

Monterey County

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



Meeting Minutes - Final

Tuesday, April 6, 2021

9:00 AM

Board of Supervisors

Chair Supervisor Wendy Root Askew - District 4

Vice Chair Supervisor Mary L. Adams - District 5

Supervisor Luis A. Alejo - District 1

Supervisor John M. Phillips - District 2

Supervisor Chris Lopez - District 3

9:00 A.M. - Called to Order

The meeting was called to order by Chair Supervisor Wendy Root Askew.

Roll Called

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

Staff Present

Charles McKee, County Administrative Officer appeared via video conference with Les Girard, County Counsel and Valerie Ralph, Clerk of the Board who appeared in person.

Additions and Corrections for Closed Session by County Counsel

Les Girard, County Counsel stated this morning the Clerk's office received a written Threat of Litigation from Andrew Sandoval regarding the Ad Hoc Hospitality Committee meeting with a demand to cure. He requests that since there is no Board of Supervisors meeting next week that this item be added to Closed Session.

Open for public comments; not comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Wendy Root Askew to approve the additions and corrections to closed session.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. 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.
 - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado
Employee Organization(s): All Units
 - (2) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado
Employee Organization(s): Unit S
 - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel

regarding existing litigation:

(1) *Sonia Torres v. County of Monterey, et al.* (Monterey County Superior Court Case Number 19CV004323)

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 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center Chief Executive Officer.

f. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Natividad Medical Center Chief Executive Officer.

g. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation. (ADDED VIA ADDENDA)

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 Wendy Root Askew appeared in person and Supervisor Chris Lopez, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo appeared via video conference

Staff Present

Charles McKee, County Administrative Officer appeared via video conference with Les Girard, County Counsel and Valerie Ralph, Clerk of the Board who appeared in person.

Pledge of Allegiance

The Pledge of Allegiance was led by Bianza Zamora.

Announcement of Interpreter

Jocelyn Martinez, Spanish Interpreter present and announced Spanish interpreter services.

Additions and Corrections by Clerk

The following additions and corrections were read into the record:

Add to Adjournment

To Adjourn in Memory of Leslie Gehres Girard and Josefina Aceves.

No vote needed.

Ceremonial Resolutions

Open for public comments; no public comments made.

2. Adopt Resolution designating the week of April 5-11, 2021 as “National Public Health Week” in Monterey County. (Supervisor Askew)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to adopt Resolution No. 21-097 designating the week of April 5-11, 2021 as “National Public Health Week” in Monterey County. (Supervisor Askew)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

3. Adopt Resolution Declaring Racism a Public Health Crisis in Monterey County and pledging to promote equity, inclusion and diversity in housing, employment, economic development, health care, and public safety in Monterey County. (Full Board - Supervisor Askew)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to adopt Resolution No. 21-096 declaring Racism a Public Health Crisis in Monterey County and pledging to promote equity, inclusion and diversity in housing, employment, economic development, health care, and public safety in Monterey County. (Full Board - Supervisor Askew)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

4. Adopt Resolution Proclaiming April 10-16, 2021 as the Week of the Young in Monterey County. (Full Board - Supervisor Lopez)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to adopt Resolution No. 21-098 proclaiming April 10-16, 2021 as the Week of the Young in Monterey County. (Full Board - Supervisor Lopez)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Approval of Consent Calendar – (See Supplemental Sheet)

Open for public comments, no public comments made.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to approve Consent Calendar Item Numbers 13 through 16 excluding Item No. 15 which had a separate vote taken on it.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Luis A. Alejo to approve Consent Calendar Item Number 15, as amended, to:

Authorize the County Administrative Office to work with the County's federal legislators on potential earmark requests through the FY2022 appropriations and/or surface transportation reauthorization processes to advance Monterey County projects or programs and, as amended, to add in the following projects:

Innerlake Tunnel

Modifications of the Damns

Carmel CRFREE

Chualar Sidewalk Project

Predevelopment costs for affordable family housing development

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

General Public Comment

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

12:00 P.M. - Recessed to Lunch - Closed Session at 11:55 a.m.

1:30 P.M. - Reconvened at 1:48 p.m.

Roll Called

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

Staff Present

Charles McKee, County Administrative Officer appeared via video conference with Les Girard, County Counsel and Valerie Ralph, Clerk of the Board who appeared in person.

Announcement of Interpreter

Hector Guzman, Spanish Interpreter present and announced Spanish interpreter services.

Budget Workshop

5. County Administrative Officer Opening Statement.

Charles McKee, County Administrator Officer, via Zoom, made opening statements.

6. Receive the FY 2021-22 Board of Supervisors' Budget Workshop Presentation.

Dewayne Woods, Assistant County Administrative Officer and Ezequiel Vega, Budget Director from the Budget & Analysis Division, both via Zoom, presented via PowerPoint on the Budget Workshop.

Public Comment

Open for public comments; Bernie Gomez, Megan Matteoni, Briana Hernandez, Olivia Martinez, Luis Juarez, Veronica Miramontes, Airam Coronado, Alexis Magdaleno, Karlalob0, Diana Carrasco, Yajaira Garcia Meza, Lyvesha Franklin, Hector Calderon and Luis Olive, all via Zoom, commented.

DEPARTMENTAL BUDGET PRESENTATIONS**Finance & Administration**

7. a. Assessor-County Clerk-Recorder
Steve Vagnini, Assessor-County Clerk-Recorder from the Assessor's Office, via Zoom, presented via PowerPoint presentation.
- b. Auditor-Controller
Rupa Shah, Auditor Controller from the Auditor's Office, via Zoom, presented via PowerPoint presentation.
- c. County Administrative Office
Nick Chiulos, Assistant County Administrative Officer from the County Administrative Office, in person, presented via PowerPoint presentation.
- d. County Counsel
Les Girard, County Counsel from the County Counsel Office, in person, presented via PowerPoint presentations.
- e. Treasurer-Tax Collector
Mary Zeeb, Treasurer Tax Collector from the Tax Collector's office, via Zoom, presented via PowerPoint presentation.

Public Safety/Criminal Justice

8. f. Child Support Services
Darrell McGowan, Director of Child Support Services from the Child Support Division, via Zoom, presented via PowerPoint presentation.
- g. District Attorney (Called out of order and at the end of these presentations)
Jeannine Pacioni, District Attorney, from the District Attorney Office, via Zoom, via Zoom, presented via PowerPoint presentation.
- h. Emergency Communications
Lee Ann Magoksi, Director of Emergency Communications, from the Emergency Communication Department, via Zoom, presented via PowerPoint presentation.
- i. Public Defender
Susan Chapman, Public Defender and Rebecca Avila, Management Analyst I from the Public Defender's office, both via Zoom, presented via PowerPoint presentation.
- j. Sheriff's Office
Sheriff Stephen Bernal and Undersheriff John Mineau from the Monterey County Sheriff's Department, both via Zoom, presented via PowerPoint presentation.

Land Use & Environment

9. k. Housing and Community Development
Mike Novo, Management Specialist, from the Planning Department, in person, presented via PowerPoint presentation.

Health & Human Services

10. l. Health Department
Elsa Jimenez, Director of Health from the Health Department, via Zoom, presented via PowerPoint presentation.
- m. Social Services
Lori Medina, Director of Social Services from the Social Services Department, via Zoom, presented via PowerPoint presentation.

Recreation & Education

11. n. Public Works, Facilities, and Parks
Randy Ishii, Director of the Public Works, Facilities and Parks Department, via Zoom, presented via PowerPoint presentation.

Public Comment

Open for public comments; Cesar Lopez, in person, MILPA Collective, and Rafeal Hernandez, via Zoom, commented.

Further Board Discussion and Direction**Other Board Matters**

12. Receive an update on Referral No. 2021.03 Monterey County Hospitality and Travel Worker Right-to-Recall Ordinance and provide appropriate direction.

Chris Donnelly, Executive Director, from the Workforce Development Board and Janet Holmes, Deputy County Counsel, from the County Counsel's office, both via Zoom, presented via PowerPoint presentation.

Open for public comments; Hector (last name inaudible), Angelica Valdez, Joaquin Benitez, Sergio Garcia with the assistance of the Spanish Interpreter Hector Guzman, Cesar Lara, all in person, Sarah McDermott, David Bindel, Kevin Dayton, Peter Mounteer, Tim Luke, Sean Damery, Jorge Zapata, Chris Somers, David Stivers, Marietta Bain, and JR Devera, all via Zoom, commented.

Upon consensus the Board:

Received an update on Referral No. 2021.03 Monterey County Hospitality and Travel Worker Right-to-Recall Ordinance and directed the matter back to the Hospitality Ad Hoc Committee to study this more and bring back to the Board at a later time.

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 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.

The Board took no reportable actions on items 1.a.

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

(1) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado

Employee Organization(s): All Units

(2) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado

Employee Organization(s): Unit S

The Board took no reportable actions on items 1.b. (1)(2).

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

(1) Sonia Torres v. County of Monterey, et al. (Monterey County Superior Court Case Number 19CV004323)

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.

The Board took no reportable actions on items 1.d.

e. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center Chief Executive Officer.

The Board did not address this issue and will continue it to Wednesday, April 7, 2021 at 1:30 p.m.

f. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Natividad Medical Center Chief Executive Officer.

The Board did not address this issue and will continue it to Wednesday, April 7, 2021 at 1:30 p.m.

g. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation. (ADDED VIA ADDENDA)

The Board did not address this issue and will continue it to Wednesday, April 7, 2021 at 1:30 p.m.

h. Threat of Litigation from Andrew Sandoval regarding the Ad Hoc Hospitality Committee meeting with a demand to cure. (Added via Additions and Corrections)

The Board took no reportable actions on items 1.h.

Open for public comments, no comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Wendy Root Askew to continue closed session Items e., f. and g. to Wednesday, April 7, 2021, at 1:30 p.m.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Adjourned

The meeting was recessed in Memory of Ryan Sparks, Leslie Gehres Girard and Josefina Aceves at 8:45 p.m. by Chair Supervisor Wendy Root Askew.

APPROVED:

_____/s/ Wendy Root Askew_____
WENDY ROOT ASKEW, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: __/s/ Valerie Ralph_____
VALERIE RALPH
CLERK OF THE BOARD
APPROVED ON: November 16, 2021

Supplemental Sheet, Consent Calendar**Health Department**

13. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 9 to Mental Health Services Agreement A-13221 with Interim, Inc. for residential and outpatient mental health services to adult residents of Monterey County to reallocate funds among several programs effective December 1, 2020 and to increase the rate for Adult Crisis Residential Services effective February 1, 2021, with no changes to the current FY 2020-21 total annual Agreement amount of \$15,907,386.

Approved - Agreement No.: A-13221; Amendment No. 9

General Government

14. a) Approve and authorize the Director of the Information Technology Department to execute a Non-Disclosure Agreement, and non-standard Agreement with Trimarc Security LLC for consulting services to conduct Active Directory Security Assessment of the production Active Directory environment for the term of April 1, 2021 to June 30, 2021 in the amount not to exceed \$42,250; and
b) Authorize the Director of the Information Technology Department to execute documents and a Non-Disclosure Agreement as are necessary to implement the agreement with Trimarc Security LLC; and
c) Accept non-standard contract provisions as recommended by the Director of Information Technology; and
d) Authorize the Director of Information Technology to sign up to two (2) amendments to this Agreement, extending the term if needed, subject to County Counsel review, and provided that the terms and conditions of the agreement remain substantially the same.

Agreement No.: A-15155

15. Authorize the County Administrative Office to work with the County's federal legislators on potential earmark requests through the FY2022 appropriations and/or surface transportation reauthorization processes to advance Monterey County projects or programs.

Approved

16. a. Approve and authorize the Contracts/Purchasing Officer or his designee to sign a one-year Facility Use Agreement with Velocity International, LLC, to sanction, produce and hold a vintage racing event at WeatherTech Raceway Laguna Seca on November 11-14, 2021 for a base fee of \$200,000 effective from the date of approval through November 16, 2021; and
b. Approve and authorize the Contracts/Purchasing Officer or his designee to execute up to three (3) future amendments to this Agreement where the total amendments do not exceed 10% (\$20,000) of the agreement amount and do not significantly change the scope of work.

Agreement No.: A-15156