

# Monterey County

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



## Meeting Agenda - Final

Tuesday, September 1, 2020

9:00 AM

**IMPORTANT COVID-19 NOTICE ON PAGE 2-4  
AVISO IMPORTANTE SOBRE COVID-19 EN LA PAGINA 2-4**

### **Special Joint Meeting of Monterey County Board of Supervisors and Board of Supervisors of the Monterey County Water Resources Agency**

*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*

## **Important Notice Regarding COVID 19**

Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of the COVID 19 virus, please do the following:

1. While the Board chambers remain open, you are strongly encouraged to observe the live stream of the Board of Supervisors meetings at [http://monterey.granicus.com/ViewPublisher.php?view\\_id=19](http://monterey.granicus.com/ViewPublisher.php?view_id=19), <http://www.mgtvonline.com/>, [www.youtube.com/c/MontereyCountyTV](http://www.youtube.com/c/MontereyCountyTV) or <https://www.facebook.com/MontereyCoInfo/>

If you attend the Board of Supervisors meeting in person, you will be required to maintain appropriate social distancing, i.e., maintain a 6-foot distance between yourself and other individuals.

2. If you choose not to attend the Board of Supervisors meeting but desire to make general public comment, or comment on a specific item on the agenda, you may do so in three ways:

a. submit your comment via email by 5:00 p.m. on the Monday prior to the Board meeting. Please submit your comment to the Clerk of the Board at [cob@co.monterey.ca.us](mailto:cob@co.monterey.ca.us). In an effort to assist the Clerk in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Board of Supervisors Agenda) and item number (i.e. Item No. 10). Your comment will be placed into the record at the Board meeting.

b. if you are watching the live stream of the Board meeting, you may submit your comment, limited to 250 words or less, to the Clerk of the Board at [publiccomment@co.monterey.ca.us](mailto:publiccomment@co.monterey.ca.us). General public comment must be received during the General Public Comment item on the agenda, and comments on specific agenda items must be received as it is being heard. In an effort to assist the Clerk in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Board of Supervisors Agenda) and item number (i.e. Item No. 10). Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.

c. you may participate through ZOOM. For ZOOM participation please join by computer audio at: <https://montereycty.zoom.us/j/224397747>

OR to participate by phone call any of these numbers below:

+1 669 900 6833 US (San Jose)  
+1 346 248 7799 US (Houston)  
+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

+1 253 215 8782 US

+1 301 715 8592 US

Enter this Meeting ID number: 224397747 when prompted. Please note there is no Participant Code, you will just hit # again after the recording prompts you.

You will be placed in the meeting as an attendee; when you are ready to make a public comment if joined by computer audio please Raise your Hand; and by phone please push \*9 on your keypad.

3. Additional seating with audio of the Board meeting will be available in the Monterey Room on the 2nd floor of the County Government Center.

#### **Aviso importante sobre COVID 19**

Basado en la guía del Departamento de Salud Pública de California y la Oficina del Gobernador de California, para minimizar la propagación del virus COVID 19, haga lo siguiente:

1. Mientras las cámaras de la Junta permanecen abiertas, le recomendamos que observe la transmisión en vivo de las reuniones de la Junta de Supervisores en [http://monterey.granicus.com/ViewPublisher.php?view\\_id=19](http://monterey.granicus.com/ViewPublisher.php?view_id=19), <http://www.mgtvonline.com/>, [www.youtube.com/c/MontereyCountyTV](http://www.youtube.com/c/MontereyCountyTV) o <https://www.facebook.com/MontereyCoInfo/>

Si asiste a la reunión de la Junta de Supervisores en persona, deberá mantener un distanciamiento social apropiado, es decir, mantener una distancia de 6 pies entre usted y otras personas.

2. Si elige no asistir a la reunión de la Junta de Supervisores pero desea hacer un comentario público general o comentar un tema específico de la agenda, puede hacerlo de tres maneras:

a. envíe su comentario por correo electrónico antes de las 5:00 p.m. el lunes anterior a la reunión de la Junta. Envíe su comentario al Secretario de la Junta a [cob@co.monterey.ca.us](mailto:cob@co.monterey.ca.us). En un esfuerzo por ayudar al Secretario a identificar el ítem de la agenda relacionado con su comentario público, indique en la línea de asunto, el cuerpo de la reunión (es decir, la agenda de la Junta de Supervisores) y el número de ítem (es decir, el ítem No. 10). Su comentario se colocará en el registro en la reunión de la Junta.

b. Si está viendo la transmisión en vivo de la reunión de la Junta, puede enviar su comentario, limitado a 250 palabras o menos, al Secretario de la Junta en [publiccomment@co.monterey.ca.us](mailto:publiccomment@co.monterey.ca.us). Los comentarios del público en general deben recibirse durante el elemento de Comentarios del

público en general en la agenda, y los comentarios sobre los elementos específicos de la agenda deben recibirse mientras se escuchan. En un esfuerzo por ayudar al Secretario a identificar el ítem de la agenda relacionado con su comentario público, indique en la línea de asunto, el cuerpo de la reunión (es decir, la agenda de la Junta de Supervisores) y el número de ítem (es decir, el ítem No. 10). Se hará todo lo posible para leer su comentario en el registro, pero algunos comentarios pueden no leerse debido a limitaciones de tiempo. Los comentarios recibidos después de un ítem de la agenda serán parte del registro si se reciben antes del final de la reunión.

c. Puedes participar a través de ZOOM. Para participar en ZOOM, únase por audio de computadora en: <https://montereycty.zoom.us/j/224397747>

O para participar por teléfono, llame a cualquiera de estos números a continuación:

+1 669 900 6833 EE. UU. (San José)  
+1346248 7799 EE. UU. (Houston)  
+1312626 6799 EE. UU. (Chicago)  
+1929205 6099 EE. UU. (Nueva York)  
+1 253 215 8782 EE. UU.  
+1301715 8592 EE. UU.

Ingrese este número de ID de reunión: 224397747 cuando se le solicite. Tenga en cuenta que no hay un Código de participante, simplemente presionará # nuevamente después de que la grabación lo solicite.

Se lo colocará en la reunión como asistente; cuando esté listo para hacer un comentario público si se une al audio de la computadora, levante la mano; y por teléfono presione \* 9 en su teclado.

3. Los asientos adicionales con audio de la reunión de la Junta estarán disponibles en la Sala de Monterey en el segundo piso del Centro de Gobierno del Condado.

**NOTE: All agenda titles related to numbered agenda items are live web links. Click on the title to be directed to the corresponding Board Report.**

**PUBLIC COMMENT: Members of the public may address comments to the Board concerning each agenda item. The timing of public comment shall be at the discretion of the Chair.**

**Please refer to the separate agenda for the Board of Supervisors**

Pursuant to Governor Newsom's Executive Order No. N-29-20, some or all Supervisors may participate in the meeting by telephone or video conference.

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

**Roll Call**

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

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

**Public Comment**

**The Board Recesses for Closed Session Agenda Items**

**10:30 A.M. - Reconvene on Public Agenda Items**

**Roll Call**

**Pledge of Allegiance**

**Additions and Corrections by Clerk**

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

**Consent Calendar**

2. Approve the Special Joint Meeting of the Monterey County Board of Supervisors and the Board of Supervisors of the Monterey County Water Resources Agency Draft Action Meeting Minutes for the following meeting date: Tuesday, January 14, 2020.

**Attachments:** [DRAFT Special Joint BOS and BoSWRA Minutes 1-14-2020](#)  
[DRAFT Special Joint BOS and BoSWRA Minutes 7-7-2020](#)

**Adjournment**



# Monterey County

## Item No.1

### Board Report

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

Legistar File Number: CS 20-041

September 01, 2020

**Introduced:** 8/18/2020

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

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

- a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.



# Monterey County

## Item No.2

### Board Report

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

**Legistar File Number: MIN 20-055**

**September 01, 2020**

**Introduced:** 8/27/2020

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Minutes

Approve the Special Joint Meeting of the Monterey County Board of Supervisors and the Board of Supervisors of the Monterey County Water Resources Agency Draft Action Meeting Minutes for the following meeting date: Tuesday, January 14, 2020.

Prepared by: Valerie Ralph 831-755-5842



# **Monterey County**

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



## **Action Minutes - Draft**

**Tuesday, January 14, 2020**

**1:30 PM**

### **Special Joint Meeting of Monterey County Board of Supervisors and Board of Supervisors of the Monterey County Water Resources Agency**

*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*

**1:30 P.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

**Announcement of the Interpreter**

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

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

1. Consider:
  - a. Receiving a report on key terms of a draft Pajaro Regional Flood Management Agency Joint Exercise of Powers Agreement ("JPA Agreement") to address flooding issues along the Pajaro River;
  - b. Directing staff to finalize the JPA Agreement, including terms that set a five-member agency board and voting protocols that require unanimous consent to approve the JPA's annual budget; and
  - c. Directing staff to return in early 2020 with a finalized JPA agreement to be considered for adoption. (AGENDA ITEM NO. 1 REVISED VIA SUPPLEMENTAL)

Carl Holm, Director of Resources Management Agency, Shaunna Murray, Associate Water Resources Engineer and Mark Scrugley from Santa County presented via PowerPoint presentation.

Open for public comment; Mark Gonzalez commented.

The Board upon consensus:

  - a. Received a report on key terms of a draft Pajaro Regional Flood Management Agency Joint Exercise of Powers Agreement ("JPA Agreement") to address flooding issues along the Pajaro River;

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis A. Alejo to:

  - b. Direct staff to finalize the JPA Agreement, including terms that set a

five-member agency board and voting protocols that require unanimous consent to approve the JPA's annual budget; and  
c. Direct staff to return in early 2020 with a finalized JPA agreement to be considered for adoption. (AGENDA ITEM NO. 1 REVISED VIA SUPPLEMENTAL)  
ALL AYES

**Adjourned**

The meeting was adjourned by Chair Supervisor Chris Lopez.

**Supplemental**

2.

**SUPPLEMENTAL**

Itemized the Scheduled Matter in the Afternoon as Item No. 1

# Monterey County

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



## Action Minutes - Draft

Tuesday, July 7, 2020

1:30 PM

### **Special Joint Meeting of the Monterey County Board of Supervisors and Monterey County Water Resources Agency Board of Supervisors**

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

**1:30 P.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, and Valerie Ralph, Clerk of the Board appeared in person.

**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 today's agenda.

**General Public Comments**

General public comments for items not on today's agenda was inadvertently not called for.

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

1. Consider:
  - a. Receiving a status report on the Pajaro River Flood Risk Management Project ("Project"); and
  - b. Approving and authorizing the Chair to sign the Section 221 MOU Agreement and Design Agreement between the Department of the Army and the joint non-federal sponsors (the Santa Cruz County Flood Control and Water Conservation District and Monterey County Water Resources Agency), and associated Certification Regarding Lobbying.

Les Girard, County Counsel stated for the record this item falls under the jurisdiction of the Board of Supervisors of the Monterey County Water Resources Agency; therefore, the vote shall fall under that board for the record.

Brent Buche, General Manager via Zoom made opening remarks with Shaunna

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Murray, Senior Water Resources Engineer via Zoom both from the Water Resources Agency presented via PowerPoint presentation.

Open for public comment; no public comments made.

Acting as the Board of Supervisors of the Monterey County Water Resources Agency a motion was made by Supervisor John M. Phillips, seconded by Supervisor Mary L. Adams to:

- a. Receive a status report on the Pajaro River Flood Risk Management Project ("Project"); and
- b. Approve and authorize the Chair to sign the Section 221 MOU Agreement and Design Agreement between the Department of the Army and the joint non-federal sponsors (the Santa Cruz County Flood Control and Water Conservation District and Monterey County Water Resources Agency), and associated Certification Regarding Lobbying.

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

2.

Consider:

- a. Authorizing the County of Monterey to issue a short-term loan, up to \$1,000,000, to the Monterey County Water Resources Agency, contingent upon the Agency signing an Agreement with California Department of Water Resources for reimbursement of the non-federal cost share of the Pajaro River Flood Risk Management Project Design Phase; and
- b. Authorizing and directing the Auditor-Controller to amend the County's Administrative Office 001-1050-CAO017-8038 FY 2020-21 adopted budget to increase appropriations in the amount of \$1,000,000; financed by a release of \$1,000,000 from the Cannabis Assignment fund balance BSA 001-3132 (4/5ths vote required); and
- c. Authorizing and directing the Auditor-Controller to amend the Water Resources Agency's Pajaro River Fund 112-9300-WRA002-8484 FY 2020-21 adopted budget to increase appropriations and revenues in the amount of \$1,000,000 financed by an operating transfer from 001-1050-CAO017-8038 (4/5ths vote required).

Les Girard, County Counsel stated for the record this item falls under the jurisdiction of the Board of Supervisors and the Board of Supervisors of the Monterey County Water Resources Agency; therefore, the vote shall fall under both boards for the record.

Fabricio Chombo, Finance Manager from the Water Resources Agency via Zoom presented via PowerPoint presentation.

Open for public comments; no public comments were made.

Acting as the Board of Supervisors a motion was made by Supervisor John M. Phillips, seconded by Supervisor Mary L. Adams as amended to:

- a. Authorizing the County of Monterey to issue a short-term loan, up to \$1,000,000, to the Monterey County Water Resources Agency, contingent upon the Agency signing an Agreement with California Department of Water Resources for reimbursement of the non-federal cost share of the Pajaro River Flood Risk Management Project Design Phase; and
- b. Authorizing and directing the Auditor-Controller to amend the County's Administrative Office 001-1050-CAO017-8038 FY 2020-21 adopted budget to increase appropriations in the amount of \$1,000,000; financed by a release of \$1,000,000 from the Cannabis Assignment fund balance BSA 001-3132 (4/5ths vote required) and as amended repayment of the loan shall be placed back into the Cannabis Assignment fund balance BSA 001-3132;

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

Acting as the Board of Supervisors of the Monterey County Water Resources Agency a motion was made by Supervisor John M. Phillips, seconded by Supervisor Mary L. Adams to:

- c. Authorizing and directing the Auditor-Controller to amend the Water Resources Agency's Pajaro River Fund 112-9300-WRA002-8484 FY 2020-21 adopted budget to increase appropriations and revenues in the amount of \$1,000,000 financed by an operating transfer from 001-1050-CAO017-8038 (4/5ths 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

### Adjourned

The meeting was adjourned by Chair Supervisor Chris Lopez.