

# Monterey County

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



## Meeting Minutes - Final

Tuesday, February 23, 2021

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 appeared in person and Supervisor Chris Lopez, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo 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)(2), the Board will confer with legal counsel regarding three matters of significant exposure to litigation.
  - b. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding 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, Kim Moore and Ariana Hurtado  
Employee Organization(s): All Units
  - 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 section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:  
(1) *Michelle Moore, et al. v. City of Salinas, et al.*, Monterey County Superior Court Case No. 17CV001413

**Public Comment**

Open for public comments; Renee Thevenot, via Zoom, commented.

**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 appeared in person and Supervisor Chris Lopez, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo 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.

**Pledge of Allegiance**

The Pledge of Allegiance was led by Yvonne Thomas, President of the Monterey County Chapter of the NAACP.

**Announcement of Interpreter**

Jocelyn Martinez, Spanish Interpreter present and announced Spanish interpreter services.

**Additions and Corrections by Clerk**

There were no additions and corrections to today's agenda.

**Consent Calendar- (See Supplemental Sheet)**

2. Approval of Consent Calendar Items No. 18 through 27.

Open for public comments, Eric Peterson, in person, commented on Item No. 27.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Mary L. Adams to approve Consent Calendar Item Numbers 18 through 26 excluding Item No. 27 as a separate vote will be taken on it as it was pulled by a member of the public.

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

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to

approve Consent Calendar Item Number 27.

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

### Ceremonial Resolutions

Open for public comments; no public comments made.

3.

Resolution Commending Deputy Anthony Joseph Scariot upon his retirement from 24 years of public service with the Monterey County Sheriff's Office. (Full Board - Supervisor Askew)

**A motion was made Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to adopt Resolution No. 21-046 commending Deputy Anthony Joseph Scariot upon his retirement from 24 years of public service with the Monterey County Sheriff's Office. (Full Board - Supervisor Askew)**

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

4.

Resolution Commending Deputy Dorothy Thomas upon her retirement from 12 years of public service with the Monterey County Sheriff's Office. (Full Board - Supervisor Askew)

**A motion was made Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to adopt Resolution No. 21-047 commending Deputy Dorothy Thomas upon her retirement from 12 years of public service with the Monterey County Sheriff's Office. (Full Board - Supervisor Askew)**

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

### Appointments

Open for public comments; no public comments made.

5.

Appoint Carole Piffero to the Gonzales Cemetery District, with a term ending date of April 14, 2024. (Supervisor Lopez)

**A motion was made by Supervisor John M. Phillips, seconded by Luis A. Alejo to appoint Carole Piffero to the Gonzales Cemetery District, with a term ending date of April 14, 2024. (Supervisor Lopez)**

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

6. Appoint Rosie Sanchez to the Gonzales Cemetery District, with a term ending date of April 14, 2022. (Supervisor Lopez)

**A motion was made by Supervisor John M. Phillips, seconded by Luis A. Alejo to appoint Rosie Sanchez to the Gonzales Cemetery District, with a term ending date of April 14, 2022. (Supervisor Lopez)**

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

7. Reappoint Dionne Ybarra to the Commission on the Status of Women, with a term ending date of February 1, 2024. (Supervisor Adams)

**A motion was made by Supervisor John M. Phillips, seconded by Luis A. Alejo to reappoint Dionne Ybarra to the Commission on the Status of Women, with a term ending date of February 1, 2024. (Supervisor Adams)**

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

8. Appoint Robert Hellam to the Community Restorative Justice Commission, with a term ending date of February 23, 2024. (Full Board)

**A motion was made by Supervisor John M. Phillips, seconded by Luis A. Alejo to appoint Robert Hellam to the Community Restorative Justice Commission, with a term ending date of February 23, 2024. (Full Board)**

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

9. Appoint Luz Garcia to the Emergency Medical Care Committee, with a term ending date of June 30, 2022. (full board)

**A motion was made by Supervisor John M. Phillips, seconded by Luis A. Alejo to appoint Luz Garcia to the Emergency Medical Care Committee, with a term ending date of June 30, 2022. (full**

board)

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

10. Appoint Alicia C. Blanco to the Gonzales Cemetery District, with a term ending date of April 14, 2025. (Supervisor Lopez)

**A motion was made by Supervisor John M. Phillips, seconded by Luis A. Alejo to appoint Alicia C. Blanco to the Gonzales Cemetery District, with a term ending date of April 14, 2025. (Supervisor Lopez)**

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

- 10.1 Reappoint George Hines to the Monterey Regional Fire Protection District, with a term ending date of March 1, 2025. (Supervisor Adams) (ADDED VIA ADDENDUM)

**A motion was made by Supervisor John M. Phillips, seconded by Luis A. Alejo to reappoint George Hines to the Monterey Regional Fire Protection District, with a term ending date of March 1, 2025. (Supervisor Adams) (ADDED VIA ADDENDUM)**

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

- 10.2 Reappoint Rich Speciale to the Monterey Regional Fire Protection District, with a term ending date of March 1, 2025. (Supervisor Adams) (ADDED VIA ADDENDUM)

**A motion was made by Supervisor John M. Phillips, seconded by Luis A. Alejo to reappoint Rich Speciale to the Monterey Regional Fire Protection District, with a term ending date of March 1, 2025. (Supervisor Adams) (ADDED VIA ADDENDUM)**

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

### Other Board Matters

**11.** Board Comments

**Board Comments can be heard by clicking the following link:**

[http://monterey.granicus.com/EditFile.php?clip\\_id=4172](http://monterey.granicus.com/EditFile.php?clip_id=4172)

**12.** County Administration Officer Comments and Referrals

**Charles McKee, County Administrative Officer from the County Administrative office commented and shared there is one new referral this week from Supervisor Chris Lopez and Supervisor Luis A. Alejo:**

**Referral 2021.04 This referral seeks the creation of a program to assist eligible and low-income families with funeral and burial expenses of deceased Monterey County residents due to the COVID-19 pandemic. In December 2020, Congress approved \$2 billion for FEMA to offer financial assistance to “an individual or household to meet disaster-related funeral expenses” incurred through December 31, 2020. The program may cover up to 100% of expenses. This referral would request staff to make plans to implement a FEMA funeral and burial cost program for all eligible Monterey County residents. This referral also requests that staff assess options of creating a local program to partially assist low-income Monterey County residents with funeral and burial expenses incurred after December 31, 2020 that may not be covered under the FEMA program. Payments would be made directly to funeral homes. This referral requests a presentation and report to the Board two weeks from the date of assignment**

**Open for public comments; no public comments made.**

**Comments can be heard by clicking the following link:**

[http://monterey.granicus.com/EditFile.php?clip\\_id=4172](http://monterey.granicus.com/EditFile.php?clip_id=4172)

**12.1** Consider approval of a recommendation from the Legislative Committee to authorize a letter of support for the U.S. Citizenship Act of 2021. (ADDED VIA ADDENDUM)

**Annette D'Adamo, Management Analyst III from the Intergovernmental and Legislative Affairs Division and Brent Heberlee, of Nossaman, LLP both via Zoom, verbally presented.**

**Open for public comment; Lavonne Stone, in person, commented.**

**A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez to: Approve the recommendation from the Legislative Committee to authorize a letter of support for the U.S. Citizenship Act of 2021. (ADDED VIA ADDENDUM)**

**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**

**13.** General Public Comments

Open for general public comments for items not on today's agenda; Carl (last name inaudible) and Lavonne Stone, in person, and Kevin Dayton and Samantha Avin, both via Zoom, commented.

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

14. a. Receive the 2020 Annual Report on the implementation of the Memorandum of Understanding between the City of Salinas and the County of Monterey regarding mutual planning and implementation of government services and facilities in downtown Salinas; and,  
b. Direct staff to return with an updated Memorandum of Understanding by June 30, 2021.

Melanie Beretti, Services Manager from the Housing Community Development Department, via Zoom, presented via PowerPoint presentation.

Open for public comments; Kevin Dayton, via zoom, commented.

Upon consensus the Board:

- a. Received the 2020 Annual Report on the implementation of the Memorandum of Understanding between the City of Salinas and the County of Monterey regarding mutual planning and implementation of government services and facilities in downtown Salinas;  
b. Directed staff to return with an updated Memorandum of Understanding by June 30, 2021; and, to  
c. Create an Ad Hoc Committee with District 1 (Supervisor Alejo) and District 4 (Supervisor Askew) to work on updating the Memorandum of Understanding between the County and the City for mutual planning to be brought back by June 30, 2021, with County and City staff.

#### 12:00 P.M. - Recessed to Lunch

#### 1:30 P.M. - Reconvened

#### Roll Called

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

Jocelyn Martinez, Spanish Interpreter present and announced Spanish interpreter services.

#### 1:30 P.M. - Scheduled Matters

15. a. Briefing and update on COVID-19, including impacts, and action, proposals and plans to address (verbal report);



b. Provide direction to staff to address COVID-19

**Nick E. Chiulos, Assistant County Administrative Officer from the County Administrative office, in person, made opening remarks with additional presenters:**

**Dr. Edward Moreno, Health Officer, via Zoom, from the Health Department presented on the local/state metrics, testing, vaccinations supply, delivery and clinics and Blue Shield third party administrator update via PowerPoint presentation.**

**Dr. Deneen Guss, Monterey County Superintendent of Schools, via Zoom, presented via PowerPoint presentation.**

**Kim Stemler, Executive Director of the Monterey County Vintners and Growers Association, via Zoom, presented via PowerPoint presentation.**

**Open for public comments; Iris Gamez on behalf of Daisy Hernandez, Sonia Koehler, and Janine Chicourant, all via Zoom, commented.**

**Authorize a letter to be sent to the multi-health agency entities to share their vaccinations and or host a clinic with their supply of vaccinations for Monterey County Agricultural workers.**

**Upon consensus the Board received:**

**a. Report on COVID-19, including impacts, and action, proposals and plans to address; and**

**A motion was made by Supervisor Luis A. Alejo , seconded by Supervisor Chris Lopez to add the Monterey County logo to the advisory.**

**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**

- 16.** Receive an update on renewable energy requirements for indoor commercial cannabis cultivators, and direct the Housing and Community Development Planning staff to amend Titles 20 and 21 of the Monterey County Code to align with s renewable energy requirements of comparable jurisdictions or the State.

**Joann Iwamoto, Cannabis Program Manager from the Intergovernmental & Legislative Office, Ashley Paulsworth, Sustainability Manager from the County Administration Office and Craig Spencer, Services Manager from the Housing Community Development Department, all via Zoom, presented via PowerPoint presentation.**

**Open for public comments; Joey Espinoza, via Zoom, commented.**

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis A. Alejo to: Receive an update on renewable energy requirements for indoor commercial cannabis cultivators, and direct the Housing and Community Development Planning staff to amend Titles 20 and 21 of the Monterey County Code to align with a renewable energy requirements of comparable jurisdictions or the State.**

**Roll call vote taken pursuant to Government Code 54953:**

**Supervisor Alejo: AYE**

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

17. Public hearing (continued from February 9, 2021) to consider an appeal by Leonard McIntosh from the September 30, 2020 Planning Commission decision approving an amendment to a Combined Development Permit to allow construction of a 22,137 square foot, two-story, 15-unit residential apartment building, on vacant Lot 5 of the Laguna Seca Office Park (LSOP) and approving a General Development Plan for Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 [Condominium Units 103 & 104] and 19 [Condominium Unit 002]] of the LSOP to allow residential and/or commercial uses on any single lot, such that the cumulative total of residential square footage across all lots covered by the General Development Plan does not exceed the cumulative total commercial square footage across the LSOP.

**Proposed CEQA Action:** Consider an Addendum together with the Final Environmental Impact Report for the Laguna Seca Office Park in accordance with CEQA Guidelines Section 15164. [PLN170765 -Leonard H. McIntosh Family Trust, 24491 Citation Court, Monterey, Greater Monterey Peninsula Area Plan. (APNs: 173-121-002, 173-121-003, 173-121-004, 173-121-005 (Lot 5), 173-121-023, & 173-121-026, 173-121-009, 173-121-011, 173-121-015, 173-121-016, 173-123-001, 173-123-003, 173-123-006, & 173-124-001)]

Public hearing commenced.

Jamie Guthrie, Associate Planner from the Planning Department and Craig Spencer, Services Manager, from the Housing Community Development Department both via Zoom, presented via PowerPoint presentation.

Anthony Lombardo, Attorney, in person, on behalf of the applicant/appellant presented via PowerPoint presentation.

Open for public comments; letter from Matt Huerta read into the record by the Clerk.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Wendy Root Askew to adopt a Motion of Intent 21-051 to adopt a resolution to:

- a) Deny the appeal by Leonard McIntosh from the September 30, 2020 Planning Commission decision approving an amendment to a Combined Development Permit to allow construction of a 22,137 square foot, two-story, 15-unit residential apartment building, on vacant Lot 5 of the Laguna Seca Office Park (LSOP) and approving a General Development Plan for Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 [Condominium Units 103 & 104] and 19 [Condominium Unit 002]] of the LSOP;
- b) Certify the Board considered an Addendum together with the LSOP Final Environmental Impact Report (FEIR) in accordance with CEQA Guidelines Section 15164;
- c) Approve a General Development Plan (GDP) covering certain lots [Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 (Condominium Units 103 & 104) and 19 (Condominium Unit 002)] that allows residential and/or commercial uses on any single lot, such that the cumulative total of residential square footage across all lots covered by this GDP, does not exceed the cumulative total commercial square footage across all LSOP lots; and
- d) Approve an amendment to a Combined Development Permit (PLN020332, PC Resolution No. 12-035) to allow construction of a 22,137 square foot two-story 15-unit residential apartment building on Lot 5 of the LSOP, instead of a 20,306 square foot two-story professional office building, subject to the project satisfying the 4.9 (35%) requirement for total Affordable Units with

Density Bonus accommodation as follows: 1) One (1) Very Low-Income; 2) Two (2) Moderate-Income; 3) One (1) Workforce II Income; and Waiver of 0.9 fractional unit in-lieu fee as a financial concession per Government Code Section 65915(d)(2)(A).

The Resolution includes findings and evidence for consideration (Attachment C). Staff recommends adoption of the resolution to deny the appeal and approve of the project subject to twenty-five (25) conditions of approval. If the Board desires to choose a different option, staff recommends the Board adopt a motion of intent and continue the hearing to a date certain for staff to return with a revised resolution.

A substitution motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to continue the matter to Tuesday, March 16, 2021 for staff to review the matter at 25% and bring back with the appropriate findings:

a) Deny the appeal by Leonard McIntosh from the September 30, 2020 Planning Commission decision approving an amendment to a Combined Development Permit to allow construction of a 22,137 square foot, two-story, 15-unit residential apartment building, on vacant Lot 5 of the Laguna Seca Office Park (LSOP) and approving a General Development Plan for Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 [Condominium Units 103 & 104] and 19 [Condominium Unit 002] of the LSOP;

b) Certify the Board considered an Addendum together with the LSOP Final Environmental Impact Report (FEIR) in accordance with CEQA Guidelines Section 15164;

c) Approve a General Development Plan (GDP) covering certain lots [Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 (Condominium Units 103 & 104) and 19 (Condominium Unit 002)] that allows residential and/or commercial uses on any single lot, such that the cumulative total of residential square footage across all lots covered by this GDP, does not exceed the cumulative total commercial square footage across all LSOP lots; and

d) Approve an amendment to a Combined Development Permit (PLN020332, PC Resolution No. 12-035) to allow construction of a 22,137 square foot two-story 15-unit residential apartment building on Lot 5 of the LSOP, instead of a 20,306 square foot two-story professional office building, subject to the project satisfying the 4.9 (35%) requirement for total Affordable Units with Density Bonus accommodation as follows: 1) One (1) Very Low-Income; 2) Two (2) Moderate-Income; 3) One (1) Workforce II Income; and Waiver of 0.9 fractional unit in-lieu fee as a financial concession per Government Code Section 65915(d)(2)(A).

The Resolution includes findings and evidence for consideration (Attachment C). Staff recommends adoption of the resolution to deny the appeal and approve of the project subject to twenty-five (25) conditions of approval. If the Board desires to choose a different option, staff recommends the Board adopt a motion of intent and continue the hearing to a date certain for staff to return with a revised resolution.

**PROJECT INFORMATION:**

Agent: Anthony Lombardo, Anthony Lombardo & Associates

Property Owner: Leonard H. McIntosh Family Trust (LAGUNA SECA OFFICE PARK - LOT 5) and owners of Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 [Units 103 & 104] and 19 [Unit 002] of the Laguna Seca Office Park.

Zoning: Visitor Serving/Professional Office with Building Site, Urban Reserve, Design Control, and Site Plan Review Overlays [VO-B-6-UR-D-S]

Flagged and Staked: Yes

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: NAY

Motion carried 4 to 1

**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)(2), the Board will confer with legal counsel regarding three matters of significant exposure to litigation.

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

b. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding 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, Kim Moore and Ariana Hurtado  
Employee Organization(s): All Units

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

There was no Item d.

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 authorized to join in an Amicus Brief with Sanchez vs. Wolf United States Supreme Court Case No. 19-1311 on items 1.e.

f. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

(1) Michelle Moore, et al. v. City of Salinas, et al., Monterey County Superior Court Case No. 17CV001413

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

**Adjourned**

The meeting was adjourned at 5:42 p.m. by Chair Supervisor Wendy Root Askew.

**APPROVED:**

\_\_\_\_/s/ Wendy Root Askew\_\_\_\_  
**WENDY ROOT ASKEW, CHAIR**  
**BOARD OF SUPERVISORS**

**ATTEST:**

**BY: \_\_\_\_/s/ Valerie Ralph\_\_\_\_\_**

**VALERIE RALPH**

**CLERK OF THE BOARD**

**APPROVED ON: November 16, 2021**

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

18. a. Authorize the Chief Executive Office for Natividad Medical Center (NMC) or his designee to execute amendment No. 2 (Order Form) to the agreement (A-13957) with Kronos, including one (1) future amendment, for software support and professional services, with no change to the term and will be concurrent to the original agreement term (July 1, 2018 through June 30, 2023) and adding \$46,349.38 for a revised total agreement amount not to exceed \$1,509,441
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to one (1) future amendment to the agreement, which does not significantly alter the scope of work and does not cause an increase of more than ten percent (10%) (143,900) of the original cost of the agreement per the amendment.

**Approved - Agreement No.: A-13957; Amendment No. 2**

19. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an amendment No. 3 to the agreement (A-14280) with Optuminsight, Inc. for perioperative (surgery) consulting services to improve the number of surgical procedures and patients satisfaction, extending the agreement an additional two (2) years (April 1, 20 2023 through March 31, 2025) for a revised full agreement term of March 26, 2019 through March 31, 2025 and adding \$540,000 for a revised full agreement amount not to exceed \$ 2,220,000.

**Approved - Agreement No.: A-14280; Amendment No. 3**

**Health Department**

20. a. Approve and authorize the Director of Health or the Assistant Director of Health to execute a Software License Agreement with CoStar Realty Information, Inc. for access to on-line information and analytics on commercial real estate for one (1) year term, upon execution, in the amount not to exceed, \$12,240.00; and
- b. Accept non-standard language (limitation of liability, no warranty, indemnification, no insurance) in the Agreement as recommended by the Director of Health; and
- c. Authorize the Director of Health or the Assistant Director of Health authority to sign three (3) future twelve (12)-month amendments to the Agreement under the same or similar terms that do not significantly alter the scope of work or increase the annual payments in excess of 10% per year over the original Agreement amount (\$1,224.00).

**Approved - Agreement No.: A- 15109**

**General Government**

21. Review, approve, and adopt the proposed revised Reasonable Accommodation Policy.

**Approved**

22. Receive the action minutes from the Legislative Committee meetings on November 9, 2020, December 17, 2020 and January 11, 2021.

**Approved**

23. Adopt recommendations from the Legislative Committee to:
- a. Approve Amendment No. 5 to the Professional Services Agreement (Agreement) with Nossaman LLP for state legislative advocacy services and grant and funding advocacy services, increase funding for state legislative advocacy services by 15% monthly effective March 1, 2021, for a total not to exceed \$900,123.92 for the period of August 1, 2017 to June 30, 2022;
  - b. Approve Amendment No. 3 to the Professional Services Agreement (Agreement) with Ballard Spahr LLP for federal legislative advocacy services, increase funding for federal legislative advocacy services by 15% monthly effective March 1, 2021, for a total not to exceed \$253,731.69 for the period of January 29, 2019 to June 30, 2022; and
  - c. Authorize the Contracts/Purchasing Officer to extend the Agreements for up to three (3) additional one (1) year periods under the same scope of work and payment provisions included in the amended Agreements subject to budget approval.

**Approved - Agreement No.: A-14226 ; Amendment No. 5 and Agreement No. A-14227; Amendment No. 3**

**Public Works, Facilities and Parks**

24. Retroactively add the Old Stage Road Bridge Emergency Replacement Project, County Bridge No. 119, State Bridge No 44-C0134 (Project) over El Gabilan Creek to the PWWP FY 2020/21 Annual Work Program for Road Fund and adopt Project Plans.

**Approved**

25. a. Approve and authorize the Auditor Controller to amend the Fiscal Year 2020-21 Adopted Budget, Fund 001, Budget Unit 8510, Appropriations Unit RMA104, to increase appropriations and revenues by \$116,789 for the Parks Operations, where the financing source is the California Department of Forestry and Fire Protection California Climate Investments (CCI) Fire Prevention Grant Program to manage wildfire risk at Jacks Peak County Park through fuel load reduction (4/5th vote required).

**Adopted Resolution No. 21-048**

26. Adopt a Resolution to authorize the Department of Public Works, Facilities, & Parks to submit a grant application for up to \$7.5 million in competitive grant funding from the California Department of Parks and Recreation Statewide Park Development and Community Revitalization Program for the San Lorenzo County Park Project (Project) in King City, California:
- a. Certify that Applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project;

- b. Certify that if the project is awarded, the Applicant has or will have sufficient funds to operate and maintain the project;
- c. Certify that Applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide;
- d. Delegate the authority to the Director of Public Works, Facilities, & Parks or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Grant Scope;
- e. Agree to comply with all applicable federal, state, and local laws, ordinances, rules, regulations, and guidelines; and
- f. Will consider promoting inclusion per Public Resource Code (PRC §80001(b)(8 A-G)).

**Adopted Resolution No. 21-049**

- 27.**
- a. Introduce, waive the reading, and set March 9, 2021 as the date to consider the adoption of an ordinance amending Chapter 12.44 of the Monterey County Code to rescind Article VII and Article VIII, and add an amended Article VII to the Monterey County Code to make the California Vehicle Code applicable to all private roads generally held open for public use in the East Garrison Subdivision, Phases One, Two, and Three, in the East Garrison area of the unincorporated County.
  - b. Find that the adoption of the ordinance is categorically exempt per Section 15301(c) of the CEQA Guidelines.

**Approved**

**Addendum**

**28.**

**Added to Other Board Matters**

**12.1** Consider approval of a recommendation from the Legislative Committee to authorize a letter of support for the U.S. Citizenship Act of 2021.

**Added to Appointments**

**10.1** Reappoint George Hines to the Monterey Regional Fire Protection District, with a term ending date of March 1, 2025. (Supervisor Adams)

**10.2** Reappoint Rich Speciale to the Monterey Regional Fire Protection District, with a term ending date of March 1, 2025. (Supervisor Adams)

**Added to Adjournment**

Adjourn in memory of Clem Albertoni, David Banuelos and Gaston Georis