

# Monterey County

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



## **Action Minutes - Draft**

**Tuesday, May 2, 2017**

**9:30 AM**

**See separate agenda for Board of Supervisors of the Monterey County Water Resource Agency and East Garrison Community Services District.**

## **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*

**9:30 A.M. - Called to Order**

The meeting was called to order by Chair Adams.

**Roll Call**

*Supervisor Alejo arrived by 10:00 a.m. He did not attend Closed Session.*

**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.

**Public comment:**

Male identified as fearful/undocumented.

**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 matter of significant exposure to litigation.
  - b. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:
    - (1) Designated representatives: Manuel Gonzalez and Brette Neal
    - Employee Organization(s): Unit S
  - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) Keep Fort Ord Wild, et al. v. County of Monterey, et al. (Monterey County Superior Court case no. M114961)
  - d. 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) Delmos Whitley

**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 item 1.a.**

**b. Pursuant to Government Code section 54957.6, the Board will confer with**

negotiators:

(1) Designated representatives: Manuel Gonzalez and Brette Neal

Employee Organization(s): Unit S

**CLOSED SESSION REPORT:** The Board took no reportable action on item 1.b. (1).

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

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

**CLOSED SESSION REPORT:** The Board took no reportable action on item 1.c. (1).

d. 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) Delmos Whitley

**CLOSED SESSION REPORT:** The Board conferred with counsel and the Board denied the claim of Delmos Whitley. (4-0 Supervisor Alejo Absent)

## **10:30 A.M. - Reconvene**

### **Roll Call**

*Present: 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 led by Chair Adams.

### **Additions and Corrections**

There were no additions or corrections to the agenda.

### **Consent Calendar- (See Supplemental Sheet)**

2. Approval of Consent Calendar (See Supplemental Sheet)

Joe Vierra pulled items 18.1 and 20.

Jay Donato pulled item 19.

Supervisor Jane Parker pulled item 14

Supervisor Luis Alejo pulled item 18.1 and 19.

Re item No. 14: Supervisor Jane Parker requested this item return in two weeks with more information. Daniel Leon responded.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to continue item 14 to May 16, 2017. See item.

Re item No. 18.1: Public comment: Joe Vierra; Ron James; Patricia Martinez; Melissa; Male-no name given; Wes White. See item.

Re item No. 19: Public comment: Jay Donato. Chief Probation Officer Marcia Parsons responded to comments on item 19.

A motion was made by Supervisor Simon Salinas, seconded by Supervisor John M. Phillips to continue item 19 for one week. See item.

Re item No. 20: Public comment: Joe Vierra.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to approve item 20. See item.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to approve the Consent Calendar (See Supplemental Sheet), with the exception of items 14, 18.1, 19, and 20. ALL AYES

### Ceremonial Resolutions

Public comment on Appointments:

Joe Vierra; Ron James; Wes White; Melissa.

3. Adopt Resolution proclaiming the month of May 2017 as “Building Safety Month” in Monterey County. (Full Board)  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-119 proclaiming the month of May 2017 as “Building Safety Month” in Monterey County. (Full Board) ALL AYES**
4. Adopt Resolution honoring Butch Corda upon the completion of his term as Chairman of the Board of the Grower-Shipper Association. (Full Board)  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-120 honoring Butch Corda upon the completion of his term as Chairman of the Board of the Grower-Shipper Association. (Full Board). ALL AYES**
- 4.1 Adopt Resolution to proclaim Monday, April 24, 2017 as Holocaust Remembrance Day in Monterey County. (Full Board)  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-121 to proclaim Monday, April 24, 2017 as Holocaust Remembrance Day in Monterey County. (Full Board). ALL AYES**

### Appointments

5. Appoint Val King to the Agricultural Advisory Committee to fill an unscheduled vacancy with a term ending June 30, 2018. (Supervisor Parker)  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to appoint Val King to the Agricultural Advisory Committee to fill an unscheduled vacancy with a term ending June 30, 2018. (Supervisor Parker) ALL AYES**
6. Appoint Wes White to the Monterey County Housing Advisory Committee for a term ending May 2, 2019. (Supervisor Alejo)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to appoint Wes White to the Monterey County Housing Advisory Committee for a term ending May 2, 2019. (Supervisor Alejo) ALL AYES**

7. Appoint Virginia H. Mendoza to the Monterey County Housing Advisory Committee for a term ending May 2, 2019. (Supervisor Alejo)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to appoint Virginia H. Mendoza to the Monterey County Housing Advisory Committee for a term ending May 2, 2019. (Supervisor Alejo) ALL AYES**

8. Reappoint Salvador Munoz to the Monterey County Historic Resources Review Board for a term ending December 31, 2018. (Supervisor Alejo)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to reappoint Salvador Munoz to the Monterey County Historic Resources Review Board for a term ending December 31, 2018. (Supervisor Alejo) ALL AYES**

### **Other Board Matters**

9. Board Comments

Supervisor Luis Alejo announced that 3000 residents came out on Monday, May 1, 2017, for the International Day of the Worker celebration in East Salinas. He was happy and proud to see the turnout. Many businesses closed in the support of the day's activities. Among the events was a beautiful night of culture on Saturday, April 29, 2017, music and local talent sponsored in part by the Arts Council of Monterey County. He noted this would be a worthy news story for the front page of the newspaper showing how local communities come together in a family-friendly, alcohol free event.

Supervisor Luis Alejo advised that next Tuesday, May 9th, District 1 will hold it's first Advisory Council meeting at La Plaza Bakery on Barden Road. This meeting and future monthly meetings will help engage everyday residents of District 1 in advising the Supervisor on issues affecting the district . The meeting will be bi-lingual for those attending.

10. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman advised of two Board Referrals:  
1) Request public notification of Planning Director interpretations, decisions and opinions to ensure affected property owners are aware when the Planning Director is making the decision/interpretation. Referred to RMA and County Counsel. (District 5 - Adams)

2) Joint referral to outline a three year plan to allow the County to contribute \$500,000 in funds to the Housing Trust Fund to provide a revolving fund for financing affordable housing projects in Monterey County. Referred to CAO Budget division. (District 1- Alejo & District 5 - Adams)

Supervisor Jane Parker requested that when the referral report returns to the Board that County Counsel advise how to ensure that the \$500,000 will be

available for Monterey County projects.

Dr. Bauman advised another milestone has been reached in the County ERP Financial system with the implementation of Advantage 3.10. He congratulated the ERP team, IT and the Auditor staff working on the project.

11. General Public Comment

Thelma McIntosh; Fearful/Undocumented; Hans Jongens; Male-no name given; Ron James; Melissa; Wes White.

**10:30 A.M. - Scheduled Matters**

11.1 Receive an oral presentation from The Bright Futures Education Partnership.

By consensus, the Board received an oral presentation from The Bright Futures Education Partnership. ALL AYES

**Adjourned**

**APPROVED:**

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

**ATTEST:**

**BY:** \_\_\_\_\_

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

**APPROVED ON** \_\_\_\_\_

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

12. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 2 to the agreement (A-12061) with Manco Abbott, Inc. for property management services, extending the agreement an additional two (2) year period (May 1, 2017 through April 30, 2019) for a revised full agreement term of May 1, 2014 through April 30, 2019, and adding \$136,000 for a revised total agreement amount not to exceed \$556,000.

**Approved - Agreement No. A-12061**

13. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute renewal and Amendment No. 2 to the agreement with META Dynamic, Inc. for rental of guided neurosurgery equipment and services, to renew and amend the agreement on the same or similar terms retroactive to April 15, 2017, extending the agreement for an additional three (3) year period (April 15, 2017 through April 14, 2020) for a revised full agreement term of April 15, 2015 through April 14, 2020, and adding \$80,000 for a revised total agreement amount not to exceed \$180,000.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$10,000) of the original cost of the agreement per each amendment.

**Approved - Agreement No. A-13524**

14. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1 to the agreement with F1 Technical Solutions, Inc. for consulting services, extending the agreement an additional two (2) year period for a full agreement term of July 1, 2016 through June 30, 2019 and adding \$860,000 for a revised total agreement amount not to exceed \$959,500.

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to continue to May 16, 2017 consideration to: Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1 to the agreement with F1 Technical Solutions, Inc. for consulting services, extending the agreement an additional two (2) year period for a full agreement term of July 1, 2016 through June 30, 2019 and adding \$860,000 for a revised total agreement amount not to exceed \$959,500.**  
**ALL AYES**

**Health Department**

15. a. Accept the Saddle Road Group Minor Subdivision Water System

Improvement Project (PLN 050469) as complete and direct the Director of Health to execute and record the proposed Notice of Completion; and

b. Approve release of a portion of the Faithful Performance Security in the amount of \$18,325.72 held in Bank of America Certificate of Deposit account 00818-05430; and

c. Approve release of a portion of the Faithful Performance Security in the amount of \$9,569.48 held in Union Bank Certificate of Deposit account 0102228467; and

d. Approve release of the Labor and Materials Security in the amount of \$22,921.51 held in Bank of America Certificate of Deposit account 00818-05430 in accordance with Government Code Section 66499.7(h), which in this instance will be 60 days after the Notice of Completion is recorded; and

e. Approve release of the Labor and Materials Security in the amount of \$9,154.49 held in Union Bank Certificate of Deposit account 0102228467 in accordance with Government Code Section 66499.7(h), which in this instance will be 60 days after the Notice of Completion is recorded.

**Approved**

16. Approve and Authorize the Director of Health or Assistant Director of Health to execute an Agreement with City of Carmel-By-The Sea (City) for the provision of administrative and enforcement services by the County of Monterey (County) of the City's tobacco retail license ordinance, Ordinance No. 3508, commencing May 22, 2017, terminable by either party pursuant to Section 7 of the Agreement.

**Approved - Agreement No. A-13527**

### **Department of Social Services**

17. a. Ratify and approve an agreement for \$11,239.00 retroactive to August 29, 2016 through December 31, 2016 with Johnson Electronics Systems for cable infrastructure installation; and
- b. Approve and authorize the Director of the Department of Social Services to sign an agreement for \$11,239.00 retroactive to August 29, 2016 through December 31, 2016 with Johnson Electronics Systems to install cable infrastructure installation.

**Approved - Agreement No. A-13523**

18. Approve and authorize the Director of the Department of Social Services to sign a no cost agreement with the California Department of Social Services and the California Department of Health Care Services for access to psychotropic medication data, effective upon execution until terminated.

**Approved - Agreement No. A-13526**



- 18.1
- a. Approve and authorize the Director of Social Services to extend the lease agreement with the Transportation Agency for Monterey County through May 30, 2017, for approximately 4,932 square feet of space located at 20 West Market Street, in Salinas, California, as the Salinas Winter Warming Shelter; and
  - b. Direct the Auditor-Controller to continue lease payments of \$1.00 per month in accordance with the lease terms of the lease agreement. (ADDED VIA ADDENDA)

**Public comment: Joe Vierra; Ron James; Patricia Martinez; Melissa; Male-no name given; Wes White.**

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to: a. Approve and authorize the Director of Social Services to extend the lease agreement with the Transportation Agency for Monterey County through May 30, 2017, for approximately 4,932 square feet of space located at 20 West Market Street, in Salinas, California, as the Salinas Winter Warming Shelter; b. Authorize the Auditor-Controller to continue lease payments of \$1.00 per month in accordance with the lease terms of the lease agreement; and c. Directed staff to look for a temporary shelter location as well as intensify search for a permanent shelter location. ALL AYES**

### **Criminal Justice**

- 19.
- a. Approve and authorize the Chief Probation Officer to sign Amendment No. 1 to Agreement No. A-13274 with Rancho Cielo, Incorporated in the amount of \$217,463, for a total contract amount of \$434,926, to continue to provide a job readiness and placement program for AB 109 Public Safety Realignment eligible clients, for the term from July 1, 2017 to June 30, 2018; and
  - b. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten (10) percent (\$21,746) of the original contract amount and do not significantly change the scope of work.

**Public comment: Jay Donato.**

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to continue to May 9, 2017 consideration to: a. Approve and authorize the Chief Probation Officer to sign Amendment No. 1 to Agreement No. A-13274 with Rancho Cielo, Incorporated in the amount of \$217,463, for a total contract amount of \$434,926, to continue to provide a job readiness and placement program for AB 109 Public Safety Realignment eligible clients, for the term from July 1, 2017 to June 30, 2018; and b. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten (10) percent (\$21,746) of the original contract amount and do not significantly change the scope of work. ALL AYES**

**RMA - Land Use and Community Development**

20.                   a. Adopt a resolution directing the Registrar of Voters to conduct a general election on August 29, 2017, wholly by mailed ballot on the questions of: 1) Shall the East Garrison Community Services District have a directly elected Board of Directors; 2) If the East Garrison Community Services District shall have a directly elected Board of Directors, which five (5) candidates shall be elected to serve; and 3) Shall the mailed ballot be used to conduct all future general district elections; and
- b. Direct County Counsel to prepare an impartial summary.

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-124 directing the Registrar of Voters to conduct a general election on August 29, 2017, wholly by mailed ballot on the questions of: 1) Shall the East Garrison Community Services District have a directly elected Board of Directors; 2) If the East Garrison Community Services District shall have a directly elected Board of Directors, which five (5) candidates shall be elected to serve; and 3) Shall the mailed ballot be used to conduct all future general district elections; and**

**b. Direct County Counsel to prepare an impartial summary. ALL AYES**