

# Monterey County

Monterey County Government Center  
Board of Supervisor Chambers  
168 W. Alisal St., 1st Floor



## Meeting Agenda - Final-Revised

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

**Tuesday, October 26, 2021**

**10:30 AM**

**<https://montereycty.zoom.us/j/224397747>**

## **Board of Supervisors of the Monterey County Water Resources** **Agency**

*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*

### **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 <https://monterey.legistar.com/Calendar.aspx>, <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 two 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. 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. You are encouraged to participate via Zoom; however, additional seating with audio of the Board meeting will be available in the Monterey Room on the 2nd floor of the County Government Center is needed for overflow.**

## **Aviso importante sobre COVID 19**

Según la orientación 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 permanezcan abiertas, se le recomienda encarecidamente que observe la transmisión en vivo de las reuniones de la Junta de Supervisores en <https://monterey.legistar.com/Calendar.aspx>, <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, se le pedirá que mantenga un distanciamiento social apropiado, es decir, mantenga 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 comentarios del público en general, o comentar sobre un tema específico de la agenda, puede hacerlo de dos maneras:**

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, por favor indique en la Línea de Asunto, el cuerpo de la reunión (es decir, la Agenda de la Junta de Supervisores) y el número del ítem (es decir, el Ítem No. 10). Su comentario se colocará en el registro en la reunión de la Junta.

**B. puede 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 los siguientes números:**

**+1669900 6833 EE. UU. (San José)**

**+ 1346248 7799 EE. UU. (Houston)**

**+1312626 6799 EE. UU. (Chicago)**

**+1929205 6099 EE. UU. (Nueva York)**

+1 253215 8782 EE. UU.

+1 301 715 8592 EE. UU.

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

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

**3. Se le anima a participar a través de Zoom; sin embargo, se necesitarán asientos adicionales con audio de la reunión de la Junta en el Salón Monterey en el segundo piso del Centro de Gobierno del Condado para el desbordamiento.**

**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.

**10:30 A.M. - Call to Order**

**Roll Call**

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

**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. a. Approve the County of Monterey Emergency Response Manual and COVID-19 Prevention Program; and
- b. Direct the Water Resources Agency General Manager to implement the provisions of the County of Monterey Emergency Response Manual and COVID-19 Prevention Program retroactive to March 18, 2020; and
- c. Delegate authority to the Water Resources Agency General Manager, to implement changes to the County of Monterey Emergency Response Manual and COVID-19 Prevention Program in accordance with changes in policy direction, County ordinances, or state or federal laws or directives.

**Attachments:**     [Board Report](#)

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

**Public Comment**

2. Consider finding, pursuant to AB 361 and in order for the Board of Supervisors of the Monterey County Water Resources Agency to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Board of Supervisors has reconsidered the circumstances of the state of emergency; and the Monterey County Health Officer continues to recommend social distancing measures for meetings of the legislative bodies. (ADDED VIA ADDENDA)

**Attachments:**     [BoardReport](#)

**Adjournment**



# Monterey County

## Item No.1

### Board Report

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

Legistar File Number: WRAG 21-172

October 26, 2021

Introduced: 10/13/2021

Current Status: Consent Agenda

Version: 1

Matter Type: WR General Agenda

- a. Approve the County of Monterey Emergency Response Manual and COVID-19 Prevention Program; and
- b. Direct the Water Resources Agency General Manager to implement the provisions of the County of Monterey Emergency Response Manual and COVID-19 Prevention Program retroactive to March 18, 2020; and
- c. Delegate authority to the Water Resources Agency General Manager, to implement changes to the County of Monterey Emergency Response Manual and COVID-19 Prevention Program in accordance with changes in policy direction, County ordinances, or state or federal laws or directives.

#### RECOMMENDATION:

It is recommended that the Board of Supervisors of the Monterey County Water Resources Agency:

- a. Approve the County of Monterey Emergency Response Manual and COVID-19 Prevention Program; and
- b. Direct the Water Resources Agency General Manager to implement the provisions of the County of Monterey Emergency Response Manual and COVID-19 Prevention Program retroactive to March 18, 2020; and
- c. Delegate authority to the Water Resources Agency General Manager, to implement changes to the County of Monterey Emergency Response Manual and COVID-19 Prevention Program in accordance with changes in policy direction, County ordinances, or state or federal laws or directives.

#### SUMMARY/DISCUSSION:

On March 17, 2020, the County Health Officer issued a Shelter in Place Order for the County of Monterey in response to the COVID-19 pandemic. The County of Monterey's Human Resources Department developed the Emergency Response Manual and COVID-19 Prevention Program to provide guidance to Department Heads, Elected Officials, managers, supervisors, and employees to assist in maintaining essential functions and services during the COVID-19 Pandemic. The Manual provides staffing strategies, resources, protocols, and emergency authority on various topics, including allowing employees to telework and request alternative work schedules and changes in work location or assignment; and identifies leave provisions for employees who become ill or need to care for a family member or child, in the event of school or child-care provider closures. Most recently, the County updated the Emergency Response Manual and COVID-19 Prevention Program to include COVID-19 vaccination and face covering requirements.

In response to emerging situations, and to ensure compliance with changes in County policy direction, ordinances, and/or state or federal laws or directives, protocols outlined in the Manual may

need to be modified. The delegation of authority to the Water Resources General Manager in consultation with the County of Monterey's Director of Human Resources, the County Administrative Officer, and County Counsel to implement changes to the County of Monterey Emergency Response Manual and COVID-19 Prevention Program, will allow for the Monterey County Water Resources Agency to quickly adapt to these changes.

The Emergency Response Manual and COVID-19 Prevention Program is not intended to supplant the Water Resources Agency's responsibilities, policies, and procedures, in particular, with respect to routine statutory obligations.

Therefore, it is recommended that the Board of Supervisors of the Monterey County Water Resources Agency approve these actions.

OTHER AGENCY INVOLVEMENT:

The County of Monterey's Human Resources Department, County Administrative Office, and Office of County Counsel concur with these recommendations.

FINANCING:

There is no cost associated with these actions.

Prepared By: Wendell Sells, Management Analyst III, 796-6066

Approved By: \_\_\_\_\_  
Brent Buche, General Manager, 755-8982





# Monterey County

Item No.

## Board Report

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

Legistar File Number: WRAG 21-172

October 26, 2021

Introduced: 10/13/2021

Current Status: Agenda Ready

Version: 1

Matter Type: WR General Agenda

- a. Approve the County of Monterey Emergency Response Manual and COVID-19 Prevention Program; and
- b. Direct the Water Resources Agency General Manager to implement the provisions of the County of Monterey Emergency Response Manual and COVID-19 Prevention Program retroactive to March 18, 2020; and
- c. Delegate authority to the Water Resources Agency General Manager, to implement changes to the County of Monterey Emergency Response Manual and COVID-19 Prevention Program in accordance with changes in policy direction, County ordinances, or state or federal laws or directives.

### RECOMMENDATION:

It is recommended that the Board of Supervisors of the Monterey County Water Resources Agency:

- a. Approve the County of Monterey Emergency Response Manual and COVID-19 Prevention Program; and
- b. Direct the Water Resources Agency General Manager to implement the provisions of the County of Monterey Emergency Response Manual and COVID-19 Prevention Program retroactive to March 18, 2020; and
- c. Delegate authority to the Water Resources Agency General Manager, to implement changes to the County of Monterey Emergency Response Manual and COVID-19 Prevention Program in accordance with changes in policy direction, County ordinances, or state or federal laws or directives.

### SUMMARY/DISCUSSION:

On March 17, 2020, the County Health Officer issued a Shelter in Place Order for the County of Monterey in response to the COVID-19 pandemic. The County of Monterey's Human Resources Department developed the Emergency Response Manual and COVID-19 Prevention Program to provide guidance to Department Heads, Elected Officials, managers, supervisors, and employees to assist in maintaining essential functions and services during the COVID-19 Pandemic. The Manual provides staffing strategies, resources, protocols, and emergency authority on various topics, including allowing employees to telework and request alternative work schedules and changes in work location or assignment; and identifies leave provisions for employees who become ill or need to care for a family member or child, in the event of school or child-care provider closures. Most recently, the County updated the Emergency Response Manual and COVID-19 Prevention Program to include COVID-19 vaccination and face covering requirements.

In response to emerging situations, and to ensure compliance with changes in County policy direction, ordinances, and/or state or federal laws or directives, protocols outlined in the Manual may

need to be modified. The delegation of authority to the Water Resources General Manager in consultation with the County of Monterey's Director of Human Resources, the County Administrative Officer, and County Counsel to implement changes to the County of Monterey Emergency Response Manual and COVID-19 Prevention Program, will allow for the Monterey County Water Resources Agency to quickly adapt to these changes.

The Emergency Response Manual and COVID-19 Prevention Program is not intended to supplant the Water Resources Agency's responsibilities, policies, and procedures, in particular, with respect to routine statutory obligations.

Therefore, it is recommended that the Board of Supervisors of the Monterey County Water Resources Agency approve these actions.

OTHER AGENCY INVOLVEMENT:

The County of Monterey's Human Resources Department, County Administrative Office, and Office of County Counsel concur with these recommendations.

FINANCING:

There is no cost associated with these actions.

Prepared By: Wendell Sells, Management Analyst III, 796-6066

Approved By: \_\_\_\_\_



Brent Buche, General Manager, 755-8982



# Monterey County

## Item No.2

### Board Report

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

Legistar File Number: 21-926

October 26, 2021

Introduced: 10/21/2021

Current Status: Scheduled AM

Version: 1

Matter Type: General Agenda Item

Consider finding, pursuant to AB 361 and in order for the Board of Supervisors of the Monterey County Water Resources Agency to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Board of Supervisors has reconsidered the circumstances of the state of emergency; and the Monterey County Health Officer continues to recommend social distancing measures for meetings of the legislative bodies. (ADDED VIA ADDENDA)

#### RECOMMENDATION:

It is recommended that the Board of Supervisors of the Monterey County Water Resources Agency find, pursuant to AB 361 and in order for the Board of Supervisors to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Board of Supervisors has reconsidered the circumstances of the state of emergency; and the Monterey County Health Officer continues to recommend social distancing measures for meetings of the legislative bodies.

#### SUMMARY/DISCUSSION:

On September 16, 2021, Governor Newsom signed AB 361. This legislation amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361 rather than under the Brown Act's more narrow standard rules for participation in a meeting by teleconference. AB 361 provides that if a state or local health official recommends social distancing, a legislative body may meet remotely after September 30, 2021, provided that within 30 days of the first meeting after September 30, and every 30 days thereafter, the legislative body finds 1) the Governor's proclaimed state of emergency is still in effect; 2) the legislative body has reconsidered the circumstances of the state of emergency, and 3) either the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies or the state of emergency continues to directly impact the ability of the members to meet in person.

The Monterey County Health Officer has recommended social distancing measures for meetings of legislative bodies, so the Board of Supervisors of the Water Resources Agency was able to meet remotely the first time after September 30, 2021. In order to continue meeting remotely, the Board of Supervisors must make the findings outlined above.

Accordingly, staff recommends making the appropriate findings. This action will be required every 30 days in order to keep meeting remotely; a special meeting may be necessary for that purpose.

OTHER AGENCY INVOLVEMENT:

The General Manager concurs in the recommendation.

FINANCING:

The only financial impact is the continuing cost of teleconferencing.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

- ☐ Economic Development
- ☒ Administration
- ☐ Health & Human Services
- ☐ Infrastructure
- ☒ Public Safety

Prepared and Approved by:

Leslie J. Girard, County Counsel

Attachments: Board Report



# Monterey County

**Item No.**

## Board Report

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

**Legistar File Number: 21-926**

**October 26, 2021**

**Introduced:** 10/21/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

Consider finding, pursuant to AB 361 and in order for the Board of Supervisors of the Monterey County Water Resources Agency to continue meeting remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Board of Supervisors has reconsidered the circumstances of the state of emergency; and the Monterey County Health Officer continues to recommend social distancing measures for meetings of the legislative bodies.

### RECOMMENDATION:

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### SUMMARY/DISCUSSION:

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The Monterey County Health Officer has recommended social distancing measures for meetings of legislative bodies, so the Board of Supervisors of the Water Resources Agency was able to meet remotely the first time after September 30, 2021. In order to continue meeting remotely, the Board of Supervisors must make the findings outlined above.

Accordingly, staff recommends making the appropriate findings. This action will be required every 30 days in order to keep meeting remotely; a special meeting may be necessary for that purpose.

Legistar File Number: 21-926

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OTHER AGENCY INVOLVEMENT:

The General Manager concurs in the recommendation.

FINANCING:

The only financial impact is the continuing cost of teleconferencing.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

☐ Economic Development

☒ Administration

☐ Health & Human Services

☐ Infrastructure

☒ Public Safety

Prepared and Approved by:

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10/21/2021 | 11:27 AM PDT

Leslie J. Girard, County Counsel

Attachments: Board Report