

Monterey County

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



Action Minutes - Draft

Thursday, August 3, 2017

9:00 AM

Special Meeting

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*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Present: 4 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips and Supervisor Simón Salinas

Absent: 1 - Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Adams.

Consent Calendar**Approval of the Consent Agenda**

1. 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, March 14, 2017, April 11, 2017, May 9, 2017, June 6, 2017, June 27, 2017, and July 25, 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 Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-279 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, March 14, 2017, April 11, 2017, May 9, 2017, June 6, 2017, June 27, 2017, and July 25, 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) 4-0 (Supervisor Parker Absent)

2. Adopt a resolution to extend the Proclamation of a Local Emergency dated February 15, 2017, ratified on February 22, 2017, and reviewed and extended on March 21, 2017, April 18, 2017, May 16, 2017, June 13, 2017, July 11, 2017, and July 25, 2017 in accordance with California Government Code 8630 for atmospheric river events which occurred between February 7, 2017 through February 20, 2017 that resulted in multiple significant rainfall events causing damage to public infrastructure and private property. (4/5ths vote required)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-280 to extend the Proclamation of a Local Emergency dated February 15, 2017, ratified on February 22, 2017, and reviewed and extended on March 21, 2017, April 18, 2017, May 16, 2017, June

13, 2017, July 11, 2017, and July 25, 2017 in accordance with California Government Code 8630 for atmospheric river events which occurred between February 7, 2017 through February 20, 2017 that resulted in multiple significant rainfall events causing damage to public infrastructure and private property. (4/5ths vote required) 4-0 (Supervisor Parker Absent)

3.
 - a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding with Monterey County Special Education Local Plan Area for reimbursement to the County for the provision of mental health and residential treatment services for a total amount not to exceed \$2,808,658.27 effective July 1, 2017 through June 30, 2018, subject to further review and approval of County Counsel, County Risk Manager, and County-Auditor Controller; and
 - b. Accept the Director of Health's recommendation to incorporate non-standard indemnification and insurance provisions; and
 - c. 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%) (\$280,865.82) of the original Memorandum of Understanding amount and do not significantly change the scope of services.

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

- a. **Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding (Agreement No. A-13694) with Monterey County Special Education Local Plan Area for reimbursement to the County for the provision of mental health and residential treatment services for a total amount not to exceed \$2,808,658.27 effective July 1, 2017 through June 30, 2018, subject to further review and approval of County Counsel, County Risk Manager, and County-Auditor Controller; and**
 - b. Accept the Director of Health's recommendation to incorporate non-standard indemnification and insurance provisions; and**
 - c. 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%) (\$280,865.82) of the original Memorandum of Understanding amount and do not significantly change the scope of services. 4-0 (Supervisor Parker Absent)**
4.
 - a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding for the provision of therapeutic services to students with each of the following Monterey County School Districts ("School Districts"): Carmel Unified, Chualar Union, Gonzales Unified, Greenfield Union, King City Union, Salinas City Elementary, Salinas Union High, San Antonio Union, San Ardo Union Elementary, San Lucas Union, Soledad Unified, and South Monterey County Joint Union High, for a total maximum amount for all School Districts of \$1,725,060.63, see Exhibit A for total amount per school district, effective August 1, 2017 through June 30, 2018, subject to further review and approval of County Counsel, County Risk Manager, and County-Auditor Controller; and
 - b. Accept the Director of Health's recommendation to incorporate non-standard

indemnification and insurance provisions; and

c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments to each MOU that in total do not exceed ten percent (10%) of the initial liability of each MOU, as shown in Exhibit A, and that do not significantly change the scope of services.

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

- a. **Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding for the provision of therapeutic services to students with each of the following Monterey County School Districts ("School Districts"): Carmel Unified (A-13682), Chualar Union (A-13683), Gonzales Unified (A-13684), Greenfield Union (A-13685), King City Union (A-13686), Salinas City Elementary (A-13687), Salinas Union High (A-13688), San Antonio Union (A-13689), San Ardo Union Elementary (A-13690), San Lucas Union A-13691), Soledad Unified A-13692, and South Monterey County Joint Union High (A-13693), for a total maximum amount for all School Districts of \$1,725,060.63, see Exhibit A for total amount per school district, effective August 1, 2017 through June 30, 2018, subject to further review and approval of County Counsel, County Risk Manager, and County-Auditor Controller; and**
- b. **Accept the Director of Health's recommendation to incorporate non-standard indemnification and insurance provisions; and**
- c. **Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments to each MOU that in total do not exceed ten percent (10%) of the initial liability of each MOU, as shown in Exhibit A, and that do not significantly change the scope of services. 4-0 (Supervisor Parker Absent)**

5. Approve and Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign Amendment No. 8 to Agreement A-12200, retroactive to 07/01/2017, between the Monterey County Sheriff's Office and California Forensic Medical Group, Inc. (CFMG) for adult inmate medical services, extending the agreement retroactive to July 1, 2017 to September 30, 2017, at an estimated total cost for three (3) months in the FY 2017-18 of \$2,140,000 for the Monterey County Sheriff's Office, to allow for finalization of a new contract.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to approve and authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign Amendment No. 8 to Agreement A-12200, retroactive to 07/01/2017, between the Monterey County Sheriff's Office and California Forensic Medical Group, Inc. (CFMG) for adult inmate medical services, extending the agreement retroactive to July 1, 2017 to September 30, 2017, at an estimated total cost for three (3) months in the FY 2017-18 of \$2,140,000 for the Monterey County Sheriff's Office, to allow for finalization of a new contract. 4-0 (Supervisor Parker Absent)

9:00 A.M. Scheduled Matters

6. a. Consider adopting a Resolution to approve the forms of and authorizing the execution and delivery of a Trust Agreement, Ground Lease, Lease Agreement, Certificate Purchase Agreement, and a Continuing Disclosure Agreement in

connection with the offering and sale of the County of Monterey Certificates of Participation (2017 Public Facilities Authority) (the "2017 COPs"), and authorizing the distribution of an Official Statement in connection therewith and authorizing execution of necessary documents, certificates, and certain other related actions.

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.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-286 to approve the forms of and authorizing the execution and delivery of a Trust Agreement, Ground Lease, Lease Agreement, Certificate Purchase Agreement, and a Continuing Disclosure Agreement in connection with the offering and sale of the County of Monterey Certificates of Participation (2017 Public Facilities Authority) (the "2017 COPs"), and authorizing the distribution of an Official Statement in connection therewith and authorizing execution of necessary documents, certificates, and certain other related actions.

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. 4-0 (Supervisor Parker Absent)

Closed Session

7. 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 matter of significant exposure to litigation.

b. 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) Nancy L. Holt

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 matter of significant exposure to litigation.

CLOSED SESSION REPORT: The Board took no reportable action on items 7.a.

b. 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) Nancy L. Holt

CLOSED SESSION REPORT: The Board took no reportable action on items 7.b.

(1).

Adjournment

APPROVED:

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

ATTEST:

BY: _____

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

APPROVED ON _____