

Monterey County

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



Meeting Agenda - Final-Revised

Tuesday, March 3, 2020

9:00 AM

Board of Supervisors

*Chair Supervisor Chris Lopez - District 3
Vice Chair Supervisor Jane Parker - District 4
Supervisor Luis A. Alejo - District 1
Supervisor John M. Phillips - District 2
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.

**SUPERVISOR LUIS A. ALEJO WILL APPEAR BY TELECONFERENCE ON THIS DATE AT:
7237 S. 40th Lane Phoenix, AZ 85041**

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) Marina Coast Water District v. County of Monterey, et al. (Monterey County Superior Court case no. 18CV000816)
 - (2) Fort Ord Reuse Authority v. All Persons Interested, et al. (Monterey County Superior Court case no 20CV000381)
 - (3) James Collins v. County of Monterey, et al. (United States District Court case no. 19CV01214)
 - (4) County of Monterey v. California Employees Retirement System, et al. (Monterey County Superior Court case no. 17CV002800) (REVISED VIA SUPPLEMENTAL)
 - b. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding matters posing a threat to the security of public buildings, essential public services, or the public's right of access to public services or facilities.
 - c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation. (REVISED 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): Unit S (REVISED VIA SUPPLEMENTAL)

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 to the Board

2.

PG&E Related Issues (REVISED VIA SUPPLEMENTAL)

Attachments: [CWSP Presentation Monterey County](#)

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)

3.

Approval of Consent Calendar Items No. 15 through 28.

Ceremonial Resolutions

4.

Adopt Resolution in appreciation of Anton "Tony" Salameh for his decades of service to the hospitality industry of Monterey County. (Full Board)

Attachments: [Ceremonial Resolution - Anton Salameh](#)

5.

Proclaim the month of March 2020 as Professional Social Work Month in Monterey County. (Full Board)

Attachments: [Ceremonial Resolution - Professional Social Work Month](#)

6. Proclaim the day of March 7th as Ventana Wilderness Day and honor the commitment of the Ventana Wilderness Alliance. (Full Board)

Attachments: [Ceremonial Resolution - Ventana Wilderness Day](#)

7. Adopt Resolution: Recognizing March 8 as “International Women’s Day” . (Full Board)

Attachments: [Ceremonial Resolution - International Womens Day](#)

8. Adopt Resolution recognizing the accomplishments of Magaly Lizet Sagal. (Full Board)

Attachments: [Ceremonial Resolution - Magaly Zagal](#)

- 8.1 Adopt Resolution in Special Recognition of the work performed by the County Sealer and his staff, proclaim that the week of March 1 through 7 be known as “Weights and Measures Week” in our County (Full Board) (ADDED VIA ADDENDA)

Attachments: [Ceremonial Resolution - Weights and Measures Week](#)

- 8.2 Adopt Resolution recognizing the 100th Anniversary of Salinas High School. (Full Board) (ADDED VIA ADDENDA)

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

Other Board Matters

9. Board Comments

10. County Administrative Officer Comments and Referrals

Attachments: [Referrals 03-03-20](#)

[Referrals 03-03-20 \(REVISED VIA SUPPLEMENTAL\)](#)

11. General Public Comments

This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to the statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Board at a future meeting.

10:30 A.M. - Scheduled Matters

- 11.1

Preparedness and response for Covid19-Novel Corona Virus by Monterey County Health Department, Natividad Medical Center and the Office of Emergency Services

(ADDED VIA ADDENDA)

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

1:30 P.M. - Scheduled Matters

12. Receive a presentation from the Monterey County Convention and Visitors Bureau (MCCVB) on marketing activities related to the County, including the Big Sur Stewardship Plan and the Non-Peninsula Marketing Campaign for Supervisorial Districts 1, 2, and 3.

Attachments: [Board Report](#)

[Attachment A - MCCVB Executed Agreement 2019-20](#)

[Attachment B - MCCVB Presentation](#)

[Attachment C - DSA Perf Rept FY2019-20 MCCVB Q2](#)

[Attachment D - BOS Memo Board Referral #2019_9](#)

[Attachment E - MCVGA Attachment 2 2020](#)

[Attachment F - MCCVB and CABS Agreement FY2019-20](#)

13. Receive the Monterey County Financial Forecast, which assesses the County's fiscal condition for the current year and three forecast years (FY 2020-21 through FY 2022-23).

Attachments: [Board Report](#)

[Monterey County Financial Forecast - March 2020](#)

14. a. Consider Board Referral 2019.15 requesting to install watershed signage on State Highway 101 for the Elkhorn Slough, Gabilan Mountain, and Salinas River watersheds requested by the Communities for a Sustainable Monterey County (CSMC); and
b. Provide direction to staff.

Attachments: [Board Report](#)

[Attachment A - Location Map](#)

[Attachment B - Sign Types](#)

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**Health Department**

15. Authorize the Director of Health or Assistant Director of Health to execute a Standard Agreement with Teletask, Inc. not to exceed the amount of \$2,098 for the provision of software maintenance, technical support and warranty extension for the Integrated Auto-dialer System Software Module for the period retroactive from September 1, 2019 through August 31, 2021.
- Attachments:** [Board Report](#)
[Agreement](#)
16. Adopt a Resolution to:
- a. Amend the Fiscal Year (FY) 2019-20 Health Department Budget 4000-HEA007-8098 to add 2.0 FTE Health Education Assistants as indicated in the Attachment A; and
 - b. Amend the Fiscal Year (FY) 2019-20 Health Department Budget 4000-HEA007-8098 to add 1.0 FTE Patient Services Representative II as indicated in the Attachment A; and
 - c. Amend the Fiscal Year (FY) 2019-20 Health Department Budget 4000-HEA007-8098 to add 1.0 FTE Senior Clinic Nurse as indicated in the Attachment A;
 - d. Amend the (FY) 2019-20 Natividad Medical Center Budget 451-NMC001-8328 to delete the 1.0 FTE Outpatient Services Manager II, 1.0 FTE Patient Account Representative II, 1.0 FTE Health Education Assistant, 1.0 FTE Nurse Practitioner II, 1.0 FTE Licensed Vocational Nurse, 1.0 FTE Nursing Assistant, 1.0 FTE Clinics Operations Supervisor, and 1.0 FTE Psychiatric Social Worker I; and
 - e. Direct the County Administrative Office and the Auditor-Controller to incorporate the position changes in the FY 2019-20 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system. (4/5TH vote required).
- Attachments:** [Board Report](#)
[Resolution](#)
[Resolution](#)
17. Adopt a Resolution to:
- a. Amend the FY 2019-20 Health Department Public Health Bureau Budget 4000-HEA003-8123 to add 1.0 FTE Supervising Public Health Nurse; and
 - b. Amend the FY 2019-20 Health Department Public Health Bureau Budget 4000-HEA003-8123 to add 1.0 FTE Public Health Nurse II; and
 - c. Authorize the Auditor-Controller, Human Resources Department, and the County Administrative Office to incorporate these position changes in the Health Department Public Health Bureau Budget 4000-HEA003-8123 FY 2019-20 Adopted Budget.

(4/5th vote required).

Attachments: [Attachment A](#)
[Resolution](#)

Department of Social Services

- 18.** Approve and authorize the Director of the Department of Social Services to sign the Housing and Disability Advocacy Program Funding Request Certification for the periods July 30, 2019-June 30, 2020, for \$360,287 to assist disabled individuals experiencing homelessness apply for Social Security while also providing outreach, care management and housing financial assistance.

Attachments: [Board Report](#)
[HDAP Application 2020](#)

- 19.** Adopt a Resolution to:
- a. Approve an increase in appropriations and estimated revenues of \$246,802 for the Social Services - Agency on Aging's Budget Unit 001-5010-SOC010-8268 FY 2019-20 Adopted Budget (4/5ths vote required); and
 - b. Authorize the Auditor-Controller to amend the FY 2019-20 Adopted Budget by increasing appropriations and estimated revenues by \$246,802 in Social Services - Area Agency on Aging's Budget Unit 001-5010-SOC010-8268 (4/5ths vote required).

Attachments: [Board Report](#)
[Resolution for AAA Increase](#)

- 20.** Adopt a Resolution to:
- a. Approve and authorize the Director of the Department of Social Services to sign an Allocation Agreement for \$614,062.00 with Department of Health Care Services-State of California Medi-Cal Navigators Project effective February 4, 2020 through December 31, 2022;
 - b. Authorize the Department of Social Services Director to negotiate and execute an agreement with the Monterey Bay Central Labor Council to complete Medi-Cal applications at the County Jail for a contract amount of \$153,750 for a term through December 31, 2022;
 - c. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to both the State and Monterey Bay Central Labor Council Agreements, where the amendments do not significantly change the scope of work and where MBCLC's amendment does not exceed 10% (\$15,375);
 - d. Approve an increase in appropriations and estimated revenues of \$208,687 for the Social Services Budget Unit 001-5010-SOC005-8262 FY 2019-20 Adopted Budget (4/5ths vote required); and
 - e. Authorize the Auditor-Controller to amend the FY 2019-20 Adopted Budgets by

increasing appropriations and estimated revenues by \$208,687 in Social Services Unit 001-5010-SOC005-8262 (4/5ths vote required).

Attachments: [Board Report](#)
[Agreement](#)
[Resolution MC Navigators Project Appropriatins Increase](#)

Criminal Justice

- 21.** Approve the Agreement with the California State Department of Health Care Services (DHCS), retroactive to July 1, 2019 through June 30, 2020, for reimbursement of eligible inpatient medical expenses for inmates at the Monterey County Jail through the Medi-Cal for Inmate Program (MCIP).

Attachments: [Board Report](#)
[Attachment A - DHCS MCIP Agreement for FY 19-20](#)
[Attachment B - Summary of Claims Submitted to Medi-Ca](#)

General Government

- 22.** Adopt a Resolution to:
- Approve an increase in appropriations and estimated revenues in the amount of \$5,832,970 for the Laguna Seca Track Budget Unit 001-1050-8441-CAO029 FY 2019-20 Adopted Budget; and
 - Authorize and direct the Auditor-Controller to amend the FY 2019-20 Adopted Budget by increasing appropriations and estimated revenues in the amount of \$5,832,970 for the Laguna Seca Track Budget Unit 001-1050-8441-CAO029 (4/5ths vote required).

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

- 23.** Consider adopting a resolution to:
- Amend the Assessor's Department Budget (1180-ACR001-8003) to add one (1) Supervising Office Assistant I (80E81); and
 - Authorize the County Administrative Office to incorporate the position changes in the FY 2019-20 Adopted Budget.

Attachments: [Board Report](#)
[Exhibit A \(position addition\)](#)
[Resolution](#)

- 23.1** Introduce, waive reading, and set March 17, 2020 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Chapter 7.90 of the Monterey County Code to modify commercial cannabis permit requirements concerning criminal background checks. (ADDED VIA ADDENDA)

Attachments: [Board Report](#)
[cannabis.Chapter 7.90_BOS.3.3.20 \(redline\)](#)
[cannabis.Chapter 7.90_3.3.20 \(signed\)](#)
[Ordinance No. 5320](#)

RMA - Administration

- 24.** a. Approve Standard Agreement with Errol L. Montgomery & Associates, Inc. to provide professional hydrogeologic services for completing the Salinas Valley Groundwater Basin Investigation, for a total not-to-exceed amount of \$233,260, and term effective April 1, 2020 through June 30, 2021; and
b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Standard Agreement and future amendments to the Agreement, where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.

Attachments: [Board Report](#)
[Attachment A-Standard Agreement](#)

- 25.** a. Approve Amendment No. 1 to Standard Agreement No. A-13479 with Smith & Enright Landscaping, Inc. to continue to provide landscape and open space maintenance services for County Service Area No. 15-Serra Village-Toro Park, which includes Toro Park Estates, Serra Village, Toro Creek Estates, and Toro Sunshine, Request for Proposals #10596, to increase the not-to-exceed amount by \$37,725, for a total amount not to exceed of \$150,900, and extend the expiration date from March 7, 2020 for one (1) additional year through March 7, 2021, for a revised term from March 7, 2017 to March 7, 2021, with the option to extend the Agreement for one (1) additional one (1) year period; and
b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 1 to Standard Agreement No. A-13479 and future amendments to the Agreement, where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.

Attachments: [Board Report](#)
[Attachment A-A1 to SA \(Fully Signed\)](#)
[Attachment B-SA](#)
[Attachment C-Summary of SA Annual Expenditures and Balance](#)

- 26.** a. Approve Amendment No. 4 to Standard Agreement No. A-13054 with Accent Clean and Sweep, Inc. to continue to provide services associated with operated street sweeping services meeting the State-mandated National Pollution Discharge Elimination System (NPDES) Storm Water Permit, Request for Proposals #59000, to: update street sweeping rates; increase the not to exceed amount by \$200,000 for a total amount not to exceed \$774,088; and extend the expiration date from

September 1, 2020 for approximately four (4) additional months through December 31, 2020, for a revised term from September 1, 2015 to December 31, 2020; and
b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to Standard Agreement No. A-13054.

Attachments: [Board Report](#)
[Attachment A - Amendment No. 4 to SA](#)
[Attachment B - Amendment No. 3 to SA](#)
[Attachment C - Amendment No. 2 to SA](#)
[Attachment D - Amendment No. 1 to SA](#)
[Attachment E - SA](#)
[Attachment F – Summary of SA](#)
[Attachment G – Summary of SA Annual Expenditures and Balance](#)

27. a. Approve Amendment No. 1 to the Measure X Master Programs Funding Agreement between the Transportation Agency of Monterey County (“TAMC”) and County of Monterey; and
b. Authorize the Resource Management Agency Director to execute Amendment No. 1 to the Measure X Master Programs Funding Agreement.

Attachments: [Board Report](#)
[Attachment A - Amendment No. 1](#)
[Attachment B - Measure X Funding Agreement](#)

28. a. Award a contract to Taylor Jane Construction, the lowest responsible bidder, for the Jolon Road Bridge Rail Replacement, Project No. 1142, in the total amount of \$526,268;
b. Approve the Performance and Payment Bonds executed and provided by Taylor Jane Construction;
c. Authorize a contingency, not to exceed ten percent (10%) of the contract amount or \$52,627, to provide funding for approved contract change orders;
d. Authorize the Resource Management Agency Director or Resource Management Agency Deputy Director of Public Works, Parks & Facilities to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work; and
e. 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 with the County Recorder when the Director or Deputy Director determines that the contract is complete in all respects in accordance with Plans and Special Provisions for the construction of the Jolon Road Bridge Rail Replacement, Project No. 1142, Taylor Jane Construction.

- Attachments:** [Board Report](#)
[Attachment A - Contract with Taylor Jane Construction](#)
[Attachment B - Project Budget](#)
[Attachment C - Bid Summary Sheet](#)
[Attachment D - Location Map](#)

29.

SUPPLEMENTAL**Closed Session:**

1. a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

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

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

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): Unit S

Presentation to the Board:

2. PG&E Related Issues (Added MS PowerPoint Presentation)

County Administrative Officer Comments and Referrals:

10. Revised Referrals 03-03-20

ADDENDA**10:30 A.M. - Scheduled Matters:**

11.1 Preparedness and response for Covid19-Novel Corona Virus by Monterey County Health Department, Natividad Medical Center and the Office of Emergency Services

Added to Ceremonial Resolutions:

8.1 Adopt Resolution in Special Recognition of the work performed by the County Sealer and his staff, proclaim that the week of March 1 through 7 be known as "Weights and Measures Week" in our County. (Full Board)

8.2 Adopt Resolution recognizing the 100th Anniversary of Salinas High School.
(Full Board)

Added to General Government - Consent Calendar:

23.1 Introduce, waive reading, and set March 17, 2020 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Chapter 7.90 of the Monterey County Code to modify commercial cannabis permit requirements concerning criminal background checks.