Monterey County

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

Meeting Agenda - Final-revised

Tuesday, January 7, 2014

9:00 AM

See separate agendas for Monterey County Water Resources
Agency, Boronda County Sanitation District, Successor Agency to
the Redevelopment Agency of the County of Monterey, Moss
Landing County Sanitation District & East Garrison Public
Financing Authority

Board of Supervisors

Chair Fernando Armenta - District 1
Vice-Chair Louis R. Calcagno - District 2
Supervisor Simón Salinas - District 3
Supervisor Jane Parker- District 4
Supervisor Dave Potter - 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 translation 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.

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
9:00 A.M. - Call to Order

Roll Call

Additions and Corrections for Closed Session

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. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Closed Session

0.1  
Closed Session under Government Code section 54950, relating to the following items:

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

b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
   (1) Designated representatives: James May and Brette Neal
   Employee Organization: Unit S (ADDED VIA ADDENDUM)

Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting 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 AM Reconvene

Roll Call

Pledge of Allegiance

1. Nominate and elect members of the Monterey County Board of Supervisors to serve as:
   1. 2014 Chair; and
   2. 2014 Vice Chair

2. Presentation of plaque to outgoing Chair Fernando Armenta;
   1. Comments by outgoing Chair;
   2. Comments by in-coming Chair; and
   3. Comments by Supervisors

Additions and Corrections

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.
Consent Calendar- (See Supplemental Sheet)

3. Approval of Consent Calendar (See Supplemental Sheet)

Appointments

4. Reappoint Amy Roberts to the Monterey County Planning Commission, term ending January 23, 2018. (Supervisor Parker)
   Attachments: Roberts Notification to Clerk

5. Appoint Mark DeHart to the Monterey County Fish and Game Commission, term ending February 1, 2015. (Supervisor Salinas)
   Attachments: DeHart Notification to Clerk

6. Appoint David Kimball to the Oversight Board - City of Del Rey Oaks for a term ending at the pleasure of the Board. (Supervisor Parker)
   Attachments: Kimball Notification to Clerk

6.1 Appoint Elliott Robinson and Joe Watson to the Equal Opportunity Advisory Commission, terms ending December 31, 2016. (Full Board)
   Attachments: Robinson Notification to Clerk
   Watson Notification to Clerk

7. Consider and approve appointments of Board of Supervisor members to various boards, committees and commissions for Calendar Year 2014. (RECOMMENDATIONS REVISED VIA SUPPLEMENTAL)
   Attachments: 2014 Board Assignments
   Revised 2014 Board Assignments

Other Board Matters

8. Board Comments

9. CAO Comments and Referrals
   Attachments: Referrals 010714

10. General Public Comment

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. Public hearing to consider adoption of an ordinance:
   a. Making express findings regarding amendments to the 2013 California
      Building Standards Code that are reasonably necessary due to local climatic,
      geological or topographic conditions pursuant to Sections 17958.7 and 18941.5
      of the Health And Safety Code;
   b. Amending Chapter 1.22 relating to code enforcement and repealing Chapters
      18.01, 18.02, 18.03, 18.04, 18.05, 18.06, 18.07, 18.08, 18.09, 18.10, 18.11,
      18.12, 18.13, 18.16, 18.17, and 18.52 and adding chapters 18.00, 18.01, 18.02,
      18.02.5, 18.03, 18.04, 18.05, 18.06, 18.08, 18.09, 18.10, 18.11, 18.12, 18.13 and
      18.16 of the Monterey County Code relating to adoption of the 2013 edition of
      the California Building Standards Code with local amendments with related
      administrative and enforcement provisions; and
   c. Establishing the Building Standards Appeals Board, to be appointed by the
      Board of Supervisors, to hear matters and decide appeals of orders, decisions or
      determinations made by the Building Official relative to the application and
      interpretation of the County’s Building Codes.

   Attachments: Attachment A - Ordinance

1:30 PM Reconvene

Roll Call

1:30 P.M. - Scheduled Matters

12. a. Receive an oral report from Monterey County Health Department on the 2013
      Monterey County Health Assessment Report.
   b. Authorize the distribution of final report to County departments, the public,
      and community partner organizations.


13. Consider adoption of an ordinance renewing the County of Monterey’s grant of
    a nonexclusive franchise pursuant to Ordinance No. 1278 to the
    California-American Water Company for a period of twenty-five (25) years on
    the terms specified, including the right to install and thereafter maintain,
    replace, and use underground water pipelines and appurtenances for the
    distribution of water to the public for any and all purposes in so many and such
    parts of the public highways, roads, streets, and ways within the unincorporated
    territory of Monterey County, and adding pipelines for the collection of
    wastewater to the franchise.
Adjournment
Supplemental Sheet, Consent Calendar

Natividad Medical Center

14. a. Approve implementation of the Mobile Radiology project to be accepted into the FY 2013-14 Capital Budget.
b. Approve the Plans and Specifications for the Natividad Medical Center, Project Mobile Radiology.

Attachments: Mobile Radiology - Plans and Specs.pdf
Mobile Radiology - Project Budget.pdf

15. Approve the Plans and Specifications for the Natividad Medical Center, Project ER RME Remodel.

Attachments: ER RME Remodel - Plans and Specs.pdf
ER RME Remodel - Project Budget.pdf

Health Department

16. Approve and authorize the Director of Health to sign Amendment No. 1 to Agreement No. A-12414 with FamiliesFirst Inc. Residential Treatment Program to increase the existing Agreement amount by $430,666 (increasing FY 13-14 by $184,572, and FY 14-15 by $246,094), for a new total amount not to exceed $765,386.

Attachments: FamiliesFirst Amend. 1.pdf

17. a. Amend Fiscal Year (FY) 2013-14 Health Department Budget 4000, HEA012-8410 to add 1.0 FTE Behavioral Health Unit Supervisor, 6.00 FTE Psychiatric Social Worker II, 1.0 FTE Medical Assistant, 1.0 FTE Senior Psychiatric Social Worker, 1.00 FTE Social Worker III, 1.00 FTE Department Information System Specialist, 1.00 FTE Supervising Patient Account Representative, 1.00 FTE Accountant II; and
b. Amend Fiscal Year (FY) 2013-14 Health Department Budget 4000, HEA012-8410 to reallocate 1.0 FTE Psychiatric Social Worker II to 1.0 FTE Senior Psychiatric Social Worker, 2.0 FTE Behavioral Health Aide to 2.0 FTE Psychiatric Social Worker, 1.0 FTE Behavioral Health Group Counselor to 1.0 FTE Psychiatric Social Worker II; and
c. Authorize the County Administrative Office to incorporate positions changes in the FY 2013-14 Budget.

Attachments: BR Attachment A doc (12 11 13).doc
Department of Social Services

18. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Goodwill Industries of Santa Cruz, Monterey and San Luis Obispo Counties, dba Shoreline Workforce Development Services, for $513,000 to provide Expanded Subsidized Employment (ESE) training, supervision, intensive case management and job performance evaluations for CalWORKs Welfare-to-Work customers, for the period January 1, 2014 through June 30, 2015; and
b. Authorize the Director of the Department of Social Services, or his designee, to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

Attachments: Goodwill Industries (attach)

General Government

18.1 Adopt a resolution:

a. Authorizing the Chair of the Board to execute one or more Cooperative Agreements with the Natural Resource Conservation Service for the Emergency Watershed Protection Program treatments relating to the 2013 Pfeiffer Fire;
b. Approving the form of and authorizing the Resource Management Agency Director to execute agreements with property owners for the implementation of the Emergency Watershed Protection treatments;
c. Authorizing and Directing the County Administrative Officer, Resource Management Agency Director, Public Works Director, Planning Director, Chief Building Official, and County Counsel to take such other and further actions necessary or appropriate, consistent with this action, to implement the Emergency Watershed Protection treatments, including the modification of the form contracts based upon particular circumstances, the execution of emergency professional services or construction contracts; and the identification of grant or other funding sources to supplement the Emergency Watershed Protection Program funding;
d. Transferring $1 million in appropriations from General Fund Contingencies Fund 001-1050-8034-CAO020 to County Surveyor Fund 001-3000-8196-RMA010 (4/5th vote required); and
e. Authorizing and Requesting the County Auditor/Controller to modify the FY 2013-14 adopted budgets to reflect these actions.

(2013 Pfeiffer Fire, Big Sur) (ADDED VIA ADDENDUM)
19. Approve the distribution of excess proceeds to resolve the associated claim of the State Department of Health Services which is resultant of the Tax Collector’s public internet delinquent tax sale of the real property identified as APN 261-092-011.

Attachments: Exhibit A Claim for Excess Proceeds

20. a. Approve and authorize the Contracts/Purchasing Officer to sign Master Agreements between K & D Landscaping, Inc., New Image Landscape Company, and Town & Country Gardening and Landscaping for the provision of Landscape Services to the County of Monterey for the term of the signing date through and including June 30, 2015, including the option to extend the Agreements for three (3) additional one (1) year periods, in an amount not to exceed $10,000 or less per project, with an annual aggregate amount not to exceed $150,000 for all Agreements issued under RFP #10425 in accordance with the terms and conditions set within each Agreement; and
b. Approve and authorize the Contracts/Purchasing Officer to sign additional Master Agreements for Landscape Services with qualified contractors who meet the minimum requirements of the County of Monterey.

Attachments: 01-07-14 - KD Agmnt
01-07-14 - New Image Agmnt
01-07-14 TownCounty Agmnt

21. Approve the Monterey County Board of Supervisors Action Minutes for the meetings of Tuesday, July 30, 2013 and Tuesday, August 27, 2013.

Attachments: Action Minutes 07-30-13
Action Minutes 08-27-13

21.1 a. Approve the Agreement with the California Department of Corrections and Rehabilitation for the Monterey County Institutional Transition Program and authorize the Director of the Economic Development Department to execute the Agreement and future amendments to the Agreement which do not include significant changes to the scope of work.
b. Reallocate a vacant Management Analyst II (14C30) to 1.0 FTE WIB Representative III (60G33) and a vacant WIB Representative II (60G21) to a FTE WIB Representative III (60G33) within the Economic Development Department’s Office for Employment Training Unit 8396.
c. Direct the County Administrative Office to incorporate the approved
reallocations into the FY 2013-14 Economic Development Adopted Budget.

**Attachments:**
- Exhibit A - WIB_CDCR Scope of Work
- Exhibit B-1 Cost Reimbursement Budget_FY13-14
- Exhibit B-2 Cost Reimbursement Budget_FY14-15
- Exhibit B-3 Cost Reimbursement Budget_FY15-16
- Exhibit D - Employment of Ex-Offenders
- Exhibit E Line Item Budget Guide
- Attachment A - Contractor Monthly Invoice
- Attachment B Certificate of Completion
- Attachment C - Transitions Program Utilization Spreadsheet
- Attachment D Utilization Data Collection Spreadsheet Procedures

### RMA - Planning

**21.2**

Adopt Resolution to:
Approve the Pfeiffer Fire Recovery Guidelines to support the processing of permits for the rebuilding of structures destroyed or damaged by the December 2013 Pfeiffer Fire Incident.

**Attachments:**
- Attachment A - Discussion
- Attachment B - Draft Resolution
- Attachment C - Draft Disaster Rebuild Application Form

### RMA - Public Works

**22.**

Authorize the release of $150,000 in retention of the contract amount with Goodfellow Top Grade Construction LLC., for the State Route 68 at San Benancio Road Intersection Improvements, State Project No. EA 05-0H8220, Contract No. 10-111065.

**Attachments:**
- Project Budget
- Location Map

**23.**

Ratify the approval of Change Order No. 01a to Construction Agreement #A-12560 with Pacific States Environmental Contractors, Inc., for the 312 E. Alisal Site Remediation, Project 8780.

**Attachments:**
- Board Order and Agreement #A-12560
- 12-04-13 Memorandum to Board of Supervisors
- Contract Change Order No. 01a
- Project Budget
- Location Map

### Addendum/ Supplemental for Tuesday, January 7, 2014
24. ADDENDUM

Add Under Closed Session

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

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

b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
   (1) Designated representatives: James May and Brette Neal
   Employee Organization: Unit S

Add Under Consent Calendar - General Government

18.1 Adopt Resolution:

a. Authorizing the Chair of the Board to execute one or more Cooperative Agreements with the Natural Resource Conservation Service for the Emergency Watershed Protection Program treatments relating to the 2013 Pfeiffer Fire;

b. Approving the form of and authorizing the Resource Management Agency Director to execute agreements with property owners for the implementation of the Emergency Watershed Protection treatments;

c. Authorizing and Directing the County Administrative Officer, Resource Management Agency Director, Public Works Director, Planning Director, Chief Building Official, and County Counsel to take such other and further actions necessary or appropriate, consistent with this action, to implement the Emergency Watershed Protection treatments, including the modification of the form contracts based upon particular circumstances, the execution of emergency professional services or construction contracts; and the identification of grant or other funding sources to supplement the Emergency Watershed Protection Program funding;

d. Transferring $1 million in appropriations from General Fund Contingencies Fund 001-1050-8034-CAO020 to County Surveyor Fund 001-3000-8196-RMA010 (4/5th vote required); and

e. Authorizing and Requesting the County Auditor/Controller to modify the FY 2013-14 adopted budgets to reflect these actions.
(2013 Pfeiffer Fire, Big Sur)

SUPPLEMENTAL

Revision Under Appointments

7. Consider and approve appointments of Board of Supervisor members to
various boards, committees and commissions for Calendar Year 2014.
(Revised Recommendations)