

Monterey County

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



Action Minutes - Final

Tuesday, January 14, 2020

9:00 AM

Board of Supervisors

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

9:00 A.M. - Called to Order

The meeting was called to order by Chair Supervisor Chris Lopez.

Roll Called

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

Staff Present

Charles McKee, County Administrative Officer, Les Girard, 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. 1.a. through c.(1).

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) Leenett Lumpkin (Worker’s Compensation Appeals Board case no. ADJ18615830)

(2) Mark Tavares (Worker’s Compensation Appeals Board case nos. ADJ2101966, ADJ4486789, ADJ4190988, ADJ773109)

(3) Noemi Romero (Worker’s Compensation Appeals Board case no. ADJ10439670, ADJ11866950)

(4) City of Marina, et al. v. County of Monterey, et al. (Superior Court case no. 19CV005270)

b. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding three matters of potential initiation of litigation.

c. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Kim Moore
Employee Organization(s): All Units

Public Comment

Open for public comment; no public comments made.

The Board Recessed for Closed Session Agenda Items

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

Roll Called

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

Staff Present

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board

Pledge of Allegiance

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

Announcement of Interpreter

Maria Avila, Spanish Interpreter present and announced Spanish interpreter services.

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 20.

Open for public comment; no public comments made on Consent Calendar Item No.'s 12 through 20 excluding Item No. 19.

A motion is made by Supervisor John M. Phillips, seconded by Supervisor Luis A. Alejo to approve Consent Calendar Item No.'s 12 through 20 excluding Item No.19 that will be voted on separately..
ALL AYES

Supervisor Jane Parker and Supervisor Mary L. Adams had questions and comments on Item No. 19; Supervisor Luis A. Alejo, Supervisor John M. Phillips and Supervisor Chris Lopez also commented on Item No.19.

Open for public comment; Molly Erickson commented on Item No. 19.

A motion is made by Supervisor John M. Phillips, seconded by Supervisor Luis A. Alejo to approve Consent Calendar Item No.19.
ALL AYES

Ceremonial Resolutions

Open for public comment; no public comments made.

3. Adopt Resolution recognizing Jan Harkness & Monterey County Dance Theatre as the recipients of the King City Chamber of Commerce and Agriculture's 2019 Friend of the Community Award. (Full Board)

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 20-011 recognizing Jan Harkness & Monterey County Dance Theatre as the recipients of the King City Chamber of Commerce and Agriculture's 2019 Friend of the Community Award. (Full Board) ALL AYES

4. Adopt Resolution recognizing The Garden House as the recipient of the King City Chamber of Commerce and Agriculture's 2019 Business of the Year Award. (Full Board)

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 20-012 recognizing The Garden House as the recipient of the King City Chamber of Commerce and Agriculture's 2019 Business of the Year Award. (Full Board) ALL AYES

5. Adopt Resolution recognizing Dr. Timothy & Phoebe Cheney as the recipients of the King City Chamber of Commerce and Agriculture's 2019 Citizen of the Year Award. (Full Board)

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 20-010 recognizing Dr. Timothy & Phoebe Cheney as the recipients of the King City Chamber of Commerce and Agriculture's 2019 Citizen of the Year Award. (Full Board) ALL AYES

- 5.1 Adopt Resolution recognizing City of Salinas Mayor Joe Gunter. (Full Board-Supervisor Alejo) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 20-014 recognizing City of Salinas Mayor Joe Gunter. (Full Board- Supervisor Alejo) (ADDED VIA ADDENDUM) ALL AYES

Appointments

Open for public comment; no public comments made.

6. Appoint Cheryl Ward-Kaiser as the Victim Representative to the Community Restorative Justice Commission with a term ending on January 14, 2023. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Luis A. Alejo to appoint Cheryl Ward-Kaiser as the Victim Representative to the Community Restorative Justice Commission with a term ending on January 14, 2023. (Full Board) ALL AYES

Other Board Matters

7. Board Comments

Supervisor Jane Parker commented on how much she appreciates that we are embarking on a contract to really look at our operations and Resource Management Agency and she anticipates that the comments that have been received in writing in that have been made on the dias today will inform the process and she is really looking forward to the results and to some good lively public participation in discussing the issues and also getting to solutions that will benefit the entire county. The other item she commented on was she put out the new schedule for hot topics for this year and she put out flyers on the bench in the board chambers and they are also available on her website.

Supervisor Luis A. Alejo commented he was not able to be here in person; however, he wanted to take the opportunity in person to recognize Supervisor John M. Phillips for his year of great leadership and hard work. Like Mayor Gunter a public servant that has always been out there effectively representing his constituents but also expressing and showing his concerns for residents in other parts of Monterey County. He commended him for his work again and he looks forward to continuing to work with him this year. He also recognized the hard work and mentorship of former Supervisor Simon Salinas in passing his baton to Chris Lopez the second youngest ever Supervisor and second youngest Chairman ever of this board and a true native son of South County. He thinks the residents in that part of our County which have historically not received the services that they truly deserves. He thinks Chris is already demonstrating to be a champion and really trying to advocate as strong as possible for their needs to be adequately at the table on all decisions. He commended Supervisor Lopez and he looks forward to working with him and continuing to see him shine as a young elected official and he is here to support his work. Lastly, he shared he just got back from Phoenix and apologized to his constituents and residents. He is here for a few days and he goes back on Sunday. He is at that point to take care of his own parents like they took care of him. His father who is a Vietnam Air Veteran who was a lifelong Pastor of his church is now on his tenth year of battling terminal bone cancer and is at that point where he needs that full time care. Supervisor Alejo shared he has to be there to support him and if he is taking time off or calling in for a meeting it's because he is trying to do and provide for his Father everything that he provided to him as a young child. He asked for prayers for his Father Thomas Alejo.

Supervisor Mary L. Adams shared she has a couple things to mention. One they are going to be having one of their Fireside Chats which gives the opportunity for the residents to come and chat with them this coming Wednesday the 15th at 5:30 p.m. at the Cypress Fire Station. She also mentioned the Hazard Mitigation Forum that will take place in Big Sur this Thursday the 16th at 6:00 p.m. at the Big Sur Lodge and after that one they will have one in Carmel Valley on the 22th that will be held at the Discovery Center at the Palo Corona Regional Park. It is important for the community to be able to weigh in on these critical issues. She also shared on the weekend of the 25th they will have Whalefest, down in Monterey, over by the wharf which is really terrific weekend to spend time down by the coastline and see some of the terrific things going on. There will be a lot of different venues open showing information about the wildfire that we have that we have right at our fingertips at the ocean. Finally, she commented on the city gate contract and

shored up what Supervisor Parker said and also to applaud the RMA staff as they are interested as the Supervisor in ensuring the efficiencies and the good service to the residence. She really appreciates the staffs effort in a transparent and a really terrific process in moving forward.

Supervisor John M. Phillips commented on the most calls they received in their office is illegal dumping and trash on the highway. They were notified and showed pictures of the San Juan Grade Road going up into San Benito County and all the truck loads of trash dumped there. He took a day off and hooked up his trailer to do something about it. He got vouchers and two volunteers to come from the trucking company from Rancho Cielo to go out there. Public works found out they were doing this, and Shaun Atkins came out there to educate them about safety and require them to wear vests and goggles. There were about 17 of them out there all working together. Public Works brought in all the heavy equipment and they had to close the highway to bring in the frontend loaders. They hauled off 4 truckloads of theirs and 2 truckloads and trailers of his. It was very educational as to biohazards as to what they can and cannot touch. There was remnants of a dead dog they couldn't touch so it was very educational. He talked to Norm Groot who is on the illegal dumping and litter abatement task force about coming up with any other recommendations to them. At one time each one of the landfills put money into a program that Lew Bauman was trying to set up to augment the work of Public Works having crews going out picking up in these areas. Possibly having some hot spots where we would set up a site in these areas once on a Sunday in three different locations. This would allow the public to be able to access these areas and drop of any big items they no longer want. He asked for the Chair's permission to have Norm Groot to come and do a presentation to the Board on this topic. Chair Supervisor Lopez concurred.

Supervisor Chris Lopez commented that tomorrow night they will have a hazard mitigation public forum in San Antonio Valley in the Lockwood Community Center. The following evening on the 16th they will be having a youth council mental health forum in Soledad in the all-purpose room at the high school that will take place at 5:30 p.m. Finally, the night after that on Friday evening they will be having another hazard mitigation public forum in Arroyo Seco at the fire station in the Third. They are dealing are with a little down time in terms of hazards it's time to start planning and how we respond when they occur. We're still doing to clean up in Chualar. The community continues to be resilient. He was fortunate over the break to spend some time out there with the Salvation Army distributing goods, blankets, food and toys to some of the younger residents. They continue to work with the community of Chualar and the Office of the Emergency Services to hopefully have some resolution for the condition of the soccer field. This continues to be the biggest burden for the community from the mud that washed through that area as this is the only recreational facility for Chualar. He gave thoughts and prayers to the Alejo family.

8. County Administrative Officer Comments and Referrals

Charles McKee, County Administrative Officer had no comments but recited one referral received by Supervisor Chris Lopez office to:

Create a Memorandum of Understanding (MOU) between the County of Monterey, through the Agricultural Commissioner's Office, and the Monterey

County 4-H Council (MC4H) for the purpose of educating our next generation of farmers and ranchers, developing citizenship, leadership, responsibility and life skills in local youth.

9. General Public Comments

Open for general public comments for items not on today's agenda; Kenneth Johnson commented.

10:30 A.M. - Scheduled Matters

10. Provide direction to staff on Board Referral 2017.20 requesting consideration of a BMX Bike Track and new Skate Park on County-owned land at East Laurel Drive in Salinas.

This matter will be continued; however, open for public comment at this time.

Open for public comment; Mayor Joe Gunter, Councilmember Scott Davis and Councilmember Dellarosa commented.

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

Continue the Board Referral 2017.20 requesting consideration of a BMX Bike Track and new Skate Park on County-owned land at East Laurel Drive in Salinas for further review.

ALL AYES

12:00 P.M. - Recessed to Lunch and back into closed session at 11:25 a.m.

1:30 P.M. - Reconvened

Roll Called

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

Staff Present

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board

Announcement of Interpreter

The Spanish Interpreter services were not announced due to inadvertence.

1:30 P.M. - Scheduled Matters

11. Accept the FY 2018-19 Annual Report from First 5 Monterey County (a.k.a. The Monterey County Children and Families Commission).

Elsa Jimenez, Director of the Health Department made opening remarks. Francine Rodd, Executive Director of First 5 presented via PowerPoint presentation.

Open for public comment; Alicia M. Fletcher, Maria Parra, Mayola Rodriguez and Julie Altman commented.

The Board upon consensus:
Accepted the FY 2018-19 Annual Report from First 5 Monterey County (a.k.a. The Monterey County Children and Families Commission).

Read Out from Closed Session by County Counsel

CLOSED SESSION REPORT:

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

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

(1) Leenett Lumpkin (Worker's Compensation Appeals Board case no. ADJ18615830)

(2) Mark Tavares (Worker's Compensation Appeals Board case nos. ADJ2101966, ADJ4486789, ADJ4190988, ADJ773109)

(3) Noemi Romero (Worker's Compensation Appeals Board case no. ADJ10439670, ADJ11866950)

(4) City of Marina, et al. v. County of Monterey, et al. (Superior Court case no. 19CV005270)

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a.(1) through (4).

b. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding three matters of potential initiation of litigation.

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

c. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Kim Moore
Employee Organization(s): All Units

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.c.(1).

Adjourned

The meeting was adjourned In Memory of Hebard Olsen at 3:13 p.m. by Chair Supervisor Chris Lopez.

APPROVED:

_____/s/ Chris Lopez_____
CHRIS LOPEZ, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: _____/s/ Valerie Ralph_____
VALERIE RALPH
CLERK OF THE BOARD
APPROVED ON March 10, 2020

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

12. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 2 to the agreement with Corepoint Health, LLC for integrated data sharing software and support services, extending the agreement an additional three (3) years (March 5, 2020 through March 4, 2023) for a revised full agreement term of March 5, 2016 through March 4, 2023, and adding \$176,805 for a revised total agreement amount not to exceed \$402,405.

Approved - Agreement No. A-13612, Amendment No. 2

13. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 4 to the agreement (A-13820) with Verge Solutions, LLC for a software system that manages issues from a quality, accreditation and regulatory compliance standpoint, extending the agreement an additional one (1) year period (retroactive to January 1, 2020 through December 31, 2020) for a revised full agreement term of January 1, 2019 through December 31, 2020, and adding \$44,972 for a revised total agreement amount not to exceed \$223,614.

Approved - Agreement No. A-13820, Amendment No. 4

14. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Renewal and Amendment No. 3 to the Agreement (A-13417) with Qventus (formerly known as AnalyticsMD, Inc.) for operational decision support software at NMC to extend the Agreement term for two (2) additional years (October 29, 2019 through October 28, 2021), for a revised full term of October 29, 2015 through October 28, 2021 and increasing the amount by \$190,000 for a revised total agreement amount not to exceed \$571,000.

Approved - Agreement No. A-13417, Amendment No. 3

Health Department

15. a. Approve Amendment No. 10 to the Agreement between the County of Monterey and American Medical Response West for the provision of Advanced Life Support Ambulance Services for the County of Monterey (Agreement No. A-11610) to extend the Agreement term to January 31, 2022, implement an ambulance service rate adjustment of 9.4%, replace Exhibit B (Monterey County Ambulance Rate Table) to said Agreement, and to make other substantive amendments to various sections of the Agreement; and
- b. Authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services (EMS) Director to execute Amendment No. 10 to the

Agreement between the County of Monterey and American Medical Response West for the provision of Advanced Life Support Ambulance Services for the County of Monterey.

Approved - Agreement No. A-11610, Amendment No. 10

Department of Social Services

- 16.
 - a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Santa Cruz Human Services Department for the use of Monterey County’s CHERISH Center for the term of January 15, 2020 through June 30, 2022 where Santa Cruz Human Services Department will pay Monterey County up to \$10,000; and
 - b. Authorize the Director of the Department of Social Services to sign up to three amendments to this agreement that do not significantly change the scope of work.

Approved - Agreement No. A-14595

Criminal Justice

- 17.
 - a. Approve and authorize the Contracts/ Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendment No. 1 to the Agreement with Community Human Services (CHS), a 501 (c)(3) non-profit corporation, in the amount of \$38,500, for a total not to exceed amount of \$135,700, to provide family counseling and treatment, and substance abuse prevention services for youth under Juvenile Justice Crime Prevention Act (JJCPA) programs for the term from July 1, 2019 to June 30, 2020; and
 - b. Authorize the Contracts/ Purchasing Officer or Contracts/Purchasing Supervisor to sign up to two (2) future amendments to the Agreement where the amendments do not exceed ten percent (10%) of the original contract amount (\$9,720) and do not significantly change the scope of work.

Approved - Agreement No. A-14596, Amendment No. 1

General Government

- 18. Accept the Monterey County Law Library Annual Report for FY 2018-19.

Approved

Resource Management Agency

- 19.
 - a. Request the Board of Supervisors to approve and ratify the Agreement between, Citygate Associates, LLC and the County of Monterey to provide analysis and

recommendations regarding the RMA, to include all land use and community development functions as well as a high-level review of Public Works, administration and other functions within the RMA and

b. Consider and approve a request authorizing the Auditor-Controller to amend the Fiscal Year 2019-20 Adopted Budget by increasing appropriations by \$199,696.00 for the County Administrative Office (001-1050-8045-CAO001), financed by release from the Cannabis Tax assignment, BSA 001-3132 (4/5ths vote required). The term of the Agreement is January 6, 2020 to June 31, 2021 in the amount not to exceed \$199,696.00.

Approved - Agreement No. A-14597

20.

a. Approve Amendment No. 3 to Standard Agreement No. A-13559 with Albion Environmental, Inc. to continue to provide services associated with the construction for completion of the Moss Landing Rule 20A Underground Utility District Project, under Request for Proposals No. 10513, to increase the not to exceed amount by \$226,293 for a total amount not to exceed \$450,395 with no term extension to the term from October 15, 2017 to December 31, 2020;

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 3 to Standard Agreement No. A-13559; and

c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute future amendments to Standard Agreement No. A-13559 to extend the term beyond the original term authorized in Request for Proposals No. 10513 where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.

Approved - Agreement No. A-13559, Amendment No. 3

Supplemental

21.

SUPPLEMENTAL

Under Ceremonial Resolutions

Item No. 5.1, Adopt Resolution recognizing City of Salinas Mayor Joe Gunter. (Full Board- Supervisor Alejo)

Under Other Board Matters

Item No. 8, Revised Referrals Attached

Under Supplemental Sheet, Consent Calendar / Health Department

Item No. 15, Attached an Agenda Ready Board Report