Monterey County

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



Meeting Agenda

Thursday, November 5, 2020

10:30 AM

Special Meeting
IMPORTANT COVID-19 NOTICE ON PAGES 2-4
AVISO IMPORTANTE SOBRE COVID-19 EN LA PAGINAS 2-4
https://montereycty.zoom.us/j/224397747

Pajaro County Sanitation District

Chair Director Chris Lopez - District 3
Vice Chair Director Jane Parker - District 4
Director Luis A. Alejo - District 1
Director John M. Phillips - District 2
Director 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://www.mgtvonline.com/, 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. 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. 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://www.mgtvonline.com/, 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. 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. 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 agendas for Special Districts and Agencies governed by the Board of Supervisors that may be scheduled for agenda items today

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.

10:30 A.M. - Call to Order

Roll Call

Pledge of Allegiance

Additions and Corrections by Clerk

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

General Public Comments

This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to the statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Board at a future meeting.

Consent Calendar

1.

Acting as the Board of Directors of the Pajaro County Sanitation District:

Adopt a resolution in support of the Board of Supervisors adopting a resolution to approve and authorize the County Administrative Officer to execute a Certificate of Acceptance and Consent to Recordation, on behalf of the Grantee, Pajaro County Sanitation District, accepting a Warranty Deed conveying the sewer improvements to an existing sanitary sewer main infrastructure near 5 Hillcrest Road in the public right-of-way in the unincorporated community of Royal Oaks, California.

Attachments: Board Report

Attachment A-Location Map

Attachment B-Warranty Deed

Attachment C-Draft Resolution

Adjournment



Monterey County

Item No.1

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

November 05, 2020

Board Report

Legistar File Number: PCSD RES 20-004

Introduced:10/20/2020Current Status:Consent AgendaVersion:1Matter Type:PCSD Resolution

Acting as the Board of Directors of the Pajaro County Sanitation District:

Adopt a resolution in support of the Board of Supervisors adopting a resolution to approve and authorize the County Administrative Officer to execute a Certificate of Acceptance and Consent to Recordation, on behalf of the Grantee, Pajaro County Sanitation District, accepting a Warranty Deed conveying the sewer improvements to an existing sanitary sewer main infrastructure near 5 Hillcrest Road in the public right-of-way in the unincorporated community of Royal Oaks, California.

RECOMMENDATION:

It is recommended the Board of Directors of the Pajaro County Sanitation District adopt a resolution in support of the Board of Supervisors adopting a resolution to approve and authorize the County Administrative Officer to execute a Certificate of Acceptance and Consent to Recordation, on behalf of the Grantee, Pajaro County Sanitation District, accepting a Warranty Deed conveying the sewer improvements to an existing sanitary sewer main infrastructure near 5 Hillcrest Road in the public right-of-way in the unincorporated community of Royal Oaks, California.

SUMMARY/DISCUSSION:

As a condition of County Building Permits Nos. 19CP02388 & 18CP03320, Ahmed Saba (Grantor) was required to extend a Pajaro County Sanitation District (PCSD) sewer main and install sanitary sewer improvements to serve a new guest home, located at 5 Hillcrest Road (Assessor's Parcel Number 117-081-013-000), in the unincorporated community of Royal Oaks, California.

The extended sewer main improvements are located within County Road right-of-way and were constructed in compliance with current California Building Code standards. PCSD Standards, section 10 Building Sewer Construction, condition 8, states: "Upon completion, all new improvements shall be deeded to the District for acceptance." A Deed from the Grantor to the Grantee (PCSD) is required, and the Grantee must approve and accept the improvements via a Certificate of Acceptance.

The interests recommended for transfer to the Grantee are new improvements to existing sanitary sewer infrastructure, consisting of approximately 70 linear feet of 8-inch-diameter sanitary sewer main line, laterals, tie-ins, and manhole(s) (hereinafter property) installed within the public right-of-way and easement as further depicted and described in Attachment A. The sewer improvements have been completed and inspected by County building officials and were found to have been constructed to applicable code standards for acceptance.

The Grantor agrees to replace, repair, and correct any defect in work or materials in respect to the property arising during a period of two (2) years from the date of recordation, without cost to the

Grantee. The Grantor further warrants any potential corrected work completed during the initial two (2) year period for one (1) additional year after acceptance of the corrected work by the Grantee.

This proposed ownership transfer is exempt from the California Environmental Quality Act (CEQA) Guidelines section 15319 as the ownership transfer is an annexation to a special district of an area containing existing public structures developed to the density allowed by the current zoning.

Concurrently today, the Board of Supervisors, acting on behalf of the PCSD, will consider acceptance of this property. RMA requests that the PCSD Board of Directors adopt a resolution in support of the Board of Supervisors approving and authorizing the County Administrative Officer to execute the Certificate of Acceptance and Consent to Recordation accepting the Warranty Deed conveying this property to PCSD.

OTHER AGENCY INVOLVEMENT:

None.

FINANCING:

Staff time to prepare this report is included in the Fiscal Year 2020-21 Adopted Budget for PCSD, Fund 151, Appropriation Unit RMA040.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Board of Supervisors' Health and Human Services and Infrastructure Strategic Initiatives. Oversight of County building permit conditions ensures that sewer infrastructure improvements are constructed to code and transferred as required to PCSD. The Board of Supervisors' acceptance of this property under a Warranty Deed warrants the infrastructure improvements against failure and protects PCSD from costs related to potential failure. Properly functioning sewer infrastructure protects the health and safety of area residents.

	Economic Developmen	
	Administration	
X	Health & Human Services	
X	Infrastructure	
	Public Safety	

Prepared by: Ivo Basor, Management Analyst I (831) 796-6427 George K. Salcido, Real Property Specialist

Reviewed by: Melanie Beretti, Property Administration/Special Programs Manager

Approved by: Shawne Ellerbee, Assistant Director of Resource Management Agency

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Attachment A-Location Map

Attachment B-Warranty Deed & Certificate of Acceptance/Consent to Recordation

Attachment C-Draft Resolution

(Attachments are on file with the Clerk of the Board)



Monterey County

Item No.

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

November 05, 2020

9

Board Report

Legistar File Number: PCSD RES 20-004

Introduced: 10/20/2020

Version: 1

Current Status: Agenda Ready

Matter Type: PCSD Resolution

Acting as the Board of Directors of the Pajaro County Sanitation District:

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	Economic Development
	Administration
X	Health & Human Services
<u>X</u>	Infrastructure
	Public Safety

Prepared by: Ivo Basor, Management Analyst I (831) 796-6427

George K. Salcido, Real Property Specialist

Reviewed by: Melanie Beretti, Property Administration/Special Programs Manager Approved by: Shawne Ellerbee, Assistant Director of Resource Management Agency

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Attachment A-Location Map

Attachment B-Warranty Deed & Certificate of Acceptance/Consent to Recordation

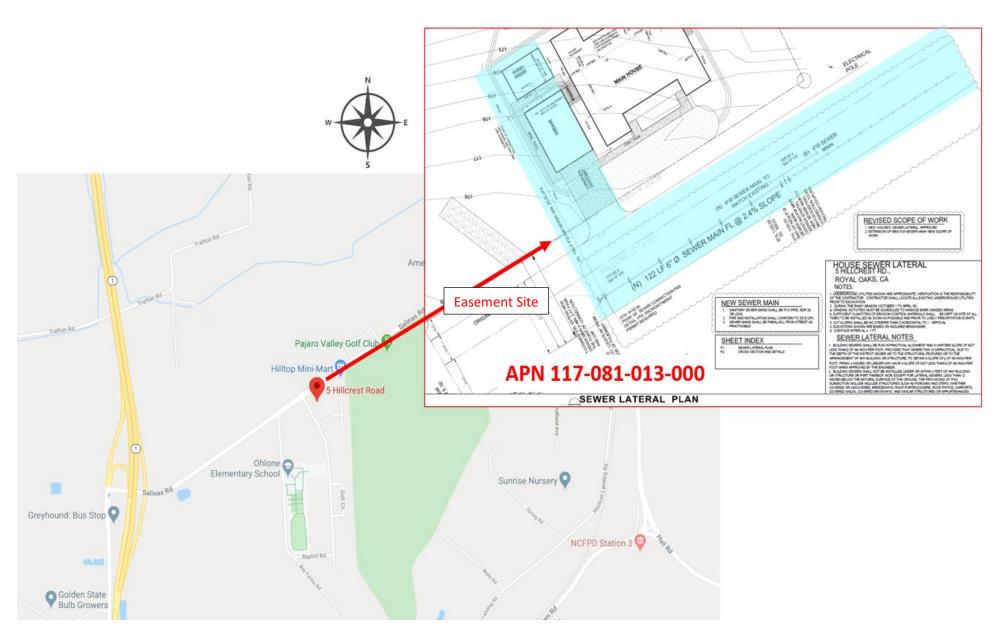
Attachment C-Draft Resolution

(Attachments are on file with the Clerk of the Board)

ATTACHMENT A

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LOCATION MAP 5 Hillcrest Rd, Royal Oaks, CA



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Attachment B

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RECORDING REQUESTED BY)
AND WHEN RECORDED RETURN TO:)
)
County of Monterey)
Resource Management Agency (RMA))
c/o RMA-Real Property)
1441 Schilling Place, South Bldg., 2 nd Floor)
Salinas, California, 93901	•

No Documentary Transfer Tax Required
The Granting and Acquiring Agencies are Political Subdivisions

Ship Agency acquiring title County of Montager is a

Space above this line for Recorder's use

Agency acquiring title, County of Monterey, is a Political subdivision of the State of California

(Revenue & Taxation Code 11922)

WARRANTY DEED

APN: 117-081-013-000

Ahmed Saba, a married man, as his sole and separate property ("GRANTOR"), does hereby remise, release, convey, and warrant to the County of Monterey, a political subdivision of the State of California, on behalf of the Pajaro County Sanitation District, a county sanitation district organized under the laws of the State of California ("GRANTEE"), and its successors and assigns, all its rights, title, and interest in a sanitary sewer main infrastructure situated in the County of Monterey, State of California, described as follows:

Sanitary sewer improvements consisting of approximately 70 linear feet of 8-inch-diameter sanitary sewer main line, laterals, tie-ins, and manhole(s) (hereinafter, "property") installed within the public right-of-way and easement as further described on **Exhibit "A"** attached hereto and incorporated by this reference.

The GRANTOR, its successors, and assigns warrant that: 1) it is the owner of said property and has the right and authority to convey the same, 2) that the property is free of all liens or encumbrances, 3) the subject property complies with all laws and ordinances respective to the construction and installation of the property and 4) that the property is in proper working condition, order, and fit for the intended purpose as a sanitary sewer main infrastructure.

The GRANTOR and its successors and assigns agree to replace, repair, and correct any defect in work or materials in respect to the property arising during a period of two (2) years from date of acceptance, without cost to GRANTEE. The GRANTOR shall further warrant any potential corrected work completed during the initial two (2) year period, for one (1) additional year, after acceptance of the corrected work by the GRANTEE.

The GRANTOR and its successors and assigns agree that in the event any lawsuit is filed as a result of, or involving an alleged breach of any or all warranties made herein, the GRANTOR will undertake to defend the lawsuit and will accept responsibility for all costs of litigation, including costs of appeal, and will hold GRANTEE harmless on any judgment rendered against GRANTEE.

IN WITNESS WHEROF, the undersigned GRANTOR has caused this deed to be executed this day of day of 2020.

GRÂNTOR

Ahmed Saba, a married man, as his sole and separate property

Approved as to Form:

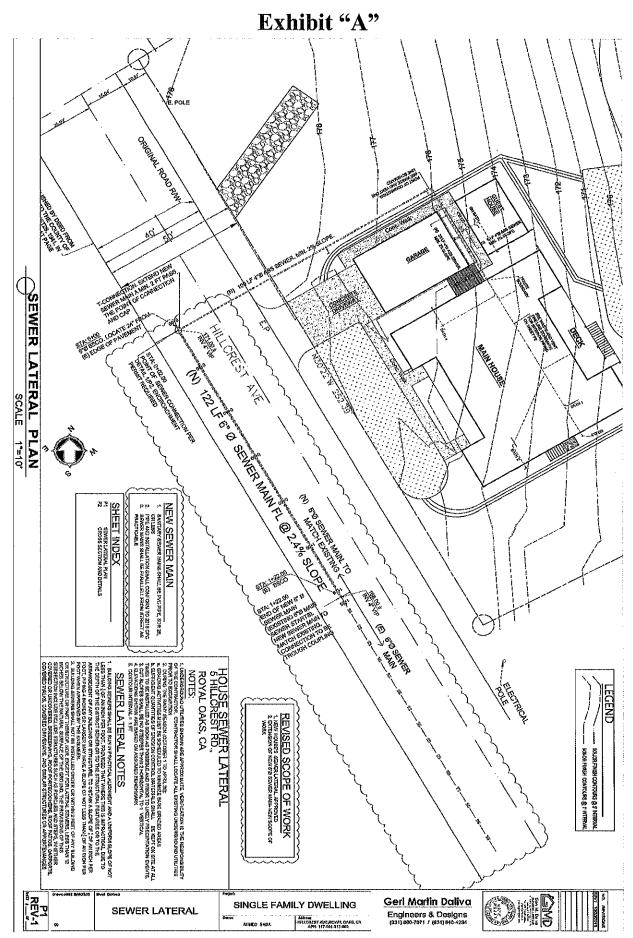
Office of the County Counsel-Risk Manager Leslie J. Girard, County Counsel-Risk Manager

By:

Mary Grace Perry

Deputy County Counsel

Dated:



Warranty Deed, SABA to PCSD

Page 3 of 5

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF MONTEREY) SS.)
the basis of satisfactory evider instrument and acknowledged	to be the person(s) whose name(s) is/are subscribed to the within to me that he/she/they executed the same in his/her/their authorized their signature(s) on the instrument the person(s), or the entity upon behalf
I certify under PENALTY OF paragraph is true and correct.	PERJURY under the laws of the State of California that the foregoing
WITNESS my hand and official	seal.
Signature	DAWN M. YONEMITSU Notary Public - California Monterey County Commission # 2248610 My Comm. Expires Jul 29, 2022

ACCEPTANCE AND CONSENT TO RECORDATION

This is to certify that the sanitary sewer line infrastructure improvements, (the "property") conveyed by the Warranty Deed dated from Ahmed Saba, a married man, as his sole and separate property, to the County of Monterey, Pajaro County Sanitation District is hereby accepted, and the Monterey County Board of Supervisors acting as the Board of Directors of the Pajaro County Sanitation District consents to recordation of said Warranty Deed as authorized pursuant to Board of Supervisors Resolution No. 2020- adopted on, 2020 by its duly authorized officer, Charles J. McKee, County Administrative Officer.				
County of Monterey , a political subdivision of the State of California				
Charles J. McKee, County Administrative Officer Approved as to Form: Office of the County Counsel-Risk Manager Leslie J. Girard, County Counsel-Risk Manager Mary Grace Perry Deputy County Counsel Dated:				
ACKNOWLEDGMENT				
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.				
STATE OF CALIFORNIA)) SS. COUNTY OF MONTEREY)				
Onbefore me,, a Notary Public, personally appeared, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.				
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.				
WITNESS my hand and official seal.				
Signature				
(Seal)				

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Attachment C

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Before the Board of Directors of the Pajaro County Sanitation District County of Monterey, State of California

Resolution No. 20	
Adopt a resolution to:	
Support the Board of Supervisors adopting a)
resolution to approve and authorize the)
County Administrative Officer to execute a)
Certificate of Acceptance and Consent to)
Recordation, on behalf of the Grantee, Pajaro)
County Sanitation District, accepting a)
Warranty Deed conveying the sewer)
improvements to an existing sanitary sewer)
main infrastructure in the public right-of-way)
located near 5 Hillcrest Road, in the)
unincorporated community of Royal Oaks,)
California)

Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Monterey County Board of Directors of the Pajaro County Sanitation District hereby finds and decides as follows:

RECITALS

WHEREAS, the Board of Supervisors of the County of Monterey is the Board of Directors of the Pajaro County Sanitation District (PCSD);

WHEREAS, Ahmed Saba (Grantor) does hereby remise, release, convey, and warrant to the County of Monterey, a political subdivision of the State of California, on behalf of the PCSD, a county sanitation district organized under the laws of the State of California (Grantee), and its successors and assigns, all its rights, title, and interest in a sanitary sewer main infrastructure situated in the County of Monterey, State of California;

WHEREAS, PCSD Standards (section 10) require all new improvements shall be deeded to the District for acceptance;

WHEREAS, approval of a Certificate of Acceptance will convey ownership of sanitary sewer improvements consisting of approximately 70 linear feet of 8-inch-diameter sanitary sewer main line, laterals, tie-ins, and manhole(s) (hereinafter, "property") installed within the public right-of-way and easement near 5 Hillcrest Road, Royal Oaks, California (Assessor's Parcel Number 117-081-013-000) to Grantee;

WHEREAS, Grantor, and its successors and assigns, warrants that: 1) it is the owner of said property and has the right and authority to convey the same, 2) the property is free of all liens or encumbrances, 3) the property complies with all laws and ordinances respective to its construction and installation, and 4) the property is in proper working condition, order, and fit for the intended purpose as a sanitary sewer main infrastructure;

WHEREAS, Grantor, and its successors and assigns, agrees to replace, repair and correct any defect in work or materials in respect to the property arising during a period of two (2) years from date hereof, without cost to Grantee, and further warrants any potential corrected work completed during the initial two (2) year period for one (1) additional year after acceptance of the corrected work by Grantee;

WHEREAS, Grantor, and its successors and assigns, agrees that in the event any lawsuit is filed as a result of, or involving an alleged breach of any or all warranties made herein, the Grantor will undertake to defend the lawsuit and will accept responsibility for all costs of litigation, including costs of appeal, and will hold Grantee harmless on any judgment rendered against Grantee;

WHEREAS, the California Environmental Quality Act (CEQA) Guidelines section 15319 of the California Code of Regulations establishes an exemption for annexation to a special district of areas containing existing public structures developed to the density allowed by the current zoning; and

WHEREAS, this action supports the Board of Supervisors Health & Human Services and Infrastructure Strategic Initiatives by ensuring that sewer infrastructure improvements are constructed to code and that sewer infrastructure is warranted again failure, and properly functioning sewer infrastructure protects the health and safety of area residents.

DECISION

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Directors for the Pajaro County Sanitation District, hereby adopts a resolution to:

Support the Board of Supervisors adopting a resolution to approve and authorize the County Administrative Officer to execute a Certificate of Acceptance and Consent to Recordation, on behalf of the Grantee, Pajaro County Sanitation District, accepting a Warranty Deed conveying the sewer improvements to an existing sanitary sewer main infrastructure in the public right-of-way located near 5 Hillcrest Road, in the unincorporated community of Royal Oaks, California.

PASSED AND ADOPTED upon this 5th day of November 2020, by roll call vote:

AYES: Supervisor NOES: ABSENT: (Government Code 5494	
· • • • • • • • • • • • • • • • • • • •	Supervisors of the County of Monterey, State of California, hereby certify riginal resolution of said Board of Supervisors duly made and entered in the the meeting on November 5, 2020.
Dated: November , 2020 File ID: RES 20- Agenda Item:	Valerie Ralph, Clerk of the Board of Supervisors County of Monterey, State of California
	By