Monterey County

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

Meeting Agenda

Tuesday, May 10, 2016

9:00 AM

See separate agendas for Board governed Agencies and Special Districts.

Board of Supervisors

Chair Jane Parker - District 4
Vice Chair Dave Potter - District 5
Supervisor Fernando Armenta - District 1
Supervisor Simón Salinas - District 3
Supervisor John M. Phillips - District 2
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.
NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Board Report.

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

1. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
      (1) Designated representatives: Manuel Gonzalez and Brette Neal
          Employee Organization(s): Units F, H, J, K, A, B, C, Q, V and L
   b. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
      (1) The Open Monterey Project v. County of Monterey, et al. (Monterey County Superior Court case no. M109441)
      (2) Landwatch Monterey County v. County of Monterey, et al. (Monterey County Superior Court case no. M109434)
      (3) Devon Corpus v. County of Monterey, et al. (Monterey County Superior Court case no. 16-CV-000731)
   c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
      (1) Property: 1000 S. Main Street, Salinas, CA
          Negotiating Party: Life Foundation
          Agency Negotiator: John Guertin, Deputy Resource Management Agency Director
          Under negotiation: Price and Terms
   d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
   e. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
      (1) Application 12-04-019, Before the Public Utilities Commission of the State
of California, of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates.

f. Pursuant to Government Code section 54956.9(c)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey. (1) Nickolas McDaniel

g. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation. 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 A.M. - Reconvene

Roll Call

Pledge of Allegiance

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

2. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution proclaiming the week of May 15, 2016 through May 21, 2016 as National Public Works Week. (Supervisor Parker)

Attachments: National Public Services Week Ceremonial Resolution

4. Adopt Resolution proclaiming May 21-27, 2016, as “National Safe Boating Week” in Monterey County. (Supervisor Parker)

Attachments: National Safe Boating Week Ceremonial Resolution

Appointments

5. Item deleted

6. Reappoint Jose Vazquez to the Area Agency on Aging Advisory Council with a term ending January 1, 2019. (Supervisor Salinas)
7. Reappoint Elsa Jimenez to the Santa Cruz, Monterey, Merced Managed Medical Care Commission aka Central California Alliance for Health with a term ending December 31, 2019. (Full Board)

Other Board Matters

8. Board Comments

9. CAO Comments and Referrals

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. a. Conduct a Public Hearing to take comments on a proposed Substantial Amendment to the Urban County FY 15-16 Action Plan for expenditure of Community Development Block Grant (CDBG) funds;
   b. Increase revenue in Fund 013, Economic Development Budget Unit 1070, Organizational Unit 8200 (Community Development Grants) by $53,000 (4/5th vote required);
   c. Amend the Urban County FY 15-16 Action Plan to increase funding in the amount of $53,000 for ADA improvements to the City of Del Rey Oaks’ City Hall project;
   d. Authorize the Director of the Economic Development Department to submit the Substantial Amendment to the Urban County FY 15-16 Action Plan to the U.S. Department of Housing and Urban Development (HUD);
   e. Authorize the Director of Economic Development to execute an Amendment to the Subrecipient Agreement with the City of Del Rey Oaks to implement these changes to the Urban County FY 15-16 Action Plan; and,
   f. Authorize the Auditor-Controller to amend the FY 2015-16 Economic Development Budget Unit 1070, Fund 013, Appropriation Unit DEO003, Organizational Unit 8200, to increase revenues by $53,000 (4/5th vote required).
12. a. Conduct a Public Hearing to take comments on the Revised Consolidated Plan which reflects changes in Urban County Jurisdictional partners;  
b. Authorize the Director of Economic Development to submit the Revised Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD); 
c. Conduct a Public Hearing to take comments on the draft Action Plan for Fiscal Year 2016-17 and proposed allocation of Community Development Block Grant (CDBG) funds; 
d. Authorize amendment of the Fiscal Year 2016-17 Action plan to direct expected savings on the Chualar Soccer Field project to installation of a track, so long as cost does not exceed the current budget for the project, and direct any excess project funds to projects on the Action Plan waitlist 
e. Approve the Fiscal Year 2016-17 Action Plan, containing recommendations for funding of projects and programs;  
f. Authorize the Director of Economic Development to submit the Fiscal Year 2016-17 Action Plan to HUD and to execute documents required by HUD to implement the Fiscal Year 2016-17 Action Plan;  
g. Approve a Subrecipient Agreement template, to be used to distribute Fiscal Year 2016-17 Urban County grants;  
h. Authorize the Director of Economic Development to execute the Subrecipient Agreement template with Urban County grantees, including making minor changes as necessary, with prior review by County Counsel to implement Urban County Fiscal Year 2016-17 projects and programs; and  
i. Approve an allocation of Urban County Community Development Block Grant and program income funds for Fiscal Year 2016-17 of $1,797,643.

Attachments:  
- Board Report  
- FY2015-16 First Amended Action Plan  
- FY2015-16 Second Amended Action Plan - Proposed  
- Del Rey Oaks Subrecipient Agreement  
- Del Rey Oaks Subrecipient Agreement Amendment 1

13. Adopt a Resolution amending Article I.E. of the Monterey County Master Fee Resolution effective July 1, 2016, to adjust fees relating to oversight and services provided by the Health Department’s Environmental Health Bureau pursuant to the attached Fee Schedule.

Attachments:  
- Board Report  
- Exhibit A FY 2016-17 Urban County Funding Allocation  
- Revised Consolidated Plan  
- Annual Action Plan for FY 2016-17  
- Subrecipient Agreement
12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene - Monterey County Board of Supervisors

Roll Call

1:30 P.M. - Scheduled Matters

14. Hearing for the Board of Supervisors to consider:
   a. A Resolution regarding the Transportation Safety and Investment Plan to be placed before the voters on a future ballot; and
   b. Approve the partial list of local road repair and safety projects to be funded through the Local Road Projects portion of the plan.

15. Authorize the Environmental Health Bureau to submit a draft Local Agency Onsite Wastewater Treatment Systems Management Program (“LAMP”) to the Central Coast Regional Water Quality Control Board by May 13, 2016 and to further modify the draft LAMP based on comments from the public and the Central Coast Water Board as part of an iterative process prior to Board of Supervisors approval on or before May 2017.

16. a. Receive staff report on the progress of the competitive process for selecting a Concessionaire to manage and program Mazda Raceway Laguna Seca (MRLS) as well as other facilities and programs available at Laguna Seca Recreation Area (LSRA);
   b. Consider and approve the second major phase of the process, which is now recommended to involve the issuance of a Request for Qualifications (RFQ), an objective evaluation process and the selection of 2-3 finalists as determined by the collective ratings of the evaluators;
   c. Approve the revised timeline identified in staff report and authorize the issuance of a RFQ.
17. Receive an oral presentation from Monterey County Department of Social Services on key performance measures.

**Attachments:** Board Report

**Adjournment**
Supplemental Sheet, Consent Calendar

Natividad Medical Center

18. a. Approve the Plans and Specifications for the Natividad Medical Center, Project #9600-66 Building 400 Cardiology Clinic and HVAC Mechanical Upgrade, Bid #NMC-1012 for construction contractors to bid on; and
b. Authorize Natividad Medical Center to advertise the “Notice to Contractors” in a newspaper of general circulation.

Attachments: Board Report
Building 400 - Mechanical Upgrade
Building 400 - Cardiology-Womans Clinic
BLDG 400 Cardiology.HVAC. Project Manual

19. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement with Monterey Language Services for translation, interpretation and other language services at NMC for an amount not to exceed $225,000 for the term July 1, 2016 through June 30, 2019.

Attachments: Board Report
Agreement with Monterey Language Services

Health Department

20. a. Accept and approve the Student Placement Agreement template to be used in partnering with universities and colleges for the placement of students within the Department of Health to complete internship/externship assignments as part of their field education and service learning requirements for their respective field of study program;
b. Authorize updates to the Student Placement Agreement template in accordance with local, state and federal law, subject to review and approval of County Counsel and County Risk Management;
c. Authorize amendments to the text of the Student Placement Agreement template that do not change significantly the level of risk or the scope of a party’s obligations or responsibilities, subject to review and approval of County Counsel and County Risk Manager; and
d. Authorize execution by the Director of Health of the Student Placement Agreement template with universities and colleges for Fiscal Years 2016-2017 through Fiscal Year 2020-2021.

Attachments: Board Report
Student Placement Agreement_Template_5-17-16_STT.pdf
21. Approve and authorize the Director of Health or Assistant Director of Health to execute a no-extension Amendment No. 2 to Mental Health Services Agreement A-12729 with The Village Project, Inc. for the provision of mental health outreach, engagement and counseling services in the increased amount of $519,493 for Fiscal Year (FY) 2015-16, for a new total Agreement amount not to exceed $875,737 for FY 2014-15 through FY 2015-16.

Attachments:  
Board Report  
Amend #2 The Village Project.pdf  
scanned_TVP_Amend No._2 to MHS Agmt A-12729.pdf  
TVP Amend #1 FY 15-16.pdf  
TVP Agreement #A-12729 FY 14-15.pdf

22. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a one-year Service Agreement with Rancho Cielo, Inc. for the provision by County Health Department, Behavioral Health Bureau of psychiatric services at the Rancho Cielo youth campus (no exchange of funds) for a term of July 1, 2016 through June 30, 2017, and  
b. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to approve up to three (3) future amendments to this Agreement where the amendments do not significantly alter the scope of work.

Attachments:  
Board Report  
Agreement Rancho Cielo.pdf

23. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Mental Health Services Agreement for the term July 1, 2016 through June 30, 2018 with Community Human Services to provide outpatient mental health services to Monterey County residents in the amount of $1,089,835 for Fiscal Year (FY) 2016-17; $1,055,510 for FY 2017-18; and $1,022,478 for FY 2018-19; for a total Agreement amount not to exceed $3,167,823; and  
b. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future one year amendments that do not exceed (10%) ($316,782.30) of the original Agreement amount and do not significantly alter the scope of services.

Attachments:  
Board Report  
Agreement Community Human Services.pdf

24. Approve and authorize the Director of Health or Assistant Director of Health to sign Amendment No. 3 to the Professional Services Agreement with Complete Answering Service for telephone answering services to extend the term an additional two (2) years from June 30, 2016 to June 30, 2018, and to increase the amount by $39,465.00, for a revised total contract amount not to exceed $131,985.00.
Department of Social Services

25. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with San Benito County, Health & Human Services Agency for the use of Monterey County’s Cherish Center for the period December 1, 2015 through December 1, 2018; and
   b. Approve and authorize the Director of the Department of Social Services to sign up to three amendments to this agreement that do not significantly change the scope of work.

Criminal Justice

26. Approve and Authorize the District Attorney to sign, submit and execute a Grant Application and Grant Acceptance for the Automobile Insurance Fraud Grant, including any extensions or amendments thereof under similar terms and conditions, for continued programming and funding for FY 2016-17 from the California Department of Insurance, for the local Office of the District Attorney Automobile Insurance Fraud Program on similar terms and conditions as the 2015-16 grant.

27. a. Authorize the Contracts/Purchasing Officer to execute an Agreement with West Publishing Corporation, associated with Thomson Reuters Corporation, for CLEAR Government Fraud Investigative Software, for the period of April 1, 2016 through March 31, 2019, in the maximum amount of $40,000.00; 
   b. Accept non-standard contract provisions as recommended by the District Attorney; 
   c. Authorize the Contract/Purchasing Officer and the District Attorney to sign and execute the appropriate documents and verifications when required; and 
   d. Authorize the Contracts/Purchasing Officer to issue purchase orders on an as-needed basis pursuant this Agreement over the period of April 1, 2016 through March 31, 2019.
General Government

28. a. Approve a one-time Concession Agreement for Special Events between Spartan Race, Inc., and the County of Monterey to produce the Monterey Super Spartan Race event at the Toro County Park on June 4th, 2016; and
b. Authorize the Director of Parks to sign the Agreement.

29. a. Authorize the Agricultural Commissioner to execute, on behalf of the County of Monterey, a Standard Agreement and any Amendments thereto, with the State Department of Pesticide Regulation (DPR) in the amount of $75,000 to perform work under the Department of Pesticide Regulation fiscal year 2015-2016 to initiate a limited pilot project for improved communication and awareness of pesticide use near schools; and
b. Approve and authorize the Agricultural Commissioner, or his designee, to sign up to three (3) amendments to the agreement where the total amendment does not exceed fifteen percent (15%) of the agreement and does not significantly change the scope of work.

30. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 4 to the 2009 professional services agreement with Marsh USA, Inc. dba Marsh Risk and Insurance Services, for workers’ compensation and casualty insurance brokerage service, by increasing compensation in an amount not to exceed $120,000 for a total compensation amount not to exceed $600,000, and extending the term of the Agreement by one year, effective July 1, 2016 through June 30, 2017.
31. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following meeting dates: Tuesday, October 27, 2015, Tuesday, November 3, 2015, Tuesday, November 10, 2015, Thursday, January 7, 2016 and Tuesday, April 12, 2016.

**Attachments:**
- Board Report
- BOS Draft Minutes 11-03-2015
- BOS Draft Minutes 11-10-2015
- BOS Spec Mtg Draft Minutes 01-07-2016
- BOS Draft Minutes 04-12-2016

32. Adopt a Resolution to approve amendments to the Conflict of Interest Code of the Assessor-County Clerk-Recorder’s Department.

**Attachments:**
- Board Report
- Attachment A - Draft Resolution
- Attachment B - ACCR Conflict of Interest Code (Clean Version)
- Attachment C - ACCR Conflict of Interest Code (Strike Out Version)

33. Extend the County Board of Supervisors Proclamation of Local Emergency dated April 12, 2016 due to continued conditions of extreme peril to the safety of persons and property nearby resulting from winter storm damages during early 2016 (4/5th vote required).

**Attachments:**
- Board Report
- Board proc Winter Storm extension 04122016 agenda 05102016 res 16-.020
- Letter to Governor's Office

34. Continue to June 14, 2016, the public hearing regarding:
   a. Addendum No 3 to the Final Environmental Impact Report for the 2010 Monterey County General Plan (#7-01, SCH #20071212001) (“FEIR”); and
   b. Amendments to the 2010 Monterey County General Plan to implement litigation settlement agreements with Land Watch Monterey County and The Open Monterey Project. (REF150010/General Plan Amendment No. 3)

**Attachments:**
- BoardReport 16-562.pdf

**RMA-Public Works**

35. a. Approve a report on the emergency repair expenditures of the Road Fund as result of the 2016 Winter Storm Events; and
   b. Direct staff to proceed with Alternative 2 utilizing one time funds to finance the $2.2 million of emergency costs incurred during the 2016 Winter Storm
Events for the Road Fund.

**Attachments:** Board Report

2016 Winter Storm Events Report

36. a. Approve a report regarding the initial phase of a facility security assessment to review the vulnerability and physical security of the Board Chambers and surrounding primary public access areas (lobby, entryway, public counter and walkway areas between the Government Center and Administrative/Courthouse Campus where inmates are being transferred); and

b. Approve the Resource Management Agency Director’s action of procuring Professional Services to conduct the initial phase assessment.

**Attachments:** Board Report

03-31-16 BOS Memo

Project Budget

37. a. Approve Agreements with the following nine (9) consultants: Denise Duffy & Associates Inc.; EMC Planning Group, Inc.; GHD Services, Inc.; ICF Jones and Stokes, Inc.; LSA Associates, Inc.; Michael Baker International, Inc.; Rincon Consultants, Inc.; Stantec Consulting Services, Inc. and SWCA Environmental Consultants to provide On-Call Services for Environmental Planning & Consulting Services for Various Federally Funded Road/Bridge/Building Facilities Projects located within Monterey County, under Request for Qualifications (RFQ) #10499, in an amount not to exceed $500,000 each for a combined total of $4,500,000, with the signing of the Agreement for a period of three (3) years, with the option to extend the Agreement for two (2) additional one- (1) year period(s); and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute said Agreements and future amendments to said Agreements where the amendments do not significantly alter the scope of work or change the approved amount of said Agreements.

**Attachments:** Board Report

Attachment 1 DDA Agreement

Attachment 2 EMC Agreement

Attachment 3 GHD Agreement

Attachment 4 ICF Agreement

Attachment 5 LSA Agreement

Attachment 6 MBI Agreement

Attachment 7 Rincon Agreement

Attachment 8 Stantec Agreement

Attachment 9 SWCA Agreement

Attachment 10 RFQ #10499

Attachment 11 Addendum 1 to RFQ #10499