RMA Director or designee to execute and submit Conservation Camp Program Project Request and Record (State Form FC-32), on an as needed project basis to authorize individual project work and payment for a total amount not to exceed \$10,000 per project, or a combined fiscal year aggregate amount not to exceed \$100,000; and
- c. Authorize the RMA Director or designee to execute and submit two (2) annual CAL FIRE Memoranda of Understanding (State Form FC-31) for the use of Gabilan and Cuesta Conservation Camp crews to provide special fire suppression/reduction, flood-protection efforts, and other activities in Monterey County parks, lakes, County Service Areas, County Road Rights-of-Way, and areas threatened by floodwaters and Conservation Camp Program Project Request and Record (State Form FC-32) on an as-needed project basis to authorize individual project work and payment for a total amount not to exceed \$10,000 per project, or a combined fiscal year aggregate amount not to exceed \$100,000, for a maximum of five (5) years where there are no substantive changes to the terms and conditions of FORMs FC-31 and FC 32, subject to review and approval of County Counsel as to form and legality.

**Attachments:** [Board Report](#)[Attachment A-MOU CAL FIRE FC-31 Gabilan Conservation Camp](#)[Attachment B-CAL FIRE FC-32 Gabilan Conservation Camp](#)[Attachment C-MOU CAL FIRE FC-31 Cuesta Conservation Camp](#)[Attachment D-CAL FIRE FC-32 Cuesta Conservation Camp](#)**RMA – Public Works and Facilities**

20. a. Approve Amendment No. 2 to Standard Agreement No. A-13559 with Albion Environmental, Inc. to continue to provide services associated with the construction for completion of the Moss Landing Rule 20A Underground Utility District Project, under Request for Proposals No. 10513, to: increase the not to exceed amount by \$116,081 for a total amount not to exceed \$224,102; and to extend the expiration date for approximately fifteen (15) additional months through December 31, 2020, for a revised term from October 15, 2017 to December 31, 2020;
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to Standard Agreement No. A-13559; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to

execute future amendments to Standard Agreement No. A-13559 to extend the term beyond the original term authorized in Request for Proposals No. 10513 where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

**Attachments:** [Attachment A - Amendment No. 2 to SA](#)  
[Attachment B - Amendment No. 1 to SA](#)  
[Attachment C - Standard Agreement](#)  
[Attachment D - Project Budget](#)  
[Attachment E - Location Map](#)  
[Attachment F - Summary of Standard Agreement](#)  
[Attachment G - Summary of Standard AGR Annual Expenditures & Balance](#)

21. Approve and authorize the Resource Management Agency Director to execute and record a ten (10) year Deed Restriction and Covenant document for a 1.5 acre portion of County property at 855 East Laurel Drive, Assessor's Parcel Number 003-851-043-000, as required by the Homeless Emergency Aid Program ("HEAP") for Community Human Services' requested funding, in a form substantially similar to the proposed Deed Restriction and Covenant set forth in Attachment A.

**Attachments:** [Board Report](#)  
[Attachment A - Deed Restriction & Covenant](#)

## **ADDENDUM**

### **ADDENDUM**

#### **ADDED UNDER 1:30 P.M. SCHEDULED MATTERS**

Item No. 13.1

- a. Receive an update regarding the Fort Ord Reuse Authority proposal to issue a bond against its statutory share of property tax revenue for building removal on the former Fort Ord;
- b. Consider making a recommendation to the Fort Ord Reuse Authority and provide direction to staff regarding the bond issuance; and
- c. Adopt a resolution to: Authorize and direct the Auditor-Controller to amend FY 2019-20 Resource Management Agency Adopted Budget, Fund 001, Appropriation Unit RMA013, to increase appropriations by \$50,000 to be used for financial analysis and specialized bond counsel services, financed by an operating transfer from General Fund Contingencies, Fund 001, Appropriation Unit CAO020, of \$50,000 (4/5th vote required); Approve Standard Agreement with Fieldman, Rolapp & Associates, Inc. to provide financial analysis to the County for the Fort Ord Reuse Authority proposed bond issuance for a total amount not to exceed amount \$25,000 for a term of October 8, 2019 to December 31, 2020; Authorize the Resource Management Agency Director or his designee to execute the Standard Agreement

and up to two (2) future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount by more than 10%; and Authorize County Counsel to retain specialized bond counsel services in an amount not to exceed \$25,000.