

Monterey County

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



Meeting Minutes - Draft

Tuesday, March 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 appeared in person and Supervisor Chris Lopez, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo appeared via video conference

Staff Present

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

Additions and Corrections for Closed Session by County Counsel

There were no additions and corrections for the agenda.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 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, Kim Moore and Ariana Hurtado
Employee Organization(s): All Units
 - (2) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado
Employee Organization(s): Unit R
 - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) *City of Marina, et al v. County of Monterey, et al* (Monterey County Superior Court Case No. 19CV005270)
 - (2) *California American Water Company v. All Persons Interested, etc., et al.* (Monterey County Superior Court Case No. 20CV002436; and
 - (3) *City of Marina, et al. vs. All Persons Interested, etc., et al.* (Monterey County Superior Court Case No. 21CV000493)
 - d. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Administrative Officer.
 - e. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance

evaluation for the County Counsel.

f. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Civil Rights Officer.

g. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Public Defender.

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

Public Comment

Open for public comments; no public comments made.

The Board Recessed for Closed Session Agenda Items

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

Nick Chiulos, Assistant County Administrative Officer stepped in for Charles McKee, County Administrative Officer.

Roll Called

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

Staff Present

Nick Chiulos, Assistant County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

Pledge of Allegiance

The Pledge of Allegiance was led by Salinas Mayor Kimbley Craig.

Announcement of Interpreter

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

Additions and Corrections by Clerk

The following additions and corrections were read into the record:

Correction to the General Government and Public Works, Facilities and Parks Consent Calendar

Item No. 25 is requested to be pulled from the agenda by the department and to be brought back on Tuesday, March 23, 2021; and

Item No. 32 is requested to be pulled by County Counsel and the Department to be brought back at a later time with Item No. 1 from the East Garrison Community Services District agenda from today.

Ceremonial Resolutions

Open for public comments; no public comments made.

2. Adopting a Resolution Honoring Professional Social Work in Recognition of Professional Social Work Month. (Full Board - Supervisor Askew)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to adopt Resolution No. 21-094 honoring Professional Social Work in Recognition of Professional Social Work Month. (Full Board - Supervisor Askew)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

3. Resolution Designating the Week of March 14-20, 2021 as National Public Defender Week in Monterey County. (Full Board - Supervisor Askew)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to adopt Resolution No. 21-093 designating the Week of March 14-20, 2021 as National Public Defender Week in Monterey County. (Full Board - Supervisor Askew)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Appointments

Open for public comments; no public comments made.

4. Appoint Valerie Maturino Lopez to the Behavioral Health Commission, with a term ending date of December 31, 2021. (Supervisor Adams)

A motion was made by Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to appoint Valerie Maturino Lopez to the Behavioral Health Commission, with a term ending date of December 31, 2021. (Supervisor Adams)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Approval of Consent Calendar – (See Supplemental Sheet)

Supervisor Wendy Root Askew and Supervisor Luis A. Alejo pulled Item No.'s 14.1 and 14.2 for comments/questions; in addition, Supervisor Wendy Root Askew pulled Item No. 20.

Supervisor Chris Lopez pulled Item No. 27 for comments.

Staff responded.

Open for public comments, no comments were made.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Mary L. Adams to approve Consent Calendar Item Numbers 14 through 31 excluding Item No. 25 and 32 which were pulled from the agenda via additions and corrections.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Other Board Matters**5. Board Comments**

Board Comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4194

6. County Administration Officer Comments and Referrals

Nick Chiulos, Assistant County Administrative Officer shared there were no new referrals made.

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

http://monterey.granicus.com/EditFile.php?clip_id=4194

He also concurred with the Supervisors comments and recognition on the one year passing of the pandemic period.

7. General Public Comments

Open for general public comments for items not on today's agenda; no comments were made.

10:30 A.M. - Scheduled Matters**8. Receive a report from the Development Set-Aside Agencies on priorities for Monterey County.**

Anastacia Wyatt, Housing Program Manager from Monterey County Economic Development and

Kimbley Craig, Monterey County Business Council from the City of Salinas, both via Zoom, presented via PowerPoint presentation.

Open for public comments; no comments made.

Upon consensus the Board:

Received a report from the Development Set-Aside Agencies on priorities for Monterey County.

Charles McKee, County Administrative Officer returned to the meeting.

12:00 P.M. - Recessed to Lunch

1:30 P.M. - Reconvened

Roll Called

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

Staff Present

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

Announcement of Interpreter

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

1:30 P.M. - Scheduled Matters

9. a. Briefing and update on COVID-19, including impacts, and action, proposals and plans to address (verbal report);
- b. Provide direction to staff to address COVID-19

Nick Chiulos, Assistant County Administration Officer will make opening remarks with the additional presenters:

Dr. Edward Moreno, Health Officer and Kristy Michie, Assistant Bureau Chief, both via Zoom, from the Health Department presented on the local/state metrics, testing and vaccinations (supply, distribution and clinics) via PowerPoint presentation.

Maia Carroll, Public Information Officer from Employee and Community Relations, via Zoom, verbally presented on recognizing one year of Covid.

Open for public comments; Nina Beety and Sonia Koehler, both via Zoom, commented.

Upon consensus the Board received a:

- a. Briefing and update on COVID-19, including impacts, and action, proposals and plans to address (verbal report); and
- b. Directed staff to provide an attestation update on population; present an Equity Plan for

vaccinations; research mobile vaccinations clinics; follow-up on Veteran's vaccination data to be included in overall vaccination reporting data; and bring back an update on update on testing plan.

11. Consider an appeal of a Zoning Administrator decision to approve a Design Approval for a fence ranging in height from four to six feet and consider waiving the fee for the appeal.
[PLN190255/SMITH & RADER, 99 Second Street, Spreckels (APN 177-061-003-000)]

Item No. 11 was heard before Item No. 10 due to technical difficulties.

Public hearing commenced.

Liz Gonzales, Supervising Planner from the Planning Department and Craig Spencer, Services Manager, from the Housing Community Development Department both, via Zoom, presented via PowerPoint presentation.

Rosana Radar, via Zoom, applicant/appellant verbally presented.

Open for public comments; Eric Takashima, via Zoom, commented.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Mary L. Adams with Supervisor John M. Phillips and Supervisor Chris Lopez, voting no, to Adopt Resolution No. 21-070 to:

- a. Find the project, which consists of the replacement of an existing structure, categorically exempt per CEQA Guidelines section 15302;
- b. Consider additional information requested by the Board on the November 5, 2020;
- c. Grant the appeal by Rosana Rader and Michael Smith from the July 30, 2020 decision of the Zoning Administrator to approve an after the fact Design Approval, as modified by the Zoning Administrator, for minor additions to an existing single-family dwelling and a fence ranging in height from four to six feet on the property lines (Llano Street and Second Street); at 99 Second Street, Spreckels;
- d. Accept the appellants proposal to modify the fence by removing alternating boards resulting in 1/2-inch voids that would give an "open-patterned" appearance along Second and Llano Streets. The appellants would also reduce the rear fencing four feet along the property lines back to the edge of the two houses; and
- e. Waive the appeal fee.

PROJECT INFORMATION

Property Owners: Smith, Michael A and Rader, Rosana

APN: 177-061-003-000

Parcel Size: 0.173 acre (7,536 sq. ft)

Zoning: HDR/5.1-HR-DHigh Density Residential/5.1 acres per unit-Historic Resource-Design Control District

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: NAY

Supervisor Lopez: NAY

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Motion carried 3 to 2

10. Public hearing to consider an appeal by Fred Miranda from the October 28, 2020, decision of the

Monterey County Planning Commission to state and issue a final determination that the Planning Commission had an unbreakable tie vote and neither approved nor denied the following applications:

- a. Construction of an approximately 2,153 square foot two-story single-family dwelling, including removal of two trees (Coast live oak), development within 100 feet of environmentally sensitive habitat and development on 30 percent slope (PLN190097/ WALNUT COVE LLC); and
- b. Construction of an approximately 3,114 square foot two-story single-family dwelling including removal of two trees (Coast live oak, Monterey pine), development within 100 feet of environmentally sensitive habitat and development on 30 percent slope (PLN190098/WALNUT COVE LLC).

Project Locations: 24418 (PLN190097) and 24424 (PLN190098) San Juan Road, Carmel Woods, Carmel Area Land Use Plan, Coastal Zone

Proposed CEQA Action: Categorically Exempt per section 15303 of the CEQA Guidelines.

Public hearing commenced.

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

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

Open for public comments; Tom O'Brien, Natalie Nielsen, Sue Benjamin, Robin Robinson, all via Zoom, commented. Robin Robinson also shared a PowerPoint presentation during public comment.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez with Supervisor Mary. L. Adams, voting no, to Adopt Resolution No. 21-068 and 21-069 to:

- a. Grant the appeal of Fred Miranda from the Planning Commission's October 28, 2020 statement and issuance of a final determination that the Planning Commission had an unbreakable tie vote and neither approved nor denied the subject applications;
- b. Find that both projects involve the construction of one new single-family dwelling on an existing legal lot of record, which qualify as Class 3 Categorical Exemptions pursuant to Section 15303 of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2 (individually or cumulatively);
- c. Approve a Combined Development Permit (Planning File No. PLN190097) consisting of: 1) Coastal Administrative Permit and Design Approval to allow the construction of an approximately 2,153 square foot two-story single-family dwelling with an attached 440 square foot garage; 2) Coastal Development Permit to allow the removal of two trees (Coast Live oaks); 3) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat; and 4) Coastal Development Permit to allow approximately 529 square feet of development on slopes exceeding 30 percent; and
- d. Approve a Combined Development Permit (Planning File No. PLN190098) consisting of: 1) Coastal Administrative Permit and Design Approval to allow the construction of an approximately 3,114 square foot two-story single-family dwelling with an attached 462 square foot garage; 2) Coastal Development Permit to allow the removal of two trees (Monterey pine and Coast Live oak); 3) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat area; and 4) Coastal Development Permit to allow approximately 80 square feet of development on slopes exceeding 30 percent.

Draft resolutions, including findings and evidence for each project, are attached for consideration (Attachments B and C). Staff recommends approval of each Combined Development Permit subject to fifteen (15) and sixteen (16) conditions of approval, respectively.

PROJECT INFORMATION:

Property Owner: Walnut Cove LLC

Agent: Chad Brown

APNs: 009-013-011-000 and 009-013-012-000

Zoning: Medium Density Residential, 2 units per acre, with a Design Control Overlay (Coastal Zone) [MDR/2-D (CZ)] (Both Parcels)

Existing Parcel Sizes: 9,340 square feet (0.214 acre) and 9,965 square feet (0.229 acre) respectively

Plan Area: Carmel Area Land Use Plan, Coastal Zone

Flagged and Staked: Yes

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: NAY

Chair Supervisor Root Askew: AYE

Motion carried 4 to 1

12. Public hearing (continued from February 23, 2021) to consider an appeal by Leonard McIntosh from the September 30, 2020 Planning Commission decision approving an amendment to a Combined Development Permit to allow construction of a 22,137 square foot, two-story, 15-unit residential apartment building, on vacant Lot 5 of the Laguna Seca Office Park (LSOP) and approving a General Development Plan for Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 [Condominium Units 103 & 104] and 19 [Condominium Unit 002] of the LSOP to allow residential and/or commercial uses on any single lot, such that the cumulative total of residential square footage across all lots covered by the General Development Plan does not exceed the cumulative total commercial square footage across the LSOP.

Proposed CEQA Action: Consider an Addendum together with the Final Environmental Impact Report for the Laguna Seca Office Park in accordance with CEQA Guidelines Section 15164.

[PLN170765 -Leonard H. McIntosh Family Trust, 24491 Citation Court, Monterey, Greater Monterey Peninsula Area Plan. (APNs: 173-121-002, 173-121-003, 173-121-004, 173-121-005 (Lot 5), 173-121-023, & 173-121-026, 173-121-009, 173-121-011, 173-121-015, 173-121-016, 173-123-001, 173-123-003, 173-123-006, & 173-124-001)]

Public hearing commenced.

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

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

Open for public comments; no public comments made.

Substitute motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Mary L. Adams to accept staff recommendation including staff's proposed language for the General Development Plan.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: NAY

Supervisor Phillips: NAY

Supervisor Lopez: NAY

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Motion failed 3 to 2

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to Adopt Resolution No. 21- 071, as amended, to include the Applicant/Appellant's proposed development language for the General Development Plan with Supervisor Mary L. Adams, voting no, to:

- a) Grant in part the appeal by Leonard McIntosh from the September 30, 2020 Planning Commission decision approving an amendment to a Combined Development Permit to allow construction of a 22,137 square foot, two-story, 15-unit residential apartment building, on vacant Lot 5 of the Laguna Seca Office Park (LSOP) and approving a General Development Plan for Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 [Condominium Units 103 & 104] and 19 [Condominium Unit 002] of the LSOP;
- b) Certify the Board considered an Addendum together with the LSOP Final Environmental Impact Report (FEIR) in accordance with CEQA Guidelines Section 15164;
- c) Approve a General Development Plan (GDP) covering certain lots [Lots 2-7, 9, 11, 15, & 16, and portions of Lots 10 (Condominium Units 103 & 104) and 19 (Condominium Unit 002)] that allows residential and/or commercial uses on any single lot, such that the cumulative total of residential square footage across all lots covered by this GDP, does not exceed the cumulative total commercial square footage across all LSOP lots; and
- d) Approve an amendment to a Combined Development Permit (PLN020332, PC Resolution No. 12-035) to allow construction of a 22,137 square foot two-story 15-unit residential apartment building on Lot 5 of the LSOP, instead of a 20,306 square foot two-story professional office building, subject to the project satisfying 25% requirement for 3.5 total Affordable Units as follows: 1) One (1) Low-Income; 2) One (1) Moderate-Income; 3) One (1) Workforce I Income; and pay fees in lieu of 0.5 fractional unit.

The attached draft Resolution includes findings and evidence for consideration (Attachment A). Staff recommends granting the appeal in part and approving the project subject to twenty-four (24) conditions of approval.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: NAY

Chair Supervisor Root Askew: AYE

Motion carried 4 to 1

Supervisor Luis A. Alejo excused himself from the meeting at 5:35 p.m.

13.
 - a. Receive a report on the current operations at Lake San Antonio; and
 - b. Provide direction regarding operations at Lake San Antonio.

Nathan Merkle, Operations Manager and Shawne Ellerbee, Assistant Director, both via Zoom, from Public Works, Facilities and Parks presented via PowerPoint presentation.

Open for public comments; Randy Peterson, Ed Buntz, Brad Hudson, Sergio Sanchez, Paula Getzelman, and Patti Werner, all via Zoom, commented.

Upon consensus the Board:

- a. Received a report on the current operations at Lake San Antonio; and
- b. Provided direction regarding operations at Lake San Antonio.

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, Kim Moore and Ariana Hurtado
Employee Organization(s): All Units

(2) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado
Employee Organization(s): Unit R

The Board took action on a tentative agreement with Unit R on items 1.b.(2)

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

(1) City of Marina, et al v. County of Monterey, et al (Monterey County Superior Court Case No. 19CV005270)

(2) California American Water Company v. All Persons Interested, etc., et al. (Monterey County Superior Court Case No. 20CV002436; and

(3) City of Marina, et al. vs. All Persons Interested, etc., et al. (Monterey County Superior Court Case No. 21CV000493)

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

d. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Administrative Officer.

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

e. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Counsel.

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

f. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Civil Rights Officer.

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

g. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Public Defender.

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

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

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

Adjourned

The meeting was adjourned at 6:22 p.m. by Chair Supervisor Wendy Root Askew.

APPROVED:

_____/s/ Wendy Root Askew_____
**WENDY ROOT ASKEW, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: ____/s/ Valerie Ralph_____

**VALERIE RALPH
CLERK OF THE BOARD**

APPROVED ON: November 16, 2021

Supplemental Sheet, Consent Calendar**Department of Social Services**

14. a. Approve and authorize the Director of the Department of Social Services to sign a no cost agreement for the period April 1, 2021 through June 30, 2024 with the Mexican-American Opportunity Foundation (MAOF) to facilitate the exchange of confidential information in order to provide child care payment services to CalWORKs customers; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement that do not encompass payment or significantly change the scope of work.

Approved - Agreement No.: A-15126

- 14.1 a. Adopt a resolution to Authorize the County of Monterey to participate in the State Rental Assistance Program; and
- b. Authorize the Director of Social Services to act on behalf of the County in connection with the State Rental Assistance Program block grant award and to enter into, execute, and deliver any and all documents required or deemed necessary or appropriate to be awarded for the State Rental Assistance, and all amendments.

Adopted Resolution No. 21-072

- 14.2 Adopt Resolution to:
- a. Accept Block Grant funds from State of California, Department of Housing and Community Development in the amount of \$15,391,449 for the State Emergency Rental Assistance Program;
- b. Accept the federal award from the U.S. Department of the Treasury in the amount of \$12,905,387 for Emergency Rental Assistance Program; and
- c. Approve and increase in appropriations and estimated revenues of \$17,000,000 for Social Services 001-5010-SOC004-8258 in the FY 2020-21 Adopted Budget (4/5ths vote required); and
- d. Authorize and direct the Auditor-Controller to amend the FY 2020-21 Adopted Budget Social Services 001-5010-SOC004-8258 increasing appropriations by \$17,000,000 and estimated revenues by \$28,296,836.16 from a State of California, Department of Housing and Community Development block grant (\$15,391,449) and a federal award from the U.S. Department of the Treasury (\$12,905,387) for the Emergency Rental Assistance Program.(4/5ths vote required).

Adopted Resolution No. 21-073

Criminal Justice

15. The board report corrects the previously submitted and approved board report A-13600, Amendment No. 1;
- a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendment 1 with GEO Reentry Services, LLC, a wholly owned subsidiary of The GEO Group. Inc., for the period of 7/1/2020 - 6/30/2021 in an amount of \$297,000, making a new not to exceed

amount of \$1,197,000 for the period 7/1/2017 - 6/30/2021; and

b. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to approve one (1) additional one (1) year amendments to the contract, provided that the amendment does not significantly change the scope of services and the cost does not exceed \$320,000 for a new not to exceed total for five (5) years of \$1,517,000.

Previously approved - Agreement No.: A-13600, Amendment No. 1

16. a. Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign Amendment 2 to the Central Valley Toxicology A-13883 Agreement in the amount of \$150,000 for a new not to exceed total of \$326,000 and extend the agreement one (1) year with a new term ending date of June 30, 2022; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign up to two (2) future one (1) year amendments to the agreement where the amendments do not significantly change the scope of work, and where the amendments do not increase the contract value more than \$100,000 per amendment for a maximum, not to exceed amount of \$526,000.

Approved - Agreement No.: A-13883, Amendment No. 2

General Government

17. Adopt a resolution to revise and approve amendments to, and revise, the Monterey Regional Waste Management District's Conflict of Interest Code.

Adopted Resolution No. 21-074

18. Approve and authorize the Contracts/Purchasing Officer or his designee to sign a Renewal and Amendment No. 1 to the County Standard Services Agreement with B&T Service Station Contractors to provide new fuel pump dispensers and POS system for the Track and Paddock at WeatherTech Raceway Laguna Seca, and extend the date of the Agreement through May 31, 2021, with no change to the not to exceed amount of \$100,000.

Approved - Agreement No.: A-15128, Amendment No. 1

19. Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to retitle the classifications of Director of Community Services to Director of Public Works, Facilities and Parks and Assistant Director of Community Services to Assistant Director of Public Works, Facilities and Parks and abolish the classification of Zoning Administrator as indicated in Attachment A; and
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Sections A.10.1 - Department Heads Designated and A.10.2 - Assistant Department Heads Designated to reflect the title changes, abolishment of Zoning Administrator, alphabetize and update the listing based on prior BOS actions; and
- c. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

Adopted Resolution No. 21-075

20. a. Amend P-210 Lactation in the Workplace Policy, including title change to Lactation Accommodation While at Work Policy; and
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to delete Section B.18 Lactation in the Workplace; and
- c. Direct the Human Resources and Health Departments to take the necessary actions to implement the policy.

Approved

21. Adopt a Resolution to:
- a. Amend P-180 Family Care and Medical Leave Policy;
- b. Direct the Human Resources Department and Auditor Controller's Office to take the necessary actions to implement the policy.

Adopted Resolution No. 21-076

22. Adopt a Resolution to:
- a. Approve P-123 Monterey County Catastrophic Leave Donation Program and Donated Leave Bank Policy, and rescind the existing Monterey County Leave Donation Program and Sick Leave Bank Resolution No. 90-484;
- b. Direct the Human Resources Department and Auditor Controller's Office to take the necessary actions to implement the policy.

Adopted Resolution No. 21-077

23. Adopt a Resolution to:
- a. Authorize and direct the Auditor-Controller to amend the FY 2020-21 adopted budget to increase appropriations in the Building Improvement and Replacement sub-fund (478-BIR-CAO047-1050-8539) by \$11,810,000 to allow for an operating transfer out to Natividad to reimburse Natividad for the purchase of the Seaside Family Health Center located at 1156 Fremont Boulevard in Seaside, financed by \$11,810,000 in unrestricted net position (4/5ths vote required); and
- b. Authorize and direct the Auditor-Controller to transfer \$11,810,000 from the Building Improvement and Replacement sub-fund (478-BIR-CAO047-1050-8539) to Natividad (451-NMC001-9600-8142) (4/5ths vote required).

Adopted Resolution No. 21-078

24. a. Approve and authorize the County Counsel to execute an Agreement between the County of Monterey and Liebert Cassidy Whitmore for legal consulting services during labor negotiations in an amount not to exceed \$100,000.00 and with the initial term beginning March 22, 2021 through June 30, 2023; and
- b. Authorize the County Counsel to sign future Amendments to the Agreement where the Amendments

do not significantly change the scope of work or cause an increase in the Agreement not-to-exceed amount of more than ten percent (10%).

Approved - Agreement No.: A-15130

- 25.** a. Approve and Authorize the Library Director to sign a Professional Services Agreement (PSA) with Innovative Interfaces, Inc. for library automation software and hosting services, in the amount not to exceed \$66,000, for the term April 1, 2021 through March 31, 2022; and
b. Accept the non-standard terms and conditions contained in the Agreement pursuant to the recommendation of the Monterey County Library Director.
- 26.** a. Approve and authorize the Executive Director of the Monterey County Workforce Development Board (MCWDB) to execute agreements with two contractors (Goodwill Central Coast and Hartnell Community College District) to provide online and in-person job readiness workshops to Adults, Dislocated Workers, and Youth in the maximum combined amount of \$160,000, for the period of July 1, 2020 through June 30, 2021; and
b. Authorize the Executive Director of the MCWDB to execute up to four amendments to each agreement, extending services for one (1) year per amendment, subject to review by County Counsel, provided the amendments do not significantly change the scope of work nor does the annual cost(s) increase by more than 10%.

Approved - Agreement No.: A-15132 and A-15133

Housing and Community Development

- 27.** a. Approve Agreement No. 4CA05187 between the County and California Department of Forestry and Fire Protection (Cal Fire) to provide fire protection and emergency services in South County in the non-peak fire season in connection with the California Flats Solar Project, in a maximum amount not to exceed \$374,655, retroactive to February 1, 2021 through June 30, 2021 and to take effect only upon execution of the agreement by the parties;
b. Approve a Funding Agreement with California Flats Solar, LLC (Cal Flats) to provide funding to County, for the services provided by Cal Fire under Agreement No. 4CA05187 and associated contract administration costs, in a maximum amount not to exceed \$378,402, for a term from February 1, 2021 to June 30, 2021; and
c. Authorize the County Housing and Community Development Director, or designee, to approve Cal Fire Agreement Number 4CA05187 and execute the Funding Agreement with Cal Flats and future amendments or extensions to the agreements where the amendments or extensions do not significantly alter the scope of work, change the approved agreement amounts, or affect the County's obligation.

Approved - Agreement No.: 4CA05187

Adopt Resolution No.: 21-079; Agreement No.: A-15134 and Agreement No.: A-15135

- 28.** Adopt a resolution to:
a. Amend the Housing and Community Development Department Budget Unit Environmental Services,

001-3000-8531-RMA110 to reallocate one (1) FTE Civil Engineer to one (1) FTE Associate Water Resources Hydrologist as indicated in attachment A; and

b. Authorize the Auditor-Controller and County Administrative Office to incorporate the position changes in the FY 2020-21 Housing and Community Development Department Adopted Budget, 001-3000-8531-RMA110.

Adopted Resolution No. 21-080

- 29.** a. Approve a Funding Agreement with Donald D. Chapin Jr. and Barbara A. Chapin, Co-trustees of the Chapin Living Trust dated April 27, 1999, to fund costs for Rincon Consultants, Inc., incurred by Monterey County for preparing an Initial Study and proposed Mitigated Negative Declaration (IS-MND) for the Chapin Commercial Cannabis Project (PLN170296) where the Base Budget is \$18,115.00, the Contingency Budget is \$5,000.00, and the Contract Administration Fee is \$446.00, for a total amount not to exceed \$23,561.00, for the term of March 16, 2021 through January 31, 2022; and
- b. Approve a Professional Services Agreement with Rincon Consultants, Inc. to prepare an Initial Study and proposed Mitigated Negative Declaration (IS-MND) for the Chapin Commercial Cannabis Project (PLN170296) where the Base Budget is \$18,115.00 and the Contingency Budget is \$5,000.00, for a total amount not to exceed \$23,115.00, for the term of March 16, 2021 through January 31, 2022; and
- c. Authorize the Housing and Community Development Director or designee to execute the Funding Agreement, Professional Services Agreement, and future amendments and future amendments to the Agreements where the amendments do not significantly alter the scope of work and do not exceed the original Agreement amounts except for a contract amendment administration fee of \$446 for each such amendment to the Funding Agreement.

Approved - Agreement No.: A-15136

Public Works, Facilities and Parks

- 30.** Adopt a Resolution to:
- a. Approve a modified Standard Agreement with Data Ticket, Inc. to provide parking citation processing and collection services for the County of Monterey in a total amount not to exceed \$250,000, for a term of five (5) years, beginning on March 16, 2021 and ending on March 16, 2026;
- b. Authorize and direct the Auditor-Controller to amend the Fiscal Year (FY) 2020-21 Adopted Budget for General Fund, Fund 001, Facilities Services Appropriation Unit RMA006, to increase appropriations by \$25,000, financed by a decrease in appropriations in General Fund Contingencies, Fund 001, Appropriation Unit CAO020 (4/5th vote required); and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the modified Standard Agreement and future amendments to the Agreement where the amendments do not increase the approved Agreement amount.

Adopted Resolution No. 21-081 and Agreement No.: A-15137

- 31.** a. Approve an Agreement to purchase a Temporary Construction Easement (0.981 acres) between County of Monterey and Donald E. Vermeil, Trustee of the Vermeil Living Trust Agreement as

amended dated November 6, 1978 (APN 169-131-015), in the amount of \$64,900.00, for a Temporary Construction Easement for the construction of Robinson Canyon Road Scour Repair Project, Project No. 3851;

b. Approve an Agreement to purchase a Temporary Construction Easement (0.138 acres and 0.471 acres respectively) between County of Monterey and Rector, Wardens, and Vestrymen of St. Dunstan's Parish in Carmel Valley and (APN 416-024-014 and APN 416-522-005), in the amount of \$21,800.00, for a Temporary Construction Easement for the construction of Robinson Canyon Road Scour Repair Project, Project No. 3851;

c. Approve an Agreement to purchase a Temporary Construction Easement (0.048 acres) between County of Monterey and Angee Dee Morriss, (APN 416-024-013), in the amount of \$1,400.00, for a Temporary Construction Easement for the construction of Robinson Canyon Road Scour Repair Project, Project No. 3851;

d. Authorize the Director of Public Works, Facilities and Parks to execute the Agreements to purchase the Temporary Construction Easements, on behalf of the County.

Approved - Agreement No.: A-15138

32. Adopt a resolution to:

1. Direct the Registrar of Voters to conduct a special election on November 2, 2021, wholly by Vote-By-Mail ballot on the following two questions: *i)* Shall the Board of Directors of the East Garrison Community Services District (currently the Monterey County Board of Supervisors) be changed to a Board of Directors elected at large by registered voters of the District with such directors taking office on the first Friday in December 2021? and *ii)* If a majority of registered voters in the East Garrison Community Services District adopt the foregoing measure, which five (5) candidates shall be elected to serve? Vote for no more than two (Two-year term); Vote for no more than three (Four-Year Term); 2. Limit candidate statements to 200 words and require each candidate to pay the Elections Department for all costs associated with publishing their statement pursuant to Elections Code Section 13307; 3. Stipulate that in the event of a tie, the winning candidate(s) of the special election will be determined by a single coin toss conducted by the Registrar of Voters; 4. Direct the Registrar of Voters to post the Resolution directing the Registrar of Voters to hold the special election in accordance with law and these specifications and render all services specified by the Elections Code relating to the election, such services include publication of the Formal Notice of Election Article 3 of Chapter 2, Division 9 of the Elections Code relating to arguments concerning county measures shall apply, as full measure text on the Elections website and Registrar shall provide printed copies upon request at a cost to the East Garrison Community Services District; and 5. Direct the County of Monterey Office of the County Counsel to prepare an impartial summary of the ballot measure for the special election.

Item No. 32 was requested to be pulled by County Counsel and the Department to be brought back at a later time with Item No. 1 from the East Garrison Community Services District agenda from today.

Addendum

33. Add to Consent Calendar - Department of Social Services

- 14.1** a. Adopt a resolution to Authorize the County of Monterey to participate in the State Rental Assistance Program; and
- b. Authorize the Director of Social Services to act on behalf of the County in connection with the State Rental Assistance Program block grant award and to enter into, execute, and deliver any and all documents required or deemed necessary or appropriate to be awarded for the State Rental Assistance, and all amendments.
- 14.2** Adopt Resolution to:
- a. Accept Block Grant funds from State of California, Department of Housing and Community Development in the amount of \$15,391,449 for the State Emergency Rental Assistance Program;
- b. Accept the federal award from the U.S. Department of the Treasury in the amount of \$12,905,387 for Emergency Rental Assistance Program; and
- c. Approve and increase in appropriations and estimated revenues of \$17,000,000 for Social Services 001-5010-SOC004-8258 in the FY 2020-21 Adopted Budget (4/5ths vote required); and
- d. Authorize and direct the Auditor-Controller to amend the FY 2020-21 Adopted Budget Social Services 001-5010-SOC004-8258 increasing appropriations by \$17,000,000 and estimated revenues by \$28,296,836.16 from a State of California, Department of Housing and Community Development block grant (\$15,391,449) and a federal award from the U.S. Department of the Treasury (\$12,905,387) for the Emergency Rental Assistance Program.(4/5ths vote required).