

Monterey County

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



Action Minutes - Final

Tuesday, January 29, 2019

9:30 AM

Board of Supervisors

*Chair Supervisor John M. Phillips - District 2
Vice Chair Supervisor Chris Lopez - District 3
Supervisor Luis A. Alejo - District 1
Supervisor Jane Parker - District 4
Supervisor Mary L. Adams - District 5*

9:30 A.M. - Called to Order

The meeting was called to order by Chair Supervisor John M. Phillips.

Roll Called

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

Staff Present

Dr. Lew Bauman, County Administrative Officer, Charles McKee, County Counsel, Julian Lorenzana, Board Clerk and Valerie Ralph, Clerk of the Board

Additions and Corrections for Closed Session by County Counsel

There were no additions and corrections for Item No.'s 1.a. through b.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Nacimiento Regional Water Management Advisory Committee v. Monterey County Water Resources Agency, et al., San Luis Obispo County Superior Court Case No. 19CVP-0010
 - (2) Steven Mauck v. County of Monterey, et al., United States District Court Case No. 18-CV-04482
 - 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) James Gary Collins

Public Comment

Open for public comment; no public comment made.

The Board Recessed for Closed Session Agenda Items at 9:33 a.m.

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

Roll Called

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis A. Alejo, Supervisor John M. Phillips, Supervisor Jane Parker and Supervisor Chris Lopez

Staff Present

Dr. Lew Bauman, County Administrative Officer, Charles McKee, County Counsel, Julian Lorenzana, Board Clerk and Valerie Ralph, Clerk of the Board

Announcement of the Interpreter

Diego Celis, Spanish Interpreter present and announced Spanish interpreter services.

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Luis A. Alejo.

Additions and Corrections by Clerk

Removed from Appointments:

Items No. 16, 18, 31 and 32:

16. Reappoint Ben Caldera to the Soledad Cemetery District for a term ending February 1, 2023. (Supervisor Lopez)

18. Reappoint Javier Galvan to the Soledad Cemetery District for a term ending February 1, 2023. (Supervisor Lopez)

31. Reappointed John Ordunez to the Soledad Cemetery District for a term ending February 1, 2023. (Full Board)

32. Reappointed Don Kent Brooks to the Soledad Cemetery District for a term ending February 1, 2023. (Full Board)

Add to Scheduled Matters 1:30 P.M.:

Item No. 38: Revised Attachment E submitted and distributed to all supervisors:

38. Conduct a public hearing to consider an annual report regarding traffic volumes on Carmel Valley Road, pursuant to the 2010 General Plan, Carmel Valley Master Plan.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to approve the additions and corrections.

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar Items No. 43 through 57.

Open for public comment; gentleman in a blue buttoned-down shirt (no name provided) commented on Item No.'s 52 and 53.

Supervisor Mary L. Adams pulled Item No. 48 for comment; Chris Ruhl, CEO for Monterey County Superior Court also commented on Item No. 48.

Supervisor John M. Phillips pulled and commented on Item No.'s 51 and 54 and shared a photo of a map for Item No. 54.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Mary L. Adams to approve Consent Calendar Item No.'s 43 through 57.

ALL AYES

Ceremonial Resolutions

Open for public comment, no public comment made.

3. Adopt Resolution commending Albert Francisco, Mechanic II to the County Administrative Office, for his twenty-seven years of dedicated service to the County of Monterey upon his retirement. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-008 commending Albert Francisco, Mechanic II to the County Administrative Office, for his twenty-seven years of dedicated service to the County of Monterey upon his retirement. (Full Board)

ALL AYES

4. Adopt Resolution recognizing author Antonia Fiske upon completion of her book *Finders, Keepers: How to Reach Your Full Potential* and for her contributions to helping people through her writings. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-009 recognizing author Antonia Fiske upon completion of her book *Finders, Keepers: How to Reach Your Full Potential* and for her contributions to helping people through her writings. (Full Board) ALL AYES

5. Adopt Resolution recognizing North Monterey County Division Chief Joseph Pastore upon his retirement after 36 years of loyal service to North Monterey County Fire Protection District. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-010 recognizing North Monterey County Division Chief Joseph Pastore upon his retirement after 36 years of loyal service to North Monterey County Fire Protection District. (Full Board)

ALL AYES

6. Adopt Resolution recognizing Dionicio Mendoza as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County (Full Board).

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-011 recognizing Dionicio Mendoza as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County (Full Board). ALL AYES

7. Adopt Resolution recognizing Dottie Dodgion as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-012 recognizing Dottie Dodgion as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board) ALL AYES

8. Adopt Resolution recognizing Juan-Carlos Gonzalez as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-013 recognizing Juan-Carlos Gonzalez as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board) ALL AYES

9. Adopt Resolution recognizing Malcolm and Judith Weintraub as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-014 recognizing Malcolm and Judith Weintraub as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board) ALL AYES

10. Adopt Resolution recognizing Marcie Chapa as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-015 recognizing Marcie Chapa as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board) ALL AYES

11. Adopt Resolution recognizing and congratulating Martha Karstens upon her retirement after more than 40 years of service to the Big Sur community. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-016 recognizing and congratulating Martha Karstens upon her retirement after more than 40 years of service to the Big Sur community. (Full Board) ALL AYES

12. Adopt Resolution recognizing Open Ground Studios as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-017 recognizing Open Ground Studios as the recipient of the 2019 Champions of the Arts Award by the Arts Council for

Monterey County. (Full Board) ALL AYES

13. Adopt Resolution commending Ramon Serrano, Mechanic II to the County Administrative Office, for his thirty-seven years of dedicated service to the County of Monterey upon his retirement. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-018 commending Ramon Serrano, Mechanic II to the County Administrative Office, for his thirty-seven years of dedicated service to the County of Monterey upon his retirement. (Full Board) ALL AYES

14. Adopt Resolution recognizing Silka Saavedra as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo, to adopt Resolution No. 19-019 recognizing Silka Saavedra as the recipient of the 2019 Champions of the Arts Award by the Arts Council for Monterey County. (Full Board) ALL AYES

Appointments

Open for public comment; no public comment made.

15. Reappoint Joe Burnett to the Monterey County Fish and Game Advisory Commission for a term ending February 1, 2022. (Supervisor Parker)

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Joe Burnett to the Monterey County Fish and Game Advisory Commission for a term ending February 1, 2022. (Supervisor Parker) ALL AYES

16. Reappoint Ben Caldera to the Soledad Cemetery District for a term ending February 1, 2023. (Supervisor Lopez)

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Ben Caldera to the Soledad Cemetery District for a term ending February 1, 2023. (Supervisor Lopez) ALL AYES

17. Appoint Isabelle Franz to the Commission on the Status of Women for a term ending February 15, 2022. (Supervisor Alejo)

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to appoint Isabelle Franz to the Commission on the Status of Women for a term ending February 15, 2022. (Supervisor Alejo) ALL AYES

18. Reappoint Javier Galvan to the Soledad Cemetery District for a term ending February 1, 2023. (Supervisor Lopez)

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Javier Galvan to the Soledad Cemetery District for a term ending February 1, 2023. (Supervisor Lopez) ALL AYES

19. Reappoint Jesse Herrera to the Monterey County Behavioral Health Commission for a term ending May 31, 2021. (Supervisor Parker)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Jesse Herrera to the Monterey County Behavioral Health Commission for a term ending May 31, 2021. (Supervisor Parker) ALL AYES**
20. Reappoint Sydney Johnson to the Monterey County Behavioral Health Commission for a term ending December 31, 2019. (Supervisor Parker)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Sydney Johnson to the Monterey County Behavioral Health Commission for a term ending December 31, 2019. (Supervisor Parker) ALL AYES**
21. Appoint Etna Monsalve to the Planning Commission for a term ending January 23, 2023. (Supervisor Parker)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to appoint Etna Monsalve to the Planning Commission for a term ending January 23, 2023. (Supervisor Parker) ALL AYES**
22. Appoint Neil Poling to the East Garrison CSD Advisory Committee for a term ending January 31, 2022. (Supervisor Parker)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to appoint Neil Poling to the East Garrison CSD Advisory Committee for a term ending January 31, 2022. (Supervisor Parker) ALL AYES**
23. Appoint Gilbert Ramos to the Community Action Committee for a term ending July 1, 2020. (Supervisor Alejo)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to appoint Gilbert Ramos to the Community Action Committee for a term ending July 1, 2020. (Supervisor Alejo) ALL AYES**
24. Reappoint Teri Short to the East Garrison CSD Advisory Committee for a term ending January 1, 2022. (Supervisor Parker)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Teri Short to the East Garrison CSD Advisory Committee for a term ending January 1, 2022. (Supervisor Parker) ALL AYES**
25. Reappoint Efrem Valentin to the East Garrison CSD Advisory Committee for a term ending January 31, 2022. (Supervisor Parker)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Efrem Valentin to the East Garrison CSD Advisory Committee for a term ending January 31, 2022. (Supervisor Parker) ALL AYES**
26. Reappoint Al Davis to the Monterey County Workforce Development Board for a term ending October 4, 2020. (Full Board)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Al Davis to the Monterey County Workforce Development**

Board for a term ending October 4, 2020. (Full Board) ALL AYES

27. Reappoint Jeff Cecilio to the Northern Salinas Valley Mosquito Abatement for a term ending January 2, 2022. (Full Board)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Jeff Cecilio to the Northern Salinas Valley Mosquito Abatement for a term ending January 2, 2022. (Full Board) ALL AYES**
28. Reappoint Carl Hansen to the Northern Salinas Valley Mosquito Abatement for a term ending January 2, 2022. (Full Board)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Carl Hansen to the Northern Salinas Valley Mosquito Abatement for a term ending January 2, 2022. (Full Board) ALL AYES**
29. Appoint Joe Garcia to the Spreckels Community Services District for a term ending December 31, 2021. (Full Board)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to appoint Joe Garcia to the Spreckels Community Services District for a term ending December 31, 2021. (Full Board) ALL AYES**
30. Appoint Mike McTighe to the Spreckels Community Services District for a term ending December 31, 2021. (Full Board)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to appoint Mike McTighe to the Spreckels Community Services District for a term ending December 31, 2021. (Full Board) ALL AYES**
31. Reappoint John Ordunez to the Soledad Cemetery District for a term ending February 1, 2023. (Full Board)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint John Ordunez to the Soledad Cemetery District for a term ending February 1, 2023. (Full Board) ALL AYES**
32. Reappoint Don Kent Brooks to the Soledad Cemetery District for a term ending February 1, 2023. (Full Board)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Don Kent Brooks to the Soledad Cemetery District for a term ending February 1, 2023. (Full Board) ALL AYES**
33. Reappoint Manuel Morales to the Fish & Game Advisory Commission for a term ending February 1, 2022. (Supervisor Phillips)
- A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Manuel Morales to the Fish & Game Advisory Commission for a term ending February 1, 2022. (Supervisor Phillips) ALL AYES**
34. Reappoint Kevin Kreyenhagen to the Fish & Game Advisory Commission for a term ending February 1, 2022. (Supervisor Adams)

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to reappoint Kevin Kreyenhagen to the Fish & Game Advisory Commission for a term ending February 1, 2022. (Supervisor Adams) ALL AYES

Other Board Matters

35. Board Comments

Supervisor John M. Phillips and Supervisor Chris Lopez did not make any comments this week.

Supervisor Mary L. Adams commented on two items one in the past and one in the future; the Whale Fest down on the wharf was a tremendous success, there were a lot of people and a lot of good educational opportunities for people it was wonderful; I had the chance to attend a Wildfire evacuation planning session with the fire chiefs of the municipalities and representation from the county as well this past week which was really great leading up to a meeting that my district is calling on this coming Thursday, January 31st at 6 p.m. at Palo Corona Regional Park which is the former Rancho Canada where again we will be addressing the issues and questions and concerns of people in the district primarily sparked by the campfire and the subsequent destruction of Paradise so this is an opportunity, for the people in the district, to be able to come together with leaders in the fire divisions throughout the county to get some questions and answers and also hear the plans and provide education on what we can do not if but when the next big one hits, thank you.

Supervisor Luis A. Alejo commented his office will be closed on Thursday as he and his entire office will be volunteering to do the homeless census that only happens once every two years; they are required to show up at these volunteer centers at 4:30 in the morning and it goes till 10 and the reason this is important is that these numbers from that one day count in Monterey County is used for formulas for funding that would come to address homelessness in future years so they are hoping they are doing their part to volunteer; he thinks they need about 250 volunteers and there still are opportunities for residents to come and volunteer at these three locations throughout Monterey County; he wanted just to say he and his staff are committed to that and hopefully they have an accurate count very early in the morning.

Supervisor Mary L. Adams followed up with when she was president of United Way she coordinated the homeless census for many years and she can say Alejo and his team will have the most rewarding experience while going out and taking part in this really important project; She's done it for years when she was at United Way and it really was an eye-opener and an insight into the county that you don't normally see; she encourages people who work for the county and volunteers, anyone interested in really seeing the plight of many of the people in our county; this is an excellent way of doing it so she just wanted to add that and say thank you.

Supervisor Jane Parker wanted to let the public know that Seaside council members Dave Pacheco and John Wizard are hosting a town hall meeting

about the potential to partner with the county and peninsula cities on a creating a homeless shelter in Seaside; that meeting is going to be on Wednesday, February 13th from 6 to 8 p.m. at the Old Meyer Center in Seaside.

36. CAO Comments and Referrals

Lew Bauman, County Administrative Officer stated there were no referrals this week but he is pleased to inform the Board of Supervisors that the RMA, Public Works Department was the proud recipient of two awards; they received a notice on January 11th from the American Public Works Association of the Monterey Bay Chapter that two of our Public Works projects had received awards

from the Tri County area and one of those was the Castroville Bicycle and Pedestrian Rail Crossing and that's for structural projects that are in excess of five million and the second was the Palo Colorado Road Repair Project that was for the emergency repair project less than 5 million.

He stated a brief PowerPoint will be shown so the public and Board can see the scope and magnitude of these projects; the Castroville Bicycle and Pedestrian Rail Crossing is a tremendous project up in the Castroville area which provides access for kids to get back and forth to the high school; they used to have to cross the muddy fields and the rail crossing and this is a tremendous improvement; he understands even equestrians are using it now to get across the rail and then of course, Palo Colorado following the major fires that we had and the subsequent flooding basically closed the road not only to the boy scout camp but to many residents so this tremendous team has really stepped up and brought us award-winning projects.

Randy Ishii, Chief of Public Works presented a PowerPoint presentation.

37. General Public Comments

Open for general public comment for items not on today's agenda; Mr. Vierra commented.

10:30 A.M. - Scheduled Matters

38. Conduct a public hearing to consider an annual report regarding traffic volumes on Carmel Valley Road, pursuant to the 2010 General Plan, Carmel Valley Master Plan.

Public Hearing commenced.

Randy Ishii, Chief of Public Works from the Public Works Department presented via PowerPoint.

Open for public comment; Eric Sand commented.

Upon consensus, the Board considered and received an annual report regarding traffic volumes on Carmel Valley Road, pursuant to the 2010 General Plan, Carmel Valley Master Plan.

39. PLN170624 - GREER (GLASS)

Public hearing, continued from December 12, 2018, to consider:

- a. An appeal by Andres Czerwiak from the August 9, 2018 Zoning Administrator decision approving a Coastal Administrative Permit to allow the conversion of an existing test well to a permanent, single connection well and a Design Approval for related appurtenant components; and
- b. Approval of a revised project consisting of a Coastal Administrative Permit to allow the conversion of an existing test well to a permanent, two-connection well and a Design Approval for related appurtenant components, including a water pipe up to the property line.

Project Location: 124 Fern Canyon, Carmel Highlands, Carmel Area Land Use Plan

Proposed CEQA Action: Categorical Exemption pursuant to Section 15303(e) of the CEQA Guidelines.

Public Hearing commenced.

Brandon Swanson, Acting Chief of Planning and R. Craig Smith, Associate Planner with the Resource Management Agency – Land Use presented via PowerPoint and stated the parties have settled.

Opened for public comment; Alex Lorca and Christine Kemp commented.

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

- a. An appeal by Andres Czerwiak from the August 9, 2018 Zoning Administrator decision approving a Coastal Administrative Permit to allow the conversion of an existing test well to a permanent, single connection well and a Design Approval for related appurtenant components; and
- b. Approve of a revised project consisting of a Coastal Administrative Permit to allow the conversion of an existing test well to a permanent, two-connection well and a Design Approval for related appurtenant components, including a water pipe up to the property line; and

Adopt Resolution No. 19-025 to:

- a. Find that the appeal has been resolved by revision of the project;
- b. Find that the project is categorically exempt pursuant to Section 15303(e) of the CEQA Guidelines; and
- c. Approve a Coastal Administrative Permit, as revised, to allow the conversion of an existing test well to a permanent, two-connection well, in general conformance with the attached sketch and subject to the attached conditions of approval; and
- d. Approve a Design Approval for appurtenant well facilities including: An electric powered pump, two (2) 119-gallon bladder tanks and water filtration system, water pipe up to the property line, two water meters to measure the quantity of water delivered to the respective properties, and a 5,000-gallon polyurethane water storage tank.

ALL AYES

12:00 P.M. - Recessed to Lunch at 11:35 a.m.

1:30 P.M. - Reconvened

Roll Called

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

Staff Present

Dr. Lew Bauman, County Administrative Officer, Charles McKee, County Counsel, Julian Lorenzana, Board Clerk and Valerie Ralph, Clerk of the Board

Announcement of the Interpreter

Diego Celis, Spanish Interpreter present and announced Spanish interpreter services.

1:30 P.M. - Scheduled Matters

42.1

- a. Adopt an ordinance amending Section 12.28.010 of the Monterey County Code to prohibit parking at all times on the east side of State Highway 1 from the centerline of the Point Lobos State Park entrance northerly for a distance of 1800 feet and from the centerline of the Point Lobos State Park entrance southerly for a distance of 1800 feet, in the unincorporated area of Monterey County for a two year period; and
- b. Authorize the Director of Resource Management Agency to apply on behalf of the County for an encroachment permit from Caltrans to install no parking signs on the east side of State Highway 1 adjacent to Point Lobos State Park in accordance with the adopted ordinance.

Item No. 42.1 called out of order at 1:30 p.m. with no objection from the Board.

Carl Holm, Resource Management Agency Director from the Resource Management Agency presented.

Open for public comment; Brent Marshall and Anna Patterson commented.

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

- a. Adopt Ordinance 5307 amending Section 12.28.010 of the Monterey County Code to prohibit parking at all times on the east side of State Highway 1 from the centerline of the Point Lobos State Park entrance northerly for a distance of 1800 feet and from the centerline of the Point Lobos State Park entrance southerly for a distance of 1800 feet, in the unincorporated area of Monterey County for a two year period; and
- b. Authorize the Director of Resource Management Agency to apply on behalf of the County for an encroachment permit from Caltrans to install no parking signs on the east side of State Highway 1 adjacent to Point Lobos State Park in accordance with the adopted ordinance.

ALL AYES

40. Authorize an advanced placement at Step 6 for Lee Ann Magoski, selected for the position of Director Emergency Communications Director (14A26), in accordance with Personnel Policies and Practices Resolution No. 98-394, Sections A.1.11.1 and A.1.11.5, effective upon her appointment to the position. (REVISED VIA SUPPLEMENTAL)

Irma Ramirez- Bough, Human Resources Director from the Human Resources Department presented and introduced Lee Ann Magoski, Director Emergency Communications. Ms. Magoski commented.

Open for public comment; no public comment made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez to authorize an advanced placement at Step 6 for Lee Ann Magoski, selected for the position of Director Emergency Communications Director (14A26), in accordance with Personnel Policies and Practices Resolution No. 98-394, Sections A.1.11.1 and A.1.11.5, effective upon her appointment to the position.

ALL AYES

41. Consider recommendations from the Legislative Committee to:
- Adopt the 2019-20 Legislative Program;
 - Adopt the 2019 Strategic Grant Services Program;
 - Receive an annual report from the County's federal legislative advocate, Brent Heberlee (Ballard Spahr LLP);
 - Receive an annual report from the County's state legislative advocates, Jennifer Capitolo and Ashley Walker (Nossaman LLP);
 - Receive an annual report from the County's grant consultants, Jennifer Capitolo and Ashley Walker (Nossaman LLP).

Nick Chiulos, Assistant County Administrative Officer and Annette D'Adamo, Management Analyst III, from the County Administrative Office presented; Jennifer Capitolo and Ashley Walker from Nossaman, LLP and Brent Heberlee from Ballard Spahr, LLP also presented.

Open for public comment; no public comment made.

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

- Adopt the 2019-20 Legislative Program;
- Adopt the 2019 Strategic Grant Services Program;
- Receive an annual report from the County's federal legislative advocate, Brent Heberlee (Ballard Spahr, LLP);
- Receive an annual report from the County's state legislative advocates, Jennifer Capitolo and Ashley Walker (Nossaman, LLP); and
- Receive an annual report from the County's grant consultants, Jennifer Capitolo and Ashley Walker(Nossaman, LLP).

ALL AYES

- 42.
 - a. Receive an update regarding the Fort Ord Reuse Authority Transition Plan and implementation; and
 - b. Provide direction to staff.

Nick Chiulos, Assistant County Administrative Officer from the County Administrative Office introduced the item; Melanie Beretti, Resource Management Agency (RMA) Services Manager with Carl Holm, Director of RMA with the Resource Management Agency presented an overview of FORA.

Open for public comment; no public comment made.

Upon consensus, the Board:

- a. Received an update regarding the Fort Ord Reuse Authority Transition Plan and implementation; and
- b. Provided direction to staff.

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 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

(1) Nacimiento Regional Water Management Advisory Committee v. Monterey County Water Resources Agency, et al., San Luis Obispo County Superior Court Case No. 19CVP-0010

(2) Steven Mauck v. County of Monterey, et al., United States District Court Case No. 18-CV-04482

CLOSED SESSION REPORT: The Board took no reportable actions on item 1.a. (1)(2)

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) James Gary Collins

CLOSED SESSION REPORT: The Board voted unanimously to reject the claim of James Gary Collins on item 1.b.(1).

Adjourned

The meeting was adjourned at 4:05 p.m. in Memory of Henry Kazuo Hibino by Chair Supervisor John M. Phillips.

APPROVED:

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

ATTEST:

BY: _____/s/ Valerie Ralph_____
VALERIE RALPH
CLERK OF THE BOARD
APPROVED ON October 8, 2019

Supplemental Sheet, Consent Calendar

Natividad Medical Center

- 43. Adopt Resolution to:
 - a. Amend the Natividad Medical Center (Unit 9600) FY 2018-19 Adopted Budget to approve reallocation of positions as indicated by position numbers in the attached resolution; and
 - b. Direct the County Administrative Office to incorporate the approved Position changes in the Natividad Medical Center (Unit 9600) FY 2018-19 Adopted Budget.

Adopted Resolution No. 19-020

Health Department

- 44. Approve and authorize the Contracts/Purchasing Officer to sign Renewal and Amendment No. 3 to Agreement No. A-13421 with Access Support Network increasing \$110,893, for a revised total amount not to exceed \$744,078, for the revised period of January 11, 2017 to September 15, 2019, to continue Human Immunodeficiency Virus (HIV) non-medical case management services to Ryan White Part B eligible clients.

Agreement No. A-13421, Amendment No. 3

Department of Social Services

- 45.
 - a. Approve and authorize the Acting Director of the Department of Social Services to sign Amendment #1 to Agreement No. A-13978 with Alliance on Aging, adding \$93,117 which increases the contract total to \$532,750, for an unchanged term of July 1, 2018 through June 30, 2019 to continue providing outreach, long term care ombudsman, Health Insurance Counseling and Advocacy Program and Medicare Improvements for Patients and Providers Act services to Monterey County seniors; and
 - b. Authorize the Director of the Department of Social Services to sign up to three (3) additional amendments to this Agreement where the total amendments do not exceed 10% (\$53,275) of the current amended contract amount, and do not significantly change the scope of work.

Agreement No.: A-13978, Amendment No. 1

- 46. Approve and authorize the Acting Director of the Department of Social Services to sign annual and semi-annual California Department of Veterans Affairs certifications.

Approved

47. a. Authorize the Monterey County Contracts/Purchasing Officer, under the terms of National IPA Cooperative Agreement R141801, to approve purchase orders for Cloud Infrastructure from Oracle through 3rd Party reseller Mythics in an amount not to exceed \$246,531.51 over a period of three years; and
- b. Authorize the Monterey County Contracts/Purchasing Officer to approve modifications to the purchase orders where the modifications do not exceed 10% of the current aggregate three-year total (\$24,653).

Approved - Agreement No.: A-14220

Criminal Justice

48. a. Authorize the Chair of the Board to sign a Memorandum of Understanding (MOU) with the Superior Court of California, County of Monterey for continued participation of four County agencies in the Driving Under the Influence (DUI) Treatment Court grant, in the amount of \$250,000 retroactively for the period October 1, 2018 to September 30, 2019; and
- b. Authorize the Chair to sign Amendments to the MOU as required by the grant in case of extension.

Approved - Agreement No.: A-14221

- 48.1 a. Approve and Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign a Standard Professional Services Agreement with Rayne of Monterey, Inc. for water softening and conditioning equipment repairs and maintenance and rental of three water softeners for the Sheriff's Office, for a term retroactive from July 1, 2018 to June 30, 2020 in the amount of \$50,000; and
- b. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign up to two (2) future amendments to the agreement where the amendment does not significantly change the scope of work, and where the amendments in total do not increase the contract value more than ten percent (10%) (\$5,000) for a revised maximum contract amount of \$55,000.

Approved - Agreement No.: A-14222

General Government

49. Adopt a resolution to revise and approve amendments to the Conflict of Interest Code of Monterey One Water.

Adopted Resolution No. 19-021

50. Receive and Accept the Treasurer's Report of Investments for the Quarter Ending December 31, 2018.

Received and accepted

51. a. Approve a recommendation from the Legislative Committee to adopt Amendment No. 2 to the Professional Services Agreement with Nossaman LLP to remove the provision of Federal Legislative Advocacy Services from the Agreement effective January 29, 2019 and reduce the not to exceed payment for this portion of the Agreement from \$70,000 for FY 2018-19 to a prorated amount of \$40,456.92 and authorize the Contracts Purchasing Officer to execute Amendment No. 2;
- b. Approve a recommendation from the Legislative Committee to enter into a Professional Services Agreement for Federal Legislative Advocacy Services with Ballard Spahr LLP in an amount not to exceed \$29,731.19 (a prorated amount of \$70,000 for FY 2018-19) for the period of January 29, 2019 to June 30, 2019;
- c. Authorize the Contracts/Purchasing Officer to sign the County's standard Professional Service Agreement with Ballard Spahr LLP with an exemption to the workers' compensation insurance requirements;
- d. Authorize the Contracts/Purchasing Officer to extend the Agreement with Ballard Spahr LLP for up to two (2) additional one (1) year periods under the same scope of work and non-prorated payment provisions included in the Agreement subject to budget approval.

Approved - a. Agreement No.: A-14226; b. Agreement No.: A-14227; c. Agreement No.: A-14228

52. Approve and authorize the Assistant County Administrative Officer, to execute a sole source one-year Event Agreement with Ferrari North America, Inc. for the right to conduct a sports car type road racing event at WeatherTech Raceway Laguna Seca in 2019.

Approved - Agreement No.: A-14223

53. Approve and authorize the Assistant County Administrative Officer, to execute a sole source one-year Event Agreement with WC Vision LLC, for the right to conduct a sports car type road racing event at WeatherTech Raceway Laguna Seca in 2019.

Approved - Agreement No.: A-14224

- 53.1 Adopt Resolution to ratify the Proclamation of Local Emergency signed by the County Administrative Officer on January 24, 2019 for conditions present in the Salinas River Lagoon (4/5ths vote required).

Adopted Resolution No. 19-022

RMA - Administration

54. Adopt a Resolution to:
- a. Approve Memorandum of Understanding by and between Monterey Regional Waste Management District and the County of Monterey regarding the Litter Abatement Program for a period concluding June 30, 2019 for an amount not to exceed \$75,000;
 - b. Approve Memorandum of Understanding by and between Salinas Valley Solid Waste Authority and the County of Monterey regarding the Litter Abatement Program for a period concluding December 31, 2019 for an amount not to exceed \$100,000;
 - c. Authorize the Resource Management Agency Director or Director's designee to execute Memorandums of Understanding in a form substantially similar to the draft MOUs and future amendments where the amendments do not significantly alter the scope of work or change the approved not to exceed amounts; and
 - d. Authorize the Auditor-Controller to amend the Fiscal Year 2018-19 Adopted Budget, Fund 001, Appropriation Unit RMA002, increasing appropriations and estimated revenue by \$125,000 with \$75,000 funded by the Memorandum of Understanding with Monterey Regional Waste Management District and \$50,000 funded by the Memorandum of Understanding with Salinas Valley Solid Waste Authority. (4/5th vote required)

Adopted Resolution No. 19-023

- 55.
- a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Lease Agreement with OM Management and Business Associates, Inc., beginning on or around July 1, 2019 and ending December 31, 2022, for approximately 1,800 square feet of office space at 365 Walnut Avenue, Suite A, in Greenfield, California, for use by the District 3 Supervisor;
 - b. Authorize the Auditor-Controller to make lease payments of \$3,300 per month from Board of Supervisors 1000 Budget, Fund 001, Unit 8015, Appropriation Unit BOA001, and in accordance with the terms of the Lease Agreement; and
 - c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute extension options of the Lease Agreement for two (2) additional four (4) year periods under the same general terms and conditions provided there is no significant increase to the monthly lease payments and to make minor revisions to the lease agreement if deemed by the Contracts/Purchasing Manager to be in the best interest of the County, subject to review and approval by the Office of the County Counsel-Risk Management and the County Auditor-Controller.

Approved - Agreement No.: A-14225

RMA-Land Use and Community Development

56. a. Approve Amendment No. 3 to Professional Services Agreement (PSA) No. A-12845 with Coffman Associates, Inc. extending the expiration of consulting services for preparation of airport land use plans for approximately eleven (11) additional months beyond the maximum term allowed per Request for Qualifications (RFQ) #10451 through December 31, 2019, for a revised term from February 10, 2015 to December 31, 2019 with no increase to the not to exceed amount of \$217,425; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 3 to PSA No. A-12845.

Approved - Agreement No.: A-12845, Amendment No. 3

57. **REF180043 - FIELDS**
Adopt a resolution to approve adding the “A. N. Nastovic” house to the Monterey County Register of Historic Resources, the Local Official Register of Historic Resources. The house is located at 25227 Hatton Road, Carmel (Assessor’s Parcel Number 009-171-011-000).

Proposed CEQA action: Statutorily exempt per CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).

Adopted Resolution No. 19-024

Addenda/Supplemental

58. **SUPPLEMENTAL:**

1:30 P.M. Scheduled Matters

Revised Item 40. to reflect the correct title of Director Emergency Communications:

40. Authorize an advanced placement at Step 6 for Lee Ann Magoski, selected for the position of Director Emergency Communications ~~Director~~ (14A26), in accordance with Personnel Policies and Practices Resolution No. 98-394, Sections A.1.11.1 and A.1.11.5, effective upon her appointment to the position.