

Monterey County

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



Action Minutes - Draft

Friday, September 11, 2015

8:15 AM

Special Meeting

Board of Supervisors

Chair Simón Salinas - District 3

Vice Chair Jane Parker - District 4

Supervisor Dave Potter - District 5

Supervisor Fernando Armenta - District 1

Supervisor John M. Phillips - District 2

8:15 A.M. - Call to Order

The meeting was called to order by Chair Salinas.

Roll Call

Present: 5 - Supervisor Simón Salinas, Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter and Supervisor John M. Phillips

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding four matters of significant exposure to litigation.
 - b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: Manuel Gonzalez and Brette NealEmployee Organization(s): A, B, C, D, E, F, G, H, J, K, L, N, R, S, V, X, Y and Z

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a. and b.

9:00 AM Reconvene

Roll Call

Present: Charlie Steves, Interpreter

Present: 5 - Supervisor Simón Salinas, Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter and Supervisor John M. Phillips

Pledge of Allegiance

The Pledge of Allegiance was led by Clerk of the Board Gail T. Borkowski.

Consent Calendar

2. Adopt a Resolution clarifying language in the Sheriff’s Office application for SB 863 Adult Local Criminal Justice Facilities Construction Request For Proposal (RFP).

A motion was made by Supervisor Dave Potter, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-233 (as revised) clarifying language in the Sheriff’s Office application for SB 863 Adult Local Criminal Justice Facilities Construction Request for Proposal (RFP). ALL AYES

9:00 A.M. - Scheduled Matters

- 3. Present options to the Board of Supervisors to consider for Monterey County Employees regarding the Constructive Receipt Doctrine of the Internal Revenue Service (IRS) concerning Annual Leave/Vacation PTO Buy Back and provide direction to staff.

Public comment: Pat Butcher; Jonathan Bernhardt; Scott Davis; Julie Felice; Harry Gamotan; Jess Berreras; Nicholas Diaz.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to: a. Direct the County Labor Negotiators to initiate discussions with the bargaining units; b. the Board requested that the Unions acknowledge they have been made aware of the issue related to PTO/Buyback & that they will negotiate in good faith, as well as work toward an agreed upon plan by June 30, 2016; c. the Board further directed staff to return on September 29, 2015 with a recommended framework for a stand alone plan; and d. the Board of Supervisors stated their intention to request an opinion letter from the IRS at the appropriate time. ALL AYES

Adjournment

APPROVED:

**SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: _____

**GAIL T. BORKOWSKI
CLERK OF THE BOARD**

APPROVED ON _____