

# Monterey County

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



## Action Minutes - Draft

Tuesday, May 9, 2017

9:30 AM

Revised as of Friday, May 5, 2017 at 3:00 p.m.

Revised as of Thursday, May 4, 2017 at 11:30 a.m.

See separate agenda the Successor Agency to the Redevelopment  
Agency of Monterey County.  
**Board of Supervisors**

*Chair Mary L. Adams - District 5*

*Vice Chair Luis Alejo - District 1*

*Supervisor John M. Phillips - District 2*

*Supervisor Simon Salinas - District 3*

*Supervisor Jane Parker - District 4*

**9:30 A.M. - Called to Order**

The meeting was called to order by Chair Adams.

**Roll Call**

**Present:** 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

**Additions and Corrections for Closed Session:**

There were no additions or corrections to Closed Session.

**Public Comment on Closed Session Items**

Joe Vierra.

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:  
(1) Designated representatives: Irma Ramirez-Bough and Brette Neal  
Employee Organization(s): J, F, Q, V, X, Y and Z
  - b. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:  
(1) Keep Fort Ord Wild, et al. v. County of Monterey, et al. (Monterey County Superior Court case no. M114961)
  - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:  
(1) Jesse Hernandez, et al. v. County of Monterey, et al. (United States District Court case number CV-13-2354)

**CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a., b., or c.**

**10:30 A.M. - Reconvened****Roll Call**

*Present: Diego Celis, Interpreter*

Chair Adams left the dais at 11:00 a.m. and passed the gavel to Vice Chair Alejo.

**Present:** 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

### **Pledge of Allegiance**

The Pledge of Allegiance was led by Clerk of the Board Gail T. Borkowski. See Successor Agency meeting minutes.

### **Additions and Corrections**

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following correction:

**Correction to RMA Public Works and Facilities**

**21. For Attachments B and C the agreement date is corrected to read March 22, 2017.**

**Adopt a resolution to:**

**a. Certify that the Board of Supervisors has considered the previously certified Environmental Impact Report for the 2035 Metropolitan Transportation Plan/Sustainable Communities Strategy and Regional Transportation Plans for Monterey, San Benito, and Santa Cruz Counties;**

**b. Approve and Authorize the Chair to execute the Agreement Terminating Memorandum of Agreement Concerning the Realignment of the Multi Modal Corridor Transit on the Former Fort Ord; and**

**c. Approve and Authorize the Chair to execute the new Memorandum of Agreement Concerning the Realignment of the Multi Modal Corridor Transit on the Former Fort Ord.**

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to approve the correction to the agenda. ALL AYES**

### **Consent Calendar**

- 2.** Approval of Consent Calendar (See Supplemental Sheet)

**Supervisor Jane Parker pulled item 17.**

**Joe Vierra pulled item 22 and commented.**

**Supervisor Jane Parker expressed her concern that some departments are not reporting to the Equal Opportunity Commission. Interim Equal Opportunity Officer Juan Rodriguez responded.**

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to approve the Consent Calendar (See Supplemental Sheet). ALL AYES**

### **Ceremonial Resolutions**

- 3.** Adopt Resolution proclaiming the month of May as Maternal Mental Health Month in Monterey County. (Supervisor Parker)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor**

Mary L. Adams to adopt Resolution No. 17-125 proclaiming the month of May as Maternal Mental Health Month in Monterey County. (Supervisor Parker) ALL AYES

4. Adopt Resolution recognizing Meg Clovis, Cultural Affairs Manager, for her thirty-six years of service to the residents of Monterey County. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Mary L. Adams to adopt Resolution No. 17-126 recognizing Meg Clovis, Cultural Affairs Manager, for her thirty-six years of service to the residents of Monterey County. (Full Board) ALL AYES

### Other Board Matters

5. CAO Comments and Referrals

There were no CAO comments or referrals.

6. Board Comments

Supervisor Jane Parker noted that last Wednesday, she attended the Monterey Bay Joint Community Powers JPA meeting as the County's primary representative. She was thrilled to be part of launching this innovative, regional collaborative in electricity choices. Supervisor John M. Phillips attended as the County Alternate and Lew Bauman attended as the Policy Board Representative. Nick Chiulos and Dan Bertoldi performed a lot of the work leading up to this meeting and were also in attendance. It was exciting to see all three counties, and most of the cities were present in force. It was a very engaged group. She expects a vibrant and robust dialogue about issues and choices ahead. Supervisor Jane Parker noted it's refreshing to work with sister cities and counties to see what can be accomplished for the benefit of County residents.

Supervisor Luis Alejo expressed his support for TAMC's search for a replacement shelter. He advised the search continues to find a temporary shelter site after May 30th and a permanent shelter site after May 31st in Salinas. He'd like an update to be placed on the agenda next week. He advised he and his staff are looking at other models this coming Friday. They will be visiting shelters in San Francisco and Fresno's Village of Hope in an effort to see what lessons can be learned and what solutions can be found.

Supervisor Luis Alejo suggested a town hall meeting or special meeting of the Board, in conjunction with Congressman Panetta, would be timely given the recent vote regarding possible elimination of the Affordable Care Act (ACA). He advised this would be an opportunity to analyze impacts on healthcare in California and Monterey County, receive input from healthcare professionals, hospitals, clinics, as well as educate County constituents, seniors and people with pre-existing conditions. Up to 4 million people could lose healthcare in this state. He looks forward to a follow-up on this meeting.

7. General Public Comment

David Smiley; Steve Eklund; Sarafina Tomaselli; Joe Vierra and Hans Jongens.

**Chair Adams left the dais and passed the gavel to Vice Chair Alejo at 11:00 A.M.**

**10:30 A.M. - Scheduled Matters**

8. Conduct a Public Hearing to consider:
- a. Approving proposed amendments to the Citizen Participation Plan (CPP) to incorporate new U.S. Department of Housing and Urban Development (HUD) requirements to prepare an Assessment of Fair Housing (AFH), and to take comments on the draft Urban County Community Development Block Grant (CDBG) Annual Action Plan for Fiscal Year 2017-2018;
  - b. Authorizing the Director of Economic Development to submit the amended CPP to HUD as required;
  - c. Approving the Fiscal Year 2017-18 Annual Action Plan, containing recommendations for funding of projects and programs;
  - d. Authorizing the Director of Economic Development to submit the Fiscal Year 2017-18 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) and to execute documents required by HUD to implement the Fiscal Year 2017-18 Action Plan;
  - e. Approving a Subrecipient Agreement template, to be used to distribute Fiscal Year 2017-18 Urban County grants to approved projects and programs;
  - f. Authorizing the Director of Economic Development to execute completed Subrecipient Agreements based on the approved Subrecipient Agreement template with Urban County grantees, including making minor changes as necessary, subject to review and approval by County Counsel as to form and legality, to implement Urban County Fiscal Year 2017-18 projects and programs listed in the Annual Action Plan; and,
  - g. Approving an allocation of Urban County CDBG and program income funds for Fiscal Year 2017-18 of \$1,168,660.

**Public Hearing Held**

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to:**

- a. Approve proposed amendments to the Citizen Participation Plan (CPP) to incorporate new U.S. Department of Housing and Urban Development (HUD) requirements to prepare an Assessment of Fair Housing (AFH), and to take comments on the draft Urban County Community Development Block Grant (CDBG) Annual Action Plan for Fiscal Year 2017-2018;
- b. Authorize the Director of Economic Development to submit the amended CPP to HUD as required;
- c. Approving the Fiscal Year 2017-18 Annual Action Plan, containing recommendations for funding of projects and programs;
- d. Authorize the Director of Economic Development to submit the Fiscal Year 2017-18 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) and to execute documents required by HUD to implement the Fiscal Year 2017-18 Action Plan;
- e. Approve a Subrecipient Agreement template, to be used to distribute Fiscal

Year 2017-18 Urban County grants to approved projects and programs;  
 f. Authorize the Director of Economic Development to execute completed Subrecipient Agreements based on the approved Subrecipient Agreement template with Urban County grantees, including making minor changes as necessary, subject to review and approval by County Counsel as to form and legality, to implement Urban County Fiscal Year 2017-18 projects and programs listed in the Annual Action Plan; and,  
 g. Approve an allocation of Urban County CDBG and program income funds for Fiscal Year 2017-18 of \$1,168,660. 4-0 (Supervisor Adams Absent)

8.1

Receive update from and provide direction to the Administrative Office on plans for visitor access during construction of the Jail Housing Addition Project No. 8819 and status report of contract for independent review of the jail operational and staffing plan. (ADDITIONAL ATTACHMENT SUBMITTED VIA SUPPLEMENTAL AGENDA ON 5-4-17 AT 11:30 A.M.)

Public comment: Joe Vierra; Andreas Villa.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to receive an update from and provide direction to the Administrative Office on plans for visitor access during construction of the Jail Housing Addition Project No. 8819 and status report of contract for independent review of the jail operational and staffing plan; approved visitation plan during and after construction as outlined, with primary visitation to be face-to-face and video visitation to be optional or supplemental; any future costs for video visitation shall return to the Board for approval (current cost is \$.15 per minute under the three contract); and the contract for independent review will be delayed for 12-18 months and be revisited at that time. 4-0 (Supervisor Adams Absent)

**Adjourned**

**APPROVED:**

\_\_\_\_\_  
**MARY L. ADAMS, CHAIR  
 BOARD OF SUPERVISORS**

**ATTEST:**

**BY:** \_\_\_\_\_

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

**APPROVED ON** \_\_\_\_\_

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

9. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the agreement (A-13241) with Mission Linen Supply for linen processing services and scrub rental services per Request for Proposals (RFP) No. 9600-65 to extend the term for one (1) additional one (1) year period (July 1, 2017 through June 30, 2018), for a revised full agreement term of July 1, 2016 through June 30, 2018, plus three (3) additional one (1) year options to extend, and to add an additional \$680,000 for a revised total agreement amount of \$1,080,000.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) no-extension amendments, in which the aggregate does not exceed 10% (\$40,000) of the original agreement amount.

**Approved - Agreement No. A-13241**

10. Authorize the Chief Executive Officer of Natividad Medical Center (“NMC”) to execute the Third Amendment (“Amendment”) to the Blue Shield of California (“Blue Shield”) Fee for Service Hospital Agreement (“Agreement”), amending the reimbursement rates for NMC’s provision of health care services, extending the term for three additional years, effective May 15, 2017 through May 14, 2020, and subject to an automatic renewal clause for additional terms of one (1) year, unless earlier terminated as set forth in the Agreement. (CORRECTED VIA SUPPLEMENTAL AGENDA ON FRIDAY, MAY 5, 2017 AT 3:00 p.m.)

**Approved - Agreement No. A-13535**

**Criminal Justice**

11. Approve and authorize the Sheriff to process the retirement of two canines, Kilo and Spur, owned by Monterey County and to allow the canine handlers to purchase their assigned canine for the sum of \$1.00 each in accordance with the Memorandum of Understanding between the County of Monterey and the Deputy Sheriff’s Association.

**Approved**

12. a. Approve and authorize the Chief Probation Officer to sign Amendment No. 1 to Agreement No. A-13274 with Rancho Cielo, Incorporated in the amount of \$217,463, for a total contract amount of \$434,926, to continue to provide a job readiness and placement program for AB 109 Public Safety Realignment eligible clients, for the term from July 1, 2017 to June 30, 2018; and
- b. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten (10)

percent (\$21,746) of the original contract amount and do not significantly change the scope of work.

**Approved - Agreement No. A-13274**

### **General Government**

13. a. Approve and authorize the Agricultural Commissioner to sign a Memorandum of Understanding (MOU) with the Monterey County Fair, through the 7th District Ag Association (MCF) to provide support of agricultural education efforts in Monterey County not to exceed \$10,000, and;  
b. Authorize the Auditor-Controller to make payments in accordance with the terms of the MOU.

**Approved**

14. a. Approve and authorize the Agricultural Commissioner to sign a Memorandum of Understanding (MOU) with the Monterey County Agricultural Education, Inc. not to exceed \$50,000, to provide support of agricultural education efforts in Monterey County, and;  
b. Authorize the Auditor-Controller to make payments in accordance with the terms of the MOU.

**Approved - Agreement No. A-13528**

15. Adopt a Resolution approving the Office of Emergency Services' Strategic Plan.

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-127 approving the Office of Emergency Services' Strategic Plan. ALL AYES**

16. Adopt a resolution to extend the Proclamation of a Local Emergency dated January 12, 2017, ratified on January 19, 2017, and reviewed and extended on February 14, 2017, March 14, 2017, and April 11, 2017 in accordance with California Government Code section 8630 for a succession of significant winter storm events which occurred between January 4, and 12, 2017 that resulted in significant damage to public infrastructure and private property within Monterey County. (4/5ths vote required)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-130 to extend the Proclamation of a Local Emergency dated January 12, 2017, ratified on January 19, 2017, and reviewed and extended on February 14, 2017, March 14, 2017, and April 11, 2017 in accordance with California Government Code section 8630 for a succession of significant winter storm events which occurred between January 4, and 12, 2017 that resulted in significant damage to public infrastructure and private property within Monterey County. (4/5ths vote required) ALL AYES**



17. Receive the Equal Opportunity Advisory Commission's 2016 Annual Report.

**Approved**

18. Adopt a Resolution to:
- a. Authorize the Auditor-Controller to modify the FY 2016-17 Adopted Budget to cover expenses related to disaster and transition costs incurred in FY 2016-17 (4/5th vote required); and
  - b. Authorize the Auditor-Controller to release \$260,753 from the Disaster Assistance Assignment (3126) to fund reimbursable cost from fires, floods, and storms (4/5th vote required); and
  - c. Authorize the Auditor-Controller to increase appropriations by \$31,672 in the Board of Supervisors, Fund 001, Appropriation Unit BOA001, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and
  - d. Authorize the Auditor-Controller to increase appropriations by \$184,150 for the Office of Emergency Services, Fund 001, Appropriation Unit CAO005, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and
  - e. Authorize the Auditor-Controller to increase appropriations by \$25,496 for Contracts/Purchasing, Fund 001, Appropriation Unit CAO002, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and
  - f. Authorize the Auditor-Controller to increase appropriations by \$13,749 for Intergovernmental/Legislative Affairs, Fund 001, Appropriation Unit CAO004, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and
  - g. Authorize the Auditor-Controller to increase appropriations by \$2,803 for Budget & Analysis, Fund 001, Appropriation Unit CAO001, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and
  - h. Authorize the Auditor-Controller to increase appropriations by \$2,883 for Office of Community Engagement and Strategic Advocacy, Fund 001, Appropriation Unit CAO024, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and
  - i. Authorize the Auditor-Controller to increase appropriations by \$100,000 in the Board of Supervisors, Fund 001, Appropriation Unit BOA001, funded by the release of Compensated Absences Assignment (3115) (4/5th vote required).

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-131 to:**

- a. Authorize the Auditor-Controller to modify the FY 2016-17 Adopted Budget to cover expenses related to disaster and transition costs incurred in FY 2016-17 (4/5th vote required); and**
- b. Authorize the Auditor-Controller to release \$260,753 from the Disaster Assistance Assignment (3126) to fund reimbursable cost from fires, floods, and storms (4/5th vote required); and**
- c. Authorize the Auditor-Controller to increase appropriations by \$31,672 in the Board of Supervisors, Fund 001, Appropriation Unit BOA001, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and**

- d. Authorize the Auditor-Controller to increase appropriations by \$184,150 for the Office of Emergency Services, Fund 001, Appropriation Unit CAO005, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and
- e. Authorize the Auditor-Controller to increase appropriations by \$25,496 for Contracts/Purchasing, Fund 001, Appropriation Unit CAO002, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and
- f. Authorize the Auditor-Controller to increase appropriations by \$13,749 for Intergovernmental/Legislative Affairs, Fund 001, Appropriation Unit CAO004, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and
- g. Authorize the Auditor-Controller to increase appropriations by \$2,803 for Budget & Analysis, Fund 001, Appropriation Unit CAO001, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and
- h. Authorize the Auditor-Controller to increase appropriations by \$2,883 for Office of Community Engagement and Strategic Advocacy, Fund 001, Appropriation Unit CAO024, funded by the Disaster Assistance Assignment (3126) (4/5th vote required); and
- i. Authorize the Auditor-Controller to increase appropriations by \$100,000 in the Board of Supervisors, Fund 001, Appropriation Unit BOA001, funded by the release of Compensated Absences Assignment (3115) (4/5th vote required).
- ALL AYES**

### **RMA - Land Use**

19. a. Accept the Parcel Map for a minor subdivision to divide a 204.7 acre property into two lots totaling 129.7 acres and 75 acres in size;
- b. Direct the Clerk of the Board to submit the Parcel Map to the County Recorder for recording, subject to the collection of the applicable recording fees.
- (Parcel Map - PLN130904/Mike and Linda Stemler, 10265 Calle de Robles, Carmel Valley, Carmel Valley Master Plan)
- Approved**
20. Authorize the Chair to sign the letter of support for TAMC's Federal Lands Access Program (FLAP) grant proposal for the Fort Ord Regional Trail and Greenway Project.
- Approved**

### **RMA - Public Works and Facilities**

21. Adopt a resolution to:
- a. Certify that the Board of Supervisors has considered the previously certified Environmental Impact Report for the 2035 Metropolitan Transportation Plan/Sustainable Communities Strategy and Regional Transportation Plans for Monterey, San Benito, and Santa Cruz Counties;
- b. Approve and Authorize the Chair to execute the Agreement Terminating Memorandum of Agreement Concerning the Realignment of the Multi-Modal Corridor Transit on the Former Fort Ord; and
- c. Approve and Authorize the Chair to execute the new Memorandum of

Agreement Concerning the Realignment of the Multi-Modal Corridor Transit on the Former Fort Ord.

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-128 to:**

- a. Certify that the Board of Supervisors has considered the previously certified Environmental Impact Report for the 2035 Metropolitan Transportation Plan/Sustainable Communities Strategy and Regional Transportation Plans for Monterey, San Benito, and Santa Cruz Counties;**
- b. Approve and Authorize the Chair to execute the Agreement Terminating Memorandum of Agreement Concerning the Realignment of the Multi-Modal Corridor Transit on the Former Fort Ord; and**
- c. Approve and Authorize the Chair to execute the new Memorandum of Agreement Concerning the Realignment of the Multi-Modal Corridor Transit on the Former Fort Ord. ALL AYES**

**22.**

Adopt a Resolution to:

- a. Authorize the Resource Management Agency to submit five (5) grant applications totaling \$21,783,319 to the Federal Highway Administration, Office of Federal Lands Highway (FLH) for Federal Lands Access Program funds as part of the 2017 Call For Projects; and
- b. Authorize the Resource Management Agency Director, or the RMA Interim Deputy Director of Public Works and Facilities to certify that the County will provide maintenance for each project facility for the life of the facility or 20 years, whichever is greater; and
- c. Authorize the Resource Management Agency Director, or the RMA Interim Deputy Director of Public Works and Facilities to enter into Reimbursable Agreements (RA) for \$10,000 per project with the Federal Highway Administration, Office of Federal Lands Highway (FLH), up to five (5) projects (\$50,000); and
- d. Authorize the Resource Management Agency Director, or the RMA Deputy Director of Public Works and Facilities to act as the agent for the County to accept, administer and execute documents to secure any resulting award from the FLH, execute amendments to any resulting award agreements and to sign and execute invoices on behalf of the County of Monterey.

**Public comment: Joe Vierra.**

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-129 to:**

- a. Authorize the Resource Management Agency to submit five (5) grant applications totaling \$21,783,319 to the Federal Highway Administration, Office of Federal Lands Highway (FLH) for Federal Lands Access Program funds as part of the 2017 Call For Projects; and**
- b. Authorize the Resource Management Agency Director, or the RMA Interim Deputy Director of Public Works and Facilities to certify that the County will provide maintenance for each project facility for the life of the facility or 20 years, whichever is greater; and**
- c. Authorize the Resource Management Agency Director, or the RMA Interim Deputy Director of Public Works and Facilities to enter into Reimbursable Agreements (RA) for \$10,000 per project with the Federal Highway Administration, Office of Federal Lands Highway (FLH), up to five (5) projects**

(\$50,000); and

d. Authorize the Resource Management Agency Director, or the RMA Deputy Director of Public Works and Facilities to act as the agent for the County to accept, administer and execute documents to secure any resulting award from the FLH, execute amendments to any resulting award agreements and to sign and execute invoices on behalf of the County of Monterey. **ALL AYES**