Monterey County

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

Meeting Agenda - Final-Revised

Tuesday, September 17, 2019

9:00 AM

Board of Supervisors

Chair Supervisor John M. Phillips - District 2
Vice Chair Supervisor Chris Lopez - District 3
Supervisor Luis A. Alejo - District 1
Supervisor Jane Parker - District 4
Supervisor Mary L. Adams - District 5
The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901.

As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

CEREMONIAL/APPOINTMENTS/OTHER BOARD MATTERS: These items may include significant financial and administrative actions, and items of special interest, usually approved by majority vote for each program. The regular calendar also includes “Scheduled Items,” which are noticed hearings and public hearings.

CONSENT CALENDAR: These matters include routine financial and administrative actions, appear in the supplemental section by program areas, and are usually approved by majority vote.

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Walk to the rostrum and wait for recognition by the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board’s action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

TO ADDRESS THE BOARD DURING PUBLIC COMMENT: Please complete a Speaker Request Form, available on the rostrum, and submit it to the Clerk of the Board before the commencement of that agenda item. Public comments shall not pertain to matters on the agenda.

DOCUMENT DISTRIBUTION: Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

INTERPRETATION SERVICE POLICY: The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for interpreter assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un interprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión.
de la Cámara de Supervisores.

All documents submitted by the public must have no less than ten (10) copies.
The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting.
Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board’s Office located at 168 W. Alisal St., 1st Floor, Salinas, California. during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5
NOTE: All agenda titles related to numbered agenda items are live web links. Click on the title to be directed to the corresponding Board Report.

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

Please refer to the separate agendas for Special Districts and Agencies governed by the Board of Supervisors that may be scheduled for agenda items today.

9:00 A.M. - Call to Order

Roll Call

Additions and Corrections for Closed Session by County Counsel:

County Counsel will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

Closed Session

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

   a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
      (1) Michelle Norwood (Workers Compensation Appeals Board case no. ADJ10250190)
      (2) Michelle Norwood (Workers Compensation Appeals Board case no. ADJ8580593)
      (3) Michelle Norwood (Workers Compensation Appeals Board case no. ADJ12336121)

   b. 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): A, B, C, D, E, L, G, M, N, Q, R and S

   c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of County Counsel.

   d. Pursuant to Government Code section 54957.6, the Board will provide direction to labor negotiators:
      (1) Designated representatives: John Phillips, Chair and Chris Lopez, Vice Chair of the Board of Supervisors
      Employee Position: County Administrative Officer.
e. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

Public Comment

The Board Recesses for Closed Session Agenda Items

Closed Session may be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting, before or after the scheduled time, announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

10:30 A.M. - Reconvene on Public Agenda Items

Roll Call

Pledge of Allegiance

Announcement of New CAO

1.1 Consider approving an Employment Agreement with Charles J. McKee as County Administrative Officer.

Attachments:  Board Report 19-0724

Additions and Corrections by the Clerk

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar Items No. 17 through 33.

Ceremonial Resolutions

3. Adopt Resolution honoring Legal Services for Seniors in recognition of Legal Services for Seniors’ 35th Anniversary. (Chair’s Resolution- Supervisor Parker)

Attachments:  Ceremonial Resolution - Legal Services for Seniors

4. Adopt Resolution honoring the Big Sur Health Center on its Fortieth Anniversary. (Supervisor Adams)

Attachments:  Ceremonial Resolution - Big Sur Health Care Center
5. Adopt Resolution declaring the week of September 16, 2019 as Watch Out for Wildlife Week in Monterey County. (Chair’s Resolution- Supervisor Adams)

Attachments: Ceremonial Resolution - Watch Out for Wildlife Week

6. Adopt Resolution commending Susan Gleason, Social Worker V, on her retirement from nearly 32 years of dedicated public service with the Monterey County Department of Social Services Family and Children’s Services Branch. (Full Board)

Attachments: Ceremonial Resolution - Susan Gleason

7. Adopt Resolution honoring Josephine Morris for 50 years of valuable and loving services to youth in custody at Monterey County’s Juvenile Institutions. (Full Board)

Attachments: Ceremonial Resolution - Josephine Morris

7.1 Adopt Resolution congratulating Montage Medical Group on the occasion of its 10th anniversary of providing quality health care to patients in Monterey County. (Supervisor Adams)

Attachments: Ceremonial Resolution - Montage Medical Group

7.2 Adopt Resolution recognizing Isabelle Renee Franz for her exemplary service as Executive Assistant for Monterey County Supervisor Luis A. Alejo, District 1 (Supervisor Alejo) (ADDED VIA ADDENDUM)

Attachments: Ceremonial Resolution - Isabelle Franz

Appointments

8. Appoint Donna Smith to the Community Action Commission, representing the private sector to fill an unexpired term ending on July 1, 2020. (Supervisor Parker)

Attachments: Notification to Clerk - Smith

Other Board Matters

9. Board Comments

10. County Administrative Officer Comments and Referrals.

Attachments: Referrals 09-17-19

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


Attachments: Board Report
Board Resolution Adopting Annexes
2019 Monterey County OES_EOP_ANNEX A Animal Resp. Plan_final 08 16 19
2019 Monterey County OES_EOP_Annex B Care & Shelter_FINAL 08 16 19
2019 Monterey County OES_Annex I Cost Recovery_FINAL PDF Packet

13. PLN180103 - (COPELY LAND COMPANY)
Consider a Lot Line Adjustment between two (2) legal lots of record of approximately 803.5 acres (Existing Parcel II) and 1,440.5 acres (Existing Parcel IV), resulting in two (2) legal lots of record of 1,295 acres (Proposed Parcel 1) and 949 acres (Proposed Parcel 2). The adjustment will not reduce the acreage under the existing Agricultural Preserve Land Conservation Contract.

Proposed California Environmental Quality Act (CEQA) Action: Categorically Exempt per CEQA Guidelines California Code of Regulations (CCR) Section 15305 (Minor alterations in land use limitations)

Project Location: Wildhorse Canyon Road, Southeast of King City (Central Salinas Valley Area Plan)

Attachments: Board Report
Attachment A - Draft Resolution
Corrected Attachment A - Draft Resolution
Attachment B - Vicinity Map
Attachment C - APN Maps
Attachment D - Williamson Act Agricultural Preserve LCC No. 69-23
Attachment E - Williamson Act Agricultural Preserve LCC No. 69-23
Attachment F - Resolution Relating to the Processing of Lot Line Adjustments

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

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

14. Conduct a public hearing to consider adoption of a Resolution amending Section 5 (Land Use) of Article I.E. of the Monterey County Fee Resolution, effective November 17, 2019, to adjust fees for the Monterey County Health Department’s Environmental Health Bureau’s review and processing of applications for land use and construction permits and entitlements.

   **Attachments:**
   - Board Report
   - Attachment 1 Article IE Land Use Fees Redline_09.17
   - Attachment 2 Article I.E. EHB Land Use Fee Resolution with Exhibit 1 EHB...
   - Attachment 3 Fiscal Assessment
   - Attachment 4 BOS RES 16-250 Cannabis Business Permit Fees_2016.09.27
   - Attachment 5 BOS RES 19-271 Cannabis Business Permit Fees_20190723

15. **REF190015**-Proof of Access Ordinance

Public hearing to consider:

a. Adoption of an ordinance repealing Section 21.64.320 (inland zoning code) of the Monterey County Code related to regulations for development utilizing private streets, roads, and other travelled ways (“Proof of Access”) and moving the regulations to a new Chapter 16.80 of the Monterey County Code to establish County-wide coastal and non-coastal Proof of Access regulations; and

b. Adopt a resolution rescinding Resolution of Intent No. 14-250, dated August 26, 2014, that would have added Proof of Access regulations in coastal areas as Section 20.64.320 of the Monterey County Code.

   **Location:** County-wide unincorporated Monterey County

   **CEQA action:** Not a project pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).

   **Attachments:**
   - Board Report
   - Attachment 1 - BOS adopted Resolution of Intent No. 14-250 dated 8-26-14
   - Attachment 2 - California Coastal Commission staff letter, dated 10-21-16
   - Attachment 3 - PC Resolution No. 19-013, dated 5-29-19
   - Attachment 4 - Draft Reso rescinding Reso of Intent No. 14-250, 8-26-14
   - Attachment 5 - Draft ordinance

16. Public hearing to consider amendments to certain Monterey County Fee Articles relating to fees for processing applications for land-use permits and entitlements, as follows:

a. Amend Article IX - (RMA-Planning) to re-title to RMA-Land Use and to update and consolidate land-use application fees for RMA-Planning, RMA-Public Works, and RMA-Environmental Services;

b. Rescind and Reserve Article X (RMA-Public Works);

c. Amend Article XIX (RMA-Building Services) to update plan check and
inspection fees;
d. Amend Article XVII (County Counsel) to align with revisions to Article IX and update rates;
e. Rescind and Reserve Article XX (RMA-Environmental Services);

**Attachments:**
- Board Report
- Attachment A-Draft Resolution
- Attachment B-Current Fee Articles
- Attachment C -Proposed Fee Articles
- Attachment D-Detailed Discussion
- Attachment E-Current Land Use Fee Matrix
- Attachment F-Proposed Land Use Fee Matrix
- Attachment G-Public Hearing Notice

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

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

**Adjournment**
17. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with Center for Improvement in Healthcare Quality (CIHQ) for on site, Joint Commission mock survey services at NMC for an amount not to exceed $20,000 with an agreement term September 20, 2019 through September 19, 2022.
b. Approve the NMC Chief Executive Officer’s recommendation to accept non-standard insurance and limitations on damages provisions within the agreement.

Attachments: Board Report
Center for Improvement in Healthcare Quality Agreement.pdf

18. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute a Program Letter of Agreement with Southeast Alaska Regional Health Consortium for the purpose of offering clinical rotations outside of Natividad Medical Center (NMC) for residents currently working at NMC with an agreement term October 1, 2019 through September 30, 2021.
b. Approve the NMC Chief Executive Officer’s recommendation to accept non-standard provisions (insurance and indemnification) within the agreement.

Attachments: Board Report
Southeast Alaska Regional Health Consortium Program Letter of Agreement.pdf

19. Adopt Resolution to:
a. Amend Personnel Policies and Practices Resolution No. 98-394 and Appendices A and B to adjust the salary ranges for the classifications of: Speech Pathologist, Maintenance Mechanic, and Hospital Maintenance Supervisor as indicated in the attached resolution; and
b. Direct the Monterey County Human Resources Department to implement the changes in the Advantage HRM System.

Attachments: Board Report

Health Department

20. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to the Professional Services Agreement with Action Council of Monterey County, Inc. to extend the term for one (1) additional Fiscal Year (FY) for a new term of July 1, 2018 to June 30, 2021, and revise the total Agreement amount from $99,935 to $413,580, which represents a total increase of $313,645 through FY 2020-21.
21. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding template for the provision of Therapeutic Services to students with Greenfield Union School District (“School District”), for a total maximum amount of $75,015, effective August 1, 2019 through June 30, 2020; and
b. Accept the Director of Health’s recommendation to incorporate non-standard indemnification, limitation on liability, and insurance provisions; and
c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that, in total, do not exceed ten percent (10%) of the original amount and that do not significantly change the scope of services.

22. 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-14199 with The Devereux Foundation, Inc. dba Devereux Florida to increase the Fiscal Year (FY) 2019-20 and FY 2020-21 rates and add $26,222, for a revised total Agreement amount of $1,035,803, for the same term of December 1, 2018 through June 30, 2021.

23. Adopt a Resolution to:
a. Authorize the County of Monterey’s participation in one-time Housing Funds for Whole Person Care Pilots funding opportunity available as a result of AB 74, the Budget Act of 2019 (Chapter 23, Statutes of 2019); and
b. Approve and authorize the Director of Health or Assistant Director of Health to submit an application, in the form of a Letter of Interest, for one-time housing funds for Whole Person Care Pilots in the amount of $2,407,786.57 as allocated by the State of California Department of Health Care Services (DHCS), for the costs of long-term and short-term housing, such as hotel vouchers and rental subsidies, as well as capital investment for housing projects for Medi-Cal beneficiaries who are mentally ill and are experiencing homelessness, or are at risk of homelessness; and
c. Should the County receive the funding in the amount of $2,407,786.57, authorize
the Director of Health or the Assistant Director of Health to enter into, execute, and deliver any and all agreements and other documents required or deemed necessary or appropriate to evidence and secure the one-time Housing Funds for Whole Person Care Pilots, the County’s obligations related thereto, and all amendments thereto, subject to review and approval by County Counsel and County Auditor-Controller.

**Attachments:**  Board Report

BResolution_WPC_Housing_Funds_20190905

LOI_WPC_Housing_funds_20190905

24. a. Ratify the submittal of a grant application by the Monterey County Health Department to the Investment in Mental Health Wellness Grant Program for Children and Youth (“Grant Program”) of the California Health Facilities Financing Authority (“CHFFA”) in the amount of $485,275.90 for funding Mobile Crisis Support Team services; and

b. Authorize the Director of Health or Assistant Director of Health to execute the Grant Agreement No. CY MONT-01 with CHFFA, accepting a CHFFA Grant Program award for a total grant amount of $485,275.90, for the capital costs ($257,182.90) and personnel costs ($228,093.00) in developing and implementing a Mobile Crisis Support Team program for the grant period retroactive to May 30, 2019 through June 30, 2021; and

c. Approve the delegation of authority to the Director of Health or Assistant Director of Health to act on the County’s behalf to carry out and consummate all transactions contemplated during the grant period.

**Attachments:**  Board Report

CHFFA Grant Agreement

Resolution_Investment_in_Mental_Health_Wellness

**Criminal Justice**

25. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Professional Services Agreement with Monique S. Hill for representation of indigent defendants in adult criminal cases in the maximum amount of $94,875, for the term retroactive to August 1, 2019 through June 30, 2020; and

b. Approve and authorize the Contracts/Purchasing Officer to execute up to two (2) additional amendments to this Agreement, extending the term of each by one (1) fiscal year per amendment, subject to County Counsel review and provided the cost per additional year does not exceed $103,500.

**Attachments:**  Board Report

M.Hill_Agreement_FY20
26. a. Approve and authorize the Contracts Purchasing Officer to sign an Agreement with James Potterton, Ph.D., LLC for in-person workshops for Monterey County Public Defender employees in the amount of $30,000, retroactive term of August 1, 2019 through June 30, 2020.
   b. Authorize the Contracts Purchasing Officer to execute up to three (3) amendments, subject to County Counsel review, extending the Agreement by one (1) year each, where total additional costs do not exceed 10% of the contract amount ($3,000 maximum total additional cost) and the amendments do not significantly alter the scope of work.

   **Attachments:** Agreement James Potterton_Exhibits_FY19-20_9.5.19
   Signed Board Report_Legistar Ready_9.17.19

General Government

27. a. Authorize the Director of the Information Technology Department to execute an Order Form with Equinix, LLC. for continued colocation of County technology infrastructure within an Equinix-hosted facility, for an additional 12-month period, resulting in a revised agreement term of July 25, 2017 through October 14, 2020, adding an additional $43,078.80 to the current agreement amount of $83,726, for a total agreement amount of $126,804.80;
   b. Accept additional non-standard contract provisions as recommended by the Director of Information Technology; and
   c. Authorize the Director of Information Technology to execute order forms and change order forms as necessary to secure services as required by the County.

   **Attachments:** Board Report
   Equinix LLC Agreement
   Equinix LLC Extension #1 Order Form
   Equinix LLC Extension #2 Order Form

28. a. Approve and authorize the Director of the Information Technology Department to execute Amendment No. 2 to the Agreement between Latitude Geographics Group Ltd. and the County of Monterey extending the term for one (1) year for a revised agreement term of October 10, 2016 through October 9, 2020, adding $3,763.79 for a revised total not to exceed $103,763.79, with no change to the scope of services;
   b. Approve the non-standard agreement provisions as recommended by the Director of Information Technology; and
   c. Approve and authorize the Director of the Information Technology Department to execute order forms and change order forms as necessary to secure services by the County.
a. Approve and authorize the Auditor-Controller to execute an Agreement with Hinderliter de Llamas & Associates for sales, use and transaction tax related services for an initial term of July 1, 2019 to June 30, 2020 and a not to exceed amount of $75,000; and
b. Approve and authorize the Auditor-Controller to execute three (3) future Fiscal Year amendments that do not exceed a five percent (5%) increase in set annual cost and do not significantly alter the scope of services; and
c. This Agreement takes the aggregate amount for this Vendor over $100,000.

Approve and authorize the Director of Human Resources, or designee to sign a Student Placement Agreement, a non-standard agreement, with the Hartnell College Foundation for the participation of the Salinas Valley Promise program, to match college students with County professionals to serve as mentors effective September 17, 2019, through July 31, 2022.

Approve and authorize the Contracts/Purchasing Officer to sign a professional services agreement with Marsh USA, Inc. dba Marsh Risk and Insurance Services, for casualty insurance brokerage services for a one-year term with compensation in the amount not to exceed $120,000, retroactive to July 1, 2019.

Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to ratify and approve with Speedcast Productions, LLC dba Apex Broadcast (Producer) to produce video programs of 2019 Rolex Monterey Motorsports Reunion event at the WeatherTech Raceway Laguna Seca. The term of the Agreement began August 1, 2019 and terminated August 20, 2019. Work contracted under this Agreement shall not exceed $130,847 in accordance with the terms and conditions set within the Agreement.
33. This item came before the Board on August 27, 2019 and is going back before the Board with a revised final response:
   b. Direct the County Administrative Officer to file the approved revised final response with the Presiding Judge of the Superior Court, County of Monterey, by September 21, 2019.

34. **ADDENDUM**

   Added Under Ceremonial Resolutions:
   
   7.2 Adopt Resolution recognizing Isabelle Renee Franz for her exemplary service as Executive Assistant for Monterey County Supervisor Luis A. Alejo, District 1 (Supervisor Alejo)

**SUPPLEMENTAL**

**Consent Calendar- General Government**

**Add to Item No. 33**

Attachment - Redline Version of the 2018 - 2019 CGJ ERP Final Revised Response