

# **County of Monterey**

*Government Center - Board Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901*



## **Meeting Minutes - Final**

**Tuesday, September 20, 2022**

**9:00 AM**

### **Board of Supervisors**

*Chair Supervisor Mary L. Adams - District 5  
Vice Chair Supervisor Luis A. Alejo - District 1  
Supervisor John M. Phillips - District 2  
Supervisor Chris Lopez - District 3  
Supervisor Wendy Root Askew - District 4*

**9:00 A.M. - Called to Order**

The meeting was called to order by Chair Supervisor Mary L. Adams.

**Roll Called**

Present: 5 - Supervisor Mary L. Adams, Supervisor Wendy Root Askew and Supervisor John M. Phillips appeared in person, and Supervisor Chris Lopez and Supervisor Luis A. Alejo, appeared via video conference

**Staff Present**

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

**Additions and Corrections for Closed Session by County Counsel**

There were no additions or corrections to closed session.

**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 provide direction to negotiators:
    - (1) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado  
Employee Organization(s): All Units
    - (2) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado  
Employee Organization(s): Units R, S and X
    - (3) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado  
Employee Organization(s): Units F, H, J, K, R, S and X
    - (4) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado  
Employee Organization(s): Units F and J
    - (5) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado  
Employee Organization(s): Units F, H, J, K, R, S, X, Z, ZX and U
  - b. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) Rosa Quintero (Workers' Compensation Appeals Board No. ADJ11048989)
    - (2) Rosa Quintero (Workers' Compensation Appeals Board No. ADJ11048990)
    - (3) Rosa Quintero (Workers' Compensation Appeals Board No. ADJ7928315)
    - (4) *Nacimiento Regional Water Management Advisory Committee v. Monterey County Water Resources Agency, et al.* (San Luis Obispo County Superior Court Case No. 19CVP-0010)
    - (5) *SEIU Local 521 v. County of Monterey, et al.* (State of California Public Employment Relations Board Case No. SF-CE-1961-M)
  - c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel

regarding one matter of significant exposure to litigation.

d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

#### **Public Comments for Closed Session**

Open for public comments; Bill Lipe, in person, commented.

#### **The Board Recessed for Closed Session Agenda Items**

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

#### **Roll Called**

Present: 4 - Supervisor Mary L. Adams and Supervisor Wendy Root Askew, appeared in person, and Supervisor Chris Lopez and Supervisor Luis A. Alejo, appeared via video conference

Absent: 1 - Supervisor John M. Phillips

#### **Staff Present**

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

#### **Announcement of Interpreter**

Diego Celis, Spanish Interpreter present and announced Spanish interpreter services.

#### **Pledge of Allegiance**

The Pledge of Allegiance led by Angie Ortega, Director of Parents of Murder Victims.

#### **Additions and Corrections by Clerk**

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 addition and correction.

The following was recited into the record:

Correction to Item No. 19 under Criminal Justice Consent Calendar:

Due to technical inadvertence Attachment A and the Resolution did not publish with the agenda, however, are now published.

#### **Ceremonial Resolutions**

Open for public comments; no public comments made.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Luis A. Alejo to adopt

**Ceremonial Resolutions 2 through 4.****Roll call vote taken pursuant to Government Code 54953:****Supervisor Alejo: AYE****Supervisor Phillips: Absent****Supervisor Lopez: AYE****Supervisor Root Askew: AYE****Chair Supervisor Adams: AYE**

2. Adopt a resolution Designating National Day of Remembrance for Murder Victims on September 25th, 2022 in Monterey County. (Supervisor Adams)

**Adopted Resolution No. 22-358**

3. Adopt a resolution in honor and recognition of Judge Robert O'Farrell for his dedicated service to the County of Monterey. (Supervisor Adams)

**Adopted Resolution No. 22-357**

4. Adopt a resolution Commending Sergeant Erika Gabriela Barrera upon her retirement from thirty-two years of public service with the Monterey County Sheriff's Office. (Supervisor Adams)

**Adopted Resolution No. 22-356****Approval of Consent Calendar – (See Supplemental Sheet)**

5. See Supplemental Sheet

**Open for public comments; no public comments made.****A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Mary L. Adams to approve Consent Calendar Item Numbers 12 through 27.****Roll call vote taken pursuant to Government Code 54953:****Supervisor Alejo: AYE****Supervisor Phillips: Absent****Supervisor Lopez: AYE****Supervisor Root Askew: AYE****Chair Supervisor Adams: AYE****General Public Comments**

6. General Public Comments

**Open for general public comments for items not on today's agenda; Robert Vandersize, in person, commented.****Scheduled Matters**

7. Adopt Resolution to:  
Confirm the appointment of Mr. Douglas Southard as Interim Deputy Director of Social Services.

Lori Medina, Director of Social Services, in person, verbally presented.

Open for public comments; no public comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Chris Lopez to: Adopt Resolution No. 22-359 confirming the appointment of Mr. Douglas Southard as Interim Deputy Director of Social Services.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: Absent

Supervisor Lopez: AYE

Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

Supervisor John M. Phillips was present for Closed Session during the lunch hour

**12:00 P.M. - Recessed to Lunch back into Closed Session**

**1:30 P.M. - Reconvened**

**Roll Called**

Present: 5 - Supervisor Mary L. Adams, Supervisor Wendy Root Askew and Supervisor John M. Phillips appeared in person, and Supervisor Chris Lopez and Supervisor Luis A. Alejo, appeared via video conference

**Staff Present**

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

**Announcement of Interpreter**

Diego Celis, Spanish Interpreter present and announced Spanish interpreter services.

**Scheduled Matters**

8. Hold a regional water forum to provide an overview of current efforts regarding water management and sustainability, and to initiate a comprehensive discussion on regional water supplies and solutions in northern Monterey County.

Brent Buche, Monterey County Water Resources Agency and Donna Meyers, Salinas Valley Basin Groundwater Sustainability Agenda, both in person, presented via PowerPoint presentation.

State Federal Legislative Perspectives and Resources, in person, made comments:

- Congressman Panetta represented by District Director Susie Brusa
- Senator John Laird
- Senator Anna Caballero represented by District Director Anna Velazquez; and

- Assemblymember Robert Rivas

Water Agency and Regulated Utility, in person and via Zoom, provide perspectives:

- Monterey County Water Resources Agency – Brent Buche in person
- Salinas Valley Groundwater Sustainability Agency – Donna Meyers in person
- Monterey One Water – Paul Sciuto in person
- Marina Coast Water District/MCWD Groundwater Sustainability Agency – Rem Scherzinger in person
- Monterey Peninsula Water Management District – Dave Stoldt via Zoom
- Castroville Community Services District – Eric Tynan in person
- Seaside Groundwater Sustainability Agency – Paul Bruno via Zoom
- Arroyo Seco Groundwater Sustainability Agency – Curtis Weeks in person
- California Water Service – Brenda Granillo for Ken Jenkins, Chief Water Resource Sustainability Officer via Zoom
- California American Water – Chris Cook in person; and
- Alco Water Service – Tom Adcock via Zoom

Open for public comments; Norm Groot, Christopher Bunn, John Tilley, Adam Pinterits, Marc Del Piero, Geroqe Riley, Christine Saling, Marla Anderson, Jon McPherson, and Jan Schiener, all in person, and Kathy Biala, Melodie Chrislock, Kevin Dayton, Margaret Ann Carbonel, Douglas Deitch, Liesbeth Visscher, Glenn Church, Brian Lockwood, Brian McCarthy, and Susan Schiavine, via Zoom, commented.

Board of Supervisors comments:

- District 1 - Supervisor Luis A. Alejo via Zoom
- District 2 - Supervisor John M. Phillips in person
- District 3 - Supervisor Chris Lopez via Zoom
- District 4 - Supervisor Wendy Root Askew in person; and
- District 5 - Supervisor Mary L. Adams in person

Upon consensus the Board:

Held a regional water forum to provide an overview of current efforts regarding water management and sustainability, and to initiate a comprehensive discussion on regional water supplies and solutions in northern Monterey County.

### **Other Board Matters**

#### **County Administrative Officer Comments**

#### **9. County Administrative Officer Comments**

Charles McKee, County Administrative Officer comments can be heard by clicking the following link:

[http://monterey.granicus.com/EditFile.php?clip\\_id=4645](http://monterey.granicus.com/EditFile.php?clip_id=4645)

#### **New Referrals**

#### **10. New Referrals**

Charles McKee, County Administrative Officer shared there is one new referral this week:

Referral No. 2022.19

Submitted By: Supervisor Lopez District #: 3

Referral Title: Joining Chamber of Commerce in Our Community

Referral Purpose: Determine the possibility of the County of Monterey joining the Salinas Valley, Monterey Peninsula, and King City Chambers of Commerce.

Open for public comments; no public comments made.

#### Board Comments

#### 11. Board Comments

Board Comments can be heard by clicking the following link:

[http://monterey.granicus.com/EditFile.php?clip\\_id=4645](http://monterey.granicus.com/EditFile.php?clip_id=4645)

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

Les Girard, County Counsel shared the Board of Supervisors authorized staff to apply for programs adopted with recent legislation under the California Department of Health Care Services to provide state funded stabilization bonuses to eligible hospital and clinic employees.

#### Adjourned

The meeting was adjourned at 4:56 p.m. by Chair Supervisor Mary L. Adams.

APPROVED:

\_\_\_\_/s/ Mary L. Adams\_\_\_\_\_  
MARY L. ADAMS, CHAIR

ATTEST:

BY: \_\_\_\_/s/ Valerie Ralph\_\_\_\_\_

VALERIE RALPH

CLERK OF THE BOARD

APPROVED ON: September 27, 2022

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

12. Adopt Resolution to:
- a. Amend the Natividad FY 2022-23 Adopted Budget Unit 9600-8142 - Fund 451 - Appropriation Unit NMC001 to add one (1.0) FTE allocation of Health Education Assistant as indicated in Attachment A;
  - b. Authorize the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2022-23 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM System.

**Adopted**

13. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute an agreement with UKG Inc. for human resources, payroll, and workforce management software and support services at NMC for an amount not to exceed \$1,991,920 with an agreement term of October 1, 2022 through September 30, 2027.
- b. Authorize the Chief Executive Officer for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$199,192) of the original cost of the agreement.
- c. Approve the NMC Chief Executive Officer's recommendation to accept non-standard indemnification, insurance, limitations on liability, and limitations on damages provisions within the agreement.

**Approved****Health Department**

14. a. Authorize the Director of Health or Assistant Director of Health to execute an Agreement between the County of Monterey and the University Corporation at Monterey Bay (CSUMB) for the term September 26, 2022 to May 30, 2023 in the amount not to exceed \$49,999 to conduct the grant's evaluation and implement the reduction of COVID-19's disparate impact on vulnerable residents and advance health equity; and
- b. Approve the recommendation of Director of Health to accept all non-standard provisions in Agreement, including indemnification; and
- c. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the total amendments do not exceed ten percent (10%) (\$4,999) of the original contract amount and do not significantly change the scope of work.

**Approved**

15. a. Approve and Authorize the Director of Health or the Assistant Director of Health to execute a Facilities Agreement between the County of Monterey and Rentokil North America, Inc. DBA Western Exterminator Co. for a retroactive term of May 10, 2022 to July 31, 2024 for the provision of



monthly extermination and exclusion services within the designated HVAC Cage units at 299 12th St., Marina, Ca. 93933 in the amount of \$18,241 for Fiscal Years (FY) FY 2022-23 FY 2023-24, for a total Agreement amount not to exceed \$18,241; and

b. Authorize the Director of Health or the Assistant Director of Health to sign up to two (3) future amendments to this Agreement where the total amendments do not exceed ten percent (10%) (\$1,824) of the original contract amount and do not significantly change the scope of work.

**Approved**

16. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Renewal and Amendment No. 5 to Mental Health Services Agreement A-14355 with Seneca Family of Agencies dba Kinship Center for the provision of mental health services, retroactive to July 1, 2022, to extend the term for one (1) additional fiscal year and add \$5,949,702 of additional services, for a revised total Agreement amount not to exceed \$19,274,021 for a new term of July 1, 2019 through June 30, 2023; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to one (1) future amendment that does not exceed ten percent (10%) (\$1,927,402) of the revised Agreement amount and does not significantly change the scope of work.

**Approved**

17. a. Approve and authorize the Contracts/Purchasing Officer or designee to execute Amendment No. 5 with Bayside Oil II, Inc., amending Exhibit B to reflect changes to Collection Centers for used oil and filter collection, hauling, and recycling; and
- b. Authorize changes to Exhibit B as needed specific to Collection Center additions or deletions.

**Approved**

#### **Department of Social Services**

18. Approve and authorize the Director or Assistant Director of the Department of Social Services to sign a funding Agreement with the California Department of Aging in the amount of \$973,557 for services to seniors retroactive to July 1, 2022, for the term of July 1, 2022 through December 31, 2024, and to sign any and all amendments to the Agreement.

**Approved**

#### **Criminal Justice**

19. a. Adopt Resolution to amend Probation Department's (2550-8164-PRO001) Adopted Budget to reallocate one (1) vacant Laundry Worker I position to one (1) Building Maintenance Worker position as indicated in Attachment A; and
- b. Direct the County Administrative Office and Auditor-Controller to incorporate approved position changes in the FY2022-2023 Adopted Budget.

**Adopted****General Government**

- 20.** a. Approve and authorize the Chief Information Officer to sign a non-standard Radio Site Lease Agreement with the Heartland Mark, LLC - Pinball Site commencing September 20, 2022, and automatically self-renew each year on August 31 of that fiscal year unless amended and/or increasing annually based on the Cost-of-Living Adjustment (COLA) index; and
- b. Accept non-standard provisions as recommended by the Chief Information Officer; and
- c. Authorize the Chief Information Officer or designee to execute up to two (2) future amendments, subject to County Counsel review, provided the amendments do not significantly change the scope of work and do not alter the non-standard terms of the Radio Site Lease Agreement.

**Approved**

- 21.** a. Approve and authorize the Chief Information Officer to execute a non-standard Service Agreement with Gartner, Inc., for the period of October 1, 2022, through September 30, 2025, for the provision of information technology advisory services in an amount not to exceed \$642,242; and
- b. Accept non-standard provisions in the Service Agreement as recommended by the Chief Information Officer; and
- c. Authorize the Chief Information Officer, or his designee, to execute order forms and such documents as are necessary to implement the Agreement; and
- d. Authorize the Chief Information Officer, or his designee, to execute up to two (2) future amendments, subject to County Counsel review, to extend services by one (1) year per amendment and to allow for ten percent (10%) annual increase per year provided the amendments do not significantly change the terms of the Agreement, including non-standard terms approved by the Board.

**Approved**

- 22.** Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A to adjust the base wage salary ranges of the Communications Dispatcher I/II, Emergency Communications Shift Supervisor, and Emergency Communications Operations Supervisor classifications as indicated in Attachment A;
- b. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

**Adopted**

- 23.** Adopt Resolution to:
- a. Amend the Personnel Policies and Practices Resolution No. 98-394 to modify Section A.9.1.2 Standby to add the Cardiac Sonographer Per Diem classification to the list of classifications in the Diagnostic Imaging Department who receive standby pay; and
- b. Authorize the Human Resources Department and Auditor Controller's Office to implement the changes.

**Adopted**

- 24.** Approve the Board of Supervisors of the Monterey County Draft Action Meeting Minutes for the following meeting date: Tuesday, September 13, 2022.

**Approved**

- 24.1** Approve an amendment to the South Salinas Valley Broadband Authority Joint Powers Agreement to facilitate the Authority's ability to execute a contract with the Golden State Connect Authority.  
ADDED VIA ADDENDA

**Approved****Public Works, Facilities and Parks**

- 25.** Approve and authorize the Monterey County Laguna Seca Representative to:
- a. Execute Amendment No. 1 to the Standard Agreement with Star Sanitation, LLC to continue to provide fence rental and services for WeatherTech® Raceway at Laguna Seca, Request for Proposals #10715, to update the provisions and increase the not-to-exceed Agreement amount by \$85,000, for a total amount not to exceed of \$185,000, with no change to the term of March 28, 2019 through March 27, 2024; and
  - b. Execute future amendments to the Agreement where the total amendments do not exceed ten percent (10%), or \$18,500, of the total agreement amount and do not significantly alter the scope of work, subject to County Counsel approval.

**Approved**

- 26.** Approve and Authorize the Public Works, Facilities, and Parks Director to execute an Agreement for a Temporary Construction Easement between the County of Monterey and Melanie S. Wong, Successor Trustee of the William H. Wong and Ruth J. Wong Trust and Lancelot L. Dong, Co-Manager of Dong Family Enterprises, LLC, doing business as Sanborn Medical Center, Property Owner(s) at 323 N. Sanborn, California, also referenced as Assessor's Parcel Number 004-601-027, for a Temporary Construction Easement for the construction of the 331 Sanborn Alisal Integrated Health Center, Project No. 1701.

**Approved**

- 27.** Adopt a Resolution to:
- a. Amend the Public Works, Facilities and Parks Department (PWFP) Fund 002, Budget Unit 8558 - Appropriation Unit PFP004 to reallocate one (1) Civil Engineer to one (1) Capital Improvement Manager as indicated in Attachment A;
  - b. Amend the Public Works, Facilities and Parks Department (PWFP) Fund 002, Budget Unit 8558 - Appropriation Unit PFP004 to reallocate one (1) Assistant Engineer to one (1) Engineering Technician as indicated in Attachment A; and
  - c. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved

position changes in the Fiscal Year (FY) 2022-23 Adopted Budget.

**Adopted**

**Please refer to the Board Orders for the approved and adopted Agreement, Resolution and Ordinance numbers.**

**ADDENDA**

**28. Addenda/Supplemental**

**Attachment Added**

**24.** Approve the Board of Supervisors of the Monterey County Draft Action Meeting Minutes for the following meeting date: Tuesday, September 13, 2022.

**Added Under General Government - Consent**

**24.1.** Approve an amendment to the South Salinas Valley Broadband Authority Joint Powers Agreement to facilitate the Authority's ability to execute a contract with the Golden State Connect Authority.