

# **Monterey County**

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



## **Action Minutes - Draft**

**Tuesday, September 1, 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 Chris Lopez appeared in person and Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo appeared via video conference

**Staff Present**

Charles McKee, County Administrative Officer, Les Girard, County Counsel, Julian Lorenzana, Board Clerk and Valerie Ralph, Clerk of the Board appeared in person.

**Additions and Corrections for Closed Session by County Counsel**

The following were read into the record:

To add to closed session the case County of Monterey, et. al. vs. Amerisos Bergen Drug Corporation, et. al. Federal District Court Case No. 718CV02693. This is the opioid litigation case and the need to discuss this matter arose after the posting of the agenda.

Open for public comments; no public comments made.

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to approve the additions and corrections to the agenda.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Parker: AYE

Supervisor Adams: AYE

Chair Supervisor Lopez: AYE

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two matters of potential initiation of litigation.
  - b. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding matters posing a threat to the security of public buildings, essential public services, or the public's right of access to public services or facilities.

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

d. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.

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

(1) Carmel Valley Association, Inc., v. County of Monterey, et al. (Court of Appeal case no. H046187 and Monterey County Superior Court case no. 17CV000131)

f. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

(1) Property: Fort Ord Landfill Parcels and Landfill Buffer Parcels, APNS

031-101-039, 031-101-040, 031-101-41, 031-101-042, 031-101-056,

031-101-057,

031-101-058, 031-161-041, 031-161-058, and Army owned Parcel E8a.2 (No APN)

Agency Negotiator(s): Carl Holm, Resource Management Agency Director

Negotiating Parties: Layne Long, City of Marina

Under negotiation: Price and terms

### **Public Comment**

Open for public comments; 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 Chris Lopez appeared in person and Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo appeared via video conference

### **Staff Present**

Charles McKee, County Administrative Officer, Les Girard, County Counsel,

Julian Lorenzana, Board Clerk and Valerie Ralph, Clerk of the Board appeared in person.

**Pledge of Allegiance**

The Pledge of Allegiance was led by Charles McKee, County Administrative Officer.

**Announcement of Interpreter**

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

**Additions and Corrections by Clerk**

The following were read into the record:

Pull Item No. 16 from the Health Department Consent Calendar at the request of the Health Department

Correction to the General Government Consent Calendar

For Item No. 29 add to the title to include minutes from the August 25, 2020 Board of Supervisor meeting and revised minutes from August 18, 2020 regarding Item No. 27 have been received.

Lastly, add to the Adjournment to Adjourn in Memory of Ramona Montoya and Craig Wiley.

Open for public comments; no public comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to approve the additions and corrections to the agenda.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Parker: AYE

Supervisor Adams: AYE

Chair Supervisor Lopez: AYE

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

2. Approval of Consent Calendar Items No. 13 through 36.

Supervisor John M. Phillips had comments on Consent Calendar Item No.'s 33, 34 (with a presentation) and 32.1.

Supervisor Mary L. Adams had comments on Consent Calendar Item No.'s 29 and 33.

Supervisor Luis A. Alejo had comments on Consent Calendar Item No.'s 18 - 22.

Open for public comments; Eric Peterson, in person, commented on Items 18-21.

A motion was made by Supervisor Mary L. Adams seconded by Supervisor John M. Phillips to approve Consent Calendar Item Numbers 13 through 36 excluding Consent Item No.16 which was pulled via the additions and corrections and Item No. 32.1 which will have a separate vote taken on it.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Jane Parker to approve Consent Calendar Item Number 32.1:

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE  
Supervisor Phillips: NAY  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE

Motion carries 4 to 1

### **Ceremonial Resolutions**

Open for public comments; no public comments made.

3. Adopt Resolution honoring the life of Ezzard “Dread” McCall. (Full Board - Supervisor Adams)

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Jane Parker to adopt Resolution No. 20-284 honoring the life of Ezzard “Dread” McCall. (Full Board - Supervisor Adams)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE

### **Other Board Matters**

4. Board Comments

Supervisor Luis A. Alejo commented he was up late last night watching the last day of the legislative session. He watched as there were several important issues that concerned Monterey County. He shared as the Chair of TAMC we had our legislation that dealt with some of the environmental issues for the

Castroville bypass. Luckily, that got to the Governor on consent and it wasn't caught up on the last day of session with the battles that were going on last night. But certainly, an important project for Castroville and luckily it's now before the Governor and awaiting a signature so that is good news. Also, the Governor last night signed the eviction moratorium. It was a compromise through negotiations. As of late last week, so it doesn't cover every moratorium, but the Governor did sign it and it does cover just those cases where a resident has failed to pay rent, and this would provide continued protections for five or six more months as long as they at least paid 25% of their back rent. It doesn't cover the other types of eviction some outside of failure to pay rent. Supervisor Alejo had an Ethnic Studies Bill for graduation requirements that he sponsored which was a bill authored by Jose Medina. It did get through the Senate and the Assembly last night, but unfortunately some late amendments taken kind of made it more of a symbolic bill because the funding was removed, and it was also postponed. The implementation date is set as of 2025 to 2030. He hopes that next year in the budget, they can put the money back in and restore the implementation date so that California could truly be the first in the nation to have a high school ethnic studies graduation requirement. The last two things he wanted to mention was just to thank everybody. They had a donation drive with Councilmember Scott Davis at the PAL building. He wanted to thank PAL and thank the many local residents who came to drop off money, gift cards or donated items altogether. They raised over \$7,000 in money or gift cards and over \$5,000 in materials that all went to all in Monterey. Luckily Kim Stemler and James helped them pick up all the items and take them that very same day to residents who need them, including some of the residents of Cachagua and Big Sur. He thanked the residents who were willing to come help all the residents in Monterey County. Lastly, he commented on the high profile case in Monterey County with two children who were seen outside a fast food restaurant trying to access the internet which was an example of the digital divide. Unfortunately, there were some residents who ended up putting out false information about what happened, including that the Salinas Police Department and that our County Child Protective Services (CPS) threatened the family to take the kids away. Luckily with our leadership of Lori Medina and also Chief Adele Fresé they were able to clear up this information because we were getting a lot of press calls and residents weighing in about what really happened. They were able to clear it up very quickly yesterday morning and reported that to the press. The individuals who put up the false information were using it to raise money and had raised almost \$130,000 in less than 24 hours for the families, but now they are following through at the school district and law enforcement to make sure that the family and the children receive every penny of what was raised online, on behalf of these residents. He wanted to make sure the public had the right facts and luckily the school district is following through with their Homeless Children Coordinator to make sure the family gets other needed services such as a childcare or help finding a permanent place to live as right now they were temporarily put up in a hotel room. So, thank you for everybody's concerns and to those who also gave generously to help this family in need.

Supervisor John M. Phillips shared they are just recovering from the fire. He recognized North County who just got back from fighting the fires so there is an outpouring of support for people getting in and helping. He thanked Supervisor Alejo for pushing for getting donations which was a good thing. His staff has been working for the Office of Emergency Services. Claudia, in particular,

worked all day yesterday at the conference center trying to help out the fire victims, so he appreciated that. Supervisor Alejo mentioned the Monning Bill which will allow us to keep going forward on the 156 Castroville interchange. He shared his wife is having a big birthday today, so all his kids were all coming into town for a dinner for her this evening. Lastly, when he left his daughter was conducting her class in Livermore from his deck, so it shows us how crazy things are during COVID.

Supervisor Jane Parker wanted to express her appreciation again for all the people stepping up to support those who are impacted by the fires. So many people are providing shelter for the humans and shelter for the animals, providing food, clothing items and if people are interested in how to help they can go to her YouTube page where the hot topics from last week are there as a recording. They talked with folks who can help direct resources to where they're most needed. Last night on her hot topics they had a good discussion from Citizens for Just Water and Public Water Now talking about the big decision that's before the Coastal Commission on September 17th about the Cal AM permit. So again, if you want information about that you can go to the Jane Parker YouTube page that also was recorded so you can get that information of how to participate and what the issues are and what the Coastal Commission staff is recommending.

Supervisor Mary L. Adams offered a deep heartfelt thanks to all her colleagues and also to all of the people in Monterey County, who have been so helpful during the fires we are having. She was happy to report that both the Carmel, and the River fire are really well contained. Now they are looking at the Dolan fires, but the work she has seen from the Office of Emergency Services has really just been unbelievable. They are just completely dedicated to ensuring that everyone is cared for here with all the partnership agencies who have been working with us. She had such a wonderful opportunity to really get to know and to see upfront, the sacrifice that all of these men and women who have come in, not only the firefighters, but all of the information officers, administrative staff and the backup people. It's been unbelievable people who come to our community putting their lives on the line to protect us and our homes that we have here. It is just really heartwarming. Regional Fire was here all the time as we went through the briefings Cal Fire has just been amazing now they have the U.S. Forest Service who are taking the lead, of course, on the Dolan fire, since it's in Ventana Los Padres National Forest. It's really just been so heartwarming to see what people are willing to do for one another. She feels that our residents have really shown that as well by their understanding and generosity toward the many people who have lost their homes here from Carmel Valley, Cachagua and Jamesburg the places that have been hit really, really hard, as has the River Road area. Her godson who also lost his home in the Santa Cruz County fires is also a firefighter himself, and she can just see what this does to people. There's just an absence, as we wander around and attempt to start to pull life back together again. She gave a dear, dear thanks to the many people who have worked to address these really horrible fires that they've been placed in within District 5.

Supervisor Chris Lopez thanked the staff who continue to work very closely with his office. They had issues on messaging around what areas were in evacuation warning and order over the last week. He knows that there remains concern about the Dolan fire heading East into his District. He just wanted to continue to appreciate all the staff on the front lines, who are making sure that we stay up to date on the latest information. He thanked Supervisor Alejo for

putting together that drive he knows it was a lot of work, but he and Councilmember Davis showed up and showed out for our community and got a lot of great resources out. This last week he was able to participate in the United Way swearing in ceremony with Dr. Guss and Deacon Hoa as well as Katie Costanza from the United Way for a new core of AmeriCorps volunteers coming to Monterey County. There were six of them. It was just an incredible experience to see so much action being put forward for our families. Who really, especially in the time of COVID who need that support so there are six volunteers coming through the AmeriCorps program to help volunteer in preschools, to make sure one they're getting an education on what our youngest kids need but they're putting their time forward as volunteers to this program, which is truly a way to give back to our communities. They're coming from all over the country. He believes one came from Vermont and other parts of California, as well as people from Greenfield and Salinas, so it was cool to see so many people sharing one committed vision for our community coming together to take action to make that happen. Talking about action and needing to make things happen he put out yesterday on social media a survey for the communities of Chualar, Castroville, San Ardo and San Lucas. He knows they have spoken here often in Chambers about the need for sidewalks in those communities and that infrastructure. He explained part of the grading scale when we apply for some of the opportunities that are available from the State is community participation. In the time of COVID really the only way we can do that is through surveys. He encouraged everybody to log on and we unfortunately only have until Friday to take the survey. If you have an opportunity if you have any experience with those communities and the lack of infrastructure in ways of sidewalks or other facilities to talk about the needs of those communities have as they do help us apply for those dollars and move up in terms of the ranking so that's out on social media and he encouraged folks to visit and participate. We also need election volunteers if you want to get involved there as well the election is quickly coming up. We're about 60 days away and we need volunteers in order to make that effort work. There's additional information that will be pushed out via social media on that as well. He hoped that folks who have the opportunity, including County employees step up to make sure that we have an election that allows as many people to participate as possible here this November. Lastly, he wanted to remind folks that we have a big weekend coming up in terms of a holiday COVID does not take a vacation. He wanted all if they are listening to take it seriously. Our numbers are still not great, but our staff is doing an incredible job of keeping us informed and letting us know what the trends are but just remember to be safe. This long holiday weekend, whether you're on vacation, staying home or just making a trip to the grocery store follow the guidance, wash your hands, keep a distance and stay home if you're ill and do everything you can to keep everybody in this community safe as we greatly appreciate it.

Supervisor Mary L. Adams commented further Big Sur is encouraging folks to come down this weekend to help all the businesses that were affected by the fires. The weather will be beautiful to take a trip and just go and have lunch.

Supervisor Luis A. Alejo followed up on the referrals specifically his referral on the use of force due to the aftermath of the George Floyd tragedy and the presentation he requested on this topic.

## 5. County Administrative Officer Comments and Referrals



Charles McKee, County Administrative Officer, commented there are no referrals this week; and shared for all to be safe this holiday weekend; He thanked Supervisor Adams' office on leading the effort on having all cities and state parks and beaches to be closed over the holiday weekend as now is not the time to be gathering; Lastly he commented that water activities are open; however, all other access will be closed.

Supervisor Luis A. Alejo followed up on the referrals specifically his referral on the use of force due to the aftermath of the George Floyd tragedy and the presentation he requested on this topic.

**6. General Public Comment**

Open for general public comments for items not on today's agenda; no public comments made.

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

- 7.**
- a. Briefing and update on COVID-19, including impacts, and action, proposals and plans to address (verbal report);
  - b. Provide direction to staff to address COVID-19

Nick E. Chiulos, Assistant County Administrative Officer, in person, from the County Administrative Office made opening remarks with additional presenters:

Kristy Michie, Assistant Bureau Chief, via Zoom, from the Health Department presented via PowerPoint presentation on Monitoring/metrics, Dr. Deneen Guss, Superintendent of Schools, via Zoom, presented a PowerPoint presentation on the school update and Henry Gonzales, Agricultural Commissioner, via Zoom, verbally presented on the COVID 19 impact on agricultural operations .

Open for public comments; no public comments made.

Upon consensus the Board received a:

- a. Briefing and update on COVID-19, including impacts, and action, proposals and plans to address (verbal report); and
- b. Provided direction to staff to address COVID-19

- 8.**
- To be addressed with the COVID presentation:
- Adopt a resolution authorizing and directing the Auditor-Controller to amend: 1) FY 2020-21 Office of Emergency Services Adopted Budget to increase appropriations by \$11,768,236 for the County of Monterey Emergency Operations Center's response to the local emergency for COVID-19, financed by \$4,883,601 from Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and a release of \$6,884,635 from the Cannabis Tax Assignment; 2) FY 2020-21 Department of Social Services-Community Programs Adopted Budget, to increase appropriations by \$250,000 for the County of Monterey Emergency Operations Center's response to the local emergency for COVID-19 related to the Food

Bank for Monterey County, financed by a corresponding release of \$250,000 from the Cannabis Tax Assignment; and 3) FY 2020-21 Non-Program Revenue CAO, to increase revenue by \$4,883,601 where the financing source is CARES Act (4/5th vote required).

**Shawn Ellerbee, Assistant Director, in person, from the Resources Management Agency and Lori Medina, Director, in person, from the Department Social Services verbally presented.**

**Open for public comments; no public comments made.**

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Jane Parker to:**

**Adopt Resolution No. 20-285 authorizing and directing the Auditor-Controller to amend:**

- 1) FY 2020-21 Office of Emergency Services Adopted Budget to increase appropriations by \$11,768,236 for the County of Monterey Emergency Operations Center's response to the local emergency for COVID-19, financed by \$4,883,601 from Coronavirus Aid, Relief, and Economic Security Act (CARES Act) and a release of \$6,884,635 from the Cannabis Tax Assignment;**
- 2) FY 2020-21 Department of Social Services-Community Programs Adopted Budget, to increase appropriations by \$250,000 for the County of Monterey Emergency Operations Center's response to the local emergency for COVID-19 related to the Food Bank for Monterey County, financed by a corresponding release of \$250,000 from the Cannabis Tax Assignment; and**
- 3) FY 2020-21 Non-Program Revenue CAO, to increase revenue by \$4,883,601 where the financing source is CARES Act (4/5th vote required).**

**Roll call vote taken pursuant to Government Code 54953:**

**Supervisor Alejo: AYE**

**Supervisor Phillips: AYE**

**Supervisor Parker: AYE**

**Supervisor Adams: AYE**

**Chair Supervisor Lopez: AYE**

**9.**

Receive a report and consider approval of the submission of five (5) entries to the 2020 California State Association of Counties (CSAC) Challenge Awards competition: 1) Advisory for Agricultural Worker Protection During the COVID-19 Crisis; 2) COVID-19 Public Messaging Campaign; 3) COVID-19 Pandemic Disparate Impact Report: Strategies for Addressing the Disparate Impact of the COVID-19 Pandemic on Communities of Color in Monterey County; 4) Human Resources Response to COVID-19 - Cooperation Can Save Lives; and 5) Mandated Civil Rights Training.

**Annette D'Adamo, Legislative Coordinator, via Zoom, with the County Administrative Office verbally presented.**

**Open for public comments; no public comments made.**

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

**The submission of five (5) entries to the 2020 California State Association of Counties (CSAC) Challenge Awards competition:**

- 1) Advisory for Agricultural Worker Protection During the COVID-19 Crisis;
- 2) COVID-19 Public Messaging Campaign;
- 3) COVID-19 Pandemic Disparate Impact Report: Strategies for Addressing the Disparate Impact of the COVID-19 Pandemic on Communities of Color in Monterey County;
- 4) Human Resources Response to COVID-19 - Cooperation Can Save Lives; and
- 5) Mandated Civil Rights Training.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE

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

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

### **Roll Called**

Present: 5 - Supervisor Chris Lopez appeared in person and Supervisor Jane Parker, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo appeared via video conference

### **Staff Present**

Charles McKee, County Administrative Officer, Les Girard, County Counsel, Julian Lorenzana, Board Clerk and Valerie Ralph, Clerk of the Board appeared in person.

### **Announcement of Interpreter**

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

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

10.
  - a. Briefing and update on fires in Monterey County, including impacts, and action, proposals and plans to address (verbal report);
  - b. Provide direction to staff to address fires in Monterey County.

Nick E. Chiulos, Assistant County Administrative Officer, in person, from the County Administrative Office made opening remarks with additional presenters:

Captain Jacobo Artiaga, Public Information Officer, via Zoom , from Cal Fire presented on the fire status report via PowerPoint presentation, Gerry Malais, Emergency Services Manager, via Zoom, from the Office of Emergency Services verbally presented on the local assistance center, Sheriff Stephen Bernal, via Zoom, from the Monterey County Sheriff's Office verbally presented on the re-population and re-entry process, Carl Holm, Director, via Zoom, from

the Resources Management Agency and John Ramirez, Bureau Chief, via Zoom, from the Health Department verbally presented on permitting and fees and Henry Gonzales, Agricultural Commissioner, via Zoom, from the Agricultural Office verbally presented on the fire impact on agricultural operations.

Open for public comments; no public comments made.

Upon consensus the Board received a:

- a. Briefing and update on fires in Monterey County, including impacts, and action, proposals and plans to address (verbal report); and
- b. Provided direction to staff to address fires in Monterey County.

11.

- a. Consider approval of the response to the 2019 - 2020 Monterey County Civil Grand Jury Report: "Sexual Harassment Prevention, Training Compliance" and
- b. Authorize the County Administrative Officer to submit the approved response to the Judge of the Superior Court, County of Monterey, by September 25, 2020.

Nick E. Chiulos, Assistant County Administrative Officer, in person, from the County Administrative Office and Juan Rodriguez, Civil Rights Officer, via Zoom, from the Civil Rights Office verbally presented.

Open for public comments; no public comments made.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Mary L. Adams to:

- a. Approve the response to the 2019 - 2020 Monterey County Civil Grand Jury Report: "Sexual Harassment Prevention, Training Compliance" and
- b. Authorize the County Administrative Officer to submit the approved response to the Judge of the Superior Court, County of Monterey, by September 25, 2020.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE

12.

- a. Find that adoption of this ordinance is categorically exempt from the California Environmental Quality Act as an action to preserve and protect the environment pursuant to Title 14 California Code of Regulations Section 15308 and as the establishment of additional enforcement actions by a regulatory agency pursuant to Section 15321; and
- b. Adopt an ordinance adding new Section 1.22.105 to Chapter 1.22 of the Monterey County Code relating to administrative remedies for violations of requirements to monitor and protect archeological and cultural resources in the unincorporated area of Monterey County.

Les Girard, County Counsel, in person, from the County Counsel's Office

presented via a map and fine table shown for reference as well as displayed the substituted language for consideration on the proposed ordinance; Carl Holm, Director, via Zoom from the Resources Management Agency made verbal comments and Brian Briggs, Deputy County Counsel, via Zoom, from the County Counsel's Office also made comments.

Open for public comments; no public comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Mary L. Adams to approve the substitute language as proposed by County Counsel and the matter is continued to Tuesday, September 15, 2020, to comply with the Government Code:

- a. Find that adoption of this ordinance is categorically exempt from the California Environmental Quality Act as an action to preserve and protect the environment pursuant to Title 14 California Code of Regulations Section 15308 and as the establishment of additional enforcement actions by a regulatory agency pursuant to Section 15321; and
- b. Adopt an ordinance adding new Section 1.22.105 to Chapter 1.22 of the Monterey County Code relating to administrative remedies for violations of requirements to monitor and protect archeological and cultural resources in the unincorporated area of Monterey County.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE  
Supervisor Phillips: AYE  
Supervisor Parker: AYE  
Supervisor Adams: AYE  
Chair Supervisor Lopez: AYE

#### 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)(4), the Board will confer with legal counsel regarding two matters of potential initiation of litigation.

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

- b. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding matters posing a threat to the security of public buildings, essential public services, or the public's right of access to public services or facilities.

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)

d. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.

**CLOSED SESSION REPORT:** The Board took action to authorize the County to join in *Americus Briefs* in cases concerning the United States Postal Services; in particular, *New York vs. USPS*, *Pennsylvania vs. DeJoy* and *Washington vs. USPS* all pending in Federal District Court around the country.

e. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:  
(1) *Carmel Valley Association, Inc., v. County of Monterey, et al.* (Court of Appeal case no. H046187 and Monterey County Superior Court case no. 17CV000131)

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

f. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:  
(1) Property: Fort Ord Landfill Parcels and Landfill Buffer Parcels, APNS 031-101-039, 031-101-040, 031-101-41, 031-101-042, 031-101-056, 031-101-057, 031-101-058, 031-161-041, 031-161-058, and Army owned Parcel E8a.2 (No APN)  
Agency Negotiator(s): Carl Holm, Resource Management Agency Director  
Negotiating Parties: Layne Long, City of Marina  
Under negotiation: Price and terms

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

### Adjourned

The meeting was adjourned at 2:46 p.m. by Chair Supervisor Chris Lopez.

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

13. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute amendment No. 3 to the agreements with Receivable Solutions, Inc. (A-13319) and Credit Consulting Services, Inc. (A-13320) pursuant to the Request for Proposal (RFP) #9600-64 for debt collection services, to extend an additional one (1) year (October 1, 2020 through September 30, 2021) for a revised full agreement term of October 1, 2016 through September 30, 2021 and adding \$1,000,000 for a revised total aggregate amount not to exceed \$7,970,000.

**Approved - Agreement No. A-13320, Amendment No. 3**

14. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute amendment No. 3 to the agreement with Pinnacle Healthcare Consulting, LLC for physician fair market value analysis and consulting services, extending the agreement an additional one (1) year period (January 1, 2021 through December 31, 2021) for a revised full agreement term of January 1, 2016 through December 31, 2021, and adding \$100,000 for a revised total agreement amount not to exceed \$200,000.

**Approved - Agreement No. A-14945**

15. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute amendment No. 4 to the agreement (A-12753) with RBB Architects Inc. for architectural services for the Radiology Modernization Project at NMC pursuant to the Request for Qualifications (RFQ) # 9600-54, extending the agreement an additional six (6) month period (August 31, 2020 through February, 28, 2021) for a revised full agreement term of September 23, 2014 through February 28, 2021.

**Approved - Agreement No. A-12753, Amendment No. 4**

**Health Department**

16. Authorize the Director of Health or Assistant Director of Health to execute a Standard Agreement with Medical Couriers, Inc., for the provision of continued courier services to transport various laboratory specimens from the Monterey County Health Department's Public Health Laboratory to referenced laboratories, in the amount of \$50,000 for the retroactive period from July 1, 2020 to August 31, 2025.

**Pulled via additions and corrections.**

**Department of Social Services**

17. a. Approve and authorize the Director of the Department of Social Services to sign an Agreement with the Coalition of Homeless Services Providers for \$613,208, to provide homeless service coordination including Coordinated Assessment and Referral and Whole Person Care program system integration, retroactively to July 1, 2020 through June 30, 2021; and
- b. Authorize the Director of the Department of Social Services to sign up to (3) amendments to this Agreement where the total amendments do not exceed 10% (\$61,320) of the original contract amount and do not significantly change the scope of work.

**Approved - Agreement No. A-14947**

18. a. Consider approving an agreement with Orphan Productions to administer the Safe Parking and Supportive Services Program, retroactively to July 1, 2020 through June 30, 2021; and
- b. Approve and authorize the Director of the Department of Social Services to sign up to (3) amendments to the agreement with Orphan Productions where the total amendments do not exceed 10% (\$13,963) of the original contract amount, and do not significantly change the scope of work.

**Approved - Agreement No. A-14948**

19. a. Approve and authorize the Director of the Department of Social Services to execute an agreement with Community Homeless Solutions for \$347,112 to operate the Salinas Year-Round Warming Shelter, retroactively to July 1, 2020 through June 30, 2021; and
- b. Authorize the Director or the Director of the Department of Social Services to sign up to three (3) additional amendments to this agreement where the total amendments do not exceed 10% (\$34,711) of the current contract amount, and do not significantly change the scope of work.

**Approved - Agreement No. A-14949**

20. a. Approve and authorize the Director of the Department of Social Services to sign an Agreement with Franciscan Workers of Junipero Serra for \$555,000 to provide operations for the Chinatown Health Services Center and Dorothy's Drop-In Center to support the homeless population in Salinas including Whole Person Care Case Management for Housing support, retroactively to July 1, 2020 through June 30, 2021; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this Agreement where the total amendments do not exceed 10% (55,500) of the original contract amount, and do not significantly change the scope of work.



**Approved - Agreement No. A-14950**

21. a. Approve and authorize the Director of the Department of Social Services to sign an Agreement with the National Council on Crime & Delinquency for \$93,555, to provide access to the SafeMeasures reporting service for the Child Welfare Case Management System, retroactively to May 1, 2020 through April 30, 2022, including nonstandard indemnification and warranty provisions; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) additional amendments to this Agreement where the total amendments do not exceed 10% (\$9,335) of the contract amount, and do not significantly change the terms of the Agreement.

**Approved - Agreement No. A-14951**

22. Consider a Resolution to:
- a. Approve amending the Department of Social Services / Military & Veterans Affairs Office Budget Unit 001-5010-SOC003-8260 to add one (1) Management Analyst I to continue the Veterans Issues Advisory Committee;
- b. Authorize the County Administrative Office to incorporate the changes to the Military & Veterans Affairs Office Unit 001-5010-SOC003-8260 FY 2020-21 Adopted Budget to reflect the change in position counts;
- c. Approve an increase in appropriations of \$115,351 for the Military & Veterans Affairs Budget Unit 001-5010-8260-SOC003 FY 2020-21 Adopted Budget, financed by a release of \$115,351 from the Restricted Fund Balance-General BSA 001-3042 (4/5ths vote required); and
- d. Authorize the Auditor-Controller to amend the FY 2020-21 Adopted Budget by increasing appropriations of \$115,351 in the Military & Veterans Affairs Budget Unit 001-5010-8260-SOC003, financed by a release of \$115,351 from the Restricted Fund Balance-General BSA 001-3042 (4/5ths vote required).

**Adopted Resolution No. 20-286****Criminal Justice**

23. a. Approve the Memorandum of Understanding (MOU) between the Monterey County Probation Department and the Salinas Union High School District, reimbursing the Probation Department up to \$744,608 for fiscal year 2020-2021, for collaborative campus-based services provided by the Probation Department retroactive to July 1, 2020 through June 30, 2021;
- b. Authorize the Chief Probation Officer to execute the MOU, including the mutual indemnification provisions; and
- c. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this MOU where each amendment does not exceed ten percent (\$74,461) of the original contract amount and does not significantly change the scope of work.

**Approved - Agreement No. A-14952**

24. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign the Agreement with West Publishing Corporation in the amount not to exceed \$12,000, for West CLEAR PRO Gov Law Enforcement Investigator Plus for the period from October 1, 2020 through September 30, 2023;
- b. Accept non-standard contract provisions as recommended by the Chief Probation Officer; and
- c. Authorize the Contracts Purchasing Officer or Contracts Purchasing Supervisor and Chief Probation Officer to sign and execute the appropriate documents and verifications when required.

**Approved - Agreement No. A-14953**

25. a. Approve and authorize the Chief Probation Officer to accept a donation of two new laptops from First 5 Monterey County for the Child Advocate Program (CAP) at no cost to the County; and
- b. Authorize the Chief Probation Officer to assign the equipment for use by the Child Advocate Program.

**Approved**

26. a. Approve and authorize the Contracts/Purchasing Officer to sign an Agreement between the California Department of Corrections and Rehabilitation (CDCR) and the County of Monterey Probation Department allocating State funding totaling \$933,450 for fiscal years 2020-21, 21-22 and 22-23, reimbursing the County for services to adult parolees participating in the Day Reporting Center (DRC) operated by GEO Reentry Services, LLC; and
- b. Approve and authorize the Contracts/Purchasing Officer to execute the Agreement with the State, and any related documents or amendments.

**Approved - State of CA - Department of General Services Agreement No. C5609805****General Government**

27. Adopt a Resolution approving amendments to the Conflict of Interest Code of the Assessor-County Clerk-Recorder's Office.

**Adopted Resolution No. 20-288**

28. Approve and authorize the Auditor-Controller to amend the Fiscal Year 2020-21 Adopted Budget for the Monterey County Cannabis Program Budget Unit 001-1050-8533-CAO004, increasing appropriations and estimated revenue by \$150,000 (4/5th vote required), funded by the augmentation of grant revenues from

the Governor's Office of Business and Economic Development (GO-Biz).

**Adopted Resolution No. 20-289**

- 29.** Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following meeting date: Tuesday, August 18, 2020.

**Approved as amended:**

**Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following meeting date: Tuesday, August 18, 2020 and August 25, 2020 (AMENDED VIA ADDITIONS AND CORRECTIONS)**

- 30.**
- a. Approve and authorize the Director of Information Technology or his designee to execute a non-standard agreement with De Lage Landen Public Finance LLC Lease Agreement for Cisco Meraki Advance Security Licenses and support services for a five (5) year term September 15, 2020 - September 14, 2025 with an agreement total of \$114,682;
  - b. Accept the non-standard provisions as recommended by the Director of Information Technology; and
  - c. Authorize the Director of Information Technology, or his designee, to execute order forms and such documents as are necessary to implement the agreement for the County's purchase of Meraki support.

**Approved - Agreement No. A-14954**

- 31.** Adopt a resolution to approve the amendment to the Conflict of Interest Code of the Treasurer - Tax Collector's Office of the County of Monterey.

**Adopted Resolution No. 20-290**

- 32.** Approve contract amendment with TMD Creative for the County of Monterey COVID 19 Emergency public messaging campaign in the amount of \$349,000 for a total "not to exceed" contract amount of \$409,000.

**Approved - Agreement No. A-14955**

- 32.1** Approve a recommendation from the Legislative Committee to adopt support positions on three (3) measures which will appear on the November 3, 2020 ballot: Propositions 16, 17 and 18. (ADDED VIA ADDENDA)

**Approved**

**Resources Management Agency**

- 33.**
- a. Adopt Plans and Special Provisions for HSIPL-5944(132) for the construction of rectangular rapid flashing beacons (RRFB's) at the following locations:
    - (1) Castroville Boulevard at the intersection with Elkhorn Road in Castroville, and
    - (2) Rio Road at the intersection with Via Nona Marie in Carmel; and

- b. Authorize the Resource Management Agency Director to advertise the project's "Notice to Bidders" in the Monterey County Weekly. (ADDED VIA ADDENDA)

**Approved**

**34.**

Adopt a resolution to:

- a. Approve the Memorandum of Understanding by and between the Salinas Valley Solid Waste Authority and the County of Monterey regarding the Litter Abatement Program for a period concluding June 30, 2021, for an amount not to exceed \$100,000;
- b. Approve the Memorandum of Understanding by and between the Monterey Regional Waste Management District and the County of Monterey regarding the Litter Abatement Program for a period concluding June 30, 2021, for an amount not to exceed \$25,000;
- c. Authorize the Resource Management Agency Director or Director's designee to execute the Memorandums of Understanding; and
- d. Authorize and direct the Auditor-Controller to amend the Fiscal Year 2020-21 Adopted Budget, General Fund, Fund 001, Litter Control, Appropriation Unit RMA002, decreasing appropriations and estimated revenue by \$75,000 to accurately reflect MOU funding (4/5th vote required).

**Adopted Resolution No. 20-287**

**35.**

- a. Authorize the Chair of the Board of Supervisors to execute the "Second Amendment to Board of State and Community Corrections AB 900 II Construction Agreement for Monterey County" in a form substantially similar to the "Execution Copy" of said amendment. which amends the project milestone schedule and allows the Jail Housing Addition Project to proceed under the terms of the AB 900 Jail Financing Program Phase II;
- b. Authorize and direct the County Administrative Officer, Resource Management Agency Director, and the Monterey County Sheriff, and/or their respective designees to take such other further actions as may be necessary or appropriate to meet State requirements as defined under the AB 900 Jail Financing Program to amend and update the project milestone schedule as approved by the Board of State and Community Corrections (BSCC); and
- c. Appoint the Resource Management Agency (RMA) Director as the "Participating County Construction Administrator" and authorize the RMA Director to execute future amendments to the "BSCC AB 900 II Construction Agreement for Monterey County" to amend, update and extend the project milestone schedule as necessary and subject to the approval of the BSCC and the Office of the County Counsel.

**Approved - Agreement No. A-14956, Amendment No. 2**

- 36.** Adopt a resolution to authorize and direct the Auditor-Controller to: 1) Amend the Fiscal Year 2020-21 Adopted Budget for Capital Projects, Fund 404, Appropriation Unit RMA015, increasing appropriations by \$546,399, financed by an Operating Transfers In of \$100,000 from County Service Area 1-Carmel Point, Fund 051, Appropriation Unit RMA047, and \$446,399 from Capital Projects, Fund 404, Unassigned Fund Balance 3101, for additional technical studies for the Carmel Lagoon Ecosystem Protective Barrier (EPB) and Scenic Road Protection Structure (SRPS) Project, and 2) Transfer \$100,000 from County Service Area 1-Carmel Point, Fund 051, Appropriation Unit RMA047, to Capital Projects, Fund 404, Appropriation Unit RMA015 (4/5th vote required).

**Adopted Resolution No. 20-291**

**Addenda/Supplemental**

- 37. ADDENDA**

Added to Adjournment

Adjourn in memory of Judge Leach

Added to General Government

32.1 Approve a recommendation from the Legislative Committee to adopt support positions on three (3) measures which will appear on the November 3, 2020 ballot: Propositions 16, 17 and 18.