

County of Monterey

*Government Center - Board Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901*



Meeting Minutes - Final

Tuesday, July 17, 2018

9:00 AM

Board of Supervisors

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

9:00 A.M. - Called to Order

The meeting was called to order by Chair Luis A. Alejo.

Roll Called

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

Staff Present

Lew Bauman, County Administrative Officer, Charles McKee, County Counsel and Valerie Raph, Clerk of the Board present.

Additions and Corrections for Closed Session

Charles McKee, County Counsel stated for the record there are no additions and or corrections for closed session Items No.'s 1a through d. The agenda schedule was clarified.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Public Defender.
 - b. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Civil Rights Officer.
 - c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
 - d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

Board recessed to Closed Session**10:00 A.M. - Reconvened****Roll Called**

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

Staff Present

Lew Bauman, County Administrative Officer, Charles McKee, County Counsel and Valerie Raph,

Clerk of the Board present.

Announcement of Interpreter

Sara Cervantes-Weber announced Spanish Interpreter services are available if needed.

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor John M. Phillips.

Additions and Corrections

Clerk stated for the record:

Remove from the 1:30 p.m. schedule matter Item No. 15 to Adopt a Resolution to amend Article V of the Monterey County Master Fee Resolution effective September 1, 2018, to adjust and establish new fees relating to Parks user fees pursuant to the attached Article V.

Upon motion by Supervisor Jane Parker and seconded by Supervisor Mary L. Adams and carried unanimously Item No. 15 is removed from the 1:30 p.m. schedule.

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisors pull Consent Item No's' 30, 31 and 31.1 for comments and questions:

Opened for public comment and or to pull any consent items; no items pulled or comments had.

Supervisor Mary L. Adams questioned Item No. 30; Ruhpa Shah, Assistant Auditor Controller, from the Auditor-Controller responded.

Supervisor Alejo commented on Item No. 31 regarding Propositions 2, 3 and 6; Supervisor Phillips commented on Item No. 31.1; DeWayne Woods, Assistant County Administrative Officer from Budget and Analyst office responded.

Opened for public comment; no public comment had.

BOARD ACTION:

Upon motion of Supervisor John M. Phillips, seconded by Supervisor Mary L. Adams and carried unanimously the Board approved all Consent Calendar Items 17 through 33.

Ceremonial Resolutions

Opened for public comments; no public comments had.

3. Adopt Resolution Proclaiming July 15-21, 2018 Probation Services Week in Monterey County. (Full Board)

BOARD ACTION:

Upon motion by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips and carried

unanimously Resolution No. 18-179 was adopted and presented proclaiming July 15-21, 2018 Probation Services Week in Monterey County. (Full Board)

4. Adopt Resolution commending Barbara Verba, Deputy Director of Social Services on her retirement from 41 years of dedicated public service with Monterey County. (Full Board)

BOARD ACTION:

Upon motion by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips and carried unanimously Resolution No. 18-203 was adopted commending Barbara Verba, Deputy Director of Social Services on her retirement from 41 years of dedicated public service with Monterey County. (Full Board)

4.1

Adopt Resolution honoring the life of Bishop Richard J. Garcia. (ADDED VIA ADDENDA)

BOARD ACTION:

Upon motion by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips and carried unanimously Resolution No. 18-202 was adopted honoring the life of Bishop Richard J. Garcia. (Full Board)

4.2

Adopt Resolution recognizing Jesse J. Avila upon his retirement from of Public Service to Monterey County. (ADDED VIA ADDENDA)

County Counsel and Supervisors commented.

BOARD ACTION:

Upon motion by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips and carried unanimously Resolution No. 18-204 was adopted recognizing Jesse J. Avila upon his retirement from of Public Service to Monterey County. (Full Board)

Appointments

Opened for public comment; no public comment had.

Upon motion of Supervisor Simón Salinas, seconded by Supervisor John M. Phillips and carried unanimously, the Board approved the following appointments:

5. Reappoint Richard Kuehn to the In - Home Support Service Advisory Committee for a term ending June 30, 2021. (Full Board)
Reappointed
6. Appoint Darla Smith to the Animal Control Program Advisory Board for a term ending July 1, 2021. (Supervisor Phillips)
Appointed
7. Appoint Jessica Charlene McKillip to the Area on Aging Advisory Council to fill an unscheduled vacancy with a term ending January 1, 2019. (Full Board)
Appointed
- 7.1 Reappoint Alexandra Eastman to the Agricultural Advisory Committee for a term ending June 30,

2021. (Full Board) (ADDED VIA ADDENDA)

Reappointed

Other Board Matters

Other Board Matters Items No.'s 8, 9 and 10 – Trailed from the morning to the afternoon

Scheduled Items 11 and 13 trailed from the morning to the afternoon

- 13.** Receive an informational presentation on the property tax process in Monterey County and the role of the Office of the Auditor-Controller.

Item No. 13.0 called out of order:

Dwayne Woods, Assistant County Administrative Officer, from the Budget and Analyst Division and Tim McGrane, Chief Executive Officer from Sports Car Racing Association of the Monterey Peninsula (SCRAMP) presented.

Chair Luis A, Alejo welcomed and thanked Mark Miles, CEO from Indy Car and Steven Starks for coming and bringing the event.

Questions and comments by all Supervisors had; Woods and McGrane responded.

Additional questions from the Board had; Woods responded.

Mark Miles, CEO from Indy Car commented.

Opened for public comment; Gary Cursio and Paul Ingram commented.

Supervisor Jane Parker asked additional questions; Woods responded.

Board Action:

Upon motion by Supervisor Mary L Adams, seconded by Supervisor Luis A. Alejo and carried unanimously, the Board approved and authorized the Chair of the Board of Supervisors to execute a sole source Event Agreement with INDYCAR, LLC for the right to organize, promote and market the INDYCAR Monterey Grand Prix at WeatherTech Raceway Laguna Seca in 2019, 2020 and 2021.

Board broke at 10:56 a.m. for the Press Conference.

11:38 A.M. - Reconvened

10:00 A.M. - Scheduled Matters

- 12.**
- a. Receive a report on costs and description of duties for Fire Fuel Mitigation duties in response to wildfire concerns;
 - b. Provide direction for the County Resource Management Agency to negotiate and draft a contract with the Resource Conservation District of Monterey County for Board consideration to provide personnel services to address a wide range of fire fuel mitigation issues and objectives; and
 - c. Consider financing options for allocating up to \$150,000 to fund costs for Fire Mitigation in FY

2018-2019

John Dugan, Deputy Director for Resource Management Agency (RMA) presented; Carl Holm, Director for RMA also present.

Questions and comments by Supervisor Jane Parker had; Dugan responded.

Opened for public comment; Pamela Silkwood, attorney representing Elsor Ranch and Michael Emmett, FireSafe Council, President commented.

Supervisor Luis A. Alejo commented and thanked RMA's work on this project.

Supervisor Mary L. Adams commented.

Additional comments and questions from the Jane Parker had; Dugan responded.

Board Action:

Upon motion by Supervisor Mary L. Adams, seconded by Supervisor Simón Salinas and carried unanimously, the Board:

- a. Received a report on costs and description of duties for Fire Fuel Mitigation duties in response to wildfire concerns;
- d. Provided direction for the County Resource Management Agency to negotiate and draft a contract with the Resource Conservation District of Monterey County for Board consideration to provide personnel services to address a wide range of fire fuel mitigation issues and objectives; and
- e. Considered financing options for allocating up to \$150,000 to fund costs for Fire Mitigation in FY 2018-2019.

- 13.1**
- a. Receive a report regarding utilizing the third-party vendor, Host Compliance, for Short-Term Rental (STR) Code Compliance;
 - b. Authorize the Chair to sign a letter reporting back to the Planning Commission and direct the Secretary of the Planning Commission to deliver the letter to the Commission; and
 - c. Provide direction to staff regarding implementing Host Compliance for STR Code Compliance. (Board Referral No.: 2018.10)

Neville Pereira, Chief of Building Services and Interim Deputy Director for Public Works, Parks and Facilities with Kate Battiato, Management Analyst III with Resources Management Agency (RMA) presented.

Supervisor Mary L. Adams thanked the rapid turnaround; and clarified this is a short-term enforcement plan this has nothing to do with the short-term rental ordinance that is being drafted; this is being done so that RMA can focus on the short-term rental ordinance this is a mitigating step for a 3-month timeframe to add the 24-7 hotline to the contract with the fee waived; the focus is on those nuisances such as loud noise, traffic, parking and trash issues. Media outreach will ensure it is for nuisances only; Look at how this would be enforced, the private security term makes the most sense since this is a short-term solution and the letter to the Planning Commission, in response, to their letter will be modified to have text in it that this is an enforcement plan for the short term.

Staff and County Counsel commented on a meet and confer with using an outside security firm.

Opened for public comment; Lorrie Kemp, Coy Were, Lorrain O'Shea, Michelle Alway, Max Arnold, Mary Brinton, Michael Emmett, Eric Sand, Richard Matthews, Gary Richard Arnold and Loyle Straus commented.

Follow-up comments made by staff.

Supervisor Mary L. Adams frames a motion to move to accept the staff recommendation with one minor amendment in the letter to be sent to the Planning Commissioners to add language of “to utilize limited code enforcement resources while a coastal and noncoastal short term rental ordinances are being developed and enacted, the Board directs staff to focus on nuisance short term rentals which in addition to non-compliances with transient occupancy permitting also violate county codes pertaining to noise, litter and parking standards, seconded by Supervisor Simón Salinas.

Comments and questions from Supervisor Jane Parker had; Pereira responded.

Supervisor Jane Parker also asks the maker of the motion to add language in the letter to express to the Planning Commission that we are responding to this issue and here is what we are planning on doing and we are interested in looking at a final draft ordinance in September 2018. That the Board is pushing for staff and the Planning Commission to get this to the Board by September so they know this process should be expedited.

Melanie Beretti, from RMA elaborated further on the draft ordinance and the next expected steps.

Additional questions and comments had by Supervisor Jane Parker.

Supervisor Mary L. Adams responded and looked to staff for further recommendation on a response to a nuisance call; Pereira responded.

Additional questions and comments had by Supervisor Jane Parker that a outside security firm will not work as they do not have the experience as the RMA staff with issues such as these.

Carl Holm, Director of RMA clarified the understood response that RMA would perform when receiving these types of calls from the hotline.

Additional questions and comments had by all Supervisors with having RMA respond and not an outside security firm and on expediting this process.

Board Action:

Upon previous motion by Mary L. Adams and seconded by Supervisor Simón Salinas, and carried unanimously the Board:

- a. Received a report regarding utilizing the third-party vendor, Host Compliance, for Short-Term Rental (STR) Code Compliance;
- b. Authorized the Chair to sign a letter reporting back to the Planning Commission with modifications as stated above and directed the Secretary of the Planning Commission to deliver the letter to the Commission; and
- c. Provided direction to staff regarding implementing Host Compliance for STR Code Compliance. (Board Referral No.: 2018.10) to institute a 24-hour hotline for nuisances only; to get data on nuisance complaints and some type of implementation on the spot will go to RMA Code Compliance Inspector to handle.

12:00 P.M. - Recessed to Lunch - Closed Session at 12:45 p.m.

1:30 P.M. - Reconvened

Roll Called

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

Staff Present

Lew Bauman, County Administrative Officer, Charles McKee, County Counsel and Valerie Raph, Clerk of the Board present.

Announcement of Interpreter

Sara Cervantes-Weber announced Spanish Interpreter services are available if needed.

1:30 P.M. - Scheduled Matters

13.2 Introducing Supervisor Luis A. Alejo 2018 Class of Young Supervisors Program.

Chair Luis A. Alejo introduced his 2nd Class of Young Supervisors' 2018 Program; 15 students from Alisal High School, Everett Alvarez High School, Salinas High, Anzer High, Norte Dame High School, Hartnell College and Harden Middle School; Marella Rodriguez, Former Young Supervisor whose now graduated Salinas High School who will be attending University of San Francisco in the Fall and Giselle Cortez, Intern – 3rd year at UCLA are helping with program that is coordinated by Chair Alejo's staff Jacklyn Jimenez, Office Manager a previous Young Supervisor and Javier Gomez. Really proud to open their doors to help mentor and foster young leaders in the community and hopes the introduction to county government with an emphasis on learning environmental protection; they got to introduced to different elective leaders, members of the media, members working on restorative justice, public defender's office and immigration attorney's ended with a visit to Colton Hall where the Ca constitution took place in 1848 and took a night visit out into the beautiful waters of Monterey Bay; wanted the community to welcome them and to give them a round of applause to close the introduction. They will be debating a good issue with a mock hearing on voting at the age of 16.

Other Board Matters

8. Board Comment

Supervisor Mary L. Adams thanked the Monterey County Sheriff's Department, California Highway Patrol and the Big Sur Fire Brigade regarding and all people who were instrumental in rescuing Angela Hernandez from the beaches of Big Sur right across from Nacimiento Ferguson; just was an incredible story sometimes Monterey County is in the news no always for the best reasons but to have such a heroic story from this woman who survived for 7 days, the skills she just implored on her own to ensure she can live and now the thought that she has she feels she was destined for something special to have been able to survive that horrific accident and live without any help at all for 7 days so she applauds all the first responders for bringing her back to safety.

Chair Luis A. Alejo commented that it was a true miracle and now we know Jeep makes a good vehicle to survive that kind of fall.

Supervisor John M. Phillips commented that on Saturday he had the opportunity to attend the Third Annual United Castroville Neighborhood Event which is partially funded by the Community Foundation; the whole community came together and blocked off the streets; it was just a fun day for all the young people in the community to get to know all the positive things that should be a neighborhood made of.

Chair Luis A. Alejo welcomed all the guests and tourists here because it is rodeo week at the Salinas Valley Rodeo which is the largest rodeo in California; he was proud to participate in the parade last Saturday night, there was about a 1000 people even on a cold night which really shows the community embraces this as a signature event in our local community; welcomed and praised all the events the concert that took place last week as well pretty exciting.

Last thing to mention last Sunday was a special ceremony by U.C. Berkeley Chicano Latino Association welcoming all the students who were admitted to his alma mater U.C. Berkeley; he met a family who sent 5 of their 6 kids, a farm worker family, to attend U.C. Berkeley; another story of a young man who came 5 years ago as a new comer, a young immigrant with English as his second language, him and his father were able to which he was a little delusional as he came a little older but him and his dad took an English class at the adult school that inspired the young man to go to MPC, Monterey Peninsula College, and now to be admitted to U.C. Berkeley Engineering Program, an immigrant story's dream come true here in Monterey County.

Last two things to mention, there is a ceremony for Bishop Richard Garcia from now until 7:00 p.m. at Madonna Del Sasso and we will be adjourning in his memory today.

Next week, wanted to announce for the public, do have our local boxing champion WBO Youth Featherweight Champion of the World, Ruben Villa who we will be honoring next Tuesday and declaring it Ruben Villa IV Day here in Monterey County to honor our young athletes who are excelling; he is on his path undefeated 12 an 0 with five knock outs and hopefully on his path to get a world title in the near future really want to welcome the community to come to that.

9. CAO Comments and Referrals

No County Administrative Officer's comments and or referrals had.

10. General Public Comment

For items, not on the agenda:

Gary Arnold on Ambag and showed a photo on the projector and Victoris Alexander, Social Society Activists to share his experience on coming into the chambers.

- 11.**
- a. Conduct a Public Hearing to take comments on the 3rd Amendment to the Consolidated Plan which reflects changes in Urban County Jurisdictional partners;
 - b. Approve a Resolution to enter into a Joint Exercise of Powers Agreement and Cooperative Agreement to Undertake or to Assist in the Undertaking of Essential Activities Pursuant to Title I of the Housing and Community Development Act of 1974, as Amended, with the cities of Del Rey Oaks, Gonzales, Greenfield, and Sand City to participate in the CDBG program for the period of July 1, 2019 to June 30, 2022;
 - c. Authorize the County Administrative Officer to execute the Joint Exercise of Powers Agreement and Cooperative Agreement to Undertake or to Assist in the Undertaking of Essential Activities Pursuant to Title I of the Housing and Community Development Act of 1974, as Amended for the Period of July 1, 2019 to June 30, 2021 with the cities of Del Rey Oaks, Gonzales, Greenfield, and Sand City;
 - d. Authorize the County Administrative Officer or his designee to make minor modifications to the Agreement as necessary to comply with federal requirements or as directed by the U.S. Department of Housing and Urban Development (HUD); and,

- e. Authorize the Assistant County Administrative Officer to submit the Revised Consolidated Plan and the Joint Exercise of Powers Agreement to HUD.

Public hearing commenced.

Darby Marshall, RHO Project Analyst II from Economic Development presented.

Opened for public comment; no public comment had.

No questions or comments from the Supervisors made.

Board Action:

Upon motion by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips and carried unanimously, the Board adopted Resolution No.18-221 to enter into a Joint Exercise of Powers Agreement and Cooperative Agreement to Undertake or to Assist in the Undertaking of Essential Activities Pursuant to Title I of the Housing and Community Development Act of 1974, as Amended, with the cities of Del Rey Oaks, Gonzales, Greenfield, and Sand City to participate in the CDBG program for the period of July 1, 2019 to June 30, 2022;

c. Authorized the County Administrative Officer to execute the Joint Exercise of Powers Agreement and Cooperative Agreement to Undertake or to Assist in the Undertaking of Essential Activities Pursuant to Title I of the Housing and Community Development Act of 1974, as Amended for the Period of July 1, 2019 to June 30, 2021 with the cities of Del Rey Oaks, Gonzales, Greenfield, and Sand City;

d. Authorized the County Administrative Officer or his designee to make minor modifications to the Agreement as necessary to comply with federal requirements or as directed by the U.S. Department of Housing and Urban Development (HUD); and,

e. Authorized the Assistant County Administrative Officer to submit the Revised Consolidated Plan and the Joint Exercise of Powers Agreement to HUD.

14. PLN180035 - California-American Water Co. (County of Monterey Information Technology Department)

Public hearing to consider an appeal by Jameson Halpern from the Planning Commission's approval of an application by the County of Monterey Information Technology Department for a Design Approval to allow the structural reinforcement of an existing 80-foot-tall, 3-leg, communications tower and replacement of 16 tower-mounted antennas with 9 tower mounted antennas.

Project Location: 4041 Sunset Lane, Pebble Beach (Assessor's Parcel Number: 008-111-017-000), Del Monte Forest Land Use Plan area.

Proposed CEQA Action: Categorically exempt pursuant to Section 15301 of the CEQA Guidelines.

Public hearing commenced.

Craig Spencer, Supervising Planner with Resource Management Agency (RMA) presented; Brandon Swanson, RMA Services Manager also present.

Steven Paxton, Radio Communications Manager, Information Technology (IT) Department presented; Alex Zheng, Division Manager – Infrastructure from IT also present.

Jameson Halpern, applicant on behalf of the Huckleberry Hill Neighborhood Association presented.

Opened for public comment; no public commented had.

Staff added additional comments.

Rebuttal is had by Jameson Halpern applicant.

Questions and comments by Supervisor Mary L. Adams had; Halpern applicant and IT staff responded.

Board Action:

Upon motion by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips and carried unanimously, the Board conducted a public hearing to consider an appeal by Jameson Halpern from the Planning Commission's approval of an application by the County of Monterey Information Technology and:

- a. Founded the project is a minor alteration to an existing public facility, which qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines; and
- b. Denied the appeal of the Planning Commission's decision to approve the application by the County of Monterey Information Technology Department for a Design Approval allowing structural reinforcement of an existing 80-foot-tall, 3-leg, self-supporting tower and replacement of 16 tower-mounted antennas with 9 antennas in substantially the same location. Proposed structural changes include placement of soil anchors, replacement of diagonal members and tower leg supports, and construction of an elevated metal walkway (ice bridge) attaching the bottom of the tower to the existing antenna equipment shelter at the site.
- c. Approved the Design Approval allowing structural reinforcement of an existing 80-foot-tall, 3-leg, self-supporting tower and replacement of 16 tower-mounted antennas with 9 antennas in substantially the same location. Proposed structural changes include placement of soil anchors, replacement of diagonal members and tower leg supports, and construction of an elevated metal walkway (ice bridge) attaching the bottom of the tower to the existing antenna equipment shelter at the site.

15. Adopt a Resolution to amend Article V of the Monterey County Master Fee Resolution effective September 1, 2018, to adjust and establish new fees relating to Parks user fees pursuant to the attached Article V.

Removed from the agenda

16. Receive a presentation from City of Salinas staff and R3 Consulting Group regarding Opportunities for Cooperative Management of Monterey County's Solid Waste Management Infrastructure.

Mr. Jim Sandoval, City Engineer, Deputy Director of the Public Works for the City of Salinas and Richard Togorerwin, Consultant from the R3 Consultant Group presented; John Ramirez, Director of Environmental Health introduced the city and consultant staff and commented staff will also be available for questions.

Questions and comments by Supervisors had; Sandoval and Rob Durham, Management Analyst II from the Health Department responded.

Opened for public comment; Tim Flanagan commented.

Dr. Lew Bauman, County Administrative Officer asked about the status on the MOU discussions to implement the ideas discussed in the presentation; Patrick Matthews, General Manager with Salinas Valley Recycles responded that the next policy ad hoc meeting is on July 25, 2018 and will defer his comments until after the Board has had the opportunity to talk to the district board members directly.

Additional comments are had by the Supervisors.

Board Action:

Upon motion by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips and carried unanimously, the Board received the presentation from the City of Salinas staff and the R3 Consultant Group.

- 13.0** Approve and authorize the Chair of the Board of Supervisors to execute a sole source Event Agreement with INDYCAR, LLC for the right to organize, promote and market the INDYCAR Monterey Grand Prix at WeatherTech Raceway Laguna Seca in 2019, 2020 and 2021.

Rupha Shah, Assistant Auditor- Controller, Julia Aguero, Auditor- Controller Analyst II, and Joey Nolasco, Auditor- Controller Analyst I presented.

Questions and comments by Supervisors had.

Board Action:

Upon motion by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips and carried unanimously, the Board received an informational presentation on the property tax process in Monterey County and the role of the Office of the Auditor-Controller.

Read out from the 9:00 a.m. Closed Session

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

Charles McKee, County Counsel stated for the record there is no reportable action for 1a - d. They have not completed the performance evaluation for the Civil Rights Officer and will be going into a continued closed session shortly; there will be no report out of the afternoon closed session afterwards as there is no reportable action so far and there will be no reportable action on the Civil Rights Officer's performance evaluation.

a. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Public Defender.

b. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Civil Rights Officer.

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

d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

Adjourned

The meeting was ordered adjourned by Chair Luis A. Alejo, In Memory of Mr. Sancho Manzano and In Memory of Bishop Richard Garcia; recognition of their lifelong accomplishments shared and condolences were expressed by the Board.

APPROVED:

____/s/ Chris Lopez_____
CHRIS LOPEZ, CHAIR

ATTEST:

BY: ____/s/ Valerie Ralph_____

VALERIE RALPH

CLERK OF THE BOARD

APPROVED ON: March 11, 2025

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

17. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute a Microsoft Enterprise Enrollment Program Agreement and a Microsoft Server Cloud Enrollment Program Agreement with Software House International, with a three year term of September 1, 2018 through August 31, 2021 for the purpose of procuring volume Microsoft licenses (through the reseller SHI), including 3 annual True-ups, for a total cost of \$1,829,010.
- b. Approve the NMC Chief Executive Officer's recommendation to accept non-standard provisions within the agreements.

Approved

18. Approve and authorize the Auditor-Controller to process payment in the amount of \$28,338 to Software House International (SHI) per Quote No. 15342364 on behalf of Natividad Medical Center (Natividad) for additional Microsoft licenses owed and as required by the existing Microsoft Enterprise Enrollment Program Agreement, increasing the total cost of that agreement from \$1,057,860 to \$1,086,199, with no change to the term of the agreement of September 1, 2015 through August 31, 2018.

Approved

19. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the agreement with Professional Research Consultants, Inc. for patient satisfaction survey services, extending the agreement an additional one (1) year period (July 1, 2018 through June 30, 2019) for a revised full agreement term of July 1, 2015 through June 30, 2019, and adding \$31,500 for a revised total agreement amount not to exceed \$126,000.

Approved

Department of Social Services

20. a. Approve and authorize the Chair of the Monterey County Board of Supervisors to sign a no cost Agreement, retroactively effective July 1, 2018 through June 30, 2022, with the Cash Assistance Program for Immigrants Consortium lead county, San Mateo County, to allow eligible Monterey County Residents to receive benefits; and
- b. Authorize the Chair of the Monterey County Board of Supervisors to sign up to three (3) amendments to this agreement where the amendments do not significantly change the scope of services.

Approved

Criminal Justice

21. a. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to the Professional Services Agreements with the Alternate Defender's Office for legal representation of indigent defendants in adult and juvenile criminal cases, extending the terms by one year, retroactive to July 1, 2018 through June 30, 2019, with the following attorneys in the following amounts: Richard West (\$103,500), Jan Lindberg (\$72,000), Kelly Duncan (\$84,000), Eric Dumars (\$103,500), Roland Soltesz (\$103,500), Chenoa Summers (\$82,125), Jeffrey Gobell (\$82,125), and Scott Erdbacher (\$103,500); and,
- b. Approve and authorize the Contracts/Purchasing Officer to execute up to two (2) additional amendments to these Professional Services Agreements, subject to County Counsel review, extending the term of each by one (1) fiscal year per amendment, provided there is no significant change to the scope of work or increase in cost that exceeds five percent (5%) of the cost of the previous year.

Approved

22. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign a Professional Services Agreement (PSA) with Frank W. Dice, Attorney-At-Law, in the amount of \$96,000 to provide case management and case supervision for the Alternate Defender Office (ADO), with an effective term retroactive to July 1, 2018 through June 30, 2019; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a maximum of three (3) amendments to the agreement, subject to County Counsel review, extending the term by one (1) year per amendment, where total of any increases in costs does not exceed ten percent of the original agreement amount (\$9,600 total maximum increase) and where the amendments do not significantly change the scope of work or terms of the agreement.

Approved

General Government

23. Appoint the County Counsel, or their designee, to a panel pursuant to Welfare & Institutions Code section 5334, to review and approve attorneys for inclusion on a list from which the Superior Court may appoint hearing officers to conduct medical capacity hearings relating to involuntarily detained individuals.

Approved

24. a. Approve and authorize the Treasurer-Tax Collector to sign and execute a non-standard Agreement with Experian Information Solutions, Inc. for the provision of on-line credit reporting services in the amount of \$500 for Fiscal Year (FY) 2018-19, and \$500 for Fiscal Year (FY) 2019-20, for a maximum County obligation of \$1,000, effective for the retroactive term of July 1, 2018 through June 30, 2020; and
- b. Approve the Treasurer-Tax Collector's recommendation to accept non-standard indemnification provisions and non-standard limitations on liability provisions within the agreement.

Approved

25. Approve and authorize the Contracts/Purchasing Officer, or Designee, to sign Amendment Number 10

to the non-standard Maintenance Service Supplement Agreement between the County of Monterey and Zetron, Inc. for maintenance of the ACOM radio console system, to extend the term by one additional year, retroactive to July 1, 2018 through June 30, 2019, and to add \$54,358 for the period of July 1, 2018 through June 30, 2019.

Approved

- 26.** Approve and authorize the Contracts Purchasing Officer, or Contracts/Purchasing Supervisor, to execute Amendment No. 2 to the Non-Standard Agreement with Qualys, Inc. on behalf of the Information Technology Department, adding \$130,645.00 to the existing contract amount of \$261,290, for an amended total of \$391,935, to continue to provide QualysGuard Vulnerability Management Enterprise services, and to extend the term of the agreement by an additional year, ending on July 19, 2019.

Approved

- 27.** a. Approve and authorize the Director of the Information Technology Department to execute a non-standard Agreement with Cyxtera Technologies, Incorporated to provide Co-location and Disaster Recovery Services for the County and Natividad Medical Center, in an amount not to exceed \$112,686 for the term of July 21, 2018 to June 30, 2019; and
b. Approve non-standard agreement terms as recommended by the Director of the Information Technology Department.

Approved

- 28.** Approve and authorize the Director of the Information Technology Department to execute Amendment No. 3 to the non-standard Agreement with CenturyLink Communications, LLC for managed hosting of the Enterprise Resource Planning (ERP) System, extending the term for an additional year, for an amended term of July 21, 2015 to June 30, 2019 and adding \$941,241 to cover services for the additional year.

Approved

- 29.** Approve a request from the North County Fire Protection District for dry period loan of \$3,500,000 for the Fiscal Year ending June 30, 2019.

Approved

- 30.** a. Approve and authorize the County Administrative Office to execute the three-year Agreement awarded from RFP #10682, with CliftonLarsonAllen LLP, to provide audit services of County's financial statements, Single Audits, and non-CAFR entities in an amount not to exceed \$502,620 for the term August 1, 2018 through June 30, 2021; and
b. Approve and authorize the County Administrative Office to approve up to two (2) future amendments that do not exceed ten percent (10%) and do not significantly alter the scope of services; and
c. Adopt a resolution to authorize the Auditor-Controller's Office to amend the FY 2018-19 Adopted

Budget by increasing appropriations by \$165,940 in the County Administrative Office, Other General Expenditures unit (001-CAO014-8039-6601), financed by a decrease in appropriations of \$165,940 in Auditor-Controller, Annual Audits unit (001-AUD002-8010) (4/5 vote required)

Approved

- 31.** Adopt positions in support of Propositions 2: No Place Like Home; in support of Proposition 3: Water Bond; and in opposition to Proposition 6: Gas Tax Repeal, which will appear on the November 6, 2018 ballot.

Adopted

- 31.1** a. Receive the County Administrative Office's report regarding the Internal Audit function within the County of Monterey and options to implement a committee for internal audits oversight (Board Referral No. 2018.04); and
b. Direct the County Administrative Office to submit policies to the Board.

Approved

RMA - Administration

- 32.** a. Approve the use of the Long Branch, Grey Fox, Shade Tree, Creekside, Badger Flats, and Sycamore Picnic Areas at Toro Park on October 14, 2018 for an event held by Salinas Valley Pride Celebrations, to include fundraising and commercial sales, in compliance with Monterey County Code Sections 14.12.130(A)(12) and 14.12.130(A)(14); and
c. Find that leasing a picnic area at an existing County park for a one-time event is Categorically Exempt pursuant to Section 15301 of the CEQA Guidelines.

Approved

RMA - Land Use and Community Development

- 33.** a. Approve and authorize the Chair to sign Amendment No. 3 to the Advanced Funding Agreement with BMC EG GARDEN, LLC funding County costs for monitoring and reporting on compliance with prevailing wage obligations in construction of the East Garrison project in the former Fort Ord area of the County;
b. Approve and authorize the Chair to sign Amendment No. 3 to the Advanced Funding Agreement with BMC EG BUNGALOW, LLC funding County costs for monitoring and reporting on compliance with prevailing wage obligations in construction of the East Garrison project in the former Fort Ord area of the County;
c. Approve and authorize the Chair to sign Amendment No. 1 to the Advanced Funding Agreement with BMC EG BLUFFS, LLC funding County costs for monitoring and reporting on compliance with prevailing wage obligations in construction of the East Garrison project in the former Fort Ord area of the County;
d. Approve and authorize the Chair to sign Amendment No. 2 to the Advanced Funding Agreement with BMC EG GROVE, LLC funding County costs for monitoring and reporting on compliance with

prevailing wage obligations in construction of the East Garrison project in the former Fort Ord area of the County; and

e. Approve and authorize the Chair to sign Amendment No. 1 to the Advanced Funding Agreement with BMC EG TOWNS, LLC funding County costs for monitoring and reporting on compliance with prevailing wage obligations in construction of the East Garrison project in the former Fort Ord area of the County.

Approved

Please refer to the Board Orders for the approved and adopted Agreement, Resolution and Ordinance numbers.

Board of Supervisors Addendum/Supplemental Agenda for the meeting of July 17, 2018.

34. Board of Supervisors Addendum/Supplemental Agenda for the meeting of July 17, 2018.

ADDEDUM

Add to Resolutions

4.1 Adopt resolution honoring the life of Bishop Richard J. Garcia.

4.2 Adopt Resolution recognizing Jesse J. Avila upon his retirement from of Public Service to Monterey County.

Add to Appointments

7.1 Reappoint Alexandra Eastman to the Agricultural Advisory Committee with a term ending June 30, 2021. (Full Board)

Add to 1:30 P.M. - Scheduled Items

13.2 Introducing Supervisor Luis A. Alejo 2018 Class of Young Supervisors Program.

SUPPLEMENTAL

Correct Adjournment

Mr. Sancho ~~Manzo~~ Manzano