

Monterey County

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



Action Minutes - Final

Tuesday, April 2, 2019

10:00 AM

Final-Revised as of 4:17 P.M.

Board of Supervisors

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

10:00 A.M. - Called to Order

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

Roll Called

Present: 4 - Supervisor Mary L. Adams, Supervisor John M. Phillips, Supervisor Chris Lopez and Supervisor Jane Parker

Absent: 1 - Supervisor Luis A. Alejo

Staff Present

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

Additions and Corrections for Closed Session by County Counsel

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

Closed Session

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

a. 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) Angelica Subia (Worker's Compensation Appeal Board Case No. ADJ10171660)

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 Public Defender.~~ REMOVED VIA SUPPLEMENTAL

Public Comment

Open for public comment; no public comment made.

The Board Recessed for Closed Session Agenda Items at 10:02 a.m.

10:31 A.M. - Reconvened on Public Agenda Items

Roll Called

Present: 4 - Supervisor Mary L. Adams, Supervisor John M. Phillips, Supervisor Chris Lopez and Supervisor Jane Parker

Absent: 1 - Supervisor Luis A. Alejo

Staff Present

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

Announcement of the Interpreter

Claudia Espino-Hernandez, Spanish Interpreter present and announced Spanish interpreter services.

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Chris Lopez.

Additions and Corrections by Clerk

There were no additions and corrections to the agenda.

Consent Calendar- (See Supplemental Sheet)

- 2.** Approval of Consent Calendar Items No. 12 through 21.

Open for public comment; no public comment made.

Supervisor Chris Lopez commented on Consent Item No.'s 12 and 19.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Chris Lopez to approve Consent Calendar Item No.'s 12 through 21. (See Supplemental Sheet) 4-0 (Supervisor Alejo absent)

Ceremonial Resolutions

Open for public comment; Jay Donato commented on Item No. 6.

- 3.** Adopt Proclamation: Proclaiming the Week of April 7- April 13, 2019 as *National Crime Victims' Rights Week* in Monterey County. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary L. Adams, to adopt Resolution No. 19-104 proclaiming the Week of April 7- April 13, 2019 as National Crime Victims' Rights Week in Monterey County. (Full Board) 4-0 (Supervisor Alejo absent)

4. Adopt Resolution designating the week of April 1-7, 2019 as “National Public Health Week” in Monterey County. (Chair’s Resolution- Supervisor Phillips)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary L. Adams, to adopt Resolution No. 19-105 designating the week of April 1-7, 2019 as “National Public Health Week” in Monterey County. (Chair’s Resolution- Supervisor Phillips) 4-0 (Supervisor Alejo absent)
5. Adopt Resolution recognizing Alma McHoney upon her retirement from 24 years of Public Service to Monterey County. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary L. Adams, to adopt Resolution No. 19-106 recognizing Alma McHoney upon her retirement from 24 years of Public Service to Monterey County. (Full Board) 4-0 (Supervisor Alejo absent)
6. Adopt Resolution proclaiming the week of April 8th - 12th, 2019 as the Monterey County Work Zone Awareness Month. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary L. Adams, to adopt Resolution No. 19-107 proclaiming the week of April 8th - 12th, 2019 as the Monterey County Work Zone Awareness Month. (Full Board) 4-0 (Supervisor Alejo absent)

Other Board Matters

7. Board Comments
Supervisor Luis A. Alejo absent.
Supervisor Chris Lopez commented on the community meeting in Arroyo Seco with their primary focus on public works; they came up with some great plans; however, had more solutions on issues and he was excited about the outcome of that meeting; next he stated April 14th is Ciclaviva Day in King City so if anybody’s around it be great for the public to go down and see the streets of Broadway closed down and to make sure that the community gets out there and enjoys their public space; next he commented last weekend Bradley had their 5K & 10K which he received a t-shirt from that day from the donation he made and he thanked Bud Wyrock for bringing it to him; he said it was a great community event with about 75 folks turning out in Bradley in honor of Darlene and Evan Lloyd and lastly he was in Long Beach on Friday for the Well Conference on water education for Latino leaders and he said that was extremely informative specifically on issues surrounding water in California.
Supervisor Mary L. Adams commented this coming weekend is Good Old Days in Pacific Grove; there will be a great parade on Saturday and a wonderful festival; she hopes the public is interested to come over to enjoy some good old-fashioned fun; in addition, it seems like it might be music week in Monterey County but it always is in her District and there’s a beautiful Carmel Chamber Program going on honoring youth and the work that they’ve been doing and the same thing at CSUMB on Thursday night so just check your local media for what the exact times and dates are but specifically for the Good Old Days, in Pacific Grove.

Supervisor Jane Parker made a request for next Tuesday when we have our April Budget Workshop session with presentations from a number of Department Heads that this is our first opportunity to give some feedback on how the budget is shaping up, it's also the public's opportunity to give feedback so her office made a request of the CEO's office to plan the agenda to list specific times in the morning and afternoon or just one specific time in the afternoon for public comment for those wishing to comment so they know when they'd be likely to speak; otherwise it can involve sitting for hours with an unknown end which can really be an obstacle for participation especially for people who work for a living; they can either be here for a limited time or watch the proceedings on their computer but it is very helpful for people to know an approximate time when they might be able to come to speak so I know that the Chair will be meeting tomorrow to work out the format during agenda review; she is hoping notification can be sent after that meeting on how the public comment will be handled so her office can let people know; of course, department head's presentations will not be interrupted but if it's listed on the agenda for public comment to be at 11 a.m. or say 2:30 p.m., in the afternoon, we can then start as soon thereafter and at least the public will know about when they might have a chance to speak.

Supervisor John M. Phillips pointed out that there was a special meeting held yesterday in Castroville, in his District to bring awareness to the 2020 Census and how important it is that we get everybody out there to be accounted for even the ones that are hard to count; he stated we all have our work to do with but it was a good event with good coverage and he thought it got a good kick off.

8. CAO Comments and Referrals

There were no CAO comments and referrals.

9. General Public Comments

Open for general public comment for items not on today's agenda; Dr. Jim Rossen; Michael Pekin; Kimbley Craig; Doug Dunn and Eric Peterson commented.

10:30 A.M. - Scheduled Matters

- 10.** Adopt a resolution authorizing the County Administrative Officer or his designee to:
- a. File an application to fund an update of the Monterey County Multi-Jurisdictional Hazard Mitigation Plan (HMP) with the Hazard Mitigation Grant Program (HMGP) DR-4382 funds in the amount of \$312,000; and
 - b. Sign all grant related documents, contracts, or amendment; and
 - c. Enter into a Memorandum of Understanding with participating cities for this purpose.

Kelsey Scanlon, Emergency Services Planner with the office of the Emergency Services presented via PowerPoint.

Open for public comment; Dr. Jim Rossen commented.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams, to:

Adopt Resolution No.19-108 authorizing the County Administrative Officer or his designee to:

- a. File an application to fund an update of the Monterey County Multi-Jurisdictional Hazard Mitigation Plan (HMP) with the Hazard Mitigation Grant Program (HMGP) DR-4382 funds in the amount of \$312,000; and
- b. Sign all grant related documents, contracts, or amendment; and
- c. Enter into a Memorandum of Understanding with participating cities for this purpose.

Agreement No. A-14270

4-0 (Supervisor Alejo absent)

11.

- a. Receive an oral report from the Monterey County Health Department Animal Services Administrator regarding an update on the Animal Services Pilot Project Memorandum of Agreement (MOA) between the County of Monterey Health Department and the City of Salinas; and
- b. Approve and Authorize the Director of Health or Assistant Director of Health to execute Amendment No. 1 to the MOA, A-13774 between the County of Monterey and the City of Salinas for Animal Control Services Administration Pilot Project which adds consolidation of shared services in the areas of Volunteer Coordination and Supervision as well as exploration of establishing consolidated Animal Services Board/Commission, extends the term to June 30, 2020, and increases amount by \$324,339 for a total amount not to exceed \$590,550 for the term of the MOA.

Elsa Jimenez, Director of Health Services made opening remarks with Cindy Burnham, Management Specialist from the Health Department presenting via PowerPoint.

Open for public comment; no public comment made.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Jane Parker, to:

- a. Receive an oral report from the Monterey County Health Department Animal Services Administrator regarding an update on the Animal Services Pilot Project Memorandum of Agreement (MOA) between the County of Monterey Health Department and the City of Salinas; and
- b. Approve and Authorize the Director of Health or Assistant Director of Health to execute Amendment No. 1 to the MOA, A-13774 between the County of Monterey and the City of Salinas for Animal Control Services Administration Pilot Project which adds consolidation of shared services in the areas of Volunteer Coordination and Supervision as well as exploration of establishing consolidated Animal Services Board/Commission, extends the term to June 30, 2020, and increases amount by \$324,339 for a total amount not to exceed \$590,550 for the term of the MOA.

Approved - Agreement No. A-13774; Amendment No. 1

4-0 (Supervisor Alejo absent)

Read Out from Closed Session by County Counsel

CLOSED SESSION REPORT:

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

a. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey. (1) Angelica Subia (Worker’s Compensation Appeal Board Case No. ADJ10171660)

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a.

Adjourned

The meeting was adjourned at 12:16 p.m. by Chair Supervisor John M. Phillips.

APPROVED:

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

ATTEST:

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

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

12. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the agreement with Visual Net Design for website update and web hosting services, adding \$150,000 for a revised total agreement amount not to exceed \$183,988, with no changes to the existing agreement term May 1, 2018 through April 30, 2021.
- 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%) (\$3,398) of the original cost of the agreement per each amendment.

Approved - Agreement No. A-14274

13. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the agreement (A-13490) with Fitzgerald Enterprises, Inc. dba American Consultants for interim placement services, extending the agreement an additional two (2) year period (April 1, 2020 through March 31, 2022) for a revised full agreement term of April 1, 2017 through March 31, 2022 with no change to the original agreement amount.
- 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%) (\$50,000) of the original cost of the agreement.

Approved - Agreement No. A-13490; Amendment No. 1

Health Department

14. Approve and authorize the Director of Health or Assistant Director of Health to execute an Amendment No. 2 to Agreement A-13138 with Central Coast Center for Independent Living (CCCIL) to extend the Rapid Rehousing Access provisions of the Whole Person Care Program 2 an additional 18 months, while also extending CCCIL Program 1 counseling and outreach services an additional two fiscal years, increasing the contract amount payable by County to Contractor by a total of \$1,003,606 for Fiscal Year (FY) 2018-19 through FY 2020-21, for a new maximum County obligation of \$1,612,915, for a revised term of July 1, 2016 through June 30, 2021.

Approved - Agreement No. A-13138; Amendment No. 2

15. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement with Access Support Network, for the provision of Human Immunodeficiency Virus (HIV) non-medical case management services to Ryan White Part B clients; in the amount of \$298,235, for the period of April 1, 2019 to March 31, 2024.

Approved - Agreement No. A-14271

Department of Social Services

16. a. Approve and authorize the Acting Director of the Department of Social Services to sign an Agreement with Community Networks Corporation dba Community Software Group for \$26,000 for subscriptions to Data Management and Community Action Plan software systems for use by the Monterey County Community Action Partnership and its subcontractors for a term of one year beginning upon execution; and
- b. Authorize the Director or the Acting Director of the Department of Social Services to sign up to (3) amendments to this Agreement where the total amendments do not exceed 10% (\$2,600) of the original contract amount and do not significantly change the scope of work.

Approved - Agreement No. A-14272

17. a. Approve and authorize the Chair of the Board of Supervisors to sign the Second Amended and Restated Joint Exercise of Powers Agreement with the Fourth Amended Bylaws, effective June 28, 2019 until terminated, with the California Automated Consortium Eligibility System; and
- b. Approve and authorize the Chair of the Board of Supervisors to sign a governance Memorandum of Understanding, effective June 28, 2019 until terminated, with the California Automated Consortium Eligibility System.

Approved - Agreement No. A-14273

General Government

18. a. Approve Amendment No. 2 to the Jacqueline A. Hamilton (formerly Jacqueline A. Petro) individual Inclusionary Housing Agreement to allow conveyance of her unit into a revocable trust; and
- b. Authorize the Housing Program Manager to execute the approved Amendment No. 2 to Inclusionary Housing Agreement.

Approved - Agreement No. A-14275, Amendment No. 2

RMA - Administration

19. Adopt a Resolution to approve distribution of Fish and Game Propagation Fund grants in the amount of \$31,700 for 10 specific projects for Fiscal Year 2018-2019.

Adopted - Resolution No. 19-109

- 19.1 Adopt Resolution to:
- Find that a Homeless Shelter on County-owned land at 855 East Laurel Drive, Salinas is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15303 (Class 3) and Section 15332 (Class 32);
 - Find that a Homeless Shelter on County-owned land at 1292 Olympia Avenue, Seaside is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Class 1) and Section 15327 (Class 27); and
 - Directing the Director of the Resource Management Agency to file Notices of Exemption with the Monterey County Clerk/Recorder.

Adopted - Resolution No. 19-110

RMA – Public Works and Facilities

20. Adopt a Resolution to:
- Certify that the Board has reviewed and considered the information in the Mitigated Negative Declaration previously adopted for the Moss Landing Underground application (PLN130590);
 - Approve and authorize the Chair to sign a Contract to Purchase from Keith Family Investments, LLC a Public Utility Easements (APN 133-221-001 - PUE “X”) in the amount of \$5,943.50 for the Moss Landing Rule 20A Underground Utility District Project in the community of Moss Landing;
 - Approve and authorize the Chair to sign the Acceptance and Consent to Recordation for the Grant of the Public Utility Easement; and
 - Direct the Clerk of the Board to record the executed Easement with the County Recorder’s Office.

Adopted - Resolution No. 19-111

21.
 - Adopt Plans and Special Provisions for Slope Repairs at Various Locations on Hall Road, San Juan Road, and Aromas Road; and
 - Authorize the Resource Management Agency Director to advertise the “Notice to Bidders” in the Monterey County Weekly.

Approved

22. Authorize the RMA Director or Deputy Director of Public Works, Parks and Facilities to approve Change Order No. 180 for the New Juvenile Hall Project in

the amount of \$646,193, to change Commercial Storefront frames to Detention Grade Hollow Metal Frames, glazing and corrective work associate therewith.

Approved

Supplemental

23.

SUPPLEMENTAL

Closed Session

1. 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.

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