

County of Monterey

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



Meeting Agenda - Final-Revised

Tuesday, February 14, 2023

10:00 AM

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

Board of Supervisors

Chair Supervisor Luis A. Alejo - District 1

Vice Chair Supervisor Glenn Church - District 2

Supervisor Chris Lopez - District 3

Supervisor Wendy Root Askew - District 4

Supervisor Mary L. Adams - District 5

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 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. 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 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. 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

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

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.

10:00 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)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) *County of Monterey, et al. v. Juul Labs, Inc., et al.* (Superior Court of the State of California, County of Los Angeles Case No. 20CV001932)
 - (2) *Mitchell, et al. v. Moses, et al.* (Monterey County Superior Court Case No. 19CV001523)

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

Ceremonial Resolutions

2. Adopt a resolution proclaiming February 2023 as “Black History Month” in Monterey County. (REVISED VIA SUPPLEMENTAL)

Attachments: [Ceremonial Resolution - Black History Month 2023](#)
 [Revised Ceremonial Resolution - Black History Month 2023](#)

3. Adopt a resolution recognizing the accomplishments of Helen Rucker and declaring the day of February 14, 2023 as “Helen Rucker Day” in Monterey County. (Supervisor Alejo & Supervisor

Askew)

Attachments: [Ceremonial Resolution - Helen Rucker](#)

4. Adopt a resolution supporting fundraising efforts to aid the people in Turkey and northern Syria who have been affected by the recent earthquakes. (Supervisor Alejo)

Attachments: [Ceremonial Resolution - Turkey Earthquake](#)

Appointments

5. Appoint Gina Martinez, Registrar of Voters, to the Equal Opportunity and Civil Rights Advisory Commission as a Department Head Council Representative with a term ending on December 31, 2025. (Nominated By The Department Head Council)

Attachments: [Notification to Clerk of Appt - Gina Martinez](#)
[Resume - Gina Martinez](#)

6. Appoint Anthony Storelli to the Fish and Game Advisory Commission as a Primary Representative to fill an unexpired term ending on February 1, 2025. (Nominated By District 3, Supervisor Lopez)

Attachments: [Notification to Clerk of Appt - Anthony Storelli](#)
[Application - Anthony Storelli](#)
[Resume - Anthony Storelli](#)

7. Appoint Flavio Diaz Torres to the Community Restorative Justice Commission as a Primary Representative with a term ending on February 14, 2026. (Nominated By District 3, Supervisor Lopez)

Attachments: [Notification to Clerk of Appt - Flavio Diaz Torres](#)
[Resume - Flavio Diaz Torres](#)
[Application - Flavio Diaz Torres](#)

8. Appoint Hal L. Grotke to the East Garrison Community Services District Advisory Committee as a Primary Representative with a term ending on February 6, 2026. (Nominated By District 4, Supervisor Askew)

Attachments: [Notification to Clerk of Appt - Hal L. Grotke](#)
[Application - Hal L. Grotke](#)

9. Reinstate Victor Caravez to the Community Action Commission as a District 1 Representative for Low-Income Residents to fill an unexpired term ending on July 1, 2023. (Nominated By District 1,

Supervisor Alejo)

Attachments: [Notification to Clerk of Appt - Victor Caravez](#)
 [Unscheduled Vacancies - Victor Caravez](#)
 [Unscheduled Vacancies as of 11-14-22](#)
 [Resume - Victor Caravez](#)

Approval of Consent Calendar – (See Supplemental Sheet)

10. See Supplemental Sheet

General Public Comments

11. General Public Comments

Scheduled Matters

12. a. Receive an oral presentation from the Supervisor of Solid Waste Services of the Monterey County Health Department’s Environmental Health Division and the Resource Recovery Manager of Salinas Valley Recycles, that provides a status report on Monterey County’s Illegal Dumping and Litter Abatement Task Force; and
- b. Provide direction to the Illegal Dumping and Litter Abatement Task Force regarding a request for financial support.

Attachments: [Board Report](#)

13. Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to modify Section A.49.1 Employment Bonus Program;
- b. Direct the Human Resources Department and Auditor-Controller’s Office to implement the changes.

Attachments: [Board Report](#)
 [Resolution](#)
 [Attachment B - PPPR Amendments Clean](#)
 [Attachment A - PPPR Amendments Redines](#)

14. Adopt a Resolution to:
- a. Authorize the use of the General Fund Strategic Reserve up to \$21,752,475 to provide advance funding to the Public Works, Facilities & Parks Department, and the Monterey County Water Resources Agency to fulfill the 2022/2023 Winter Storm Repair Projects to be repaid with reimbursements from the Federal Emergency Management Agency (FEMA) and other state and federal agencies;
- b. Authorize the County Administrative Office and Auditor-Controller to make the appropriate 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 and Attachment A](#)
 [PWPF Winter Storm Projects List](#)

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

Scheduled Matters

- 15. a. Receive a presentation on the proposed project for the Encampment Resolution Funding (ERF) opportunity offered through the California Interagency Council on Homelessness;
- b. Approve and authorize the County Administrative Office to submit an Encampment Resolution Funding grant application to assist with the housing of people living in the Pajaro River encampment; and,
- c. Authorize the Assistant County Administrative Officer, or designee, to execute all necessary documents required to be awarded the Encampment Resolution Funding allocation.

Attachments: [Board Report](#)
 [A. Presentation on Unsheltered Homelessness](#)
 [B. Encampment Resolution Funding program NOFA](#)

Other Board Matters

County Administrative Officer Comments

- 16. County Administrative Officer Comments

New Referrals

- 17. New Referrals

Attachments: [Board Referral Matrix 2-14-23](#)
 [2023.04 \(Alejo\) Storm Recovery Rent-Subsidy Program for](#)
 [Farmworkers](#)

Referral Responses

Board Comments

18. Board Comments

Read Out from Closed Session by County Counsel

Adjournment - In Memory of Giuseppe D'Adamo

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

19. Authorize the Chief Executive Officer for Natividad or his designee to execute amendment No. 6 to the agreement (A-13517) with Healthcare Coding and Consulting Services, LLC for medical records coding, to add \$878,000 for a revised total agreement amount not to exceed \$4,305,000, with no changes to the scope of work or to the agreement term of August 22, 2021 through August 21, 2024.

Attachments: [Board Report](#)
 [Healthcare Coding and Consulting Services LLC Amendment 6](#)
 [Healthcare Coding and Consulting Services LLC Amendment 5](#)
 [Healthcare Coding and Consulting Services LLC Amendment 4](#)
 [Healthcare Coding and Consulting Services LLC Renewal &
Amendment 3](#)
 [Healthcare Coding and Consulting Services LLC Amendment 2](#)
 [Healthcare Coding and Consulting Services LLC Amendment 1](#)
 [Healthcare Coding and Consulting Services LLC Agreement](#)

Health Department

20. Approve the Monterey County Emergency Medical Services (EMS) Plan for the years 2019 through 2021 and authorize the Emergency Medical Services Agency Director to submit the EMS Plan to the California Emergency Medical Services Authority.

Attachments: [Board Report](#)
 [Emergency Medical Services Plan 2019 Through 2021](#)

Criminal Justice

21. Adopt a resolution to revise and approve amendments to, and revise, the Monterey County Public Defender's Conflict of Interest Code.

Attachments: [Board Report](#)
 [Resolution](#)
 [Redline Attachment C](#)
 [Revised Attachment C](#)

General Government

22. Receive a report that provides updates on the implementation of Citygate recommendations and alternative enhancements for the Cannabis Program.

Attachments: [Board Report](#)
[A. FY 22-23 Q2 Update on Citygate Recommendations and Alternative Enhancements](#)
[B. Cannabis Program Performance Indicators as of January 2023](#)

23. a. Authorize the Chief Information Officer to execute non-standard California Multiple Award Schedules (CMAS) for Information Technology Goods & Services with Johnson Electronics (CMAS 3-19-84-0084A), awarded vendor for Genetec Incorporated Security-Access Control Systems, network connectivity and other technology products and services retroactive to July 11, 2019, through May 21, 2023, for a total contract amount of \$2,000,000; and
- b. Authorize the Chief Information Officer or his designee to execute order forms and such documents as necessary to implement the agreement with Johnson Electronics for purchase of Technology Goods & Services; and
- c. Accept non-standard contract provision as recommended by the Chief Information Officer or his designee; and
- d. Authorize the Chief Information Officer or his designee to execute five (5) amendments to the agreement, subject to CMAS renewal terms and County Counsel review, extending the term by one (1) year per amendment, where the amount of each amendment does not exceed ten percent (10%) per amendment, and where the amendments do not significantly change the scope of work or the terms of the Agreement.

Attachments: [Board Report](#)
[Johnson Electronics CMAS](#)

24. a. Amend the Auditor-Controller FY 2022-23 Budget 1110-8374-Fund 001-Appropriation Unit AUD001 in reallocating one (1) 1.0 FTE Auditor-Controller Analyst I (20B24) to one (1) 1.0 FTE Auditor-Controller Analyst II (20B25) as indicated in Attachment A;
- b. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2022-23 Adopted Budget.

Attachments: [Board Report](#)
[Attachment A - ACA I to ACA II GA](#)
[Board Resolution Reallocation ACA I to ACA II](#)

25. a. Amend the Auditor-Controller Adopted Budget (001-1110-8011-AUD001) to allocate one (1) 0.5 FTE Senior Personnel Analyst as indicated in Attachment A; and
- b. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2022-23 Adopted Budget.

Attachments: [Board Report](#)
[Attachment A - Senior Personnel Analyst 0.5 FTE](#)
[Board Resolution Allocation Senior Personnel Analyst 0.5 FTE](#)

26. a. Approve and authorize the Chief Information Officer to execute a non-standard Agreement with

Mimomax Wireless Incorporated in the maximum amount of \$75,000 for the period of February 14, 2023, through June 30, 2026, to provide products, services, support, and training on microwave and related equipment at County radio communications sites; and

b. Approve and authorize the Chief Information Officer, or his designee, to execute order confirmations and such documents as are necessary to implement the agreement for related services and equipment; and

c. Approve non-standard agreement terms as recommended by the Chief Information Officer; and

d. Authorize the Chief Information Officer to sign up to two (2) amendments to this Agreement, which extend services by one (1) year each, where any increased costs do not exceed 10% of the cost of the prior year, subject to County Counsel review, and provided that the terms and conditions of the agreement remain substantially the same.

Attachments: [Board Report](#)
 [Mimomax Wireless Inc agreement](#)

27. Adopt an ordinance amending Chapter 7.100 (Commercial Cannabis Business Tax) of the Monterey County Code to reduce the commercial cannabis business tax rates for cultivation activities retroactive to January 1, 2023.

Attachments: [Board Report](#)
 [A. Draft ordinance \(redline version\)](#)
 [B. Draft ordinance \(signed clean version\)](#)

28. a. Authorize the Registrar of Voters to consolidate and provide specified election services for the April 18, 2023, Paso Robles Joint Unified School District Special Election, and;
- b. Authorize the Registrar of Voters to consolidate and provide specified election services for the May 2, 2023, San Lucas Union Elementary School District Special Election.

Attachments: [Board Report](#)
 [Exhibit A - Paso Robles Joint Unified School District Resolution No. 22-34](#)
 [Exhibit B - San Lucas Union Elementary School District Resolution No. 20222023-TRK](#)

Addenda/Supplemental

Addenda/Supplemental

Uploaded Revised Attachment under Ceremonial Resolutions

2. Adopt a resolution proclaiming February 2023 as “Black History Month” in Monterey County.