

Monterey County

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



Action Minutes - Final

Tuesday, November 5, 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(1).

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) Anna Bachtel (Worker’s Compensation Appeals Board case no. ADJ8209573)
 - (2) Anna Bachtel (Worker’s Compensation Appeals Board case no. ADJ10992090)
 - (3) Anna Bachtel (Worker’s Compensation Appeals Board case no. ADJ10638351)
 - (4) Anna Bachtel (Worker’s Compensation Appeals Board case no. ADJ10851465)
 - (5) Kenneth Stanley Anderson (Worker’s Compensation Appeals Board case no. ADJ10598196)
 - (6) Nathaniel DiMaggio (Worker’s Compensation Appeals Board case no. ADJ10319479)
 - (7) Nathaniel DiMaggio (Worker’s Compensation Appeals Board case no. ADJ11693861)
 - (8) Jessica Munoz (Worker’s Compensation Appeals Board case no. ADJ11063386)
 - (9) Eriberto Jauregui v. County of Monterey, et al. (Monterey County Superior Court case no. 19CV000443)
 - (10) Salinas Valley Water Coalition v. Monterey County Water Resources Agency, et al. (Monterey County Superior Court case no. 17CV000157)

- (11) County of Monterey, et al. v. Amerisourcebergen Drug Corp., et al. (U.S. District Court case no. 7:18CV02693DAP)
- (12) Baldwin County, AL, et al. v. Richard S. Sackler, et al. (U.S. District Court case no. 1:19-CV02421-VM)
- (13) Robin McManaman v. County of Monterey, et al. (Monterey County Superior Court case no. 18CV002822)
- (14) James Collins v. County of Monterey, et al. (U.S. District Court case no. 19CV01214NC)

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

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 54957.6, the Board will provide direction to negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Kim Moore
Employee Organization(s): All Units

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 Chair Supervisor John M. Phillips.

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 under the Appointments for Item Numbers 24, 26 and 26.2 which should reflect the appointments were submitted by Supervisor Chris Lopez' district and are not full board appointments.

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. 39 through 77.

Open for public comment; no public comments made.

Supervisor Mary L. Adams had questions on Item No.'s 56 and 61 and stated a thank you for Item No. 70; staff not present to respond to Item No.'s 56 and 61; therefore, these items are trailed.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Jane Parker to approve Consent Calendar Item No.'s 39 – 77 excluding Item No. 56; Item No. 61 can be included in this vote. ALL AYES

Now, at a later time (11:47 a.m.) Item No. 56 is addressed and responded to by Charles McKee, County Administrative Officer.

A motion is made by Supervisor Chris Lopez, seconded by Supervisor Luis A. Alejo to approve Item No. 56.
ALL AYES

Ceremonial Resolutions

Open for public comment; no public comments made.

- 3. Adopt Resolution commending Detective Sergeant Daniel Karamitis upon his retirement from twenty-five years of public service with the Monterey County Sheriff's Office. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-362 commending Detective Sergeant Daniel Karamitis upon his retirement from twenty-five years of public service with the Monterey County Sheriff's Office. (Full Board) ALL AYES

- 4. Adopt Resolution honoring Buck Jones as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-359 honoring Buck Jones as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the

Year” for 2019. (Full Board) ALL AYES

5. Adopt Resolution honoring Dan Clay as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2019. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-361 honoring Dan Clay as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2019. (Full Board) ALL AYES
6. Adopt Resolution honoring Elizabeth Snyder as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2019. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-363 honoring Elizabeth Snyder as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2019. (Full Board) ALL AYES
7. Adopt Resolution honoring Kathleen Woods Novoa as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2019. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-366 honoring Kathleen Woods Novoa as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2019. (Full Board) ALL AYES
8. Adopt Resolution proclaiming the week of November 4th through November 8th, 2019 as National Animal Shelter Appreciation Week and encourages all pet owners to act responsibly and support their local animal shelter. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-367 proclaiming the week of November 4th through November 8th, 2019 as National Animal Shelter Appreciation Week and encourages all pet owners to act responsibly and support their local animal shelter. (Full Board) ALL AYES
9. Adopt Resolution honoring Robert Bob Thorp Sr. as a Monterey County Military and Veterans Affairs Advisory Commission’s Veteran of the Year for 2019. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-370 honoring Robert Bob Thorp Sr. as a Monterey County Military and Veterans Affairs Advisory Commission’s Veteran of the Year for 2019. (Full Board) ALL AYES
10. Adopt resolution honoring Ryan Sparks as a Monterey County Military and Veterans Affairs Advisory Commission’s Veteran of the Year for 2019. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt resolution No. 19-373 honoring Ryan Sparks as a Monterey

County Military and Veterans Affairs Advisory Commission's Veteran of the Year for 2019. (Full Board) ALL AYES

11. Adopt Resolution honoring Terry Kaiser as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-374 honoring Terry Kaiser as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board) ALL AYES**
12. Adopt Resolution honoring Tiffanie Newcomer as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board)
- adopt Resolution No. 19-375 honoring Tiffanie Newcomer as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board) ALL AYES**
13. Adopt Resolution honoring William Nannie as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-376 honoring William Nannie as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board)**
14. Adopt Resolution honoring Charles Panek as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-360 honoring Charles Panek as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board) ALL AYES**
15. Adopt Resolution honoring Gilbert Bernabe as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-364 honoring Gilbert Bernabe as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board) ALL AYES**
16. Adopt Resolution honoring John Cain as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2019. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-365 honoring John Cain as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the**

Year” for 2019. (Full Board) ALL AYES

17. Adopt Resolution honoring Rick Cerros Sr. as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2019. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-369 honoring Rick Cerros Sr. as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2019. (Full Board) ALL AYES

18. Adopt Resolution proclaiming the month of November 2019 as “Adoption Month” in Monterey County

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-358 recognizing November 2019 as National Family Caregivers Month in Monterey County. (Full Board) ALL AYES

19. Adopt Resolution recognizing November 2019 as National Family Caregivers Month in Monterey County. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-368 recognizing November 2019 as National Family Caregivers Month in Monterey County. (Full Board) ALL AYES

19.1

Adopt Resolution honoring the life of Francisco Casas Sr. (Full Board) (ADDED VIA ADDENDA)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No.19-372 honoring the life of Francisco Casas Sr. (Full Board) (ADDED VIA ADDENDA) ALL AYES

19.2

Adopt Resolution recognizing the Monterey County Military & Veterans Affairs Office. (Full Board) (ADDED VIA ADDENDA)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 19-371 recognizing the Monterey County Military & Veterans Affairs Office. (Full Board) (ADDED VIA ADDENDA) ALL AYES

Appointments

Open for public comment; no public comments made.

20. Appoint Manuel Zamudio to the Greenfield Memorial District Board with a term ending on November 30, 2023. (Supervisor Lopez)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to appoint Manuel Zamudio to the Greenfield Memorial District Board with a term ending on November 30, 2023. (Supervisor Lopez) ALL AYES

21. Appoint Jynel Gularte to the Resource Conservation District of Monterey County

filling an unexpired term ending in November 30, 2020. (Full Board)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to appoint Jynel Gularte to the Resource Conservation District of Monterey County filling an unexpired term ending in November 30, 2020. (Full Board) ALL AYES

22. Reappoint Cindy Beal to the San Ardo Water District for a term ending on November 30, 2023. (Supervisor Lopez)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to reappoint Cindy Beal to the San Ardo Water District for a term ending on November 30, 2023. (Supervisor Lopez) ALL AYES

23. Reappoint Phyllis Cleveland to the Airport Land Use Commission with a term ending on May 6, 2024. (Full Board)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to reappoint Phyllis Cleveland to the Airport Land Use Commission with a term ending on May 4, 2020. (Full Board) ALL AYES

24. Reappoint Ted Gilbert to the Cholame Valley Cemetery District for a term ending on February 1, 2020. (Full Board)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to reappoint Ted Gilbert to the Cholame Valley Cemetery District for a term ending on February 1, 2020. (Full Board) ALL AYES

25. Reappoint William (Bill) Sabo to the Airport Land Use Commission with a term ending on May 4, 2020 6, 2024 (Full Board) (CORRECTED VIA SUPPLEMENTAL)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to reappoint William (Bill) Sabo to the Airport Land Use Commission with a term ending on May 4, 2020 6, 2024 (Full Board) (CORRECTED VIA SUPPLEMENTAL) ALL AYES

26. Reappoint Ruth Taylor to the Cholame Valley Cemetery District with a term ending on February 1, 2020. (Full Board)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to reappoint Ruth Taylor to the Cholame Valley Cemetery District with a term ending on February 1, 2020. (Full Board) ALL AYES

- 26.1 Reappoint Melissa Duflock to the Monterey County Planning Commission for a term ending on January 23, 2022. (Supervisor Lopez) (ADDED VIA ADDENDA)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to reappoint Melissa Duflock to the Monterey County Planning Commission for a term ending on January 23, 2022. (Supervisor Lopez) (ADDED VIA ADDENDA) ALL AYES

- 26.2 Reappoint Marlene J. Thomason to the Cholame Valley Cemetery District with a term ending on February 1, 2023. (Full Board) (ADDED VIA ADDENDA)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to reappoint Marlene J. Thomason to the Cholame Valley Cemetery District with a term ending on February 1, 2023. (Full Board) (ADDED VIA ADDENDA) ALL AYES

Other Board Matters

27.

Board Comments

Supervisor Chris Lopez reminded everyone tomorrow night will be their Chualar Community meeting. There will be about (17) seventeen different community resources showing to show up at the table to show off their wares and let the community know how they can help them. If anyone is in the area tomorrow evening 5:30 p.m. at Chualar Elementary School, in the gym, they will be having a very large resource fair. Also, last Friday he had the wonderful opportunity to photograph the Dias de los Muertos event in King City. It was a beautiful parade about a 1000 people showed up which was a big deal and was a lot of fun. He then touched on the public safety power shut off that they all kind of experienced last week. His community was hit pretty hard with Gonzales and Soledad losing power and the communication that came from PG&E were not clear enough. There was not enough information coming through to them. He wanted to commend our folks in the Emergency Services Department who did everything they could to get us the best information available at the time, but it was not enough. There was huge economic loses in the district and he worked closely with a lot of Industry leaders to make sure that certain crops weren't harvested or put off. However, at the end of the day that meant a lot of people weren't working. He thinks there were folks that could have been working had there been better information. They had a great wrap up session last Friday in Soledad with the four city managers in South County and Senator Caballero. They had a conversation about what needed to be addressed to make sure that we don't suffer something like this again without some clear expectations on our half. He is hoping that our CAO can reach out to PG&E for them to come and do a presentation. He shared that he knows that their staff in San Luis Obispo County who used to be here in Monterey County used to give extensive presentation to their Supervisors about the impacts and procedures and we haven't had that opportunity yet, but he'd love to see that happen here for our Board.

Supervisor John M. Phillips stated he was impressed with how our County emergency people were dealing with it but he wasn't impressed with how much forethought and planning PG&E did. They had a problem up in Aromas where they said we will we have to move this. They figured it was it for strategize reasons, but they found out it was because they just didn't know how to get in touch with people at the Grange. He shared they could have taken care of that in 30 seconds. He appreciated all Supervisor Lopez' hard work on this issue.

Supervisor Mary L. Adams commented we did not lose power, power was cut off. She thinks there is a real big difference it feels like power has a lot to do with where you live. She went on to make a couple comments. One they have a meeting at mid valley on November 6th this Wednesday from 6:00 p.m. to 8:00 p.m. at the Palo Corona Gathering Center in Carmel Valley to discuss

the changes that are being made to the Mid Valley Shopping Center that was recently purchased there was a lot of attention to that and a lot of people came to that meeting last time. She is looking forward to the results of the survey was taken and conversation with the developer on how he is addressing those issues. Secondly, she gave a special thank you to Carl Holm, Director of the Resources Management Agency and John Dugan for coming down to Big Sur for the Big Sur Multi-Agency Advisory Committee and doing a really great and thorough presentation on defensible space which is a really big and important item in our community. Coupled with this she is very happy that she'll be attending the Veterans of the Year Awards dinner. One of the people that they will be honoring from our district is a woman whose name is Kathleen Woods Novao, but she's much better known as Big Sur Kate. She has done so much for our community as far as reaching out during disasters that affected Big Sur through the fires and the floods and she's been such a terrific volunteer and is a veteran. Finally, she just wanted to alert everybody that the Big Sur International Half Marathon is going to be taking place this coming Sunday. It's a terrific event, thousands of people come to this wonderful half marathon along the coast from Monterey out to Asilomar and back. It's one of the few half marathons that attracts more women than men and virtually as many walkers as they are runners. It is going to be a terrific time and she hopes everyone comes out to enjoy it.

Supervisor John M. Phillips commented that he has 3 members coming in from the Bay Area to run in the half marathon and he is going to sit there and have a glass of wine and watch them. Supervisor Mary L. Adams stated you get beer at the end.

Supervisor Luis A. Alejo recognized his home town of Watsonville. They had a Peace March last Sunday. It's the oldest Peace March in California that remembers all the victims of gang and domestic violence in our community and many of those are from North Monterey County too so it's a joint effort between the families that were impacted by violence in both counties. This march started when he was a young man at 19 or 20 years old. It was the first event that they organized as youths to not let the names of dozens of young people to be forgotten in our community. Twenty-six (26) years later his home town has a third year low in crime and this is something that they like to recognize and remain proactive on to continue improve our neighbors and provide for better opportunities for our young people in our communities. Going on the theme of Veteran's Day this upcoming Monday there are several events coming up. This Wednesday from 6:00 p.m. to 8:00 p.m. at CSUMB Salinas City Center has a wonderful exhibit on the history of Fort Ord and photos of veterans and student veterans of the campus that's going to be from 6:00 to 8:00 p.m. on Wednesday. On Friday, Gold Star Motors is having a Veterans Day barbecue that all our veterans are welcome to come to, and he believes they're giving some special gifts for veterans, on that day, this is going to be from 12:00 p.m. to 1:00 p.m. on Veterans Day. Supervisor Adams already mentioned the Veterans recognition dinner on Saturday. On Monday, he wanted to encourage all our families to come out for the Veterans Day Parade. Opening ceremonies are at 1:00 p.m. but the parade itself starts at 2:00 p.m. on Main Street. Over 10,000 community residents come out for this event. It is the largest veterans' event anywhere on the Central Coast and so he wanted to encourage his colleagues and community members to come. This Thursday, there's a special event which was led by the County of Monterey. They authored legislation in 2017 to put up five (5) Highway Memorial signs. Last

May they launched an effort with several veteran community leaders launched an effort to raise over \$18,000 to install the signs so that they would not put the pressure on any of the families. They said we are going to raise the money from the community all together or not at all. Within five (5) months they raised the money from the community. There were a lot of generous donations from individuals and local businesses. They have an have the unveiling ceremony for these highway signs for the five (5) Fallen Veterans who killed in action in Iraq . Edward Balli age 42, Ricardo Cerros age 24, Javier Sanchez age 28, Vilmar Galarza age 21, and Conrado Javier age 19. This is going to be at the National Steinbeck Center or the CSUMB Salinas City Center, One Main Street from 5:30 p.m. to 7:00 p.m. They are going to have color guard ceremony, killed in action live presentation, bagpipe tribute, gun salute and speeches by all five Gold Star Families so he wanted to courage his colleagues on The Board of Supervisors and community members to please come out this Thursday at 5:30 p.m. to support these five (5) Gold Star Families as they unveil the signs that will forever carry their names on stretches of highways on Highway 101, 183 and 280 here in Monterey County.

Supervisor Jane Parker also on the theme of Veterans Day and veterans activities she is proud to report that District 4 has hosted a number of recent events in honor of our veteran community. The Honor of Fallen run raises funds to support programs and events for the Gold Star family members that happened a couple of weekends ago. There was the Heroes Open golf tournament fundraiser for the Central Coast Veterans Cemetery this past weekend. Coming up this weekend is the Military and Veterans Affairs Veteran of the Year awards this Friday night and then the Veterans Day parade and then the Veterans Transition Center gala on Monday night on Veterans Day are all happening in District 4. Also, just along the lines of the resolution that we presented this morning she just wanted to give a shout out to the military veterans affairs staff who are not only in office doing work to ensure that all our veterans and their families have access to the benefits that they have earned in service to our country but they are also out in the community really making sure that the finding people wherever they may be. She encouraged everyone who is military connected as a veteran or family member to contact the counties Military Veterans Affairs office to schedule an appointment 647-7613 is their phone number and find out what benefits you may be eligible for. It's an amazing array and you might not think that you would be eligible for and there are just a whole host. She thinks it's really important that folks check that out talk to the office as they really love to connect veterans and veterans' families to the benefits that they have earned.

28. County Administrative Officer Comments and Referrals

Charles McKee, County Administrator Officer recognized the veterans and he hoped many of us can get out to honor our veterans. He knows many of us have family members that have served, or they served themselves in the military, so it is important that we get out there and show our support not just on Veterans Day but all days of the year. He also recognized those who are putting forth effort on the Combined Giving Campaign. He knows the Clerk of the Board is working hard on the Giving Campaign. This is something very important to Monterey County to show support for the many charities here in the County that do great. If those cannot make a financial contribution there are many opportunities to volunteer for numerous organizations throughout the county that do such great work here in Monterey County. He also mentioned

the ironically named Cannabis Bake sale out front in the lobby today if you want to buy something and he's been told the brownies are not laced. Finally, we have two referrals, one submitted by Supervisor Luis A. Alejo which is to make sure that we have identifying signs on our watersheds here in Monterey County. There are six (6) signs requesting to be identified as the Elkhorn Slough, Gabilan Mountains, and the Salinas River Watersheds. They look forward to working with Resources Management Agency (RMA) to make this happen. In addition, he has a referral from Supervisor Mary L. Adams to address some of the illegal camping that goes on primarily in the Big Sur area on Highway 1. This is to make sure that we have the right code sections here in Monterey County and working with the Sheriff's Office and the California Highway Patrol to make sure we have some clarity and enforcement on our no camping ordinance here in Monterey County.

Supervisor Mary L. Adams asked how we can help with the Combined Giving Campaign and when it ends. CAO, McKee, responded that we can participate through payroll deductions or we can make individual donations as we see fit. Also, there are many programs throughout the County that are sponsoring ways to raise money for the campaign, and it ends on November 22th.

29. General Public Comments

Open for general public comments for items not on today's agenda; no public comments made.

10:30 A.M. - Scheduled Matters

30. Receive the notice of adjustment of the annual salary of the members of the Board of Supervisors, in accordance with Section 2.04.370C of the County of Monterey Code consistent with the superior court judge salary adjustments of 3.09% retroactive to July 1, 2019. The salary adjustments will be implemented November 23, 2019 retroactive to July 1, 2019.

Irma Ramirez-Bough, Director of Human Resources from the Human Resources Department presented.

Open for public comment; no public comments made.

Upon consensus the Board:

Received the notice of adjustment of the annual salary of the members of the Board of Supervisors, in accordance with Section 2.04.370C of the County of Monterey Code consistent with the superior court judge salary adjustments of 3.09% retroactive to July 1, 2019. The salary adjustments will be implemented November 23, 2019 retroactive to July 1, 2019.

31. Approve the employment agreement with Leslie J. Girard as Monterey County Counsel and authorize the Chair of the Board of Supervisors to execute the agreement.

Irma Ramirez-Bough, Director of Human Resources from the Human Resources Department presented.

Open for public comment; no public comments made.

Supervisor Jane Parker commented on Number 7. in the contract as to the word "bi-annual" should be deleted as it may cause confusion. The rest of the section is self-explanatory on the timelines as to when the performance evaluations shall be done.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to delete the word bi-annual from the first part of the sentence in Number 7.

ALL AYES

A motion was made by Supervisor Jane Parker, seconded by Supervisor Chris Lopez as amended to:

Approve the employment agreement with Leslie J. Girard as Monterey County Counsel and authorize the Chair of the Board of Supervisors to execute the agreement.

ALL AYES

32.

It is recommended that the Board of Supervisors adopt a Resolution to:

- a. Authorize the issuance of layoff notices to impacted employees no sooner than November 7, 2019, with an effective date of November 30, 2019;
- b. Authorize County negotiators to meet with Service Employees International Union (SEIU) Local 521 to discuss the impacts of the layoffs;
- c. Authorize the Human Resources Department to collaborate with Departments to provide inplacement and outplacement services;
- d. Grant flexibility to withhold the issuance of layoff notices due to employee movement, unanticipated vacancies, retirements, or resignations that may occur.

Irma Ramirez-Bough, Director of Human Resources from the Human Resources Department presented.

Open for public comment; no public comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to Adopt Resolution No. 19-387 to:

- a. Authorize the issuance of layoff notices to impacted employees no sooner than November 7, 2019, with an effective date of November 30, 2019;
- b. Authorize County negotiators to meet with Service Employees International Union (SEIU) Local 521 to discuss the impacts of the layoffs;
- c. Authorize the Human Resources Department to collaborate with Departments to provide inplacement and outplacement services;
- d. Grant flexibility to withhold the issuance of layoff notices due to employee movement, unanticipated vacancies, retirements, or resignations that may occur.

ALL AYES

33.

Receive an oral report from the Department of Social Services Aging and Adult Services Branch regarding the In-Home Supportive Services Advisory Committee.

Ron Lee, Management Analyst III and Nick Ledo, Management Analyst with Aging & Adult Services from Social Services presented via PowerPoint presentation,

Open for public comment; no public comments made.

Upon consensus the Board:

Received an oral report from the Department of Social Services Aging and Adult Services Branch regarding the In-Home Supportive Services Advisory Committee.

33.1

Continue to November 19, 2019, the presentation to the Board of Supervisors on and consideration of options for financing for building removal on current and future County-owned properties on the former Fort Ord and analysis of proposed Fort Ord Reuse Authority bond issuance. (ADDED VIA ADDENDA)

Melanie Beretti, RMA Services Manager from the Resources Management Agency requested a continuance.

Open for public comment; no public comments made.

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

**Continue to November 19, 2019, the presentation to the Board of Supervisors on and consideration of options for financing for building removal on current and future County-owned properties on the former Fort Ord and analysis of proposed Fort Ord Reuse Authority bond issuance. (ADDED VIA ADDENDA)
ALL AYES**

34.

- a. Adopt a Resolution approving the forms of and authorizing the execution and delivery of a Site Lease, Lease Agreement, Trust Agreement, Escrow Agreement, Certificate Purchase Agreement, and a Continuing Disclosure Certificate in connection with the offering and sale of the County of Monterey Certificates of Participation (2019 Public Facilities Refinancing) (the "2019 COPs"), and authorizing the distribution of an Official Statement and an Official Notice of Sale in connection therewith and authorizing execution of necessary documents, certificates, and certain other related actions; and
- b. Direct the Authorized Officers and the officers and employees of the County the authority to amend and execute documents, determine appropriateness of bond terms and conditions, and to carry out, give effect to, and comply with the terms and intent of this Resolution.

Juan P. Lopez, Senior Administrative Analyst from the Budget and Analysis Division presented.

Open for public comment; no public comments made.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Jane Parker to:

- a. Adopt a Resolution No. 19-388 approving the forms of and authorizing the execution and delivery of a Site Lease, Lease Agreement, Trust Agreement,

Escrow Agreement, Certificate Purchase Agreement, and a Continuing Disclosure Certificate in connection with the offering and sale of the County of Monterey Certificates of Participation (2019 Public Facilities Refinancing) (the "2019 COPs"), and authorizing the distribution of an Official Statement and an Official Notice of Sale in connection therewith and authorizing execution of necessary documents, certificates, and certain other related actions; and b. Direct the Authorized Officers and the officers and employees of the County the authority to amend and execute documents, determine appropriateness of bond terms and conditions, and to carry out, give effect to, and comply with the terms and intent of this Resolution.

ALL AYES

12:00 P.M. - Recessed to Lunch at 11:55 a.m.

1:30 P.M. - Reconvened

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

- 35.**
- a. Receive a status report on the New Juvenile Hall, Project 8811;
 - b. Adopt a resolution to:
 1. Authorize and direct the Auditor-Controller to amend the FY 2019-20 Resource Management Agency Adopted Budget, Fund 404, Appropriation Unit RMA015, to increase appropriations by \$2,298,916 and revenue by \$815,637, where the financing source is unassigned fund balance of \$1,483,279 and an operating transfer in of \$815,637 from the General Fund 001, Contingencies Appropriation Unit CAO020 (4/5ths vote required), including costs for Change Orders (#157-#198), Building 7 (boiler, roof repairs, HVAC), Soft Costs, and Security Fencing between the Gym and Buildings 1A and 1B;
 2. Authorize the Contracts/Purchasing Officer, under the terms of the cooperative agreement with NJPA (Sourcewell) contract #031715, to approve purchase orders for detention facility furniture for the New Juvenile Hall (Project No. 8811) in an amount not to exceed \$94,619; and
 - c. Take such other actions as may be necessary or appropriate regarding

funding for the New Juvenile Hall Project, Project 8811, including Change Order #200 (\$28,664.03 for irrigation) and Security Fencing around staff parking (\$250,000).

John Snively, Management Analyst I and Neville Pereira, Chief of Building Services from the Resource Management Agency presented via PowerPoint presentation.

Open for public comment; Marcia Parson, Chief Probation Officer commented.

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

- a. Receive a status report on the New Juvenile Hall, Project 8811;**
- b. Adopt Resolution No. 19-389 to:**
 - 1. Authorize and direct the Auditor-Controller to amend the FY 2019-20 Resource Management Agency Adopted Budget, Fund 404, Appropriation Unit RMA015, to increase appropriations by \$2,298,916 and revenue by \$815,637, where the financing source is unassigned fund balance of \$1,483,279 and an operating transfer in of \$815,637 from the General Fund 001, Contingencies Appropriation Unit CAO020 (4/5ths vote required), including costs for Change Orders (#157-#198), Building 7 (boiler, roof repairs, HVAC), Soft Costs, and Security Fencing between the Gym and Buildings 1A and 1B;**
 - 2. Authorize the Contracts/Purchasing Officer, under the terms of the cooperative agreement with NJPA (Sourcewell) contract #031715, to approve purchase orders for detention facility furniture for the New Juvenile Hall (Project No. 8811) in an amount not to exceed \$94,619; and**
 - c. Take such other actions as may be necessary or appropriate regarding funding for the New Juvenile Hall Project, Project 8811, including Change Order #200 (\$28,664.03 for irrigation) and Security Fencing around staff parking (\$250,000).**

ALL AYES

Wendy Strimling, Senior Deputy County Counsel stood in for Les Girard, County Counsel who excused himself from the remainder of the meeting.

36.

PLN190151 FIELDS (MILLS ACT CONTRACT)

Public hearing to consider:

- a. Approval of a Historic Property Contract (Mills Act Contract) with property owners James Stephen Fields and Wendy Jordan Fields, Trustees of the James and Wendy Fields Trust Dated 8/3/2006, for property located at 25227 Hatton Road, Carmel (Assessor's Parcel Number 009-171-011-000), commonly known as the "A.N. Nastovic House"; and**
- b. Authorization to the chair of the Board of Supervisors to execute the contract.**

Project Location: 25227 Hatton Road, Carmel (Carmel Area Land Use Plan)

Proposed CEQA Action: Categorically exempt per CEQA Guidelines Section 15331.

Public hearing commenced.

Shelly Glennon, Senior Planner and Brandon Swanson, Interim Chief Planner

with the Resources Management Agency presented via PowerPoint presentation.

Open for public comment; no public comments made.

A motion was made by Supervisor Mary L. Adams, seconded by Jane Parker to:

a. Approve the Historic Property Contract (Mills Act Contract) with property owners James Stephen Fields and Wendy Jordan Fields, Trustees of the James and Wendy Fields Trust Dated 8/3/2006, for property located at 25227 Hatton Road, Carmel (Assessor’s Parcel Number 009-171-011-000), commonly known as the “A.N. Nastovic House”; and

b. Authorize the Chair of the Board of Supervisors to execute the contract.
PLN190151 FIELDS (MILLS ACT CONTRACT)

Project Location: 25227 Hatton Road, Carmel (Carmel Area Land Use Plan)
Proposed CEQA Action: Categorically exempt per CEQA Guidelines Section 15331.

ALL AYES

37.

PLN190163 RHODES (MILLS ACT CONTRACT)

Public hearing to consider:

a. Approval of a Historic Property Contract (Mills Act Contract) with property owners Daniel J. Rhodes and Katherine J. Spitz-Rhodes, as Co-Trustees of the Rhodes Family Trust dated March 7, 2001, for the property located at 4175 Sunset Lane Pebble Beach, CA (Assessor’s Parcel Number 008-072-013-000), commonly known as the "Charles Moore House”; and

b. Authorization to the chair of the Board of Supervisors to execute the contract.

Project Location: 4175 Sunset Lane Pebble Beach, CA (Del Monte Forest Area Plan)

Proposed CEQA Action: Categorically exempt per CEQA Guidelines Section 15331

Public hearing commenced.

Shelly Glennon, Senior Planner and Brandon Swanson, Interim Chief Planner with the Resources Management Agency presented via PowerPoint presentation.

Open for public comment; the applicant Katherine Rhodes commented.

A motion was made by Supervisor Mary L. Adams, seconded by Jane Parker to:

a. Approve the Historic Property Contract (Mills Act Contract) with property owners Daniel J. Rhodes and Katherine J. Spitz-Rhodes, as Co-Trustees of the Rhodes Family Trust dated March 7, 2001, for the property located at 4175 Sunset Lane Pebble Beach, CA (Assessor’s Parcel Number 008-072-013-000), commonly known as the "Charles Moore House”; and

b. Authorize the Chair of the Board of Supervisors to execute the contract.
PLN190163 RHODES (MILLS ACT CONTRACT)

Project Location: 4175 Sunset Lane Pebble Beach, CA (Del Monte Forest Area

Plan)
Proposed CEQA Action: Categorically exempt per CEQA Guidelines Section
15331
ALL AYES

38. Public hearing to consider adoption of a resolution to amend Article 14.D of the Monterey County Fee Resolution to update the Land Use Fee Waiver Policy, effective December 6, 2019.

Public hearing commenced.

John Snively, Management Analyst I and John Dugan, Deputy Director of Land Use and Community Development from the Resource Management Agency presented via PowerPoint presentation.

Open for public comment; Jane Haines commented and submitted a one page document on amended Article 14.D.

Upon consensus the Board:
Received the presentation on the adoption of a resolution to amend Article 14.D of the Monterey County Fee Resolution to update the Land Use Fee Waiver Policy, effective December 6, 2019, and took no action at this time. The matter is continued to a date uncertain.

Read Out from Closed Session by County Counsel

CLOSED SESSION REPORT (Taken up at 11:53 a.m. and read into the record at this time)

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) Anna Bachtel (Worker's Compensation Appeals Board case no. ADJ8209573)
- (2) Anna Bachtel (Worker's Compensation Appeals Board case no. ADJ10992090)
- (3) Anna Bachtel (Worker's Compensation Appeals Board case no. ADJ10638351)
- (4) Anna Bachtel (Worker's Compensation Appeals Board case no. ADJ10851465)
- (5) Kenneth Stanley Anderson (Worker's Compensation Appeals Board case no. ADJ10598196)
- (6) Nathaniel DiMaggio (Worker's Compensation Appeals Board case no. ADJ10319479)
- (7) Nathaniel DiMaggio (Worker's Compensation Appeals Board case no. ADJ11693861)
- (8) Jessica Munoz (Worker's Compensation Appeals Board case no. ADJ11063386)
- (9) Eriberto Jauregui v. County of Monterey, et al. (Monterey County Superior Court case no. 19CV000443)
- (10) Salinas Valley Water Coalition v. Monterey County Water Resources Agency, et al. (Monterey County Superior Court case no. 17CV000157)
- (11) County of Monterey, et al. v. Amerisourcebergen Drug Corp., et al. (U.S.

District Court case no. 7:18CV02693DAP)
 (12) Baldwin County, AL, et al. v. Richard S. Sackler, et al. (U.S. District Court case no. 1:19-CV02421-VM)
 (13) Robin McManaman v. County of Monterey, et al. (Monterey County Superior Court case no. 18CV002822)
 (14) James Collins v. County of Monterey, et al. (U.S. District Court case no. 19CV01214NC)

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a.(1) through (14).

b. 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.b.

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 54957.6, the Board will provide direction to negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Kim Moore
 Employee Organization(s): All Units

CLOSED SESSION REPORT: The Board reached a tentative agreement with Unit A, the Monterey County Deputy Sheriff's Association which will be reduced to a Memorandum of Understanding in the near future on item 1.d.(1)

Adjourned

The meeting was adjourned in Memory of Frank Casas, Sr. at 3:29 p.m. by Chair Supervisor John M. Phillips.

APPROVED:

_____/s/ John M. Phillips_____
JOHN M. PHILLIPS, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: _____/s/ Valerie Ralph_____
VALERIE RALPH
CLERK OF THE BOARD
APPROVED ON November 19, 2019

Supplemental Sheet, Consent CalendarNatividad Medical Center

39. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with First Alarm Security & Patrol Inc., for Uniformed Security Guard Services at NMC (A-12738) per County Request for Proposals (RFP) #10514 for an amount not to exceed \$2,300,000 with an agreement term retroactive September 1, 2019 through June 11, 2020.
- Approved - Agreement A-12738, Amendment No. 1 (RFP #10514)**
40. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Renewal and amendment No. 1 to the agreement (A-13152) with Stericycle, Inc. for Hazardous Waste Disposal Services, extending the agreement an additional two (2) year period (retroactive to July 1, 2019 through June 30, 2021) for a revised full agreement term of July 1, 2016 through June 30, 2021 and adding \$450,000 for a revised total agreement amount not to exceed \$1,080,000.
- Approved - Agreement A-13152, Amendment No. 1**
41. Adopt Resolution to:
- a. Amend Personnel Policies and Practices Resolution No. 98-394 and Appendices A and B to adjust the salary ranges for the classifications of: Clinical Laboratory Scientist, Senior Clinical Laboratory Scientist, Supervising Clinical Laboratory Scientist, Clinical Laboratory Scientist-Per Diem, Clinical Laboratory Manager, Pharmacy Technician, Senior Pharmacy Technician and Hospital Controller as indicated below; and
- b. Direct the Monterey County Human Resources Department to implement the changes in the Advantage HRM System.
- Adopted Resolution No. 19-377**
42. Adopt Resolution to:
- a. Amend Natividad (Unit 9600) FY 2019-20 Adopted Budget to approve the reallocation of a Medical Unit Clerk position to a Patient Services Representative II position and reclassification of the incumbent as indicated in the attached Resolution;
- b. Authorize the Auditor-Controller to incorporate the approved changes in the Natividad (Unit 9600) FY 2019-20 Adopted Budget;
- c. Direct the County Administrative Office to incorporate the approved position changes in the Natividad (Unit 9600) FY 2019-20 Adopted Budget; and
- d. Direct the Human Resources Department to implement the changes in the Advantage HRM System.

Adopted Resolution No. 19-378**Health Department**

43. Approve and authorize the Director of the Health Department or Assistant Director of the Health Department, on behalf of Monterey County, to sign Renewal and Amendment No. 1 to the non-standard Agreement (A-14241) with the City of Salinas to extend the term of the Agreement through June 30th, 2020, retroactively from July 1, 2019, for the County to provide spay and neuter veterinary services to the City of Salinas.

Approved - Agreement A-14241, Amendment No. 1

44. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a no extension Amendment No. 4 to the Netsmart Technologies, Inc. Agreement A-13376 for implementation of the Electronic Health Records system for Professional/Technical Consulting Services to Monterey County Health Department to decrease funds in the amount of \$175,148.01 for Fiscal Year 2018-19 and increase the Professional/Technical Consulting Reserve in the amount of \$175,148.01, for a revised total in the amount of \$375,148.62 at no change to the total Agreement amount not to exceed \$2,991,200 for July 1, 2016 through June 30, 2020.

Approved - Agreement A-13376, Amendment No. 4

45. a. Authorize the Director of Health or Assistant Director of Health to execute a Standard Agreement with Monterey County Children and Families Commission dba First5 Monterey County not to exceed the amount of \$290,000 for the provision of support to the Bright Beginnings Early Childhood Development Initiative for the period retroactive October 28, 2019 through June 30, 2020.
b. Approve nonstandard insurance provision in Agreement as recommended by the Director of Health.

Approved - Agreement A-14543

46. a. Accept a \$2,000 Grant from the AAA Northern California, Nevada & Utah (“AAA”) for the Injury Program; and
b. Approve and authorize the Director of Health or Assistant Director of Health to execute a Grant Agreement with AAA for the 2019 Child Passenger Safety (CPS) Program allowing County of Monterey to purchase car seats/booster seats and provide car seat checkup events effective November 11, 2019 to June 30, 2020; and
c. Approve non-standard insurance provision in Agreement as recommended by the

Director of Health.

Approved - Agreement No. A-14555

47. a. Authorize the Director of Health or Assistant Director of Health to execute a 340BX Compliance Program Agreement (“Agreement”) with the Santa Cruz-Monterey-Merced Managed Care Commission, a Healthcare Plan, doing business as Central California Alliance for Health (CCAH), to participate in a program to increase revenue from 340B drug discounts, on the same or substantially similar contract terms and conditions, for a term beginning November 5, 2019, to November 4, 2021, and which shall auto-renew for one (1) year terms thereafter until terminated; subject to further review and approval of County Counsel and County Auditor-Controller; and
- b. Accept recommendation of the Director of Health to accept the non-standard risk provisions.

Approved - Agreement A-14544

48. a. Approve and authorize the Director of Health or Assistant Director of Health to sign an Agreement with UpToDate, Inc. (“UpToDate”) to provide an UpToDate Anywhere Electronic Clinic Resources Subscription for the period of November 1, 2019 to October 31, 2022 and a total contract amount not to exceed \$57,141; and
- b. Accept the non-standard Agreement and risk terms regarding indemnification and insurance provisions in the Agreement; and
- c. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not significantly change the scope of services.

Approved - Agreement A-14545

49. a. Authorize the Director of Health or Assistant Director of Health to execute a Standard Agreement with Monterey County Children and Families Commission dba First5 Monterey County not to exceed the amount of \$300,000 for the provision of support to the Bright Beginnings Early Childhood Development Initiative for the period retroactive from July 1, 2019 through June 30, 2020.
- b. Approve nonstandard insurance provision in Agreement as recommended by the Director of Health.

Approved - Agreement A-14546

Department of Social Services

50. a. Approve and authorize the Director of the Department of Social Services to sign a no cost Memorandum of Understanding with the Monterey County Office of Education for collaboration in the delivery of quality early care and education for a term of October 15, 2019 through June 30, 2022; and

b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement where the amendments do not significantly change the scope of work.

Approved - Agreement A-14547

Criminal Justice

51. a. Authorize the Contracts/Purchasing Officer to execute the Acknowledgement and Consent to the Assignment and Assumption Agreement between Financial, Administrative, Secretarial & Translation Services (F.A.S.T. Services) (Assignee) and F.A.S.T. Services, Incorporated (Assignor) when signed by the Contracts/Purchasing Officer; and
- b. Approve and authorize the Contracts/ Purchasing Officer to execute Amendment No. 2 to Agreement with F.A.S.T. Services, Incorporated in the amount of \$10,000 for a total contract amount of \$25,000, for language interpretation services as needed by Monterey County Probation.

Approved - Agreement A-14548

52. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendment #1 with Western State Design, Inc., performs maintenance and emergency repairs for washers and dryers at the Monterey County Sheriff's Office Jail, in an amount not to exceed \$60,000.00, for a total not to exceed amount of \$120,000.00 and extend the term of the agreement for two (2) additional years, with a term ending November 9, 2021.

Approved - Agreement A-14542, Amendment No. 1

53. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to sign amendment #1 by and between Amar Forensics for the provision forensic pathology services and autopsy reports, adding two (2) years and \$880,000.00 to the existing agreement, for a total not to exceed amount of \$1,728,000.00.

Approved - Agreement A-14549, Amendment No. 1

54. a. Approve the Monterey County Sheriff Office (MCSO) Cyber Security Project to update the Automated Fingerprint Identification System (AFIS) Servers and Livescan devices.
- b. Authorize the Auditor-Controller to amend the Sheriff's Office Fiscal Year 2019-20 Adopted Budget to increase appropriations by \$197,170 (001-2300-SHE001-8245-6231-CALID) financed by recognition of revenues from the Homeland Security Grant and Partner Agencies amounting to \$162,225 (001-2300-SHE001-8245-5050) and \$34,945 (001-2300-SHE001-8245-5855), respectively. (4/5ths vote required).

Approved**General Government**

55. a. Authorize the Agricultural Commissioner or the Commissioner's designee to accept credit card payments from customers and charge a service fee of no more than 4% to recover the inter exchange fees associated with the acceptance of credit cards; and
- b. Approve and authorize the Agricultural Commissioner or the Commissioner's designee to increase credit card fees should it be determined necessary to recover costs.

Approved

56. a. Amend the County Administrative Office Fiscal Year 2019-20 adopted budget (001-CAO028-1050-8474) to add one (1) new FTE Warehouse Worker (70F79), financed by interdepartmental reimbursements (4/5ths vote); and
- b. Authorize the Auditor-Controller and County Administrative Office to incorporate the position change in the FY 2019-20 Adopted Budget.

Adopted Resolution No. 19-379

57. a. Approve and Authorize the Registrar of Voters to execute Amendment No. 1 to Agreement 18G30127 with the Secretary of State's office to extend the term for one (1) additional year through June 30, 2022 and increase AB 1824, Chapter 38 matching grant funds in the amount of \$750,896.30 for a total amount not to exceed \$1,911,396.30 for the replacement of voting systems; and
- b. Authorize the Registrar of Voters to accept grant funds in the amount of \$1,911,396.30.

Approved - Agreement A-18G30127, Amendment No. 1

58. a. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute an Agreement with K&H Printers-Lithographers, Inc., for ballot and voter information guide printing and mailing services per Request for Proposal (RFP) #10702. The initial term will begin November 5, 2019 and end September 30, 2023, in the amount not to exceed \$1,500,000 per election and \$6,000,000 in aggregate, with an option to extend the Agreement for four (4) additional one (1) year periods, in accordance with the terms and conditions of the Agreement.
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute no more than four amendments, on behalf of the Registrar of Voters, which do not significantly impact the scope of work and do not exceed an increase of 10% of the original amount.

Approved - Agreement A-14550

59. It is recommended that the Board of Supervisors approve and authorize the following:
- a. Designate and authorize the Emergency Services Manager to execute an Agreement between the County of Monterey and the City and County of San Francisco for the distribution of FY 2019 Urban Area Security Initiative (UASI) Grant Funds; and
 - b. Authorize the Auditor-Controller to amend the Fiscal Year (FY) 2019-20 Office of Emergency Services Fund 024/1050/8412/CA0023 Budget to increase estimated revenue and appropriations in the amount of \$180,458. (4/5th Vote Required).

Adopted Resolution No. 19-380

60. It is recommended that the Board of Supervisors adopt a resolution authorizing the Office of Emergency Services to submit an application in the amount of \$214,452 and designating County staff positions to authorize and execute documents and applications for the purpose of obtaining financial assistance with the California Office of Emergency Services Fiscal Year 2019 Emergency Management Performance Grant Program for performance period July 1, 2019 - June 30, 2021.

Adopted Resolution No. 19-381

61. Receive the Action Minutes of the Budget Committee for the 1st and 2nd Quarters of 2019 for February 4, 2019, February 27, 2019, April 10, 2019, April 22, 2019, May 30, 2019, and June 14, 2019.

Received

62. Authorize the Director of the Information Technology Department to execute Amendment No. 1 with Audio Fidelity Communications Company dba Whitlock, to provide video conferencing systems design and implementation services, extending the term for a two (2) year period for a revised agreement term of January 1, 2019 through December 31, 2024; and adding an additional \$100,000 for a revised agreement total of \$150,000.

Approved - Agreement A-14551, Amendment No. 1

63.
 - a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute non-standard Amendment No. 1 with Dominion Voting Systems, Inc. to deliver additional leased voting equipment and extend software, maintenance and support services, extending the agreement for two (2) additional years, through December 31, 2025, and increasing the agreement amount by \$1,099,634.31, for a revised total amount not to exceed \$2,338,954.01; and
 - b. Accept the non-standard terms and conditions contained in the vendor's original contract pursuant to the recommendation of the Registrar of Voters as before.

Approved - Agreement A-14551, Amendment No. 1

64. Receive and accept the Treasurer's Report of Investments for the Quarter Ending September 30, 2019.

Received

65. Adopt an ordinance amending Chapter 7.90 of the Monterey County Code to streamline administrative processes of the commercial cannabis permit, and better align the Chapter to state law and other portions of the Monterey County Code.

Adopted Ordinance No. 5293

66. Accept the Monterey County Agricultural Advisory Committee Annual Report covering the period of July 1, 2018, through June 30, 2019.

Accepted

67. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following meeting date: Tuesday, October 22, 2019.

Approved

68. a. Approve a Records Retention Schedule for the Monterey County Workforce Development Board, providing for the retention and destruction of records in compliance with applicable law (4/5ths vote required); and
b. Authorize the Director of the Monterey County Workforce Development Board, or designee, to retain and destroy records in accordance with the approved Records Retention Schedule for the Workforce Development Board and the Board's Cross-Departmental Records Retention Schedule

Adopted Resolution No. 19-382

- 68.1 a. Adopt a Resolution of Proclamation of a Local Emergency, dated October 30, 2019, in accordance with California Government Code Section 8630 et. al., due to Public Safety Power Shutoffs (PSPS), which are the intentional shutting-off of power to portions of Monterey County, which are expected to continue, to reduce the risk of igniting a fire caused by electrical company infrastructure during adverse weather, thereby causing conditions of extreme peril to the safety of persons and property nearby. (4/5ths vote required) (ADDED VIA ADDENDA)

Adopted Resolution No. 19-383**RMA - Administration**

69. Acting on behalf of County Service Areas 17, 25, and 75, adopt a Resolution to:

- a. Authorize and direct the Auditor-Controller to amend the FY 2019-20 Adopted Budget for the County Service Area 17-Rancho Tierra Grande, Fund 057, Appropriation Unit RMA053, to increase appropriations by \$34,522, financed by Unassigned Fund Balance (Fund 057-Balance Sheet Account 3101) (4/5th vote required); and
- b. Authorize and direct the Auditor-Controller to amend the FY 2019-20 Adopted Budget for the County Service Area 25-Carmel Valley Golf and Country Club, Fund 062, Appropriation Unit RMA058, to increase appropriations by \$30,905, financed by Unassigned Fund Balance (Fund 062-Balance Sheet Account 3101) (4/5th vote required); and
- c. Authorize and direct the Auditor-Controller to amend the FY 2019-20 Adopted Budget for the County Service Area 75-Chualar, Fund 093, Appropriation Unit RMA088, to increase appropriations by \$46,040, financed by Unassigned Fund Balance (Fund 093-Balance Sheet Account 3101) (4/5th vote required).

Adopted Resolution No. 19-384

70.

Consider adoption of a Resolution to:

- a. Approve an Amended Memorandum of Understanding for Integrated Regional Water Management in the Monterey Peninsula, Carmel Bay, and South Monterey Bay Region, substantially as to form, adding Monterey County to the Regional Water Management Group; and
- b. Authorize the Resource Management Agency Director to execute the amended Memorandum of Understanding.

Adopted Resolution No. 19-385

71.

Authorize the Contracts/Purchasing Officer, under the terms of the cooperative agreement with NJPA (Sourcewell) contract #031715, to approve purchase orders for detention facility furniture for the Jail Housing Addition (Project No. 8819) in an amount not to exceed \$447,944.

Approved

RMA - Land Use and Community Development

72.

Adopt a resolution:

- a. Finding that the action involves an administrative activity that will not result in direct or indirect changes in the environment and is not a project pursuant to Sections 15060(c)(3) and 15378(b)(5) of the State CEQA Guidelines; and
- b. Granting a stay of the expiration of the tentative map for the Rancho Los Robles Subdivision, as modified by the Coastal Development Permit issued by the California Coastal Commission, for the time period in which *Friends, Artists, and Neighbors of Elkhorn Slough et al. v. California Coastal Commission et al.* (Monterey County Superior Court Case No. 18CV001000) has been pending until final disposition of the litigation, not to exceed a period of five years (November 8,

2026), pursuant to Government Code Section 66452.6(c) and Monterey County Code Section 19.04.030.

Project Location: 100 Sill Road, Royal Oaks, North County Coastal Land Use Plan

Adopted Resolution No. 19-386

RMA – Public Works and Facilities

- 73.**
- a. Accept the Country Lake Estates Subdivision Phase I improvements (PLN040103) as complete, as required by the Subdivision Improvement Agreement approved by the Board on September 26, 2017, and recorded October 31, 2017 as Document No. 2017060890 (Exhibit C);
 - b. Approve the release of the Security Bond for Faithful Performance, Bond No. 4410437 (in the amount of \$187,564.00) for Country Lake Estates Subdivision Phase I, (PLN040103) improvements;
 - c. Approve the release of the Subdivision Monument Bond, Bond No. 4412844 (in the amount of \$4,500.00) for Country Lake Estates Subdivision Phase I, (PLN040103) monumentation;
 - d. Approve the release of the Security Bond for Laborers and Materialmen, Bond No. 4410437 (in the amount of \$85,257.00) for Country Lake Estates Subdivision Phase I, (PLN040103) in accordance with Government Code Section 66499.7 after the passage of time for recording claims or liens; and
 - e. Delegate authority to the Resource Management Agency Director or his designee to release the Defective Materials and Workmanship (Warranty) Bond, Bond No. 4410437-W (in the amount of \$34,103.00) after a period of one (1) year, subject to the determination that the improvements are functioning satisfactorily.
- Project Location:** APN 423-251-053-000 through 423-251-066-000, 70850 New Pleyto Road, (1.5 miles north of Lake San Antonio North Shore Gate) in Southern Monterey County, South County Area Plan

Approved

- 74.**
- a. Approve Amendment No. 2 to Standard Agreement No. A-12995 with Quinn Rental Services to continue to provide rental equipment to: update the rental rates; increase the not to exceed amount by \$175,000 for a total amount not to exceed \$775,000; and extend the expiration date from December 31, 2019 for ten (10) additional months through October 31, 2020, for a revised term from November 1, 2015 to October 31, 2020; and
 - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to Standard Agreement No. A-12995 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

Approved - Agreement A-12995, Amendment No. 2

- 75.
 - a. Adopt Plans and Special Provisions for the Jolon Road Bridge Rail Replacement, Project No. 1142; and
 - b. Authorize the Resource Management Agency Director to advertise the “Notice to Bidders” in the Monterey County Weekly.

Approved

- 76.
 - a. Approve Standard Agreement with Cal-West Lighting & Signal Maintenance, Inc. to provide traffic signal and lighting maintenance repair services for various locations within Monterey County, Request for Proposals #10680, for a total amount not to exceed \$309,228 for an initial term of approximately three (3) years from November 6, 2019 to October 31, 2022, with the option to extend the Agreement 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 up to three (3) amendments to the Agreement where the amendments do not significantly alter the scope of work or increase the approved Agreement amount more than ten percent (10%).

Approved - Agreement A-14553

- 77.
 - a. Approve an Agreement entitled “City of Greenfield & County of Monterey Maintenance Agreement for a Portion of the Segment of Walnut Avenue Between 12th and 13th Streets Greenfield, California,” with the City of Greenfield for the maintenance of all County portions of the Walnut Avenue Right-of-Way between 12th Street and 13th Street, near the City of Greenfield; and
 - b. Authorize the Chair to execute the Road Maintenance Agreement; and
 - c. Direct the Clerk of the Board to submit the executed Road Maintenance Agreement to the County Recorder for recording.

Project Location: Walnut Avenue between 12th Street and 13th Street, southwest of the City of Greenfield

Approved - Agreement A-14554

ADDENDA/SUPPLEMENTAL

77.1 ADDENDA/SUPPLEMENTAL

Added Under Ceremonial Resolution

Item No. 19.1 / Adopt Resolution honoring the life of Francisco Casas Sr. (Full Board)

Item No. 19.2 / Adopt Resolution recognizing the Monterey County Military & Veterans Affairs Office. (Full Board)

Added Under Appointments

Item No. 25 / Reappoint William (Bill) Sabo to the Airport Land Use Commission with a term ending on May 4, ~~2020~~ 6, 2024 (Full Board)

Item No. 26.1 / Reappoint Melissa Duflock to the Monterey County Planning Commission for a term ending on January 23, 2022. (Supervisor Lopez)

Item No. 26.2 / Reappoint Marlene J. Thomason to the Cholame Valley Cemetery District with a term ending on February 1, 2023. (Full Board)

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

Item No. 33.1 / Continue to November 19, 2019, the presentation to the Board of Supervisors on and consideration of options for financing for building removal on current and future County-owned properties on the former Fort Ord and analysis of proposed Fort Ord Reuse Authority bond issuance. (ADDED VIA ADDENDA)

Added Under Consent Calendar

General Government

Item No. 68.1 / a. Adopt a Resolution of Proclamation of a Local Emergency, dated October 30, 2019, in accordance with California Government Code Section 8630 et. al., due to Public Safety Power Shutoffs (PSPS), which are the intentional shutting-off of power to portions of Monterey County, which are expected to continue, to reduce the risk of igniting a fire caused by electrical company infrastructure during adverse weather, thereby causing conditions of extreme peril to the safety of persons and property nearby. (4/5ths vote required)