Monterey County

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

Meeting Agenda

Tuesday, March 14, 2017

9:00 AM

Board of Supervisors

Chair Mary L. Adams - District 5
Vice Chair Luis Alejo - District 1
Supervisor John M. Phillips - District 2
Supervisor Simon Salinas - District 3
Supervisor Jane Parker - District 4
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.

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 más 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 items are live web links. Click on the title to be directed to corresponding Board Report.

PUBLIC COMMENT: Members of the public may address comments to the Board concerning each agenda item. Timing of public comment shall be at the discretion of the Chair.

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 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
(1) California Resources Corporation, et al. v. County of Monterey, et al. (Monterey County Superior Court case no. 17CV000790)
(2) Chevron U.S.A. Inc., v. Monterey County, et al. (Monterey County Superior Court case no. 16CV3978)
(3) Aera Energy LLC v. Monterey County, et al. (Monterey County Superior Court case no. 13CV003980)
(4) Keep Fort Ord Wild v. County of Monterey, et al. (Monterey County Superior Court case no. M114961)
(5) County of Santa Clara v. Donald J. Trump, et al. (U.S. District Court case no. 5:17-CV-00574)
(6) City and County of San Francisco v. Donald J. Trump, et al. (U.S. District Court case no. 3:17-CV-00485)

b. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or 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

PUBLIC COMMENT: Members of the public may address comments to the Board concerning each agenda item. Timing of public comment shall be at the discretion of the Chair.

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

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Ceremonial Resolutions

3. Adopt Resolution commending Maria T. (Terry) Gomez for her dedicated service for over thirty-six years to the County of Monterey upon her retirement. (Full Board)

   Attachments: Gomez Ceremonial Resolution

4. Adopt Resolution honoring Edward Valverde upon his retirement from the Department of Child Support Services (DCSS) after 24 years of dedicated public service. (Full Board)

   Attachments: Valverde Ceremonial Resolution

5. Adopt Resolution recognizing Marie Aronson’s thirty-two years of Service as a Monterey County Deputy District Attorney. (Full Board)

   Attachments: Aronson Ceremonial Resolution

6. Adopt Resolution proclaiming March 2017 as Women’s History Month in Monterey County. (Supervisor Adams)

   Attachments: Women’s History Month Ceremonial Resolution

7. Adopt Resolution of proclamation honoring Patty Fernandez-Torres upon her selection as one of ten Outstanding Women of Monterey County for 2017. (Full Board)

   Attachments: Fernandez-Torres Ceremonial Resolution
8. Adopt Resolution of proclamation honoring Aidee Aldaco upon her selection as one of ten Outstanding Women of Monterey County for 2017. (Full Board)

**Attachments:** Aldaco Ceremonial Resolution

9. Adopt Resolution of proclamation honoring Nadereh Liaghati upon her selection as one of ten Outstanding Women of Monterey County for 2017. (Full Board)

**Attachments:** Liaghati Ceremonial Resolution

10. Adopt Resolution of proclamation honoring Joy Anderson upon her selection as one of ten Outstanding Women of Monterey County for 2017. (Full Board)

**Attachments:** Anderson Ceremonial Resolution

11. Adopt Resolution of proclamation honoring Elsa Rivera upon her selection as one of ten Outstanding Women of Monterey County for 2017. (Full Board)

**Attachments:** Rivera Ceremonial Resolution

12. Adopt Resolution of proclamation honoring Donna Brandt upon her selection as one of ten Outstanding Women of Monterey County for 2017. (Full Board)

**Attachments:** Brandt Ceremonial Resolution

13. Adopt Resolution of proclamation honoring Diana Jimenez upon her selection as one of ten Outstanding Women of Monterey County for 2017. (Full Board)

**Attachments:** Jimenez Ceremonial Resolution

14. Adopt Resolution of proclamation honoring Clare Mounteer upon her selection as one of ten Outstanding Women of Monterey County for 2017. (Full Board)

**Attachments:** Mounteer Ceremonial Resolution

15. Adopt Resolution of proclamation honoring Barbara Babcock upon her selection as one of ten Outstanding Women of Monterey County for 2017. (Full Board)

**Attachments:** Babcock Ceremonial Resolution

16. Adopt Resolution of proclamation honoring Ann Todd Jealous upon her selection as one of ten Outstanding Women of Monterey County for 2017. (Full Board)

**Attachments:** Jealous Ceremonial Resolution
Appointments

17. Appoint Aimee Cuda to the Area Agency on Aging Advisory Council, representing an At-Large member for a term ending January 1, 2020. (Full Board)

Attachments: Notification to Clerk - Cuda

Other Board Matters

18. Board Comments

19. CAO Comments and Referrals

Attachments: Referrals 3-14-17

20. General Public Comment

This portion of the meeting is reserved for persons to address the Board of Supervisors on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board of Supervisors 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 of Supervisors at a future meeting.

10:30 A.M. - Scheduled Matters

21. a. Receive the Monterey County Financial Forecast, which assesses the County’s fiscal condition for the current year and three forecast years (FY 2017-18 through FY 2019-20);
   b. Adopt a resolution to authorize the Auditor-Controller to amend the FY 2016-17 Adopted Budget to incorporate the recommended mid-year modifications (4/5th vote required); and
   c. Receive an oral report from the Resource Management Agency (RMA) on the status of current damages and critical repairs needed in response to the winter storm events.

Attachments: Board Report
Exhibit 1 - Forecast 2017
Exhibit 2 - Resolution
Attachment A - Modifications

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call
1:30 P.M. - Scheduled Matters

22. Receive a presentation from AT&T on Connect America Fund Phase II funding to provide broadband and voice service access to rural communities in Monterey County.

   **Attachments:** Board Report
   AT&T Power Point Presentation

23. 
   a. Receive a presentation on the Affordable Care Act and potential impact to Monterey County’s Natividad Medical Center and Health Department if repealed; and
   b. Receive a presentation on Monterey County’s Pilot Project for the Remaining Uninsured; and
   c. Receive recommendations from the Ad Hoc Committee for continuation of Monterey County’s Pilot Project for remaining uninsured; and
   d. Provide direction to staff regarding next steps.

   **Attachments:** Board Report

Adjournment
Natividad Medical Center

24. Authorize payment to Smith and Enright Landscape, Inc. (“Contractor”) of the balance of Contractor’s final invoice dated, November 2016, in the amount of $2,364 for landscape maintenance services performed prior to the expiration of the agreement on November 30, 2016, but which the amount exceeds the agreement’s maximum liability of $424,771.

   **Attachments:** Board Report
   - Smith and Enright Landscape Inc Amendment 2
   - Smith and Enright Landscape Inc Renewal and Amendment 1
   - Smith and Enright Landscape Inc Agreement
   - Smith and Enright Landscape Inc Spend Sheet

25. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the agreement with Gartner, Inc. for access to information technology research on a subscription basis, extending the agreement an additional twelve (12) month for the period from April 1, 2016 through March 31, 2017 for a revised full term of April 1, 2016 through March 31, 2018 and adding $88,900 for a revised total agreement amount not to exceed $174,900.

   **Attachments:** Board Report
   - Gartner Group Inc. Amendment No. 1.pdf
   - Gartner Inc Agreement.pdf
   - Gartner Inc Spend Sheet.pdf

26. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 3 to the agreement (A-11012) with G.E. Healthcare, Inc. for biomedical services, adding $450,000 for a revised total agreement amount not to exceed $2,972,506 with no change to the agreement term of December 15, 2010 through December 14, 2017.

   **Attachments:** Board Report
   - GE Healthcare Amendment No. 3.pdf
   - GE Healthcare Amendment No. 1.pdf
   - GE BioMed orig Agreement.pdf
Health Department

27. Approve and authorize the Health Department’s Behavioral Health Bureau to submit a grant application to the Board of State and Community Corrections for the Proposition 47 Grant Program in an amount up to $6,000,000, to fund mental health services, substance use disorder services, housing related assistance, and community based supportive services for Fiscal Years, 2016-17 thru 2018-19.

Attachments: Board Report

28. a. Authorize the Auditor-Controller to amend the FY 2016-17 Behavioral Health Department’s Budget 023-4000-HEA017-8473 to increase appropriations and revenues by $5,366,926 (4/5 vote required);
   b. Approve and authorize the Auditor-Controller to amend the FY 2016-17 Behavioral Health Department’s Budget 023-4000-HEA017-8473 to reflect the changes in appropriations and revenues.

Attachments: Board Report

29. Approve and authorize the Director of Health or Director of Behavioral Health to sign and submit the Mental Health Services Act (MHSA) Housing Loan Program “Ongoing Annual MHSA Fund Release Authorization for Future Unencumbered Funds” (Attachment A) and “Fund Release Authorization for Existing Unencumbered Funds” Form (Attachment B) to the Department of Health Care Services requesting the California Housing Finance Agency release the amount of $1,600.83 plus accrued interest for FY 2016-17 and release all ongoing future unencumbered funds to Monterey County.

Attachments: Board Report
   DHCS_CallHFA MHSA Attachment A.pdf
   DHCS_CallHFA MHSA Attachment B.pdf

30. Approve and authorize the Director of Health or Assistant Director of Health and the Sheriff to execute Amendment No. 1 to the Monterey County Behavioral Health Crisis Negotiation Team Inter-Agency Agreement with the California State University Monterey Bay, Cities of Carmel, Gonzales, Greenfield, King City, Marina, Monterey, Pacific Grove, Salinas, Sand City, Seaside, and Soledad, adding the Mobile Crisis Team program and the City of Gonzales to the Inter-Agency Agreement for the provision of mental health supportive services to Peace Officers when intervening with individuals during a crisis situation.

Attachments: Board Report
   BHCNT Amendment No. 1.pdf
   BHCNT InterAgency Agreement, 05 30 2013.pdf
a. Set a public hearing for March 28, 2017 to consider adoption of a resolution to approve Amendment No. 6 to the Unified Franchise Agreement A-11631 (UFA) between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County in order to amend Exhibit 1 - “Approved Rates and Charges” of said UFA to add rates for expanded food waste collection services to be provided and to approve and authorize the Director of Health to execute Amendment No. 6 to the UFA between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County; and,
b. Direct the Clerk of the Board to publish notice of public hearing.

Attachments:  Board Report
Proposed UFA Amendment No. 6.pdf
UFA Amendment No. 5.pdf
UFA Amendment No 4.pdf
UFA Amendment No 3.pdf
UFA Amendment No 2.pdf
UFA Amendment No 1.pdf
Final Signed UFA AGMT.pdf
NOTICE OF HEARING _ Organics (2).doc

32.

a. Approve and authorize the Contracts/Purchasing Officer to execute a ten (10) year Lease Agreement, commencing upon issuance of a Certificate of Occupancy from the City of Salinas, between the County and the Gail A. English and Michael P. English Trust Dated October 1, 1987 for approximately 9,745 rental square feet of general office space located at 1870 North Main Street, Salinas, California for use by the Health Department’s Behavioral Health Bureau. The lease term will commence on or around June 1, 2017, and expire on or around May 31, 2027; and
b. Authorize the Auditor-Controller to make lease payments of $18,410.77 per month in accordance with the terms of the Lease Agreement; and
c. Authorize the extension of the Lease Agreement for two (2) additional three-year terms under the same terms and conditions if deemed to be in the best interest of the County by the Contracts/Purchasing Officer.

Attachments:  Board Report
1870 N Main Lease Agr_final_20170224.pdf
33. a. Adopt a Resolution authorizing the Monterey County Health Department to submit all documents for the Local Enforcement Agency grant (“LEA”) with the California Department of Resources, Recycling, and Recovery (“CalRecycle”) as of the date of Board approval or as of March 14, 2017, whichever date is earlier, through December 1, 2020.
b. Authorize the Director of Health or Assistant Director of Health to execute all documents associated with the Local Enforcement Agency grant during the period authorized; and to receive funds associated with it to carry out the objectives as outlined in the program as the signature authority.

Attachments: Board Report
LEA_Resolution_rcd_FINAL_2.28.17.docx

Department of Social Services

34. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with New Families for Intensive Treatment Foster Care (ITFC) Services for eligible foster care youth for the period retroactive to July 1, 2016 through June 30, 2019; and
b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement, where the amendment does not significantly change the scope of work.

Attachments: Board Report
New Families ITFC Agreement 2016-19

General Government

35. Adopt a resolution to extend the Proclamation of a Local Emergency dated January 12, 2017, ratified on January 19, 2017, and initially reviewed and extended on February 14, 2017, in accordance with California Government Code section 8630 for a succession of significant winter storm events which occurred between January 4, and 12, 2017 that resulted in significant damage to public infrastructure and private property within Monterey County. (4/5ths vote required)

Attachments: Board Report
Emerg Proc signed Jan 12 2017
Board Resolution Winter Storms 03142017 final

36. a. Receive the annual update to the County’s General Financial Policies including technical corrections and a new debt management section.
b. Provide direction to staff.
Attachments: Board Report
General Financial Policies FY 2017-18 Redlined
General Financial Policies FY 2017-18

37. Adopt a resolution to:
   a. Authorize the Auditor-Controller to amend the FY 2016-17 adopted budget
to increase appropriations and revenue by $3,233,442 in the Laguna Seca Track,
   001-7500-8146-PAR001, where the funding is provided by operational revenue
   (4/5th vote required); and
   b. Authorize the Auditor-Controller to amend the FY 2016-17 adopted budget
to increase appropriations by $1,740,000 in Special Events,
   001-7500-8150-PAR001, where the financing source is the release of
   $1,740,000 from the Laguna Seca Track Maintenance and Repairs Assignment
   fund balance, 001-3129 (4/5th vote required).
   c. Provide direction to staff.

Attachments: Board Report
Attachment A - LSRA Repair Projects
Resolution

37.1 Adopt a Resolution to:
   a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 and
   Appendices A and B to increase the salary range of the classification of
   Physician Assistant and to abolish the classifications of Physician Assistant I
   and II as indicated in the attached Resolution;
   b. Authorize the Auditor-Controller to make retroactive payment to impacted
   employees effective February 4, 2017; and
   c. Direct the Human Resources Department to implement the changes in the
   Advantage HRM system.

Attachments: Board Report
Resolution

RMA - Administration

38. Approve and authorize the Director of Resource Management Agency to
execute a Memorandum of Understanding with the Monterey Regional Water
Pollution Control Agency for the preparation of a Focused Wastewater Service
Area Study that will provide a current assessment of regional opportunities for
sewer service area consolidation, including a Basis of Design for infrastructure
to serve the Toro Area, in the amount of $100,425; and.
   b. Approve and authorize the Director of Resource Management Agency to
approve one (1) future amendment that does not exceed ten percent (10%) or
$10,043 of the original Agreement amount and does not significantly alter the
scope of service, for a total Not-to-Exceed amount of $110,468.
a. Approve Standard Agreement with Smith & Enright Landscaping, Inc. to provide landscape and open space maintenance services for County Service Area (CSA) 15 which includes Toro Park Estates, Serra Village, Toro Creek Estates, and Toro Sunshine under Request for Proposals (RFP) #10596, in an amount not to exceed $113,175, for a period of three (3) years beginning March 7, 2017 to March 7, 2020, 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 the Standard Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

40.

a. Approve Amendment No. 2 to the Standard Agreement with JGPG Corporation dba Greenline Underground Plumbing Video to: include storm drain pumping, storm drain jetting and storm drain and septic system video inspections and continue to provide on-call grease trap and sewer lift station pumping to vacuum and dispose of wastewater sludge; water jetting to clean grease traps, sewer lines, and sewer lift stations; and video inspection of sewer lines at County facilities; update the hourly rates; and increase the not to exceed amount of $20,000 by $300,000 for a total amount not to exceed $320,000, with no extension to the Agreement’s term of February 15, 2015 to February 15, 2018; and
b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to the Standard Agreement.
California Building Standards Code are reasonably necessary due to local climatic, geological or topographical conditions; and
b. To repeal the 2013 California Building Standards Code with County amendments and adopt the 2016 California Building Standards Code with County amendments.

Attachments:  Board Report
Attachment A – Ordinance (Clean Version)
Attachment B – Ordinance (Redline Version)

42.
a. Approve Amendment No. 1 to the Professional Services Agreement with CSG Consultants, Inc. to: include additional construction inspection services for demolition and construction of infrastructure improvements for Phase 3 at the East Garrison Subdivision; increase the not to exceed amount of $96,400 by $93,160 for a total amount not to exceed $189,560; and extend the expiration date from April 30, 2017 for twenty-six (26) additional months through June 30, 2019, for a revised term from May 1, 2016 to June 30, 2019; and
b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 1 to the Professional Services Agreement and execute future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

Attachments:  Board Report
Attachment A – Amendment No. 1 to PSA
Attachment B – PSA
Attachment C – Summary of PSA
Attachment D – Summary of Annual Expenditures and PSA Balance

RMA - Public Works and Facilities

43.
a. Approve Amendment No. 1 to Agreement (Multi-Year Agreement (MYA) #3000 *1216) with Kasavan Architects, Inc. to continue to provide services associated with on-call architectural and engineering design services for various correctional projects located in Monterey County, to increase the not to exceed amount of $100,000 by $100,000 for a total amount not to exceed $200,000, and extend the expiration date from April 25, 2017 for one (1) additional year through April 25, 2018, for a revised term from April 25, 2014 to April 25, 2018, with the option to extend the term 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 the Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.
Attachments:  
Board Report  
Attachment A: Amendment No. 1 to Agreement  
Attachment B: Agreement  
Attachment C: Summary of Agreement  
Attachment D: Summary of Agreement Annual Expenditures and Balance