

# **County of Monterey**

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



## **Meeting Minutes - Final**

**Tuesday, October 25, 2022**

**9:00 AM**

### **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*

**9:00 A.M. - Called to Order**

The meeting was called to order by Chair Supervisor Mary L. Adams.

**Roll Called**

Present: 5 - Supervisor Mary L. Adams, Supervisor Wendy Root Askew and Supervisor John M. Phillips, appeared in person, and Supervisor Chris Lopez and 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 or corrections to closed session.

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54956.9(d)(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**

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****Roll Called**

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

Not present

**Pledge of Allegiance**

The Pledge of Allegiance led by Rosemary Soto, Management Analyst III.

**Additions and Corrections by Clerk**

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following addition and correction:

The following was recited into the record:

Correction to Item No. 24 under Natividad Medical Center - Consent Calendar:

A revised Board Report received

Correction to Item No. 30 under General Government - Consent Calendar:

A revised Exhibit A received

Correction to Item No. 32 under General Government - Consent Calendar:

A revised Board Report received

**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 Resolutions 2 through 8.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

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)

**Adopted Resolution No. 22-422**

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)

**Adopted Resolution No. 22-418**

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)

**Adopted Resolution No. 22-422**

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)

**Adopted Resolution No. 22-419**

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)

**Adopted Resolution No. 22-421**

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)

**Adopted Resolution No. 22-420**

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

**Adopted Resolution No. 22-423**

### **Appointments**

Open for public comments; no public comments made.

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

appoint/reappoint Item Numbers 9 through 12.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

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)

**Appointed**

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)

**Appointed**

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)

**Reappointed**

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)

**Appointed**

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

13. See Supplemental Sheet

Open for public comments; no public comments made.

Supervisor Wendy Root Askew commented on Consent Item Numbers 29, 36, 39, 41 and 42.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to approve Consent Calendar Item Numbers 24 through 43 excluding Item No. 36 which a separate vote will be taken on.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez, as amended, with Supervisor Luis A. Alejo voting no to approve Consent Calendar Item Number 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 and; Directed staff to explore additional policies that could be put in place to ensure there is no abuse of public resources through the contract process.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: NAY

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

Motion carried 4 to 1

#### General Public Comments

#### 14. General Public Comments

Open for general public comments for items not on today's agenda; woman, in person, no name provided and Nina Beety, via Zoom, commented.

#### Scheduled Matters

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

Dionne Ybarra, Chairperson Equal Opportunity and Civil Rights Advisory Commission, Naudia Velarde, Associate Equal Opportunity Analyst, Juan P. Rodriguez, Civil Rights Officer presented via PowerPoint presentation.

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

Upon consensus the Board:

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

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

Item No. 16 heard before Item No. 15. due to technical difficulties.

Nona Childress, Chairperson Commission on Disabilities, Leeset Torres, Senior Equal Opportunity Analyst, Juan P. Rodriguez, Civil Rights Officer presented via PowerPoint presentation.

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

Upon consensus the Board:

Received the Commission on Disabilities (COD) 2022 Annual Report.

#### 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.

**Rosemary Soto, Management Analyst III presented via PowerPoint presentation with additional presenters.**

**Open for public comments; no public comments made.**

**A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Mary L. Adams to:**

**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. Adopt 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.**

**Roll call vote taken pursuant to Government Code 54953:**

**Supervisor Alejo: AYE**

**Supervisor Phillips: AYE**

**Supervisor Lopez: AYE**

**Supervisor Root Askew: AYE**

**Chair Supervisor Adams: AYE**

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

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

**Roll Called**

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

**Not present**

**Other Board Matters****County Administrative Officer Comments****18. County Administrative Officer Comments**

**Charles McKee, County Administrative Officer's comments can be heard by clicking the following link:**

**[http://monterey.granicus.com/EditFile.php?clip\\_id=4713](http://monterey.granicus.com/EditFile.php?clip_id=4713)**

**New Referrals****19. New Referrals**

**There were no new referrals this week.**

**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.**

**Nadia Garcia, Management Analyst III, via Zoom, presented via PowerPoint presentation.**

**Open for public comments; no comments made.**

**Upon consensus the Board:**

- a. Received an updated response to Board Referral No. 2022.07 which directs the Agricultural Commissioner's Office to create an agricultural and livestock pass for the County of Monterey to provide a uniform way to identify vetted commercial agricultural operators to emergency personnel and/or law enforcement officers and allow limited emergency access to respective agricultural properties during a wildfire or similar disaster or emergency; and**
- b. Provide further direction, as appropriate.**

**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.**

**Joanne Iwamoto, Cannabis Program Manager, in person, presented via PowerPoint presentation.**

**Upon consensus the Board:**

- a. Received 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.**



**Board Comments****22. Board Comments**

Board Comments can be heard by clicking the following link:

[http://monterey.granicus.com/EditFile.php?clip\\_id=4713](http://monterey.granicus.com/EditFile.php?clip_id=4713)

**Scheduled Matters****23. Consider options to address complaints at the Sheriff's Office**

Charles McKee, County Administrative Officer, in person, verbally presented.

Open for public comments; Christian Schneider, Eloise Shim, Bernie Gomez, Cesar Lara and Tina Nieto, all via Zoom, Chris Barrera, in person, commented.

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

Refer recent matters to the California Attorney General;

Refer recent matters to the Civil Grand Jury;

Bring back information on options through AB 1185; and

Bring back options on consultants regarding an audit of the Sheriff's office policy and procedures and compliance with those policy and procedures.

Staff will also engage with the ultimate Sheriff-elect after the election on Board concerns for the Office of The Sheriff-Coroner. Work proactively with the newly elected Sheriff to move forward with best practices.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

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

There was no read out from closed session.

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

The meeting was adjourned In Memory of William DeBerry, Don and Alice Jordan at 3:39 p.m. by Chair Supervisor Mary L. Adams.

**APPROVED:**

\_\_\_\_/s/ Mary L. Adams\_\_\_\_\_  
**MARY L. ADAMS, CHAIR**

**ATTEST:**

**BY: \_\_\_\_/s/ Valerie Ralph\_\_\_\_\_**

**VALERIE RALPH**

**CLERK OF THE BOARD**

**APPROVED ON: November 8, 2022**

**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.

**Approved**

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.

**Approved**

**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.

**Approved**

- 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.

**Approved**

**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.

**Adopted**

**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).

**Approved**

- 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.

**Approved**

- 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.

**Approved**

- 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.

**Approved**

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

**Approved**

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

**Approved**

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

**Adopted**

- 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. (REVISED VIA SUPPLEMENTAL)

**Approved as amended**

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

**Adopted**

**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.

**Approved**

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)

**Approved**

**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.

**Approved**

- 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.

**Approved**

- 42.** Approve and authorize the Monterey County Laguna Seca Representative to:
- a. 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
  - b. 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.

**Approved**

- 43.** Adopt a resolution to:
- a. 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
  - b. 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
  - c. 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).

**Adopted**

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

**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”