

# County of Monterey

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



## Meeting Agenda - Final-Revised

Tuesday, December 13, 2022

9:00 AM

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

### Board of Supervisors

*Chair Supervisor Mary L. Adams - District 5*

*Vice Chair Supervisor Luis A. Alejo - District 1*

*Supervisor John M. Phillips - District 2*

*Supervisor Chris Lopez - District 3*

*Supervisor Wendy Root Askew - District 4*

**Important Notice Regarding COVID 19**

Based on AB361 and recommendation of the Monterey County Health Officer, 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, it is recommended 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.

**Aviso importante sobre COVID 19**

Según AB361 y la recomendación del Oficial de Salud del Condado de Monterey, 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 recomienda mantener un distanciamiento social adecuado, 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 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.**

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901.

As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

**ALTERNATE AGENDA FORMATS:** If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

**CEREMONIAL/APPOINTMENTS/OTHER BOARD MATTERS:** These items may include significant financial and administrative actions, and items of special interest, usually approved by majority vote for each program. The regular calendar also includes "Scheduled Items," which are noticed hearings and public hearings.

**CONSENT CALENDAR:** These matters include routine financial and administrative actions, appear in the supplemental section by program areas, and are usually approved by majority vote.

**TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA:** Walk to the podium and wait for recognition by the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board's action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

**TO ADDRESS THE BOARD DURING PUBLIC COMMENT:** Members of the public may address comments to the Board concerning each agenda item and may comment when the Chair calls for general public comment for items that are not on the day's agenda. The timing of public comment shall be at the discretion of the Chair.

**DOCUMENT DISTRIBUTION:** Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

**INTERPRETATION SERVICE POLICY:** The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for interpreter assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un interprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

All documents submitted by the public must have no less than ten (10) copies.

The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting.

Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board's Office located at 168 W. Alisal St., 1st Floor, Salinas, California. during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5

#### HELPFUL INFORMATION/INFORMACION UTIL

Sign Up For Alerts on items you may be interested in to keep informed and up to date on the Monterey County Board of Supervisors

To create an Alert please Sign Up and follow the User Guide to create alerts for calendars, meeting details, agenda items and item details at the following link:

<https://monterey.legistar.com/Default.aspx>

If assistance is needed please contact our office at the following email: [cob@co.monterey.ca.us](mailto:cob@co.monterey.ca.us)

Regístrese para recibir alertas sobre artículos que le pueden interesar para mantenerse informado y actualizado sobre la Junta de Supervisores del Condado de Monterey

Para crear una alerta, regístrese y siga la Guía del usuario para crear alertas para calendarios, detalles de reuniones, elementos de agenda y detalles de elementos en el siguiente enlace:

<https://monterey.legistar.com/Default.aspx>

Si necesita ayuda, comuníquese con nuestra oficina al siguiente correo electrónico: [cob@co.monterey.ca.us](mailto:cob@co.monterey.ca.us)

**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.**

**Pursuant to AB361 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 three matters of significant exposure to litigation.
  - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
    - (1) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado  
Employee Organization(s): Unit X
    - (2) Designated representatives: Charles J. McKee, CAO, Leslie J. Girard, County Counsel, and Irma Ramirez-Bough, HR Director  
Employee Position: County Administrative Officer.
    - (3) Designated representatives: Charles J. McKee, CAO, Leslie J. Girard, County Counsel, and Irma Ramirez-Bough, HR Director  
Employee Position: Agricultural Commissioner.
  - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment/recruitment to the position of County Administrative Officer.
  - d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment/recruitment to the position of Acting County Administrative Officer.
  - e. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two matters of potential initiation of litigation.
  - f. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment/recruitment to the position of Agricultural Commissioner.
  - g. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance

evaluation for the position of County Administrative Officer.

### **Public Comments for Closed Session**

### **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**

### **Appointments**

2. Appoint Teresita Govea Agular to the Community Action Commission as a Public Sector Representative to fill an unexpired term ending on July 1, 2023. (Nominated By District 3, Supervisor Lopez)

**Attachments:**     [Notification to Clerk of Appt - Teresita Govea](#)  
                          [Application - Teresita Govea](#)  
                          [CV - Teresita Govea](#)

3. Reappoint Allan Panziera to the Greenfield Fire Protection District Board as a Primary Representative with a term ending on November 30, 2026. (Nominated By District 3, Supervisor Lopez)

**Attachments:**     [Notification to Clerk of Appt - Allan Panziera](#)  
                          [Recommendation Letter - Panziera](#)

4. Reappoint Robert Thorp to the Greenfield Fire Protection District as a Primary Representative with a term ending on November 30, 2026. (Nominated By District 3, Supervisor Lopez)

**Attachments:**     [Notification to Clerk of Appt - Robert Thorp](#)  
                          [Recommendation Letter - Robert Thorp Letter](#)

5. Appoint Kathybelle Barlow to the Area Agency on Aging Advisory Board as a Primary Representative with a term ending on December 1, 2025. (Nominated By District 4, Supervisor Askew)

**Attachments:**     [Notification to Clerk of Appt - Kathybelle Barlow](#)  
                          [Application - Kathybelle Barlow](#)

6. Appoint Roger Miller to the Commission on Disabilities as a City of Pacific Grove Representative with a term ending on December 31, 2025. (Nominated by Bill Peake, Mayor to the City of Pacific Grove)

**Attachments:**     [Notification to Clerk of Appointment Roger Miller](#)  
                          [Resume - Roger Miller](#)  
                          [Letter of Nomination City of PG](#)

#### **Approval of Consent Calendar – (See Supplemental Sheet)**

7. See Supplemental Sheet

#### **General Public Comments**

8. General Public Comments

#### **Scheduled Matters**

9. a. Receive a report from the Sheriff’s Office related to ICE’s access to inmates in the Monterey County Jail; and  
b. Receive and consider public comment.

**Attachments:**     [Board Report](#)  
                          [Policy 524\\_SB54.pdf](#)

10. Adopt a Resolution to:
  - a. Accept the Budget End-of-Year Report for FY 2021-22 from the County Administrative Office;
  - b. Authorize the County Administrative Office and Auditor-Controller to make fund balance designations in FY 2022-23 included in Attachment A; and
  - c. Authorize and direct the Auditor-Controller to amend the FY 2022-23 adopted budget by increasing appropriations and making the appropriate transfers included in Attachment A (4/5ths vote required).

**Attachments:**     [Board Report](#)  
                          [Resolution with Attachment A](#)  
                          [Budget End-of-Year Report FY 2021-22](#)  
                          [PowerPoint Presentation](#)

11. Conduct a public hearing to:
  - a. Adopt Resolution to approve Amendment No. 14 with [Proposed] Exhibit 1 “Approved Rates and Charges” to Unified Franchise Agreement A-11631 regarding proposed rates for services and adjustments to current rates for the Unified Franchise Agreement A-11631 between the County of Monterey and Waste Management, Inc. dba USA Waste of California dba Carmel Marina Corp., for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County; and
  - b. Approve and authorize the Director of Health to execute Amendment No. 14 to the Unified Franchise Agreement (Agreement No. A-11631) between the County of Monterey and Waste



Management, Inc. dba USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County.

- Attachments:**     [Board Report](#)  
                          [Resolution](#)  
                          [Amendment No. 14 & Exhibit 1](#)  
                          [Amendment No. 13](#)  
                          [Amendment No. 12](#)  
                          [Amendment No 11](#)  
                          [Amendment No 10](#)  
                          [Amendment No 9](#)  
                          [Amendment No 8](#)  
                          [Amendment No 7](#)  
                          [Amendment No 6](#)  
                          [Amendment No 5](#)  
                          [Amendment No 4](#)  
                          [Amendment No 3](#)  
                          [Amendment No 2](#)  
                          [Amendment No 1](#)  
                          [Agreement](#)

12. Receive the notice of adjustment of the annual salary of the members of the Board of Supervisors, in accordance with Section 2.04.370C of the County of Monterey Code consistent with the superior court judge salary adjustments of 0.8943% effective July 1, 2022. The salary adjustments will be implemented December 31, 2022.

- Attachments:**     [Board Report](#)  
                          [Adjusted Judicial Salary Memo 120222](#)  
                          [CalHR Exempt Pay Letter 120122](#)

**12:00 P.M. - Recess to Lunch**

**1:30 P.M. - Reconvene**

**Roll Call**

**Scheduled Matters**

13. Receive a verbal presentation from the Health Department regarding COVID-19, influenza, and other seasonal respiratory viruses.

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

14. a. Receive a presentation from Pacific Gas and Electric Company (PG&E) and Vistra Energy

Corporation (Vistra) regarding operation and emergency response plans for their respective Lithium-Ion Battery Energy Storage Systems, and

b. Provide direction to county staff regarding the Lithium-Ion Battery Energy Storage Systems in the Monterey County Operational Area.

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

**15. PLN210152 - RIO VISTA GROUP LLC**

Public hearing to consider an appeal from Rio Vista Group LLC of the Planning Commission's denial of a Combined Development Permit for the construction of four 16,286 square foot two-story apartment buildings totaling 60 units for agricultural workforce housing and 1 manager unit, including 17,500 cubic yards of grading, and a Variance to increase the required building site coverage.

**Proposed CEQA action:** Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan

**Project Location:** 51, 53, 55 & 57 Susan Street, Royal Oaks, North County Area Plan

**Attachments:** [Board Report](#)  
[Attachment A - Detailed Discussion](#)  
[Attachment B - Draft Resolution](#)  
[Attachment B - \(WORD\) Draft Resolution](#)  
[Attachment C - Vicinity Map](#)  
[Attachment D - Notice of Appeal](#)  
[Attachment E - Planning Commission Resolution No. 22-024](#)  
[Attachment F - Draft Initial Study Mitigated Negative Declaration](#)  
[Attachment G - CEQA Comments](#)  
[Attachment H - Agricultural Employee Housing Facility Plan and Letter](#)  
[Attachment I - Variance justification letter, submitted by applicant](#)  
[Attachment J - Agricultural Buffer](#)  
[Attachment K - Updated traffic report, dated November 11, 2022](#)  
[Attachment L - High Liquefaction Hazard letter](#)  
[Attachment M - Stormdrain Analysis](#)  
[Attachment N - Assessment of Flood Hazard Impacts](#)  
[Attachment O - LUAC Minutes December 1, 2021](#)  
[Attachment P - LUAC Minutes February 2, 2022](#)  
[Attachment Q - Public Comment](#)

- 15. a.** Consider approval of employment agreement for Agricultural Commissioner and Sealer of Weights & Measures;
- 1. b.** Authorize the Chair of the Board to execute the agreement. (ADDED VIA ADDENDA)

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

**Other Board Matters****County Administrative Officer Comments**

16. County Administrative Officer Comments

**New Referrals**

17. New Referrals

**Attachments:** [Board Referral Matrix 12-13-22](#)

**Referral Responses**

18. Receive a preliminary analysis report in response to *Board Referral No. 2022.26* seeking to devise a comprehensive program utilizing the opioid settlement dollars designated for all Monterey County local governments for providing treatment and other services to local communities.

**Attachments:** [Board Report](#)  
[Board Referral No. 2022.26](#)

19. Receive a preliminary analysis report in response to *Board Referral No. 2022.23* seeking to request a County funding contribution for Fiscal Year 2023 and develop a long-range funding source for the Pajaro Park.

**Attachments:** [Board Report](#)  
[Attachment A – Board Referral No. #2022.23](#)  
[Attachment B – Oper. and Maint. Agreement](#)  
[Attachment C – Acquisition and Transfer Agreement](#)  
[Attachment D – MOU for Oper.and Maint. Funding](#)  
[Attachment E – Deed Restriction](#)

19. Consider:

- 1 a. Response to Board Referral No. 2022.21 requesting the Clerk of the Board of Supervisors office to augment their budget to cover all expenses for framed Board resolutions; and  
b. Selecting an updated ceremonial resolution template. (ADDED VIA ADDENDA)

**Attachments:** [Board Report](#)  
[Board Referral No. 2022.21 - Alejo](#)  
[Attachment A - New Ceremonial Resolution template](#)  
[Attachment B- New Ceremonial Resolution template](#)  
[Current Ceremonial Resolution template](#)

**Board Comments**

**20.** Board Comments**Ceremonial Resolutions**

- 21.** Adopt a resolution commending Henry S. Gonzales, Agricultural Commissioner/Sealer of Weights and Measures, on his retirement with twenty-eight years of dedicated public service to Monterey County and thirty-eight years of dedicated public service to the State of California. (Supervisor Lopez)

**Attachments:** [Ceremonial Resolution - Henry Gonzales](#)

- 22.** Adopt a resolution in appreciation of eight years of service on the Monterey County Board of Supervisors upon the retirement of Supervisor John. M. Phillips. (Full Board) (REVISED VIA SUPPLEMENTAL)

**Attachments:** [Ceremonial Resolution - John M. Phillips](#)

- 23.** Adopt a resolution commending County Administrative Officer Charles J. McKee upon his retirement after almost 20 years of dedicated public service to the County of Monterey, first as County Counsel and then as County Administrative Officer, and a total of 31 years of public service. (Full Board) (REVISED VIA SUPPLEMENTAL)

**Attachments:** [Ceremonial Resolution - Charles J. McKee](#)

- 24.** Adopt a resolution commending Brent W. Buche, General Manager of the Monterey County Water Resources Agency, for his dedicated service of 29 years to the County of Monterey upon his retirement. (Full Board) (REVISED VIA SUPPLEMENTAL)

**Attachments:** [Ceremonial Resolution - Brent Buche](#)

- 25.** Adopt Resolution honoring Jennifer Cupak, Fire Operations Manager upon her retirement from the County of Monterey after twenty five years of dedicated Public Service. (Supervisor Adams) (REVISED VIA SUPPLEMENTAL)

**Attachments:** [Ceremonial Resolution - Jennifer Cupak](#)

**Read Out from Closed Session by County Counsel****Adjournment**

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

26. a. Authorize the Chief Executive Officer for Natividad or his designee to execute the Renewal and Amendment 4 to the Professional Services Agreement with The Regents of the University of California, on behalf of the University of California San Francisco, School of Medicine, Department of Pediatrics (UCSF) to provide child abuse specialist services, extending the term by twelve months (retroactive to October 1, 2022 to September 30, 2023) for a revised full agreement term of August 1, 2018 to September 30, 2023, and adding \$58,932, for a revised total not to exceed amount of \$209,277 in the aggregate.

**Attachments:**[Board Report](#)[The Regents of UCSF - Pediatric Amendment 4 \(CAC\)](#)[The Regents of UCSF - Pediatric Amendment 3 \(CAC\)](#)[The Regents of UCSF - Pediatric Amendment 2 \(CAC\)](#)[The Regents of UCSF - Pediatric Amendment 1 \(CAC\)](#)[The Regents of UCSF - Pediatric Agreement \(CAC\)](#)

27. a. Authorize the Chief Executive Officer for Natividad or his designee to execute the First Amendment to the Professional and Call Coverage Services Agreement (A-15626) with Caroline Butler MD to provide general and critical care surgical services at Natividad, extending the term by twenty-four months (January 1, 2023 to December 31, 2024) for a full agreement term of January 1, 2022 to December 31, 2024 and adding \$500,000 for an amount not to exceed \$900,000 in the aggregate; and
- b. Authorize the Chief Executive Officer or his designee to sign up to three (3) future amendments to this agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$40,000) of the original contract amount.

**Attachments:**[Board Report](#)[Caroline Butler MD First Amendment](#)[Caroline Butler Agreement](#)

28. Adopt Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendices A and B to create the classifications of Hospital Patient Safety Manager and Hospital Compliance Officer with the salary ranges as indicated in Attachment A;
- b. Amend the Natividad FY 2022-23 Adopted Budget Unit 9600-8142 - Fund 451 -Appropriation Unit NMC001 to reallocate a Hospital Risk Assessment and Compliance Officer to a Hospital Compliance Officer and a Hospital Quality Assurance Nurse to a Hospital Patient Safety Manager as indicated in Attachment A;
- c. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved

position changes in the FY 2022-23 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM System.

**Attachments:**     [Board Report](#)  
                          [Resolution](#)  
                          [Attachment A](#)

### **Health Department**

29. a. Approve and authorize the Director of Health or the Assistant Director of Health to sign a standard Agreement with Sun Street Centers in the amount of \$80,000 to provide education on the adverse effects of cannabis use by elementary and high school youth, conduct focus groups on teen cannabis use, and provide parent education for the term of upon execution date through June 30, 2023; and
- b. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work and do not cause an increase of more than ten percent (10%) (\$8,000) of the original contract amount.

**Attachments:**     [Board Report](#)  
                          [Agreement](#)  
                          [Exhibit A](#)

30. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding (“MOU”) with Monterey County Special Education Local Plan Area for reimbursement to the County for the provision of mental health and residential treatment services pursuant to a student’s Individualized Education Plan, for a total amount not to exceed \$4,544,523 for the term retroactive to July 1, 2022, through June 30, 2023; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to execute an Interagency Agreement, Exhibit A to the MOU, with Monterey County Special Education Local Plan Area for the term retroactive to July 1, 2022, through June 30, 2023; and
- c. Approve non-standard indemnification, limitation of liability, and insurance provisions to the MOU as recommended by the Director of Health; and
- d. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments to the MOU that do not exceed ten percent (10%) (\$454,452.30) of the original MOU amount and do not significantly change the scope of services.

**Attachments:**     [Board Report](#)  
                          [Memorandum of Understanding](#)

31. a. Approve and authorize the Director of Health or the Assistant Director of Health to execute Amendment No. 1 to Agreement No. A-15945 between the County of Monterey and Ventana Faculty Medical Associates of Monterey County, Inc., increasing the amount by \$8,000 for a total Agreement not to exceed \$265,210, for serving as the County’s Sexual Assault Forensic Examiner (SAFEs) service provider, providing professional and call coverage services for the Sexual Assault Response Team

(SART), and SART Program Medical Director services effective retroactive to December 1, 2022, for a total term from July 16, 2022 through June 30, 2023; and

b. Authorize the Director of Health or Assistant Director of Health to sign up to three (2) future amendments to this Agreement where the total amendments do not exceed 10% (\$17,721) of the original contract amount and do not significantly change the scope of work.

**Attachments:**     [Board Report](#)  
                          [Agreement](#)  
                          [Amendment No. 1](#)  
                          [Board Order](#)

32. a. Authorize the Director of Health or Assistant Director of Health to execute a Renewal and Amendment No. 2 to an agreement with Action Council of Monterey County, Inc., for the provision of community educational management and contracting specialized services, adding one year for a revised term of July 1, 2018, to September 30, 2023, with no change to the total contract amount of \$330,000; and

**Attachments:**     [Board Report](#)  
                          [Amendment No. 2](#)  
                          [Amendment No. 1 and Agreement](#)

33. a. Approve and authorize the Director of Health or the Assistant Director of Health to sign a Renewal and Amendment No. 1 with MEarth for the provision of School Day field trips addressing healthy foods, healthy food choices, hands-on organic garden experience, and food preparation for students, extending the agreement for an additional one (1) year, for a revised full term of January 27, 2019, through September 30, 2023, and adding \$16,000 to increase the maximum contract liability to \$64,393.

**Attachments:**     [Board Report](#)  
                          [Renewal and Amendment No. 1](#)  
                          [Fully Executed Agreement](#)

34. a. Authorize the Director of Health or Assistant Director of Health to execute an Amendment No. 1 to the Mental Health Student Services Act (“MHSSA”) Grant Agreement No. 21MHSOAC015 with the Mental Health Services Oversight and Accountability Commission (“MHSOAC”), to revise the payment schedule for the same amount of \$3,999,979, for the same grant period September 1, 2021, through August 31, 2025; and
- b. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$399,997.90) of the original Agreement amount and do not significantly change the scope of services.

**Attachments:**     [Board Report](#)  
                          [Amendment No. 1](#)  
                          [Fully Executed Agreement](#)

35. Approve and Authorize the Director of Health or Assistant Director of Health to execute Amendment No. 1 to the Revised and Restated Memorandum of Agreement (MOA), A-15628, between the County of Monterey and the City of Salinas, for the Animal Control Services Administration Pilot Project, extending the term an additional six months for a total term of 18 months through June 30, 2023, adding \$729,093 for updates to existing shared staffing costs and services for a total Agreement amount of \$1,394,093.

**Attachments:**     [Board Report](#)  
                          [Amendment No. 1](#)  
                          [Agreement](#)

36. a. Authorize the Director of Health, or Assistant Director of Health to execute a 340B Pharmacy Services Agreement (“Agreement”) with PMQ Group, LLC dba Avita (“Avita”) allowing Avita to provide third-party administrative services in support of Clinic Services’ 340B Program and specialty contract pharmacy services to eligible patients of Monterey County Health Department Clinic Services Bureau (“Clinic Services”) for an initial term of three (3) years beginning January 1, 2023, and which auto renews for additional one (1) year periods unless earlier terminated; and
- b. Approve the non-standard risk provision (lack of indemnification) in the Agreement, as recommended by the Director of Health; and
- c. Authorize the Director of Health or Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work.

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

37. a. Adopt a Resolution to approve a Joint Powers Agreement (JPA) between the County and the City of Salinas to create the Hitchcock Road Animal Services Agency to administer Animal Services.
- b. Authorize the Chair of the County of Monterey Board of Supervisors, or her designee, to execute the JPA on behalf of the County.

**Attachments:**     [Board Report](#)  
                          [Resolution](#)  
                          [JPA Agreement](#)  
                          [MOA Amd. No. 3](#)  
                          [MOA Amd. No. 3 Board Order](#)  
                          [MOA Amd. No. 2](#)  
                          [MOA Amd. No. 2 Board Order](#)  
                          [MOA Amd. No. 1 & Board Order](#)  
                          [MOU - Pilot Project \(2017\)](#)  
                          [MOU Amd. No. 1 & Board Order \(2016\)](#)  
                          [MOU & Board Order \(2015\)](#)



**Criminal Justice**

37.

1.

**Attachments:** [BOS resolution Public Defender COI code amendment.docx](#)  
[Board report Public Defender COI code amendment \(002\).docx](#)  
[REDLINE Attachment C- Public Defender Dept.- COI Template.doc](#)  
[Revised Attachment C- PUBLIC DEFENDER - COI 9.7.22.doc](#)

**General Government**

38. a. Adopt the updated Environmentally Preferable Purchasing Policy which will replace the Climate Friendly Purchasing policy in the Board Policy manual and includes requirements for County compliance with SB1383.

**Attachments:** [Board Report](#)  
[Environmentally Preferable Purchasing and Practices \(EPPP\) Policy](#)  
[Climate Friendly Purchasing Policy](#)

39. a. Adopt an ordinance of the County Code amending Paragraph F of Section 2.32.030 of the Monterey County Code to authorize the Purchasing Agent to engage independent contractors to perform services for the County and the offices thereof, with or without the furnishing of material, where the aggregate cost does not exceed \$200,000.

**Attachments:** [Board Report](#)  
[County of Monterey Ordinance Section 2.32.030](#)  
[Cal. Gov. 25502.5](#)  
[Updated Ordinance Section 2.32.030 \(Signed\)](#)  
[Red-lined Ordinance Section 2.32.030 \(redline\)](#)

40. Approve the Bingo Permit Application for American Legion Post 593 pursuant to Chapter 7.08 of the Monterey County Code effective September 14, 2022, through September 14, 2023.

**Attachments:** [Board Report](#)  
[Attachment A Memo to the Sheriff w Orig Application](#)  
[Attachment B Draft Bingo Permit](#)

41. Authorize the Registrar of Voters to consolidate and provide specified election services for the January 3, 2023, San Ardo Union Elementary School District Special Election.

**Attachments:**     [Board Report](#)  
                          [Exhibit A - San Ardo Union Elementary School District Resolution](#)  
                          [22\\_23-03](#)

**42. Adopt a Resolution to:**

- a. Amend Personnel Policies and Practices Resolution No. 98-394 Appendix A to adjust the salary ranges of the Data Entry Operator I-II, Food Service Worker I-II, Park Services Aide I-III, Mailroom Clerk and Senior Mailroom Clerk, Range Aide and Student Intern classifications to comply with California Senate Bill No. 3, increasing the minimum wage to \$15.50/hour at first step and to maintain the spreads within the series where applicable, effective January 1, 2023 as indicated in Attachment A;
- b. Amend Personnel Policies and Practices Resolution No. 98-394 Appendix A & B to abolish the classifications of Laundry Worker I-II and Library Page as indicated in Attachment A;
- c. Direct the Human Resources Department to implement the changes in the Advantage HRM System.

**Attachments:**     [Board Report](#)  
                          [BOS Resolution 2023 Min Wage Increase](#)  
                          [Attachment A - 2023 Min Wage Increase](#)

**Housing and Community Development**

**43. REF220010/PROFESSIONAL SERVICES AGREEMENT FOR CASTROVILLE COMMUNITY PLAN UPDATE AND IMPACT FEE NEXUS STUDY**

- a. Approve a Professional Services Agreement with Kimley-Horn, to provide services to update the Castroville Community Plan, execute an Impact Fees Nexus Study, and prepare an environmental study for the not to exceed amount of \$533,575 and for a term December 15, 2022 to December 31, 2025; and
- b. Authorize the Contracts/Purchasing Officer of Contracts/Purchasing Supervisor to execute the Professional Services Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount by more than ten percent (10%), subject to review and approval by County Counsel.

**Attachments:**     [Board Report](#)  
                          [Attachment 1 - PSA with Kimley-Horn](#)  
                          [Attachment 2 - RFP #10824](#)

**44. REF220010 - CASTROVILLE TRAFFIC IMPACT FEE**

Adopt a resolution staying the collection of Castroville Traffic Impact Fees until such time that the Board of Supervisors adopts an updated fee or provides further direction.

**Proposed CEQA action:** Finding that pursuant to section 15273 of the CEQA Guidelines the consideration of modifications to development impact fees would be statutorily exempt.

**Attachments:** [Board Report](#)  
[Attachment 1 - Draft Resolution](#)

45. Approve and authorize the Chair to execute Amendment No. 5 to the Subdivision Improvement Agreement for the York Highlands Resubdivision for an extension of 48 months (December 31, 2026).

**Attachments:** [Board Report](#)  
[Attachment A – Subdivision Improvement Agreement, recorded 5-31-2012](#)  
[Attachment B – Draft Amendment No. 5](#)  
[Attachment C – Applicant Extension Request Letter, dated 11-15-2022](#)

46. a. Find that per the California Environmental Quality Act (CEQA) Section 15262 “Feasibility and Planning Studies” the IRWM Plan does not require the preparation of an Environmental Impact Report (EIR) or negative declaration as the evaluation of environmental factors contained in the IRWM Plan is adequate for the level of planning, and the Plan is exempt from further review under CEQA.  
b. Adopt the Monterey Peninsula, Carmel Bay, and South Monterey Bay Integrated Regional Water Management (IRWM) Plan Update as a voluntary document that provides broadly supported, identified goals, objectives, strategies, and projects to meet the integrated water needs of the people and the environment within the planning Region.

**CEQA ACTION:** Find that per the California Environmental Quality Act (CEQA) Section 15262 “Feasibility and Planning Studies” the IRWM Plan does not require the preparation of an Environmental Impact Report (EIR) or negative declaration as the evaluation of environmental factors contained in the IRWM Plan is adequate for the level of planning, and the Plan is exempt from further review under CEQA.

**Attachments:** [Board Report](#)  
[Attachment A - Draft Resolution](#)  
[Attachment B - Final Draft Monterey Peninsula Int](#)  
[Attachment C – Summary of grant fund availability for CRFREE](#)

### **Public Works, Facilities and Parks**

47. Approve and authorize the Monterey County Laguna Seca Representative to execute a two-year Event Agreement, retroactively effective December 1, 2022, with SportsCar Vintage Racing Association to sanction and produce the Trans-Am Speedfest to be held at WeatherTech® Raceway at Laguna Seca on May 5-7, 2023, and April 20-21, 2024, for a base track rental fee of \$163,000 and \$168,000, respectively.

**Attachments:** [Board Report](#)  
[Attachment A-Event Agreement](#)

**Addenda/Supplemental**

**48. Addenda/Supplemental**

**Added under Scheduled Matters PM**

- 15.1. a. Consider approval of employment agreement for Agricultural Commissioner and Sealer of Weights & Measures;
- b. Authorize the Chair of the Board to execute the agreement.

**Added under Referral Responses**

19.1. Consider:

- a. Response to Board Referral No. 2022.21 requesting the Clerk of the Board of Supervisors office to augment their budget to cover all expenses for framed Board resolutions; and
- b. Selecting an updated ceremonial resolution template.

**Revised title under Ceremonial Resolutions**

22. Adopt a resolution in appreciation of eight years of service on the Monterey County Board of Supervisors upon the retirement of Supervisor John. M. Phillips. (Full Board)

23. Adopt a resolution commending County Administrative Officer Charles J. McKee upon his retirement after almost 20 years of dedicated public service to the County of Monterey, first as County Counsel and then as County Administrative Officer, and a total of 31 years of public service. (Full Board)

24. Adopt a resolution commending Brent W. Buche, General Manager of the Monterey County Water Resources Agency, for his dedicated service of 29 years to the County of Monterey upon his retirement. (Full Board)

**Revised title and attachment under Ceremonial Resolutions**

25. Adopt Resolution honoring Jennifer Cupak, Fire Operations Manager upon her retirement from the County of Monterey after twenty five years of dedicated Public Service. (Supervisor Adams)