

Monterey County

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



Action Minutes - Draft

Tuesday, April 9, 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: 4 - Supervisor Mary L. Adams, Supervisor Luis A. Alejo, Supervisor John M. Phillips and Supervisor Jane Parker

Absent: 1 - Supervisor Chris Lopez

Staff Present

Dr. Lew Bauman, County Administrative Officer, Charles McKee, 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.'s 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 54956.8, the Board will confer with real property negotiators:
 - (1) Property: Fort Ord Landfill Parcels and Landfill Buffer Parcels, APNS 031-101-039, 031-101-040, 031-101-41, 031-101-042, 031-101-056, 031-101-057, 031-101-058, 031-161-041, 031-161-058, and Army owned Parcel E8a.2 (No APN)
Agency Negotiator(s): Carl Holm, Resource Management Agency Director
Negotiating Parties: City of Marina
Under negotiation: Price and terms
 - b. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Mauck, Steven v. County of Monterey, et al. (United States District Court case number 18-CV-04482)
 - (2) County of Monterey v. Blue Cross of California dba Anthem Blue Cross, et al., No. 5:17CV04260(LHK) (N.D. Cal. July 27, 2017)
 - (3) County of Monterey v. California Employees Retirement System dba CALPERS, et al., Monterey County Superior Court case no. 17CV002800
 - (4) Salinas Valley Water Coalition v. Monterey County Water Resources Agency, et al., (Monterey County Superior Court case no. 17-CV-000157) (ADDED VIA ADDENDDUM)

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 provide a performance evaluation for the Public Defender.

Public Comment

Open for public comment; no public comment made.

The Board Recessed for Closed Session Agenda Items at 9:02 a.m.

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

Roll Called

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

Supervisor Lopez arrived at the start of closed session.

Staff Present

Dr. Lew Bauman, County Administrative Officer, Charles McKee, County Counsel, and Valerie Ralph, Clerk of the Board

Announcement of the Interpreter

Maria Del Toro, Spanish Interpreter present and announced Spanish interpreter services.

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Jane Parker.

Additions and Corrections by Clerk

There were no additions and corrections to the agenda.

Other Board Matters

- 2. Board Comments

There were no board comments made.
- 3. CAO Comments and Referrals

There were no CAO comments and referrals.

4. General Public Comment

Open for general public comments for items no on today's agenda; Sean Edwards, Steve Eklund, Deborah Kelly, Marvin Henderson and a woman in a white button down shirt with a navy blue sweater (no name provided) commented.

Budget Workshop

5. County Administrative Officer Opening Statement.

Dr. Lew Bauman, County Administrator Officer made opening statements.

6. Receive the FY 2019-20 Board of Supervisors' Budget Workshop Presentation.

Dewayne Woods, Assistant County Administrative Officer and Paul Lewis, Budget Director from the Budget & Analysis Division presented via PowerPoint on the Budget Workshop.

Cannabis Program

Nick Chiulos, Assistant County Administrative Officer from the Intergovernmental Affairs, Employee and Community Relations Department presented via PowerPoint on the Cannabis Program.

DEPARTMENTAL BUDGET PRESENTATIONS

Finance & Administration Services

7. a. Assessor-County Clerk-Recorder
b. Auditor-Controller
c. County Administrative Office - IGLA

a. Assessor-County Clerk-Recorder

Steve Vagnini, Assessor-County Clerk-Recorder from the Assessor's Office presented via overhead regarding Property Tax Revenue.

b. Auditor-Controller

Rupa Shah, Auditor-Controller from the Auditor-Controller's Office presented via PowerPoint.

c. County Administrative Office - IGLA

Nick Chiulos, Assistant County Administrator Officer from the Intergovernmental Affairs, Employee and Community Relations Department presented via PowerPoint.

Public Safety/Criminal Justice

- 8. d. Sheriff-Coroner
- e. District Attorney
- f. Public Defender

- d. Sheriff-Coroner

Undersheirff John Mineau, from the Sheriff's Office presented via PowerPoint presentation.

- e. District Attorney

Jeannine Pacioni, District Attorney from the District Attorney's Office presented via PowerPoint presentation.

- f. Public Defender

Department to be heard after the lunch recess.

12:00 P.M. - Recessed to Lunch at 12:09 p.m. - Closed Session (Cont'd.)

1:09 P.M. Reconvened

Roll Called

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

Staff Present

Dr. Lew Bauman, County Administrative Officer, Charles McKee, County Counsel and Valerie Ralph, Clerk of the Board

Announcement of the Interpreter

Maria Del Toro, Spanish Interpreter present and announced Spanish interpreter services.

Public Comment

Sid Williams on Military and Veterans Affairs; Francine Rodd spoke on Bright Beginnings for herself and on behalf of Sonja Koehlr; Laurie Ramirez on early childhood; Julie Altman on maternal depression; Kelly McMillin on cannabis; Jill Allen on Dorothy's Place; Shelia Rose on Prundale Senior Center; Cesar Lara on Building Healthy Communities for racial equities, safety and health; Alexis Magdaleno on community needs and wants, early education and health needs; Katy Castagna for United Way on early education preschool and health needs for children; Eric Peterson on mental health; Cathy Rivera on sustainability for Monterey County; Jack Herbig for Esperanza Care and COPA; Rosalyn Green for Building Healthy Communities and Village Project; Tom

Ward for community sustainability coordinator; Norma Varrillas-Hernandez for early childhood needs assisted by Maria Del Toro, Spanish Interpreter; Maria Ambriz for Esperanza Care.

DEPARTMENTAL BUDGET PRESENTATIONS (CONTD.)

Public Safety/Criminal Justice continued

f. Public Defender

Susan Chapman, Public Defender from the Public Defender’s Office presented.

Land Use & Environment

9. g. Resource Management Agency

Carl Holm, Director of Resource Management Agency from Resource Management Agency presented via PowerPoint.

Health & Human Services

10. h. Health Department

i. Social Services

j. Military & Veterans Affairs

h. Health Department

Elsa Jimenez, Director of Health Services from the Health Department presented via PowerPoint.

i. Social Services

Henry Espinosa, Acting Director for Social Services from the Social Services Department presented via PowerPoint.

j. Military & Veterans Affairs

James Cameron, Military & Veterans Affairs Officer from the Military and Veterans Affairs Office presented via PowerPoint.

Board Discussion and Direction

Supervisor Jane Parker thanked the departments for their presentations and noted the other departments that also have interest and needs that did not present then recapped the following:

Assessor’s Office: Maintain at \$285,000

Auditor’s Office: Payroll position \$100,000

IGLA: Maintain membership & other increases between \$50,000 - \$100,000

MCSO: Maintain \$6,000,000

Just a start to keep departments whole;

District Attorney’s Office: Attorney positions and trial expenses \$425,000 -

\$450,000

Public Defenders' Office: Three (3) positions and trial expenses \$825,000
Resource Management Agency: Two (2) positions \$200,000 and variety of other compelling requests (i.e. CSD's to be in a better position, the Ground Water study)
Social Services: Critical to our County
Military & Veterans Affairs: Critical to our County
Public requests: Early education; health; sustainability coordinator 50% for Go Green Program and 50% for Resource Management Agency (RMA); racial equity = approximately \$670,000

Provided the following directions to take:

Human Resources: Eliminated the Learning and Organizational Development program for training purposes to start to build this back up for organizational effectiveness;
Resource Management Agency need to be more vocal throughout the year on their needs;
General Plan policies get those completed before we need to do them again;
Suggested to have an outside person do interviews on those that have left the Planning Department over the last 4 or 5 years to do a survey as to why they left to be proactive on addressing the issues;
Review of the vacation accrual cap to come up with a standard and ask the X and Y Units to step up in this area and adopt the standard to lead the way; and
Review of the Transient Occupancy Tax (TOT) and how the \$1.3 million is being used

Supervisor Luis A. Alejo reiterated we still have a challenging budget and to continue to be mindful of our reserves and the potential recession to come; he also brought forth there are many other departments besides the one that presented that also have needs to be looked at and to proceed cautiously (i.e. all the water projects); he reminded all about the request from Salinas Valley Hartnell Promise and about the Soccer Complex needs sharing the City of Salinas has set aside \$250,000 and will use that towards the Soccer Complex if the County is willing to match that as this project has been out there since last Fall. He thanked all the departments for their presentations.

Supervisor Mary L. Adams thanked the Budget Division for all their hard work with the budget and reflected that the budget is a reflection of who we are as a County with continued needs of transparency and advances in racial equity; the need to receive a return on our investments upfront; to focus on early childhood programs as a forward thinking process, leveraging programs that bring in money to the County and affordable housing; she mentioned the need to keep the promise to the public on transparency with the cannabis funding and to keep the public's feedback in mind on how to use that money.

Supervisor Chris Lopez also stated the TOT is/was to offset impacts to the community as well as the cannabis monies; he sees the impacts on the roads; he wants focus on investing early and often; we need to invest early in early childhood and strong; with the Soccer Complex the community would see the immediate impacts; he agreed with keeping the transparency for the community on how the cannabis monies are being spent as he looks at it through an equity lens; he mentioned the needs for the lake funds as this is a way the community spends their recreation time on holidays and weekends;

invest in assets we own which will make a difference in our communities. He understands these challenges are real; however, keep the transparency there and let the community know we have been listening to them.

Supervisor John M. Phillips commented on the Soccer Complex with mentioning the need of the park in Los Lomas that has been asked for some time now by the constituents in that area; he supported the Prunedale Senior Center, that the Assessor remain whole as well as the Auditors' Office but at this time don't expand on the audit division; he agreed with some of the County Administrative Office's request for augments; with the Monterey County Sheriff's Office he stated we do not have a choice as we have to run the jail and we need money to do so; the Public Defender and District Attorney's Office keeping them as status quo with RMA contract out more and we need the budget for that; the Health Department he agrees with all of those discussions especially with early childhood education which can be funded through cannabis and he thinks there is some real need in the conservator guardian area with the courts being concerned in this area and we don't have a choice with the wage increase with IHSS; he thinks the TOT formula should be re-evaluated so we can see how the money is being distributed.

Further dicussions are had on the review of the TOT and cannabis funds by Supervisor Mary L. Adams, Supervisor John M. Phillips and Supervisor Chris Lopez.

Supervisor John M. Phillips thanked everyone for their efforts.

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 54956.8, the Board will confer with real property negotiators:

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Agency Negotiator(s): Carl Holm, Resource Management Agency Director
Negotiating Parties: City of Marina
Under negotiation: Price and terms

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

b. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

(1) Mauck, Steven v. County of Monterey, et al. (United States District Court case number 18-CV-04482)
(2) County of Monterey v. Blue Cross of California dba Anthem Blue Cross, et al., No. 5:17CV04260(LHK) (N.D. Cal. July 27, 2017)
(3) County of Monterey v. California Employees Retirement System dba CALPERS, et al., Monterey County Superior Court case no. 17CV002800
(4) Salinas Valley Water Coalition v. Monterey County Water Resources

Agency, et al., (Monterey County Superior Court case no. 17-CV-000157) (ADDED VIA ADDENDDUM)

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.b.(1)(2)(3)(4)

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.

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

d. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Public Defender.

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

Adjourned

The meeting was adjourned at 4:04 p.m. by Chair Supervisor John M. Phillips.

APPROVED:

**JOHN M. PHILLIPS, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: _____

**VALERIE RALPH
CLERK OF THE BOARD**

APPROVED ON _____

Addendum/Supplemental

11.

ADDENDUM

Added to Closed Session

1. (4) Salinas Valley Water Coalition v. Monterey County Water Resources Agency, et al., (Monterey County Superior Court case no. 17-CV-000157)