

Monterey County

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



Meeting Minutes - Draft

Tuesday, November 16, 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, Supervisor Mary L. Adams, Chris Lopez and Supervisor John M. Phillips who appeared in person with 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 was one urgent addition to the closed session agenda to add an emergency add on of significant exposure to litigation.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to approve the urgent addition to the closed session agenda to add an emergency add on of significant exposure to litigation.

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

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. 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.
 - b. 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
 - (2) Designated representatives: Irma Ramirez-Bough and Kim Moore
Employee Organization(s): Units F, H and J
 - c. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center Chief Executive Officer.

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

- (1) *Landwatch Monterey County, et al. v. County of Monterey, et al.* (Monterey County Superior Court Case No. M109434)
- (2) *County of Monterey, et al. v. Amerisourcebergen Drug Corp., et al.* (United States District Court, Northern District Case No. 18CV02693)
- (3) *Ida Ward, et al. v. County of Monterey, et al.* (Monterey County Superior Court Case No. 21CV002874)
- (4) *County of Monterey dba Natividad Medical Center, et al. v. Kaiser Foundation Health Plan, Inc., et al.* (Monterey County Superior Court Case No. 19CV001823)

e. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.

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

- (1) Ellen Hatcher and Mark Summers
- (2) John Thomas Hutchinson
- (3) Lewis Butler
- (4) Albert D. Colton
- (5) Andrew Baudour
- (6) Augustine Ybarra

Public Comments for Closed Session

Open for public comments; Wildfire, Wes White, Bella (no last name given), woman in black in white no name provided, both in person, Monike Tone, Sara Phungglan, Slo Gonzales, Tom (no last name provided), phone number ending in 013 and Zack Frigs, all 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, Supervisor Mary L. Adams, Chris Lopez and Supervisor John M. Phillips who appeared in person with 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 Kalyssa King, Community Impact Director with United Way Monterey County.

Additions and Corrections by Clerk

The following additions and corrections were read into the record:

Addition to the Department of Social Department Consent Calendar

Item No. 33 is in receipt of a Board Report.

Ceremonial Resolutions

Open for public comments; no public comments made.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Chris Lopez to adopt Ceremonial Resolutions 2 through 4.

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

2. Adopt a resolution recognizing San Antonio School District for being accepted into the National Network of Innovative School Districts. (Supervisor Lopez)

Adopted Resolution No. 21-392

3. Adopt a resolution to congratulate Annalisa Mitchell on being chosen the recipient of the 2021 Bahá'í Human Rights Award. (Supervisor Askew)

Adopted Resolution No. 21-390

4. Adopt a Resolution Commending Diana Cruz Alcaarez upon her retirement after 32 ½ years of service with the Monterey County Sheriff's Office. (Supervisor Alejo)

Adopted Resolution No. 21-391

Appointments

5. Consider the appointment of delegates and alternates to the Rural County Representatives of California (RCRC), Golden State Finance Authority (GSFA), and Golden State Connect Authority (GSCA) Board of Directors.

Open for public comments, no public comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to: Appoint delegates and alternates to the Rural County Representatives of California (RCRC), Golden State Finance Authority (GSFA), and Golden State Connect Authority (GSCA) Board of Directors.

- a. Appoint Supervisor Chris Lopez as one (1) member of the Board of Supervisors to serve as delegate and appoint supervisor John M. Phillips as one (1) member of the Board of Supervisors to serve as alternate on the Rural County Representatives of California (RCRC) Board of Directors;
- b. Appoint Supervisor Chris Lopez as one (1) member of the Board of Supervisors to serve as delegate and appoint Supervisor John M. Phillips as one (1) member of the Board of Supervisors to serve as alternate on the Golden State Finance Authority (GSFA) Board of Directors;
- c. Appoint Supervisor Chris Lopez as one (1) member of the Board of Supervisors to serve as delegate and appoint Supervisor John M. Phillips as one (1) member of the Board of Supervisors to serve as alternate on the Golden State Connect Authority (GSCA) Board of Directors; and,
- d. Direct staff to update the Boards, Committees, and Commissions appointments list accordingly.

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 Cory Alvarez to the Community Restorative Justice Commission, with a term ending date of November 16, 2024. (Nominated by Community Restorative Justice Commission)

Open for public comments, no public comments made.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to: Appoint Cory Alvarez to the Community Restorative Justice Commission, with a term ending date of November 16, 2024. (Nominated by Community Restorative Justice Commission)

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

Approval of Consent Calendar

7. See Supplemental Sheet

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

Supervisor Wendy Root Askew commented on Item Numbers 27 and 34, Supervisor John M. Phillips commented/questioned on Item No.'s 47, 57 and 44, Supervisor Chris Lopez commented on Item No. 56 and Supervisor Mary L. Adams commented on Item No.'s 24, 41, 47 and 39.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to approve Consent Calendar Item Numbers 19 through 57.

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

General Public Comments

8. General Public Comments

Open for general public comments for items not on today's agenda; Eric Peterson, in person, Nina Beety, Diana Mendoza, and Eli (no last name provided), all via Zoom, commented.

10:30 A.M. - Scheduled Matters

9. a. Receive a presentation on Santa Cruz County Master Permit for Environmental Enhancement Projects;
b. Discuss and provide direction regarding the development of a coordinated environmental enhancement project permit streamlining program for Monterey County.

Erik Lundquist, Director of Housing Community Development and Kelli Camara of Camara Environmental Consulting, both via Zoom, presented via PowerPoint presentation.

Open for public comments; Paul Robbins and Nina Beety, both via Zoom, commented.

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

- a. Receive a presentation on Santa Cruz County Master Permit for Environmental Enhancement Projects; and
b. Discussed and provided direction regarding the development of a coordinated environmental enhancement project permit streamlining program for Monterey County.

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. 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 retroactive to July 1, 2021. The salary adjustment will be implemented November 27, 2021 retroactive to July 1, 2021.

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

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

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 retroactive to July 1, 2021. The salary adjustment will be implemented November 27, 2021 retroactive to July 1, 2021.

12:00 P.M. - Recessed to Lunch

1:30 P.M. - Reconvened

Roll Called

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

- 11.**
 - a. Receive a presentation from Roxanne Wilson, Executive Director of the Coalition of Homeless Services Providers on the “Lead Me Home Plan Update - 5 Year Plan to Reduce Homelessness in Monterey and San Benito Counties”;
 - b. Receive input from State and local elected officials; County department heads from Housing and Community Development, Social Services and Health; and the public; and
 - c. Provide direction to staff as appropriate

Nick Chiulos, Assistant County Administrative Officer and Roxanne Wilson, Executive Officer Coalition of Homeless Services Providers

Open for public comment; Tyller Williamson, Mayor Mike LeBarre, Gustav Fiere, Wes White, Nina Beety, Eli (no last name provided), Karla Lobo, via Zoom, and Cesar Lara, in person, commented.

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

- a. Receive a presentation from Roxanne Wilson, Executive Director of the Coalition of Homeless Services Providers on the “Lead Me Home Plan Update - 5 Year Plan to Reduce Homelessness in Monterey and San Benito Counties”;**
- b. Receive input from State and local elected officials; County department heads from Housing and Community Development, Social Services and Health; and the public; and**
- c. Adopted the 5 year plan to Lead Me Home**

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**

12. Receive the progress report from ITD outlined below, in response to Board Referral #2021.08 to facilitate regional governance, strategy, collaboration and partnerships on expanding broadband access and closing the digital divide throughout Monterey County.

Eric Chatham, Director of Information Technology, via Zoom, presented via PowerPoint presentation.

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

Upon consensus the Board:

Received the progress report from ITD outlined below, in response to Board Referral #2021.08 to facilitate regional governance, strategy, collaboration and partnerships on expanding broadband access and closing the digital divide throughout Monterey County.

13. REF210007/WATER AND ENERGY EFFICIENCY IN LANDSCAPING ORDINANCE
(Continued from November 2, 2021).
- Introduce, waive reading, and consider an ordinance to add Chapter 16.63 to the Monterey County Code to establish regulations for water-efficient and energy-efficient landscaping in unincorporated Monterey County; and
 - Set December 7, 2021 at 10:30 a.m. as the date and time to adopt the ordinance

Location: Countywide

Proposed CEQA Action: Consider finding the project categorically exempt pursuant to Section 15307 and 15308 of the CEQA Guidelines.

Jaime Guthrie, Senior Planner from the Housing Community Development, via Zoom, presented via PowerPoint presentation.

Open for public comments; no public comments made.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Chris Lopez, as amended, to:

- Introduce, waive reading, and consider an ordinance to add Chapter 16.63 to the Monterey County Code to establish regulations for water-efficient and energy-efficient landscaping in unincorporated Monterey County;
- Set December 7, 2021 at 10:30 a.m. as the date and time to adopt the ordinance; and
- Staff was directed to draft a letter to be brought back on December 7, 2021 at 10:30 a.m. which will be sent to the delegates of the State regarding the concerns brought forth by Supervisor John M. Phillips as recited for the record.

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

14. Consider whether to terminate, modify, or keep in place the facial covering requirement of Ordinance No. 5363.

Charles McKee, Administrative Officer, in person, presented via PowerPoint presentation.

Open for public comments; Tom Short, Rick Aldinger, and Dwight (no last name) provided, all via Zoom, commented.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to: Suspend the facial covering requirement of Ordinance No. 5363 immediately and have Dr. Edward Moreno come back on Wednesday, December 8, 2021, with a report on local metric information.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: NAY

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: NAY

Motion carried 3 to 2

Other Board Matters

County Administrative Officer Comments and New Referrals

15. County Administrative Officer Comments and New Referrals

Charles McKee, County Administrative Officer from the County Administrative office made no comments and shared there are two new referrals this week:

One new referral from Supervisor Wendy Root Askew: Referral 2021.25:

Referral Purpose: Referral Purpose: Identify the process and funding for the renaming of certain streets in East Garrison and revise the naming approval process.

One new referral from Supervisor Chris Lopez: Referral 2021.26:

Referral Purpose: To send a letter of concern to California Citizens Redistricting Commission in regards to the proposed redistricting maps and their impact on the Salinas Valley.

A motion was made by Chris Lopez, seconded by Supervisor Wendy Root Askew to:

Authorize the Chair to send a letter of concern to California Citizens Redistricting Commission in regard to the proposed redistricting maps and their impact on the Salinas Valley.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: Absent

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Open for public comments; no public comments made.

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

http://monterey.granicus.com/EditFile.php?clip_id=4377

Referral Responses

- 16. Receive a preliminary analysis report in response to **Board Referral No. (#2021.20)** requesting the Board of Supervisors seek and direct staff with potential funding and locations suitable for a Monterey County Family Justice Center. Including coordinating and working with the City of Salinas and related service providers who would be a part of the Family Justice Center.

Jeannine Pacioni, District Attorney, via Zoom, verbally presented.

Open for public comments; not public comments made.

Upon consensus the Board:

Received a preliminary analysis report in response to Board Referral No. (#2021.20) requesting the Board of Supervisors seek and direct staff with potential funding and locations suitable for a Monterey County Family Justice Center. Including coordinating and working with the City of Salinas and related service providers who would be a part of the Family Justice Center.

- 17. a. Receive a preliminary analysis report in response to **Board Referral No. 2021.22** to codify ‘No Overnight Parking’ on Potrero Road in Moss Landing;
- b. Direct that the referral be completed as outlined in this preliminary response.

Chad Alinio, Senior Civil Engineer and Randy Ishii, Director, via Zoom, both from of Public Works, Facilities and Parks presented via PowerPoint presentation.

Open for public comments; no public comments made.

Upon consensus the Board:

- a. Received a preliminary analysis report in response to Board Referral No. 2021.22 to codify ‘No Overnight Parking’ on Potrero Road in Moss Landing; and
- b. Directed that the referral be completed as outlined in this preliminary response.

Board Comments

- 18. Board Comments

Board Comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4377

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 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.

b. 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

(2) Designated representatives: Irma Ramirez-Bough and Kim Moore
Employee Organization(s): Units F, H and J

c. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center Chief Executive Officer.

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

- (1) Landwatch Monterey County, et al. v. County of Monterey, et al. (Monterey County Superior Court Case No. M109434)
- (2) County of Monterey, et al. v. Amerisourcebergen Drug Corp., et al. (United States District Court, Northern District Case No. 18CV02693)
- (3) Ida Ward, et al. v. County of Monterey, et al. (Monterey County Superior Court Case No. 21CV002874)
- (4) County of Monterey dba Natividad Medical Center, et al. v. Kaiser Foundation Health Plan, Inc., et al. (Monterey County Superior Court Case No. 19CV001823)

e. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.

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

- (1) Ellen Hatcher and Mark Summers
- (2) John Thomas Hutchinson
- (3) Lewis Butler
- (4) Albert D. Colton
- (5) Andrew Baudour
- (6) Augustine Ybarra

Les Girard, Acting County Counsel, recited for the record there was no read out and the rest of the remaining items will return on Tuesday, December 7, 2021.

Adjourned

The meeting was adjourned at 5:35 p.m. by Chair Supervisor Wendy Root Askew.

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

19. a. Authorize the Interim Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute renewal and amendment No.4 to the agreement (A-13620) with The CBORD Group, Inc. for food and nutrition software and maintenance services, extending the agreement an additional one (1) year period (retroactive to August 1, 2021 through July 31, 2022) for a revised full agreement term of July 11, 2017 through July 31, 2022, and adding \$29,273 for a revised total agreement amount not to exceed \$176,584.
- b. Authorize the Interim Chief Executive Officer for NMC or his designee to execute 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%) (\$10,977) of the original cost of the agreement.

Approved - Agreement No.: A-13620; Amendment No.: 4

20. Adopt Resolution to:
- a. Amend Natividad (Unit 9600) FY 2021-22 Adopted Budget to add 4.0 FTE Psychiatric Social Worker II positions and a 1.0 FTE Social Work Supervisor II position, as indicated in the attached resolution;
- b. Direct the County Administrative Office to incorporate position changes in the Natividad (Unit 9600) FY 2021-22 Adopted Budget; and
- c. Direct the Human Resources Department to implement the changes in the Advantage HRM System.

Adopted Resolution No.: 21-393

21. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute funding of the Memorandum of Understanding (MOU) with Community Homeless Solutions (“CHS”), a California corporation, for assisting in meeting the direct costs of a Medical Respite Program (“MRP”) for homeless persons in Monterey County, retroactive to July 1, 2021 through June 30, 2022, for a total MOU amount not to exceed \$115,000.

Approved - Agreement No.: A-15590

22. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute renewal and amendment No. 2 to the agreement (A-13152) with Stericycle Inc. for hazardous waste disposal services, extending the agreement an additional ten (10) month period (retroactively from July 1, 2021 through April 31, 2022) for a revised full agreement term of July 1, 2016 through April 31, 2022, and adding \$125,000 for a revised total agreement amount not to exceed \$1,205,000.

Approved - Agreement No.: A-13152; Amendment No.: 2

Health Department

23. Approve and authorize the Director of Health or the Assistant Director of Health to sign Amendment

No. 4 to Agreement A-12969 with Action Council of Monterey County, Inc. for the provision of community educational management and contracting for specialized services, adding \$50,000 for a total Agreement amount not to exceed, \$425,000 to cover additional services and for the term of the Agreement July 01, 2015 through June 30, 2022.

Approved - Agreement No.: A-12969, Amendment No. 4

24. a. Set a public hearing for December 7, 2021 at 10:30 a.m. to consider approval of Amendment No. 13 to Unified Franchise Agreement A-11631 between the County of Monterey and Waste Management, Inc. dba USA Waste of California dba Carmel Marina Corp., relating to proposed rates for services and adjustments to current rates; and,
- b. Direct the Clerk of the Board to publish the Notice of Public Hearing in newspapers of general circulation on or before November 26, 2021.

Agreement No.: A-11631; Amendment No.: 13

25. a. Approve and authorize the Director of Health or the Assistant Director of Health to accept the Grant Award CERI-21-23-26 in the amount of \$617,240 from the California Department of Public Health (“CDPH”) as part of the California Equitable Recovery Initiative (“CERI”); and
- b. Authorize the Director of Health or the Assistant Director of Health to sign any agreement, amendments or extensions, and documentation required by CDPH after review and approval by the Office of County Counsel.

Approved

26. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a three (3) year Mental Health Services Agreement with Benjamin Macasaet DBA New Horizon I Adult Residential Facility in Salinas, CA for the provision of Board and Care Services for Monterey County Adult residents with severe psychiatric disabilities in the amount of \$186,150 for Fiscal Year (FY) 2021-22, \$186,150 for FY 2022-23, and \$186,150 for FY 2023-24, for a maximum County obligation of \$558,450 for the retroactive term of July 1, 2021 through June 30, 2024; and
- b. Approve non-standard insurance provision in Agreement as recommended by the Director of Health; and
- c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$55,845) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No.: A-15591

27. a. Authorize the Director of Health or Assistant Director of Health to execute a Standard Agreement to pay the Monterey County Office of Education an amount not to exceed \$800,000 in one-time funding to retain and attract early childcare and education workforce for the period starting upon execution through June 30, 2022; and
- b. Approve nonstandard insurance provisions in Agreement as recommended by the Director of Health.

Approved - Agreement No.: A-15592

28. a. Approve and authorize the Director of Health or the Assistant Director of Health to sign an Agreement with LexisNexis Risk Solutions Bureau LLC and LexisNexis Risk Solutions FL Inc. (“LexisNexis”) incorporating by reference the terms set forth in the Master Service Agreement No. 5-17-70-12 between RELX Inc. and the State of California, Department of General Services to give the Monterey County Public Guardian Office access to the Accurint public records database for term January 1, 2022 through December 31, 2022, for a contract amount not to exceed a total of \$3,036; and
- b. Approve recommendation of Director of Health to accept non-standard risk terms (disclaimer of warranties, limitation of liability, indemnification); and
- c. Approve and authorize the Director of Health or the Assistant Director of Health to sign one (1) future amendment to this Agreement where the amendment does not significantly change the Agreement.

Approved - Agreement No.: A-15593

29. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Standard Agreement with Behavioral Tech, LLC for the provision of training and consultation services for a total Agreement not to exceed \$234,000 for the term beginning Upon Execution through June 30, 2023; and
- b. Approve the modified insurance provision in the Agreement, as recommended by the Director of Health; and
- c. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$23,400) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No.: A-15594

30. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Standard Agreement with Kelsey Pacha for the provision of training and consultation services for a total Agreement not to exceed \$25,000 for the term beginning Upon Execution through June 30, 2023; and
- b. Approve the modified Indemnification, automobile liability insurance, auto insurance endorsement provision, and Workers’ Compensation in the Agreement, as recommended by the Director of Health; and
- c. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$2,500) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No.: A-15595

31. a. Approve and authorize the Director of Health or Assistant Director of Health to sign a multi-year Mental Health Services Agreement with Goodwill Central Coast (Goodwill CC) for the provision of employment and supportive services for Proposition 47 clients in Monterey County, retroactive to October 1, 2021, in the amount of \$550,000 for Fiscal Years (FYs) 2021-23, for the term of October 1, 2021 through February 28, 2023; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three

(3) future amendments that do not exceed ten percent (10%) (\$55,000) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No.: A-15596

Department of Social Services

- 32.** a. Approve and authorize the Director of the Department of Social Services to sign Amendment No. 1 to Agreement A-15319 with Central Coast Center for Independent Living to provide program housing search, placement support, and rental subsidies for participants of the Housing and Disability Advocacy Program, extending the term through June 30, 2023 and adding \$1,067,281 for a revised total contract amount of \$1,252,323; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% (\$125,232) of the contract amount and do not significantly change the scope of work.

Approved - Agreement No.: A-15319; Amendment No. 1

- 33.** Authorize the Contracts/Purchasing Officer to execute the Acknowledgement and Consent to the Assignment and Assumption Agreement between Booth Machinery LLC (Assignor) and Sonsray Machinery (Assignee) for Agreement #5010-194 effective October 1, 2021.

Approved - Agreement No.: A-15597

- 34.** a. Approve and authorize the Director of the Department of Social Services to sign Amendment #1 with United Way Monterey County for the administration of the Monterey County Emergency Rental Assistance Program extending the term through June 30, 2023 and adding \$22,434,117 for a new contract total of \$50,715,953; and
- b. Authorize the Director or the Director of the Department of Social Services to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% (\$5,071,595) of the contract amount and do not significantly change the scope of work.

Approved - Agreement No.: A-15598

Criminal Justice

- 35.** Adopt Resolution to:
- a. Increase appropriations and estimated revenues of \$776,871 for the FY2021-22 Probation Adopted Budget, Fund 001, Appropriation Unit PRO001 for the implementation of the Juvenile Justice Realignment Block Grant (4/5ths vote required); and
- b. Authorize and direct the Auditor-Controller to amend the FY2021-22 Probation Adopted Budget by increasing appropriations and estimated revenues by \$776,871, Fund 001, Appropriation Unit PRO001, financed by the Juvenile Justice Realignment Block Grant - Senate Bill (SB) 823 for the mandated care, custody and supervision of the realigned youth population (4/5ths vote required).

Adopted Resolution No.: 21-394

36. a. Approve and authorize the Contracts/ Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendment No. 6 to Agreement with Columbia Ultimate, Incorporated, a Washington State Corporation in the amount of \$23,684, for a total contract amount of \$153,508, to provide software maintenance, license renewal and support for the victim restitution program for the term from January 1, 2016 to December 31, 2022; and
- 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 cost of Amendment No. 6 and do not significantly change the scope of work.

Approved - Agreement No.: A-14585; Amendment No.: 6

General Government

37. Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to retitle the RMA Services Manager to Principal Planner, Permit Center Manager and Building Services Manager with the existing salary range as indicated in Attachment A;
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to create the classification of Capital Improvement Manager with the salary range as indicated in Attachment A;
- c. Amend the Housing and Community Development - Administration Budget Unit 3100-8542 - Fund 001 - Appropriation Unit HCD001 to reallocate and to approve the reclassification of one (1) RMA Services Manager to one (1) Project Manager III as indicated in Attachment A;
- d. Amend the Housing and Community Development - Community Development Budget Unit 3100-8543 - Fund 001 - Appropriation Unit HCD002 to reallocate four (4) RMA Services Manager positions to two (2) Principal Planner, one (1) Permit Center Manager and one (1) Building Services Manager as indicated in Attachment A;
- e. Amend the Public Works, Facilities and Parks - Facilities Maintenance Budget Unit 3200-8552 - Fund 001 - Appropriation Unit PFP054 to reallocate one (1) RMA Services Manager to one (1) Capital Improvement Manager as indicated in Attachment A;
- f. 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.: 21-395

38. Adopt a Resolution to:
- a. Approve and authorize the Acting Contracts/Purchasing Officer to sign an agreement with Darryl L. Sink & Associates, Inc. for the revision of the Monterey County Contracts Academy and consultation for updating the Purchasing Manual for a not to exceed amount of \$198,200; and
- b. Direct the Auditor- Controller to amend the FY 2021-22 Adopted Budget for Contracts/Purchasing 001-CAO002-8047, increasing appropriations by \$169,351, financed by General Fund Productivity Investment Program Assignment 001-3125. (4/5th vote)

Adopt Resolution No.: 21-396

39. a. Authorize the Assistant County Administrative Officer and/or the Economic Development Manager to execute an Agreement for FY 2021-22 Development Set-Aside Agencies Standard Agreement for the Monterey County Convention, and Visitors Bureau to develop and implement marketing programs that promote Monterey County as a travel and leisure destination, for the period of one (1) year, for the term retroactive to July 1, 2021 through June 30, 2022, in the amount not to exceed \$1,716,473; and authorize the Assistant County Administrative Officer, Economic Development Manager, or his/her designee to notify the MCCVB of up to two (2) one (1) year extensions of this agreement, to be effective upon Board approval of funding, until June 30, 2024; and
- b. Authorize the Assistant County Administrative Officer and/or the Economic Development Manager to execute an Agreement for FY 2021-22 Development Set-Aside Agencies Standard Agreement for the Arts Council for Monterey County to develop and implement cultural arts programs for Monterey County residents and visitors, for the period of one (1) year, for the term retroactive to July 1, 2021 through June 30, 2022, in the amount not to exceed \$566,436; and authorize the Assistant County Administrative Officer, Economic Development Manager, or his/her designee to notify the ACMC of up to two (2) one (1) year extensions of this agreement, to be effective upon Board approval of funding, until June 30, 2024; and
- c. Authorize the Assistant County Administrative Officer and/or the Economic Development Manager to execute an Agreement for FY 2021-22 Development Set-Aside Agencies Standard Agreement for Monterey County Film Commission to develop and implement programs that promote Monterey County as a film destination and generate increased business, revenue and jobs throughout Monterey County, for the period of one (1) year, for the term retroactive to July 1, 2021 through June 30, 2022, in the amount not to exceed \$271,775; and authorize the Assistant County Administrative Officer, Economic Development Manager, or his/her designee to notify the MCFC of up to two (2) one (1) year extensions of this agreement, to be effective upon Board approval of funding, until June 30, 2024; and
- d. Authorize the Assistant County Administrative Officer and/or the Economic Development Manager to execute an Agreement for FY 2021-22 Development Set-Aside Agencies Standard Agreement for Monterey County Business Council to perform all tasks necessary to create and/or retain at least 100 jobs in Monterey County, for the period of one (1) year, for the term retroactive to July 1, 2021 through June 30, 2022, in the amount not to exceed \$100,000; and authorize the Assistant County Administrative Officer, Economic Development Manager, or his/her designee to notify the MCBC of up to two (2) one (1) year extensions of this agreement, to be effective upon Board approval of funding, until June 30, 2024.

Approved - Agreement A-15599 - Visitors Bureau

Approved - Agreement A-15600 - Arts Council

Approved - Agreement A-15601- Monterey County Film Commission

Approved - Agreement A-15602 - Monterey County Business Council

40. a. Approve and authorize the Assessor-County Clerk/Recorder to sign Amendment Number 6 for an additional Megabyte - JustAppraised Applications Programming Interface (API) module at a cost not to exceed \$25,000 for FY 2021-22 and not to exceed a future annual maintenance cost of \$5,000; for a total cost of \$30,000; and
- b. Accept non-standard indemnification provisions requested by the vendor as recommended by the Assessor-County Clerk/Recorder.

Approved - Agreement No.: A-13259 Amendment No.: 6

41. Approve Property Tax Transfer for the proposed “Mission Linen Reorganization” involving annexation of 2.99 acres to the City of Pacific Grove and detachment from the Monterey County Resource Conservation District.

Approved

42. a. Approve and Authorize the Library Director or his/or her Designee, to sign a Professional Services Agreement (PSA) with ByWater Solutions, for library automation software and hosting services, in the amount not to exceed \$175,000, for the period of five years beginning March 21, 2022 through March 21, 2027;
- b. Authorize the Library Director or his/or her Designee, to execute up to one future Amendment to this agreement that does not significantly change the scope of work and does not cause an increase of more than 10% of the original contract amount.

Approved - Agreement No.: A-15605

43. **Adopt a resolution to:**

- a. Approve and Authorize the County of Monterey, by and through the County Recorder, to withdraw as a Board Member County from the California Electronic Recording Transaction Network Authority (CERTNA), a Joint Powers Authority (JPA), effective July 1, 2022; and
- b. Approve and Authorize the County of Monterey, by and the through the County Recorder, enter into a CERTNA Client Memorandum of Understanding (MOU). The term of this agreement shall run for an indefinite period with the ability to terminate upon 30 days notice, following the procedures indicated in Article VI.A of the MOU, estimated, but not limited to, the amount of \$90,000, effective July 1, 2022.

Adopt a resolution No.: 21-397

44. a. Approve and authorize the Acting Contracts/Purchasing Officer to execute a three (3) year Concession Lease Agreement, effective December 1, 2021 with Zako HK, Inc. for cafeteria space located at 142 West Alisal Street, Salinas, California (commonly known as Jo’s Café) for a minimum base rent of \$8,000 per year, plus a three percent (3%) commission fee based on gross monthly sales revenue over \$10,000, and a \$500 flat fee for each outside catering event.
- b. Approve and authorize the Acting Contracts/Purchasing Officer to execute a three (3) year Concession Lease Agreement, effective December 1, 2021 with Zako HK, Inc. for cafeteria space located at 1441 Schilling Place, Salinas, California (commonly known as Schilling Place Café) for a minimum base rent of \$8,000 per year, plus a three percent (3%) commission fee based on gross

monthly sales revenue over \$16,000, and a \$500 flat fee for each outside catering event.

Approved - Agreement No.: A-15603

45. Approve the Monterey County Board of Supervisors Draft Action Meeting Minutes for the following meeting dates: Tuesday, April, 6, 2021, Wednesday, April 7, 2021, Tuesday, April 20, 2021, Tuesday, April 27, 2021, Tuesday May 4, 2021, Tuesday, May 11, 2021, Tuesday, May 18, 2021, Tuesday, May 25, 2021, Wednesday, June 2, 2021 and Thursday, June 3, 2021, Tuesday, June 15, 2021, Tuesday, June 22, 2021, Tuesday, July 13, 2021, Tuesday, July 20, 2021, Tuesday, July 27, 2021, Friday, July 30, 2021, Tuesday, August 24, 2021, Tuesday, August 31, 2021, Wednesday, September 8, 2021, September 14, 2021, Tuesday, September 21, 2021, Tuesday, September 28, 2021, Thursday, October 7, 2021, Tuesday, October 26, 2021, and Tuesday, November 2, 2021.

Approved

46. a. Approve and Adopt a Resolution amending Article VIII of the Master Fee Resolution, to authorize removal of overdue library fines, and adjust fees pursuant to the attached Fee Schedule relating to services provided by the Monterey County Free Libraries, effective January 1, 2022.
b. Approve the Library Director or her/his Designee in forgiving all outstanding overdue fines. The outstanding fines that are being requested to be forgiven is in the amount of \$155,953.20.

Adopted Resolution No.: 21-398

47. a. Approve and Adopt a Resolution authorizing the release of the cannabis assignment of \$125,000 representing additional financing to leverage a State grant to purchase a Library Book mobile. The release of this funds was formerly approved by the Board of Supervisors for fiscal year 20-21, however, it is intended and appropriated in the Library Budget for fiscal year 21-22.
b. Authorize the Auditor-Controller to amend the FY 21-22 Adopted budget for the CAO to increase the appropriation by \$125,000 (001-CA0017-1050-8038), funded by the release of cannabis assignment (001-3132). 4/5th vote required.
c. Authorize the Auditor-Controller to transfer \$125,000 in FY 2021-22 from CAO (001-CA017-1050-8038) to the Library Fund (003-LIB001-6110-8141). 4/5th vote required.

Adopted Resolution No.: 21-399

48. a. Authorize the Treasurer-Tax Collector to sell 47 specified tax defaulted properties as set forth in Attachment A-Monterey County Auction Listing at public auction via the internet in accordance with Revenue and Taxation Code Section 3691 et. seq. or as a sealed bid sale pursuant to Chapter 7, Part 6, Division 1 of the Revenue and Taxation Code for at least the minimum bid.
b. Authorize the Treasurer-Tax Collector to reoffer any unsold properties at a reduced minimum bid at the conclusion of the sale or within a 90-day period.

Adopted Resolution No.: 21-400

49. a. Approve and authorize the Director of the Emergency Communications Department to sign Amendment #6 to the agreement with Everbridge, Inc. for mass notification software, adding \$88,850 for a revised contract total of \$780,368, and extending the term of the agreement for one year,

retroactive to October 8, 2021, for a revised term of October 8, 2013 through October 7, 2022; and
b. Authorize the Director of the Emergency Communications Department to sign up to three additional amendments to this agreement where the amendments do not exceed 10% (\$78,036) of the current contract amount and do not significantly change the scope of work.

Approved - Agreement No.: A-12565; Amendment No.: 6

- 50.** Authorize the Auditor-Controller to amend the FY 2021-22 Adopted Budget to increase appropriations by \$435,000 for the County Administrative Office (CAO), Fund 001, Appropriation Unit CAO005, Budget Unit 8541, in support of the Emergency Operations Center (EOC) and ongoing COVID-19 operations throughout the County, funded by release of cannabis assignment (001-3132) (4/5ths vote).

Approved

Housing and Community Development

- 51.** a. Set a public hearing for December 7, 2021 to consider six (6) 2022 Williamson Act Applications to Create a Farmland Security Zone (“FSZ”) and Contract (REF210027):
1. FSZ Application No. 2022-01 - Yellow Juliet II, LLC; Assessor’s Parcel Number (APN) 145-011-064
 2. FSZ Application No. 2022-02 - KVL Holdings, Inc.; APNs 183-021-016 and 183-021-033
 3. FSZ Application No. 2022-03 - Nixon Farms, LLC; APNs 107-031-007 and 107-031-008
 4. FSZ Application No. 2022-04 - Fanoie-Johnson Ranch Trust U/D/T dated February 9, 2021, Jane Fanoie Limited Partnership dated December 29, 1999, Trust B of James D. Fanoie, Jr. Family Trust U/A dated June 24, 1985, APNs 107-031-017 and 107-031-024
 5. FSZ Application No. 2022-05 - 1992 Beverly Silliman Revocable Trust U/D/T dated May 8, 1992, Claudia M. Kelley Revocable Trust Executed October 15, 2012, Gary A. Marsh Living Trust, dated November 29, 2012; APNs 177-081-017 and 207-121-009
 6. FSZ Application No. 2022-06 - Linda S. De Santiago Living Trust dated December 21, 1998; APNs 165-101-006 and 165-101-008
- b. Direct the Clerk of the Board of Supervisors to publish Notice of Public Hearing for the Public Hearing to take place on December 7, 2021 at 10:30 A.M. to consider the six (6) 2022 applications, to create six (6) Farmland Security Zones (“FSZ”) and FSZ Contracts.

California Environmental Quality Act (CEQA) Status: Categorically Exempt pursuant to CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, Article 19, Categorical Exemptions, Section 15317 Open Space Contracts or Easements (Class 17 - establishment of agricultural preserves).

Approved

Public Works, Facilities and Parks

- 52.** a. Approve the Right of Entry and Indemnification Agreement (Agreement) between the County and the Pajaro Sunny Mesa Community Services District (PSMCSD) for access and use of warehouse

space located at 24 San Juan Road, in the unincorporated community of Pajaro, California; and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the the Right of Entry and Indemnification Agreement (Agreement), and any future amendments under similar terms, conditions, and format if deemed by the Contracts/Purchasing Officer to be in the best interest of the County, subject to review and approval by the Office of the County Counsel-Risk Management.

Agreement No.: A-15606

- 53.** Authorize and direct Public Works, Facilities, & Parks to negotiate an amendment to the existing management agreement with Urban Park Concessionaires for management of Lake Nacimiento Resort operations incorporating provisions for a concessionaire-owned and managed boat rental fleet.

Approved

- 54.** a. Approve Amendment No. 1 to Standard Agreement with Granite Construction Company to continue to provide fully operated, fueled and maintained construction equipment to work sites on an on-call basis to: update the rate schedule; increase the not to exceed amount of \$100,000 by \$200,000 for a total amount not to exceed \$300,000; and extend the expiration date for one (1) additional year through December 31, 2022, for a revised term from January 1, 2021 to December 31, 2022; and
- b. Approve Amendment No. 1 to Standard Agreement with The Don Chapin Company, Inc. to continue to provide fully operated, fueled and maintained construction equipment to work sites on an on-call basis to: update the rates; increase the not to exceed amount of \$100,000 by \$200,000 for a total amount not to exceed \$300,000; and extend the expiration date for one (1) additional year through December 31, 2022, for a revised term from January 1, 2021 to December 31, 2022; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 1 to each Agreement and future amendments to each Agreement where the amendments do not significantly alter the scope of work or increase the approved amount of each Agreement.

Approved - Agreement No.: A-15607; Amendment No.: 1 - Granite Construction Company

Approved - Agreement No.: A-15608; Amendment No.: 1 - The Don Chapin Company, Inc.

- 55.** Adopt a resolution authorizing and directing the Auditor-Controller to amend the Fiscal Year (FY) 2021-22 Adopted Budget for County Service Area 66-Las Lomas/Monterra Ranch (also known as Oak Tree Views), Fund 087, Appropriation Unit PFP041, increasing appropriations in the amount of \$11,000, to fund necessary open space maintenance, where Fund 087 unassigned fund balance is the financing source (4/5th vote required).

Adopted Resolution No.: 21-402

- 56.** a. Adopt Plans and Special Provisions for the River Road Emergency Repair at Fairview Road, Project No. 7210 (Project);
- b. Authorize the Director of Public Works, Facilities & Parks to advertise the “Notice to Bidders” in the Monterey County Weekly;
- c. Ratify and accept the donation as reflected in the Agreement for Purchase of Real Property for a Permanent Drainage Easement and a Temporary Construction Easement between County of Monterey

and John M. Peterson Jr. and Lynn P. Peterson, Trustees of The Peterson Revocable Trust dated July 1, 2010 (APN 216-021-005) for the construction of River Road Emergency Repair at Fairview Road project, Project No.7210;

d. Ratify and accept the donation as reflected in the Agreement for Purchase of Real Property for a Permanent Drainage Easement and a Temporary Construction Easement between County of Monterey and Edward Silva Jr. and Evelyn Silva, Trustees of The Silva Family Living Trust dated February 9, 1996 (APN 216-023-013) for right-of-way for the construction of River Road Emergency Repair at Fairview Road project, Project No.7210; and

e. Authorize the Director of Public Works, Facilities & Parks to execute future amendments to these Agreements where the amendments do not significantly alter the scope or cost of the approved Agreements for Purchase of Real Property for Permanent Drainage Easements, and Temporary Construction Easements.

Approved - Agreement No.: A-15610 - The Peterson Revocable Trust

Approved - Agreement No.: A-15611 - The Silva Family Living Trust

- 57.**
- a. Approve the Funding Agreement with the Transportation Agency for Monterey County for the Blackie Road Extension Project;
 - b. Authorize the Director of Public Works, Facilities & Parks to execute the Funding Agreement; and
 - c. Add the Blackie Road Extension Project to the PWFP FY 2021/22 Annual Work Program for Road Fund

Approved - Agreement No.: A-15609