

**MONTEREY COUNTY WATER RESOURCES AGENCY
BOARD OF DIRECTORS
PERSONNEL AND ADMINISTRATION COMMITTEE**

COMMITTEE MEMBERS

Mark Gonzalez, Chair
David Hart

Richard Ortiz
Glen Dupree

TIME: **8:30 a.m.**
DATE: **Friday, November 4, 2016**
PLACE: **Monterey County Water Resources Agency
Board Room
893 Blanco Circle
Salinas, CA 93901
(831) 755-4860**

A G E N D A

- 1. Call to Order**
- 2. Public Comment**
(Limited to three (3) minutes per speaker on matters within the jurisdiction of the Agency not listed on this agenda. The public will have the opportunity to ask questions and make statements on agenda items as the Committee considers them.)
- 3. Approve the Minutes of the Personnel and Administration Committee meeting held on May 13, 2016.**
The Committee will consider approval of the Minutes of the above-mentioned meeting.
- 4. Consider receiving an update on Personnel and Administration activities.**
Wini Chambliss, Administrative Services Assistant, will provide a verbal update on personnel and administrative issues.
- 5. Consider receiving an update on activities at the Lakes.**
Brent Buche, Deputy General Manager, will provide a verbal report on Lakes issues.
- 6. Consider receiving an update by the Cal Shasta Boat Club on the houses destroyed by the Chimney Fire and the proposal to rebuild them at Lake Nacimiento.**
Cal Shasta representative will provide a verbal update on the damage caused and the proposal to rebuild.

- 7. Consider receiving an update by The Private Property Owners Lake Access Association on their proposal to construct and maintain a boat launch ramp within the Running Deer Community.**
The Private Property Owners Lake Access Association representative will provide a verbal update on the boat launch ramp proposal.
- 8. Consider receiving an update on Real Property issues.**
Brent Buche, Deputy General Manager, will provide a verbal report on real property issues.
- 9. Consider approving the proposal by UCP Soledad, LLC, to pay the Monterey County Water Resources Agency \$1.2 million for improvements to portions of the Bryant Canyon Channel Improvement Project; authorize the General Manager to negotiate final terms subject to approval by County Counsel; recommend the Monterey County Water Resources Agency Board of Supervisors approve the Agreement; and, authorize the Chairman of the Monterey County Water Resources Agency Board of Supervisors to execute the Agreement.**
Brent Buche, Deputy General Manager, will provide a verbal report on this proposal.
- 10. Set next meeting date and discuss future agenda items.**
The Committee will discuss and determine details for its next meeting.
- 11. Adjournment**

**MONTEREY COUNTY WATER RESOURCES AGENCY
BOARD OF DIRECTORS
PERSONNEL AND ADMINISTRATION COMMITTEE**

COMMITTEE MEMBERS

Mark Gonzalez, Chair
Richard Ortiz

David Hart
Abby Taylor-Silva

TIME: 8:30 a.m.
DATE: Friday, May 13, 2016
PLACE: Monterey County Water Resources Agency
893 Blanco Circle
Salinas, CA 93901
(831) 755-4860

MINUTES

1. **Call Meeting to Order @ 8:30 a.m. by Committee Chair Mark Gonzalez**
Members Present: Richard Ortiz, David Hart, Mark Gonzalez,
Members Absent: Abby Taylor-Silva

A quorum was established.

2. **Public Comment:** None
3. **Approve the Minutes of the Personnel and Administration Committee meeting held on April 15, 2016.**

Committee Action:

On Motion and Second by Directors Hart and Ortiz respectively, the Committee approved the Minutes of the Personnel and Administration Committee meeting held on April 15, 2016.

4. **Recommend that the full Board approve and recommend that the Monterey County Water Resources Agency Board of Supervisors approve renewal of a multi-year Lease Agreement with the Heritage Ranch Owners Association (HROA) for 25 acres of lakefront property at Lake Nacimiento; and, authorize the General Manager to execute the Lease Agreement.**

Brent Buche, Deputy General Manager, provided information on the above-mentioned item.

Committee Action:

On Motion and Second by Directors Hart and Ortiz respectively, by unanimous vote received the update.

5. **Consider receiving an update on activities at the lakes.**
Brent Buche, Deputy General Manager, provided a verbal report on Lakes issues.

Committee Action:

On Motion and Second by Directors Hart and Ortiz respectively, by unanimous vote received the update.

6. Consider receiving an update on real property issues.

Brent Buche, Deputy General Manager, provided a verbal report on real property issues.

Committee Action:

On Motion and Second by Directors Hart and Ortiz respectively, by unanimous vote received the update.

7. Set next meeting date and discuss future Agenda items.

Next meeting date: June 10, 2016 at 8:30 a.m. Agenda items to include the Nacimiento Water Co. and Running Deer Ranch Boat Ramps Project.

8. Adjournment at 9:20 a.m.

Submitted by: Alice Henault

Approved on:

**MONTEREY COUNTY WATER RESOURCES AGENCY
BOARD OF DIRECTORS – PERSONNEL AND ADMINISTRATION COMMITTEE**

MEETING DATE:	October 7, 2016	AGENDA ITEM:
Consent () Action () Information (X)		
DEADLINE FOR BOARD ACTION:	October 7, 2016	

..Title

Consider receiving an update on Personnel and Administration activities.

..Report

RECOMMENDATION:

It is recommended that the Monterey County Water Resources Agency Board of Directors:

Receive an update on personnel and administrative activities.

SUMMARY/DISCUSSION:

PERSONNEL

Recruitment

The General Manager and Finance Manager conducted a recruitment for a temporary Legal Secretary to assist Deputy County Counsel Jesse Avila with the many legal issues facing the Agency. Seven applications were received and six interviews were conducted on September 1, 2016, resulting in the hiring of Diana Malkin.

It is my understanding the only recruitment scheduled for FY 2016-17 is the Water Maintenance Superintendent. It is anticipated the job description and analysis will be completed by the end of November...after which the recruitment process will begin.

As a refresher, the Agency’s Personnel and Salaries as approved with the FY 2016-17 Adopted Budget is included for your reference. There are 48 full-time equivalent positions, of which 10 are unfunded. There have been no changes in this information since Budget Adoption on June 21, 2016. This information is being presented only because we have had no personnel updates since January 2016.

Attached also to this update for your review is an updated copy of the Agency’s Organizational Chart. You will note several changes in reporting.

ADMINISTRATION

Facility Emergency Evacuation Action Plan

Monterey County requires that each agency/department submit an emergency evacuation action plan annually in compliance with Title 8, Section 3220 of the California Code of Regulations, Emergency Action Plan and Monterey County's Injury and Illness Prevention Plan. The Agency's plan has been developed and is attached. A successful impromptu emergency evacuation drill was held on September 30, 2016.

Schilling Place Relocation

The date of the Agency's relocation to Schilling Place has been "moved" from February/March 2017 to April 2017...the actual move window dates have not yet been determined.

In preparation for the relocation, the following activities have taken place:

DATE	ACTIVITY
July 20, 2016	Submitted the Agency's "Move Matrix" to Monterey County's Relocation Program Manager listing names, phone numbers, computers of all Staff
July 27, 2016	Blanco Circle Staff informed to cull through electronic and hard copy documents, eliminate duplicate documents and begin preparing for move
August 24, 2016	Met with Relocation Program Manager Staff and IT Department regarding preparations for moving technological equipment and Records storage; tour of Records Retention facility
August 30, 2016	WRA Records Retention Schedule approved by the WRA Board of Supervisors with minor revisions.
August 2016	Parking Permits and Government Center Badges for Directors and Identified Staff were secured.
August 2016	Boxes ordered/received for relocation preparation
No date yet	Develop budget for move
September 13, 2016	Dumpster secured to discard unwanted/unusable items
September 20, 2016	Submitted Staff Seating Chart to Relocation Program Manager
September 26, 2017	Submitted information to Relocation Program Manager staff regarding placement of conference room telephones/jacks
October 3, 2016	Move Committee established; first meeting scheduled for October 28, 2016 to begin developing "move plan"
October 7, 2016	MCOE informed Agency that Richard Morgantini Building would be marketed; Real Estate Agent performed building "walk through."
NOW	Begin packing: Development Review and Admin have actively engaged in

PERSONNEL AND SALARIES

<u>CLASSIFICATION / DESCRIPTION</u>	<u>CODE</u>	FY 2015-16		FY 2016-17	
		<u>APPROVED BUDGET</u>	<u>PRELIMINARY BUDGET</u>	<u>NUMBER</u>	<u>AMOUNT</u>
<u>FUNDED POSITIONS</u>					
Accountant III	20B12	1	83,537	1	89,467
Accounting Technician	80J30	1	55,138	1	53,229
Administration Services Assistant	14C70	1	84,845	1	84,845 *
Assistant Water Maintenance Superintendent	74J22	2	135,228	2	135,228
Associate Water Resources Engineer	41E21	2	189,115	2	196,456
Associate Water Resources Hydrologist	41C14	2	159,758	3	303,931
Chief of Water Resources Planning	14K22	1	119,889	0	0
Department Info Systems Manager I	16F40	1	109,883	1	109,883
Deputy General Manager - Water Resources Agency	12C36	2	364,398	2	317,318
Engineering Aide II	43A21	1	51,169	1	51,169
Finance Manager II	20B93	1	112,698	1	112,698
General Manager - Water Resources Agency	11A15	1	209,126	1	209,126
Hydroelectric Technician	74F23	1	65,985	1	65,985
Office Assistant III	80E22	1	45,381	1	45,381
Senior Account Clerk	80J22	1	48,905	1	48,905
Senior Secretary	80A32	1	53,520	1	53,520
Senior Water Maintenance Worker	74J21	2	109,337	2	118,410
Senior Water Resources Engineer	41E30	3	374,795	2	251,872
Senior Water Resources Hydrologist	41C17	2	251,872	2	251,872
Water Maintenance Superintendent	74C01	1	26,167	1	84,315
Water Maintenance Worker I	74J01	1	48,247	1	48,247
Water Maintenance Worker II	74J11	4	178,137	4	207,063
Water Resources Biologist	41C20	1	73,147	1	86,387
Water Resources Engineer	41E11	3	198,815	3	268,321
Water Resources Hydrologist	41C02	6	535,599	4	354,186
Water Resources Technician	43B03	3	218,539	3	209,183
SALARIES AND PERSONNEL SUBTOTAL		46	3,903,230	43	3,756,997
SALARY ADJUSTMENTS:					
Estimated vacation buybacks			102,000		102,000
Cell Phone Allowance			14,820		15,480
Termination Benefits			100,000		100,000
Estimated Temporarily Vacant Positions			0		0
SALARY ADJUSTMENTS SUBTOTAL			216,820		217,480
SALARIES AND PERSONNEL TOTAL		46.0	\$4,120,050	43.0	\$3,974,477
<u>APPROVED POSITIONS NOT FUNDED</u>					
Water Resources Hydrologist		0		2	
Associate Water Resources Hydrologist		1		0	
Senior Water Resources Hydrologist		1		1	
Senior Water Maintenance Worker		1		1	
Water Resources Engineer		1		1	
TOTAL NOT FUNDED		4.0		5.0	
TOTAL APPROVED POSITIONS		50		48	

* Positions that have additional dollars added to FY 2016-17 Budget for potential reclassifications or promotions

Water Resources Agency Organizational Chart

Agency Board of Supervisors

Agency Board of Directors

General Manager
David E. Chardavoyne

Administrative Services Assistant
Wini Chambliss

Engineering Aide II
Teresa Campa

Senior Secretary
Alice Henault

Office Assistant III
(Vacant) (UF)

Senior Water Resources Hydrologist
Howard Franklin

Deputy General Manager
Robert Johnson

Deputy General Manager
Brent Buche

Finance Manager II
Cathy Paladini

Associate Water Resources Hydrologist
Tam Voss

Senior Water Resources Hydrologist
Vacant (UF)

Associate Water Resources Hydrologist
Jennifer Bodensteiner

Senior Water Resources Hydrologist
Environmental Compliance
Elizabeth Krafft

Associate Water Resources Engineer
Shaunna Juarez

Senior Water Resources Engineer
Chris Moss

Associate Water Resources Hydrologist
German Criollo

Senior Water Resources Engineer
Manuel Quezada

Associate Water Resources Engineer
Mark Foxworthy

Accountant III
Fabricio Chombo

Departmental Information Systems Manager I
Reico Cruz

Water Resources Hydrologist
Jason Demers

Water Resources Hydrologist
Peter Kwiek

Water Resources Hydrologist
Amy Woodrow

Water Resources Hydrologist
(Vacant) (UF)

Water Resources Hydrologist
(Vacant) (UF)

Water Resources Biologist
(Vacant) (UF)

Water Resources Hydrologist
Jess Barreras

Water Resources Engineer
Manuel Saavedra

Water Resources Engineer
Elise Ramirez

Water Resources Engineer
(Vacant) (UF)

Water Maintenance Superintendent
(Vacant)

Water Resources Engineer
(Vacant) (UF)

Accounting Technician
Kris Hamlet-Esler

Senior Account Clerk
Pat Akers

Water Resources Technician
Sean Noble

Water Resources Technician
Mike Logsdon

Water Resources Technician
John Roitz

Hydroelectric Technician
Russell Kelso

Assistant Maintenance Superintendent
Pat Ledo
Maintenance South

Assistant Maintenance Superintendent
Bret Ogden
Maintenance North

Senior Water Maintenance Worker
(Vacant) (UF)

Senior Water Maintenance Worker
Paul Serrano

Senior Water Maintenance Worker
Charles Lingenfelter

Water Maintenance Worker II
Paul Guzman

Water Maintenance Worker II
George Bartlett

Water Maintenance Worker II
(Vacant) (UF)

Water Maintenance Worker I
James Gruber

Water Maintenance Worker II
(Vacant) (UF)

August 1, 2016
48 FTE (10 Unfunded)

UF = Unfunded

MONTEREY COUNTY
Water Resources Agency
893 Blanco Circle, Salinas



**EVACUATION
AND
EMERGENCY ACTION PLAN**

Implementation Date: November 19, 2013
See Plan Revision History for updates.

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EVACUATION AND EMERGENCY ACTION PLAN

1. PLAN PURPOSE

This plan is established to meet the requirements of Title 8, Section 3220 of the California Code of Regulations (see Appendix I).

In the event of an emergency or disaster situation, employees must be able to respond appropriately and effectively. The emphasis is on preservation of life and health by taking timely action and using available information and recourses within the (*enter name of building*). In the event of emergency or disaster, changing conditions may require expedient decisions.

2. SITE DESCRIPTION

This plan covers the County of Monterey offices located at **893 Blanco Circle, Salinas, CA.**

3. EMERGENCY EVACUATION ASSEMBLY LOCATIONS

General Manager or designee will determine the routes of exit and the assembly location based on the closest/safest route. Department Head or designee will be responsible for ensuring that:

- ***Evacuation maps for their respective Department/Divisions are created and available to all employees;***
- ***Employees are trained on evacuation routes, exits and assembly areas;***
- ***A method for employees to identify their division at assembly location and designated roll call person is assigned.***

4. EVACUATION AND EMERGENCY PLAN ACTIVATION

Division Managers will fill their roles once activation occurs (see Floor Coordinator Procedures).

Upon notification that the Emergency Action Plan is activated, staff will respond as indicated by the current Emergency Action Plan, Evacuation Procedure and Notification Roster.

- ***Refer to the Floor Coordinator Procedures Manual for functional assignments.***

5. EMPLOYEE EVACUATION SUMMARY

- 5.1 Evacuate at alarm sounding, upon announcement by paging system (with the use of Mega phones notification, upon Department Head or Emergency Coordinator's directive);
- 5.2 Do not panic;
- 5.3 Do not use cell phones inside the building during an evacuation.
- 5.4 Proceed to nearest/safest emergency exit or stairwell (see evacuation map for your area);
- 5.5 Exit building in a calm and orderly manner;
- 5.6 Follow Emergency Coordinator's directives;
- 5.7 Assist disabled and children, as necessary;
- 5.8 Exit the building quickly and quietly;
- 5.9 Assemble at pre-designated collection point:
- 5.10 Stay away from the building;
- 5.11 Remain at the collection point until employees are accounted for; and
- 5.12 Do not attempt to re-enter the building until instructed to do so by safety officials.

IMPORTANT: Employees shall familiarize themselves with all emergency exits throughout the building.

6. EVACUATION DECISION

The building should be evacuated in the event of a gas leak, major water leak, fire, structural damage, bomb threat or any other incident that may pose a life-threatening hazard to its occupants.

Follow instructions from emergency responders, law enforcement, and the County Management Officials when an evacuation is ordered.

7 EVACUATION PROCEDURE

7.1 Floor Coordinators:

- 7.1.1 Floor Coordinators will be assigned to every emergency exit door at all floor levels.
- 7.1.2 Immediately after an emergency is declared, Floor Coordinators shall grab the Monterey County Emergency Responder Kit, don their safety vests, grab the short wave radios, the Megaphone (if one is assigned to them) and begin evacuating floors.
- 7.1.3 Designated Floor Coordinators should notify the public and employees that an evacuation is ordered and evacuate their assigned floor and gather the roll call sheets from department heads or designees
- 7.1.4 Evac Chair Floor Coordinators shall be trained on evacuations using the evacuation stair chair
- 7.1.5 Evac Chair Floor Coordinators should assist those who need help. Only Trained Evac Chair Floor Coordinators on the use of emergency stair chairs shall assist persons with wheel chairs and evacuate them by use of an evacuation stair chair. Evac Chair Coordinators shall become familiar with the chair's location.
- 7.1.6 To reduce noise and improve communication Floor Coordinators (ERTs) will encourage everyone to keep noise down while evacuating the building.
- 7.1.7 **DO NOT USE ELEVATORS DURING AN EMERGENCY.**

7.2 Visitor Logs from Front Desk Clerks

- 7.2.1 Front Desk Clerks at all County offices within the building will grab the employee roster check off sheet and the visitor log and take it to the assembly area to provide it to the department's roll call person for roll call.
- 7.2.2 Staff will direct clients to relocation areas by a safe exit route.

7.3 Unaccompanied Children

If unaccompanied children are on the premises during an evacuation, staff should not allow them to be alone and take them to the assigned assembly location. Once the evacuation is complete, contact the police department for instruction and find out if an emergency shelter has been designated nearby to house unaccompanied children. Any reasonable and prudent measure should

be taken to ensure safety to children until the parents or emergency personnel take charge of them.

7.4 Emergency Assembly Area

All employees should exit via closest, safest exit (see specific department evacuation plan), avoid walking near the building and evacuate to the (*enter location of assembly area here*).

8. **ROLL CALL FOLLOWING AN EMERGENCY EVACUATION**

The County has established a roll call system to ensure that County employees, visitors and clients are accounted for in the event of an emergency. Additionally, this roll call system meets the Federal and State OSHA standards (see Appendix I, section §3220(b)(3)) and complies with local Fire Code regulations.

8.1 Department Heads or their designee will carry the department flag or banner (departments decide what they want to use) and shall take roll call to account for staff and clients (see Appendix G) and inform Roll Call coordinators of any missing employees.

8.2 Employees shall assemble with their respective department and wait for instructions.

8.3 Do not allow staff or clients to leave the emergency assembly area until instructed to do so by emergency responders.

8.4 Assist Roll Call coordinators as appropriate with information on location of visiting employees and clients.

9. **COMMAND CENTER**

9.1 A joint command center will be established by the County and meet at the first responder's commanding post.

9.2 Communication with the Roll Call Coordinators (ERTs) will be accomplished through the use of short wave radios.

9.3 Report all missing individuals, injuries, or other relevant and important information to emergency responders.

9.4 Roll Call procedures:

- Departments will designate a Roll Call person for every division located at each facility.
- Employees will check in with Roll Call Person.
- Roll Call Person will report any missing employees to Incident Command.

10. RE-ENTRY

10.1 The County's designated Incident Command will call a debrief meeting to inform all employees of next step or to give an all clear. Subsequent meetings may follow based on circumstances.

10.2 Prior to re-entry, Departmental/Division supervisors once again will account for all employees. If allowed to do so by emergency responders re-enter carefully and evaluate damage.

11. MEDIA REPRESENTATIVE

All communication with media will be made by the County's Public Information Officer.

12. EVACUATION DRILLS AND TRAINING

12.1 Evacuation maps shall be posted in all work areas designating evacuation routes and exits.

12.2 The County's offices shall have at a minimum two trained floor coordinators for each floor.

12.3 Supervisors will provide training to all new employees on the evacuation routes, including alternative routes in the event that egress is blocked. Refresher training will be conducted annually.

12.4 Departments will coordinate periodic evacuation exercises.

13. FIRE

Flame and/or Visible Smoke

13.1 Remain calm.

13.2 Announce - "There is a fire and we need to begin evacuation" as firmly and calmly as possible to those in the immediate areas. Evacuations are automatic when the fire alarm sounds. No one shall remain in the building. County Management will determine when to evacuate their buildings in the absence of a Fire Alarm.

13.3 Begin EVACUATION procedures - direct those nearby to leave the building using the safest path to the nearest exit. Be sure any children, elderly, or those with disabilities are helped. Pull manual fire alarm or activate the central station alarm if available.

13.4 DO NOT ATTEMPT TO USE NOR ALLOW OTHERS TO USE AN ELEVATOR.

13.5 Call 9-9-1-1 from the nearest and safest telephone. Provide all information requested by the 9-9-1-1 operator. Do not hang up unless instructed to do so by the 9-9-1-1 operators or if you become endangered.

13.6 Do not attempt to fight the fire unless you have specific fire extinguisher training on small fires.

13.6.1 Fire extinguishers are located throughout the Monterey County facilities.

13.6.2 Trained employees on the use of fire extinguishers should familiarize themselves with fire extinguisher locations in their work environment. (This is only relevant to Departments that provide fire extinguisher training to their employees.)

13.7 Do not attempt to enter other areas or to investigate hazardous conditions.

13.8 Report to the designated relocation areas to inform management and emergency responders of what has happened.

13.9 Alarm Conditions

13.9.1 Upon hearing a building fire alarm or voice command from management, floor coordinators or public safety personnel, begin the evacuation procedure.

13.9.2 Do not attempt to find the cause of the alarm or make phone calls to determine if it is a false alarm.

13.9.3 The fire alarm shall be inspected and maintained according the local Fire Department requirements for the (*Enter name of City here*).

13.10 Re-Entry

Do not attempt nor allow others to attempt to re-enter the building unless under specific direction by emergency responders.

13.11 Fire Prevention

- 13.11.1 Help prevent fires by maintaining a neat orderly work area free from fire and electrical hazards.
- 13.11.2 Store all flammable liquids in a flammable proof storage cabinet.
- 13.11.3 Immediately report all hazardous conditions to your supervisor.

14. EARTHQUAKE

Earthquakes are unpredictable and strike without warning. Therefore, it is important to be prepared to act quickly and safely. The Office of Emergency Services provides information on earthquake preparedness.

14.1 During the Earthquake

- 14.1.1 REMAIN inside the building.
- 14.1.2 TAKE COVER under a desk or table or brace yourself in an interior doorway.
- 14.1.3 STAY AWAY from windows, cabinets, shelves, or other objects that may tip or fall.
- 14.1.4 STAY CALM and calm others.
- 14.1.5 REMAIN in position a few minutes after the initial shaking in case of aftershocks.

14.2 After the Earthquake

- 14.2.1 Check yourself and others for injuries. Call 9-9-1-1 if necessary.
- 14.2.2 Warn clients and fellow staff members to stay away from windows or equipment, which may be unstable.
- 14.2.3 Calm clients and staff. Be especially aware of elderly persons and unaccompanied children.
- 14.2.4 Be prepared for aftershocks.
- 14.2.5 Locate the first aid and/or emergency supplies kit. Render first aid if you are trained.
- 14.2.6 Facilities and the County's Building Division should assess the facility for damage, gas leaks, and water leaks. (Note: Non-County owned facilities will be assessed by the landlord.)

- 14.2.7 Shut off valves if you are knowledgeable.
 - 14.2.8 Check for broken glass and structural damage.
 - 14.2.9 Secure or move objects that are likely to fall in the event of an aftershock.
 - 14.2.10 Check phones to see if they work and are on the hook.
 - 14.2.11 Check electrical equipment and unplug if this can be done safely.
 - 14.2.12 Follow instructions from emergency responders
- 14.3 Recovery
- 14.3.1 Initiate your department disaster recovery plan.
 - 14.3.2 Provide requested information to management and emergency response personnel as it relates to your department's disaster recovery responsibilities.

15. BOMB/TERRORIST THREAT

15.1 Introduction

This bomb/terrorist threat procedure has been prepared to provide guidance to Government Building and surrounding modular employees in the event a bomb or terrorism threat is received or a suspicious object is discovered on County premises.

The paramount concern must always be for the safety of personnel and for the public. A secondary, but important aspect is the effect on employees' morale and the disruption of productivity. Advance planning reduces the potential for panic and injury and is the best assurance that proper action will be taken.

Questions on this policy should be referred to the County of Monterey Risk Management Division.

15.2 Background

Bomb and/or terrorism threats and actual bombings have increased in recent years and have created a need for practical procedures to be followed. The majority of bomb threats are actually the work of pranksters, the mentally disturbed, or those who harbor ill feelings toward a person or institution. The seriousness of the threat must never be underestimated.

Persons or terrorist organizations that commit actual bombings usually select their targets for political or personal gain. Their intent is to injure or kill, damage or destroy the building, and to obtain credit for disturbing governmental services.

15.3 Responsibility

It is the primary responsibility of law enforcement to handle incidents involving bomb and/or terrorism threats to conclusion, coordinating the protective and technical skills of related agencies and emergency responders.

It is the ultimate responsibility of the person in charge of the facility (building or manager for) to decide whether evacuation is necessary, and if so, to see that is appropriately conducted. Law enforcement will advise and assist as deemed appropriate.

It is the responsibility of the Emergency Communications Center (911) to make appropriate dispatches to law enforcement and fire agencies and make notifications. These include, but are not limited to, the Watch Commander, the Communication Supervisor, and in the case of a court facility, the Court Executive Officer or person in charge.

IMPORTANT POINTS to be aware of and listen for during the questioning process (See Bomb Threat Call Procedures on page 15).

15.4 Notification

15.4.1 Division Receiving Call:

15.4.1.1 All employees, especially front office receptionists and secretaries, should keep a copy of page 15 of this manual, the "Bomb Threat Call Procedures and checklist" to be used to document bomb threat calls.

15.4.1.2 Notify the manager or supervisor immediately following receipt of the call, provide a copy of the completed "Bomb Threat Call Checklist and the documentation of all information received.

15.4.1.3 Do not create panic by informing everyone in the office that you have received a threat.

15.4.1.4 Notify the Emergency Dispatch Center; dial 9-9-1-1 or pull the panic lever located at the front desk.

The manager must decide if there is time to contact the County Administrative Officer (CAO) or his/her designee for direction or if immediate evacuation is in order. In the event that the manager decides to evacuate before contacting the CAO he/she shall ensure that all Departments and other non-county businesses residing at the building (if applicable) have been notified of the incident with a recommendation to evacuate.

15.5 Bomb Threat Evacuation

The decision to evacuate the building is based on either the assumption that a bomb has been placed, there is a credible threat of terrorism or the fact that an unknown device has been discovered in the building. The time of detonation is therefore, very important. Management, in consultation with Law Enforcement Officials, must make the assessment of the threat.

If personal belongings, such as purses and briefcases, are located close in proximity to employees and can be readily retrieved, employees should take these items with them as they leave the building. These items pose a problem to searchers. However, if these items are not readily retrievable (i.e. the employee is on the first floor and her purse is on the third floor) they should not be retrieved and the employees are to exit the building immediately. **Safety comes first.**

Words and phrases such as BOMB, EXPLOSION, BLOW-UP, etc. can produce panic. To clear people from the building use more acceptable phrases such as, "Please clear the building immediately; we have an emergency." Repeat as often as necessary. Floor Coordinators and/or Supervisors will alert everyone to evacuate as soon as an emergency evacuation has been declared by management, law enforcement or incident commander. Employees must follow the evacuation map and report to designated emergency assembly area or be instructed relative to where they should go or what is considered a safe distance from the building.

15.6 Search for a Device

15.6.1 Must be done with assistance of personnel familiar with that particular area.

15.6.2 If a suspicious device is located and the facility has not been evacuated, that decision should be re-assessed.

15.6.2.1 A suspicious device should not be disturbed.

15.6.2.2 The bomb squad will be called in to handle the device.

15.6.2.3 If a device is located, the County Emergency Coordinator should be notified.

15.6.3 The Sheriff's Department (where applicable) and County management shall retain over all command of the facilities and work cooperatively with the police department of jurisdiction.

15.7 Suspicious Objects

15.7.1 If a suspicious object or material is located, DON'T TOUCH IT; DON'T MOVE IT! DO NOT USE CELL PHONES OR RADIOS! In all instances when a suspected object is located, the area is to be evacuated immediately. Await instruction from emergency responders.

15.7.2 Notification must be made to all search crews that an object has been found by the Incident Commander (Monterey County Sheriff's Office Patrol Watch Commander). If no evacuation has been undertaken to this point, the decision to evacuate the area should be made by the Incident Commander.

15.7.3 No one should be permitted to re-enter the building until the Incident Commander gives clearance. The CAO or his/her designee shall work with the Incident Commander and assist in the effort to maintain order and public safety.

15.8 Building Re-Entry

15.8.1 If a device or other hazardous object or material has not been found after a thorough search and a reasonable time has passed, the decision to allow evacuated persons back into the building will be left to the official in charge of the facility, after consultation with the Incident Commander.

15.8.2 Allow at least 15 minutes after the time of probable detonation to re-enter or as determined by the Incident Commander.

15.8.3 A critique should follow within 24 hours to determine deficiencies and recommend improvements in procedures. All affected Departments, other businesses residing in the building and responding agencies should participate in a critique of the incident.

BOMB THREAT CALL PROCEDURES

Most bomb threats are received by phone. Bomb threats are serious until proven otherwise. Act quickly, but remain calm and obtain information with the checklist on the reverse of this card.

If a bomb threat is received by phone:

1. Remain calm. Keep the caller on the line for as long as possible. DO NOT HANG UP, even if the caller does.
2. Listen carefully. Be polite and show interest.
3. Try to keep the caller talking to learn more information.
4. If possible, write a note to a colleague to call the authorities or, as soon as the caller hangs up, immediately notify them yourself.
5. If your phone has a display, copy the number and/or letters on the window display.
6. Immediately upon termination of the call, do not hang up, but from a different phone, contact your Supervisor immediately with information and await instructions.

If a bomb threat is received by handwritten note:

- Call your Supervisor
- Handle note as minimally as possible

If a bomb threat is received by e-mail:

- Call your Supervisor
- Do not delete the message.

Signs of suspicious package:

- No return address
- Excessive postage
- Stains
- Strange odor
- Strange sounds
- Unexpected Delivery
- Poorly Handwritten
- Misspelled Words
- Incorrect Titles
- Foreign Postage
- Restrictive Notes

DO NOT:

- Use two-way radios or cellular phone; radio signals have the potential to detonate a bomb.
- Evacuate the building until law enforcement arrive and evaluate the threat.
- Activate the fire alarm.
- Touch or move a suspicious package.

WHO TO CONTACT:

1. Contact your Supervisor > Manager > Director
 2. Call CAO at 755-5113 > Risk Manager at 796-3006 > Safety Officer at 784-5686 > Facilities Manager at 750-3628
- Sheriff Sgt. at 755-5405 Cmd. 755-3858 or 9-911

BOMB THREAT CHECKLIST

Date:

Time:

Time Caller Hung Up: _____

Phone Number where Call Received:

Ask Caller:

- Where is the bomb located? _____
- When will it go off? _____
- What does it look like? _____
- What kind of bomb is it? _____
- What will make it explode _____
- Did you place the bomb? Yes No _____
- Why? _____
- What is your name? _____

Exact Words of Threat:

Information About Caller:

- Where is the caller located? (background and level of noise) _____
- Estimated age: _____
- Is voice familiar? If so, who does it sound like? _____
- Other points: _____

Caller's Voice

- Accent
- Angry
- Calm
- Clearing Throat
- Coughing
- Cracking voice
- Crying
- Deep voice
- Deep breathing
- Disguised
- Distinct
- Excited
- Female
- Laughter
- Lisp
- Loud
- Male
- Nasal
- Normal
- Ragged
- Rapid
- Raspy
- Slow
- Slurred
- Soft
- Stutter

Background Sounds:

- Animal Noises
- House Noises
- Kitchen Noises
- Street Noises
- Booth
- PA System
- Conversation
- Music
- Motor
- Clear
- Static
- Office Machinery
- Factory Machinery
- Local
- Long Distance

Threat Language

- Incoherent
- Message read
- Taped
- Irrational
- Profane
- Well-spoken

Other Information:

16. POWER OUTAGE: Non-Emergency Response

- 16.1 This policy formalizes baseline procedures to assure a safe and effective work environment for all County employees during a “Non-emergency power outage”. The policy is intended to ensure compliance with CalOSHA Title 8 §3364 regulation and to establish uniformity in handling office dependent employee concerns and as a guideline for Department Heads, managers, supervisors, and employees.
 - 16.1.1 Floor Coordinators and Supervisors: Use the rechargeable flashlights and short wave radios located in your department. Use the flashlight to direct coworkers and clients away from hazards. Use the radios to communicate with other floor coordinators.
 - 16.1.2 Shut off computers and other sensitive electrical devices.
 - 16.1.3 Cease or modify service operations for clients if necessary.
 - 16.1.4 Contact Facility Operations (755-4855 work orders) and (755-4744 voice) to determine the cause of the power failure.
 - 16.1.5 Notify the County Administrative Office and report the impact on services.
 - 16.1.6 Do not attempt to trouble shoot or fix electrical equipment unless you are an electrician.
- 16.2 Government Center Building Complex
 - 16.2.1 When notified of a power outage affecting the County building offices, the CAO will contact the County Facilities Manager or designee. The County Facilities Manager or designee shall contact PG&E or other responsible entity to solicit and collect information on the outage. The County Administrative Officer or his/her designee and the appropriate Union Member shall be briefed and kept apprised.
 - 16.2.2 If a building is without operational restrooms and to ensure compliance with CalOSHA Title 8 *§3364 regulation, the County Facilities Manager shall identify and inform employees of interim alternative sites for employees to utilize as restroom facilities.
 - 16.2.3 If after 30 minutes the power is not restored and restrooms are not operational, the CAO will determine the need for evacuation.
 - 16.2.4 Prior to evacuation of the building, Department Heads shall instruct their employees to call the designated phone number (each

department will provide a designated phone number to their employees) after two hours has elapsed (from the time the building is evacuated) for further instructions and to remain available to return to work within 30 minutes of receiving the directive to return to work.

16.3 Evacuation

16.3.1 Employees will assemble at designated assembly areas and wait for instructions from Manager or supervisor.

16.3.1.1 Decisions regarding whether employees will be sent home for the remainder of the day, due to power outage, are the responsibility of the General Manager or designee.

16.3.1.2 If a facility is evacuated, the County Facilities Manager shall secure the building(s) and post signs informing the public of a phone number to call for information. The posted signs shall inform the public of the estimated duration of the closure.

16.3.1.3 The County Information Officer shall answer media calls and issue a press release on the closure and possible reopening of the County building.

16.3.1.4 Larger departments may consider establishing phone trees to avoid employees calling the designated number at the same time and receiving a busy signal. A simple phone tree might consist of employees calling their direct supervisors' cell phones.

16.4 County Facilities

16.4.1 The General Manager should exercise their judgment if they occupy facilities outside of the Government Building complex. Where restrooms are operational, the buildings may be occupied for an extended period of time if it is otherwise deemed safe by the Department Head or his/her designee.

16.4.1.1 If the General Manager or designee determines that without power their facilities are not functional, they may send employees home under the same condition of employees occupying the buildings in the Government Center.

16.4.1.2 The General Manager or designee shall contact the CAO or his/her designee (and the County Information Officer) before releasing employees.

*§3364 (b) Toilet facilities shall be kept clean, maintained in good working order and be accessible to the employees at all times. Where practicable, toilet facilities should be within 200 feet of locations at which workers are regularly employed and should not be more than one floor-to-floor flight of stairs from working areas. (Title 24, part 5, section 5-910(a)(1))

17. MAIL HANDLING GUIDELINES-SUSPICIOUS LETTER OR PARCEL

17.1 The purpose of this section is to provide information and guidelines for the processing of mail, specifically, mail that has contained a written threat of chemical or biological material inside, or that contain some form of powder.

17.2 Some typical characteristics that ought to trigger suspicion include letters or parcels with:

- Excessive postage, no postage, or non-canceled postage.
- No return address or fictitious return address.
- Improper spelling of addressee names, titles, or locations.
- Unexpected envelopes from foreign countries.
- Suspicious or threatening messages written on packages.
- Postmark showing different location than return address.
- Distorted handwriting or cut and paste lettering.
- Unprofessionally wrapped packages or excessive use of tape, strings, etc.
- Packages marked as “Fragile-Handle with Care” or “Rush-Do not Delay.” “Personal” or “Confidential.”
- Rigid, uneven, irregular, or lopsided packages.
- Packages with soft spots, bulges, or excessive weight.
- Packages with protruding wires or aluminum foil.
- Packages with visual distractions.

17.3 Risk of Contracting Disease

The risk of contracting any disease from an envelope is extremely low. General awareness of your surroundings and suspicious mail is appropriate.

17.4 General Precautions

17.4.1 Wash your hands with soap and water before and after handling the mail.

17.4.2 Do not eat, drink, or smoke around mail.

17.4.3 Use disposable nitrile gloves if you have open cut or skin lesions on your hands.

17.4.4 Surgical masks, eye protection or gowns are not required.

17.5 Handling Suspicious Letter or Parcel

The following procedure applies to letters or parcels received that contain powder or a written threat that it contains such an item:

17.5.1 Immediately report the incident to the supervisor or manager - Evacuation of the entire workplace is NOT necessary at this point.

17.5.2 The manager will contact the County Administrative Office to report what was received-Call 9-9-1-1 to report.

17.5.3 Do not shake or empty the envelope or item.

17.5.4 Isolate the specific area of the workplace so that no one disturbs the item.

17.5.5 Wash your hands with warm water and soap for at least one minute. No special solution is required.

17.5.6 Do not allow anyone who may have touched the envelope or item to leave the workplace; he/she may provide information to emergency personnel.

17.5.7 Wait for instructions from emergency personnel.

17.5.8 If contents have dispersed, cover the released contents and cover object or parcel with something that will discourage wider dispersal.

18. MEDICAL EMERGENCY

Guidelines on First-Aid and 9-9-1-1 Medical Emergencies

18.1 Purpose: These guidelines establish procedures related to medical emergencies, first-aid treatment and first-aid supplies in accordance with CCR, Title 8, S. 3400. Specific questions may be directed to the County Safety Officer, Office of Risk Management.

18.2 Emergency Medical Situations

18.2.1 If there is a reasonable belief that a person needs emergency medical treatment dial 9-9-1-1. The 9-9-1-1 Emergency Dispatcher

will ask questions to assess the critical needs of the situation and initiate a response.

18.2.2 The victim should be asked for their permission before first-aid is rendered. It is advisable to not offer the victim(s) water, beverage, or food as this may contradict the treatment to be rendered by the emergency responders or subsequent medical providers.

18.2.3 Seek assistance from others nearby in tending the victim, in calling for emergency help and in guiding emergency responders to location of victim. Be sure that 9-9-1-1 has been called.

18.2.4 Stay with the victim. Upon arrival of the emergency responders, provide information that may help them provide care.

18.3 Rendering First-Aid

The average citizen is not obligated to administer medical assistance or attempt rescue of others in peril. County employees that have acquired personal first-aid training outside their scope of employment are also not obligated to administer First-Aid medical assistance to co-workers or the public. However, employees that are trained and feel competent to help others may assist them at their own will.

18.4 Exposure to corrosive or other injurious materials

If the eyes or body of any person may be exposed to corrosive injurious materials, suitable facilities for quick water drenching or flushing of the eyes and body shall be provided within the work area for immediate use. 8CCR, 3400 (d).

18.5 Good Samaritan

Be advised that the term "Good Samaritan" is generally applied to urgent medical circumstances requiring immediate action at the scene of the emergency. Trained and certified persons are covered under the "Good Samaritan" rule. Therefore, first-aid decisions should be based on what a reasonable and prudent person would do in similar circumstances.

18.6 Reporting of Injuries

All injuries, no matter how slight, should be reported to management and/or other person(s) designated by management. The injury will be recorded and any necessary forms will be provided.

18.7 Training and Universal Precautions

18.7.1 Specific Training: Some departments have specific job related training requirements for emergency medical response. It is clearly stated in County job descriptions as to which classifications require providing medical assistance and emergency response. Departments that designate staff to provide first-aid shall comply with blood borne pathogen regulations to prevent exchange of body fluids.

18.7.2 Communicable Disease: First-aid may present the possibility of contact with body fluids. First aid providers should follow the universal precautions advised by the American Red Cross to prevent exchange of body fluids. Report any suspected body fluid exposure to your supervisor.

18.8 First-aid Supplies

18.8.1 Where required? According to safety regulations, employers need not provide first-aid supplies if medical help is in near proximity. It could be surmised that calling 9-9-1-1 or taking every minor injury to an emergency room complies with the regulations, but this may not be practical or cost effective.

18.8.2 What is Practical? Most work sites will benefit from the ability to provide minor first-aid treatment. All injuries must be reported and recorded in the department injury log. Therefore, it may be practical and prudent for a work site to provide for minor first-aid treatment. The availability of the first-aid kits is also a limited resource in event of a disaster.

18.8.3 Basic First-aid Kit: A basic first-aid kit will typically include: plastic trash bag, various size Band-Aids, large wound compress, eye rinse and eye rinse cup, latex gloves, antiseptic wipes individually packed, and gauze tape. A protective facemask, and eye protection will offer added protection from communicable disease. There is CPR mouth-to-mouth barriers that are available but may require special training to use properly. All products should be one-time use only.

18.8.4 What should not be in the basic first-aid kit?

18.8.4.1 Ingestible or Inhalation Medications: No ingestible or inhalation medication of any type should be provided in a County supplied first-aid kit unless that kit has been approved by a consulting physician and only medically qualified persons will dispense the medications under the supervision of a physician.

18.8.4.2 Sprays/Lotions/Ointments/Liquids: Many over-the-counter remedies are available for burns, rashes, wounds, etc.

These types of preparations may cause allergic reaction, retard healing, or spread infection. Only disposable one-time-use antiseptic pads are provided in a basic first-aid kit.

18.8.5 Specialized Equipment: Splints, airway tubes, oxygen canisters, and similar specialized equipment should be provided only in kits approved by a consulting physician. Use of specialized medical equipment may require specific or licensed training. The equipment may require periodic certified inspection and maintenance procedures.

18.9 Replenishing First Aid Supplies

State safety regulations require First-aid kits to be inspected, replenished, and kept in a sanitary usable condition. Vendors may provide this type of service on a cost-effective basis; it is the responsibility of department management to authorize the products provided by the vendor.

18.10 Approvals and Special Conditions

18.10.1 Basic First-aid Kits: As required by Title 8, CCR Section 3400 (c.), a consulting physician has reviewed the standard first-aid kit inventory.

18.10.2 Regulatory Requirements: It is a responsibility of department management to comply with any regulatory requirements for specialized kits that include supplies for trauma, emergency response, public health, law enforcement, or require a license/certification to provide treatment.

18.11 Isolated Locations

Departments with employees working at locations, which would require more than thirty minutes to obtain ambulance transport and/or require more than 3 to 4 minutes before CPR could be administered by a trained responder, will implement measures to avoid delay of emergency medical treatment. 8CCR, 3400 (e), (f)

18.12 Implementation

Departments may adapt or modify these guidelines to meet any unique circumstances that may be present in a specified environment. In no event should these guidelines be interpreted to reduce compliance with a mandated policy, regulation, and law enforcement or public safety service. The governing body or jurisdiction shall be consulted.

18.13 Personal Medication

18.13.1 Employees may have prescription medications including over-the-counter remedies for personal consumption. These products should never be offered or shared with co-workers or clients. Even simple medical compounds may have an adverse effect on some people under certain circumstances. Only licensed medical professionals may dispense medications.

18.13.2 Employees should be encouraged to keep personal prescribed medications on hand in a secure place (i.e. insulin, cardiac medications) for ready availability in the event of an emergency. Departments may implement procedures to assist employees in this effort to keep the prescriptions available at work if confidentiality of the information and storage security is assured. There is no obligation for the employer to store, purchase or provide personal prescription medications under normal business circumstances.

18.14 Transport of Ill/Injured Employees/Clients

18.14.1 Seriously ill or injured employees should always be transported by ambulance/emergency vehicle.

18.14.2 When an employee is not feeling well and cannot drive or use their normal commute transportation, a family member should be called or a taxi should be utilized for transport to their home/destination. Providing transport via a personal vehicle without management authorization "as a favor" may become a serious problem if the condition of the person deteriorates, the person may become violently ill or pass out, or the driver may get lost, stuck in traffic or have a motor vehicle accident that delays treatment for the ill person.

18.14.3 If it is authorized by department management to transport an employee/client due to illness or injury, a county vehicle with radio or cell phone should be used. This requirement provides communication in the event that conditions change and an emergency response is needed.

18.14.4 Departments should provide specific instructions to staff as to what will be required in circumstances involving the decision to provide transport of ill or injured persons.

18.15 After the Incident

18.15.1 Obtain name and address of victims or witnesses if possible.

18.15.2 Notify management of the incident. Provide a written account of what occurred to your supervisor.

18.15.3 If a County employee is injured, his/her supervisor must fill out the appropriate workers' compensation paperwork and initiate incident investigation procedures.

18.15.4 If a county employee is exposed to blood or bodily fluids, he/she should seek prompt medical treatment by a licensed physician as soon as possible. (See Blood Borne Pathogens Policy).

19. FACILITY SECURITY AND VISITOR SIGN IN REQUIREMENTS

19.1 Departments shall implement visitor sign in guidelines for County employee visitors and clients.

19.2 All visitors (other county department employees, vendors, clients) entering County office area must sign in at the front desk.

20. EMERGENCY PLAN MAINTENANCE AND TRAINING

20.1 Maintenance

20.1.1 The Department's Safety Representative, or designee, shall review this plan annually to ensure it is current and accurate.

20.1.2 The Department's Safety Representative, or designee, will update the plan as needed.

20.2 Training

20.2.1 Safety Representative will provide initial training to all affected employees at implementation of this plan.

20.2.2 Coordination and training is the responsibility of the Department Safety Representative.

20.2.3 Management shall ensure that all new hires receive training on the Emergency and Evacuation Action Plan Procedures during new hire orientation.

20.2.4 Management will ensure that employees receive annual refresher training with all staff and participate in all evacuation drills.

20.3 Drills

To test the effectiveness of the Emergency Action Plan, evacuation drills will be conducted once per year, at a minimum. Coordination of the drills is the responsibility of the General Manager or designee at each facility.

Appendix A
Water Resources Agency Division Coordinators

Division	Employee Name	Job Description
Administration	Wini Chambliss	
Accounting	Cathy Paladini	
Operations & Maintenance	Brent Buche	
Water Resources Planning & Management	Rob Johnson	

Appendix C
Notification Numbers/Key Personnel

EMERGENCY PHONE NUMBERS

Ambulance/Paramedics	9-911
Local Fire Department	9-911
Local Police Department	9-911
Monterey County Sheriff's Office	9-911
County Office of Emergency Services	796-1900
County of Monterey	755-5115
Poison Control	1 (800) 222-1222

NON-EMERGENCY PHONE NUMBERS

<i>Monterey County Sheriff's Office</i>	
Salinas	755-5111
Monterey	647-7911
King City	385-8311
King City Police Department	385-4848
Marina Department of Public Safety	884-1210
Monterey Police Department	646-3914
Salinas Police Department	758-7090
*CalOSHA	510-794-2521

UTILITY COMPANIES

California Water Service	757-3644
<i>Pacific Gas & Electric</i>	
24 Hour Emergency-To Report an Outage	1-800-743-5000
24 Hour Information on Existing Outages	1-800-743-5002

*Mandatory to notify CalOSHA of a serious injury or hospitalization. (See Appendix H)

**(Appendix C – Cont.)
CITY OFFICES**

King City	385-3281
City of Marina	884-1278
City of Monterey	646-3760
City of Salinas	758-7201

COUNTY FACILITIES:

Operations	755-4855 (work orders) or 755-4744 (voice)
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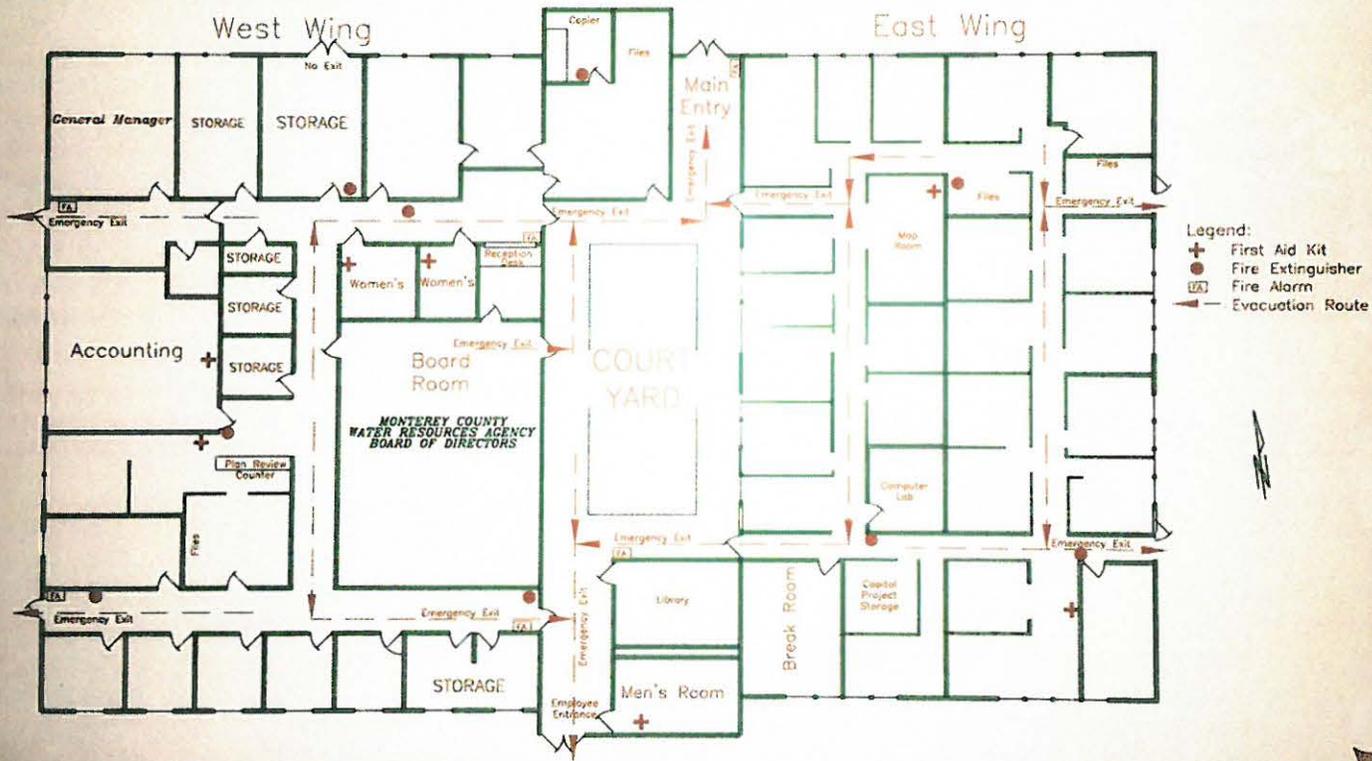
COUNTY OF MONTEREY KEY ADMINISTRATION PERSONNEL

3	DEPARTMENT HEAD:	PHONE:
County Administrative Office	Lew C. Bauman	(831) 755-5115
▶ Assistant CAO, Budget & Analysis	Dewayne Woods, Budget Director	(831) 755-5115
▶ Assistant CAO, Intergovernmental & Legislative Affairs	Nick Chiulos	(831) 755-5145
▶ Assistant CAO	Manuel T. Gonzalez	(831) 796-3593
Agricultural Commissioner	Eric Lauritzen	(831) 759-7325
Assessor-County Clerk-Recorder	Stephen L. Vagnini	(831) 755-5035
Auditor-Controller (Elected)	Michael J. Miller	(831) 755-5040
Building Services	Michael Rodriguez, Chief Building Official	(831) 755-5027
Clerk of the Board	Gail T. Borkowski, CCB	(831) 755-5066
Child Support Services	Stephen Kennedy	(831) 755-3200
Cooperative Extension Service	Maria de la Fuente, Ph.D	(831) 759-7350
County Counsel	Charles McKee	(831) 755-5045
District Attorney (Elected)	Dean Flippo	(831) 755-5070
Economic Development	David Spaur	(831) 755-5383
Elections	Claudio Valenzuela, Interim	(831) 796-1499
Emergency Communications	William Harry	(831) 796-8880
Equal Opportunity Office	Irma Ramirez-Bough	(831) 755-5117
Health Public Administrator	Ray Bullick	(831) 755-4525
Human Resources	James E. May	(831) 755-5116
Information Technology	Dianah Neff	(831) 759-6900
Library	Jayanti Addleman	(831) 883-7573
Military & Veterans Affairs	George Dixon	(831) 647-7610
Natividad Medical Center	Dr. Kelly O'Keefe, Interim CEO	(831) 755-4111
Parks	Nick Chiulos (Interim Director)	(831) 755-4895
Planning	Mike Novo	(831) 755-5025
Probation	Manuel Real	(831) 755-3900
Public Defender	James Egar	(831) 755-5058
Public Works	Bob Murdoch	(831) 755-4800
Resource Management Agency	Carl Holm (Acting Director)	(831) 755-4879
Sheriff-Coroner (Elected)	Scott Miller	(831) 755-3700
Social & Employment Services	Elliott Robinson	(831) 755-4400
Treasurer - Tax Collector (Elected)	Mary Zeeb	(831) 755-5015
Water Resources Agency	David Chardavoyne,	(831) 755-4860

Appendix D

This section to be used to insert the Evacuation Map for the Water Resources Agency, 893 Blanco Circle, Salinas Facility.

OFFICES OF THE
MONTEREY COUNTY WATER RESOURCES AGENCY
 --- Evacuation and Emergency Resources Plan ---
 --- October 2001 ---



Appendix E

This section to be used to insert the evacuation assembly area map.



East Blanco Road



Exit

893 Blanco Circle

Exit

Exit

Gathering Area

Appendix F
Monterey County Fire Report (Page 1 of 2)

Department where fire occurred: _____

Date of Fire: _____ Time of Fire _____ Operating Facility _____

Location (address) where fire occurred: _____

Description of facility, fire area or equipment (include nameplate rating) involved:

Cause of fire, such as probable ignition source, initial contributing fuel, equipment failure causing ignition, etc:

Sequence of events and conditions, preceding, during and after the fire:

Types and approximate quantities of portable extinguishing equipment used:

Was fire extinguished with portable equipment only? Yes No

If yes, type of portable extinguishers used:

Class A, Quantity _____ Class B, Quantity _____ Class C, Quantity _____
 Class D, Quantity _____ Class K, Quantity _____

Monterey County Fire Report (Page 2 of 2)

Does location have an Employee Fire Brigade? Yes No

Are employees qualified for incipient fires? Yes No

Was local fire department called? Yes No

For interior structural fires:

Was fixed fire extinguishing equipment installed? Yes No

Type of fixed extinguishing system:

Automatic operation Manually actuated Both

Specific type of detection devices: _____

What extinguished the fire?

Fixed extinguishing system control? Yes No

Portable equipment extinguish the fire? Yes No

Explain: _____

Did detection devices and extinguishing system function properly? Yes No

If "no," why not? Explain:

Estimated direct damage due to fire: \$ _____, or between \$ _____ and \$ _____

Estimated additional (consequential) loss: \$ _____.

Nature of additional loss:

Estimated time to complete repairs/replacement of damaged equipment/structure: _____

Number of persons injured: _____ Number of fatalities: _____

What corrective or preventative suggestions would you offer to other utilities who may have similar equipment, structures or extinguishing systems?

Submitted by: _____ Title: _____

Appendix G

Department Roll Call: Water Resources Agency, 893 Blanco Circle, Salinas, CA.

Department/Division: Water Resources Planning & Management Division

Division Manager taking Roll Call: Rob Johnson

Type of Incident:

Fire Bomb Threat Earthquake Suspicious Letter or Parcel Power Outage

Date: _____ Time of roll call: _____

Department's Total Number of employees: 11

Total number of employees absent: _____

Total number of employees present: _____

Total number of employees missing: _____

Name of Employee Missing	Missing Employee Title

Appendix H

Chapter 3.2. California Occupational Safety and Health Regulations(CAL/OSHA) Subchapter 2. Regulations of the Division of Occupational Safety and Health

Article 3. Reporting Work-Connected Injuries

§342. Reporting Work-Connected Fatalities and Serious Injuries

(a) Every employer shall report immediately by telephone or telegraph to the nearest District Office of the Division of Occupational Safety and Health any serious injury or illness, or death, of an employee occurring in a place of employment or in connection with any employment.

Immediately means as soon as practically possible but not longer than 8 hours after the employer knows or with diligent inquiry would have known of the death or serious injury or illness. If the employer can demonstrate that exigent circumstances exist, the time frame for the report may be made no longer than 24 hours after the incident.

Serious injury or illness is defined in section 330(h), Title 8, California Administrative Code.

(b) Whenever a state, county, or local fire or police agency is called to an accident involving an employee covered by this part in which a serious injury, or illness, or death occurs, the nearest office of the Division of Occupational Safety and Health shall be notified by telephone immediately by the responding agency.

(c) When making such report, whether by telephone or telegraph, the reporting party shall include the following information, if available:

- (1) Time and date of accident.
- (2) Employer's name, address and telephone number.
- (3) Name and job title, or badge number of person reporting the accident.
- (4) Address of site of accident or event.
- (5) Name of person to contact at site of accident.
- (6) Name and address of injured employee(s).
- (7) Nature of injury.
- (8) Location where injured employee(s) was (were) moved to.
- (9) List and identity of other law enforcement agencies present at the site of accident.
- (10) Description of accident and whether the accident scene or instrumentality has been altered.

(d) The reporting in (a) and (b) above, is in addition to any other reports required by law and may be made by any person authorized by the employers, state, county, or local agencies to make such reports.

NOTE: Authority cited: Sections 60.5, 6308 and 6409.1, Labor Code. Reference: Sections 6302(h), 6307, 6308, 6313 and 6409, Labor Code.

Appendix I

Subchapter 7. General Industry Safety Orders

Group 1. General Physical Conditions and Structures Orders

Article 2. Standard Specifications

§3220. Emergency Action Plan.

(a) Scope and Application. This section applies to all emergency action plans. The emergency action plan shall be in writing, except as provided in the last sentence of subsection (e)(3) of this section, and shall cover those designated actions employers and employees must take to ensure employee safety from fire and other emergencies.

(b) Elements. The following elements, at a minimum, shall be included in the plan:

- (1) Emergency escape procedures and emergency escape route assignments;
- (2) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;
- (3) Procedures to account for all employees after emergency evacuation has been completed;
- (4) Rescue and medical duties for those employees who are to perform them;
- (5) The preferred means of reporting fires and other emergencies; and
- (6) Names or regular job titles of persons or departments who can be contacted for further information or explanation of duties under the plan.

(c) Alarm System.

(1) The employer shall establish an employee alarm system, which complies with Article 165.

(2) If the employee alarm system is used for alerting fire brigade members, or for other purposes, a distinctive signal for each purpose shall be used.

(d) Evacuation. The employer shall establish in the emergency action plan the types of evacuation to be used in emergency circumstances.

(e) Training.

(1) Before implementing the emergency action plan, the employer shall designate and train a sufficient number of persons to assist in the safe and orderly emergency evacuation of employees.

(2) The employer shall advise each employee of his/her responsibility under the plan at the following times:

(A) Initially when the plan is developed,

(B) Whenever the employee's responsibilities or designated actions under the plan change, and

(C) Whenever the plan is changed.

(3) The employer shall review with each employee upon initial assignment those parts of the plan, which the employee must know to protect the employee in the event of an emergency. The written plan shall be kept at the workplace and made available for

employee review. For those employers with 10 or fewer employees the plan may be communicated orally to employees and the employer need not maintain a written plan.
NOTE: Authority and reference cited: Section 142.3, Labor Code.

HISTORY

1. New section filed 9-8-81; effective thirtieth day thereafter (Register 81, No. 37).

This section left blank intentionally.

MONTEREY COUNTY WATER RESOURCES AGENCY

EMERGENCY ACTION PLAN INFORMATION

FACILITIES WHERE STAFF MEMBERS ARE HOUSED

FACILITY/ADDRESS	# EMPLOYEES HOUSED	CONTACT PERSON	LAST EMERGENCY EVACUATION DRILL
Richard Morgantini Building: 893 Blanco Circle, Salinas 93901	28	Wini Chambliss	June 2013; next scheduled 9/30/16 @ 2 PM
855 East Laurel Drive – Building D, Salinas 93905	6	Bret Ogden	Unknown at this time
Nacimiento Dam Residence, 10690 Nacimiento Lake Drive, Bradley 93426	1	Russell Kelso	Unknown at this time
San Antonio Dam Residence, 61201 Vista Road, Bradley 93426	1	George Brent Bartlett	Unknown at this time

**MONTEREY COUNTY WATER RESOURCES AGENCY
BOARD OF DIRECTORS – PERSONNEL AND ADMINISTRATION COMMITTEE**

MEETING DATE:	November 4, 2016	AGENDA ITEM:
Consent () Action (X) Information ()		
DEADLINE FOR BOARD ACTION:	November 21, 2016	

..Title

Consider approving the proposal by UCP Soledad, LLC, to pay the Monterey County Water Resources Agency \$1.2 million for improvements to portions of the Bryant Canyon Channel Improvement Project; authorize the General Manager to negotiate final terms subject to approval by County Counsel; recommend the Monterey County Water Resources Agency Board of Supervisors approve the Agreement; and, authorize the Chairman of the Monterey County Water Resources Agency Board of Supervisors to execute the Agreement.

..Report

RECOMMENDATION:

It is recommended that the Monterey County Water Resources Agency Board of Directors:

Approve the proposal by UCP Soledad, LLC, to pay the Monterey County Water Resources Agency \$1.2 million for improvements to portions of the Bryant Canyon Channel Improvement Project, and authorize the General Manager to negotiate final terms subject to approval by County Counsel; recommend the Monterey County Water Resources Agency Board of Supervisors approve the Agreement; and, authorize the Chairman of the Monterey County Water Resources Agency Board of Supervisors to execute the Agreement.

SUMMARY/DISCUSSION:

On August 27, 2001, the Board of Directors (BOD) approved the following items: purchase of 5.77 acres of right of way for extension of Bryant Canyon Drainage Channel; Purchase Agreement and the Easement and Maintenance Agreement subject to final review by County Counsel, an expenditure not to exceed \$81,008 and, recommended for approval by the Board of Supervisors.

The original Soledad Storm Drain was constructed by the U.S. Department of Housing and Urban Development (HUD) in 1974 to reduce flooding in the City of Soledad from water flowing out of Bryant Canyon. The project directs water along the eastern boundary of the city to the Salinas River. The original channel inlet was adjacent to Bryant Canyon Road at its intersection with Metz Road. Since the project’s construction, several flows from Bryant Canyon crossed Bryant Canyon Road to the north of the channel inlet and bypassed the channel. This caused flooding of land within the city of Soledad. For a number of years, the Agency had proposed extending the inlet approximately three-quarters of a mile up Bryant Canyon Road to reduce the amount of flood water bypassing the channel inlet.

The land purchase was approved by the Board of Supervisors on December 4, 2001. The Bryant Canyon Channel Improvement Project commenced construction in 2002 which included 40,000 cubic yards of drainage ditch excavation, installation of three drop structures, and the installation of a temporary 66" culvert under Bryant Canyon Road. This project was coordinated by the MCWRA and included the Gabilan Conservation Camp Crew installing the structures and an excavation services Agreement that included rough grading to MCWRA specifications and removal of material at no cost to the MCWRA. Finished grading was not performed. The MCWRA did not have adequate funds in Zone 8, Fund 121 to complete the remaining 10 drop structures, to install the necessary rock slope protection and permanent box culvert under Bryant Canyon Road. These improvements were estimated to cost in excess of \$1 million. Zone 8 has annual revenue of approximately \$71,000 and includes the responsibility of maintaining the Soledad Storm Drain in accordance with an Agreement between the MCWRA, the City of Soledad, and HUD, and operating and maintaining the newly constructed extension of the Storm Drain.

UCP Soledad, LLC (UCP) has been developing the Miravale Subdivision in the vicinity of the partially completed Bryant Canyon Channel Improvement Project. The newly proposed Miravale II Unit III is located within the Soledad city limits but will be adjacent to the channel and discharge stormwater runoff into the channel. In addition, Miravale II Unit III is considered to be in an area subject to flooding due to the unfinished nature of the Bryant Canyon Channel Improvement Project. UCP had agreed to construct the unfinished improvements to the Bryant Canyon Channel Improvement Project. However, due to timing of the natural resource permits, UCP now believes it is in the best interest of all parties to pay \$1.2 million to MCWRA to cause the work to be performed. UCP and the MCWRA will enter into an In Lieu Fee Agreement to allow transfer of funds and relieve UCP of the Conditions of Approval and Development Agreement regarding improvements to Bryant Canyon Channel.

OTHER AGENCY INVOLVEMENT:

County Counsel has been providing legal review.

FINANCING:

Designated revenue to Zone 8, Fund 121, \$1.2 million

Prepared by: Brent Buche, Deputy General Manager, (831) 755-4860

Approved by: _____
David E. Chardavoyne, General Manager, (831) 755-4860

Attachments

1. Proposal from UCP Soledad, LLC



September 27, 2016

Mr. David E. Chardavoyne
Monterey County Water Resources Agency
893 Blanco Cir.
PO Box 930
Salinas, CA 93901

RE: MIRAVALLE/SUMMERFIELD - BRYANT CANYON CHANNEL - SOLEDAD, CA

Dear Mr. Chardavoyne:

Please accept this letter as a formal proposal regarding the improvements to portions of Bryant Canyon Channel ("BCC") located in Soledad. After many years of working with staff we believe it is in the best interest of all parties for UCP Soledad, LLC ("UCP") to pay MCWRA a fee for the channel improvements.

As discussed with staff, UCP is very concerned about timing of the natural resource permits and the subsequent impact that may have on our ability to commence construction of the BCC improvements. To alleviate this issue UCP has offered to pay an in-lieu fee of \$1,200,000 directly to MCWRA. This would have the mutual benefit of alleviating UCP of the timing concerns while concurrently providing the Agency with a lump sum of cash that enables them to prioritize the improvements at their discretion. As UCP's obligation is capped at \$1,200,000 and the full improvements are currently estimated at \$1.8M this structure allows MCWRA to leverage other labor sources to enable a scope of improvements greater than what would be constructed by UCP.

Below are the general terms that we are proposing be included in an "In-Lieu Fee Agreement" (draft attached) or other form of document acceptable to all parties.

1. UCP would pay MCWRA \$1,200,000 for improvements to Bryant Canyon Channel in addition to the below costs already expended by UCP for the benefit of the project:
 - \$33,858 to Schaaf & Wheeler per Agency request to assume cost to finish the plans
 - \$12,300 to Bestor Engineers for topo required to finish the Schaaf & Wheeler plans
 - \$15,420 costs to Briscoe Ivester & Bazel to assist with Natural Resource permitting, and
 - \$16,873 to Rincon Associates for the CEQA addendum
2. In addition to the \$1.2M, UCP would provide MCWRA \$50,000 to use at their discretion for the completion of the natural resource processing.
3. UCP would provide MCWRA any required easements on UCP owned land that does not impact the existing site plan.

4. That both MCWRA and the City of Soledad provide written concurrence that this payment would satisfy all requirements in both the Conditions of Approval and Development Agreement regarding improvements to Bryant Canyon Channel. See below language from the Development Agreement.

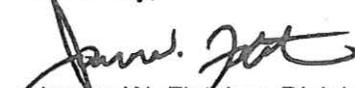
e. Bryant Canyon Channel. (1) In conjunction with the development of Increment III, DEVELOPER shall complete the improvements to Bryant Canyon Channel pursuant to the plans prepared by Schaaf & Wheeler dated February 2011. No building permits shall be issued for lots 1 through 16 inclusive, lots 49 through 57 inclusive, and lots 90 through 94 inclusive, as shown on the Miravale Phase II Unit III final map, until all Channel improvements are complete. The Channel and restricted lots are shown on Attachment A. Improvements shall be deemed complete upon written notice from the County of Monterey or their designee, to the City of Soledad, stating improvements have been installed in substantial compliance with the plans dated February 2011. There shall be no restrictions associated with Channel improvements for building permit issuance, lot improvements and final certificates of occupancy for lots 17 through 48 inclusive, lots 58 through 89 inclusive and lots 95 through 103 inclusive, per the Miravale Phase II Unit III final map.

5. That this agreement be approved by the MCWRA Board of Directors and the MCWRA Board of Supervisors to enable UCP to commence construction and sell homes on the above referenced lots by January 31, 2017.
6. Payment would be made within 10 days of satisfaction of both items #4 & #5.

We look forward to hearing from MCWRA as we believe this proposal provides a mutually beneficial solution for all parties. If amenable, it would be anticipated that UCP would draft a formal agreement based on the above terms for review and approval by MCWRA.

Please call me at (408) 207-9411 if you have any questions or require additional information.

Sincerely,



James W. Fletcher, Division President
UCP Soledad, LLC

Enclosures: Shaunna Juarez, MCWRA
Brent Slama, City of Soledad
Don Wilcox, City of Soledad
James Fletcher, Division President, Benchmark Communities
Holly Cordova, General Counsel, Benchmark Communities

**IN LIEU FEE AGREEMENT
(MIRAVALE II/SUMMERFIELD)**

THIS IN LIEU AGREEMENT is entered into as of _____ (the “Effective Date”) by and between the MONTEREY COUNTY WATER RESOURCES AGENCY (“MCWRA”) and UCP Soledad, LLC, a Delaware limited liability company (“UCP”).

RECITALS

A. The City of Soledad (the “City”), by Resolution No. 3379, dated October 15, 2003, approved a vesting tentative map for the Phase II of the Miravale Subdivision Project (the “Project”), subject to certain conditions including the construction of certain improvements.

B. The Tentative Map conditions of approval include Project Specific Conditions F.1 through F.5 and O, as set forth on Exhibit A attached hereto, all of which are related to requirements for MCWRA (the “MCWRA Conditions”).

C. UCP, as owner of the Project, and the City entered into a Development Agreement dated October 7, 2015, and recorded October 21, 2015 as Instrument No. 2015060861 in the Official Records of Monterey County (the “Development Agreement”).

D. Exhibit B to the Development Agreement includes the obligations set forth on Exhibit B attached hereto, related to Bryant Canyon Channel improvements (the “Bryant Canyon Channel Obligations”).

E. Various natural resource permits are required prior to commencing the Bryant Canyon Channel improvements (the “Permits”). However, it is very unlikely that the Permits can be obtained within the time frame that UCP will be prepared to obtain building permits and start construction on the Project.

F. UCP has proposed paying directly to MCWRA a fixed fee, lump sum payment, to satisfy the MCWRA Conditions and Bryant Channel Obligations, and MCWRA has agreed to the foregoing, subject to the terms and conditions of this Agreement.

AGREEMENT

Now, therefore, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, UCP and MCWRA agree as follows:

1. In Lieu Fee. Subject to UCP obtaining the City Acknowledgment described in Section 2 below, UCP will pay to MCWRA the fixed amount of \$1,700,00.00 (the “In Lieu Fee”), which is equal (a) \$1,200,000.00 for MCWRA’s construction of the Bryant Canyon Channel improvements, and (b) \$50,000.00, for MCWRA to retain a consultant to process the

Permits. The In Lieu Fee is a fixed amount, and will not be adjusted based on MCWRA's actual costs for construction and processing the Permits. UCP will pay the In Lieu Fee to MCWRA within 10 days after the later of mutual execution of this Agreement and receipt of the City Acknowledgment.

2. City Approval Condition. UCP's and MCWRA's obligations hereunder are conditioned upon the City acknowledging in writing, in a form reasonably acceptable to UCP and MCWRA, that upon UCP's payment of the In Lieu Fee, (a) the MCWRA Conditions and Bryant Channel Obligations will be deemed fully satisfied, and (b) the City will not withhold any building permits for the Project due to Bryant Canyon Channel improvements not being constructed ("City Acknowledgment").

3. Satisfaction of Obligations. MCWRA agrees that, upon receipt of the City Acknowledgment and the In Lieu Fee, (a) the MCWRA Conditions and Bryant Canyon Channel Obligations will be deemed fully satisfied, and , (b) UCP and the Project will not be subject to any additional obligations or conditions related to Bryant Canyon Channel. Subject to applicable laws, regulations or statutory requirements, MCWRA may use the In Lieu Fee in any way it elects, and within any time frame it desires, in connection with obtaining the Permits and constructing the Bryant Canyon Channel improvements; provided, however, UCP shall have no further obligations related thereto.

IN WITNESS WHEREOF, the said parties have executed this Agreement as of the Effective Date.

MCWRA:

MONTEREY COUNTY WATER
RESOURCES AGENCY

By: _____
Name: _____
Its: _____

UCP:

UCP Soledad, LLC, a Delaware limited
liability company

By: _____
Name: James W. Fletcher
Its: Division President

EXHIBIT A
CONDITIONS OF APPROVAL TO BE SATISFIED BY IN LIEU FEE

F. Monterey County Water Resources Agency requirements:

1. The proposed development shall be setback a least 50 feet from top of bank, as defined in Monterey County Code, Chapter 16.16 Regulations for Floodplains in Monterey County, unless it can be proven to the satisfaction of the Water Resources Agency that the proposed development will be safe from flow-related erosion hazards and will not significantly reduce the capacity of the existing watercourse. The top of bank shall be defined by a professional engineer and shown on the site plan prior to issuance of any grading and/or building permits.
2. Streambank erosion protection, for the Bryant Canyon Channel, shall be provided in accordance with plans by a registered civil engineer and approved by the City Engineer.
3. A drainage plan shall be prepared by a registered civil engineer to address on-site and off-site impacts to include detention facilities to mitigate the impact of impervious surface stormwater runoff. All detention/retention ponds shall be fenced for public safety as needed. Natural runoff shall be routed around the proposed development in a way that mitigates any impacts to downslope properties. Necessary improvements shall be constructed in accordance with approved plans and permits/agreements as required have been obtained.
4. The applicant shall provide certification that applications have been submitted for all required local, State and Federal permits. Agencies include, but are not limited to, California Department of fish & Game and the California Regional Water Quality Control Board.
5. A hydrologic and hydraulic analysis shall be prepared by a registered civil engineer analyzing the cumulative and regional impacts of the proposed diversion channel including the ability of the Bryant Canyon Channel to accept additional runoff. Prior to issuance of any grading permits, the WRA and the City shall approve any drainage diversion to the Bryant Canyon Channel.

O. Acceptance of Mitigation, Monitoring and/or Reporting Program:

The Conditions of Approval include the mitigation measures identified in the project EIR. The Mitigation, Monitoring and/or Reporting Program is attached herewith and incorporated by reference with this document. Acceptance of the Mitigation, Monitoring and/or Reporting Program is required and evidence by the signature on the original document. Return the original document to the City within 30 days of project approval. At no time may any of the conditions be eliminated, removed, altered or modified without prior approval by the City, a designated authority or professional authorized to act on behalf of the City.

EXHIBIT B
DEVELOPMENT AGREEMENT OBLIGATION TO BE SATISFIED BY IN LIEU FEE

e. Bryant Canyon Channel. (1) In conjunction with the development of Increment III, DEVELOPER shall complete the improvements to Bryant Canyon Channel pursuant to the plans prepared by Schaaf & Wheeler dated February 2011. No building permits shall be issued for lots 1 through 16 inclusive, lots 49 through 57 inclusive, and lots 90 through 94 inclusive, as shown on the Miravale Phase II Unit III final map, until all Channel improvements are complete. The Channel and restricted lots are shown on Attachment A. Improvements shall be deemed complete upon written notice from the County of Monterey or their designee, to the City of Soledad, stating improvements have been installed in substantial compliance with the plans dated February 2011. There shall be no restrictions associated with Channel improvements for building permit issuance, lot improvements and final certificates of occupancy for lots 17 through 48 inclusive, lots 58 through 89 inclusive and lots 95 through 103 inclusive, per the Miravale Phase II Unit III final map.

NO BUILDING PERMITS SHALL BE ISSUED FOR LOTS 1 THROUGH 16 INCLUSIVE, LOTS 49 THROUGH 57 INCLUSIVE, AND LOTS 90 THROUGH 94 INCLUSIVE AS SHOWN ON THE MIRAVALLE PHASE II UNIT III FINAL MAP UNTIL ALL CHANNEL IMPROVEMENTS ARE COMPLETE. IMPROVEMENTS SHALL BE DEEMED COMPLETE UPON WRITTEN NOTICE FROM SCHAAF & WHEELER, TO THE CITY OF SOLEDAD.

[CITY OF SOLEDAD LETTERHEAD]

September __, 2016

UCP Soledad, LLC
99 Almaden Boulevard, Suite 400
San Jose, CA 95113
Attention: James W. Fletcher

Re: Miravale/Summerfield Project
In Lieu Fee as Satisfaction of Conditions

Dear Mr. Fletcher:

This will confirm that the City of Soledad's agreement that payment of a fee to Monterey County Water Resources Agency ("MCWRA") will satisfy certain conditions of approval to the Miravale/Summerfield Tentative Map and Development Agreement, as follows:

1. The City, by Resolution No. 3379, dated October 15, 2003, approved a vesting tentative map for the Phase II of the Miravale Subdivision Project (the "Project"), subject to certain conditions including the construction of certain improvements.
2. The Tentative Map conditions of approval include Project Specific Conditions F.1 through F.5 and O, as set forth on Exhibit A attached hereto, all of which are related to requirements for MCWRA (the "MCWRA Conditions").
3. UCP Soledad, LLC, a Delaware limited liability company ("UCP"), is the current owner of the Project.
4. UCP and the City entered into a Development Agreement dated October 7, 2015, and recorded October 21, 2015 as Instrument No. 2015060861 in the Official Records of Monterey County (the "Development Agreement").
5. Exhibit B to the Development Agreement includes the obligations set forth on Exhibit B attached hereto, related to Bryant Canyon Channel improvements (the "Bryant Canyon Channel Obligations").
6. Various natural resource permits are required prior to commencing the Bryant Canyon Channel improvements (the "Permits"). However, it is very unlikely that the Permits can be obtained within the time frame that UPC will be prepared to obtain building permits and start construction on the Project.
7. UCP has proposed paying directly to MCWRA a fixed fee, lump sum payment (the "In Lieu Fee"), to satisfy the MCWRA Conditions and Bryant Channel Obligations. The In Lieu Fee will be in the fixed amount of \$1,700,000.00, which is equal (a) \$1,200,000.00

for MCWRA's construction of the Bryant Canyon Channel improvements, and (b) \$50,000.00, for MCWRA to retain a consultant to process the Permits. The In Lieu Fee is a fixed amount, and will not be adjusted based on MCWRA's actual costs for construction and processing the Permits.

Provided that MCWRA agrees to the foregoing, the City hereby agrees that, upon UCP's payment of the In Lieu Fee, (a) the MCWRA Conditions and Bryant Channel Obligations will be deemed fully satisfied, and (b) the City will not withhold any building permits for the Project due to Bryant Canyon Channel improvements not being constructed.

CITY OF SOLEDAD

By: _____
Name: _____
Its; _____

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CONDITIONS OF APPROVAL TO BE SATISFIED BY IN LIEU FEE

F. Monterey County Water Resources Agency requirements:

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4. The applicant shall provide certification that applications have been submitted for all required local, State and Federal permits. Agencies include, but are not limited to, California Department of fish & Game and the California Regional Water Quality Control Board.
5. A hydrologic and hydraulic analysis shall be prepared by a registered civil engineer analyzing the cumulative and regional impacts of the proposed diversion channel including the ability of the Bryant Canyon Channel to accept additional runoff. Prior to issuance of any grading permits, the WRA and the City shall approve any drainage diversion to the Bryant Canyon Channel.

O. Acceptance of Mitigation, Monitoring and/or Reporting Program:

The Conditions of Approval include the mitigation measures identified in the project EIR. The Mitigation, Monitoring and/or Reporting Program is attached herewith and incorporated by reference with this document. Acceptance of the Mitigation, Monitoring and/or Reporting Program is required and evidence by the signature on the original document. Return the original document to the City within 30 days of project approval. At no time may any of the conditions be eliminated, removed, altered or modified without prior approval by the City, a designated authority or professional authorized to act on behalf of the City.

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