

Monterey County

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



Meeting Minutes - Final

Tuesday, January 11, 2022

9:00 AM

Board of Supervisors

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

9:00 A.M. - Called to Order

The meeting was called to order by Chair Supervisor Wendy Root Askew.

Roll Called

Present: 5 - Supervisor Wendy Root Askew, Supervisor John M. Phillips and Supervisor Mary L. Adams appeared in person with Supervisor Chris Lopez and Supervisor Luis A. Alejo who appeared via video conference

Staff Present

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

Additions and Corrections for Closed Session by County Counsel

There were no additions and corrections for the agenda.

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) *Zhang v. County of Monterey, et al.*, U.S. District Court for the Northern District of California, Case No. 17-cv-00007-LHK
 - (2) *Pajaro/Watsonville Homeless Union, et al.*, U.S. District Court for the Northern District of California, Case No. 21-cv-08899-SVK
 - (3) *Keweah Delta Health Care District, et al. v. Azar*, U.S. District Court for the Central District of California, Case No. 2:20-cv-06564-CMB
 - (4) *Richard Jensen vs. County of Monterey, et al.*, Monterey County Superior Court Case No. 19CV003191
 - b. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding two matters posing a threat to the security of public buildings, essential public services, or the public's right of access to public services or facilities.
 - c. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough and Kim Moore
Employee Organization(s): All Units
 - d. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding claims against the County of Monterey.
 - (1) Kelly Shaw
 - (2) *Atlalpa v. Natividad Medical Center* (Claim No. 21-000585)

e. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

f. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.

Public Comments for Closed Session

Open for public comments; no public comments were made.

The Board Recessed for Closed Session Agenda Items

10:30 A.M. - Reconvened on Public Agenda Items

Roll Called

Present: 5 - Supervisor Wendy Root Askew, Supervisor John M. Phillips and Supervisor Mary L. Adams appeared in person with Supervisor Chris Lopez and Supervisor Luis A. Alejo who appeared via video conference

Staff Present

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

Announcement of Interpreter

Diego Celis, Spanish Interpreter present and announced Spanish interpreter services.

Pledge of Allegiance

The Pledge of Allegiance to be led by Supervisor Mary L. Adams.

Nomination

2.

A motion was made by Supervisor Wendy Root Askew, seconded by John M. Phillips to: Nominate Supervisor Mary L. Adams as Chair and Supervisor Luis A. Alejo as Vice Chair of the Monterey County Board of Supervisors to serve as 2022 Chair and Vice Chair.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Presentation of plaque to outgoing Chair Wendy Root Askew.

- a. Comments by outgoing Chair
- b. Comments by incoming Chair
- c. Comments by other Supervisors

Additions and Corrections by Clerk

The following additions and corrections were read into the record:

Revisions to the Appointments

For Item No.'s 7, 13 and 14 it should reflect Supervisor Chris Lopez from District 3 put forward the nomination.

Revision to the 10:30 A.M. – Scheduled Matters

Item No. 23 is being removed.

Revision to the 1:30 P.M. – Schedule Matters

Item No. 27 is in receipt of the correct Board Report.

Revision to the Health Department – Consent Calendar

For Item No. 42 a revised board report has been received.

A motion was made by Supervisor John M. Phillips, seconded by Wendy Root Askew to approve the additions and corrections.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Lopez: AYE
- Supervisor Root Askew: AYE
- Chair Supervisor Adams: AYE

Ceremonial Resolutions

Open for public comments; no public comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor John M. Phillips to adopt Ceremonial Resolutions 3 through 6.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Lopez: AYE
- Supervisor Root Askew: AYE
- Chair Supervisor Adams: AYE

- 3. Adopt a resolution honoring Daniel B. Summerhill as the first recipient of the Monterey County Poet Laureate by the Arts Council for Monterey County. (Supervisor Lopez)

Adopted Resolution No. 22-002

- 4. Adopt a resolution to congratulate ITN Monterey County on providing 10 years of services to our Monterey County senior community. (Supervisor Askew)

Adopted Resolution No. 22-003

- 5. Adopt a resolution recognizing the City of Greenfield on its 75th birthday celebration (Supervisor Lopez)

Adopted Resolution No. 22-001

- 6. Adopt a resolution commending Assistant County Counsel Wendy S. Strimling upon her retirement from 26 years of dedicated public service to the County of Monterey. (Supervisor Askew)

Adopted Resolution No. 22-004

Appointments

Open for public comments; no public comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Chris Lopez to appoint Item Numbers 7 through 17 excluding Item No. 12.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Lopez: AYE
- Supervisor Root Askew: AYE
- Chair Supervisor Adams: AYE

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor John M. Phillips to have Item Number 12 to go through the adopted process in 2004 which the Housing Authority should follow when putting forth an appointment.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Lopez: AYE
- Supervisor Root Askew: AYE
- Chair Supervisor Adams: AYE

- 7. Reappoint Amparo Figueroa to the San Lucas Cemetery District, with a term ending date of November 30, 2024. (Nominated by ~~the San Lucas Cemetery District~~ Supervisor Chris Lopez - District 3 CORRECTED VIA ADDITIONS AND CORRECTIONS)

Reappointed

- 8. Appoint CJ Miller to the Pajaro Sunny Mesa Board of Directors, with a tem ending date of November

30, 2025. (Nominated by the Pajaro Sunny Mesa Board of Directors)

Appointed

9. Reappoint Cristal Sanchez to the Commission on the Status of Women, with a term ending date of February 1, 2023. (Nominated by the Commission on the Status of Women)

Reappointed

10. Reappoint David Nicolson to the South Monterey County Fire Protection District, with a term ending date of December 31, 2025. (Nominated by the South Monterey County Fire Protection District)

Reappointed

11. Appoint Don Olsen to the Pajaro Sunny Mesa Board of Directors, with a term ending date of November 30, 2025. (Nominated by the Pajaro Sunny Mesa Board of Directors)

Appointed

12. Reappoint Francine Goodwin to the Housing Authority of Monterey County, with a term ending date of January 9, 2024. (Nominated by the Housing Authority of Monterey County)

Referred back

13. Reappoint Jon Conatser to the South Monterey County Fire Protection District, with a term ending date of December 31, 2025. (Nominated by ~~the South Monterey County Fire Protection District~~ Supervisor Chris Lopez - District 3 CORRECTED VIA ADDITIONS AND CORRECTIONS)

Reappointed

14. Reappoint Nita Thomas to the South Monterey County Fire Protection District, with a term ending date of December 31, 2025. (Nominated by ~~the South Monterey County Fire Protection District~~ Supervisor Chris Lopez - District 3 CORRECTED VIA ADDITIONS AND CORRECTIONS)

Reappointed

15. Reappoint Richard Garza to the Military & Veterans Advisory Commission, with a term ending date of January 1, 2025. (Nominated by Military & Veterans Advisory Commission)

Reappointed

16. Reappoint Sandy Coplin to the Pajaro Sunny Mesa Board of Directors, with a term ending date of November 30, 2025. (Nominated by the Pajaro Sunny Mesa Board of Directors)

Reappointed

17. Reappoint Teri Short to the East Garrison CSD Advisory Committee, for a term ending date of January 31, 2025. (Nominated by the East Garrison CSD Advisory Committee)

Reappointed

Approval of Consent Calendar – (See Supplemental Sheet)

18. See Supplemental Sheet

Open for public comments; Rich Linfield, in person, commented on Item No. 61, Andrea Manzo, Maria Manzo and Cesar Lara, all via Zoom, commented on Item No. 62, Brandon Kampf, via Zoom, commented on Item Number 44 and Inge Daumer, via Zoom, commented on Item No. 56.

Supervisor Wendy Root Askew commented on Item Number 62, Supervisor Luis A. Alejo commented on Item Numbers 47, 50 and 62, Supervisor John M. Phillips commented on Item Numbers 44 and 48, and Supervisor Lopez commented on Item Number 47.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor John M. Phillips to approve Consent Calendar Item Numbers 35 through 74 excluding Item No. 41 that was pulled from the agenda via additions and corrections and Item No.'s 48, 56, 61 and 62 where separate votes will be taken on those items.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Lopez: AYE
- Supervisor Root Askew: AYE
- Chair Supervisor Adams: AYE

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Luis A. Alejo to approve Consent Calendar Item Number 48.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: NAY
- Supervisor Lopez: AYE
- Supervisor Root Askew: AYE
- Chair Supervisor Adams: AYE

Motion carried 4 to 1

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez to approve Consent Calendar Item Number 56.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Lopez: AYE
- Supervisor Root Askew: AYE
- Chair Supervisor Adams: AYE

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to approve Consent Calendar Item Number 61.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE
- Supervisor Phillips: AYE
- Supervisor Lopez: AYE

Supervisor Root Askew: AYE
Chair Supervisor Adams: AYE

A substitute motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to approve Consent Calendar Item Number 62.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Root Askew: NAY
Chair Supervisor Adams: NAY

Motion carried 3 to 2

General Public Comments

19. General Public Comments

Open for general public comments for items not on today's agenda; Laura Moffett, Dorian Manuel, J. Cough, Craig Downer and phone numbers ending in 484 and 705, all via Zoom, commented.

10:30 A.M. - Scheduled Matters

Item Numbers 21 and 22 are trailed until 1:30 p.m.

20. ~~Adopt Resolution approving the 2021 Emergency Operations Plan (EOP) Annex – Monterey County Community Resilience Plan in accordance with Chapter 2.68.080 and 2.68.0404 of the County Code. (REMOVED VIA SUPPLEMENTAL)~~

Removed from agenda via addendum/supplemental.

12:00 P.M. - Recessed to Lunch at 12:46 p.m.

1:30 P.M. - Reconvened

Roll Called

Present: 5 - Supervisor Wendy Root Askew, Supervisor John M. Phillips and Supervisor Mary L. Adams appeared in person with Supervisor Chris Lopez and Supervisor Luis A. Alejo who appeared via video conference

Staff Present

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

Announcement of Interpreter

Diego Celis, Spanish Interpreter present and announced Spanish interpreter services.

1:30 P.M. - Scheduled Matters

21. 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 0.5562% retroactive to July 1, 2021. The salary adjustments will be implemented January 29, 2022 retroactive to July 1, 2021.

Irma Ramirez-Bough, Director of the Human Resources Department , in person, verbally presented.

Open for public comments; no public comments made.

Upon consensus the Board:

Received 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 0.5562% retroactive to July 1, 2021. The salary adjustments will be implemented January 29, 2022 retroactive to July 1, 2021.

22. Receive a presentation from the Monterey County Health Department, Tobacco Control Program on the dangers of electronic smoking devices and flavored tobacco products and provide direction regarding amending the Monterey County Tobacco Retail Ordinance to address the ban of electronic cigarettes and flavored tobacco products. (Board Referral: 2020:03)

Michelle House, Health Program Coordinator; Gonzalo Coronado, Chronic Disease Prevention Coordinator and Marina Pantchenko, Deputy County Counsel, all via Zoom, presented via PowerPoint presentation.

Open for public comments; Rob Masten, Tanya Payyapilly, Christian (no last name provided), Anna Wheelis, Brian McCarthy, all vi Zoom, commented and Kendra Howell, in person, commented.

A substitute motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Luis A. Alejo to:

Receive a presentation from the Monterey County Health Department, Tobacco Control Program on the dangers of electronic smoking devices and flavored tobacco products and directed staff to return with an introduction and waive reading of an amended Monterey County Tobacco Retail Ordinance to address the ban of flavored tobacco products, single use electronic cigarettes and harm reductions products not banned by the FDA with further discussions to be had on the reusable electronic cigarettes. (Board Referral: 2020:03)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

23. Consider finding, pursuant to AB 361 and in order for the Board of Supervisors of the County of Monterey and the Monterey County Water Resources Agency, and the Boards of Directors of the East Garrison Community Services District and Successor Agency to the Redevelopment 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.~~

Removed from agenda via additions and corrections.

- 24.** Consider recommendations from the Legislative Committee to:
 - a. Adopt the 2021-2022 Legislative Program Update;
 - b. Approve 2022 sponsor legislation and State Budget requests;
 - c. Adopt the 2022 Strategic Grant Services Program;
 - d. Receive an annual report from Ballard Spahr LLP, the County’s federal legislative advocate;
 - e. Receive an annual report from Nossaman LLP, the County’s state legislative advocate; and
 - f. Receive an annual report from Nossaman LLP, the County’s grant consultant.

Annette D ’Adamo, Management Analyst from the County Administrative Office; Brent Heberlee, Ballard Spahr LLP and Ashley Walker, Senior Policy Advisor with Nossaman LLP, all via Zoom, presented via PowerPoint presentation.

Open for public comments; Cesar Lara, via Zoom, commented.

A motion was made by Luis A. Alejo, seconded by Supervisor Wendy Root Askew, as amended, to:

- a. Adopt the 2021-2022 Legislative Program Update;**
- b. Approve 2022 sponsor legislation and State Budget requests;**
- c. Adopt the 2022 Strategic Grant Services Program;**
- d. Receive an annual report from Ballard Spahr LLP, the County’s federal legislative advocate;**
- e. Receive an annual report from Nossaman LLP, the County’s state legislative advocate; and**
- f. Receive an annual report from Nossaman LLP, the County’s grant consultant; and**
- g. Directed staff to send a letter to the State requesting additional rapid testing supplies for Monterey County.**

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE**
- Supervisor Phillips: AYE**
- Supervisor Lopez: AYE**
- Supervisor Root Askew: AYE**
- Chair Supervisor Adams: AYE**

Other Board Matters

County Administrative Officer

- 25.** New Referrals

Charles McKee, County Administrative Officer from the County Administrative office shared there are two new referrals this week:

**One new referral from Supervisor Wendy Root Askew:
Ref No. 2022.02 Referral Purpose: Explore formation a Sheriff Oversight Board; and**

One new referral from Supervisor Luis A. Alejo:

Ref No. 2022.01 Referral Purpose: To consider a significant proposal by Velocity International to bring an August Monterey Motorsports Reunion Event to Weathertech Laguna Seca Raceway

Open for public comments; Linda Cotta, Jeff O'Neal, John Narigi from Laguna Seca and Steve Fields, all in person, commented. Bruce Canepa, Andrew Sandoval, Christian (no last name provided), Bernie Gomez, and Cesar Lara, all via Zoom, commented.

A motion was made by Luis A. Alejo, seconded by Wendy Root Askew to direct staff to engage in discussions with the sponsors and bring back a presentation on the pros and cons of an August event at Laguna Seca.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

County Administrative Officer new referrals can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4416

26. County Administrative Officer Comments

Charles McKee, County Administrative Officer from the County Administrative office commented.

County Administrative Officer comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4416

Committee Appointments

- 27.**
- a. Consider continuing the calendar year 2021 assignments of members of the Board of Supervisors and County staff to serve on boards, committees, and commissions into calendar year 2022 until such time as the Board makes changes to those assignments as described in this report; and,
 - b. Consider approving reconstitution of certain Board Ad Hoc Committees with termination criteria.

Supervisor Mary L. Adams made opening remarks.

Open for public comments; no comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor John M. Phillips to:

- a. Continue the calendar year 2021 assignments of members of the Board of Supervisors and County staff to serve on boards, committees, and commissions into calendar year 2022 until such time as the Board makes changes to those assignments as described in this report; and,
- b. Approve reconstitution of certain Board Ad Hoc Committees with termination criteria.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Root Askew: AYE
Chair Supervisor Adams: AYE

- 28. a. Receive a report and discuss options for the creation of a Board Policy governing the annual appointment of Board Members to serve on Board Standing and Ad Hoc Committees, and other agency boards, committees and commissions; and,
- b. Provide direction to return at the February 8, 2022 Board meeting for further discussion or action, and approval of appointments for calendar year 2022.

Annette D'Adamo, Management Analyst from the County Administrative office, via Zoom, verbally presented.

Open for public comments; no public comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor John M. Phillips to:

- a. Receive a report and discuss options for the creation of a Board Policy governing the annual appointment of Board Members to serve on Board Standing and Ad Hoc Committees, and other agency boards, committees and commissions;
- b. Provide direction to return at the February 8, 2022 Board meeting for further discussion or action, and approval of appointments for calendar year 2022; and
- c. Appoint Chair Supervisor Mary L. Adams and Vice Chair Supervisor Luis A. Alejo to be on a newly established Board Ad Hoc Committee to make recommendations back to the Board on committee appointment processes.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: NAY
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Root Askew: AYE
Chair Supervisor Adams: AYE

Motion carried 4 to 1

Referral Responses

- 29. Receive a preliminary analysis report in response to *Board Referral No. 2021.27* seeking information regarding the Classification and Compensation study process.

Supervisor Wendy Root Askew made remarks.

No presentation made.

Open for public comments; no comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Mary L. Adams to:

Receive a preliminary analysis report in response to Board Referral No. 2021.27 seeking information regarding the Classification and Compensation study process.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE

Supervisor Lopez: AYE
Supervisor Root Askew: AYE
Chair Supervisor Adams: AYE

30. Receive a preliminary analysis report in response to *Board Referral No. 2021.28 Water Storage and Infrastructure Maintenance State Budget Request*.

No presentation made.

Open for public comments; no comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor John M. Phillips to:

Receive a preliminary analysis report in response to Board Referral No. 2021.28 Water Storage and Infrastructure Maintenance State Budget Request.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Root Askew: AYE
Chair Supervisor Adams: AYE

31. Receive a preliminary analysis report in response to *Board Referral No. 2021.29* seeking increased fines for the Big Sur Roadside Camping Prohibition.

No presentation made.

Open for public comments; Marcus Ortega and Leslie Romenoff, via Zoom, commented.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor John M. Phillips to:

Receive a preliminary analysis report in response to Board Referral No. 2021.29 seeking increased fines for the Big Sur Roadside Camping Prohibition.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Root Askew: AYE
Chair Supervisor Adams: AYE

32. Receive a preliminary analysis report in response to *Board Referral No. 2021.25* seeking East Garrison street renaming.

No presentation made.

Open for public comments; no comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor John M. Phillips to:

Receive a preliminary analysis report in response to Board Referral No. 2021.25 seeking East Garrison street renaming.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Root Askew: AYE
Chair Supervisor Adams: AYE

- 33.** Receive a preliminary analysis report in response to **Board Referral No. 2021.31** seeking to reorganize and consolidate the Housing Authority of the County of Monterey and its subsidiary, the Housing Development Corporation, under one Executive Director, and have the Monterey County Board of Supervisors serve at its new governing board to oversee its operations and implement needed reforms.

No presentation made.

Open for public comments; no comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor John M. Phillips to:

Receive a preliminary analysis report in response to Board Referral No. 2021.31 seeking to reorganize and consolidate the Housing Authority of the County of Monterey and its subsidiary, the Housing Development Corporation, under one Executive Director, and have the Monterey County Board of Supervisors serve at its new governing board to oversee its operations and implement needed reforms.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Root Askew: AYE
Chair Supervisor Adams: AYE

- 33.1** Receive a preliminary analysis report in response to **Board Referral No. 2021.30**, which directs the Health Department to partner with the K through 12 school system to increase the rate of vaccination among residents aged 5 to 11 years in communities disproportionately affected by COVID-19. (ADDED VIA ADENDA)

No presentation made.

Open for public comments; Nina Beety, via Zoom, commented.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor John M. Phillips to:

Receive a preliminary analysis report in response to Board Referral No. 2021.30, which directs the Health Department to partner with the K through 12 school system to increase the rate of vaccination among residents aged 5 to 11 years in communities disproportionately affected by COVID-19.(ADDED VIA ADENDA)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

Board Comments

34. Board Comments

Board Comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4416

Read Out from Closed Session by County Counsel

CLOSED SESSION REPORT:

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) Zhang v. County of Monterey, et al., U.S. District Court for the Northern District of California, Case No. 17-cv-00007-LHK

(2) Pajaro/Watsonville Homeless Union, et al., U.S. District Court for the Northern District of California, Case No. 21-cv-08899-SVK

(3) Keweah Delta Health Care District, et al. v. Azar, U.S. District Court for the Central District of California, Case No. 2:20-cv-06564-CMB

(4) Richard Jensen vs. County of Monterey, et al., Monterey County Superior Court Case No. 19CV003191

The Board took no reportable actions on items 1.a.(1)(2)(3)(4)

b. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding two matters posing a threat to the security of public buildings, essential public services, or the public's right of access to public services or facilities.

The Board took no reportable actions on items 1.b.

c. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:

(1) Designated representatives: Irma Ramirez-Bough and Kim Moore
Employee Organization(s): All Units

The Board took no reportable actions on items 1.c.

d. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding claims against the County of Monterey.

(1) Kelly Shaw

(2) Atlalpa v. Natividad Medical Center (Claim No. 21-000585)

The Board took no reportable actions on items 1.d.(1)(2)

e. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

The Board took no reportable actions on items 1.e.

f. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with

legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.

The Board took no reportable actions on items 1.f.

Adjourned

The meeting was adjourned In Memory of Terry Siegrist, Cesar Gomez, and Janice O'Brien at 5:20 p.m. by Chair Supervisor Mary L. Adams.

APPROVED:

_____/s/ Mary L. Adams_____
**MARY L. ADAMS, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: _____/s/ Valerie Ralph_____
VALERIE RALPH
CLERK OF THE BOARD
APPROVED ON: March 1, 2022

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

- 35.** a. Ratify the execution by the Interim Chief Executive Office for Natividad or his designee of the Fourth Amendment to the Professional and Call Coverage Services Agreement (A-13055) with Muralidhara R. Raju, M.D. to provide neurosurgery services, extending the term by twelve months (January 1, 2022 to December 31, 2022) for a revised full term of March 1, 2016 to December 31, 2022, but without adding funds to the aggregate not to exceed amount; and
- b. Authorize the Interim Chief Executive Officer for Natividad 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% (\$30,000) of the original contract amount per each amendment.

Approved - Agreement No.: A-13055; Amendment No.: 4

- 36.** Adopt Resolution to:
- a. Amend Natividad (Unit 9600) FY 2021-22 Adopted Budget to approve reallocation/reclassification of a Nursing Assistant to a Buyer II as indicated in Attachment A;
- b. Authorize the Auditor-Controller to incorporate the approved changes in the Natividad (Unit 9600) FY 2021-22 Adopted Budget;
- c. Direct the County Administrative Office to incorporate the approved position changes in the Natividad (Unit 9600) FY 2021-22 Adopted Budget; and
- d. Direct the Human Resources Department to implement the changes in the Advantage HRM System.

Adopted Resolution No.: 22-006

- 37.** Adopt Resolution to:
- a. Amend Personnel Policies and Practices Resolution No. 98-394 and Appendices A and B to adjust the salary ranges for the classifications of Dietitian and Supervising Dietitian, as indicated in the attached resolution; and
- b. Direct the Human Resources Department to implement the changes in the Advantage HRM System.

Adopted Resolution No.: 22-007

- 38.** a. Ratify the execution by the Interim Chief Executive Office for Natividad or his designee of the Third Amendment to the Professional Services Agreement (A-14492) with The Regents of the University of California, a public corporation, on behalf of the University of California, San Francisco, School of Medicine, Department of Pediatrics (UCSF) to provide pediatric cardiology services extending the term by twenty-four months (January 1, 2022 to December 31, 2023) for a revised full agreement term of January 1, 2018 to December 31, 2023, without adding funds to the aggregate not to exceed amount; and
- b. Authorize the Interim Chief Executive Office for Natividad 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% (\$10,000) of the original contract amount.

Approved - Agreement No.: A-14492; Amendment No.: 3

39. a. Authorize the Interim Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute amendment No. 1 to the agreement with Employnet, Inc. for temporary employment services, extending the agreement an additional three (3) month period (September 26, 2022 through December 26, 2022) for a revised full agreement term of September 27, 2021 through December 26, 2022, and adding \$150,000 for a revised total agreement amount not to exceed \$250,000.
- b. Authorize the Interim Chief Executive Officer for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$10,000) of the original cost of the agreement.

Approved - Agreement No.: A-15652

Health Department

40. a. Approve the receipt of Psychiatric Advance Directives Multi County Collaborative Innovation Plan grant by the Monterey County Health Department, Behavioral Health Bureau, from the Mental Health Services Oversight and Accountability Commission, in the amount of \$1,978,237 for a period of four (4) years effective the date funds are first spent or services provided; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to execute a non-standard Professional Services Agreement with Syracuse University, on behalf of its Burton Blatt Institute, for the provision of program management and consultation services for a total Agreement not to exceed \$498,828 for the term beginning Upon Execution through June 30, 2025 as recommended by the Director of Health.

Approved - Agreement No.: A-15653

41. ~~a. Approve and authorize the Director of Health, Assistant Director of Health, or the Emergency Medical Services (EMS) Agency Director to execute a Third Party Organizer Super User Agreement with the American Heart Association (AHA) to furnish access to the Stroke and Coronary Artery Disease (CAD) modules of the Get With The Guidelines® (GWTG) Program via a Super User Account that permits access to a Limited Data Set from participating hospitals for a period of five years in the amount of \$10,769 per year; and~~
- ~~b. Approve nonstandard indemnification provisions as recommended by the Director of Health; and~~
- ~~c. Authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Director, to sign up to three (3) future amendments to this Agreement where each amendment does not exceed ten percent (10%) (\$1,076.90) of the original amount and does not significantly change the scope of work.~~

Removed from agenda via additions and corrections

42. a. Approve the terms of the December 7, 2021 Board-approved "Employment Agreement (Health Department Physician)" ("Agreement") for use with employment agreements with existing Health Department Unit U physicians; and

- b. Approve extending benefits in the Agreement template to existing Unit U physicians; and
- c. Authorize the Director of Health, or Assistant Director of Health to execute amendments effective January 1, 2022, to apply the terms of the Agreement template, including benefits as applicable, so long as the salary is within the approved salary range for the position, and costs of salary and benefits as applicable are within Health Department's approved fiscal year budget.
fiscal year budget.

Adopted Resolution No.: 22-008; Approved - Agreement No.: A-15655

- 43.** Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 2 to Mental Health Services Agreement A-14726 with Odd Fellow - Rebekah Children's Home of California, Inc., retroactively to August 25, 2021, to terminate the Hospital Diversion program and revise the total Agreement amount from \$3,780,294 to \$2,902,895 for the same term of July 1, 2020 through June 30, 2023.

Approved - Agreement No. A-14726; Amendment No.: 2

- 44.** a. Approve Amendment No. 11 to the Agreement between the County of Monterey and American Medical Response West for the provision of Advanced Life and Basic Life Support Ambulance Services for the County of Monterey (Agreement No. A-110610) to extend the Agreement term to June 30, 2025, implement an ambulance service rate adjustment of 29.6%, replace Exhibit B (Monterey County Ambulance Rate Table) to said Agreement, and to make other substantive amendments to various sections of the Agreement,
- b. Authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services (EMS) Director to execute Amendment No. 11 to the Agreement between the County of Monterey and American Medical Response West for the provision of Advanced Life and Basic Life Support Ambulance Services for the County of Monterey.

Approved - Agreement No.: A-11610; Amendment No.: 11

Department of Social Services

- 45.** a. Approve and authorize the Director of the Department of Social Services to sign Amendment No. 1 with Chmura Economics & Analytics for a subscription license to utilize workforce and economic management tools by extending the term through January 31, 2025 and adding \$58,806 for a new contract total of \$77,837; and
- b. Approve and authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement as long as they do not exceed 10% (\$7,783) of the contract amount or significantly change the scope of work.

Approved - Agreement No.: A-15099; Amendment No.: 1

- 46.** Authorize the Director of the Department of Social Services to execute the Acknowledgement and Consent to the Assignment and Assumption Agreement between the National Council on Crime and Delinquency (Assignor) and Evident Change (Assignee) for Agreement #5010-78 retroactive to December 1, 2020.

Approved - Agreement No.: A-15656

47. Approve and authorize the Director of the Department of Social Services to sign a letter of support to the City of King for Project Homekey in the amount of \$350,000.00 from Monterey County's future HHAP-3 allocation.

Approved

48. a. Approve and authorize the Director of the Department of Social Services to sign amendment #1 to the agreement with Orphan Productions for management and operation of the Safe Parking and Supportive Services Program to increase on-site security up to the full 12 hours and adding \$71,640 for a new contract total of \$211,270; and
b. Approve and authorize the Director of the Department of Social Services to sign up to (3) amendments to the agreement where the total amendments do not exceed 10% (\$21,127) of the total contract amount and do not significantly change the scope of work.

Approved - Agreement No.: A-15310; Amendment No.: 1

49. a. Adopt a resolution to amend the Department of Social Services Budget Unit 001-5010-8262-SOC005 to add 21 Medi-Cal positions: fourteen (14) Eligibility Specialist II, four (4) Eligibility Specialist III, two (2) Eligibility Supervisors, and one (1) Management Analyst III; and
b. Authorize and direct the County Administrative Office and the Auditor-Controller's Office to incorporate the changes in the FY 2021-22 Adopted Budget Unit 001-5010-SOC005-8262 to reflect the change in position counts; and
c. Approve an increase in appropriations and estimated revenues of \$1,038,118 for the Social Services Budget Unit 001-5010-SOC005-8262 FY 2021-22 Adopted Budget (4/5ths vote required); and
d. Authorize and direct the Auditor-Controller to amend the FY 2021-22 Adopted Budget by increasing appropriations and estimated revenues by \$1,038,118 in the Social Services Budget Unit 001-5010-SOC005-8262 (4/5ths vote required).

Adopted Resolution No.: 22-010

50. a. Adopt a resolution to increase appropriations and estimated revenues of \$1,796,632 for the Social Services Community Programs Budget Unit 001-5010-SOC004-8258 FY 2021-22 Adopted Budget to partner with City of Salinas to provide non-congregate shelter, wraparound services, and rapid re-housing to homeless individuals (4/5ths vote required); and
b. Authorize and direct the Auditor-Controller to amend the FY 2021-22 Adopted Budget by increasing appropriations and estimated revenues by \$1,796,632 in the Social Services Community Programs Budget Unit 001-5010-SOC004-8258 (4/5ths vote required).

Adopted Resolution No.: 22-011**Criminal Justice**

51. a. Approve and authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to sign Amendment No. 2 to the Agreement between the California Department of Corrections and Rehabilitation and the County of Monterey Probation Department to increase the allocation of State funding to the County in the amount of \$80,000 for a total amount of \$1,013,450, for the term September 1, 2020 to June 30, 2023 to continue to provide services to adult parolees participating in the Day Reporting Center operated by GEO Reentry Services, LLC; and
- b. Approve and authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute Amendment No. 2 to the Agreement with the State, and any related documents or amendments.

Approved - Agreement No.: A-13987; Amendment No.: 2

52. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/ Purchasing Supervisor to sign Amendment No. 1 to Agreement No. A-15534 with Orbis Partners, LLC, to provide read-only licenses, training for six coaches, and additional e-training accounts for Case-Works-YASI Software in the amount of \$24,000, for a revised total agreement amount of \$93,223, and extend the agreement an additional four (4) months (September 20, 2024 through January 31, 2025) for a revised full agreement term of September 20, 2021 through January 31, 2025;
- b. Authorize the Contracts/ Purchasing Officer or Contracts/Purchasing Supervisor to sign future amendments to the Agreement, where any increased costs do not exceed ten percent (10%) of the original contract amount (\$6,922) and do not significantly change the scope of work.

Approved - Agreement No.: A-15534; Amendment No.: 1

53. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Professional Services Agreement with Michael Reed for legal representation in indigent juvenile criminal cases in the maximum amount of \$34,219 through the Alternate Defenders Office, for the term February 1, 2022 through June 30, 2022;

Approved - Agreement No.: A-15654

54. a. Authorize and direct the Auditor-Controller to amend the FY 2021-22 Sheriff-Coroner's Adopted Budget to increase appropriations and revenues by \$70,000 in 001-SHE003-2300-8238 for Medication Assisted Treatment (4/5ths vote required).

Adopted Resolution No.: 22-012

55. a. Approve and Authorize the Monterey County Sheriff or his designee to sign a Memorandum of Understanding, February 1, 2022 thru August 31, 2022, and all related documentation on behalf of the County for the Medication Assisted Treatment Expansion Project 2.0 with the Health Management Associates, Inc., to receive grant funds in the amount of \$70,000.

Approved - Agreement No.: A-15657

56. a. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to sign amendment #1 by and between Cole Pro Media, LLC for on-camera media training, crisis

management, etc., adding two (2) years and \$60,000 to the existing agreement, for a total not to exceed amount of \$150,000 and term ending date of January 14, 2024; and

b. Authorize the Contracts/Purchasing officer or the Contracts/Purchasing Supervisor to sign two (2) additional one (1) year amendments which do not significantly change the scope of work and where each amendment does not exceed the contracted total plus 10 percent.

Approved - Agreement No.: A-15658; Amendment No.: 1

57. a. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendment #3 to Agreement with Uretsky Security, extending the agreement one (1) year adding \$273,000 for a total not to exceed amount of \$608,000 and a new term ending date of September 22, 2023.

Approved - Agreement No.: A-13199; Amendment No.: 3

General Government

58. a. Approve and authorize Contracts/Purchasing to sign a renewal and retroactive Agreement with Municode, LLC (Municode, LLC) previously doing business as Municipal Code Corporation for a term of July 1, 2021 through June 30, 2025 in an amount not to exceed \$50,000 (\$12,500 per calendar year), to provide Codification of Monterey County Ordinances in the Monterey County Code; and,
- b. Approve and authorize the Clerk of the Board to execute up to three (3) future annual extensions of this Agreement where each extension does not exceed \$50,000 and is without significant changes to the scope of work.

Approved - Agreement No.: A-15659

59. Adopt an ordinance repealing Ordinance No. 766 relating to County holidays.

Adopted Ordinance No.: 5368

60. Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to retitle the classifications of Director of Information Technology to Chief Information Officer, Chief Security and Privacy Officer to Chief Security Officer, Systems Programmer Analyst I-III to Information Technology Systems Analyst I-III, Network Systems Engineer I-III to Network Services Engineer I-III, Security Analyst I-III to Information Technology Security Engineer I-III, Software Programmer Analyst I-III to Software Engineer I-III, and IT Project Management Analyst I-III to Information Technology Project Manager I-III with the salary ranges as indicated in Attachment A and change the designated bargaining unit of the Information Technology Project Manager III from Unit J to Unit X;
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to create the classifications of Deputy Chief Information Officer, Information Technology Architect, Vehicle Installation Specialist, and Radio Communications Engineer with the salary ranges as indicated in Attachment A;

- c. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Section A.10.1 - Department Heads Designated to retitle the Director of Information Technology to Chief Information Officer and A.10.2 - Assistant Department Heads Designated to add the classification of Deputy Chief Information Officer and remove the classification of Assistant Director of Information Technology as indicated in Attachment A;
- d. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to consolidate Information Technology Business Manager to Information Technology Manager with the salary range as indicated in Attachment A;
- e. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to consolidate and retitle the series of Communications Technician I-III, Information Technology Support Technician I-III, Telecommunications Specialist I-IV, and Telecommunications Technician I-III to Information Technology Support Specialist with the salary range as indicated in Attachment A;
- f. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to abolish the Assistant Director of Information Technology, Division Manager, and Database Administrator I-III classifications;
- g. Amend the Information Technology Budget Unit 1930-8433-Fund 001-Appropriation Unit INF002 to reallocate and to approve the reclassification of one (1) Division Manager to one (1) Deputy Chief Information Officer as indicated in Attachment A;
- h. Amend the Information Technology Budget Unit 1930-8436-Fund 001-Appropriation Unit INF002 to reallocate and to approve the reclassification of one (1) Division Manager to one (1) Deputy Chief Information Officer as indicated in Attachment A;
- i. Amend the Information Technology Budget Unit 1930-8436-Fund 001-Appropriation Unit INF002 to reallocate and to approve the reclassification of one (1) Information Technology Supervisor and one (1) Network Systems Engineer III to two (2) Information Technology Architect as indicated in Attachment A;
- j. Amend the Information Technology Budget Unit 1930-8436-Fund 001-Appropriation Unit INF002 to reallocate and to approve the reclassification of two (2) Communications Technician III to two (2) Radio Communications Engineer as indicated in Attachment A;
- k. Amend the Information Technology Budget Unit 1930-8436-Fund 001-Appropriation Unit INF002 to reallocate and to approve the reclassification of two (2) Communications Technician II and one (1) Telecommunications Specialist II to three (3) Information Technology Support Specialist as indicated in Attachment A;
- l. Amend the County Administrative Office - Fleet Administration Budget Unit 1050-8451-Fund 001-Appropriation Unit CAO025 to reallocate one (1) Communications Technician III and one (1) Communications Technician I to two (2) Vehicle Installation Specialist and to approve the reclassification of two (2) Communications Technician I to two (2) Vehicle Installation Specialists as indicated in Attachment A;
- m. Amend the Information Technology Budget Unit 1930-8433-Fund 001-Appropriation Unit INF002 to reallocate one (1) Database Administrator III to one (1) Software Engineer II as indicated in Attachment A;
- n. Amend the Information Technology Budget Unit 1930-8439-Fund 001-Appropriation Unit INF002 to reallocate one (1) Assistant Director of Information Technology to one (1) Information Technology Architect in Budget Unit 1930-8433-Fund 001-Appropriation Unit INF002 as indicated in Attachment

A;

o. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2021-22 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

Adopted Resolution No.: 22-013

61. Adopt a Resolution to:

a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A to adjust the base wage salary ranges of the Cook, Senior Cook and Head Cook classifications as indicated in Attachment A;

b. Amend the Probation - Youth Center Budget Unit 2550-8164 - Fund 001 - Appropriation Unit PRO001 to reallocate 3.5 FTE Senior Cook positions and approve the reclassification of four (4) Senior Cook incumbents to four (4) Cooks as indicated in Attachment A;

c. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2021-22 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

Adopted Resolution No.: 22-015

62. Adopt a Resolution to:

a. Amend Civil Rights Office Budget Unit 8505 - Fund 001 - Appropriation Unit CRO001 to reallocate one (1) Associate Equal Opportunity Analyst to one (1) Senior Equal Opportunity Analyst as indicated in Attachment A;

b. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2021-22 Adopted Budget.

Adopted a Resolution to: 22-016

63. Adopt a Resolution to:

a. Amend County Counsel Budget Unit 8057 - Fund 001 - Appropriation Unit COU001 to reallocate one (1) Chief Deputy County Counsel to one (1) Assistant County Counsel as indicated in Attachment A;

b. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2021-22 Adopted Budget.

Adopted a Resolution to: 22-009

64. Adopt a Resolution to:

a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to create the classification of Legal Secretary I, retitle the Legal Secretary to Legal Secretary II and consolidate the Senior Legal Secretary Classification with the Legal Secretary III with the salary ranges as indicated in attachment A;

b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A to adjust the salary ranges of the Supervising Legal Secretary, Legal Assistant, Legal Process Clerk and Legal Typist as indicated in attachment A;

c. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B, to

- abolish the Legal Support Coordinator and Senior Legal Process Clerk classifications;
d. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

Adopted Resolution No.: 22-017

- 65.** Approve and authorize the Executive Director of the Monterey County Workforce Development Board (WDB) to execute Amendment No. 1 to the WDB's Agreement with Brennan Workforce Consulting (BWC) to provide additional, mid-year WIOA program and fiscal monitoring services to the WDB retroactive to March 1, 2020 for the period from March 1, 2020 through June 30, 2022, for a total amount not to exceed \$56,400

Approved - Agreement No.: A-14752; Amendment No.: 1

- 66.** Receive the action minutes from the Legislative Committee meeting on November 8, 2021.

Approved

- 67.** Adopt a Resolution to:
Authorize the Auditor-Controller to amend the FY 2021-22 Adopted Budget for Emergency Operations Center (EOC) 001-1050-CA0005-8541 to increase appropriations by \$996,170 financed by Cannabis Tax Assignment (001-3132) in support of the EOC and ongoing COVID-19 operations throughout the County (4/5ths vote required).

Adopted Resolution No: 22-018

- 68.** Adopt a resolution authorizing:
The County Administrative Officer, or his designee, to execute a grant agreement with the Department of Cannabis Control through the Local Jurisdiction Assistance Grant Program to receive grant funding in the amount of \$1,737,035 to pass-through funds to qualified licensees to assist with transitioning from provisional to annual licensure, conduct environmental review to establish the Growing Equity Together and Retirement, Remediation, and Relocation Programs, conduct a programmatic-level environmental analysis related to outdoor cultivation within a portion of Supervisorial District 5, outsource planning and building permits to specialized consultants, and hire a consultant to manage this grant and assist with the implementation of the equity program.

Adopted Resolution No.: 22-005; Approved - Agreement No.: A-15651

- 69.** Adopt a resolution:
a. proclaiming a Local Emergency, consistent with the Proclamation of Local Emergency issued by the County Administrative Officer dated December 26, 2021, in accordance with California Government Code section 8630 et seq., due to heavy flows into the Salinas River lagoon causing conditions that could lead to possible loss of life and property in areas near and adjacent the lagoon; and,
b. ratifying a Proclamation of Local Emergency issued by the County Administrative Officer dated January 4, 2022, in accordance with California Government Code section 8630 et seq., due to heavy rain and wind events causing damage to public infrastructure and private property within Monterey County including localized flooding, roadway slope erosion and embankment slip-outs, debris flows, landslides, and culvert failure affecting the safety of said roadways; obstruction of public roadways from

storm water, storm debris and roadway failure; damage to storm drain infrastructure; and damage to public and private utilities and damage to public facilities and parks; such damages resulting in road closures, areas of isolation, loss of power and other critical infrastructure affecting the public's safety.

Adopted Resolution No.: 22-019

- 70.** Adopt a Resolution to:
- a. Authorize the Auditor-Controller to amend the Fiscal Year 2021-22 Adopted Budget for Office of Emergency Services (OES) 001-1050-CAO005-8056 to allocate two (2) FTE Management Analyst II (14C30), as indicated;
 - b. Authorize the Auditor-Controller to amend the Fiscal Year 2021-22 Adopted Budget for Office of Emergency Services (OES) 001-1050-CAO005-8056 to increase appropriations by \$135,983 financed by a decrease in appropriations in General Fund Contingencies 001-1050-CAO020-8034 (4/5ths vote required); and,
 - c. Authorize the Auditor-Controller and County Administrative Office to incorporate the position changes in the FY 2021-22 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

Adopted Resolution No.: 22-020

Housing and Community Development

- 71.**
- a. Receive an update on proposed State Board of Forestry and Fire Protection draft regulations amending State Minimum Fire Safe Regulations; and
 - b. Approve and Authorize the Chair of the Board of Supervisors to sign and transmit a letter to the State Board of Forestry and Fire Protection providing the County's comments on the draft amendments to the State Minimum Fire Safe Regulations.

Approved

Public Works, Facilities and Parks

- 72.**
- a. Approve Professional Services Agreements with the following six (6) consultants: Denise Duffy & Associates, Inc., Dokken Engineering, Inc.; GHD Inc., a California Corporation; LSA Associates, Inc.; Michael Baker International, Inc.; and SWCA, Inc. dba SWCA Environmental Consultants to provide on-call environmental planning and consulting services for various local and federally funded road, bridge, building, facilities, and parks projects located within Monterey County, California under Request for Qualifications (RFQ) #10805, in an amount not to exceed \$1,000,000 each for a combined total of \$6,000,000, for a period of three (3) years beginning February 1, 2022 to January 31, 2025, with the option to extend each Agreement for two (2) additional one (1) year period(s); and
 - b. Approve additional term extensions for each Agreement beyond the anticipated five (5) year term of the RFQ with no increase to the dollar amount or change in the scope of work to allow continuity of services for active projects initiated during the anticipated five (5) year term of each Agreement, subject to review and approval by the Office of the County Counsel and the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor; and
 - c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute said

Agreements and future amendments to said Agreements where the amendments do not significantly alter the scope of work or change the approved amount of said Agreements.

Approved - Agreement No.: A-15660 Denise Duffy & Associates, Inc.

Approved - Agreement No.: A-15661 Dokken Engineering, Inc.

Approved - Agreement No.: A-15662 GHD Inc., a California Corporation

Approved - Agreement No.: A-15663 LSA Associates, Inc.

Approved - Agreement No.: A-15664 Michael Baker International, Inc.

Approved - Agreement No.: A-15665 SWCA, Inc. dba SWCA Environmental Consultants

- 73.**
- a. Award a contract to DMC Commercial Inc. lowest responsible and responsive bidder, for the 331 North Sanborn Road-Alisal Integrated Health Center, Project No. 1701, Bid Package No.10817, in the total amount of \$15,015,000;
 - b. Approve the Performance and Payment Bonds executed and provided by DMC Commercial Inc.,
 - c. Authorize a contingency, not to exceed ten percent (10%) of the contract amount, or \$1,501,500, to provide funding for approved contract change orders for 331 North Sanborn Road-Alisal Integrated Health Center, Project No. 1701, Bid Package No.10817;
 - d. Authorize the Public Works Facilities & Parks (PWFP) Director to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work;
 - e. Authorize the Public Works Facilities & Parks (PWFP) Director to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of 331 Sanborn Road-Alisal Integrated Health Center, Project No. 1701, Bid Package No.10817;
 - f. Authorize and direct the Auditor-Controller to amend the fiscal year 2021-22 Adopted Budget for Capital Projects, Facility Master Plan Implementation Fund (404-3200-8564-PFP057) to increase appropriations and operating transfers in by \$20,750,000, where the financing source is \$16,250,000 from the Building Improvement and Replacement Fund (478-BIR-1050-8539-CAO047) and \$4,500,000 is from MHSA, Behavioral Health Fund (023-4000-8410-HEA012-MHSACAP) (4/5th vote required);
 - g. Authorize and direct the Auditor-Controller to amend the fiscal year 2021-22 Adopted Budget for the Building Improvement and Replacement Fund (478-BIR-1050-8539-CAO047) to increase appropriations by \$16,250,000, where the financing sources is Unrestricted Net Position (478-3202) (4/5th vote required); and
 - h. Authorize and direct the Auditor-Controller to transfer \$20,750,000 for fiscal year 2021-22 from Building Improvement and Replacement Fund (478-BIR-1050-8539-CAO047) (\$16,250,000) and MHSA, Behavioral Health Fund (023-4000-8410-HEA012-MHSACAP) (\$4,500,000), to Capital Projects, Facility Master Plan Implementation Fund (404-3200-8564-PFP057) (4/5ths vote required).

Approved - Agreement No.: A-15650

74. Approve and authorize the Director of Public Works, Facilities, & Parks to execute a new Lease Agreement with Monterey County Water Resources Agency for the South Shore and North Shore recreation areas at San Antonio Reservoir for public recreational use for a term of 40 years starting on or about January 11, 2022.

Approved - Agreement No.: A-15666

Addenda/Supplemental

75. **ADDENDA**

Added to Referral Responses

Item No. 33.1

Receive a preliminary analysis report in response to Board Referral No. 2021.30, which directs the Health Department to partner with the K through 12 school system to increase the rate of vaccination among residents aged 5 to 11 years in communities disproportionately affected by COVID-19.

SUPPLEMENTAL

Removed Item No. 20

Adopt Resolution approving the 2021 Emergency Operations Plan (EOP) Annex - Monterey County Community Resilience Plan in accordance with Chapter 2.68.080 and 2.68.0404 of the County Code.

Added attachment Board Referral Matrix 1-11-22 to

Item No. 25. New Referrals

Removed attachment Board Referral Matrix 1-11-22 from

Item No.26. County Administrative Officer Comments