

Monterey County

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



Meeting Minutes - Draft

Tuesday, July 20, 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 Vice Chair Supervisor Mary L. Adams.

Roll Called

Present: 4 - Supervisor Mary L. Adams and Supervisor John M. Phillips appeared in person with Supervisor Chris Lopez and Supervisor Luis A. Alejo who appeared via video conference

Absent: 1 - Supervisor Wendy Root Askew

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 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): Unit A and B
 - (3) Designated representatives: Irma Ramirez-Bough and Kim Moore
Employee Organization(s): Units S
 - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) *Precila Barrera, et al. v. County of Monterey, et al.* (U.S. District Court for the Northern District of California Case No. 20CV05217SVK).
 - (2) *Carmel Valley Association, Inc. v. County of Monterey et al.*, (Real Parties in Interest Rancho Canada Venture, LLC et al) (Court of Appeal Case No. H046187/Monterey County Superior Court Case No. 17CV000131)
 - (3) *County of Monterey dba Natividad Medical Center v. Kaiser Foundation Health Plan, Inc., et al.*, (Monterey County Superior Court Case No. 19CV001823)
 - (4) *Roth, et al. v. County of Monterey, et al.* (Monterey County Superior Court Case No.

20CV000894)

d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

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.

Public Comments

Open for public comments; Steven Rosen, in person and Cynthia Benitez, Olivia Martinez and Patricia Sosa, all via Zoom, commented.

The Board Recessed for Closed Session Agenda Items

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

Roll Called

Present: 4 - Supervisor Mary L. Adams and Supervisor John M. Phillips appeared in person with Supervisor Chris Lopez and Supervisor Luis A. Alejo who appeared via video conference

Absent: 1 - Supervisor Wendy Root Askew

Staff Present

Charles McKee, County Administrative Officer, Susan Blicht, Assistant County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

Announcement of Interpreter

Hector Guzman, Spanish Interpreter present and announced Spanish interpreter services.

Pledge of Allegiance

The Pledge of Allegiance to be led by Stephanie Rosario representative from the Salinas Valley Wine and Food Festival.

Additions and Corrections by Clerk

The following additions and corrections were read into the record:

Correction to the General Government

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

Ceremonial Resolutions

Open for public comments; no public comments made.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to adopt Ceremonial Resolution 2 through 7.

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: Absent

2. Adopt a Resolution honoring Mike Derr, Contracts/Purchasing Officer, upon his retirement after 21 years of dedicated public service with the Monterey County Administrative Office and residents of Monterey County. (Full Board - Supervisor Askew)

Adopted Resolution No. 21-208

3. Adopt a Resolution commending Luzviminda Colorina, Accountant Auditor III, Office of the Auditor-Controller, on her retirement after 26 years of dedicated public service to Monterey County. (Full Board - Supervisor Alejo)

Adopted Resolution No. 21-207

4.

Adopt a Resolution proclaiming July 18-24, 2021 "Probation Services Week". (Full Board - Supervisor Askew)

Adopted Resolution No. 21-194

5. Adopt a Resolution honoring Paula Beckman, upon her selection as the 2021 Meals on Wheels of the Monterey Peninsula's "Women Who Care" honoree (Full Board-Supervisor Adams).

Adopted Resolution No. 21-193

6. Adopt a Resolution recognizing Elaine McCleaf's 27 years of Service with the Monterey County District Attorney's Office. (Full Board - Supervisor Adams)

Adopted Resolution No. 21-191

7. Adopt a Resolution honoring Deputy Probation Officer II Levid Valle upon his retirement from the Monterey County Probation Department after more than 27 years of dedicated County service. (Full Board - Supervisor Askew)

Adopted Resolution No. 21-192

Appointments

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/reappoint Appointment Item Numbers 8 - 9.

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: Absent

8. Reappoint Darla Smith to the Animal Control Program Advisory, with a term ending date of July 1, 2024. (Supervisor Phillips)

Reappointed

9. Appoint Beatriz Valenzuela Diaz to the Greenfield Public Recreation District, with a term ending date of December 31, 2025. (Supervisor Lopez)

Appointed

Approval of Consent Calendar – (See Supplemental Sheet)

Open for public comments; Steven Rosen, in person, commented on Item No. 32.

Supervisor Chris Lopez commented on Item No. 26 and Supervisor Mary L. Adams commented on Item No.'s 44 and 28.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to approve Consent Calendar Item Numbers 20 through 44.

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: Absent

Other Board Matters

10. Board Comments

Board Comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4315

Open for public comments; no public comments made.

11. County Administration Officer Comments and Referrals

Charles McKee, County Administrative Officer from the County Administrative office commented and shared there were no new referrals this week.

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=4315

12. General Public Comments

Open for general public comments for items not on today's agenda; Angie Ortega, in person, commented.

10:30 A.M. - Scheduled Matters

13. Receive the 2020 annual Monterey County Crop and Livestock Report from the Agricultural Commissioner.

Henry Gonzales, Agricultural Commissioner, in person, from the Agricultural Commission Department presented via PowerPoint presentation.

Open for public comments; Norm Groodt, via Zoom, commented.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to: Receive the 2020 annual Monterey County Crop and Livestock Report from the Agricultural Commissioner.

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: Absent

12:00 P.M. - Recessed to Lunch

1:30 P.M. - Reconvened

Roll Called

Present: 4 - Supervisor Mary L. Adams and Supervisor John M. Phillips appeared in person with Supervisor Chris Lopez and Supervisor Luis A. Alejo who appeared via video conference

Absent: 1 - Supervisor Wendy Root Askew

Staff Present

Charles McKee, County Administrative Officer, Wendy Strimling, Assistant County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

Announcement of Interpreter

Hector Guzman, Spanish Interpreter present and announced Spanish interpreter services.

1:30 P.M. - Scheduled Matters

14. Conduct a Public Hearing to:

- a. Accept the report of delinquent sanitation fees from twenty-two (22) parcels totaling \$32,902.11, including late penalties;
- b. Consider any protests and objections to the report by property owners liable to be assessed for delinquent sanitation fees for County Service Area 75-Chualar;
- c. Adopt a resolution to:
 - i. Confirm the report of delinquent sanitation fees for County Service Area 75-Chualar, as identified in "Report of 2020 Delinquent Fees County Service Area 75-Chualar"; and
 - ii. Authorize the delinquent sanitation fees from twenty-two (22) parcels totaling \$32,902.11 as set forth in the confirmed report to constitute special assessments against the respective parcels of land to be collected at the same time and in the same manner as ordinary County ad valorem property taxes are collected; and
- d. Authorize the Clerk of the Board to file a certified copy of the report with the Auditor-Controller.

Public hearing commenced.

Lynette Redman, Management Analyst III, in person, from the Public Works, Facilities & Parks Department verbally presented.

Open for public comments; no public comments made.

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to:
Conduct a Public Hearing to:**

- a. **Accept the report of delinquent sanitation fees from twenty-two (22) parcels totaling \$32,902.11, including late penalties;**
- b. **Consider any protests and objections to the report by property owners liable to be assessed for delinquent sanitation fees for County Service Area 75-Chualar;**
- c. **Adopt Resolution No.: 21-221 to:**
 - i. **Confirm the report of delinquent sanitation fees for County Service Area 75-Chualar, as identified in "Report of 2020 Delinquent Fees County Service Area 75-Chualar"; and**
 - ii. **Authorize the delinquent sanitation fees from twenty-two (22) parcels totaling \$32,902.11 as set forth in the confirmed report to constitute special assessments against the respective parcels of land to be collected at the same time and in the same manner as ordinary County ad valorem property taxes are collected; and**
- d. **Authorize the Clerk of the Board to file a certified copy of the report with the Auditor-Controller**

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: Absent

- 15. Consider options to provide funding for research into agricultural pests affecting the Salinas Valley agricultural industry in response to Referral No. 2021.10, and provide appropriate direction to staff.**

Les Girard, County Counsel, in person, from the County Counsel Office verbally presented.

Open for public comments; no public comments made.

**A motion was made by Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to:
Provide funding for research into agricultural pests affecting the Salinas Valley agricultural industry in response to Referral No. 2021.10, and directed staff to work with the industry as a**

whole on funding options and to bring back to the Board as soon as possible regarding what funding options are available.

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: Absent

- 16.** a. Conduct a public hearing under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended; and
- b. Adopt a resolution approving the issuance of California Statewide Communities Development Authority revenue bonds, in the aggregate principal amount not to exceed \$450,000,000 for the purpose of financing and/or refinancing the acquisition, construction, equipping, improvement, renovation, rehabilitation and/or remodeling of senior living and related facilities known as Canterbury Woods located generally at 651 Sinex Avenue, Pacific Grove, CA 93950.

Public hearing commenced.

Juan Pablo Lopez, Administrative Analyst, via Zoom, from the County Administrative Office verbally presented.

Open for public comments; no public comments made.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to:

- a. Conduct a public hearing under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended; and
- b. Adopt Resolution No.: 21-222 approving the issuance of California Statewide Communities Development Authority revenue bonds, in the aggregate principal amount not to exceed \$450,000,000 for the purpose of financing and/or refinancing the acquisition, construction, equipping, improvement, renovation, rehabilitation and/or remodeling of senior living and related facilities known as Canterbury Woods located generally at 651 Sinex Avenue, Pacific Grove, CA 93950.

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: Absent

- 17.** Consider the report outlined below, in response to Board Referral No. 2021.08 to explore potential of creating a Monterey County Broadband Joint Powers Authority (JPA) to facilitate regional governance, strategy, collaboration and partnerships on expanding broadband access and closing the digital divide throughout Monterey County.

Eric Chatham, Director, via Zoom, from the Informational Technology Department presented via PowerPoint presentation.

Open for public comments; no public comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez to:

- a. Receive the report outlined below in response to Board Referral No. 2021.08.
- b. Provide directions on the next steps regarding this referral based on ITD's findings and recommendations:
 - 1) ITD will form a community broadband Task Force group with an initial memorandum of understanding (MOU) to develop a shared vision on regional broadband effort, appropriate governance structure and a broadband strategic plan.
 - 2) The Task Force group will include ITD, community partners such as CCBC and MBEP, interested cities, agencies, and school districts.
 - 3) The Task Force will:
 - a. Collaborate on broadband needs and identify regional coverage gaps.
 - b. Create a Monterey County strategic broadband plan.
 - c. Present at City Select Committee and Tri-County Administrators' meeting to gather interest from other cities and agencies.
 - d. Agree and implement the appropriate type of governance body.
 - 4) Provide further direction, as appropriate.

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: Absent

18. Consider the report outlined below, in response to Board Referral No. 2020.25 to support collaborative efforts to address the digital divide in partnership with local school districts, cities, the County of Monterey, and community partners to address the digital divide for our local students and all other county residents, and to advocate for solutions at the state and federal level.

Eric Chatham, Director, via Zoom, from the Informational Technology Department presented via PowerPoint presentation.

Open for public comments; no public comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to:

- a. Receive the report outlined below in response to Board Referral No. 2020.25.
- b. Provide directions on the next steps regarding this referral based on Monterey County IT department (ITD)'s recommendations:
 - 1) Request Board to consider this referral being completed.
 - 2) ITD will report to Board quarterly on the community broadband project progress through its presentation on Board referral #2021.08 on broadband JPA.
 - 3) Provide further direction, as appropriate.

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: Absent

19. **PLN150372 - RIVER VIEW AT LAS PALMAS ASSISTED LIVING SENIOR FACILITY**
Public hearing to consider an application for the River View at Las Palmas Assisted Living Senior Facility, including the following:
 - a. Amendment to the text of the Las Palmas Ranch Specific Plan (LPRSP) to add policy language to

clarify that one assisted living facility is an allowed use subject to a Use Permit within Area A of the Specific Plan; and

b. Use Permit to allow construction of an assisted living facility (River View at Las Palmas Assisted Living Senior Facility) including:

1. Thirteen Casitas providing 26 separate units ranging in size from 1,513 to 3,757 square feet and totaling approximately 41,300 square feet;
2. Forty assisted living units with 52 beds ranging in size from 360 to 587 square feet each and totaling approximately 27,000 square feet;
3. A 21,600 square foot, three-story memory care facility including 39 living units ranging in size from 313 to 453 square feet and containing a total of 48 beds; and
4. Associated infrastructure including roads and grading of approximately 60,000 cubic yards.

Project Location: Vacant 15.74-acre lot within Las Palmas Subdivision #1, south of River Road and west of Country Park Road, within the Las Palmas Ranch Specific Plan area, approximately 1.25 miles west of Spreckels and 0.5 miles east of State Highway 68.

Proposed CEQA actions: Certify the Final Subsequent Environmental Impact Report (Final SEIR), adopt a Statement of Overriding Considerations, and adopt a Mitigation Monitoring and Reporting Plan.

Public hearing commenced.

Joe Sidor, Senior Planner and Craig Spencer, Chief of Planning, both in person, from the Housing and Community Development presented via PowerPoint presentation.

Anthony Lombardo, Attorney on behalf of the Applicant, in person, presented via PowerPoint presentation.

Shelly Denardo, Christine Kempt, Attorney presented via PowerPoint presentation, Pam Silkwood, Attorney verbally presented and Bruce Clark, presented via PowerPoint presentation, all in person, on behalf of the Home Owners Association

Open for public comments, Jeremiah Rothschild, Jeff Detrick, Gentleman blue button down shirt and glasses (no name provided), Randel Kendor, Tom McCuriel, Nancy Iverson, Isabella Bernardo, Janie Gracie, Jerry Crawford, Steven Hurst, Tommy Lombardo, Tom Ward, Jocelyn Prisros, Linda Paul, Bill Bavelas and Karen (no last name provided) commented.

Rebuttal had.

A Motion of Intent to Deny the application was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: NAY

Supervisor Phillips: AYE

Supervisor Lopez: NAY

Supervisor Adams: AYE

Chair Supervisor Root Askew: Absent

Motion failed 2 to 2

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to continue this matter to Tuesday, August 31, 2021, so Supervisor Wendy Root Askew can review

the information presented to weigh in due to the spilt vote:

PLN150372 - RIVER VIEW AT LAS PALMAS ASSISTED LIVING SENIOR FACILITY

Public hearing to consider an application for the River View at Las Palmas Assisted Living Senior Facility, including the following:

- a. Amendment to the text of the Las Palmas Ranch Specific Plan (LPRSP) to add policy language to clarify that one assisted living facility is an allowed use subject to a Use Permit within Area A of the Specific Plan; and
- b. Use Permit to allow construction of an assisted living facility (River View at Las Palmas Assisted Living Senior Facility) including:
 1. Thirteen Casitas providing 26 separate units ranging in size from 1,513 to 3,757 square feet and totaling approximately 41,300 square feet;
 2. Forty assisted living units with 52 beds ranging in size from 360 to 587 square feet each and totaling approximately 27,000 square feet;
 3. A 21,600 square foot, three-story memory care facility including 39 living units ranging in size from 313 to 453 square feet and containing a total of 48 beds; and
 4. Associated infrastructure including roads and grading of approximately 60,000 cubic yards.

Project Location: Vacant 15.74-acre lot within Las Palmas Subdivision #1, south of River Road and west of Country Park Road, within the Las Palmas Ranch Specific Plan area, approximately 1.25 miles west of Spreckels and 0.5 miles east of State Highway 68.

Proposed CEQA actions: Certify the Final Subsequent Environmental Impact Report (Final SEIR), adopt a Statement of Overriding Considerations, and adopt a Mitigation Monitoring and Reporting Plan.

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: Absent

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.

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

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): Unit A and B

(3) Designated representatives: Irma Ramirez-Bough and Kim Moore

Employee Organization(s): Units S

The Board came to a tentative agreement with the Sheriffs' Management Association regarding a 3 year Memorandum of Understanding on item 1.b.(1)

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

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

- (1) Precila Barrera, et al. v. County of Monterey, et al. (U.S. District Court for the Northern District of California Case No. 20CV05217SVK).
- (2) Carmel Valley Association, Inc. v. County of Monterey et al., (Real Parties in Interest Rancho Canada Venture, LLC et al) (Court of Appeal Case No. H046187/Monterey County Superior Court Case No. 17CV000131)
- (3) County of Monterey dba Natividad Medical Center v. Kaiser Foundation Health Plan, Inc., et al., (Monterey County Superior Court Case No. 19CV001823)
- (4) Roth, et al. v. County of Monterey, et al. (Monterey County Superior Court Case No. 20CV000894)

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

d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.

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

Adjourned

The meeting was adjourned by Vice Chair Supervisor Mary L. Adams.

APPROVED:

WENDY ROOT ASKEW, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: _____
VALERIE RALPH
CLERK OF THE BOARD
APPROVED ON _____

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

20. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute an agreement with 3M Health Information Systems, Inc. for medical records coding software and maintenance services for an amount not to exceed \$1,144,010 with an agreement term of August 9, 2021 through August 8, 2026.
- b. Authorize the Chief Executive Officer for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$114,401) of the original cost of the agreement.
- c. Approve the NMC Chief Executive Officer's recommendation to accept non-standard indemnification, insurance, limitations on liability, and limitations on damages provisions within the agreement.

Approved - Agreement No.: A-15447

21. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute Add-on Orders IWS-285100, IWS-361696, IWS-409086, IWS-449631, IWS-450178, and IWS-334617, Product Replacement Amendment P202110045950, and Service Order MHS17469 to the Agreement (A-14454) with Change Healthcare Technologies, LLC adding \$105,919 for a total amount not to exceed \$4,637,828, with no change to the agreement term of July 1, 2019 through June 30, 2024.
- b. Authorize the Chief Executive Officer for NMC or his designee to execute up to five (5) future add-on orders, services orders, or product replacement amendments which do not significantly alter the scope of work and do not exceed \$50,000 per item.

Approved - Agreement No.: A-14454

22. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute an agreement with Enrollware Software for web-based class scheduling and student registration services for an amount not to exceed \$6,000 with an agreement term of August 1, 2021 through July 31, 2022
- b. Approve the NMC Chief Executive Officer's recommendation to accept non-standard risk provisions within the agreement.

Approved - Agreement No.: A-15448

23. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute an agreement with HeartFlow, Inc. for analysis of cardiac disease services for an amount not to exceed \$136,000 with an agreement term retroactive from July 1, 2021 through June 30, 2023; and
- b. Authorize the Chief Executive Officer for NMC or his designee to execute up to three (3) future amendments to the Master Services Agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$13,600) of the original cost of the agreement; and

c. Approve the NMC Chief Executive Officer's recommendation to accept non-standard indemnification, auto insurance, and limitations on liability provisions within the agreement.

Approved - Agreement No.: A-15449

- 24.** a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute amendment No. 6 to the agreement (A-12637) with Intelligent Medical Objects, Inc. for electronic mapping and standard nomenclature software licenses, support and maintenance services, with no change to the agreement term of January 28, 2014 through April 30, 2022, and adding \$98,997 for a revised total agreement amount not to exceed \$527,357.

Approved - Agreement No.: A-12637; Amendment No.: 6

- 25.** a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute an agreement with Nuance Communications, Inc. for Dragon Medical, and PowerShare software license services for an amount not to exceed \$588,268 with an agreement term retroactive to July 1, 2021 through June 30, 2026.
- b. Authorize the Chief Executive Officer for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$58,827) of the original cost of the agreement per each amendment.
- c. Approve the NMC Chief Executive Officer's recommendation to accept non-standard indemnification, auto insurance, limitations on liability, and limitations on damages provisions within the agreement.

Approved - Agreement No.: A-15450

Health Department

- 26.** a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding template for the provision of therapeutic services to students with each of the following Monterey County School Districts ("School Districts"): Alisal Union, Carmel Unified, Chualar Union, Gonzales Unified, Lagunita Elementary, Monterey County Home Charter School, Salinas Union High, and Soledad Unified for a total maximum amount for all School Districts not to exceed \$2,188,756, for a total not to exceed amount per School District as outlined in Exhibit A, effective July 1, 2021 through June 30, 2022; 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 to each MOU that in total do not exceed ten percent (10%) of the initial liability of each MOU, as shown in Exhibit A, and that do not significantly change the scope of services.

Approved - Agreements Alisal Union: A-15460; Carmel Unified: A-15461; Chualar Union: A-15462; Gonzales Unified: A-15463; Lagunita Elementary: A-15464; Monterey County Home Charter School: A-15465; Salinas Union High: A-15466 & Soledad Unified: A-15467

27. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a multi-year Substance Use Disorder Treatment Services Agreement with Sun Street Centers retroactive to July 1, 2021 for the provision of alcohol and drug recovery services in the amount of \$4,871,912 Fiscal Year (FY) 2021-22 and \$4,860,948 for FY 2022-23 for a total Agreement amount not to exceed \$9,732,860 for the term of July 1, 2021 through June 30, 2023; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments not to exceed ten percent (10%) (\$973,286) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No.: A-15451

28. Adopt a Resolution to:
- a. Authorize the Auditor-Controller to execute an operating transfer of \$250,000 from the 1991 Social Services Realignment Subaccount (025-0255-5010-SOC012-CMS) to the 1991 Health Realignment Subaccount (025-0254-4000-HEA013-PH) to fund the Bright Beginnings program; and
- b. Authorize the Auditor-Controller to amend the FY 2020-21 Health Department's operating budget to increase appropriations (025-4000-HEA013-8424-7614) and estimated revenue (025-4000-HEA013-8424-5940) by \$250,000, funded by an operating transfer from 1991 Social Services Realignment (025-0255-5010-SOC012-CMS) (4/5th's vote required); and
- c. Authorize the Auditor-Controller to execute an operating transfer of \$1,218,318 from the 1991 Social Services Realignment Subaccount (025-0255-5010-SOC012-CMS) to the 1991 Health Realignment Subaccount (025-0254-4000-HEA013-PH) to fund Children's Medical Services programs; and
- d. Authorize the Auditor-Controller to amend the FY 2020-21 Health Department's operating budget to increase appropriations (025-4000-HEA013-8424-7614) and estimated revenue (025-4000-HEA013-8424-5940) by \$1,218,318, funded by an operating transfer from 1991 Social Services Realignment (025-0255-5010-SOC012-CMS) (4/5th's vote required); and
- e. Authorize the Auditor-Controller to execute an operating transfer of \$402,726 from the 1991 Social Services Realignment Subaccount (025-0255-5010-SOC012-CMS) to the 1991 Health Realignment Subaccount (025-0254-4000-HEA013-PH) to fund the Nurse Family Partnership (NFP) and Maternal, Child, and Adolescent Health (MCAH) programs; and
- f. Authorize the Auditor-Controller to amend the FY 2020-21 Health Department's operating budget (025-4000-HEA013-8424-7614) to increase appropriations and estimated revenue (025-4000-HEA013-8424-5940) by \$402,726, funded by an operating transfer from 1991 Social Services Realignment (025-0255-5010-SOC012-CMS) (4/5th's vote required).

Adopted Resolution No.: 21-210

29. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 2 to Agreement A-14744 with Housing Resource Center of Monterey County (HRC) retroactive to July 1, 2021 which adds funding for additional permanent housing services and increases the contract amount by \$454,540 for a new total Agreement amount not to exceed \$1,423,299 for the full-term of June 09, 2020 through February 15, 2023.

Approved - Agreement No.: A-14744; Amendment No.: 2

30. a. Authorize the Director of Health or Assistant Director of Health to accept a grant award of a Mental Health Student Services Act (“MHSSA”) Grant, in the amount of \$3,999,979, Grant Agreement No. 21MHSOAC015, from the Mental Health Services Oversight and Accountability Commission (“MHSOAC”), to expand access to mental health services for children and youth, for the full grant period from date of execution by both entities through August 31, 2025; and
- b. Authorize the Director of Health or Assistant Director of Health to execute the MHSSA Grant Agreement No. 21MHSOAC015 with the MHSOAC, in the total agreement amount of \$3,999,979 for the full contract period from date of execution by both entities through August 31, 2025.

Approved - Agreement No.: A-15452

General Government

31. Adopt a Resolution to:
- a. Authorize the Auditor-Controller to amend the FY 2020-21 Adopted Budget by increasing appropriations by \$15,000 in CAO Laguna Seca Rifle & Pistol Range 001-1050-CAO029-8504 financed by a decrease in appropriations of \$15,000 in CAO Administration & Finance 001-1050-CAO001-8045 (majority vote required); and
- b. Authorize the Auditor-Controller and the County Administrative Office to reflect these approved modifications in the FY 2020-21 Adopted Budget.

Adopted Resolution No.: 21-211

32. Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to retitle and modify Sections A.21 Health, Dental, and Optical Insurance and A.21.1 Provision of Health, Dental and Optical Insurance to change the term “optical” to “vision” and add Limited Term employees;
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to retitle and modify Section 21.4 Health Insurance Plans: Flexible Benefits Plan & Alternative Benefit Option as the County no longer offers an Alternative Benefit Option and to reflect future changes to the County’s required contribution as directed by the California Public Employees’ Retirement System (CalPERS);
- c. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to retitle and modify Section A.21.4.1 Flexible Benefits Plan - Units D, E, L, O, X, XL and Y to reflect the County’s maximum contributions for medical insurance;
- d. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to delete Section A.21.4.2 Alternative Benefit Options - Units O, X, XL, and Y as the County no longer offers an Alternative Benefit Option and replace it with the County Maximum Contribution for Represented Employees provision;
- e. Direct the Human Resources Department to incorporate the changes in the Personnel Policies and Practices Resolution No.98-394.
- f. Direct the Human Resources Department and Auditor-Controller’s Office to implement the changes in the Advantage HRM/Payroll system.

Adopted Resolution No.: 21-212

33. a. Approve and authorize the County Administrative Officer, or designee, to execute a retroactive Agreement with Robert Joseph Poma dba Poma Electric for general electrical repairs and maintenance at Laguna Seca Recreation Area retroactive from July 1, 2021 through June 30, 2022, for an amount not to exceed \$25,000; and
- b. Approve and authorize the County Administrative Officer, or designee, to execute up to three (3) future amendments to this Agreement where the total amendments do not exceed 10% (\$2,500) of the agreement amount and do not significantly change the scope of work.

Approved - Agreement No.: A-15453

34. Authorize and Approve the Library Director and the Monterey County Sheriff's Office or his/her Designee to enter into a new Memorandum of Understanding (MOU), allowing the Sheriff's Office to use a room inside the San Lucas Library as a field office and in turn, provide for a safer library, for a period of another five (5) years upon the signed date of the Memorandum of Understanding.

Approved - Agreement No.: A-15454

35. a. Approve and authorize the Library Director to execute a three-year Memorandum of Understanding ("MOU") for the term of June 1, 2021 to May 31, 2024 with the Friends of the Marina Library ("FOML") to partner with Monterey County on behalf of the Monterey County Free Libraries (MCFL), and
- b. Authorize the Monterey County Free Libraries (MCFL) to establish the MOU to provide guidance on the use of physical space inside and immediately around the Marina Branch Library for use by the Friends of the Marina Library (FOML) to provide and in support of public programming, book sales, and book sale activities, and meetings, and
- c. Authorize the Library Director or Designee to execute up to three future amendments to the MOU that do not significantly alter the scope of work.

Approved - Agreement No.: A-15455

36. Adopt a Resolution to:
- Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to modify Section V. Definitions to update the definition of Temporary Employee and Temporary Position to change the term "position" to "assignment";
 - Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to add Section B.5.9 Temporary to Permanent to allow an appointing authority to appoint a temporary employee to a permanent position when the defined conditions are met;
 - Direct the Human Resources Department to incorporate the changes in the Personnel Policies and Practices Resolution No.98-394.

Adopted Resolution No.: 21-213

37. a. Approve and authorize the County Administrative Officer, or designee, to sign an Agreement with

Greenlight USA, LLC. to provide event television and live streaming production during the Rolex Monterey Motorsports Reunion at WeatherTech Raceway Laguna Seca effective July 26, 2021 through September 1, 2021, for an amount not to exceed \$160,000; and

b. Approve and authorize the County Administrative Officer, or designee, to execute up to three (3) future amendments to this Agreement where the total amendments do not exceed 10% (\$16,000) of the agreement amount and do not significantly change the scope of work.

Approved - Agreement No.: A-15456

38. a. Approve and authorize the County Administrative Officer, or his designee, to sign a retroactive Agreement with Telfer Design, Inc. to provide official artwork for the 2021 Rolex Monterey Motorsports Reunion, and the 2021 Hyundai Monterey Sports Car Championship at WeatherTech Raceway Laguna Seca retroactive from May 5, 2021 through December 31, 2021, for an amount not to exceed \$28,500;
- b. Accept non-standard risk terms with respect to indemnification and insurance provisions; and
- c. Approve and authorize the County Administrative Officer, or his designee, to execute up to three (3) future amendments to this Agreement where the total amendments do not exceed 10% (\$2,850) of the agreement amount and do not significantly change the scope of work.

Approved - Agreement No.: A-15457

39. Approve a request from the Monterey County Regional Fire District for dry period loan of \$7,000,000 for the Fiscal Year ending June 30, 2022

Approved

40. Adopt a resolution:
- a. Approving a request from the Resource Conservation District of Monterey County (“District”) for a dry period loan (“Dry Period Loan”) of \$300,000 for the Fiscal Year ending June 30, 2022, for meeting the District’s obligations incurred for maintenance purposes; and
- b. Approving and authorizing execution by the County Auditor-Controller of a Temporary Transfer of Funds Agreement with the District, setting forth the terms and conditions of repayment of the dry period loan in the amount of \$300,000 for the Fiscal Year ending June 30, 2022; and
- c. Authorizing the County Auditor-Controller and County Treasurer-Tax Collector to implement the temporary transfer of funds to the District in the amount of \$300,000 for the Fiscal Year ending June 30, 2022.

Adopted Resolution No.: 21-214

41. Approve and authorize the County Administrative Officer, or designee, to sign an Assignment and Assumption Agreement between the County of Monterey, LTF Triathlon Series, LLC (LTF), a wholly owned subsidiary of Life Time, Inc. (Life Time), and Sea Otter Classic, Inc. (Sea Otter) transferring Sea Otter’s interest in the Contract and Event Agreement with the County of Monterey to Life Time, Inc., effective on the date last signed by one of the parties.

Approved - Agreement No.: A-15458

42. a. Approve and authorize Contracts/Purchasing to sign a retroactive Agreement with Netfile, Inc. for a term of January 1, 2021 through June 30, 2024 in an amount not to exceed \$100,000 (\$23,000 per calendar year), to provide software, software maintenance support, and professional services for the Netfile Inc. system that accepts electronic filings for the FPPC Statements of Economic Interest Form 700; and,
- b. Approve and authorize the Clerk of the Board to execute up to three (3) future annual extensions of this Agreement where each extension does not exceed \$23,000 and is without significant changes to the scope of work.

Approved - Agreement No.: A-15459**Housing and Community Development****43. PLN200176 - AVILA**

Continue public hearing to consider a Lot Line Adjustment between four (4) legal lots of record currently under Williamson Act Contract of 636.8 acres (Parcel 1), 211.9 acres (Parcel 2), 321.1 acres (Parcel 3) and 222.6 acres (Parcel 4) into four (4) resulting lots of 519.7 acres (Parcel A), 329 acres (Parcel B), 486.1 acres (Parcel C) and 57.6 acres (Parcel D), respectively.

Project Location: 101 South Highway 101, San Ardo & 72125 Jolon Road, Bradley, near Nacimiento Lake Drive, South County Area Plan.

Proposed CEQA Action: Categorically Exempt 15305

Continued

43.1 Adopt a Resolution to:

- a. Accept a Final Parcel Map for a minor subdivision to divide a 373-acre parcel into four (4) parcels of 149 acres (Parcel A); 94 acres (Parcel B); 68 acres (Parcel C); and 62 acres (Parcel D);
- b. Direct the Clerk of the Board to submit the Final Parcel Map for filing with the County Recorder, subject to the collection of the applicable recording fees; and
- c. Amend existing Williamson Act Agricultural Preserve No. 71-40 and Land Conservation Contract No. 71-40 and authorize the Chair or the Vice Chair of the Board of Supervisors to execute a new or amended Williamson Act Agricultural Preserve Land Conservation Contract or Contracts for the four (4) new parcels created by the subdivision.
- d. Direct the Clerk of the Board to record the new or amended Williamson Act Land Conservation Contract or Contracts for the four (4) new parcels subject to the submittal of recording fees by the property owner of record.

Project Name: SCHEID VINEYARDS CALIFORNIA, INC.

File Number: PLN180345

Project Location: 34954 Metz Road, Soledad, CA

Proposed CEQA Action: Statutorily Exempt per California Environmental Quality Act (CEQA) Guidelines section 15268(b)(3) - Approval of Final Subdivision Maps.

Adopted Resolution No.: 21-215

Public Works, Facilities and Parks

44. Adopt resolutions for County Service Areas 1, 9, 15, 19, 20, 23, 24, 26, 30, 31, 32, 33, 35, 37, 38, 41, 44, 45, 47, 50, 51, 52, 53, 54, 56, 58, 62, 66, 68, 72, and 75:
- a. Certifying compliance with State law with respect to the levying of general and specific taxes, assessments, and property-related fees and charges for the respective County Service Area; and
 - b. Authorizing and directing the Auditor-Controller to enter the amount of the charges against the respective lots or parcels as they appear in the assessment roll for FY 2021-22 as described in Exhibit 1 and Exhibit 2 (CSA 45 Oak Hills Subdivision only) of each Resolution.

Adopted Resolution No's.: 21-216 and 21-223 through 21-252

**County Service Area 1 = Resolution No. 21-216; County Service Area 9 = Resolution No. 21-223;
 County Service Area 15 = Resolution No. 21-224; County Service Area 19 = Resolution No. 21-225;
 County Service Area 20 = Resolution No. 21-226; County Service Area 23 = Resolution No. 21-227;
 County Service Area 24 = Resolution No. 21-228; County Service Area 26 = Resolution No. 21-229;
 County Service Area 30 = Resolution No. 21-230; County Service Area 31 = Resolution No. 21-231;
 County Service Area 32 = Resolution No. 21-232; County Service Area 33 = Resolution No. 21-233;
 County Service Area 35 = Resolution No. 21-234; County Service Area 37 = Resolution No. 21-235;
 County Service Area 38 = Resolution No. 21-236; County Service Area 41 = Resolution No. 21-237;
 County Service Area 44 = Resolution No. 21-238; County Service Area 45 = Resolution No. 21-239;
 County Service Area 47 = Resolution No. 21-240; County Service Area 50 = Resolution No. 21-241;
 County Service Area 51 = Resolution No. 21-242; County Service Area 52 = Resolution No. 21-243;
 County Service Area 53 = Resolution No. 21-244; County Service Area 54 = Resolution No. 21-245;
 County Service Area 56 = Resolution No. 21-246; County Service Area 58 = Resolution No. 21-247;
 County Service Area 62 = Resolution No. 21-248; County Service Area 66 = Resolution No. 21-249;
 County Service Area 68 = Resolution No. 21-250; County Service Area 72 = Resolution No. 21-251;
 and
 County Service Area 75 = Resolution No. 21-252**

ADDENDA

45.

ADDENDA

Added under Housing and Community Development - Consent

- 43.1 Adopt a Resolution to:
- a. Accept a Final Parcel Map for a minor subdivision to divide a 373-acre parcel into four (4) parcels of 149 acres (Parcel A); 94 acres (Parcel B); 68 acres (Parcel C); and 62 acres (Parcel D);
 - b. Direct the Clerk of the Board to submit the Final Parcel Map for filing with the County Recorder, subject to the collection of the applicable recording fees; and
 - c. Amend existing Williamson Act Agricultural Preserve No. 71-40 and Land Conservation Contract No. 71-40 and authorize the Chair or the Vice Chair of the Board of Supervisors to execute a new or amended Williamson Act Agricultural Preserve Land Conservation Contract or Contracts for the four (4) new parcels created by the subdivision.

d. Direct the Clerk of the Board to record the new or amended Williamson Act Land Conservation Contract or Contracts for the four (4) new parcels subject to the submittal of recording fees by the property owner of record.

Project Name: SCHEID VINEYARDS CALIFORNIA, INC.

File Number: PLN180345

Project Location: 34954 Metz Road, Soledad, CA

Proposed CEQA Action: Statutorily Exempt per California Environmental Quality Act (CEQA)

Guidelines section 15268(b)(3) - Approval of Final Subdivision Maps.