

County of Monterey

*Government Center - Board Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901*



Meeting Minutes - Draft

Tuesday, August 27, 2024

9:00 AM

Board of Supervisors

*Chair Supervisor Glenn Church - District 2
Vice Chair Supervisor Chris Lopez - District 3
Supervisor Wendy Root Askew - District 4
Supervisor Mary L. Adams - District 5
Supervisor Luis A. Alejo - District 1*

9:00 A.M. - Called to Order

The meeting was called to order by Chair Supervisor Glenn Church.

Roll Called

Present: 5 - Supervisor Wendy Root Askew, Supervisor Mary L. Adams, Supervisor Glenn Church, Supervisor Chris Lopez and Supervisor Luis A. Alejo present

Staff Present

Sonia De La Rosa, County Administrative Officer, Susan Blitch, County Counsel and Valerie Ralph, Clerk of the Board were present.

Additions and Corrections for Closed Session by County Counsel

There were no additions and corrections for closed session.

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) *LandWatch Monterey County, et al. v. County of Monterey, et al.* (Monterey County Superior Court Case No. M109434)
 - (2) *The Open Monterey Project, et al. v. County of Monterey, et al.* (Monterey County Superior Court Case No. M109434)
 - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Andreas Pyper, Kim Moore and Ariana HurtadoEmployee Organization(s): All Units

Public Comments for Closed Session

Open for public comments; no comments 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 Mary L. Adams, Supervisor Glenn Church, Supervisor Chris Lopez and Supervisor Luis A. Alejo present

Staff Present

Sonia De La Rosa, County Administrative Officer, Susan Blicht, County Counsel and Valerie Ralph, Clerk of the Board were present.

Announcement of Interpreter

Diego Celis Spanish Interpreter present and announced Spanish interpreter services.

Pledge of Allegiance

The pledge of allegiance was led by Supervisor Wendy Root Askew.

Additions and Corrections by Clerk

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

Ceremonial Resolutions

Open for public comments; no comments made.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Luis A. Alejo to adopt Ceremonial Resolutions Numbers 2 through 6.

ALL AYES

2. Adopt a resolution honoring Epicenter of Monterey on its 10th anniversary, September 4, 2024. (Supervisor Askew)

Adopted Resolution No. 24-289

3. Adopt a resolution recognizing August 31, 2024, as International Overdose Awareness Day; a day of remembrance of all lives lost or forever changed by drug overdose, with the theme, "Together we can" underscoring the importance of coming together as an international community to create change. (Supervisor Church) (REVISED VIA SUPPLEMENTAL)

Adopted Resolution No. 24-290

4. Adopt a resolution recognizing Ken White's exemplary life of service on the occasion of his ninetieth birthday. (Supervisor Adams)

Adopted Resolution No. 24-291

5. Adopt a resolution proclaiming September 2024 as Childhood Cancer Awareness Month in the County of Monterey. (Supervisor Church)

Adopted Resolution No. 24-288

6. Adopt a resolution recognizing the City of Salinas for receiving Blue Zones Community certification. (Supervisor Askew)

Adopted Resolution No. 24-293

Appointments

Open for public comments; no comments made.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Wendy Root Askew to appoint/reappoint Item Numbers 7 through 9.

ALL AYES

- 7. Reappoint Eugene C. Doherty to the Assessment Appeals Board, with a term ending date on September 4, 2026. (District Specific - District 3 Supervisor Lopez)

Reappointed

- 8. Appoint Pat Pagnella to the Fish & Game Advisory Commission to fill an unexpired term ending on February 1, 2025. (District Specific - District 2 Supervisor Church)

Appointed

- 9. Appoint Clifford Fasnacht to the Fish & Game Advisory Commission with a term ending on February 1, 2027. (District Specific - District 4 Supervisor Church)

Appointed

Approval of Consent Calendar – (See Supplemental Sheet)

- 10. See Supplemental Sheet

Open for public comments; no comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Chris Lopez to approve Consent Calendar Item Numbers 17 through 44.

ALL AYES

General Public Comments

- 11. General Public Comments

Open for general public comments for items not on the agenda today; Tom Rowley, Karen Cameron, Brian Rosen, Ricardo Diaz, Jr., and Laura Moffet.

Scheduled Matters

- 12. Consider receiving a report on the Salinas Valley Groundwater Basin Investigation pursuant to

Policy PS-3.1 of the 2010 Monterey County General Plan and provide direction to staff.
[REF150103]

CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) action: Find that this action is not a project under CEQA Guidelines section 15378(b)(5), as this activity is administrative and will not result in direct or indirect physical changes in the environment.

Craig Spencer, Director of HCD, Kelly Donlon, County Counsel, Amy Woodrow, Senior Water Resources Hydrologist, Abby Ostovar, PhD, Montgomery & Associates, Derrik Williams, Montgomery & Associates presented via PowerPoint presentation.

Open for public comments; Norm Groot, Sarah Hardgrave, John Farrow, Laura Moffet, Brian Rosen, Nancy Isakson, Ricardo Diaz, Jr., Tom Rowley, Christopher Bunn and Bill Lipe.

Consider receiving a report on the Salinas Valley Groundwater Basin Investigation pursuant to Policy PS-3.1 of the 2010 Monterey County General Plan and provide direction to staff.
[REF150103]

CALIFORNIA ENVIRONMENTAL QUALITY ACT (“CEQA”) action: Find that this action is not a project under CEQA Guidelines section 15378(b)(5), as this activity is administrative and will not result in direct or indirect physical changes in the environment.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Chris Lopez to continue the matter for 60 days to allow stakeholders to provide feedback and viewing of the report:

- a. Find that this action is not a project under CEQA Guidelines section 15378(b)(5);
- b. Receive a report on the Salinas Valley Groundwater Basin Investigation prepared pursuant to Policy PS-3.1 of the 2010 General Plan;
- c. Direct staff to prepare a General Plan amendment to update Policy PS-3.1 in light of the completed investigation; and
- d. Provide direction to staff.

ALL AYES

12:00 P.M. - Recessed to Lunch

1:30 P.M. - Reconvened

Roll Called

Present: 5 - Supervisor Wendy Root Askew, Supervisor Mary L. Adams, Supervisor Glenn Church, Supervisor Chris Lopez and Supervisor Luis A. Alejo present

Staff Present

Sonia De La Rosa, County Administrative Officer, Susan Blitch, County Counsel and Valerie Ralph, Clerk of the Board were present.

Announcement of Interpreter

Diego Celis Spanish Interpreter present and announced Spanish interpreter services.

Scheduled Matters

13. Public Hearing to consider:
- a. Introducing, waiving reading, and setting September 10, 2024 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Section 7.02.060 of the Monterey County Code (MCC) and adding a new Chapter 7.120 to require a business license and a vacation rental operation license for any short-term vacation rental operations in the unincorporated Monterey County;
 - b. Adopting a resolution of intent to adopt an ordinance that amends numerous definition and zoning district use sections of Title 20 (Coastal Zoning Ordinance) and adds Section 20.64.290 to the MCC to regulate the short-term vacation rental of residential property;
 - c. Adopting an ordinance amending Title 21 (Non-coastal Zoning Ordinance) to amend numerous definition and zoning district use sections of Title 21, to repeal and replace Section 21.64.280 of the MCC, and adds Section 21.64.290 to regulate the short-term vacation rental of residential property;
 - d. Amending Board of Supervisors Resolution No. 01-485 to add item 14 “to the list of compatible uses within Agricultural Preserves” and add item 15 “to the list of compatible uses within Farmland Security Zones,”; and
 - e. Adopting a resolution amending the Monterey County Fee Resolution to Fee Article IX - Land Use to add a new “Each” fee for a Vacation Rental Operation License, which will be established at \$965.

Project Title: REF 100042 & REF 130043 - Vacation Rental Ordinances

Proposed Location: Countywide

Proposed California Environmental Quality Act (CEQA) action:

- a. Finding the Vacation Rental Ordinances consistent with the Final Environmental Impact Report (Final EIR) and certify the Final EIR for the amendments to the MCC (SCH # 2022080643); and
- b. Finding the establishment of a license fee statutorily exempt from CEQA pursuant to Section 15273 of the CEQA Guidelines.

Public hearing commenced.

Taylor Price, Associate Planner and Melanie Beretti, Chief of Planning from the Housing and Community Development presented via PowerPoint presentation.

Open for public comments; Steve Styles, Laura Davis, Michael Litman, Mak Grandhols, Diane Goldman, Richard Matthews, Chuck Stein, Linda Marin, Eric Sand, Peggy Goodale, Fred Fatersach, Bonnie (no last name provided), Terri Litman, Ron Kellerman, gentlemen no name provided, Sara Kellerman, woman name provided, Nancy Markie, Susan Wallace, Priscilla Walton, Marlene Martin, Rick Manning, Maryanne (last name inaudible), woman no name provided, Patrick Orozco, woman no name provided, gentleman no name provided, woman no name provided, woman no name provided, Lynn (no last name provided), Harry Avila, Kira Godbe, Rick Aldinger, Karen Edwards (Zoom user), iphone, JK Sennish, Carolyn (no last name provided), Gwen DeArmal, Martha Delbar, Margie Kay, Martha Diehl; Hani Chen, Chris Clark, Rebekah Saroyan, David Hakakian, JC Clark and Lauren Bacon commented.

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

with Supervisor Luis A. Alejo and Supervisor Chris Lopez, voting no, to:

- a. Find the Vacation Rental Ordinances consistent with the Final Environmental Impact Report (Final EIR) and certify the Final EIR for the amendments to the Monterey County Code (MCC) and that the Final EIR was prepared in compliance with the California Environmental Quality Act (CEQA);
- b. Find that establishment of license fees is statutorily exempt from CEQA pursuant to Section 15273 of the CEQA Guidelines as the establishment of the Vacation Rental Operation License fee will assist County of Monterey Housing and Community Development in meeting operation expenses;
- c. Introduce, waive first reading, and set September 10, 2024 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Section 7.02.060 of the MCC and adding a new Chapter 7.120 to require a business license and a vacation rental operation license for any short-term vacation rental operations in the unincorporated Monterey County;
- d. Adopt a resolution of intent to adopt an ordinance that amends numerous definition and zoning district use sections of Title 20 (Coastal Zoning Ordinance) and adds Section 20.64.290 to the MCC to regulate the short-term vacation rental of residential property;
- e. Adopt an ordinance amending Title 21 (Non-coastal Zoning Ordinance) to amend numerous definition and zoning district use sections of Title 21, to repeal and replace Section 21.64.280 of the MCC, and adds Section 21.64.290 to regulate the short-term vacation rental of residential property;
- f. Amend Board of Supervisors Resolution No. 01-485 to add item 14 “to the list of compatible uses within Agricultural Preserves” and add item 15 “to the list of compatible uses within Farmland Security Zones,”; and
- g. Adopt a resolution amending the Monterey County Fee Resolution to Fee Article IX - Land Use to add a new “Each” fee for a Vacation Rental Operation License, which will be established at \$965

Motion passed 3 to 2

A motion was made by Supervisor Glenn Church, seconded by Supervisor Mary L. Adams with Supervisor Wendy Root Askew, Supervisor Chris Lopez and Supervisor Luis A. Alejo, voting no, to:

- Treat commercial vacation rentals in agricultural zones and agricultural operations (working farms) as it's own separate category;
- Homestays looking to expand those to hosted concepts for properties where property owners have two properties not ADUs or JADUs.; and
- Reduce the fee for limited vacation rental permits.

Motion failed 2 to 3

Other Board Matters

County Administrative Officer Comments

14. County Administrative Officer Comments

Sonia De La Rosa, County Administrative Officer's comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=5571

New Referrals

15. New Referrals

There were no new referrals for this week's agenda.

Referral Responses

There were no referral responses for this week's agenda.

Board Comments

16. Board Comments

Board comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=5571

Read Out from Closed Session by County Counsel

There was no reportable read out from closed session today.

Adjourned

The meeting was adjourned at 5:31 p.m. by Chair Supervisor Glenn Church.

APPROVED:

GLENN CHURCH, CHAIR

ATTEST:

BY: _____

**VALERIE RALPH
CLERK OF THE BOARD**

APPROVED ON:

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

17. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute an agreement with Luminex Corporation for preventative maintenance and repair services at NMC for an amount not to exceed \$10,000 with an agreement term September 1, 2024 through August 31, 2025.
- b. Approve the NMC's Chief Executive Officer's recommendation to accept non-standard indemnification provisions within the agreement.

Approved

18. a. Authorize the Chief Executive Officer (CEO) for Natividad Medical Center (NMC) or his designee to execute the Third Amendment to the Professional Services Agreement with Lucile Salter Packard Children's Hospital at Stanford (LPCH) to provide maternal fetal medicine services and medical director services of the Child Advocacy Center (CAC) extending the term by twenty-five months (September 1, 2024 to September 30, 2026) for a revised full agreement term September 1, 2021 through September 30, 2026, and adding \$550,000 for a revised amount not to exceed \$1,276,880 in the aggregate; and
- b. Authorize the CEO for NMC or his designee to sign up to three (3) amendments to this agreement where the amendments do not significantly change the scope of work, do not exceed 10% (\$34,848) of the original contract amount and do not increase the total contract amount above \$1,311,728.

Approved

19. a. Authorize the Chief Executive Officer (CEO) for Natividad Medical Center (NMC) or his designee to execute the Third Amendment to the Professional Services Agreement with Lucile Salter Packard Children's Hospital at Stanford (LPCH) to provide retinopathy of prematurity (ROP) screenings services, extending the term by twenty-five months (September 1, 2024 to September 30, 2026) for a revised full agreement term of September 1, 2018 to September 30, 2026 and adding \$100,000 for a revised not to exceed amount of \$370,000 in the aggregate; and
- b. Authorize the CEO for NMC or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not significantly change the scope of work, do not cause an increase of more than 10% (\$9,000) of the original contract amount and do not increase the total contract amount above \$379,000.

Approved

20. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute a Preceptorship Agreement with Touro University - California for rotation of Osteopathic Medicine students at NMC with an agreement term retroactive to January 1, 2023 through December 31, 2028.

Approved

21. a. Authorize the Chief Executive Officer (CEO) for Natividad Medical Center (NMC) or his designee to execute the First Amendment to the Professional Services Agreement (A-15977) with Claire Hartung MD, Inc. to provide hospitalist services extending the term of the agreement by twenty-four months (October 1, 2024 to September 30, 2026) for a revised full agreement term August 26, 2022 to September 30, 2026 and adding \$100,000 for a revised amount not to exceed \$400,000 in the aggregate; and
- b. Authorize the CEO for NMC or his designee to sign up to three (3) amendments to these agreements where the total amendments do not significantly change the scope of work, do not exceed 10% (\$30,000) of the original contract amount and do not increase the total contract amount above \$430,000.

Approved**Health Department**

22. Approve and authorize the Director of Health Services or designee to execute Amendment No. 1 to the Standard Agreement with Tovar Strategies Inc. to provide professional web design and media specialist services in the fulfillment of the approved “Rainbow Connections” Mental Health Services Act (MHSA) Innovation Plan for a total Agreement amount not to exceed \$223,400 for the term beginning October 15, 2023 through June 30, 2026.

Approved

23. a. Approve and authorize the Contracts/Purchasing Officer or designee to execute a five (5) year Lease Agreement, effective September 1, 2024 through July 31, 2029 with Nieto, L.P, for 5,868 rentable square feet of office space at 355-359 Gabilan Drive, Soledad, California 93960, for use by the Health Department’s Behavioral Health and Public Health Bureau’s Women, Infants, and Children Nutritional Program;
- b. Authorize the Auditor-Controller to make lease payments of \$11,736 per month in accordance with the terms of the Lease Agreement; and
- c. Authorize the extension of the Lease Agreement for two (2) additional three-year terms under the same terms and conditions and make minor revisions to the Lease Agreement if deemed to be in the best interest of the County by the Contracts/Purchasing Officer or their designee and subject to review and approval as to form by the Office of the County Counsel and review and approval of fiscal provisions by the Auditor Controller’s Office.

Approved

24. a. Approve and authorize the County Counsel to execute Amendment No. 7 to Agreement A-13173 with Foley & Lardner, LLP, for independent consulting and legal services for the Health Department, extending the term two years (July 1, 2025 through June 30, 2027) for a revised full term of May 1, 2016, through June 30, 2027, and increasing the total Agreement by \$300,000 for a total Agreement liability not to exceed \$1,230,000; and
- b. Approve and authorize the County Counsel to execute one future amendment to this

Agreement that does not significantly change the scope of work and does not exceed 10% (\$30,000) of the initial agreement amount, for a total revised Agreement liability of \$1,260,000.

Approved

25. Approve and authorize the Contracts & Purchasing Officer or their designee to execute a non-standard Agreement with First Alarm, a California corporation, for the provision of fire alarm system monitoring services and 24-hour intrusion alarm monitoring services at the Marina Clinic located at 3155 DeForest Rd., Marina, for the term retroactive to April 1, 2024, through March 31, 2026, for a total Agreement amount of \$10,846.

Approved

26. Approve and authorize the Director of Health Services or designee to execute Amendment No. 1 to the Standard Agreement with Dragonfly Forward, LLC to provide program planning and consultation to aid in the fulfillment of the approved "Rainbow Connections" Mental Health Services Act (MHSA) Innovation Plan in the amount of \$199,500 for FY 2024-25 and \$130,500 for FY 2025-26 for a total Agreement amount not to exceed \$1,570,800 for the term beginning September 1, 2024 through June 30, 2026.

Approved

27. a. Approve and authorize the Director of Health Services or designee to execute Amendment No. 1 to Agreement No. A-16026 with Engineered Products, a Papé Company DBA Overhead Door Company of Salinas, for the provision of repair and maintenance on garage doors at the Animal Service Facility (160 Hitchcock Road, Salinas, CA, 93908) and security rolling gates at the Health Department Administration Building (1270 Natividad Rd., Salinas, CA. 93906), adding \$20,000 for a total Agreement amount not to exceed \$40,000 and extending the agreement term an additional two (2) years for a revised term of September 15, 2022 through September 14, 2026;
- b. Approve the Director of Health Services or designee to approve up to two (2) future Amendments that do not exceed 10% (\$2,000) of the original Agreement amount, and does not significantly alter the scope of services, for a maximum Agreement amount of \$42,000; and
- c. Approve and authorize the Contracts and Purchasing Officer or designee to execute future Amendments, provided they do not exceed an aggregate amount of \$200,000 and fall within the signing authority of the Contracts and Purchasing Officer.

Approved

28. a. Approve and authorize the Director of Health Services or designee to execute a non-standard Agreement with Erikson Institute to provide both English and Spanish Practitioner Facilitated Attuned Interactions (FAN) Training, and FAN Train-the-Trainer Cohorts facilitated by Endorsed Trainers, effective upon execution to August 31, 2028, for a total Agreement amount of \$213,600; and
- b. Approve a non-standard Agreement as recommended by the Director of Health Services; and
- c. Approve and authorize the Director of Health Services or designee to sign up to three future amendments where the combined amendments do not exceed 10% (\$21,360) of the original amount and does not significantly change the scope, total not to exceed a maximum of

\$234,960.

Approved

Department of Social Services

- 29.** a. Approve and authorize the Director or designee of the Department of Social Services to sign an agreement with Community Human Services to operate the Salinas Housing Advancement, Resource and Education (SHARE) Center, for the period of September 1, 2024 through June 30, 2025, in the amount of \$220,000; and
- b. Authorize the Director or designee of the Department of Social Services to sign up to three amendments to this Agreement where the total amendments do not exceed 10% (\$22,000) of the amended contract amount, do not significantly change the scope of work, and not to exceed the maximum aggregate amount of \$242,000.

Approved

- 30.** a. Approve and authorize the Director or designee of the Department of Social Services to sign Amendment #4 to Agreement #5010-354 with the Coalition of Homeless Services Providers by adding \$320,000 for a new total contract amount of \$1,166,340 with no change to the contract term of July 1, 2023 to June 30, 2025; and
- b. Authorize the Director or designee of the Department of Social Services to sign up three future amendments to this Agreement where the total amendments do not exceed 10% (\$116,634) of the amended contract amount, do not significantly change the scope of work, and do not exceed the maximum aggregate amount of \$1,282,974.

Approved

Criminal Justice

- 31.** a. Approve and Authorize the Contracts and Purchasing Officer or their designee to execute a Non-Standard Agreement with Miller Mendel, Inc. for eSOPH background investigation system, for one (1) year effective upon signature, in the amount not to exceed \$12,031; and
- b. Approve and Authorize the Contracts and Purchasing Officer or their designee to execute a Non-Standard Letter Agreement with Experian for credit checks for background applicants, effective upon signature.

Approved

General Government

- 32.** Adopt an ordinance adding Chapter 5.38 of the Monterey County Code to impose a transactions and use tax pending voter approval in the November 5, 2024 election (4/5 vote required).

Adopted

r33. Adopt a Resolution to:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to modify Section A.9.5 Bilingual Skill Pay;
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to modify Section A.49.1 Employment Bonus Programs; and
- b. Direct the Human Resources Department and Auditor-Controller's Office to implement the changes.

Adopted

34. Adopt a resolution to authorize the Department of Emergency Management to receive award from the Fiscal Year (FY) 2024 Homeland Security Grant Program (HSGP) in the amount of \$437,680.

Adopted

35. Approve and authorize the County of Monterey Treasurer-Tax Collector to execute the Assignment and Assumption Agreement between Ontario Business Systems, LLC and Columbia Ultimate Business Systems, LLC effective January 12, 2024, assigning County Agreement No. A-15436 and Agreement No. A-16519 from Ontario Business Systems, LLC to Columbia Ultimate Business Systems, LLC.

Approved

36. Receive the Action Minutes of the Capital Improvement Committee for the 1st and 2nd Quarters of 2024 for the meetings held on January 18, March 11, March 18, May 13, and June 10, 2024.

Approved

37. Receive the Action Minutes of the Budget Committee for the 1st and 2nd Quarters of 2024 for the meetings held on January 31, February 28, March 28, May 3, May 31, and June 26, 2024.

Approved

38. Receive the action minutes from the May and June 2024 Legislative Committee meetings.

Approved

39. Approve the submission of five (5) entries to the 2024 California State Association of Counties (CSAC) Challenge Awards competition.

Approved

40. Adopt a Resolution to:

- a. Amend Employer-Employee Relations Resolution (EERR) No. 10-041 to modify Section XIV(C) Construction; and
- b. Direct the Human Resources Department to implement the changes.

Adopted

41. a. Approve and authorize the Chief Information Officer of the Information Technology Department to sign an Agreement with Smile Business Products, Inc for copier service in an amount not to exceed \$33,377 retroactive to July 1, 2024 through June 30, 2027; and
- b. Authorize the Chief Information Officer to sign up to two (2) renewals of one (1) year each, of the agreement, provided additional costs do not exceed ten percent (10%) of the cost of the prior year subject to County Counsel review and provided the terms of the agreement remain substantially the same bringing the maximum compensation Not to Exceed amount to \$58,984.

Approved

Housing and Community Development

42. a. Approve and authorize the Housing and Community Development Director to execute the Grant and Purchase of Easements and Escrow Instructions Agreement (Agreement) between the County of Monterey and Clinton Eastwood, as his sole and separate property, as to an undivided 1/2 interest, and Margaret Eastwood, as Trustee of the Margaret Eastwood Trust U/D/T dated August 21, 1990, as to an undivided 1/2 interest, for the conveyance of a permanent easement and temporary construction easement across a portion of Assessor's Parcel Number (APN) 243-071-008 for the construction and maintenance of improvements and appurtenances related to the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project, contingent upon entering into an agreement for grant funding with the California Office of Emergency Services for funding under the Federal Emergency Management Agency Hazard Mitigation Grant Program; and
- b. Authorize the Director of Housing and Community Development to execute any related documents needed to complete the transaction, including, but not limited to, any future amendments to the Agreement subject to review and approval as to form by the Office of the County Counsel.

PRIOR CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ACTION:

Approval of contracts is not a Project under CEQA. The Environmental Impact Report (EIR) for the CRFREE Project was certified by the Board of Supervisors on January 20, 2020. The CRFREE Project was approved and the corresponding Mitigation Monitoring and Reporting Program (MMRP) was adopted by the Board of Supervisors on June 15, 2021.

Approved

43. a. Find that the acceptance of the Conservation and Scenic Easement Deed is categorically exempt pursuant to California Environmental Quality Act Guidelines section 15317;
- b. Accept a Conservation and Scenic Easement Deed and Map for 5B SMD LLC, a California Limited Liability Company;
- c. Authorize the Chair to execute the Conservation and Scenic Easement Deed and Map; and
- d. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed and Map to the County Recorder for filing with all recording fees to be paid by the applicant.

Approved

Public Works, Facilities and Parks

- 44.** Acting on behalf of County Service Area No. 25-Carmel Valley Golf and Country Club (hereafter “CSA No. 25”):
- a. Adopt a resolution to amend CSA No. 25 Advisory Committee Bylaws to increase membership from five (5) members and three (3) alternates to six (6) members and three (3) alternates; and
 - b. Adopt CSA No. 25 Advisory Committee Modified By-Laws.

Adopted

Please refer to the Board Orders for the approved and adopted Agreement, Resolution and Ordinance numbers.

Addenda/Supplemental

- 45.** **Addenda/Supplemental**
Revised Item No. 3 under Ceremonial Resolutions