

Monterey County

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



Action Minutes - Final

Tuesday, November 19, 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*

9:00 A.M. - Called to Order

The meeting was called to order by Chair Supervisor John M. Phillips.

Roll Called

Present: 5 - Supervisor Mary L. Adams, Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Chris Lopez, and Supervisor Luis A. Alejo

Staff Present

Charles McKee, County Administrative Officer, Les Girard Acting County Counsel and Valerie Ralph, Clerk of the Board

Additions and Corrections for Closed Session by County Counsel

There were no additions and corrections for Item No. 1.a. through d.

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) Regina Mason (Worker’s Compensation Appeals Board case no. ADJ9627427)
 - (2) Anna Jimenez (Worker’s Compensation Appeals Board case no. ADJ11276292)
 - (3) Robert Martinez v. State of California, et al. (Monterey County Superior Court case no. 19CV002569)
 - (4) Robin McManaman v. County of Monterey, et al. (Monterey County Superior Court case no. 18CV002822)
 - (5) James Collins v. County of Monterey, et al. (U.S. District Court case no. 19CV01214NC)
 - (6) Protect the Process v. County of Monterey, et al. (Monterey County Superior Court case no. 19CV002885)
 - (7) Conservatorship of Gin Casion (Monterey County Superior Court case no. MP3098)
 - (8) In re Nancy Ann Christenberry Revocable Living Trust (Monterey County Superior Court case no. 18PR000461)
 - (9) David Sabih v. County of Monterey, et al. (Monterey County Superior Court case no. M93135)
 - b. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with

legal counsel regarding liability claims against the County of Monterey.

(1) Andrew McCague

(2) Application to File Late Claim Fresh Express

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

d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.

Public Comment

Open for public comment; no public comments made.

The Board Recessed for Closed Session Agenda Items

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

Roll Called

Present: 5 - Supervisor Mary L. Adams, Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Chris Lopez, and Supervisor Luis A. Alejo

Staff Present

Charles McKee, County Administrative Officer, Les Girard Acting County Counsel and Valerie Ralph, Clerk of the Board

Pledge of Allegiance

The Pledge of Allegiance was led by Valerie Ralph, Clerk of the Board.

Announcement of Interpreter

Maria Avila, Spanish Interpreter present and announced Spanish interpreter services.

Additions and Corrections by the Clerk

There were additions and corrections to today's agenda for the following items:

Appointments

Item No. 7 Appointment for Libby Downey on the NMC Board of Trustees has been requested to be removed from the agenda.

1:30 P.M. Scheduled Matters

Item No. 19.1 Consider adoption of a Temporary Eviction Control Urgency

Ordinance is in receipt of a revised an Attachment A.

Addendum/Supplemental

Item No. 50 should reflect Items No. 19.1 and 19.2 have been added to the 1:30 p.m. agenda and not the 10:30 a.m. agenda

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Luis A. Alejo to approve the additions and corrections.

ALL AYES

Consent Calendar- (See Supplemental Sheet)

- 2. Approval of Consent Calendar Items No. 20 through 49.

Open for public comment; no public comments made.

A motion is made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez to approve Consent Calendar Item No.'s 20 through 49.

ALL AYES

Ceremonial Resolutions

Open for public comment; no public comments made.

- 3. Adopt Resolution recognizing Marion Gellatly as the recipient of the Professional Women’s Network of the Monterey Peninsula 2020 Woman of the Year Award. (Full Board)

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez to Adopt Resolution No. 19-392 recognizing Marion Gellatly as the recipient of the Professional Women’s Network of the Monterey Peninsula 2020 Woman of the Year Award. (Full Board)

ALL AYES

Appointments

Open for public comment; no public comments made.

- 4. Appoint Bobbie E. Blakeney, Member at Large to the Area Agency on Aging Advisory Council. With a term ending on January 1, 2023. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to appoint Bobbie E. Blakeney, Member at Large to the Area Agency on Aging Advisory Council. With a term ending on January 1, 2023. (Full Board)

ALL AYES

- 5. Reappoint Donald Cranford to the Northern Salinas Valley Mosquito Abatement District with a term ending on January 2, 2024. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to reappoint Donald Cranford to the Northern Salinas Valley

**Mosquito Abatement District with a term ending on January 2, 2024. (Full Board)
ALL AYES**

6. Reappoint Aimee Cuda, Member at Large to the Area Agency on Aging Advisory Council with a term ending on January 1, 2023 (Full Board)
**A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to reappoint Aimee Cuda, Member at Large to the Area Agency on Aging Advisory Council with a term ending on January 1, 2023 (Full Board)
ALL AYES**
7. Reappoint Elizabeth Downey to the Natividad Medical Center Board of Trustees with a term ending on November 30, 2022. (Supervisor Adams)
Removed from agenda via additions and corrections
8. Appoint Patricia Hsieh to the Monterey County Workforce Development Board filling with a term expiration date of July 10, 2021. (Full Board)
A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to appoint Patricia Hsieh to the Monterey County Workforce Development Board filling with a term expiration date of July 10, 2021. (Full Board) ALL AYES
9. Appoint Grant Leonard to the Castroville Cemetery District with a term ending on March 30, 2022. (Full Board)
A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to appoint Grant Leonard to the Castroville Cemetery District with a term ending on March 30, 2022. (Full Board) ALL AYES
10. Reappoint Emilie Mangompit to the Area Agency on Aging Advisory Council for a term ending on January 1, 2023. (Full Board)
A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to reappoint Emilie Mangompit to the Area Agency on Aging Advisory Council for a term ending on January 1, 2023. (Full Board) ALL AYES
11. Reappoint Tom Shields to the Area Agency on Aging Advisory Council for a term ending on January 1, 2023.
A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to reappoint Tom Shields to the Area Agency on Aging Advisory Council for a term ending on January 1, 2023. ALL AYES
12. Reappoint Linda Grier to the Boronda Public Works Citizens Advisory Committee with a term ending date of January 1, 2022. (Supervisor Phillips)
A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to reappoint Linda Grier to the Boronda Public Works Citizens Advisory Committee with a term ending date of January 1, 2022. (Supervisor Phillips) ALL AYES

- 12.1 Reappoint Robert Moody to the Pajaro/Sunny Mesa Community Services District - Board of Directors with a term ending date of November 30, 2023. (Supervisor Phillips)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to reappoint Robert Moody to the Pajaro/Sunny Mesa Community Services District - Board of Directors with a term ending date of November 30, 2023. (Supervisor Phillips) ALL AYES

Other Board Matters

13. Board Comments

Supervisor Mary L. Adams shared there are so many reasons for us to give thanks especially as we move closer to Thanksgiving. In this past week we thanked a lot of people at the National Philanthropy Day. There were many local volunteers who were honored for their outstanding philanthropy including a number of District 5 residence Joanne Taylor-Johnson, Lauren Cohan, and Virginia Maxwell Powell. The philanthropic corporations from the 5th District that were honored for The Cannery Row Company and the Big Sur Marathon Foundation. She shared there's a large community Thanksgiving meal on Thanksgiving Day at noon at Monterey County Fairgrounds this volunteer-driven event is a hallmark in the kickoff of the holiday season and it is set from noon to 3:00 p.m.

Supervisor Luis A. Alejo shared also on the theme of Thanksgiving he wanted to wish all our local constituents a Happy Thanksgiving. It's a time to reflect and be with our families and be thankful for our health and for many other good things happening in our community. He also acknowledged and thanked people for the prayers for his father. He was able to go visit him over the last few days. He was a Vietnam Air Veteran. His health isn't too well these days and it reminds us how critical it is to spend time with our parents when they are still with us. He also mentioned another thing of thanks. He was proud to have hired a new replacement for his executive assistant who will also serve as a policy advisor. He introduced Joaquin Pacheco who used to work with him at the State Capital as a legislative assistant. He is a graduate from U.C. Davis. For the last three years he has been working as a legislative assistant for Assembly Member Blanca Rubio representing San Gabriel Valley near Los Angeles and he asked for a round of applause to welcome him to Monterey County.

Supervisor Chris Lopez, Supervisor Jane Parker and Supervisor John M. Phillips passed on board comments this week.

14. County Administrative Officer Comments and Referrals

Charles McKee, County Administrative Officer announced the resubmitted referral from Supervisor Alejo to work at a lease agreement between the City of Salinas and the County of Monterey regarding the county's parcel on East Laural Drive in Salinas for the implementation of a BMX bike track, a new skate park and sidewalk in that area of Salinas. They will work with the City of Salinas and through our Resources Management Agency. He also had a couple of announcements. First he wanted to acknowledge the great work of

our County libraries. Our library was selected as Library of the Month by the California State Library, in particular, for its research guides into Monterey County History which is a great resource if anybody who wants to find out more about Monterey County and our rich history. He commented this is a great recognition for Monterey County Libraries. He also announced Natividad Medical Center received an A Award from Leap Frog for hospital safety. This is a very prestigious award, nationally-recognized award, and it showcases the tremendous commitment to safety at Natividad Medical Center. It is an honor to have that and it is an honor to have Natividad as part of the county family. Finally, he announced that we had rating agencies here which are financial rating agencies that are to rate the counties financial stability by both Fitch and S & P two of the largest rating agencies. He was pleased to announce we have a Double A+ for lease bond ratings which is the first time ever for that kind of rating for the county. They both indicated that one of the key reasons is the strong management by the County, the Board of Supervisors and the financial management team here at the County and our financial policies that the County has adopted. He just wanted to recognize that strong team we have here, at the County, in our financial management and that recognition by rating agencies is a big benefit to the County.

15. General Public Comments

Open for general public comments for items not on today's agenda; Juan Lopez and Jay Donato commented on Consent Item No. 34. Charles McKee, County Administrative Officer will have Human Resources work with both Juan Lopez and Jay Donato on this item. Also, Mike Caplin, and Steve Eklund commented.

10:30 A.M. - Scheduled Matters

16. Receive a presentation outlining the County's accomplishments at Laguna Seca Recreation Area since taking ownership of the business on January 1, 2017.

DeWayne Woods, Assistant County Administrative Officer from the Budget & Analysis Division with Mike Derr, Contracts/Purchasing Officer from the Contract Purchasing Department presented via PowerPoint presentation.

Upon consensus the Board:

Received a presentation outlining the County's accomplishments at Laguna Seca Recreation Area since taking ownership of the business on January 1, 2017.

17. a. Receive a presentation summarizing the proposals received for management of Laguna Seca Recreation Area;
- b. Approve a management agreement from January 1, 2020 through December 31, 2023 between the County of Monterey and A&D Narigi Consulting, LLC for management services at Laguna Seca Recreation Area; and
- c. Authorize the Chair of the Board to execute the Agreement.

DeWayne Woods, Assistant County Administrative Officer from the Budget & Analysis Division with Mike Derr, Contracts/Purchasing Officer from the Contract Purchasing Department presented via PowerPoint presentation.

Tim McCrane, Christopher Pook and John Narigi commented.

Open for public comment; Frank Joyce, Sean Tavarez, Tom Mastre, Rene Boskoff, Dennis Farber, Kimberly Craig, Don Ask, Peter Sluddez, Dean Fewtrell, Bryan Mutora, Doug Sallen, Gary Cursio, Ron Brindman, Max Jamiesson, Jeff Davi, Tex Otto, Jeron Geresse, Kim Amaral, Pierre Bain, Rob Manson, Kelly Dellaqua, Catherine Stedman, Michael Bekker, Paul Ingram, Douglas Finch, Gayle Davies, Scott Ornen, Chris Childlaw, Mike Bruno, Webster Slate, Don Chapin, Paul Melter, Pam Shatraw, Bonnie Adams, Larry Walker, Ken Gordo, Jon Chown, Frank Menrer, Frank Geisler, Thomas Gowing and Darvis Sadegin commented.

Upon motion of Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez the Board:

- a. Received a presentation summarizing the proposals received for management of Laguna Seca Recreation Area;
- b. Approved management Agreement No. A-14558 from January 1, 2020 through December 31, 2023 between the County of Monterey and A&D Narigi Consulting, LLC for management services at Laguna Seca Recreation Area; and
- c. Authorize the Chair of the Board to execute the Agreement.

ALL AYES

- 18. Authorize advance step placement of John Thornburg at Step 7 of the Chief Deputy Sheriff salary range in accordance with Personnel Policies and Practices Resolution (PPPR) #98-394, Sections A.1.11.1, A.1.11.5, and A. 5.1, effective November 23, 2019.

This matter is called before Item No.'s 16 and 17.

Undersheriff John Mineau from the Monterey County Sheriff's Office presented.

Open for public comment; no public comments made,

Upon motion of Supervisor Mary L. Adams, seconded by Supervisor Chris Lopez to:

Authorize advance step placement of John Thornburg at Step 7 of the Chief Deputy Sheriff salary range in accordance with Personnel Policies and Practices Resolution (PPPR) #98-394, Sections A.1.11.1, A.1.11.5, and A. 5.1, effective November 23, 2019.

ALL AYES

12:00 P.M. - Recessed to a 10 minute Lunch at 1:17 p.m.

1:30 P.M. - Reconvened at 1:37 p.m.

Roll Called

Present: 5 - Supervisor Mary L. Adams, Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Chris Lopez, and Supervisor Luis A. Alejo

Staff Present

Charles McKee, County Administrative Officer, Les Girard Acting County Counsel and Valerie Ralph, Clerk of the Board

Announcement of Interpreter

Maria Avila, Spanish Interpreter present and announced Spanish interpreter services.

1:30 P.M. - Scheduled Matters

19. a. Receive a report on the Lakes Resort and Operations Enterprise Fund, Fund 452, FY 2018-19 financial condition;
- b. Adopt a Resolution to:
- 1) Authorize and direct the Auditor-Controller to amend the FY 2019-20 General Fund adopted budget, Fund 001, Other Financing Uses Appropriation Unit CAO017, to increase appropriations by \$2,131,440, financed by a release from the General Fund Cannabis Tax Assignment, Fund 001, Balance Sheet Account 3132 (4/5ths vote required); and
 - 2) Authorize and direct the Auditor-Controller to transfer \$2,131,440 for FY 2019-20 from General Fund, Fund 001, Other Financing Uses Appropriation Unit CAO017 (Unit 8038 Object 7614), to the Lakes Resort and Operations Enterprise Fund, Fund 452, Appropriation Unit RMA102 (Unit 8477 Object 5940) (4/5th vote required).

Carl Holm, RMA Director, Jim Rodems, Chief of Parks and Jessica Cordiero-Martinez, Management Analyst from the Resources Management Agency presented via PowerPoint presentation.

Open for public comment; Doug Yent, Kevin Dayton and Peter Saiez commented.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams the Board:

- a. Received a report on the Lakes Resort and Operations Enterprise Fund, Fund 452, FY 2018-19 financial condition;
- b. Adopted Resolution to No. 19-394:
 - 1) Authorized and directed the Auditor-Controller to amend the FY 2019-20 General Fund adopted budget, Fund 001, Other Financing Uses Appropriation Unit CAO017, to increase appropriations by \$2,131,440, financed by a release from the General Fund Cannabis Tax Assignment, Fund 001, Balance Sheet Account 3132 (4/5ths vote required); and
 - 2) Authorized and directed the Auditor-Controller to transfer \$2,131,440 for FY 2019-20 from General Fund, Fund 001, Other Financing Uses Appropriation Unit CAO017 (Unit 8038 Object 7614), to the Lakes Resort and Operations Enterprise Fund, Fund 452, Appropriation Unit RMA102 (Unit 8477 Object 5940) (4/5th vote required).

ALL AYES

19.1

Consider adoption of a Temporary Eviction Control Urgency Ordinance enacting a temporary prohibition on no-fault evictions from residential real property through the effective date of Assembly Bill 1482, the Tenant Protection Act of 2019. (ADDED VIA ADDENDA)

This matter was called before Item No.'s 19 and 19.2.

Anastacia Wyatt, Housing Program Manager from the Economic Development Department and Les Girard, County Counsel from the County Counsel's Office presented via PowerPoint presentation.

Open for public comment; Scott Dyck, Elliott Robinson, Phylis Cates, Mr. Hernandez, Alfred Diaz, Rafael Hernandez, Cesar Lara and Sally Torres commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Mary L. Adams as amended to:

Adopt a Temporary Eviction Control Urgency Ordinance No. 5319 enacting a temporary prohibition on no-fault evictions from residential real property through the effective date of Assembly Bill 1482, the Tenant Protection Act of 2019. Fact sheets and boiler plate language on how to respond to legal demands shall be created for the communities reference. (ADDED VIA ADDENDA)

ALL AYES

19.2

- a. Receive a presentation on options for financing for building removal on the former Fort Ord and analysis of the proposed Fort Ord Reuse Authority bond issuance;
- b. Consider making a recommendation to Fort Ord Reuse Authority; and
- c. Provide direction to staff. (ADDED VIA ADDENDA)

Melanie Beretti, RMA Services Manager from the Resources Management Agency presented via PowerPoint presentation.

Open for public comment; no public comments made.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to:

- a. Receive a presentation on options for financing for building removal on the former Fort Ord and analysis of the proposed Fort Ord Reuse Authority bond issuance;
- b. Consider making a recommendation to Fort Ord Reuse Authority; and
- c. Direct staff to stop exploring alternate funding, review all FORA documentation and review the public hearing process.

ALL AYES

Read Out from Closed Session by County Counsel

CLOSED SESSION REPORT

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) Regina Mason (Worker's Compensation Appeals Board case no. ADJ9627427)
- (2) Anna Jimenez (Worker's Compensation Appeals Board case no. ADJ11276292)
- (3) Robert Martinez v. State of California, et al. (Monterey County Superior Court case no. 19CV002569)
- (4) Robin McManaman v. County of Monterey, et al. (Monterey County Superior Court case no. 18CV002822)
- (5) James Collins v. County of Monterey, et al. (U.S. District Court case no. 19CV01214NC)
- (6) Protect the Process v. County of Monterey, et al. (Monterey County Superior Court case no. 19CV002885)
- (7) Conservatorship of Gin Casion (Monterey County Superior Court case no. MP3098)
- (8) In re Nancy Ann Christenberry Revocable Living Trust (Monterey County Superior Court case no. 18PR000461)
- (9) David Sabih v. County of Monterey, et al. (Monterey County Superior Court case no. M93135)

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a.(1) through (9).

b. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.

- (1) Andrew McCague
- (2) Application to File Late Claim Fresh Express

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.b.(1)(2).

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

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.c.

d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.d.

Adjourned

The meeting was adjourned at 3:52 p.m. by Chair Supervisor John M. Phillips.

APPROVED:

_____/s/ John M. Phillips_____
CHRIS LOPEZ, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: _____/s/ Valerie Ralph_____
VALERIE RALPH
CLERK OF THE BOARD
APPROVED ON __December 10, 2019__

Supplemental Sheet, Consent Calendar**Natividad Medical Center**

20. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 2 to the agreements with Receivable Solutions, Inc. (A-13319) and Credit Consulting Services, Inc. (A-13320) for debt collection services, adding \$2,400,000 for a revised total aggregate amount not to exceed \$6,970,000 with no change to the agreement term of October 1, 2016 through September 30, 2020.
- Approved - Agreement No. A-13319 and A-13320, Amendment No. 2**
21. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the master agreement (A-12934) with Carefusion Solutions, LLC adding the Pyxis product known as BD Cato Medication Workflow Solutions, a medication workflow management system, and adding additional terms and conditions associated with BD Cato.
- b. Approve NMC Chief Executive Officer's recommendation to accept non-standard indemnification, limitation of liability, and limitation of warranty provisions within the BD Cato Medication Workflow Solutions Schedule.
- c. Authorize the Deputy Purchasing Agent for NMC or his designee to execute Customer Order 1000141289 for the BD Cato software subscription for a sixty (60) month term effective upon implementation (estimated to be on or about April 30, 2020), subject to extension on a month to month basis until terminated for a total amount not to exceed \$265,740.
- d. Authorize the Deputy Purchasing Agent at NMC to execute the Implementation Timeline to Customer Order 1000141289.
- e. Authorize the Deputy Purchasing Agent at NMC to execute any future modified Implementation Timelines to Customer Order 1000141289 which may arise due to unforeseen scheduling changes and which do not cause an increase to the total cost.
- Approved - Agreement No. A-12934, Amendment No. 1**
22. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the agreement with SkillSurvey, Inc. for online reference checking solution services to increase quality of hire and improve recruiting efficiency at NMC, extending the agreement an additional three (3) year period (December 31, 2019 through December 30, 2022) for a revised full agreement term of December 31, 2016 through December 30, 2022, and adding \$55,545 for a revised total agreement amount not to exceed \$111,234.
- Approved - Agreement No. A-14559, Amendment No. 1**
23. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or

his designee to execute amendment No. 1 to the agreement with Everbridge, Inc. for Critical Event Management Software services, extending the agreement an additional two (2) year period (January 30, 2020 through January 29, 2022) for a revised full agreement term of January 30, 2018 through January 29, 2022, and adding \$65,378 for a revised total agreement amount not to exceed \$127,642.

Approved - Agreement No. A-14560, Amendment No. 1

24. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment no. 5 to the agreement (A-13067) with Medical Information Technology, Inc. (MEDITECH) for the addition of MD Staff, Pharmacy Automation, and Medinet interfaces for the MEDITECH system at NMC, adding \$65,818 for a revised total agreement amount not to exceed \$299,467, with no change to the implementation term of March 22, 2016 through April 29, 2020.

Approved - Agreement No. A-13067, Amendment No. 5

Health Department

25. a. Amend the Fiscal Year (FY) 2019-20 Health Department Budget 4000-HEA008-8118 to reallocate 1.0 FTE vacant Accountant II to 1.0 FTE Accountant III (4/5th vote required); and
b. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2019-20 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

Adopted Resolution No. 19-395

26. a. Ratify the submittal of a New Access Point (NAP) grant application by the Monterey County Health Department to the U.S. Department of Health and Human Services (HHS), through the Health Resources and Services Administration (HRSA) in the amount of \$650,000 per year for two (2) years from September 1, 2019 through August 31, 2021, to expand access to quality health care services for vulnerable populations; and
b. Accept a NAP grant award from HHS, through HRSA, in the amount of \$650,000 per year for two (2) years retroactive from September 1, 2019 through August 31, 2021, to expand access to quality health care services for vulnerable populations; and
c. Authorize the Director of Health or Assistant Director of Health to act as an agent for the County in processing all HRSA documentation in connection with the NAP Grant; and
d. Approve the intra-County transfer of the management of the Natividad Immunology Division Outpatient (NIDO) Clinic from Natividad Medical Center to

the Monterey County Health Department as NIDO is a newly approved Federally Qualified Health Center (FQHC) site in the NAP Grant.

Approved

27. a. Authorize the Director of Health or Assistant Director of Health to execute the Investment in Mental Health Wellness Grant Program for Children and Youth (“Grant Program”) Grant Agreement No. CY MONT-01 with California Health Facilities Financing Authority (CHFFA), accepting a CHFFA Grant Program award for the development and implementation of a Mobile Crisis Support Team program in the total grant amount of \$485,275.90 for the full grant period retroactive May 30, 2019 through June 30, 2026; and
- b. 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 full grant period.

Adopted Resolution No. 19-396

28. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Mental Health Services Agreement with Cinnamon Hills Youth Crisis Center for the term August 27, 2019 through June 30, 2022 for the provision of residential and mental health services to Monterey County youth in the amount of \$121,575 for Fiscal Year (FY) 2019-20, \$144,074 for FY 2020-21, and \$144,074 for FY 2021-22, for a total Agreement amount not to exceed \$409,723; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$40,972.30) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No. A-14557

29. a. Set a public hearing for December 11, 2019 at 10:30 a.m. to consider and adopt Resolution to approve Amendment No. 9 with [Proposed] Exhibit 1 “Approved Rates and Charges” to Unified Franchise Agreement A-11631 regarding proposed rates for services and adjustments to current rates for the Unified Franchise Agreement A-11631 between the County of Monterey and Waste Management, Inc. dba USA Waste of California dba Carmel Marina Corp., for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County; and
- b. Direct the Clerk of the Board to publish the Notice of Public Hearing in newspapers of general circulation to provide for County-wide Notice of Public Hearing on or before December 1, 2019.

Approved

30. Introduce, waive reading, and set December 10, 2019 at 10:30 a.m. to adopt an ordinance to extend the suspension of portions of Ordinance No. 5310 relating to Point of Use and Point of Entry water treatment until further action of the Board of Supervisors.

Proposed CEQA Action: Exempt under CEQA Guidelines section 15061(b)(3)

Approved**Criminal Justice**

31. a. Authorize the County Administrative Office to allocate one (1) new position in the District Attorney's Office (2240), in Unit 8063, for one (1) Investigative Aide (34G10) and reflect the new allocation in the adopted budget position counts (4/5ths vote required);

Adopted Resolution No. 19-397

General Government

33. a. Consider adoption of an ordinance repealing Chapter 10.16 of Title 10 of the Monterey County Code relating to Produce Inspection - Head Lettuce (Attachment 1); and
b. Proposed California Environmental Quality Act (CEQA) action: Find that this action is categorically exempt from environmental review pursuant to CEQA Guidelines California Code of Regulations (CCR) Section 15309.

Adopted Ordinance No. 5321

34. a. Transfer one (1) Communications Technician III position to County Administrative Office, Appropriation Unit CAO025, Budget Unit 8451- Fleet from Information Technology Department, Appropriation Unit INF002, Budget Unit 8437- Infrastructure, and reflect the change in position counts, as indicated in Attachment A (4/5ths vote); and
b. Authorize the Auditor-Controller and the County Administrative Office to incorporate the position changes in the FY 2019-20 Budget.

Adopted Resolution No. 19-398

35. Approve and authorize the County Administrative Officer to send a notice of non-renewal, effective December 31, 2019, of the Permit for Law Enforcement Firearm Range at Laguna Seca Recreation Area, authorized by Resolution 77-86.

Approved

32. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendment #2, with Law Search Associates LLC Doing Business As Legal Research Associates for the provision of providing legal research material to inmates, with a new not to exceed amount of \$160,000.00 and extending the agreement two (2) years with a term ending date of November 30, 2021.

Approved - Agreement No. A-14561, Amendment No. 2

36. a. Approve and authorize a non-standard agreement in the amount of \$60,000 between the County of Monterey, by and through the Monterey County Treasurer-Tax Collector and RELX, dba LexisNexis, which specifies Batch File Services to be performed under the terms of the LexisNexis Master Terms & Conditions - Government for the period of December 1, 2019 through December 31, 2022;
- b. Authorize the Monterey County Treasurer-Tax Collector to sign the non-standard agreement for Batch Services with LexisNexis; and
- c. Authorize the Monterey County Treasurer-Tax Collector to extend the agreement for up to two one-year contract extensions, where the Amendments do not exceed ten percent of the Agreement amount or significantly change the scope of work.

Approved - Agreement No. A-14562

37. a. Approve and authorize a non-standard agreement in the amount of \$2,500 between the County of Monterey, by and through the Monterey County Treasurer-Tax Collector, and RELX, dba LexisNexis, which specifies Accurint for Government Transactional Debtor Location and Research Services to be performed under the terms of the State of California negotiated Standard Agreement No. 5-17-70-12, for the period of December 1, 2019 through December 31, 2020;
- b. Authorize the Monterey County Treasurer-Tax Collector to sign the non-standard agreement for Accurint for Government - Revenue - Transactional Debtor Location and Research Services; and
- c. Authorize the Monterey County Treasurer-Tax Collector to extend the agreement for up to two one-year contract extensions with LexisNexis, as indicated by the State of California negotiated Standard Agreement No. 5-17-70-12, where the Amendments do not exceed ten percent of the original Agreement amount or significantly change the scope of work.

Approved - Agreement No. A-14563

38. a. Approve and authorize a non-standard agreement in the amount of \$2,500 between the County of Monterey, by and through the Monterey County Treasurer-Tax Collector, and RELX, dba LexisNexis, which specifies Accurint for

Government Transactional Debtor Location and Research Services to be performed under the terms of the State of California negotiated Standard Agreement No. 5-17-70-12, for the period of December 1, 2019 through December 31, 2020;

b. Authorize the Monterey County Treasurer-Tax Collector to sign the non-standard agreement for Accurint for Government - Tax - Transactional Debtor Location and Research Services; and

c. Authorize the Monterey County Treasurer-Tax Collector to extend the agreement for up to two one-year contract extensions with LexisNexis, as indicated by the State of California negotiated Standard Agreement No. 5-17-70-12, where the Amendments do not exceed ten percent of the original Agreement amount or significantly change the scope of work.

Approved - Agreement No. A-14564

39. a. Approve and authorize the Contracts/Purchasing Officer to sign an Agreement between the County of Monterey and Pacific Health Alliance (PHA) for Third-Party Administration (TPA) of the County's Self-Insured Dental Plan per Request for Proposals (RFP) #10719 with the initial Agreement term beginning January 1, 2020 through December 31, 2024, including the option to extend the Agreement for up to three (3) additional one (1)-year periods; and

b. Authorize the Contracts/Purchasing Officer to sign future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement rates of more than ten percent (10%).

Approved - Agreement No. A-14565

40. a. Approve and authorize the Director of the Information Technology Department to execute Amendment No. 3 to the Agreement with Environmental Systems Research Institute, Inc., (ESRI Inc.) for continuance of, and support and maintenance of, County ESRI licenses, required for the County's GIS system, in an amount not to exceed \$59,798.08, for the retroactive term of October 30, 2019 to October 30, 2020 for a total contract not to exceed \$237,140.07;

b. Authorize the Director of the Information Technology Department to execute service renewals and such documents as are necessary to implement extension of the agreement;

c. Accept non-standard language as recommended by Director of the Information Technology Department; and

d. Authorize the Director of the Information Technology Department to sign up to three (3) renewals to this Agreement, subject to County Counsel review, which extend services by one (1) year each, where any increased costs do not exceed 10% of the of the cost of Amendment No. 3 (\$5,979), per amendment, and do not significantly alter the terms of the Agreement, including non-standard terms approved by the Board.

Approved - Agreement No. A-13344, Amendment No. 3

41. a. Approve and authorize the Contracts/Purchasing Officer to sign an Agreement between the County of Monterey and Vision Service Plan (VSP) for Third-Party Administration (TPA) of the County's Self-Insured Vision Plan per Request for Proposals (RFP) #10718 with the initial Agreement term beginning January 1, 2020 through December 31, 2024, including the option to extend the Agreement for up to three (3) additional one (1)-year periods; and
- b. Authorize the Contracts/Purchasing Officer to sign future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement rates of more than ten percent (10%).

Approved - Agreement No. A-14566

42. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following meeting date: Tuesday, November 5, 2019.

Approved

43. Adopt the Board of Supervisors' meeting schedule for the calendar year 2020.

Approved

44. Adopt a resolution to revise and approve amendments to the Conflict of Interest Code of First 5 Monterey.

Adopted Resolution No. 19-399

45. Approve a request from the Soledad Mission Recreation District for dry period loan of \$39,000 for the Fiscal Year ending June 30, 2020

Approved**RMA - Administration**

46. a. Receive a report on Facilities project needs for FY 2019/20, including funding needs for ongoing projects;
- b. Approve adding selected Facilities projects, totaling \$1,752,167, to the Resource Management Agency FY 2019/20 Work Program;
- c. Adopt a Resolution to Authorize and direct the Auditor-Controller to: 1) Amend the FY 2019/20 Resource Management Agency Adopted Budget, Fund 402, Appropriation Unit RMA014, to increase appropriations by \$1,752,167, where the financing source is Fund 402 Unassigned Funds of \$1,813,122; 2) Amend the FY 2019/20 Resource Management Agency Adopted Budget, Fund 001, Appropriation Unit RMA006, to increase appropriations and revenues by \$667,650, where the financing source is an operating transfer from Fund 402,

Appropriation Unit RMA014; 3) Amend the FY 2019/20 Resource Management Agency Adopted Budget, Fund 404, Appropriation Unit RMA015, to increase appropriations and revenues by \$454,000, where the financing source is an operating transfer from Fund 402, Appropriation Unit RMA014; and 4) Transfer \$1,121,650 for FY 2019/20 from Fund 402, Appropriation Unit RMA014, to Fund 001, Appropriation Unit RMA006 (\$667,650) and Fund 404, Appropriation Unit RMA015 (\$454,000) (4/5th vote required).

Adopted Resolution No. 19-400

RMA – Public Works and Facilities

- 47.
- a. Award a contract to Avila Brothers, Inc. dba Avila Construction Company, the lowest responsible bidder, for the 855 East Laurel Drive-Emergency Shelter, Project No. 8875, Bid Package No.10736, in the total amount of \$5,760,231;
 - b. Approve the Performance and Payment Bonds executed and provided by Avila Construction Company;
 - c. Authorize a contingency, not to exceed 10% of the contract amount, or \$576,023, to provide funding for approved contract change orders for 855 East Laurel Drive-Emergency Shelter, Project No. 8875, Bid Package No.10736;
 - d. Authorize the Resource Management Agency Director to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount and do not significantly change the scope of work; and
 - e. Authorize the Resource Management Agency Director to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of 855 East Laurel Drive-Emergency Shelter, Project No. 8875, Bid Package No.10736.

Approved

- 48.
- a. Approve Standard Agreement with A & B Fire Protection and Safety, Inc. to provide annual inspections, testing, maintenance services, and on-call repairs to fire sprinkler suppression systems in County owned buildings and facilities for a total amount not to exceed \$415,310 for an initial term of three (3) years from December 2, 2019 to December 1, 2022, with the option to extend the term for two (2) additional one (1) year period(s); and
 - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Standard Agreement and any future amendments to the Agreement where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.

Approved - Agreement No. A-14567

RMA- Land Use and Community Development

49. a. Set a public hearing for December 10, 2019 to consider eleven (11) 2020 Williamson Act Applications (REF190037):
1. No. 2020-001 (FSZ)- Jensen Family Partners LP; AJ Spence Blanco LLC; DJS & B Ranch LLC; APN 207-031-003
 2. No. 2020-002 (FSZ)- Jensen Family Partners LP; AJ Spence Blanco LLC; DJS & B Ranch LLC; APNs 137-041-004 and 137-041-014
 3. No. 2020-003 (FSZ)- AJ Esperanza LLC; DJE Ranch LLC; Stephen and Patricia Jensen Trust; Ross Neil Jensen; Marie Ann Jensen Vasquez; Quinn Neil Jensen; Steen Neil Jensen; APNs 137-052-005; 137-052-006 and 137-052-007
 4. No. 2020-004 (FSZ)- Huntington Farms Inc; APN 177-132-018
 5. No. 2020-005 (FSZ)- Soledad Ranches Limited Partnership; APN 216-022-001
 6. No. 2020-006 (FSZ)- Bianchi Ranch LLC; APN 165-013-010
 7. No. 2020-007 (AgP)- SkyRoseRanch, LLC; APNs 424-121-023; 424-121-024; 424-121-058; 424-141-048; 424-121-020; 424-121-022; 424-141-003; 424-131-079; 424-131-080; 424-131-081; 424-131-086; 424-131-087; 424-131-088
 8. No. 2020-008 (FSZ)- John Hansen Cumming and Constance Marie Cumming, Trustees of The John Hansen Cumming and Constance Marie Cumming Revocable Trust dated October 15, 2001; Andrew Nelson Cumming and Tamara Susan Cumming , as Trustees of The Andrew Nelson Cumming and Tamara Susan Cumming Revocable Trust U/D/T dated September 1, 2000; and Joseph C. Cumming and Kristi A. Cumming, Co-Trustees of The Joseph and Kristi Cumming Family Trust dated August 31, 2000; APN 153-011-009
 9. No. 2020-009 (FSZ)- Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008 (Continued FSZ Application No. 2019-009)
 10. No. 2020-010 (AgP)- Asellus Monterey II LLC; APNs 422-121-004; 422-121-005; and 422-121-032 (Continued AgP Application No. 2019-012)
 11. No. 2020-011 (AgP)- SkyRoseRanch, LLC; APNs 423-141-006423-141-010; 423-141-012; 423-141-013; 423-141-031; 423-141-032; 423-141-033; 423-141-034; 423-141-035; 423-141-045; 423-141-046; 423-151-009; 423-151-011
- b. Direct the Clerk of the Board of Supervisors to publish Notice of Public Hearing for the Public Hearing to take place on December 10, 2019 at 1:30 P.M. to consider the eleven 2020 applications, including two (2) continued applications, to create eight (8) Farmland Security Zones (“FSZ”) and FSZ Contracts and establish three (3) Agricultural Preserves (“AgP”) and Land Conservation Contracts.

Approved

Addenda/Supplemental

50. Addendum

Added to Scheduled Matters at 10:30 A.M.

19.1 Consider adoption of a Temporary Eviction Control Urgency Ordinance enacting a temporary prohibition on no-fault evictions from residential real property through the effective date of Assembly Bill 1482, the Tenant Protection Act of 2019.

- 19.2 a. Receive a presentation on options for financing for building removal on the former Fort Ord and analysis of the proposed Fort Ord Reuse Authority bond issuance;
- b. Consider making a recommendation to Fort Ord Reuse Authority; and
- c. Provide direction to staff.

Supplemental

Revised Attachment C - Recommended Management Agreement

- 17. a. Receive a presentation summarizing the proposals received for management of Laguna Seca Recreation Area;
- b. Approve a management agreement from January 1, 2020 through December 31, 2023 between the County of Monterey and A&D Narigi Consulting, LLC for management services at Laguna Seca Recreation Area; and
- c. Authorize the Chair of the Board to execute the Agreement.