

# County of Monterey

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



## Meeting Agenda - Final-Revised

Final-Revised as of 5:20 p.m.

Tuesday, October 25, 2022

9:00 AM

<https://montereycty.zoom.us/j/224397747>

### Board of Supervisors

*Chair Supervisor Mary L. Adams - District 5*

*Vice Chair Supervisor Luis A. Alejo - District 1*

*Supervisor John M. Phillips - District 2*

*Supervisor Chris Lopez - District 3*

*Supervisor Wendy Root Askew - District 4*

**Important Notice Regarding COVID 19**

Based on AB361 and recommendation of the Monterey County Health Officer, in order to minimize the spread of the COVID 19 virus, please do the following:

1. While the Board chambers remain open, you are strongly encouraged to observe the live stream of the Board of Supervisors meetings at <https://monterey.legistar.com/Calendar.aspx>, <http://www.mgtvonline.com/>, [www.youtube.com/c/MontereyCountyTV](http://www.youtube.com/c/MontereyCountyTV) or <https://www.facebook.com/MontereyCoInfo/>

If you attend the Board of Supervisors meeting in person, it is recommended to maintain appropriate social distancing, i.e., maintain a 6-foot distance between yourself and other individuals.

2. If you choose not to attend the Board of Supervisors meeting but desire to make general public comment, or comment on a specific item on the agenda, you may do so in two ways:

a. submit your comment via email by 5:00 p.m. on the Monday prior to the Board meeting. Please submit your comment to the Clerk of the Board at [cob@co.monterey.ca.us](mailto:cob@co.monterey.ca.us). In an effort to assist the Clerk in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Board of Supervisors Agenda) and item number (i.e. Item No. 10). Your comment will be placed into the record at the Board meeting.

b. you may participate through ZOOM. For ZOOM participation please join by computer audio at: <https://montereycty.zoom.us/j/224397747>

OR to participate by phone call any of these numbers below:

+1 669 900 6833 US (San Jose)  
+1 346 248 7799 US (Houston)  
+1 312 626 6799 US (Chicago)  
+1 929 205 6099 US (New York)  
+1 253 215 8782 US  
+1 301 715 8592 US

Enter this Meeting ID number: 224397747 when prompted. Please note there is no Participant Code, you will just hit # again after the recording prompts you.

You will be placed in the meeting as an attendee; when you are ready to make a public comment if joined by computer audio please Raise your Hand; and by phone please push \*9 on your keypad.

**Aviso importante sobre COVID 19**

Según AB361 y la recomendación del Oficial de Salud del Condado de Monterey, para minimizar la propagación del virus COVID 19, haga lo siguiente:

1. Mientras las cámaras de la Junta permanezcan abiertas, se le recomienda encarecidamente que observe la transmisión en vivo de las reuniones de la Junta de Supervisores en <https://monterey.legistar.com/Calendar.aspx>, <http://www.mgtvonline.com/>, [www.youtube.com/c/MontereyCountyTV](http://www.youtube.com/c/MontereyCountyTV) o <https://www.facebook.com/MontereyCoInfo/>

Si asiste a la reunión de la Junta de Supervisores en persona, se recomienda mantener un distanciamiento social adecuado, es decir, mantener una distancia de 6 pies entre usted y otras personas.

2. Si elige no asistir a la reunión de la Junta de Supervisores pero desea hacer comentarios del público en general, o comentar sobre un tema específico de la agenda, puede hacerlo de dos maneras:

Envíe su comentario por correo electrónico antes de las 5:00 p.m. el lunes anterior a la reunión de la Junta. Envíe su comentario al Secretario de la Junta a [cob@co.monterey.ca.us](mailto:cob@co.monterey.ca.us). En un esfuerzo por ayudar al Secretario a identificar el ítem de la agenda relacionado con su comentario público, por favor indique en la Línea de Asunto, el cuerpo de la reunión (es decir, la Agenda de la Junta de Supervisores) y el número del ítem (es decir, el Ítem No. 10). Su comentario se colocará en el registro en la reunión de la Junta.

B. puede participar a través de ZOOM. Para participar en ZOOM, únase por audio de computadora en: <https://montereycty.zoom.us/j/224397747>

O para participar por teléfono llame a cualquiera de los siguientes números:

+1669900 6833 EE. UU. (San José)

+ 1346248 7799 EE. UU. (Houston)

+1312626 6799 EE. UU. (Chicago)

+1929205 6099 EE. UU. (Nueva York)

+1 253215 8782 EE. UU.

+1 301 715 8592 EE. UU.

Ingrese este número de identificación de la reunión: 224397747 cuando se le solicite. Tenga en

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**cuenta que no hay un código de participante, simplemente presionará # nuevamente después de que la grabación le indique.**

**Se le colocará en la reunión como asistente; cuando esté listo para hacer un comentario público si se le une el audio de la computadora, levante la mano; y por teléfono, presione \* 9 en su teclado.**

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901.

As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

**ALTERNATE AGENDA FORMATS:** If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

**CEREMONIAL/APPOINTMENTS/OTHER BOARD MATTERS:** These items may include significant financial and administrative actions, and items of special interest, usually approved by majority vote for each program. The regular calendar also includes "Scheduled Items," which are noticed hearings and public hearings.

**CONSENT CALENDAR:** These matters include routine financial and administrative actions, appear in the supplemental section by program areas, and are usually approved by majority vote.

**TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA:** Walk to the podium and wait for recognition by the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board's action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

**TO ADDRESS THE BOARD DURING PUBLIC COMMENT:** Members of the public may address comments to the Board concerning each agenda item and may comment when the Chair calls for general public comment for items that are not on the day's agenda. The timing of public comment shall be at the discretion of the Chair.

**DOCUMENT DISTRIBUTION:** Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

**INTERPRETATION SERVICE POLICY:** The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for interpreter assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un interprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

All documents submitted by the public must have no less than ten (10) copies.

The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting.

Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board's Office located at 168 W. Alisal St., 1st Floor, Salinas, California. during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5

#### HELPFUL INFORMATION/INFORMACION UTIL

Sign Up For Alerts on items you may be interested in to keep informed and up to date on the Monterey County Board of Supervisors

To create an Alert please Sign Up and follow the User Guide to create alerts for calendars, meeting details, agenda items and item details at the following link:

<https://monterey.legistar.com/Default.aspx>

If assistance is needed please contact our office at the following email: [cob@co.monterey.ca.us](mailto:cob@co.monterey.ca.us)

Regístrese para recibir alertas sobre artículos que le pueden interesar para mantenerse informado y actualizado sobre la Junta de Supervisores del Condado de Monterey

Para crear una alerta, regístrese y siga la Guía del usuario para crear alertas para calendarios, detalles de reuniones, elementos de agenda y detalles de elementos en el siguiente enlace:

<https://monterey.legistar.com/Default.aspx>

Si necesita ayuda, comuníquese con nuestra oficina al siguiente correo electrónico: [cob@co.monterey.ca.us](mailto:cob@co.monterey.ca.us)



**NOTE: All agenda titles related to numbered agenda items are live web links. Click on the title to be directed to the corresponding Board Report.**

**PUBLIC COMMENT: Members of the public may address comments to the Board concerning each agenda item. The timing of public comment shall be at the discretion of the Chair.**

**Pursuant to AB361 some or all Supervisors may participate in the meeting by telephone or video conference.**

### **9:00 A.M. - Call to Order**

#### **Roll Call**

#### **Additions and Corrections for Closed Session by County Counsel**

County Counsel will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

#### **Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~two~~ three matters of significant exposure to litigation. (REVISED VIA SUPPLEMENTAL)
  - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
    - (1) Designated representatives: Irma Ramirez-Bough and Ariana HurtadoEmployee Organization(s): Units R and X
  - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) Terry Kaiser (Worker's Compensation Appeals Board No. ADJ9981283)
    - (2) Terry Kaiser (Worker's Compensation Appeals Board No. ADJ9981284)
    - (3) DOE v. County of Monterey, et al. (Monterey County Superior Court Case No. 22-CV003019)
  - d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment/recruitment to the position of County Administrative Officer.
  - e. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
    - (1) Property: Laguna Seca Recreation AreaAgency Negotiator(s): Randy Ishii, Director of Public Works Facilities and Parks, Charles J. McKee, County Counsel and Leslie J. Girard, County Counsel  
Negotiating Parties: A&D Narigi Consulting LLC and Friends of Laguna Seca  
Under negotiation: Price and terms

#### **Public Comments for Closed Session**

**The Board Recesses for Closed Session Agenda Items**

Closed Session may be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting, before or after the scheduled time, announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

**10:30 A.M. - Reconvene on Public Agenda Items****Roll Call****Pledge of Allegiance****Additions and Corrections by Clerk**

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

**Ceremonial Resolutions**

2. Adopt a resolution commending Rosemary Soto for fifteen years of service to the County of Monterey and acknowledge we live in a better place because of her efforts. (Supervisor Lopez)

**Attachments:**     [Ceremonial Resolution - Rosemary Soto](#)

3. Adopt a resolution commending Fire Captain Jeff May for his thirty years of service to the communities of Monterey County and acknowledge we live in a safer community because of his selfless efforts. (Supervisor Lopez)

**Attachments:**     [Ceremonial Resolution - Jeff May](#)

4. Adopt a resolution recognizing Joseph Hertlein for 24 years of dedicated service to the County of Monterey as a Monterey County Parks Commissioner. (Supervisor Adams)

**Attachments:**     [Ceremonial Resolution-Joseph Hertlein](#)

5. Adopt a resolution commending Deputy Jose Antonio Gonzalez upon his retirement from twenty-five and a half years of public service with the Monterey County Sheriff's Office. (Supervisor Adams)

**Attachments:**     [Ceremonial Resolution - Jose Gonzalez](#)

6. Adopt a resolution recognizing and honoring The Late Edward M. Dowd as Natividad Foundation's 2022 Hero Award Recipient for his transformative philanthropic investment in Natividad. (Supervisor Adams)



**Attachments:** [Ceremonial Resolution - Edward M. Dowd](#)

7. Adopt a resolution recognizing Refugio Anguiano for receiving the 2022 Jack Stewart Award by the Monterey County Military and Veteran Affairs Commission. (Supervisor Alejo)

**Attachments:** [Ceremonial Resolution - Refugio Avalos Anguiano](#)

8. Adopt a resolution posthumously honoring fallen Salinas Police Officer Jorge David Alvarado Jr. for Distinguished Service. (Supervisor Alejo)

**Attachments:** [Ceremonial Resolution - Jorge David Alvarado Jr.](#)

### **Appointments**

9. Appoint Mike Carini to the CSA 25 as an Alternate Representative with a term ending on October 25, 2025. (Nominated By District 5, Supervisor Adams)

**Attachments:** [Notification to Clerk of Appt - Mike Carini](#)  
[Resume - M Carini](#)

10. Appoint Alisa Smith to the Commission on the Status of Women as a Primary Representative to fill an unexpired term ending on February 1, 2024. (Nominated By District 4, Supervisor Askew)

**Attachments:** [Notification to Clerk of Appt - Alisa Smith](#)  
[Application - Alisa Smith](#)

11. Reappoint Anita Crawley to the Equal Opportunity & Civil Rights Advisory Commission with a term ending on December 31, 2024. (Nominated By District 5, Supervisor Adams)

**Attachments:** [Notification to Clerk of Appt - Anita Crawley](#)  
[Resume - Anita Crawley](#)

12. Appoint Kayla Gonzalez to the Commission on Disabilities as a Deaf and Hard of Hearing Services Center Representative to fill an unexpired term ending on December 31, 2024. (Nominated By The Commission on Disabilities)

**Attachments:** [Notification to Clerk of Appointment Kayla Gonzales](#)  
[Resume - Kayla Gonzalez](#)  
[Letter of Recommendation - Kayla Gonzalez](#)

### **Approval of Consent Calendar – (See Supplemental Sheet)**

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13. See Supplemental Sheet

**General Public Comments**

14. General Public Comments

*This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to the statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Board at a future meeting.*

**Scheduled Matters**

15. Receive the Equal Opportunity and Civil Rights Advisory Commission's (EOCRAC) Annual Report.

**Attachments:**     [Board Report](#)  
                          [Attachment A - EOCRAC Annual Report](#)  
                          [Attachment B - EOCRAC Annual Report Presentation](#)

16. Receive the Commission on Disabilities (COD) 2022 Annual Report.

**Attachments:**     [Board Report](#)  
                          [Attachment A - COD 2022 Annual Report](#)  
                          [Attachment B - COD Presentation](#)

17. a. Receive information on the role of the Monterey County Governing for Racial Equity Initiative (GRE) for planning and participation in the countywide racial equity learning cohort Collaboratively Organizing for Liberation, Inclusion, and Breaking Racial Inequities (COLIBRI); and  
b. Consider adopting a resolution revising Board Resolution No. 17-349, proclaiming a Reaffirmation of Monterey County Values and Commitment to Ensure Equitable Outcomes and Opportunities for Every Resident of Monterey County and the County's commitment to further advance the education and implementation of Governing for Racial Practices in County government, and incorporating a Racial Equity Statement; and  
c. Provide direction as appropriate.

**Attachments:**     [Board Report](#)  
                          [Board Resolution No. 17-349](#)  
                          [Racial Equity Statement, Attachment A to Board Resolution No. 17-349](#)  
                          [Board Resolution revising Board Resolution No. 17-349 and incorporating the Racial Equity Statement](#)

**12:00 P.M. - Recess to Lunch**

**2:00 P.M. - Reconvene**

**Roll Call**

**Other Board Matters**

**County Administrative Officer Comments**

- 18. County Administrative Officer Comments

**New Referrals**

- 19. New Referrals

**Attachments:**     [Board Referral Matrix 10-25-22](#)

**Referral Responses**

- 20. Receive a status update report in response to Board Referral No. 2022.07 for the creation of an agricultural and livestock pass for the County of Monterey.

**Attachments:**     [Board Report](#)  
                          [Attachment 1](#)  
                          [Attachment 2](#)  
                          [Attachment 3](#)

- 21. a. Receive a preliminary analysis report in response to Board Referral No. 2022.20, which seeks a staff review of department specific local requirements for commercial cannabis applicants and for staff to identify where it may be possible to provide local authorization for annual state commercial cannabis licensure so that operations may continue in an interim period; and  
b. Provide direction as appropriate.

**Attachments:**     [Board Report](#)  
                          [A. Board Referral No. 2022.20](#)  
                          [B. Performance Indicators for Local Permits as of October 2022](#)

**Board Comments**

- 22. Board Comments

**Scheduled Matters**

- 23. Consider options to address complaints at the Sheriff’s Office

**Attachments:**     [Board Report](#)

**Read Out from Closed Session by County Counsel**

Read out by County Counsel will only occur if there is reportable action(s).

**Adjourn in Memory of William DeBerry, Don and Alice Jordan**

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

24. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute a residential lease agreement with 1496 Constitution LLC dba Creekbridge Village Apartments for housing of trauma physician's services at NMC for an amount not to exceed \$25,000 with an agreement term November 1, 2022 through October 31, 2023.
- b. Authorize the Auditor-Controller to make lease payments of \$2,075 per month in accordance with the terms of the residential lease agreement.
- c. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute three future renewals to the residential lease agreement for three (3) additional twelve (12) month terms under the same general terms and conditions provided there is not a significant increase to the amount of the monthly lease payments, and to make minor revisions to the lease agreements if deemed by the Deputy Purchasing Agent for NMC to be in the best interest of the County to do so, subject to review and approval of County Counsel and County-Auditor-Controller.
- d. 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.

**Attachments:**     [Board Report](#)  
                          [Creekbridge Village Residential Lease Agreement for Trauma Physician Housing](#)

25. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute an agreement with Raimi and Associates, Inc. for strategic planning services at NMC for an amount not to exceed \$150,000 with an agreement term November 1, 2022 through October 31, 2024.
- 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%) (\$15,000) of the original cost of the agreement.

**Attachments:**     [Board Report](#)  
                          [Raimi and Associates Inc Agreement](#)

**Health Department**

26. a. Approve and accept the revised Law Enforcement Agency Agreement template applying the fees in the recently amended Fee Schedule Adjustment, adopted by the Board of Supervisors on September 27, 2022, Resolution No. 22-368, and to be used in partnering with local Law Enforcement Agencies to ensure the continuation of the Sexual Assault Response Team Program and ensure the continuation of a prompt, organized, and effective team response to cases of adult, adolescent, and acute pediatric sexual assault in Monterey County; and
- b. Accept recommendation of Director of Health of non-standard insurance and mutual indemnification

provisions; and

- c. Approve and authorize updates to the Law Enforcement Agency Agreement template in accordance with local, state, and federal law, subject to review and approval of County Counsel; and
- d. Approve and authorize amendments to the text of the Law Enforcement Agency Agreement template that do not significantly change the level of risk or the scope of a party's obligations or responsibilities, subject to review and approval of County Counsel; and
- e. Approve and authorize execution by the Director of Health or Assistance Director of Health of the Law Enforcement Agency Agreement template with local Law Enforcement Agencies upon execution through June 30, 2026.

**Attachments:**     [Board Report](#)  
                          [Law Enforcement Agency Agreement A](#)  
                          [Law Enforcement Agency Agreement B](#)

27. a. Approve and authorize the Contracts/Purchasing Officer to execute a five (5) year Lease Renewal Amendment No. 6 A-10986 (Lease Agreement), effective November 1, 2022 with 1615 Bunker Hill, LLC. by Stone Bridge Homes, Inc., for 1,964 rentable square feet (1,669 useable square feet) at 1615 Bunker Hill Rd. Ste. 140, Salinas, California, for use by the Health Department's Clinic Bureau; and
- b. Authorize the Auditor-Controller to make lease payments starting at \$4,251.79 per month for the first year of the extension period and in accordance with the terms and adjusted rent schedule outlined in the Lease Agreement.

**Attachments:**     [Board Report](#)  
                          [Amendment No 6](#)  
                          [Amendment No 5](#)  
                          [Amendment No 4](#)  
                          [Amendment No 3](#)  
                          [Amendment No 2](#)  
                          [Amendment No 1](#)  
                          [Lease Agreement No. A-10986](#)  
                          [Location Map](#)

### **Department of Social Services**

28. Adopt a resolution to revise and approve amendments to, and revise, the Monterey County Department of Social Services' Conflict of Interest Code.

**Attachments:**     [Board Report](#)  
                          [Attachment B- DSS amended Conflict of Interest Code \(Red-Lined\)](#)  
                          [Attachment B- DSS amended Conflict of Interest Code \(Clean\)](#)  
                          [DSS Resolution](#)

**General Government**

29. a. Approve and Authorize Library Director or his/her Designee to enter into a Professional Agreement with OverDrive, Inc., for a term of three years, beginning November 25, 2022 to November 24, 2025; in the amount not to exceed \$300,000; to provide license use of software products, technology and website services from OverDrive Digital Library including related management and copyright projection of content on eBook, audio book and multimedia in digital formats.
- b. Authorize the Library Director or his/or her Designee, to execute up to three future Amendments to this agreement; amendments of which that does not significantly change the scope of work and does not cause an increase of more than 10% (\$10,000) of the original annual contract threshold amount (\$100,000).

**Attachments:**     [Board Report](#)  
                          [OverDrive\\_Cty\\_Standard Agreement and Addendum - OverDrive signed](#)  
                          [Addendum No. 1 OverDrive Inc. - pdf \(003\)](#)  
                          [Exhibit A - OverDrive 10 10 22](#)  
                          [EX B OverDrive License Service Agreement](#)  
                          [OverDrive Library Price Quote Proposal 8 23 22](#)

30. Authorize the County Contracts/Purchasing Officer or designee to execute an Agreement for American Rescue Plan Act (ARPA) Comprehensive Economic Development Strategy (CEDS) Annual Update Standard Agreement for National Council for Community Development Inc. (NDC) to perform all tasks necessary to conduct an annual comprehensive economic development strategy update for Monterey County, for the period of eight (8) months, for the term of October 25, 2022 through June 30, 2023, in the amount not to exceed \$75,000.

**Attachments:**     [Board Report](#)  
                          [Standard Agreement](#)  
                          [Exhibit A](#)  
                          [Exhibit B](#)

31. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute an Agreement with West Publishing Corporation for attorney reference materials including publications for the law library and online reference products for the Department of Child Support Services, for the period of November 1, 2022 through October 31, 2025, for the maximum amount of \$60,750.00.
- b. Accept the non-standard contract provisions and insurance provisions as recommended by County Counsel.

**Attachments:**     [Board Report](#)  
                          [2022-25 West Publishing Corp Agreement](#)

32. a. Receive a report on proposed budget amendments to the Department of Cannabis Control Local Jurisdiction Assistance Grant Award.  
b. Provide direction to staff as appropriate.

**Attachments:** [Board Report](#)  
[A. Proposed Amendments to Local Jurisdiction Assistance Grant Program Budget](#)

33. Receive a report that provides updates on the implementation of Citygate recommendations and alternative enhancements for the Cannabis Program.

**Attachments:** [Board Report](#)  
[A. FY 22-23 Q1 Update on Citygate Recommendations and Alternative Enhancements](#)  
[B. FY 22-23 Q1 Update on Cannabis Program SMART Goals, Performance Indicators, and Other Outcomes](#)

34. Receive and Accept the Treasurer's Report of Investments for the Quarter Ending September 30, 2022.

**Attachments:** [Board Report](#)  
[Exhibit A - Investment Portfolio Review 09.30.22](#)  
[Exhibit B - Portfolio Management Report 09.30.22](#)  
[Exhibit C - Aging Summary 10.01.22](#)

35. Adopt a resolution to revise and approve amendments to, and revise, the Community Health Services' Conflict of Interest Code.

**Attachments:** [Board Report](#)  
[Attachment A - CHS COI \(Redline\)](#)  
[Attachment B - CHS COI \(Clean\)](#)  
[Draft Resolution of the BOS](#)

36. Introduce, waive reading, and set November 8, 2022, at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Paragraph F of Section 2.32.030 of the Monterey County Code to authorize the Purchasing Agent to engage independent contractors to perform services for the County and the offices thereof.



**Attachments:** [Board Report](#)  
[GOV 25502.5.pdf](#)  
[2.32.030 Specific duties.pdf](#)  
[Ordinance Sec. 2.32.030 \(clean-signed\).pdf](#)  
[Ordinance Sec. 2.32.030 \(redline\).pdf](#)

37. Adopt a resolution to revise and approve amendments to, and revise, the Monterey County Mosquito Abatement District's Conflict of Interest Code.

**Attachments:** [Board Report](#)  
[Attachment A - MCMBD - COI \(Redline\)](#)  
[Attachment B - MCMBD COI \(Clean\)](#)  
[Draft Resolution of the BOS](#)  
[Mosquito Abatement District Memo to BoS](#)

### **Housing and Community Development**

38. a. Approve Amendment No. 1 to Agreement A-15568 with HouseKeys, Inc., to provide services identifying, organizing, and communicating the County's inclusionary programs housing inventory and procedures to extend the term 20 months to June 30, 2024 and increase the amount by \$210,000 for a new not to exceed amount of \$355,000;
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 1 and any future amendments that do not significantly alter the scope of work or increase the amount payable on the Agreement by more than 10%, subject to review and approval by County Counsel.

**Attachments:** [Board Report](#)  
[Attachment 1 - Amendment No. 1](#)  
[Attachment 2 - Standard Agreement](#)

39. a. Find that the project involves a Conservation and Scenic Easement Deed, acceptance of which qualifies as a Class 17 Categorical Exemption pursuant to section 15317 of the CEQA Guidelines and further find that no exception under section 15300.2 applies;
- b. Approve and accept a Conservation and Scenic Easement Deed covering approximately 3,560 square feet of environmentally sensitive habitat on property located at 2511 2nd Avenue, Carmel (APN 009-122-031-000) as required by condition number 4 of Planning Commission Resolution 19-033 (File No. PLN190042);
- c. Authorize the Chair to execute the Conservation and Scenic Easement Deed; and
- d. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing with all recording fees to be paid by the applicant.
- (Conservation and Scenic Easement Deed - PLN190042, SWEITZER-SCHOONE REAGAN TRS ET AL, 2511 2nd Ave, Carmel, APN 008-491-015-000, Carmel Land Use Plan, Coastal Zone)

**Attachments:** [Board Report](#)  
[Attachment A - Memorandum to the Clerk of the Board](#)  
[Attachment B - Conservation and Scenic Easement Deed](#)

**Public Works, Facilities and Parks**

40. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Standard Agreements with Southern Counties Lubricants, LLC in the amount of \$1,500,000, Sturdy Oil Company, dba Monterey County Petroleum, in the amount of \$4,500,000 and Toro Petroleum Corporation, dba Toro Petroleum Corp., in the amount of \$3,000,000 for fuel product, delivery, and related services for County-owned vehicles pursuant to the terms and conditions set forth in Request for Proposal (RFP) #10681, for a term of five (5) years, with agreements for Southern Counties Lubricants, LLC and Sturdy Oil Company, dba Monterey County Petroleum, becoming effective retroactively from July 1, 2022 through and including June 30, 2027 and the agreement for Toro Petroleum Corporation, dba Toro Petroleum Corp., becoming effective from October 18, 2022 through and including October 17, 2027;
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute, subject to prior review and approval as to form by the Office of the County Counsel amendments to the agreements provided that said amendments do not significantly change the terms of each agreement or increase the not to exceed amount by ten percent (10%) of each original agreement's amount.

**Attachments:** [Board Report](#)  
[Attachment A – Southern Counties Lubricants, LLC Agreement](#)  
[Attachment B – Sturdy Oil Company, dba Monterey County Petroleum Agreement](#)  
[Attachment C – Toro Petroleum Corporation, dba Toro Corp. Agreement](#)

41. Approve and authorize the Monterey County Laguna Seca Representative to:
- a. Execute Amendment No. 1 to Standard Agreement No. A-14378 with Star Sanitation, LLC to continue to provide sanitation units and service for fixed restroom structures for WeatherTech® Raceway at Laguna Seca, Request for Proposals #10704, to update the provisions and increase the not-to-exceed Agreement amount by \$350,000, for a total amount not to exceed of \$1,100,000, with no change to the term of July 1, 2019 through June 30, 2024; and
- b. Execute future amendments to Standard Agreement No. A-14378 where the total amendments do not exceed ten percent (10%), or \$110,000, of the total agreement amount and do not significantly alter the scope of work, subject to County Counsel approval.

**Attachments:** [Revised Board Report](#)  
[Board Report](#)  
[Attachment A-RFP #10704](#)  
[Attachment B-Agreement No A-14378 Star Sanitation](#)  
[Attachment C-Proposed Amendment No 1 to A-14378](#)  
[Attachment D-Summary of SA Annual Expenditures](#)

- 42.** Approve and authorize the Monterey County Laguna Seca Representative to:
- Execute Amendment No. 2 to Standard Agreement No. A-14718 with Star Sanitation, LLC to continue to provide pumping and disposal services for septic tanks and lift stations for WeatherTech® Raceway at Laguna Seca, Request for Proposals #10711, to update the provisions and increase the not-to-exceed Agreement amount by \$130,000, for a total amount not to exceed of \$580,000, with no change to the term of July 1, 2019 through June 30, 2024; and
  - Execute future amendments to Standard Agreement No. A-14718 where the total amendments do not exceed ten percent (10%), or \$58,000, of the total agreement amount and do not significantly alter the scope of work, subject to County Counsel approval.

**Attachments:**     [Board Report](#)  
                          [Attachment A-RFP #10711](#)  
                          [Attachment B-Agreement No A-14718 Star Sanitation](#)  
                          [Attachment C-Amendment No 1 to A-14718](#)  
                          [Attachment D-Proposed Amendment No 2 to A-14718](#)  
                          [Attachment E-Summary of SA Annual Expenditures & Balance](#)

- 43.** Adopt a resolution to:
- Authorize and direct the Auditor-Controller to amend the fiscal year (FY) 2022-23 Adopted Budget, General Fund, Fund 001, Facility Services Appropriation Unit PFP054, to increase appropriations by \$453,792, financed by an operating transfer in the amount of \$453,792, from the Building Improvement and Replacement Fund, Fund 478-BIR, Appropriation Unit CAO047, to replace two (2) rooftop HVAC units at the 911 facility located at 1322 Natividad Road, Salinas. (4/5th vote required); and
  - Authorize the Auditor-Controller to amend the FY 2022-23 Adopted Budget to increase appropriations by \$453,792 in the Building Improvement and Replacement Fund, Fund 478-BIR, Appropriation Unit CAO047, where the financing source is fund balance (478-3101) to replace two (2) rooftop HVAC units at the 911 facility located at 1322 Natividad Road, Salinas. (4/5th vote required); and
  - Authorize the Auditor-Controller to transfer \$453,792 for the FY 2022-23 from the Building Improvement and Replacement Fund, 478-BIR, Appropriation Unit CAO047 to the General Fund, Fund 001, Facility Services Appropriation Unit PFP054 to replace two (2) rooftop HVAC units at the 911 facility located at 1322 Natividad Road, Salinas. (4/5th vote required).

**Attachments:**     [Board Report](#)  
                          [Attachment A - Budget Sheet](#)  
                          [Attachment B - Memorandum to Budget Committee](#)  
                          [Attachment C - Proposed Resolution](#)

### Supplemental

**44. Supplemental**

**Revised Under Closed Session**

1. a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~two~~ three matters of significant exposure to litigation. (REVISED VIA SUPPLEMENTAL)

**General Government - Consent**

**Revised Attachment**

36. Attached "Revised Board Report"

**Public Works, Facilities and Parks - Consent**

**Revised Attachment**

41. Attached "Revised Board Report"