

Monterey County

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



Meeting Minutes - Draft

Tuesday, February 9, 2021

9:00 AM

Board of Supervisors

Chair Supervisor Wendy Root Askew - District 4

Vice Chair Supervisor Mary L. Adams - District 5

Supervisor Luis A. Alejo - District 1

Supervisor John M. Phillips - District 2

Supervisor Chris Lopez - District 3

9:00 A.M. - Called to Order

The meeting was called to order by Chair Supervisor Wendy Root Askew.

Roll Called

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

Staff Present

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

Additions and Corrections for Closed Session by County Counsel

There were no additions and corrections for the agenda.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding matters posing a threat to the security of public buildings, essential public services, or the public's right of access to public services or facilities.
 - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado
Employee Organization(s): All Units
 - (2) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado
Employee Organization(s): Unit H
 - 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 54956.8, the Board will confer with real property negotiators:
 - (1) Property: 259-261-003-000, 259-261-004-000 and 259-261-005-000
Agency Negotiator(s): County Counsel
Negotiating Parties: Don Chapin Company
Under negotiation: Price and terms
 - e. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
 - f. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel

regarding existing litigation:

- (1) Julie Perales (Worker's Compensation Appeals Board case no. ADJ1904911)
- (2) Julie Perales (Worker's Compensation Appeals Board case no. ADJ3884350)
- (3) Julie Perales (Worker's Compensation Appeals Board case no. ADJ8301282)
- (4) Julie Perales (Worker's Compensation Appeals Board case no. ADJ7285464)
- (5) Julie Perales (Worker's Compensation Appeals Board case no. ADJ9805616)
- (6) *Garcia v. County of Monterey, et al.* (Monterey County Superior Court case no. 18CV002543)

Public Comment

Open for public comments; Thomas Pochari, in person, commented. Comments were not related to the closed session items.

The Board Recessed for Closed Session Agenda Items

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

Roll Called

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

Staff Present

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

Pledge of Allegiance

The Pledge of Allegiance was led by Elsa Jimenez, First 5 California Commissioner.

Announcement of Interpreter

Jocelyn Martinez, Spanish Interpreter, in person, announced Spanish interpreter services for public comments.

Lilia Guzman and Laura Porras, via Zoom, provided simultaneous Spanish interpretation services for the entirety of the meeting on the Spanish Zoom channel.

Additions and Corrections by Clerk

The following additions and corrections were read into the record:

Correction to the 1:30 p.m. Scheduled Matters"

Item No. 30 is in receipt of a revised Board Report; and

Item No. 31 is requested to be pulled from the agenda by the department to be brought back at a later time.

No vote is needed on these corrections to the agenda.

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar Items No. 32 through 41.

Open for public comments, Nina Beety, via Zoom, pulled and commented on Item No. 35.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to approve Consent Calendar Item Numbers 32 through 41 excluding Item No. 35 as a separate vote will be taken on it as it was pulled by a member of the public.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to approve Consent Calendar Item Number 35.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Ceremonial Resolutions

Open for public comments; no public comments made.

3. Adopt Resolution in Support of Campaign to Increase Enrollment in California's Low-Income Rate Assistance Programs. (Full Board - Supervisor Askew)

A motion was made Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to adopt Resolution No. 21-045 in Support of Campaign to Increase Enrollment in California's Low-Income Rate Assistance Programs. (Full Board - Supervisor Askew)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

4. Adopt a Resolution proclaiming February 2021 as African American History Month in Monterey County. (REVISED VIA SUPPLEMENTAL) (Full Board - Supervisor Askew)

A motion was made Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to adopt Resolution No. 21-043 proclaiming February 2021 as African American History Month in Monterey

County. (REVISED VIA SUPPLEMENTAL) (Full Board - Supervisor Askew)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

5. Adopt Resolution recognizing Friends of Community Animal Services for their commitment to the County of Monterey. (Full Board - Supervisor Lopez)

A motion was made Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to adopt Resolution No. 21-044 recognizing Friends of Community Animal Services for their commitment to the County of Monterey. (Full Board - Supervisor Lopez)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Appointments

Open for public comments; no public comments made.

6. Appoint Lee Ann Magoski to the Equal Opportunity and Civil Rights Advisory Commission, with a term ending date of December 31, 2023. (Full Board)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to appoint Lee Ann Magoski to the Equal Opportunity and Civil Rights Advisory Commission, with a term ending date of December 31, 2023. (Full Board)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

7. Reappoint Charles Wahle to the CSA-47, with a term ending date of February 9, 2024. (Supervisor Adams)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to reappoint Charles Wahle to the CSA-47, with a term ending date of February 9, 2024. (Supervisor Adams)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

- 8. Appoint Allen Miller to the CSA-47, with a term ending date of January 31, 2023. (Supervisor Adams)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to appoint Allen Miller to the CSA-47, with a term ending date of January 31, 2023. (Supervisor Adams)

Roll call vote taken pursuant to Government Code 54953:

**Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE**

- 9. Appoint Thomas W.Clark, Jr. to the CSA-25, with a term ending date of February 9, 2024. (Supervisor Adams)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to appoint Thomas W.Clark, Jr. to the CSA-25, with a term ending date of February 9, 2024. (Supervisor Adams)

Roll call vote taken pursuant to Government Code 54953:

**Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE**

- 10. Appoint Kai Lermen to the CSA-25, with a term ending date of February 9 2024. (Supervisor Adams)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to appoint Kai Lermen to the CSA-25, with a term ending date of February 9 2024. (Supervisor Adams)

Roll call vote taken pursuant to Government Code 54953:

**Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE**

- 11. Appoint Steve Schloss to the CSA-25, with a term ending date of February 9, 2024. (Supervisor Adams)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to appoint Steve Schloss to the CSA-25, with a term ending date of February 9, 2024. (Supervisor Adams)

Roll call vote taken pursuant to Government Code 54953:

**Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE**

12. Appoint Peter Levin to the CSA-25, with a term ending date of February 9, 2024. (Supervisor Adams)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to appoint Peter Levin to the CSA-25, with a term ending date of February 9, 2024. (Supervisor Adams)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

13. Reappoint William Shelby to the CSA-15, with a term ending date of June 30, 2022. (Supervisor Adams)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to reappoint William Shelby to the CSA-15, with a term ending date of June 30, 2022. (Supervisor Adams)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

14. Appoint Hilda Munoz to the Commission on the Status of Women, with a term ending date of February 1, 2022. (Supervisor Phillips)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to appoint Hilda Munoz to the Commission on the Status of Women, with a term ending date of February 1, 2022. (Supervisor Phillips)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

15. Appoint Sylvia Valdez to the Castroville Cemetery District, with a term ending date of March 30, 2021. (Supervisor Phillips)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to appoint Sylvia Valdez to the Castroville Cemetery District, with a term ending date of March 30, 2021. (Supervisor Phillips)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

- 16. Reappoint Virginia H. Mendoza to the Monterey County Housing Advisory Committee, with a term ending date of January 7, 2022. (Supervisor Alejo)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to reappoint Virginia H. Mendoza to the Monterey County Housing Advisory Committee, with a term ending date of January 7, 2022. (Supervisor Alejo)

Roll call vote taken pursuant to Government Code 54953:

**Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE**

- 17. Reappoint Wes White to the Monterey County Housing Advisory Committee, with a term ending date of February 9, 2023. (Supervisor Alejo)

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to reappoint Wes White to the Monterey County Housing Advisory Committee, with a term ending date of February 9, 2023. (Supervisor Alejo)

Roll call vote taken pursuant to Government Code 54953:

**Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE**

- 18. Appoint Colleen Courtney to serve as Supervisor Mary Adams’ second alternate on the Transportation Agency for Monterey County.

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to appoint Colleen Courtney to serve as Supervisor Mary Adams’ second alternate on the Transportation Agency for Monterey County.

Roll call vote taken pursuant to Government Code 54953:

**Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE**

Other Board Matters

- 19. Board Comments

Board Comments can be heard by clicking the following link:

<https://monterey.granicus.com/player/clip/4159>

- 20. County Administration Officer Comments and Referrals (REVISED VIA SUPPLEMENTAL)

Charles McKee, County Administrative Officer from the County Administrative office commented and shared there is one new referral this week from Supervisor Luis A. Alejo:

Referral No. 2021.03 This referral seeks to establish an ordinance that would require employers to recall laid-off Monterey County hospitality, restaurant, and travel workers when our economy re-opens based on greatest length of service. The referral request a report and presentation to the Board of Supervisors in one month (March), followed by ongoing status reports until the referral is deemed complete.

Open for public comments; Gary Cursio, via Zoom, commented.

Comments can be heard by clicking the following link:

<https://monterey.granicus.com/player/clip/4159>

21. General Public Comments

Open for general public comments for items not on today's agenda; Nina Beety, via Zoom, commented.

10:30 A.M. - Scheduled Matters

- 22.**
- a. Receive a presentation on the First 5 Monterey County (The Monterey County Children and Families Commission) Fiscal Year (FY) FY 2019-20 Annual Report from Francine Rodd, Executive Director of First 5 Monterey County; and
 - b. Accept the FY 2019-20 Annual Report from the First 5 Monterey County.

Elsa Jimenez, Director of the Health Department and the First 5 California Commissioner, via Zoom, introduced Francine Rodd, First 5 Monterey County Executive Director, also via Zoom, who presented via PowerPoint presentation.

Open for public comments; Ricardo Diaz Jr., Bernie Gomez, and Maria Ramirez-Sevilla, all via Zoom, commented.

A motion was made Supervisor Wendy Root Askew, seconded by Supervisor Mary L. Adams to:

- a. Receive a presentation on the First 5 Monterey County (The Monterey County Children and Families Commission) Fiscal Year (FY) FY 2019-20 Annual Report from Francine Rodd, Executive Director of First 5 Monterey County;
- b. Accept the FY 2019-20 Annual Report from the First 5 Monterey County; and
- c. Directed staff to have this item agendized at a Budget Committee meeting for further review.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

12:00 P.M. - Recessed to Lunch back into closed session

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

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

Staff Present

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

Announcement of Interpreter

Jocelyn Martinez, Spanish Interpreter, in person, announced Spanish interpreter services for public comments.

Lilia Guzman and Laura Porras, via Zoom, provided simultaneous Spanish interpretation services for the entirety of the meeting on the Spanish Zoom channel.

1:30 P.M. - Scheduled Matters

- 23.**
- a. Briefing and update on COVID-19, including impacts, and action, proposals and plans to address (verbal report);
 - b. Provide direction to staff to address COVID-19

This matter was called out of order and after Item No.'s A - F.

Dr. Edward Moreno, Health Officer, via Zoom, from the Health Department presented on the local/state metrics, testing and vaccinations via PowerPoint presentation.

Open for public comments; Charles Meyer and Chris Valdez, via Zoom, commented.

Upon consensus the Board received a:

- a. Briefing and update on COVID-19, including impacts, and action, proposals and plans to address (verbal report); and
- b. Provided direction to staff to address COVID-19

- A.** Adopt a Resolution to:
- a. Receive a report from the Health Department on pandemic programs and associated financial impacts; and
 - b. Provide Direction on continuance of pandemic programs as detailed in Attachment A, including reserving funding from General Fund Contingencies, Cannabis Assignment, and/or the Strategic Reserve; and
 - c. Authorize the County Administrative Office and Direct the Auditor-Controller upon the Authorization of the County Administrative Office to release an amount not to exceed \$6,593,491 from Cannabis Assignment (BSA 001-3132), General Fund Contingencies (001-1050-CAO020 4/5th vote required), and/or Strategic Reserve (BSA 001-3111) funds as necessary through June 30, 2021 to finance

pandemic programs in the event that alternative Federal or State funding does not materialize prior to the end of the fiscal year, for those specific pandemic programs the board of Supervisors has directed to continue and reserved Cannabis Assignment funds, contingencies and/or Strategic Reserve funds as outlined in Attachment A.

Ezequiel Vega, Budget Director from the County Administrative Office with Elsa Jimenez, Director from the Health Department, both via Zoom, presented via PowerPoint presentation.

Open for public comments; Cesar Lara, Jay Donato, Bernie Gomez, Jill Allen, Alexis Magdeleno, Edgar Ibarra, Christina Deorta, Jill Allen and Airam Coronado, via Zoom, commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez, with Supervisor Mary L. Adams voting no, to adopt Resolution No. 21-035 to:

- a. Receive a report from the Health Department on pandemic programs and associated financial impacts; and**
- b. Provide Direction on continuance of pandemic programs as detailed in Attachment A, including reserving funding from General Fund Contingencies, Cannabis Assignment, and lastly from the Strategic Reserve; and**
- c. Authorize the County Administrative Office and Direct the Auditor-Controller upon the Authorization of the County Administrative Office to release an amount not to exceed \$6,593,491 from General Fund Contingencies (001-1050-CAO020 4/5th vote required), Cannabis Assignment (BSA 001-3132), and lastly the Strategic Reserve (BSA 001-3111) funds as necessary through June 30, 2021 to finance pandemic programs in the event that alternative Federal or State funding does not materialize prior to the end of the fiscal year, for those specific pandemic programs the Board of Supervisors has directed to continue and reserved contingencies, Cannabis Assignment funds, and lastly from Strategic Reserve funds as outlined in Attachment A.**

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: NAY

Chair Supervisor Root Askew: AYE

Motion carried 4 to 1

B. Adopt Resolution to:

- a. Receive a report from the Department of Social Services on pandemic programs and associated financial impacts; and
- b. Provide direction on continuance of pandemic programs, as detailed in attachments A (Department of Social Services pandemic response activities) and B (contracted services Project Roomkey and Great Plated Delivered Program), including reserving funding from General Fund Contingencies, Cannabis Assignment, and/or the Strategic Reserve; and
- c. Authorize the County Administrative Office and Direct the Auditor Controller upon the Authorization by the County Administrative Office to release an amount not to exceed \$7,929,441 from Cannabis Assignment (BSA 001-3132), General Fund Contingencies (001-1050- CAO020, 4/5th vote required), and/or Strategic Reserve (BSA 001-3111) funds as necessary through June 30, 2021, to finance pandemic programs in the event alternative Federal or State funding does not materialize prior to the end of the fiscal year, for those specific pandemic programs the Board of Supervisors has directed to continue and reserved Cannabis Assignment funds, contingencies and/or Strategic Reserve

funds as outlined in Attachments A and B.

Ezequiel Vega, Budget Director from the County Administrative Office with Becky Cromer, Finance Manager from the Department of social Services, both via Zoom, presented via PowerPoint presentation.

Open for public comments; Cesar Lara, Jay Donato, Bernie Gomez, Jill Allen, Alexis Magdeleno, Edgar Ibarra, Christina Deorta, Jill Allen and Airam Coronado, via Zoom, commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez, with Supervisor Mary L. Adams voting no, to adopt Resolution No. 21-036 to:

- a. Receive a report from the Department of Social Services on pandemic programs and associated financial impacts; and**
- b. Provide direction on continuance of pandemic programs, as detailed in attachments A (Department of Social Services pandemic response activities) and B (contracted services Project Roomkey and Great Plated Delivered Program), including reserving funding from General Fund Contingencies, Cannabis Assignment, and lastly from the Strategic Reserve; and**
- c. Authorize the County Administrative Office and Direct the Auditor Controller upon the Authorization by the County Administrative Office to release an amount not to exceed \$7,929,441 from General Fund Contingencies (001-1050- CAO020, 4/5th vote required), Cannabis Assignment (BSA 001-3132), and lastly from the Strategic Reserve (BSA 001-3111) funds as necessary through June 30, 2021, to finance pandemic programs in the event alternative Federal or State funding does not materialize prior to the end of the fiscal year, for those specific pandemic programs the Board of Supervisors has directed to continue and reserved contingencies, Cannabis Assignment funds, and lastly Strategic Reserve funds as outlined in Attachments A and B.**

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: NAY

Chair Supervisor Root Askew: AYE

Motion carried 4 to 1

C. Adopt Resolution No. to:

- a. Receive a report on the Sheriff's Office COVID19 response as previously approved under CARES Act through December 30, 2020 and the associated financial impacts for continuation of the response from January 1, 2021 to June 30, 2021; and**
- b. Support authorizing and directing the Auditor-Controller to increase appropriations by \$2,191,000 in Sheriff-Coroner's FY 2020-21 Adopted Budget to fund the Sheriff's Office response to the pandemic COVID-19 as detailed in Schedule I, financed by the State Hold revenue from the CDCR amounting to \$1,098,908 and offset from the Cannabis Assignment or other funding authorized by the Board amounting to \$1,092,092. (4/5th vote required)**

Ezequiel Vega, Budget Director from the County Administrative Office with John Mineau, Undersheriff from the Sheriff's Office, both via Zoom, presented via PowerPoint presentation.

Open for public comments; Cesar Lara, Jay Donato, Bernie Gomez, Jill Allen, Alexis Magdeleno, Edgar Ibarra, Christina Deorta, Jill Allen and Airam Coronado, via Zoom, commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez, with Supervisor Mary L. Adams voting no, to adopt Resolution No. 21-037 to:

- a. Receive a report on the Sheriff's Office COVID19 response as previously approved under CARES Act through December 30, 2020 and the associated financial impacts for continuation of the response from January 1, 2021 to June 30, 2021; and
- b. Support authorizing and directing the Auditor-Controller to increase appropriations by \$2,191,000 in Sheriff-Coroner's FY 2020-21 Adopted Budget to fund the Sheriff's Office response to the pandemic COVID-19 as detailed in Schedule I, financed by the State Hold revenue from the CDCR amounting to \$1,098,908 and funding from General Fund Contingencies(4/5th vote required), Cannabis Assignment, and lastly from the Strategic Reserve funding authorized by the Board amounting to \$1,092,092.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: NAY
Chair Supervisor Root Askew: AYE

Motion carried 4 to 1

- D.** Adopt a resolution to:
- a. Receive a financial condition report for the Housing and Community Development Department and Department of Public Works, Facilities, & Parks (collectively, the former Resource Management Agency) for Fiscal Year (FY) 2020-21; and
 - b. Authorize the County Administrative Office and Direct the Auditor-Controller to release up to \$1,814,761 in Cannabis Assignment (001-3132), General Fund Contingencies (001-3113) 4/5th vote required, Strategic Reserve, or other funding directed by the Board to fund revenue shortfalls resulting from the pandemic as outlined in Attachment A.

Ezequiel Vega, Budget Director from the County Administrative Office with Randy Ishii, Director from Public Works, Facilities and Mike Novo, Management Specialist from the Housing and Community Development Department, both via Zoom, presented via PowerPoint presentation.

Open for public comments; Cesar Lara, Jay Donato, Bernie Gomez, Jill Allen, Alexis Magdeleno, Edgar Ibarra, Christina Deorta, Jill Allen and Airam Coronado, via Zoom, commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez, with Supervisor Mary L. Adams voting no, to adopt Resolution No. 21-038 to:

- a. Receive a financial condition report for the Housing and Community Development Department and Department of Public Works, Facilities, & Parks (collectively, the former Resource Management Agency) for Fiscal Year (FY) 2020-21; and
- b. Authorize the County Administrative Office and Direct the Auditor-Controller to release up to \$1,814,761 from General Fund Contingencies (001-3113) 4/5th vote required, Cannabis Assignment (001-3132), and lastly from the Strategic Reserve, or other funding directed by the Board to fund revenue shortfalls resulting from the pandemic as outlined in Attachment A.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: NAY
Chair Supervisor Root Askew: AYE

Motion carried 4 to 1

- E.** Adopt a Resolution directing the Auditor-Controller to amend the FY 2020-21 Adopted Budget for the County Administrative Office (CAO), Fund 001, Appropriation Unit CAO005, Unit 8056, to increase appropriations by \$841,434, where the funding source is a release of Cannabis Assignment (BSA- 001-3132) funds or other source approved by the Board (4/5ths vote).

Ezequiel Vega, Budget Director from the County Administrative Office Bruce Suckow, Finance Manager II from the District Attorney's Office, both via Zoom, presented via PowerPoint presentation.

Open for public comments; Cesar Lara, Jay Donato, Bernie Gomez, Jill Allen, Alexis Magdeleno, Edgar Ibarra, Christina Deorta, Jill Allen and Airam Coronado, via Zoom, commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez, with Supervisor Mary L. Adams voting no, to adopt Resolution No. 21-039 to: Direct the Auditor-Controller to amend the FY 2020-21 Adopted Budget for the County Administrative Office (CAO), Fund 001, Appropriation Unit CAO005, Unit 8056, to increase appropriations by \$841,434, where the funding source is General Fund Contingencies (001-3113) 4/5th vote required, Cannabis Assignment (001-3132), and lastly from the Strategic Reserve, or other funding directed by the Board.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: NAY

Chair Supervisor Root Askew: AYE

Motion carried 4 to 1

- F.** Adopt Resolution authorizing and directing the Auditor-Controller to:
- Amend the FY2020-21 County Administrative Office Adopted Budget (021-1050-8478-CAO030) to increase appropriations by \$900,000 for the Monterey County Small Business Relief Program (administered by the Monterey County Workforce Development Board), financed by a release of Cannabis Tax Assignment funds (001-3132) or other funds identified by the Board (4/5th vote required);
 - Increase appropriations in the County Administrative Office's Other Financing Uses (001-1050-8038-CAO0017) in the FY2020-21 Adopted Budget by \$900,000, financed by an increase in Non-Program Revenue (001-1050-CAO019-8041) (4/5th vote required); and
 - Complete an operational transfer of \$900,000 out of CAO Other Financing Uses (001-1050-8038-CAO0017) and into the Workforce Development Board Fund (021-1050-CAO030-8478) for the FY2020-21 (4/5th vote required).

Ezequiel Vega, Budget Director from the County Administrative Office with Chris Donnelly, Executive Director from the Workforce Development Board, both via Zoom, presented via PowerPoint presentation.

Open for public comments; Cesar Lara, Jay Donato, Bernie Gomez, Jill Allen, Alexis Magdeleno, Edgar Ibarra, Christina Deorta, Jill Allen and Airam Coronado, via Zoom, commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez, with Supervisor Mary L. Adams voting no, to adopt Resolution No. 21-040 to:

- a. Amend the FY2020-21 County Administrative Office Adopted Budget (021-1050-8478-CAO030) to increase appropriations by \$900,000 for the Monterey County Small Business Relief Program (administered by the Monterey County Workforce Development Board), financed from General Fund Contingencies (001-3113) 4/5th vote required, Cannabis Assignment (001-3132), and lastly from the Strategic Reserve or other funds identified by the Board (4/5th vote required);
- b. Increase appropriations in the County Administrative Office's Other Financing Uses (001-1050-8038-CAO0017) in the FY2020-21 Adopted Budget by \$900,000, financed by an increase in Non-Program Revenue (001-1050-CAO019-8041) (4/5th vote required); and
- c. Complete an operational transfer of \$900,000 out of CAO Other Financing Uses (001-1050-8038-CAO0017) and into the Workforce Development Board Fund (021-1050-CAO030-8478) for the FY2020-21 (4/5th vote required).

Increase the County Administrative Office budget by \$100,000 from contingency to fund Spanish communications with the public. The County Administrative Officer to allot funding in areas in need of Spanish communications.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: NAY
Chair Supervisor Root Askew: AYE

Motion carried 4 to 1

Due to clerical inadvertence the agenda does not have Item No's. 24 - 29.

30.
 - a. Approve Amendment No. 4 to the Subdivision Improvement Agreement for the York Highlands Resubdivision for an extension of 24 months (May 22, 2022); and
 - b. Authorize the Chair to execute the Amendment and direct the Clerk of the Board to record the Amendment with the County Recorder.

Les Girard, County Counsel from the County Counsel Office verbally presented.

Open for public comments; no public comment made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to:

- a. Approve Amendment No. 4 to the Subdivision Improvement Agreement for the York Highlands Resubdivision for an extension of 24 months (May 22, 2022); and
- b. Authorize the Chair to execute the Amendment and direct the Clerk of the Board to record the Amendment with the County Recorder.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: NAY
Chair Supervisor Root Askew: AYE

31. Public hearing to receive and consider information on Coastal Hazards, including presentations from the California Coastal Commission, Monterey County Water Resources Agency and United States Bureau

of Reclamation, Central Coastal Wetlands Group (Moss Landing Marine Labs), and the Association of Monterey Bay Area Governments (AMBAG), and to provide direction to staff on preparation of climate hazard risk assessments and resiliency plans.

Project Location: Unincorporated County

Proposed CEQA action: Statutorily Exempt per CEQA Guidelines Section 15262.

Removed from agenda via additions and corrections

- 31.1** Public hearing to consider an appeal by Leonard McIntosh from the September 30, 2020 Planning Commission decision approving an amendment to a Combined Development Permit to allow construction of a 22,137 square foot, two-story, 15-unit residential apartment building, on vacant Lot 5 of the Laguna Seca Office Park (LSOP) and approving a General Development Plan for Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 [Condominium Units 103 & 104] and 19 [Condominium Unit 002] of the LSOP to allow residential and/or commercial uses on any single lot, such that the cumulative total of residential square footage across all lots covered by the General Development Plan does not exceed the cumulative total commercial square footage across the LSOP.

Proposed CEQA Action: Consider an Addendum together with the Final Environmental Impact Report for the Laguna Seca Office Park in accordance with CEQA Guidelines Section 15164. [PLN170765 -Leonard H. McIntosh Family Trust, 24491 Citation Court, Monterey, Greater Monterey Peninsula Area Plan. (APNs: 173-121-002, 173-121-003, 173-121-004, 173-121-005 (Lot 5), 173-121-023, & 173-121-026, 173-121-009, 173-121-011, 173-121-015, 173-121-016, 173-123-001, 173-123-003, 173-123-006, & 173-124-001)] (ADDED VIA ADDEDUM)

Public hearing commenced.

Open for public comments; no public comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to continue Item No. 31.1 to Tuesday, February 23, 2021:

Public hearing to consider an appeal by Leonard McIntosh from the September 30, 2020 Planning Commission decision approving an amendment to a Combined Development Permit to allow construction of a 22,137 square foot, two-story, 15-unit residential apartment building, on vacant Lot 5 of the Laguna Seca Office Park (LSOP) and approving a General Development Plan for Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 [Condominium Units 103 & 104] and 19 [Condominium Unit 002] of the LSOP to allow residential and/or commercial uses on any single lot, such that the cumulative total of residential square footage across all lots covered by the General Development Plan does not exceed the cumulative total commercial square footage across the LSOP.

Proposed CEQA Action: Consider an Addendum together with the Final Environmental Impact Report for the Laguna Seca Office Park in accordance with CEQA Guidelines Section 15164.

[PLN170765 -Leonard H. McIntosh Family Trust, 24491 Citation Court, Monterey, Greater Monterey Peninsula Area Plan. (APNs: 173-121-002, 173-121-003, 173-121-004, 173-121-005 (Lot 5), 173-121-023, & 173-121-026, 173-121-009, 173-121-011, 173-121-015, 173-121-016, 173-123-001, 173-123-003, 173-123-006, & 173-124-001)] (ADDED VIA ADDEDUM)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

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 54957(a), the Board will confer with County Counsel regarding matters posing a threat to the security of public buildings, essential public services, or the public's right of access to public services or facilities.

The Board took no reportable actions on items 1.a.

b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:

(1) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado

Employee Organization(s): All Units

(2) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado

Employee Organization(s): Units F and H

The Board took no reportable actions on items 1.b.(1)(2)

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.

The Board took no reportable actions on items 1.c.

d. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

(1) Property: 259-261-003-000, 259-261-004-000 and 259-261-005-000

Agency Negotiator(s): County Counsel

Negotiating Parties: Don Chapin Company

Under negotiation: Price and terms

The Board authorized a partial agreement with the Don Chapin Company.

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

The Board took no reportable actions on items 1.e.

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

(1) Julie Perales (Worker's Compensation Appeals Board case no. ADJ1904911)

(2) Julie Perales (Worker's Compensation Appeals Board case no. ADJ3884350)

(3) Julie Perales (Worker's Compensation Appeals Board case no. ADJ8301282)

(4) Julie Perales (Worker's Compensation Appeals Board case no. ADJ7285464)

(5) Julie Perales (Worker's Compensation Appeals Board case no. ADJ9805616)

(6) Garcia v. County of Monterey, et al. (Monterey County Superior Court case no. 18CV002543)

The Board took no reportable actions on items 1.f.(1)(2)(3)(4)(5)(6)

Adjourned

The meeting was adjourned at 3:49 p.m. by Chair Supervisor Wendy Root Askew.

APPROVED:

**WENDY ROOT ASKEW, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: _____
**VALERIE RALPH
CLERK OF THE BOARD
APPROVED ON** _____

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

32. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute the Professional and Call Coverage Services Agreement with Mazen Hashisho M.D. to provide vascular and thoracic surgery services at NMC for an amount not to exceed \$1,600,000 for the period March 1, 2021 to March 31, 2024; and
- b. Authorize the Chief Executive Officer for NMC or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not exceed 10% (\$160,000) of the original contract amount and do not significantly change the scope of work.

Approved - Agreement No.: A-15104

Health Department

33. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Mental Health Services Agreement with Starshine Treatment Center, Inc. for the term retroactive to August 1, 2020 through June 30, 2023 for the provision of mental health services in the amount of \$66,489 for Fiscal Year (FY) 2020-21, \$72,533 for FY 2021-22, and \$72,533 for FY 2022-23 for a total Agreement amount not to exceed \$211,555; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$21,155.50) of the original Agreement amount and do not significantly change the scope of services.

Approved - Agreement No.: A-15105

Criminal Justice

34. Authorize the County Administrative Officer or his designee to sign a Memorandum of Agreement, retroactive to December 8, 2020, and all related documentation on behalf of the County for the JAG grant application with the City of Salinas, subject to review and approval by County Counsel.

Approved - Agreement No.: A-15106

General Government

35. a. Approve and authorize the Director of the Information Technology Department to execute a non-standard "Authorization To Order" under the California Department of Technology CALNET Agreement with Verizon Communications, Incorporated for Cellular Voice and Data (CVD) Services, Agreement Number C4-CVD-19-001-03, Category 19, Sub-Category 19.1- Cellular Business Services, and Sub-Category 19.2- First Responders Cellular Services, and any other service categories offered by this carrier or contract for a term beginning on January 12, 2021 and ending May

22, 2023; and

b. Authorize the Director of Information Technology Department to sign up to two (2) two-year extensions to the Agreement, subject to County Counsel review, under similar terms and conditions of the Agreement; and

c. Approve and authorize the Contracts/Purchasing Officer to issue purchase orders for specific services authorized under the Agreement, as may be requested by Information Technology Department (ITD) and other County Departments, for Wireless Voice Calling Plans, Wireless Voice & Data Bundled Plans, Wireless Data Plans, Machine-to-Machine/Telemetry Plans, and additional Wireless Services.

Approved - Agreement No.: A-15107

- 36.** Receive the Action Minutes of the Capital Improvement Committee for the 3rd and 4th Quarters of 2020 for the meetings held on September 14, 2020, and November 9, 2020.

Approved

- 37.** a. Approve and Authorize amending the Fiscal Year (FY) 2020-21 Library Adopted Budget 6110-LIB003 Unit 8141 to reallocate two part time (.5) Library Assistant I to one full time (1.0) Library Assistant II as indicated in Attachment A; and
- b. Direct the Auditor-Controller and County Administrative Office to incorporate the position changes in the FY 2020-21 Library Adopted Budget 6110-LIB003 Unit 8141.

Approved

- 38.** Receive the Action Minutes of the Budget Committee for the 3rd and 4th Quarters of 2020 for the meetings held on July 29, 2020, August 26, 2020, October 7, 2020, October 28, 2020, November 19, 2020, and December 16, 2020.

Approved

- 39.** a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Renewal and Amendment No.3 to retroactively extend the terms between the County of Monterey, and Salinas Valley Collision Repair, to extend the term of existing auto repair services, for an additional three (3) months from July 1, 2020 to September 30, 2020

Approved - Agreement No.: A-12455, Amendment No. 3

Housing and Community Development

- 40.** a. Approve Amendment No. 4 to Professional Services Agreement No. A-12648 with Wood Environment & Infrastructure Solutions, Inc. (formerly Amec Foster Wheeler Environment & Infrastructure, Inc.) to continue to provide consulting engineering services for the San Lucas Water District Public Water Supply Replacement Project, under Request for Qualifications (RFQ) #10433, to extend the expiration date for approximately seventeen (17) additional months through June 30, 2022, for a revised term from February 19, 2014 to June 30, 2022, with no associated dollar amount

- increase to the total not to exceed amount of \$440,000; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to Professional Services Agreement No. A-12648; and
 - c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute up to three (3) future amendments to Professional Services Agreement No. A-12648 to extend the term beyond the original term authorized in Request for Proposals #10433 where the amendments do not significantly alter the scope of work or increase the approved Agreement amount, subject to review and approval by the Office of the County Counsel as to form.

Approved - Agreement No.: A-12648; Amendment No. 4

Public Works, Facilities and Parks

- 41.
 - a. Approve Professional Services Agreement with TRC Engineers, Inc. to provide professional civil engineering services for the Las Lomas Drive Bicycle Lane and Pedestrian Project, under Request for Proposals (RFP) #10706, in a total amount not to exceed \$403,297 beginning February 9, 2021 for a period of three (3) years to February 9, 2024, 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 Professional Services Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.

Approved - Agreement No.: A-15108

Addendum/Supplemental

42. Addendum

Added to Schedule PM:

31.1 Public hearing to consider an appeal by Leonard McIntosh from the September 30, 2020 Planning Commission decision approving an amendment to a Combined Development Permit to allow construction of a 22,137 square foot, two-story, 15-unit residential apartment building, on vacant Lot 5 of the Laguna Seca Office Park (LSOP) and approving a General Development Plan for Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 [Condominium Units 103 & 104] and 19 [Condominium Unit 002] of the LSOP to allow residential and/or commercial uses on any single lot, such that the cumulative total of residential square footage across all lots covered by the General Development Plan does not exceed the cumulative total commercial square footage across the LSOP.

Proposed CEQA Action: Consider an Addendum together with the Final Environmental Impact Report for the Laguna Seca Office Park in accordance with CEQA Guidelines Section 15164.

[PLN170765 -Leonard H. McIntosh Family Trust, 24491 Citation Court, Monterey, Greater Monterey Peninsula Area Plan. (APNs: 173-121-002, 173-121-003, 173-121-004, 173-121-005 (Lot 5), 173-121-023, & 173-121-026, 173-121-009, 173-121-011, 173-121-015, 173-121-016, 173-123-001, 173-123-003, 173-123-006, & 173-124-001)]

Supplemental

Correction to Resolution:

- 4. Adopt a Resolution proclaiming February 2021 as African American History Month in Monterey County.

Correction to CAO Referrals:

- 20. County Administration Officer Comments and Referrals

Revised Power Point presentation:

Adopt a resolution to:

- 23. (A). a. Receive a financial condition report for the Housing and Community Development Department and Department of Public Works, Facilities, & Parks (collectively, the former Resource Management Agency) for Fiscal Year (FY) 2020-21; and
- b. Authorize the County Administrative Office and Direct the Auditor-Controller to release up to \$1,814,761 in Cannabis Assignment (001-3132), General Fund Contingencies (001-3113) 4/5th vote required, Strategic Reserve, or other funding directed by the Board to fund revenue shortfalls resulting from the pandemic as outlined in Attachment A.