



## Board of Supervisors of the County of Monterey

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

### Board Order

Upon motion of Supervisor Alejo, seconded by Supervisor Salinas and carried by those members present, the Board of Directors hereby:

Approved the Monterey County Board of Supervisor's Action Meeting Minutes for the following meeting dates:

Tuesday, October 10, 2017	Tuesday, October 17, 2017	Tuesday, October 24, 2017
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PASSED AND ADOPTED this 12<sup>th</sup> day of December 2017, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Salinas, Parker and Adams  
 NOES: None  
 ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 80 for the meeting December 12, 2017

Dated: December 12, 2017  
 File ID: MIN 17-106

Gail T. Borkowski, Clerk of the Board of Supervisors  
 County of Monterey, State of California

By *Denise Hancock*  
 Deputy

# Monterey County

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



## Action Minutes - Final

Tuesday, October 10, 2017

9:00 AM

See separate Minutes for Monterey County Board of Supervisors  
governed Agencies and Special Districts.

## Board of Supervisors

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

**9:00 a.m. - Call to Order**

The meeting was called to order by Chair Adams.

**Roll Call**

Present: 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.

**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) Thomas Hughes v. Monterey County Public Defender, et al. (Monterey County Superior Court case no. 16CV000181)
    - (2) County of Monterey v. CA Department of Health Care Services, et al. (Monterey County Superior Court case no. 17CV002772)
  - ~~b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation. (REMOVED VIA SUPPLEMENTAL)~~
  - c. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Equal Opportunity Officer.
  - d. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:
    - (1) Designated representatives: Irma Ramirez-Bough and Brette NealEmployee Organization(s): Unit H
  - e. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

**CLOSED SESSION REPORT**

**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) Thomas Hughes v. Monterey County Public Defender, et al. (Monterey County Superior Court case no. 16CV000181)  
(2) County of Monterey v. CA Department of Health Care Services, et al. (Monterey County Superior Court case no. 17CV002772)  
CLOSED SESSION REPORT: The Board conferred with counsel and took no reportable action on items a.(1): Thomas Hughes v. Monterey County Public Defender, et al. (Monterey County Superior Court case no. 16CV000181) and a. (2): County of Monterey v. CA Department of Health Care Services, et al. (Monterey County Superior Court case no. 17CV002772).

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

c. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Equal Opportunity Officer.  
CLOSED SESSION REPORT: The Board took no reportable action on item 1.c.

d. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Brette Neal  
Employee Organization(s): Unit H

CLOSED SESSION REPORT: The Board conferred with negotiators and approved a side letter regarding education leave with Unit H. The executed letter will be available through Human Resources.

e. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.  
CLOSED SESSION REPORT: The Board took no reportable action on item 1.e.

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

#### **Roll Call**

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 Charles McKee.

#### **Additions and Corrections**

ADDITION UNDER ADJOURNMENT  
Adjourn in Memory of Austin Meyer

CORRECTIONS  
Remove from Ceremonial Resolutions  
4.1 Adopt Resolution recognizing Shane D. Mckeithen. (Full Board) (ADDED VIA ADDENDUM)

Correction to Ceremonial Resolutions

4.2 A revised resolution has been submitted  
Adopt Resolution recognizing 30th Anniversary of the Historic 1985-1987  
Watsonville Cannery Strikes. (Full Board) (ADDED VIA ADDENDUM)

Supervisor Alejo commented on the removal of item 4.1 from the agenda.  
Supervisor Adams responded regarding the resolution process.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor  
Simon Salinas to approve the additions and corrections to the agenda. 4-1  
(Supervisor Alejo voted No)

## Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

A motion was made by Supervisor Jane Parker, seconded by Supervisor John  
M. Phillips to approve the Consent Calendar (See Supplemental Sheet), with  
the exception of items 19, 25 and 26. ALL AYES

Supervisor Alejo pulled item 25 and provided a brief history of the old jail,  
including historic video clips related to the site.

Public comment regarding item #25: Jeff Beckham; Nancy Runyon; Joel  
Panzer; John Huerta; Juan Martinez; Wes White; Salvador Munoz; Bill  
Carrothers.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón  
Salinas to approve item 25. ALL AYES (See item)

Supervisor Adams pulled item 19 and questioned staff. Andrea Rosenberg  
responded.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón  
Salinas to approve item 19. ALL AYES (See item)

Supervisor Adams pulled item 26 for comment.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón  
Salinas to approve item 26. ALL AYES (See item)

## Ceremonial Resolutions

3. Adopt Resolution commending Deputy Albert Ainuu, Monterey County Sheriff's  
Office upon his retirement from twenty-eight years of public service. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor  
Jane Parker to adopt Resolution No. 17-351 commending Deputy Albert Ainuu,  
Monterey County Sheriff's Office upon his retirement from twenty-eight years of  
public service. (Full Board) ALL AYES

4. Adopt Resolution recognizing David H. Hart, Chair of the Monterey County Water  
Resources Agency Board of Directors for his ten years of service to the residents of  
Monterey County. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor  
Jane Parker to adopt Resolution No. 17-352 recognizing David H. Hart, Chair of

**the Monterey County Water Resources Agency Board of Directors for his ten years of service to the residents of Monterey County. (Full Board) ALL AYES**

- 4.1 ~~Adopt Resolution recognizing Shane D. McKeithen. (Full Board) (ADDED VIA ADDENDA)~~

**Item removed via Additions and Corrections.**

- 4.2 Adopt Resolution recognizing 30th Anniversary of the Historic 1985-1987 Watsonville Cannery Strikes. (Full Board) (ADDED VIA ADDENDA)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 17-353 recognizing the 30th Anniversary of the Historic 1985-1987 Watsonville Cannery Strikes. (Full Board) (ADDED VIA ADDENDA) ALL AYES**

### **Appointments**

5. Reappoint Mog Cabatu to the Housing Advisory Committee for a term ending June 14, 2019. (Supervisor ~~Salinas~~ Phillips) (CORRECTED VIA SUPPLEMENTAL)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to reappoint Mog Cabatu to the Housing Advisory Committee for a term ending June 14, 2019. (Supervisor Salinas Phillips) (CORRECTED VIA SUPPLEMENTAL) ALL AYES**

6. Appoint Darlene Acosta to the Domestic Violence Coordination Advisory Council for a term ending January 1, 2019. (Supervisor Salinas)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to appoint Darlene Acosta to the Domestic Violence Coordination Advisory Council for a term ending January 1, 2019. (Supervisor Salinas) ALL AYES**

7. Appoint Beatriz Vera-Morga to the Domestic Violence Council as an alternate member for a term ending January 3, 2021. (Supervisor Salinas)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to appoint Beatriz Vera-Morga to the Domestic Violence Council as an alternate member for a term ending January 3, 2021. (Supervisor Salinas) ALL AYES**

8. Reappoint Kurt Gollnick to the Agricultural Advisory Committee for a term ending June 30, 2020. (Supervisor Alejo)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to reappoint Kurt Gollnick to the Agricultural Advisory Committee for a term ending June 30, 2020. (Supervisor Alejo) ALL AYES**

**Other Board Matters****9. Board Comments**

Supervisor Phillips announced he was back in Washington DC working with groups from Watsonville and Santa Cruz regarding the Pajaro River Levee project which has been going on for 25 years. He met with Congressman representatives, Senators and General Jackson from the Army Core of Engineers. Hopefully progress is being made.

Supervisor Salinas extended thoughts and prayers to our sister Counties Napa, Sonoma and Solano as they deal with the terrible fires raging in their communities. He requested the County's CSAC representative Supervisor Alejo reach out to share experience regarding recovery of funds to help them in their process for speedy recovery of funds.

Supervisor Adams announced the official opening and ribbon cutting on Friday and Pfifer Canyon Bridge opening. She plans to report back next week on the success of this event.

Supervisor Alejo advised he will join Supervisor Adams as the Pfifer Bridge re-opening and commended CalTrans workers for their expeditious repairs to the Pfifer Canyon Bridge. He noted it will be a very special occasion for the Big Sur communities, the business and we all need to celebrate the commendable efforts.

Supervisor Alejo extended he prayers to the Solano, Napa and Sonoma counties for the tragic losses in the fires. Complete neighborhoods were lost and he will contact his friends Alfredo Pedroza in Napa County and James Gore in Sonomoa County to extend Monterey County's support and share learned experiences from local tragedies.

Supervisor Alejo commended the efforts to send a message back standing up for immigrant communities in light of increased raids by ICE and more immigration communities after California became a sanctuary state. It was important to signal to our immigrant families that we are with them and will do everything we can to protect them. It was the right message to send.

Supervisor Alejo congratulated the young organizers of the Ciclovía event in downtown Salinas next Sunday at 10:00 am. It's a commendable effort of non-profits, community and young people who come together to share the true spirit of community. Bring your bikes and helmets and join the event on Sunday.

**10. CAO Comments and Referrals**

County Administrative Officer Dr. Lew Bauman advised of the following Board Referral from Districts 1 and 3 (Alejo & Salinas):  
Evaluate the use of County property located at 855 E. Laurel to assess the potential for a housing project and partnership with non-profit.

11. General Public Comment

Linda Greer; Eric Peterson; Wes White.

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

12. Receive the Monterey County Community Action Commission Summary Report for 2016 and 2017.

**By consensus, the Board received the Monterey County Community Action Commission Summary Report for 2016 and 2017.**

13. Adopt an ordinance amending Section 15.40.042 of Chapter 15.40 of the Monterey County Code which details the competitive process to be used for the selection of an emergency ambulance provider for the County's exclusive operating area.

**A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Ordinance No. 5289 amending Section 15.40.042 of Chapter 15.40 of the Monterey County Code which details the competitive process to be used for the selection of an emergency ambulance provider for the County's exclusive operating area. ALL AYES**

**12:00 P.M. - Recessed to Lunch**

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

**Roll Call**

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

**1:30 P.M. - Scheduled Matters**

14. a. Receive the First Quarter Update to the FY 2017-18 Adopted Budget; and  
b. Provide direction to staff.

**By consensus, the Board:**

**a. Receive the First Quarter Update to the FY 2017-18 Adopted Budget; and  
b. Provided direction to staff, including direction to RMA to come forward with a more detailed outline of what can be implemented within the available resources and the impact of the \$1.4 million take it to the Capital Committee and bring back to the Board to get a clear understanding of the actual impact.**

15. PLN140089 - CARMEL RIO ROAD LLC (CLARK)  
Public hearing (continued from September 12, 2017) to consider adoption of a resolution denying the request to amend Sections 21.14.050.A, 21.14.060.A, and 21.14.060.B of Title 21 (non-coastal zoning) of the Monterey County Code to allow certain exceptions in the Low Density Residential zoning district and denying a



Combined Development Permit to subdivide three existing lots totaling approximately 7.92 acres into 25 lots, including 24 lots that could accommodate one unit on each lot and one lot that could accommodate up to seven affordable units (31 units total).

Project Location: 26500 Val Verde Drive, Carmel Valley Master Plan  
Proposed CEQA Action: Find that denial of the project is Statutorily Exempt pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a).

**Public hearing closed.**  
**Staff advised of changes to Finding 3.a.ii, as outlined in the memo submitted today.**

**Public comment: Eric Sand; Male -no name given.**

**A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Jane Parker to adopt Resolution 17-355 denying the request to amend Sections 21.14.050.A, 21.14.060.A, and 21.14.060.B of Title 21 (non coastal zoning) of the Monterey County Code to allow certain exceptions in the Low Density Residential zoning district and denying a Combined Development Permit to subdivide three existing lots totaling approximately 7.92 acres into 25 lots, including 24 lots that could accommodate one unit on each lot and one lot that could accommodate up to seven affordable units (31 units total).Project Location: 26500 Val Verde Drive, Carmel Valley Master Plan Proposed CEQA Action: Find that denial of the project is Statutorily Exempt pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a).  
PLN140089 CARMEL RIO ROAD LLC (CLARK) ALL AYES**

**Adjournment**

In Memory of Austin Meyer

**APPROVED:**

/ s/ Mary L. Adams

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

**ATTEST:**

**BY:  / s/ Gail T. Borkowski**

**GAIL T. BORKOWSKI**

**CLERK OF THE BOARD**

**APPROVED ON December 12, 2017**

## Supplemental Sheet, Consent Calendar

### Natividad Medical Center

16. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute renewal and Amendment No. 1 to the funding agreement with Healthcare Foundation of Northern and Central California (“Healthcare Foundation”), a California corporation, for assisting in meeting the direct costs of a Medical Respite Program (“MRP”) for homeless persons in Monterey County (Resolution No. 16-093), which has a direct and primary public purpose, benefiting Monterey County, in general, and NMC, in particular, to renew and extend the agreement an additional fourteen (14) month period (April 19, 2017 through June 30, 2018) for a revised full agreement term of April 19, 2016 through June 30, 2018, and adding \$93,500 for a revised total agreement amount not to exceed \$198,500.

**Approved - Agreement No. A-13755**

17. a. Adopt a Resolution finding that the expenditure of funds from the Natividad Medical Center (“NMC”) Fiscal Year 2017-18 Budget to support a Funding Agreement with California State University Monterey Bay (hereinafter called “CSUMB”), on behalf of the College of Health Sciences and Human Services, assisting CSUMB in meeting the direct operational costs of CSUMB’s Masters of Science Physician Assistant (“MSPA”) Program, has a direct and primary public purpose, benefiting Monterey County, in general, and NMC, in particular.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute a Funding Agreement with CSUMB to provide funding in an amount not to exceed \$250,000 to assist in meeting the direct costs of the MSPA Program, with an agreement term beginning September 12, 2017 through September 11, 2018.

**A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-354:**

- a. Finding that the expenditure of funds from the Natividad Medical Center (“NMC”) Fiscal Year 2017-18 Budget to support a Funding Agreement with California State University Monterey Bay (hereinafter called “CSUMB”), on behalf of the College of Health Sciences and Human Services, assisting CSUMB in meeting the direct operational costs of CSUMB’s Masters of Science Physician Assistant (“MSPA”) Program, has a direct and primary public purpose, benefiting Monterey County, in general, and NMC, in particular.**
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute a Funding Agreement (A13753) with CSUMB to provide funding in an amount not to exceed \$250,000 to assist in meeting the direct costs of the MSPA Program, with an agreement term beginning September 12, 2017 through September 11, 2018. ALL AYES**

18. Ratify the execution by the Director of Materials at Natividad Medical Center of Addendum No. 1 to the Master Agreement (A-12780) with MedAssets

Performance Management Solutions, Inc. ("MedAssets") for Group Purchasing Organization ("GPO") services, which designates Vizient, Inc. as the new parent company of MedAssets, with no significant changes to the scope of services or term of the agreement.

**Approved - Agreement No. A-12780**

- 19.
- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 2 to the agreement (A-12529) with Gallun Snow Associates, Inc. for interior design services pursuant to Request for Qualifications (RFQ #9600-48), extending the agreement an additional twenty (20) month period (August 1, 2018 through April 30, 2020) for a revised full agreement term of August 1, 2013 through April 30, 2020 and adding \$294,000 for a revised total agreement amount not to exceed \$1,044,000.
  - 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%) (\$75,000) of the original cost of the agreement per each amendment.

**A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to:**

- a. **Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 2 to the agreement (A-12529) with Gallun Snow Associates, Inc. for interior design services pursuant to Request for Qualifications (RFQ #9600-48), extending the agreement an additional twenty (20) month period (August 1, 2018 through April 30, 2020) for a revised full agreement term of August 1, 2013 through April 30, 2020 and adding \$294,000 for a revised total agreement amount not to exceed \$1,044,000.**
- 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%) (\$75,000) of the original cost of the agreement per each amendment. ALL AYES**

### **Health Department**

- 20.
- Approve and authorize the Director of Health or Assistant Director of Health to execute a no-extension Amendment No. 2 to Mental Health Services Agreement A-12760 with Medical Hill Rehabilitation Center, LLC dba Medical Hill Rehabilitation for the provision of skilled nursing services for organic brain syndrome, traumatic brain injured, and medically debilitated patients, and to add a Private Room provision and rate, increasing Fiscal Year (FY) 2016-17 by \$41,226 and FY 2017-18 by \$116,004, for a new maximum County obligation of \$3,017,875 for the full term of July 1, 2015 through June 30, 2018.

**Approved - Agreement No. A-12760**

**Criminal Justice**

21. a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute an Agreement with Motorola Solutions, Inc, for the leasing of portable digital radios, for the period of October 1, 2017 through September 30, 2024, in the maximum amount of \$202,000.00;
- b. Accept non-standard contract provisions as recommended by the District Attorney;
- c. Authorize the Contract/Purchasing Officer or Contracts Purchasing Supervisor and the District Attorney to sign and execute the appropriate documents and verifications when required;
- d. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to issue purchase orders on an as-needed basis pursuant this Agreement over the period of October 1, 2017 through September 30, 2024.

**Approved - Agreement No. A-13754**

**General Government**

22. a. Approve and authorize the Director of the Information Technology Department to execute a non-standard Agreement with Black & Veatch Corporation in the maximum amount of \$600,000, for the period of October 15, 2017 through October 16, 2020, to provide architectural, engineering, and design services to support remedial work at County radio communications sites; and
- b. Approve non-standard agreement terms as recommended by the Director of the Information Technology Department; and
- c. Authorize the Director of the Information Technology Department to sign up to two (2) amendments to this Agreement, subject to County Counsel review, which extend services by one (1) year each, where any increased costs do not exceed 10% of the original contract amount (\$60,000 maximum increase per amendment), and do not significantly alter the terms of the Agreement, including non-standard terms approved by the Board.

**Approved - Agreement No. A-13756**

23. Approve the Go Green! Monterey County Program Waste Reduction Policy to be included in the Board Policy Manual.

**Approved**

24. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following dates: Tuesday, June 6, 2017, Tuesday, June 20, 2017, Thursday, June 29, 2017 and Thursday, August 3, 2017.

**Approved**

**RMA - Public Works and Facilities**

25. Authorize the Resource Management Agency Director to issue a Request for Proposals (Referral Number 2017.15) seeking proposals for the adaptive reuse of the Old Monterey County Jail, 142 W. Alisal Street, Salinas from qualified interested parties.

**A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to authorize the Resource Management Agency Director to issue a Request for Proposals (Referral Number 2017.15) seeking proposals for the adaptive reuse of the Old Monterey County Jail, 142 W. Alisal Street, Salinas from qualified interested parties. ALL AYES**

26. a. Authorize the Auditor Controller to amend the FY 2017-18 Road Fund adopted budget, Fund 002, Appropriation Unit RMA012, to increase revenues and appropriations by \$2,853,817, funded by Senate Bill 1 - the Road Repair and Accountability Act of 2017, Road Maintenance and Rehabilitation Account; (4/5th vote required) and
- b. Amend the FY 2017-18 adopted budget to incorporate the list of projects to be funded by the Senate Bill 1 - Road Repair and Accountability Act of 2017 revenues as provided in Attachment A.

**A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-356 to:**

- a. Authorize the Auditor Controller to amend the FY 2017-18 Road Fund adopted budget, Fund 002, Appropriation Unit RMA012, to increase revenues and appropriations by \$2,853,817, funded by Senate Bill 1 - the Road Repair and Accountability Act of 2017, Road Maintenance and Rehabilitation Account; (4/5th vote required) and**
- b. Amend the FY 2017-18 adopted budget to incorporate the list of projects to be funded by the Senate Bill 1 - Road Repair and Accountability Act of 2017 revenues as provided in Attachment A. ALL AYES**

# **Monterey County**

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



## **Action Minutes - Final**

**Tuesday, October 17, 2017**

**9:30 AM**

**Final Revised at 5:00 P.M.**

**See separate Minutes for East Garrison Community Service District;  
Pajaro Community Service District, Boronda County Sanitation District  
and the Board of Supervisor of the Monterey County Water Resource  
Agency**

## **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. - Call to Order**

The meeting was called to order by Chair Adams.

**Roll Call**

**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**

**County Counsel Charles McKee requested item 1. c. (2). be removed from today's agenda. The Board concurred.**

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
    - a. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

(1) Property: Sewer system of CSA-75-Chualar  
Negotiators: Carl Holm and Nick Chiulos  
Negotiating Parties: Monterey One Water; California American Water  
Under negotiation: Price and terms
    - b. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.
    - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

(1) *Stagecoach Territory, Inc. v. County of Monterey, et al* (Monterey Superior Court Case No. M104908 / Sixth District Court of Appeal H041076)  
(2) *Nicolas Aquino v. County of Monterey Sheriff's Department, et al.* (United States District Court case no. 14-CV-03387-EJD. (ADDED VIA ADDENDUM))
- CLOSED SESSION REPORT:**  
**Closed Session under Government Code section 54950, relating to the following items:**
- a. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

(1) Property: Sewer system of CSA-75-Chualar  
Negotiators: Carl Holm and Nick Chiulos  
Negotiating Parties: Monterey One Water; California American Water  
Under negotiation: Price and terms
- CLOSED SESSION REPORT: The Board took no reportable action on item 1.a. (1).**

b. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.  
CLOSED SESSION REPORT: The Board took on reportable action on item 1.b.

c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:  
(1) Stagecoach Territory, Inc. v. County of Monterey, et al (Monterey Superior Court Case No. M104908 / Sixth District Court of Appeal H041076)  
CLOSED SESSION REPORT: The Board took no reportable action on item 1.c. (1).

(2) Nicolas Aquino v. County of Monterey Sheriff's Department, et al. (United States District Court case no. 14-CV-03387-EJD. (ADDED VIA ADDENDUM)  
CLOSED SESSION REPORT: Item 1.c.(2) was removed from the agenda via Additions/Corrections and was not discussed.

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

#### **Roll Call**

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 Supervisor Salinas.

#### **Additions and Corrections**

Add to Consent Calendar under General Government  
23.3 Approve a Property Tax Transfer for the proposed "Miravale II (b) Reorganization" involving Sphere of Influence amendment, annexation of 45 acres to the City of Soledad and detachments from the Monterey County Resource Conservation District and Mission Soledad Rural Fire Protection District.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to accept this addition to the agenda. ALL AYES

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

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker pulled item 26.

Supervisor Adams pulled item 23.2

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to approve the Consent Calendar (See Supplemental Sheet), with the exception of items 23.2 and 26. ALL AYES

Supervisor Adams requested that members of the public be allowed to sit on the Ad Hoc Committee. County Counsel Charles McKee explained that Ad Hoc



committees are members of the Board of Supervisors.  
Public comment regarding item 23.2: Kimberly Craig.

Item 23.2 : A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to approve item 23.2 and appointed Supervisors Salinas and Adams to the Ad Hoc Committee. ALL AYES (See item)

Item No. 26: Supervisor Parker asked questions of staff and suggested revised language for the proposed ordinance. Dr. Qureshi responded. Sr. Deputy County Counsel Wendy Strimling suggested modified language to Section 3 as follows: "the ordinance shall become effective on the 31st day following its adoption and become operative on December 1, 2017 or until the effective date of a safe parking program, whichever is later".

Public comment: Anthony Lombardo; Steve Eklund.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to approve item 26, with the modified language to Section 3 as follows: "the ordinance shall become effective on the 31st day following its adoption and become operative on December 1, 2017 or until the effective date of a safe parking program, whichever is later". 4-1 (Supervisor Phillips voted No) See item.

### Ceremonial Resolutions

3. Adopt Resolution commending Leo Gillespie Monterey County Deputy Sheriff upon his retirement after 28.5 Years of Service. (Full Board)  
  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-358 commending Leo Gillespie Monterey County Deputy Sheriff upon his retirement after 28.5 Years of Service. (Full Board) ALL AYES**
4. Adopt Resolution commending Julia W. Gross, Information Technology Department, upon her retirement from twenty-eight years of public service. (Full Board)  
  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-359 commending Julia W. Gross, Information Technology Department, upon her retirement from twenty-eight years of public service. (Full Board) ALL AYES**

### Appointments

5. Appoint Fire Chief Michael Urquides to the Emergency Medical Care Committee as an alternate representative to ALS - Fire Districts for a term ending June 30, 2019. (Full Board)  
  
**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to appoint Fire Chief Michael Urquides to the Emergency Medical Care Committee as an alternate representative to ALS - Fire Districts for a term ending June 30, 2019. (Full Board) ALL AYES**
6. Appoint Fire Chief Brian Dempsey to the Emergency Medical Care Committee as

an alternate representative to the BLS - Fire Districts for a term ending June 30, 2019. (Full Board)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to appoint Fire Chief Brian Dempsey to the Emergency Medical Care Committee as an alternate representative to the BLS - Fire Districts for a term ending June 30, 2019. (Full Board) ALL AYES**

7. Appoint Dino Pick, City Manager of Del Rey Oaks to the Emergency Medical Care Committee as City Managers alternate representative for a term ending June 30, 2019. (Full Board)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to appoint Dino Pick, City Manager of Del Rey Oaks to the Emergency Medical Care Committee as City Managers alternate representative for a term ending June 30, 2019. (Full Board) ALL AYES**

8. Appoint Paul Miller to the Emergency Medical Care Committee as a Citizens alternate representative for a term ending June 30, 2019. (Full Board)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to appoint Paul Miller to the Emergency Medical Care Committee as a Citizens alternate representative for a term ending June 30, 2019. (Full Board) ALL AYES**

9. Appoint John Sherwin to the Emergency Medical Care Committee as an alternate representative for Citizen with a term ending June 30, 2019. (Full Board)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to appoint John Sherwin to the Emergency Medical Care Committee as an alternate representative for Citizen with a term ending June 30, 2019. (Full Board) ALL AYES**

10. Reappoint Maria Theresa Rodriguez to the Community Action Commission representing the private sector for a term ending July 1, ~~2010~~2020. (Supervisor Alejo) (CORRECTED VIA SUPPLEMENTAL)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to reappoint Maria Theresa Rodriguez to the Community Action Commission representing the private sector for a term ending July 1, 2010.2020. (Supervisor Alejo) (CORRECTED VIA SUPPLEMENTAL) ALL AYES**

11. Reappoint Captain James Bass to the Community Restorative Justice Commission representing Local Corrections for a term ending November 1, 2020. (Full Board)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis Alejo to reappoint Captain James Bass to the Community Restorative Justice Commission representing Local Corrections for a term ending November 1, 2020. (Full Board) ALL AYES**

**Other Board Matters****12. Board Comments**

Supervisor Alejo commended the local sheriff deputies and local firefighters that provided mutual aid to the northern California counties during the fires. He extended his prayers and condolences to local Salinas resident Monica Ocono and her family for the loss of her mother, who tragically passed away after trying to survive the fierce fire, while seeking refuge in a swimming pool in the northern California fires.

Supervisor Alejo commended the young people and agency organizers for the Ciclovía Open Streets event. The event was a success and continues to grow each year. He thanked the young people and agencies that supported the event.

Supervisor Alejo expressed concerns over the fees being charged for the use of Toro Park for local sports teams cross-country events. He advised he hopes to work with staff to properly adjust fees for local sports teams to use the park.

Supervisor Alejo announced he will hold his quarterly coffee & conversation meeting at La Plaza Bakery on Barden Road this Thursday. He invited the public to attend.

Supervisor Parker reminded the community of Alert Monterey County [www.alertmontereycounty.org](http://www.alertmontereycounty.org), which allows the County to provide residents with critical information quickly about events such as severe weather, fires, unexpected road closures, missing persons, and evacuation of buildings and neighborhoods. People who sign up can receive messages in various modes. She encouraged folks to sign up.

Supervisor Parker announced that the Emergency Medical Services department is doing community meetings to hear and inform residents about the emergency medical systems, including fire and hospital emergency. They are in the process of launching the contract RFP for ambulance provider service. This is an opportunity for community members to provide feedback. There is a meeting tonight from 5:00 pm - 6:30 pm at the Marina Library, Marina, tonight at 7:00 pm to Government Center, Schilling Place, tomorrow night at Carmel Middle School, and Thursday at the Greenfield Civic Center. They want to hear from folks on any aspects for emergency medical services.

Supervisor Parker announced the District 4 Hot Topics meeting will take place on Monday at 5:30 pm at Angelina's Bakery in Seaside to review the agenda and other issues. Special guests will include representatives from SCRAMP to talk about what's going on at Laguna Seca.

Supervisor Adams gave a shout-out to her staff member Yuri Anderson for her responsiveness in updating District 5's website with information on the York fire.

Supervisor Adams announced that the Pfifer Bridge opening was a success. It was uplifting to see both sides of Big Sur reunited. It was a fantastic experience and there was lots of joy and happiness. She thanked her

colleagues and the community for keeping things going during the challenging times.

**13.** CAO Comments and Referrals

There were no CAO comments or referrals.

**14.** General Public Comment

Steve Eklund; Michael Dove.

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

- 15.**
- a. Receive and approve the Board of Supervisors Strategic Initiatives (SI) Fiscal Year (FY) 2016-17 Annual Report with the Managing for Results (MFR) FY 2016-17 Addendum Report;  
Provide direction regarding possible updates to the Strategic Initiative Policy Area Milestones and Performance Measures for FY 2017-18;
  - b. Provide direction on MFR Department Performance Measure improvements and to include Targets, where feasible; and
  - c. Provide direction to staff as appropriate.

**By consensus, the Board:**

- a. Received and approved the Board of Supervisors Strategic Initiatives (SI) Fiscal Year (FY) 2016-17 Annual Report with the Managing for Results (MFR) FY 2016-17 Addendum Report;  
Provide direction regarding possible updates to the Strategic Initiative Policy Area Milestones and Performance Measures for FY 2017-18;
- b. Provided direction on MFR Department Performance Measure improvements and to include Targets, where feasible; and
- c. Provided direction to staff as appropriate.

**12:00 P.M. - Recessed to Lunch**

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

**Roll Call**

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

**1:30 P.M. - Scheduled Matters**

**Supervisor Phillips left the dais prior to the completion of the hearing on item 16.**

16.

**PLN140863 - FIRST BAPTIST CHURCH**

Public hearing to adopt a resolution to grant in part the appeal by the First Baptist Church from the August 9, 2017, decision of the Planning Commission to adopt a Negative Declaration and approve a Use Permit to convert a single-family dwelling into a church. First Baptist Church is challenging conditions regarding Permit Expiration (2 years) and Scope of Use (maximum occupancy of 65 persons).

**Proposed CEQA Action:** Adopt a Negative Declaration per Section 15074 of the CEQA Guidelines.

**Project Location:** 19345 Cachagua Road, Carmel Valley, Cachagua Area Plan

**Public comment:** Anthony Lomardo; Pastor Orville Meyers; Marge Ingram; Doug Gardner; Kelly O'Brien; Greg Martin; Gary Tate; Richard LeWarne; John Hammond; Dane Bonsper; Gerald King; Susan Newton; David Hong; Don Tuttlebach; Leslie Voss; Mary Martin; Tom Gayno; Matt Shea; Claudia Gayno; Drew Hammond; Ben Soebels; Beverly Tennyson; Cash Swanson; Schott Lisnick.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis Alejo to continue to October 24, 2017 for consideration of:

**PLN140863 - FIRST BAPTIST CHURCH**

Public hearing to adopt a resolution to grant in part the appeal by the First Baptist Church from the August 9, 2017, decision of the Planning Commission to adopt a Negative Declaration and approve a Use Permit to convert a single-family dwelling into a church. First Baptist Church is challenging conditions regarding Permit Expiration (2 years) and Scope of Use (maximum occupancy of 65 persons).

**Proposed CEQA Action:** Adopt a Negative Declaration per Section 15074 of the CEQA Guidelines.

**Project Location:** 19345 Cachagua Road, Carmel Valley, Cachagua Area Plan. 4-0 (Supervisor Phillips Absent)

**Adjournment****APPROVED:**

/ s/ Mary L. Adams

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

**ATTEST:**

BY: / s/ Gail T. Borkowski

\_\_\_\_\_  
**GAIL T. BORKOWSKI****CLERK OF THE BOARD**APPROVED ON December 12, 2017

**Supplemental Sheet, Consent Calendar****Department of Social Services**

17. Approve the Bylaws of the Area Agency on Aging Advisory Council.
- Approved**
18. a. Approve and authorize the Director of the Department of Social Services to sign an Agreement with Binti, Inc. for \$28,000 to provide licenses, training, and support for resource family approval software effective upon execution for a term of 12-months; and
- b. Approve and authorize the Director of the Department of Social Services to sign up to three (3) amendments to the agreement where the total amendments do not exceed 10% (\$2,800) of the original contract amount, and do not significantly change the scope of work.
- Approved - Agreement No. A-13766**

**General Government**

19. a. Authorize the Director of the Information Technology Department to execute a non-standard Agreement with Federal Engineering, Inc. to provide microwave backhaul upgrade assessment, design, and consulting services, for the period October 17, 2017 through October 16, 2020 for a total contract amount of \$587,233;
- b. Accept non-standard contract provisions as recommended by the Director of the Information Technology Department; and
- c. Authorize the Director of the Information Technology Department to sign up to two (2) amendments to this Agreement, extending the term by one (1) year per amendment, where the increase in the amount of each amendment does not exceed ten percent of the original cost (\$58,723.30 maximum increase per amendment) and where the amendments do not significantly change the scope of work and do not alter the non-standard terms of the Agreement.
- Approved - Agreement No. A-13758**
20. a. Waive the 180-day “waiting period” for PERS retirees to return to work for recently-retired appellate law specialist Cathie M. Giovannini, former Deputy County Counsel;
- b. Find that the appointment of Cathie Giovannini is necessary to fill a critically needed position; and
- c. Approve and Authorize the hiring of retiree Cathie Giovannini as a temporary County employee for the period August 30, 2017 to June 30, 2018, as recommended by the County Counsel.

**Approved**

21. a. Authorize the Director of the Information Technology Department (ITD) or his designee to execute a non-standard agreement with Visual Systems Group, Inc. (VSGi) for upgrade and maintenance of ITD's audio/visual and videoconferencing equipment in an amount not to exceed \$49,965, with an agreement term of October 17, 2017 through October 16, 2020; and
- b. Accept the non-standard provisions as recommended by the Director of the Information Technology Department.

**Approved - Agreement No. A-13757**

22. Adopt a resolution to extend the Proclamation of a Local Emergency dated January 12, 2017, ratified on January 19, 2017, and reviewed and extended on February 14, 2017, March 14, 2017, April 11, 2017, May 9, 2017, June 6, 2017, June 27, 2017, July 25, 2017, August 3, 2017, August 29, 2017, and September 19, 2017, in accordance with California Government Code Section 8630 for a succession of significant winter storm events which occurred between January 4, and 12, 2017, that resulted in significant damage to public infrastructure and private property within Monterey County. (4/5ths vote required)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-379 to extend the Proclamation of a Local Emergency dated January 12, 2017, ratified on January 19, 2017, and reviewed and extended on February 14, 2017, March 14, 2017, April 11, 2017, May 9, 2017, June 6, 2017, June 27, 2017, July 25, 2017, August 3, 2017, August 29, 2017, and September 19, 2017, in accordance with California Government Code Section 8630 for a succession of significant winter storm events which occurred between January 4, and 12, 2017, that resulted in significant damage to public infrastructure and private property within Monterey County. (4/5ths vote required) ALL AYES**

23. Adopt a resolution to extend the Proclamation of a Local Emergency dated February 15, 2017, ratified on February 22, 2017, and reviewed and extended on March 21, 2017, April 18, 2017, May 16, 2017, June 13, 2017, July 11, 2017, July 25, 2017, August 3, 2017, August 29, 2017, and September 19, 2017, in accordance with California Government Code Section 8630 for atmospheric river events which occurred between February 7, 2017 through February 20, 2017, that resulted in multiple significant rainfall events causing damage to public infrastructure and private property. (4/5ths vote required)

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-374 to extend the Proclamation of a Local Emergency dated February 15, 2017, ratified on February 22, 2017, and reviewed and extended on March 21, 2017, April 18, 2017, May 16, 2017, June 13, 2017, July 11, 2017, July 25, 2017, August 3, 2017, August 29, 2017, and September 19, 2017, in accordance with California Government Code Section 8630 for atmospheric river events which occurred between February 7, 2017 through February 20, 2017, that resulted in multiple significant rainfall events**

causing damage to public infrastructure and private property. (4/5ths vote required) ALL AYES

- 23.1**
- a. Approve Change Order No. 7 to Agreement No. A-13481 with Avila Brother's, Inc., dba Avila Construction Company for the Monterey County Government Center East/West Wing Renovation, 240 Church Street, Salinas CA, Project No. 8864, Bid Package No. 10599 in the amount of \$177,856;
  - b. Authorize the Deputy Director of Public Works & Facilities to execute Change Order No. 7 to Agreement No. A-13481 with Avila Brother's, Inc., dba Avila Construction Company for the Monterey County Government Center East/West Wing Renovation, 240 Church Street, Salinas CA, Project No. 8864, Bid Package No. 10599 in the amount of \$177,856.

**Approved - Agreement No. A-13481**

- 23.2** Appoint an ad hoc committee on election campaign financing.

**Public comment: Kimberly Craig.**

**A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to appoint Supervisors Salinas and Adams an ad hoc committee on election campaign financing. ALL AYES**

- 23.3** Approve a Property Tax Transfer for the proposed "Miravale II (b) Reorganization" involving Sphere of Influence amendment, annexation of 45 acres to the City of Soledad and detachments from the Monterey County Resource Conservation District and Mission Soledad Rural Fire Protection District. (ADDED VIA ADDENDUM)

**Approved**

### **RMA-Administration**

- 24.** Acting on behalf of County Service Area 75 - Chualar:
- a. Set a Public Hearing on December 5, 2017, at 1:30 p.m. to hear protests against proposed increased wastewater service fees by property owners pursuant to Proposition 218 requirements;
  - b. Direct Resource Management Agency to mail the Notice of Public Hearing to property owners in CSA 75 - Chualar not less than 45 (forty-five) days prior to the date of hearing; and
  - c. Direct Resource Management Agency to publish the Notice of Public Hearing in the Monterey County Weekly not less than 45 (forty-five) days prior to the date of hearing.

**Approved**

### **RMA-Public Works and Facilities**

- 25.** Approve adding the 1200 Aguajito Road Seismic Assessment, Project No. 8584,



to the approved FY 2017-18 Fund 401 - Facilities Maintenance Project list in the amount of \$125,000 where the funding source would be out of the FY 2017-18 Adopted Budget in Fund 401 Project Improvements To Be Determined (TBD) line item budgeted at \$1,575,096.

**Approved**

**26.**

Introduce, waive reading, and set October 24, 2017 at 10:30 a.m. to consider adoption of an ordinance adding Section 12.28.011 of the Monterey County Code to authorize the County to prohibit parking at any time on certain County streets and highways and to tow away vehicles that violate the prohibition. This ordinance also applies this restriction specifically to the entirety of Lapis Road near the community of Marina in the unincorporated area of the County of Monterey, effective December 1, 2017.

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to introduce, waive reading, and set October 24, 2017 at 10:30 a.m. to consider adoption of an ordinance adding Section 12.28.011 of the Monterey County Code to authorize the County to prohibit parking at any time on certain County streets and highways and to tow away vehicles that violate the prohibition. This ordinance also applies this restriction specifically to the entirety of Lapis Road near the community of Marina in the unincorporated area of the County of Monterey, effective December 1, 2017; including amended language to Section 3 as follows: "the ordinance shall become effective on the 31st day following its adoption and become operative on December 1, 2017 or until the effective date of a safe parking program, whichever is later". 4-1 (Supervisor Phillips voted No)**

# **Monterey County**

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



## **Action Minutes - Final**

**Tuesday, October 24, 2017**

**9:00 AM**

**See separate Minutes for Board of Supervisors of the Monterey County  
Water Resources Agency.**

## **Board of Supervisors**

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

**9:00 A.M. - Call to Order**

The meeting was called to order by Chair Adams.

**Roll Call**

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

**Additions and Corrections to Closed Session:**

There were no additions or corrections to Closed Session.

**Public comment:**

There were no public comments on Closed Session.

**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) *Richard Beach v. County of Monterey, et al.* (Monterey County Superior Court case no. 17CV001647)
    - (2) *Jesse Hernandez, et al. v. County of Monterey, et al.* (United States District Court case no. CV 132354)
    - (3) *Stagecoach Territory, Inc. v. County of Monterey, et al* (Monterey Superior Court Case No. M104908 / Sixth District Court of Appeal H041076)
    - (4) *Aera Energy LLC v. County of Monterey, et al.*, Monterey Superior Court Case No. 16CV003980
    - (5) *California Resources Corporation v. County of Monterey, et al.*, Monterey Superior Court Case No. 17CV000790
    - (6) *Chevron U.S.A. Inc., et al. v. County of Monterey, et al.*, Monterey Superior Court Case No.16CV003978
    - (7) *Eagle Petroleum LLC v. County of Monterey, et al.*, Monterey Superior Court Case No. 17CV000935
    - (8) *National Association of Royalty Owners-California, Inc., et al. v. County of Monterey, et al.*, Monterey Superior Court Case No. 17CV000871
    - (9) *Trio Petroleum LLC, et al. v. County of Monterey, et al.*, Monterey Superior Court Case No. 17CV001012
  - 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) Miller Event Management Inc.

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.

e. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Brette Neal  
Employee Organization(s): Unit R

**CLOSED SESSION REPORT**

**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) Richard Beach v. County of Monterey, et al. (Monterey County Superior Court case no. 17CV001647)**

**(2) Jesse Hernandez, et al. v. County of Monterey, et al. (United States District Court case no. CV 132354)**

**(3) Stagecoach Territory, Inc. v. County of Monterey, et al (Monterey Superior Court Case No. M104908 / Sixth District Court of Appeal H041076)**

**(4) Aera Energy LLC v. County of Monterey, et al., Monterey Superior Court Case No. 16CV003980**

**(5) California Resources Corporation v. County of Monterey, et al., Monterey Superior Court Case No. 17CV000790**

**(6) Chevron U.S.A. Inc., et al. v. County of Monterey, et al., Monterey Superior Court Case No.16CV003978**

**(7) Eagle Petroleum LLC v. County of Monterey, et al., Monterey Superior Court Case No. 17CV000935**

**(8) National Association of Royalty Owners-California, Inc., et al. v. County of Monterey, et al., Monterey Superior Court Case No. 17CV000871**

**(9) Trio Petroleum LLC, et al. v. County of Monterey, et al., Monterey Superior Court Case No. 17CV001012**

**CLOSED SESSION REPORT: The Board conferred with legal counsel and took no reportable actions on items 1.a.(1) through 1.a.(9).**

**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) Miller Event Management Inc.**

**CLOSED SESSION REPORT: The Board conferred with legal counsel and unanimously rejected the claim of Miller Event Management, Inc.**

**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.**

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

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

**CLOSED SESSION REPORT: The Board took no reportable action on item 1.d.**

e. Pursuant to Government Code section 54957.6, the Board will confer with negotiators:  
**(1) Designated representatives: Irma Ramirez-Bough and Brette Neal**  
**Employee Organization(s): Unit R**  
**CLOSED SESSION REPORT: The Board took no reportable action on item 1.e.**

**10:30 A.M. - Reconvened**

**Roll Call**

**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 Undersheriff John Mineau. Undersheriff Mineau advised of the ceremony at the Sheriff Memorial tonight at 6:00 pm to honor our fallen officers. He invited the Board and members of the public to attend.

**Additions and Corrections**

There were no additions or corrections to the agenda.

**Consent Calendar**

- 2. Approval of Consent Calendar (See Supplemental Sheet)  
  
**A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to approve the Consent Calendar (See Supplemental Sheet). ALL AYES**

**Ceremonial Resolutions**

- 3. Adopt Resolution honoring Judge Jonathan Price as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2017. (Full Board)  
  
**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-360 honoring Judge Jonathan Price as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2017. (Full Board) ALL AYES**
  
- 4. Adopt Resolution honoring Louise Goetzelt as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2017. (Full Board)  
  
**A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-361 honoring Louise Goetzelt as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2017. (Full Board) ALL AYES**

5. Adopt Resolution honoring Judge Richard Curtis as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2017. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-362 honoring Richard Curtis as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2017. (Full Board) ALL AYES**
6. Adopt Resolution honoring Fernando Brodrick, Jr. as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2017. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-363 honoring Fernando Brodrick, Jr. as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2017. (Full Board) ALL AYES**
7. Adopt Resolution honoring James Sanders as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2017. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-364 honoring James Sanders as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2017. (Full Board) ALL AYES**
8. Adopt Resolution honoring Charles DeSchepper as a Monterey County Military and Veterans Affairs Advisory Commission's "Veteran of the Year" for 2017. (Full Board) (REVISED VIA SUPPLEMENTAL)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-365 honoring Charles DeSchepper as a Monterey County Military and Veterans Affairs Advisory Commission's "Veteran of the Year" for 2017. (Full Board) (REVISED VIA SUPPLEMENTAL) ALL AYES**
9. Adopt Resolution honoring Mark Hartunian as a Monterey County Military and Veterans Affairs Advisory Commission's "Veteran of the Year" for 2017. (Full Board) (REVISED VIA SUPPLEMENTAL)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-366 honoring Mark Hartunian as a Monterey County Military and Veterans Affairs Advisory Commission's "Veteran of the Year" for 2017. (Full Board) (REVISED VIA SUPPLEMENTAL) ALL AYES**
10. Adopt Resolution honoring Robert Livingston as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2017. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-367 honoring Robert Livingston as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the**

- Year” for 2017. (Full Board) ALL AYES
11. Adopt Resolution honoring George Guinn as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2017. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-368 honoring George Guinn as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2017. (Full Board) ALL AYES**
12. Adopt Resolution honoring Gary Kreeger as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2017. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-369 honoring Gary Kreeger as a Monterey County Military and Veterans Services Advisory Commission’s “Veteran of the Year” for 2017. (Full Board) ALL AYES**
13. Adopt Resolution honoring Steve Culver as a Monterey County Military and Veterans Affairs Advisory Commission’s “Veteran of the Year” for 2017. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-370 honoring Steve Culver as a Monterey County Military and Veterans Affairs Advisory Commission’s “Veteran of the Year” for 2017. (Full Board) ALL AYES**
14. Adopt Resolution honoring Harold Fordham as a Monterey County Military and Veterans Affairs Advisory Commission’s “Veteran of the Year” for 2017. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-371 honoring Harold Fordham as a Monterey County Military and Veterans Affairs Advisory Commission’s “Veteran of the Year” for 2017. (Full Board) ALL AYES**
15. Adopt Resolution honoring “Undisclosed Recipient” upon being selected as the 2017 Monterey County Hospitality Association Papa Vince Award recipient. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis Alejo to adopt Resolution No. 17-372 honoring Sunjeev “Sunny” Pahalad upon being selected as the 2017 Monterey County Hospitality Association Papa Vince Award recipient. (Full Board). ALL AYES**

### **Appointments**

16. Appoint John Orduñez to the Soledad Cemetery District to fill unscheduled vacancy, term ending February 1, 2019. (Supervisor Salinas)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor**

**John M. Phillips to appoint John Orduñez to the Soledad Cemetery District to fill unscheduled vacancy, term ending February 1, 2019. (Supervisor Salinas)  
ALL AYES**

- 17.** Reappoint Angie Ortega to the Community Restorative Justice Commission for a term ending October 17, 2020. (Supervisor Alejo)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Angie Ortega to the Community Restorative Justice Commission for a term ending October 17, 2020. (Supervisor Alejo) ALL AYES**

- 18.** Appoint Alexia L. Garcia to the Equal Opportunity Advisory Commission for a term ending at the pleasure of the Board. (Supervisor Alejo)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Alexia L. Garcia to the Equal Opportunity Advisory Commission for a term ending at the pleasure of the Board. (Supervisor Alejo) ALL AYES**

### **Other Board Matters**

- 19.** Adopt Resolution protecting Our Ocean and Coast from Offshore Drilling Exploration and Fracking. (Supervisor Parker)

**Public comment: Katherine O'Day; Dr. Jeff Shester; Ashley Blacko; Steve Eklund; Wes White.**

**A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Jane Parker to adopt Resolution No. 17-373 protecting Our Ocean and Coast from Offshore Drilling Exploration and Fracking. (Supervisor Parker) ALL AYES**

- 20.** Board Comments

**Supervisor Salinas acknowledged elected officials, including Councilwoman Karina Acosta and Councilwoman Yanelly Martinez and thanked them for attending today's meeting. He also thanked the constituents that came up today from South County to speak on the Sunstreet Center item.**

**Supervisor Adams announced that she attended the Veterans of Year at the Monterey event at the Elks Club. District 5 nominated Judge John Price, Richard Curtis and Louise Goetzelt as Veterans of the Year. All Supervisorial Districts submitted nominees for this award.**

**Supervisor Adams reminded Supervisors of the Leadership retreat, scheduled in early November, with the Board of Supervisors/Elected Official and Department Heads. She requested that the Board of Supervisors be prepared to share their vision of what will be most beneficial for Monterey County residents and how best to achieve those goals.**

**Supervisor Alejo announced Saturday is the day to honor Veterans and he expressed his pleasure at being the son of a Veteran. He encouraged citizens to attend the Veterans Day celebration on November 11th at 11:00 am and the**



parade at 2:00 pm, which may be the largest parade on the central coast. He is pleased to celebrate our Veterans who have served our country with honor.

Supervisor Alejo has visited different boxing gyms in Salinas, which are important to our youth, given the ongoing violence in the community. He thanked the coaches and he commended them for their efforts to keep our youth busy after school and on weekends. He noted Rueben Villa, Jr. is a local professional with an 9-0 record is the pride of his community. He continues visiting gyms to get a better sense of impacts of this popular sport and the leaders that champion this sport.

Supervisor Parker also attended the Veterans of the Year on Saturday. It's important to honor the ongoing service to the community by Veterans in many areas of public service. It was an honor and pleasure to attend the event to acknowledge and support continued public service efforts of our Veterans after their military service to our country.

21. CAO Comments and Referrals

There were no CAO comments or referrals.

22. General Public Comment

Steve Eklund; Wes White; Steve Eklund.

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

23. Receive a report from the Natividad Medical Center (NMC) Chief Executive Officer updating the Board of Supervisors on the status of the Level II Trauma Center program.

**By consensus, the Board received a report from the Natividad Medical Center (NMC) Chief Executive Officer updating the Board of Supervisors on the status of the Level II Trauma Center program. ALL AYES**

24. Receive a presentation from the Downtown Street Team on building volunteer work teams that incorporate case management and employment services for people experiencing homelessness.

**Public comment: Jeff Lehner; Wes White.**

**By consensus, the Board received a presentation from the Downtown Street Team on building volunteer work teams that incorporate case management and employment services for people experiencing homelessness. ALL AYES**

**12:00 P.M. - Recessed to Lunch - Continued Closed Session**

**1:30 P.M. - Reconvened Monterey County Board of Supervisors****Roll Call**

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

**1:30 P.M. - Scheduled Matters****24.1**

PLN140863 - First Baptist Church (Continued From October 17, 2017)  
Public hearing to consider an appeal by the First Baptist Church from the August 9, 2017, decision of the Planning Commission to adopt a Negative Declaration and approve a Use Permit to convert a single-family dwelling into a church. First Baptist Church is challenging conditions regarding Permit Expiration (2 years) and Scope of Use (maximum occupancy of 65 persons).

Proposed CEQA Action: Adopt a Negative Declaration per Section 15074 of the CEQA Guidelines.

Project Location: 19345 Cachagua Road, Carmel Valley, Cachagua Area Plan (ADDED VIA ADDENDA)

**Public comment: Anthony Lombardo; Don Bonsper; Doug Gardner; Greg Martin; Derek Bonsper; John Hammond; Pam Bonsper.**

**Motion No. 1: A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Jane Parker to deny the appeal of First Baptist Church PLN 140863; revert to the two year permit and a maximum of 65 persons. 2-3 (Supervisors Salinas, Phillips and Alejo voted No) MOTION FAILED**

**Motion No. 2: A motion by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-378 to: 1) Grant in part the appeal of First Baptist Church of the Planning Commission's approval of a Use Permit to convert a single-family dwelling into a church;**  
**2) Adopt a Negative Declaration; and**  
**3) Approve a Use Permit to convert a single-family dwelling into a church, subject to twenty-nine (29) conditions of approval, to include revised condition 30: 1) 12 maximum special events per year, with maximum of 100 attendees (this does not include LUAC meetings or special circumstances); 2) maximum of 60 persons per day; 3) no more than two youth activities per week, with a maximum of 30 attendees; 4) overnight camping limited to two camping events per year, maximum three nights each, with a maximum of 30 persons; 5) no rentals of premises to 3rd parties; limit parking to 33 spaces on church sites; no parking on Cachagua Road; no shuttle use for special events; portable toilets used for special events; no drugs, alcohol, or smoking on premises; no trade or skill training; basement remodel addition to existing first floor to minimize express ecological and environmental concerns; and condition 10 is removed. 19345 Cachagua Road, Carmel Valley, Cachagua Area Plan (APN: 418-441-006-000) 4-1 (Supervisor Adams voted No)**

**25.**

a. Introduce, waive reading, and conduct a public hearing on an ordinance to add Chapter 16.58 to the Monterey County Code to establish exemption procedures

for land uses in support of oil and gas operations in order to implement provisions of Measure Z, a voter-approved initiative measure; and

b. Set a date for adoption of the ordinance.

Proposed CEQA Action: Statutorily exempt per CEQA Guidelines section 15378(b)(5).

**Public comment: Laura Solorio; Beverly Bean; Denyse Frishmuth; Judy Karras; Michelle Nobel-McCain; Robert Frishmuth; Demitri Pineda; Jan Shriner; Jane Bell; Heather Wells; Cathy Miller; Albert Madrid; Maricella Serna; Lynn Johoobian; Don King; Brad Rosette; Bill Carrothers; Nate Johnson; Andy Hsia-Coron; Amy Pofuture; Michael Saint; Kristi Torrano; Mary Hsia-Coron; Craig Moyer; Wes White; Steve Eklund; Kathleen Craig; Laurie Palmer; Dr. Roger Craig; Mary Arrardre; Karen Araujo.**

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Mary L. Adams to continue to December 5, 2017 to provide time for review of comments received on October 23, 2017 and potential revisions to the ordinance regarding:

- a. Introduce, waive reading, and conduct a public hearing on an ordinance to add Chapter 16.58 to the Monterey County Code to establish exemption procedures for land uses in support of oil and gas operations in order to implement provisions of Measure Z, a voter-approved initiative measure; and
- b. Set a date for adoption of the ordinance.

Proposed CEQA Action: Statutorily exempt per CEQA Guidelines section 15378(b)(5). ALL AYES

**Adjournment**

**APPROVED:**

/ s/ Mary L. Adams

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

**ATTEST:**

**BY:**  / s/ Gail T. Borkowski

**GAIL T. BORKOWSKI**

**CLERK OF THE BOARD**

**APPROVED ON**  December 12, 2017

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**Supplemental Sheet, Consent Calendar****Health Department**

26. Approve and authorize the Director of Health or Assistant Director of Health to sign Amendment No. 1 to the Agreement with CareMessage Corporation, to extend the term for an additional two (2) years, for a new term of November 1, 2015 to October 31, 2019, and to increase the contract amount by \$116,200, for a revised contract amount not to exceed \$215,000, to provide a text and voice messaging patient communication system.

**Approved - Agreement No. A-13760**

27. a. Approve and authorize the Contracts/Purchasing Officer to execute Renewal and Amendment No. 5 to Lease Agreement No. A-10986 with 1615 Bunker Hill, LLC by Thrust IV, Inc., its Managing Member as successor in interest to Creekbridge Office Center II, LLC, for the leased premises at 1615 Bunker Hill Road, Salinas, California, to retain Suite 140 and remove Suites 190, 230, and 250 thereby decreasing the leased square footage from 14,667 to 1,964 and renewing the term for five (5) years and four (4) months retroactively effective July 1, 2017, for use by the Health Department's Clinic Services Bureau; and
- b. Authorize the Auditor-Controller to make lease payments of \$3,928.00 per month, effective November 1, 2017 in accordance with the terms of the Lease Agreement as amended; and
- c. Authorize the Auditor-Controller to make a one-time retroactive lease payment in the amount of \$1,021.28 (\$255.32 per month July through October 2017); and
- d. Authorize the renewal and extension of the Lease Agreement for five (5) additional years and four (4) months under the same terms and conditions as amended.

**Approved - Agreement No. A-10986**

28. Approve and Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to sign a no cost Amendment No. 3 to Agreement No. A-13538 with Raimi + Associates, assisting the Health Department in the development of its 2017-2021 Strategic Action Plan, and adding three months for a revised full term of January 11, 2016 through January 31, 2018.

**Approved - Agreement No. A-13538**

29. Adopt attached resolution to authorize the implementation and application of Article 4.7 of Chapter 2 of the Lanterman-Petris-Short Act, i.e., California Welfare and Institutions Code § 5270.10 et seq. in Monterey County to provide for an additional 30-day period of intensive inpatient psychiatric treatment as an alternative to filing a petition for Conservatorship when a limited amount of additional time is

needed to stabilize an individual in involuntary inpatient care.

**A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-379 to authorize the implementation and application of Article 4.7 of Chapter 2 of the Lanterman-Petris-Short Act, i.e., California Welfare and Institutions Code § 5270.10 et seq. in Monterey County to provide for an additional 30-day period of intensive inpatient psychiatric treatment as an alternative to filing a petition for Conservatorship when a limited amount of additional time is needed to stabilize an individual in involuntary inpatient care. ALL AYES**

### **Department of Social Services**

30. Approve and authorize the Director of the Department of Social Services to sign the Housing and Disability Income Advocacy Program Funding Request Certification for the period January 1, 2018 through June 30, 2020, for \$2,502,000 to assist disabled individuals experiencing homelessness apply for benefit programs while also providing housing assistance.

**Approved - Agreement No. A-13761**

31. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Uplift Family Services for Intensive Treatment Foster Care Services for eligible foster care youth effective upon execution through June 30, 2020; and  
b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this Agreement, where the amendments do not significantly change the terms of this agreement.

**Approved - Agreement No. A-13762**

### **Criminal Justice**

32. a. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendment No. 2 to Board Approved Agreement A-13199 with Uretsky Security to provide guard services for hospitalized inmates for the Sheriff's Office. The amendment adds one (1) year to the contract, extending it to May 14, 2019 and adds additional funding of \$109,000, bringing the not to exceed cost of the agreement to \$382,000 and;  
b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign up to one (1) future amendment to the agreement where the amendment does not significantly change the scope of work, and where the amendment does not increase the contract value more than ten percent (10%) or \$38,200, for a maximum not to exceed amount of \$420,200.00

**Approved - Agreement No. A-13199**

**General Government**

33. Approve a request from the Carmel Valley Recreation and Park District for dry period loan of \$30,000 for the Fiscal Year ending June 30, 2018.  
**Approved**
34. Receive the Action Minutes of the Budget Committee for the 1st and 2nd Quarters of 2017 for January 25, 2017, February 22, 2017, March 8, 2017, March 29, 2017, April 28, 2017, May 31, 2017 and June 28, 2017.  
**Approved**
35. Accept the Monterey County Law Library Annual Report, Financial Year 2016-2017.  
**Approved**
36. Receive and Accept the Treasurer's Report of Investments for the Quarter Ending September 30, 2017.  
**Approved**
37. a. Approve and authorize the Contracts Purchasing Officer or the Contracts Purchasing Supervisor to execute a non-standard Agreement with Aviat U.S., Incorporated in the amount of \$22,092 for the provision of microwave equipment off-site hardware repair, equipment replacement, and remote technical support retroactive to March 18, 2017 through March 17, 2020; and  
b. Accept the non-standard language as recommended by the Director of Information Technology; and  
c. Authorize the Contracts Purchasing Officer to sign up to three (3) future renewals to this Agreement, extending the Agreement by one (1) year each, subject to County Counsel review, under the same or similar terms, and provided there are no significant changes to the non-standard language approved by the Board and the increased cost of each renewal does not exceed 10 percent of the original amount (\$2,375 maximum increased cost per renewal).  
**Approved - Agreement No. A-13763**
38. Approve and adopt the Monterey County Board of Supervisors' Regular Meeting Schedule for Calendar Year (CY) 2018.  
**Approved**
- 38.1 a. Approve accepting a grant award augmentation of \$369,366 from the California Governor's Office of Emergency Services (Cal OES) Victim Of Crime Act (VOCA)

County Victim Services Program to provide direct services to victims of crime in Monterey County with an in-kind match of \$92,342 extending the grant period to end date December 31, 2019 (Subaward XC16 01 0270, Cal OES ID 053-00000) previously approved by the Board of Supervisors (item #32) on June 13, 2017; and

b. Approve authorizing the Auditor-Controller to amend the Fiscal Year 2017-18 Adopted Budget, Fund 001, Appropriation Unit CAO024, increasing appropriations and estimated revenue by \$306,798 funded by California Governor’s Office of Emergency Services (Cal OES) Victim Of Crime Act (VOCA) (Subaward XC16 01 0270, Cal OES ID 053-00000); and

c. Approve authorizing the Assistant County Administrative Officer (ACAO) over the Office of Community Engagement and Strategic Advocacy (OCESA) or the ACAO’s designee to accept, administer and execute documents to secure funding from California Governor’s Office of Emergency Services (Cal OES) Victim Of Crime Act (VOCA); and

d. Approve authorizing the Assistant County Administrative Officer (ACAO) over the Office of Community Engagement and Strategic Advocacy (OCESA) or the ACAO’s designee to amend agreements with sub grantees for direct services delivery with the following organizations; YWCA of Monterey County, CASA of Monterey County, Monterey County Rape Crisis Center, Seaside Police Department, Greenfield Police Department with a retroactive effective date of July 1, 2016 through December 31, 2019. (ADDED VIA ADDENDA)

**Approved**

**RMA - Administration**

- 39.
  - a. Approve and authorize the Monterey County Resource Management Agency (RMA) Director to execute a Memorandum of Understanding (MOU), effective November 1, 2017, with Monterey County Regional Fire District, for a term of ten (10) years, for zero dollars (\$00.00) in annual rent for the use of an identified .41 acres of County owned real property (APN: 161-401-039) located in the Toro Creek Estates Subdivision for seasonal sandbag distribution; and
  - b. Authorize Contracts/Purchasing Officer to execute future extensions of the MOU with the Monterey County Regional Fire District for an additional two (2), ten (10) year extensions for a total thirty (30) year term.

**Approved - Agreement No. A-13764**

**RMA - Public Works and Facilities**

- 40.
  - a. Certify that on February 23, 2017, the appropriate authority of the County of

Monterey considered the environmental effects of the project and adopted the Mitigation Monitoring and Reporting Program as shown in the Mitigated Negative Declaration adopted by Caltrans in April 2012 and in the Addendum adopted by Caltrans in February 2017;

- b. Approve a Cooperative Agreement with Caltrans for the replacement of the traffic signals on State Route 1 at Carmel Valley Road; and
- c. Authorize the Resource Management Agency Director to execute the Cooperative Agreement in the amount of \$275,000.

**Approved - Agreement No. A-13765**

**41.**

- a. Approve Amendment No. 2 to Agreement, Multi-Year Agreement #3000\*1222, with Kasavan Architects, Inc. to continue to provide services associated with on-call services under \$100,000 for architectural and engineering design services for various projects located in Monterey County, California, Request for Qualifications #10455, to: update the Fee Schedule; increase the not to exceed amount of \$100,000 by \$100,000 for a total amount not to exceed \$200,000; and extend the expiration date from March 7, 2018 for one (1) additional year through March 7, 2019, for a revised term from March 7, 2014 to March 7, 2019; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to the Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

**Approved - Agreement No. A-13788**

**42.**

Adopt an ordinance adding Section 12.28.011 of the Monterey County Code to authorize the County to prohibit parking at any time on certain County streets and highways and to tow away vehicles that violate the prohibition. This ordinance also applies this restriction specifically to the entirety of Lapis Road near the community of Marina in the unincorporated area of the County of Monterey, to become operative December 1, 2017 or the effective date of a Safe Parking Program, whichever is later.

**Public comment after item was heard: Michael, no last name given.**

**A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Ordinance No. 5290 adding Section 12.28.011 of the Monterey County Code to authorize the County to prohibit parking at any time on certain County streets and highways and to tow away vehicles that violate the prohibition. This ordinance also applies this restriction specifically to the entirety of Lapis Road near the community of Marina in the unincorporated area of the County of Monterey, to become operative December 1, 2017 or the effective date of a Safe Parking Program, whichever is later. ALL AYES**