



Monterey County

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

Action Minutes - Draft Board of Supervisors

Chair Mary L. Adams - District 5
Vice Chair Luis Alejo - District 1
Supervisor John M. Phillips - District 2
Supervisor Simon Salinas - District 3
Supervisor Jane Parker - District 4

Tuesday, April 11, 2017

9:00 AM

See separate agenda for Board of Supervisors of the Monterey County Water Resource Agency.

9:00 A.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Supervisor Alejo arrived after Roll Call.

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

Additions and Corrections for Closed Session:

There were no additions or corrections to Closed Session.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~one~~ two matters of significant exposure to litigation. (REVISED VIA SUPPLEMENTAL)
 - b. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Keep Fort Ord Wild v. County of Monterey, et al., Monterey County Superior Court case no. M114961
 - c. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
 - (1) Jose Bocanegra

CLOSED SESSION REPORT

Closed Session under Government Code section 54950, relating to the following items:

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

CLOSED SESSION REPORT: The Board conferred with Counsel and took no reportable action on item 1.a.

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

(1) Keep Fort Ord Wild v. County of Monterey, et al., Monterey County Superior Court case no. M114961

CLOSED SESSION REPORT: The Board conferred with Counsel and took no reportable action on item 1.b.(1).

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

(1) Jose Bocanegra

CLOSED SESSION REPORT: The Board conferred with Counsel and unanimously rejected the liability claim of Jose Bocanegra, item 1.c.(1).

10:30 A.M. - Reconvened

Roll Call

Present: Mr. Diego Celis, Interpreter

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

Pledge of Allegiance

The Pledge of Allegiance was done under the agenda for the Monterey County Water Resources Agency and led by the 4-H members in attendance.

Additions and Corrections

There were no Additions or Corrections to the agenda.

Note: Members of the Grand Jury were present.

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to approve the Consent Calendar (See Supplemental Sheet). ALL AYES

Ceremonial Resolutions

3. Adopt Resolution commending David K. Pendergrass, upon his retirement for his 39 years of dedicated service to the residents of Sand City. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón

Salinas to adopt Resolution No. 17-099 commending David K. Pendergrass, upon his retirement for his 39 years of dedicated service to the residents of Sand City. (Full Board) ALL AYES

Appointments

- 4.** Appoint Francine Rodd to the Monterey County Child Care Planning Council as Agency Representing for a term ending June 30, 2020. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Francine Rodd to the Monterey County Child Care Planning Council as Agency Representing for a term ending June 30, 2020. (Full Board) ALL AYES

- 4.1 Appoint Jose Vasquez to the In-Home Supportive Services Advisory Committee to fill an unscheduled vacancy with a term ending June 30, 2019. (Supervisor Salinas) (ADDED VIA ADDENDA)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Jose Vasquez to the In-Home Supportive Services Advisory Committee to fill an unscheduled vacancy with a term ending June 30, 2019. (Supervisor Salinas) (ADDED VIA ADDENDA). ALL AYES

Other Board Matters

5. Appoint a member of the Monterey County Board of Supervisors to serve as primary director on the Monterey Bay Community Power (MBCP) Policy Board; and, appoint a member of the Board of Supervisors to serve as alternate director on the MBCP Policy Board.

A motion was made by Supervisor Mary Adams, seconded by Supervisor John M. Phillips to appoint Supervisor Jane Parker to serve as primary director on the Monterey Bay Community Power (MBCP) Policy Board; and appoint Supervisor John M. Phillips to serve as alternate director on the MBCP Policy Board.

Public Comment:

Kevin Davin; Hans Jongens; Sylvia Hsi; Pete Scudder; Unnamed young Hispanic male; Unnamed woman wearing white baseball cap; John Martinez; Unnamed woman with curly hair; and Greg Riley.

6. Board Comments

Supervisor Mary L. Adams noted that there members of the Grand Jury were present.

Supervisor Simón Salinas thanked Supervisor Luis Alejo for organizing the Immigration forum he hosted with the Attorney General Xavier Becerra regarding the monitoring of immigration issues and federal impacts to the local area.

Supervisor Mary L.Adams also thanked Supervisor Luis Alejo for organizing the Immigration Forum. She advised that at the Forum there were materials distributed containing information for anyone that may need assistance with immigration rights.

Supervisor Luis Alejo thanked the Attorney General for coming to the Immigration Forum in Salinas and for speaking to the immigrant community. He thanked County staff Manny Gonzalez and Elliott Robinson for being in attendance. He noted that there were great speakers in attendance to discuss topics such as privacy, driver's licenses for immigrants under Assembly Bill 60 and preparation of child custody documents for parents in the event that they are separated from their children. The Mexican Consulate's office was in attendance, as well as local immigration attorneys discussing immigration rights for local residents. Supervisor Luis Alejo also thanked Supervisor Mary L. Adams for hosting District 1 and the Deputy Director of the Office of Emergency Services in Big Sur tlast week. They were able to see a lot of the

road damage, including Pfeiffer Bridge. They were able to walk Pfeiffer Canyon bypass trail, which is the only trail providing access in and out of Big Sur right now. He noted that the trail is very steep, but that the residents are using the trail and children are using the trail to get to and from school. There have been 200 jobs lost in the area. The economy is really hurting and there is a great hardship for families and businesses in the area after the major storms.

7. CAO Comments and Referrals

County Administrative Officer Lew Bauman advised of two new Board Referrals submitted.

The first is from District 1 (Alejo) to create a more constituent friendly webpage to facilitate and encourage participation on our County Commissions. This will improve the County's home page with easier to access information on our County Commissions, description of qualifications, vacancies, and ease of community engagement through downloadable applications.

The second Board Referral is from District 4 (Parker) to provide an update on status of implementation of a State grant for developing policies that address mitigation of loss of farmland and reduce greenhouse gas emissions concerning Sustainable Agricultural Lands Conservation Grant (SALC).

8. General Public Comment

Claire Larsen; Hans Jongens; Eric Peterson; unidentified male.

10:30 A.M. - Scheduled Matters

9. Receive a presentation from Sheriff's Office personnel on the operational and staffing plan for the jail housing addition, project no. 8819 and consider adopting a resolution in support of the plan.

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

a. Direct the CAO to oversee the hiring of an appropriate third party consultant for a peer review of the staffing plan and to explore the feasibility of providing access to in-person visitation during construction. Direct staff to provide the Board with policies and protocols regarding current staffing and operations plans, with advice from County Counsel regarding the Board's ability to influence policies.

b. Authorize the County Administrative Officer, Resource Management Agency (RMA) Director, and Sheriff to take such further actions as may be necessary or appropriate to meet State milestone requirements as defined in AB 900 Phase II Financing Program. 4-1 (Phillips No)

12:00 P.M. - Recessed to Lunch

1:30 P.M. - Reconvened

Roll Call

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

1:30 P.M. - Scheduled Matters

Budget Workshop

- 10. County Administrative Officer Opening Statement
Dr. Lew Bauman gave an opening statement.
- 11. FY 2017-18 Board of Supervisors' Budget Workshop
Dewayne Woods and Paul Lewis gave a presentation for the Budget Workshop.

Public Comment

There was no public comment.

12. **DEPARTMENTAL BUDGET PRESENTATIONS**

- a. Resource Management Agency - Land Use & Environment
- b. Sheriff's Office - Public Safety & Criminal Justice
- c. Probation - Public Safety & Criminal Justice
- d. Health - Health & Sanitation
- e. Public Defender - Public Safety & Criminal Justice
- f. Human Resources - Finance & Administration
- g. Treasurer-Tax Collector - Finance & Administration

Carl Holm presented on behalf of Resource Management Agency - Land Use and Environment.
Sheriff Steve Bernal presented on behalf of the Sheriff's Department.
Chief Marcia Parsons presented on behalf of Probation Department.
Elsa Jimenez presented on behalf of the Health Department.
Susan Chapman presented on behalf of the Public Defender.
Irma Ramirez-Bough presented on behalf of the Human Resources Department.
Mary Zeeb presented on behalf of the Treasurer-Tax Collector.

- 13. Board Discussion and Direction.
The Board received the presentations and asked questions of staff.

Public Comment

Jack Irving; Jay Donato.

Adjourned

APPROVED:

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

ATTEST:

BY: _____

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

APPROVED ON _____

Supplemental Sheet, Consent Calendar

Natividad Medical Center

14. Authorize payment to nThrive, Inc. (formerly MedAssets, Inc.) for invoices billed to Natividad Medical Center totaling \$21,189 for a 6 month subscription to access an online reference database containing approved Medicare and Medicaid billing codes for the period of July 1, 2016 through December 31, 2016.
- Approved - Agreement No. A-11233**
15. Approve funding and implementation of Natividad Medical Center capital projects for Fiscal Year (FY) - 2017 that require budget increases.
- Approved**
16. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with New Image Landscape Company for landscape maintenance services as per the County of Monterey Request for Proposal (RFP) No. 10425 for landscaping services that shall not exceed \$10,000 per project, for the term April 1, 2017 through June 30, 2017, with an option to extend the agreement for one (1) additional one (1) year period, and for a total agreement amount not to exceed \$85,000.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to one (1) future amendment in order to exercise the option to extend the term for one (1) additional one (1) year period and to add \$75,000, for a revised total agreement amount not to exceed \$150,000, so long as an appropriation for the costs of the amendment is included in the County Recommended/Adopted Budget.
- c. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) no-extension further amendments, each of which do not exceed 10% (\$7,500) of the original amount of the agreement, for a revised total agreement amount not to exceed \$172,500, so long as an appropriation for the costs of the amendments is included in the County Recommended/Adopted Budget.
- Approved – Agreement No. A-13515**

Health Department

17. Approve and authorize the Contracts Purchasing Officer or Contracts/Purchasing Supervisor to execute a no-extension Amendment No. 1 to Standard Agreement A-13117 with LocumTenens.com to increase the FY 2016-17, FY 2017-18 and FY 2018-19 amount by \$1,200,000 to meet the Department's needs for a total Agreement amount not to exceed \$1,950,000.

Approved – Agreement No. A-13117

General Government

18. Adopt a resolution to extend the Proclamation of a Local Emergency dated January 12, 2017, ratified on January 19, 2017, and reviewed and extended on February 14, 2017 and March 14, 2017, in accordance with California Government Code section 8630 for a succession of significant winter storm events which occurred between January 4, and 12, 2017 that resulted in significant damage to public infrastructure and private property within Monterey County. (4/5ths vote required)
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-102 to extend the Proclamation of a Local Emergency dated January 12, 2017, ratified on January 19, 2017, and reviewed and extended on February 14, 2017 and March 14, 2017, in accordance with California Government Code section 8630 for a succession of significant winter storm events which occurred between January 4, and 12, 2017 that resulted in significant damage to public infrastructure and private property within Monterey County. (4/5ths vote required) . ALL AYES**
19. Approve and authorize the Director of the Information Technology Department to execute Amendment No. 1 to the Agreement between Latitude Geographics Group Ltd and the County of Monterey to provide GIS Geocortex Virtual Classroom Training module, which will provide the County with up-to-date knowledge and skills on data location services and intelligence, adding \$25,000 for a revised total not to exceed \$100,000.
- Approved – Agreement No. A-13351**
20. a. Approve an agreement with the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”) and the City of Salinas for the provision of interim legal and administrative support services to the SVBGSA.
b. Adopt a resolution to authorize and direct the CAO to execute the Agreement.
- A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to:**
- a. Approve Agreement No. A-13575 with the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”) and the City of Salinas for the provision of interim legal and administrative support services to the SVBGSA.**
b. Adopt Resolution No. 17-167 to authorize and direct the CAO to execute the Agreement. ALL AYES
21. Introduce, waive reading and set April 18, 2017 at 10:30 a.m. as the date and time to consider the adoption of an ordinance amending Section 7.13.070 of the Monterey County code to reauthorize the Public, Educational, and Government Access (PEG) Support Fee on cable operators and video service providers that hold state franchises and operate within unincorporated Monterey County.

Approved

22. Adopt a resolution to:
- a. Accept a grant award of \$20,000 from The California Endowment, Strengthening Regional Capacity to Advance Health Equity: To strengthen leadership capacity to incorporate healing-informed racial equity principles in government to narrow disparities in health and opportunity in Monterey County (Grant ID 20172494); and
 - b. Authorize the Auditor-Controller to amend the Fiscal Year 2016-17 Adopted Budget, Fund 001, Appropriation Unit CAO024, increasing appropriations and estimated revenue by \$20,000, funded by The California Endowment (Grant ID 20172494) (4/5th vote required); and
 - c. Authorize the Assistant County Administrative Officer (CAAO) over the Office of Community Engagement and Strategic Advocacy (OCESA) or the ACAO's designee to accept, administer and execute documents to secure funding from The California Endowment.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-104 to:

- a. **Accept a grant award of \$20,000 from The California Endowment, Strengthening Regional Capacity to Advance Health Equity: To strengthen leadership capacity to incorporate healing-informed racial equity principles in government to narrow disparities in health and opportunity in Monterey County (Grant ID 20172494); and**
- b. **Authorize the Auditor-Controller to amend the Fiscal Year 2016-17 Adopted Budget, Fund 001, Appropriation Unit CAO024, increasing appropriations and estimated revenue by \$20,000, funded by The California Endowment (Grant ID 20172494) (4/5th vote required); and**
- c. **Authorize the Assistant County Administrative Officer (CAAO) over the Office of Community Engagement and Strategic Advocacy (OCESA) or the ACAO's designee to accept, administer and execute documents to secure funding from The California Endowment. ALL AYES**

23. a. Approve Renewal and Amendment No. 6 to the County of Monterey Service Agreement with Multiple Awards with RJA Management Services, Inc., retroactive to March 20, 2017, and extending the term of the Agreement until December 31, 2017; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Renewal and Amendment No. 6 to the Service Agreement. (ADDITIONAL ATTACHMENT ADDED VIA SUPPLEMENTAL - Attachment G-Amendment 6FE- Supplemental Published At 3:30)

Approved – Agreement No. A-12193

24. a. Authorize and approve the execution and delivery of documents relating to the renewal of a Standby Letter of Credit by Bank of America to support payment of Workers' Compensation deductible claims with Liberty Mutual; and
- b. Authorize the Chair of the Board of Supervisors, the County Administrative

Officer, or the Assistant County Administrative Officer to sign the annual Bank of American application for amendment to the Standby Letter of Credit.

Approved