

Monterey County

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



Meeting Minutes - Draft

Tuesday, August 30, 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, appeared in person, and Supervisor Chris Lopez, Supervisor Luis A. Alejo, Supervisor Wendy Root Askew and Supervisor John M. Phillips appeared via video conference

Staff Present

Charles McKee, County Administrative Officer, Susan Blitch, Assistant 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 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado
Employee Organization(s): All Units
 - (2) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado
Employee Organization(s): Units X and S
 - (3) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado
Employee Organization(s): Unit O
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
 - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding recruitment/appointment of the position of County Administrative Officer.
 - 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 sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.
 - f. Pursuant to Health & Safety Code section 1462, and in accordance with Government Code Section 54954.5, the Board will receive a report and confer regarding hospital trade secret. Discussion will

concern a new program. Estimated date of public disclosure: February 28, 2023.

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

Public Comments for Closed Session

Open for public comments; Gladys Esparza, Eileen Amador, Aylssa Moreno, Jaime Ganz, Marjorie Balleros, Joie Tatum, Zoe Backman, Claudia Soria and Jennifer Jean Pierre commented.

The Board Recessed for Closed Session Agenda Items

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

Roll Called

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

Absent: 1 - Supervisor Wendy Root Askew

Staff Present

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

Announcement of Interpreter

Diego Celis, Spanish Interpreter present and announced Spanish interpreter services.

Pledge of Allegiance

The Pledge of Allegiance led by Priscilla (Pris) Walton, President of the Carmel Valley Association.

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. 6 under Appointments

Expiration Date should read January 1, 2025, instead of April 26, 2025

Removal of Item No. 8 under Appointments

Item will be removed and put on a future meeting date

Removal of Item No. 13 & No. 14 under PM Scheduled Matters

Per Department Request, Item will be removed and put on a future meeting date

Corrections to Item No. 38 under Consent Calendar: Health Dept

Revised Board Report Received

Ceremonial Resolutions

Open for public comments; no public comments made.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to adopt Ceremonial Resolutions 2 through 5.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Root Askew: Absent

Chair Supervisor Adams: AYE

2. Adopt a resolution honoring Juvenile Institutions Officer II Brandon Casarez upon his retirement from the Monterey County Probation Department after more than 20 years of dedicated County service.
(Supervisor Adams)

Adopted Resolution No. 22-330

3. Adopt a resolution commending Rick Johnson upon his retirement after twenty-two years of service with the Old Monterey Business Association. (Supervisor Adams)

Adopted Resolution No. 22-333

4. Adopt a resolution honoring Priscilla (Pris) Walton for her visionary leadership and lifetime of service.
(Supervisor Adams)

Adopted Resolution No. 22-332

5. Adopt a resolution commemorating the 75th anniversary of Monterey Peninsula Community College District (Supervisor Adams)

Adopted Resolution No. 22-331

Appointments

Open for public comments; no public comments made.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Mary L. Adams to appoint/reappoint Item Numbers 6 through 7 Item Number 8 was removed via additions and corrections.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Root Askew: Absent
Chair Supervisor Adams: AYE

- 6. Reappoint Sergio Sanchez to the Parks Commission with a term ending on January 1, 2025 ~~April 26, 2025~~. (Nominated By District 1, Supervisor Alejo)

Reappointed

- 7. Appoint Aurelio Gonzalez to the Resource Conservation District of Monterey County Board of Directors with a term ending on November 30, 2024. (Nominated by the Resource Conservation District of Monterey County Board of Directors)

Appointed

- 8. Appoint Matt Glazer to the Big Sur Byway Organization as a Big Sur Proper Resident Representative with a term ending on May 1, 2024. (Nominated By District 5, Supervisor Adams)

Removed via additions and corrections.

Approval of Consent Calendar – (See Supplemental Sheet)

- 9. See Supplemental Sheet

Open for public comments; no public comments made.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to approve Consent Calendar Item Numbers 20 through 60 less Item No. 55 as it will be trailed to the afternoon.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Root Askew: Absent
Chair Supervisor Adams: AYE

General Public Comments

- 10. General Public Comments

Open for general public comments for items not on today's agenda; Wes White and MacGreogor Eddy, in person, commented.

- 11. a. Receive a presentation regarding the County Climate Action Plan and Municipal Climate Action Plan and provide direction to staff in regard to the development of these plans.

Ashley Paulsworth, Management Analyst III, via Zoom, presented via PowerPoint presentation.

Open for public comments; no public comments made.

Upon consensus the Board:

a. Received a presentation regarding the County Climate Action Plan and Municipal Climate Action Plan and provide direction to staff in regard to the development of these plans.

Scheduled Matters

12:00 P.M. - Recessed to Lunch

1:30 P.M. - Reconvened

Roll Called

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

Staff Present

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

Announcement of Interpreter

Diego Celis, Spanish Interpreter present and announced Spanish interpreter services.

Scheduled Matters

12. a. Discuss and provide direction regarding proposed amendments to Monterey County Code Titles 20.69 and 21.69 extending the sunset date of the Outdoor Commercial Cannabis Cultivation Pilot Program and removing the requirement that an applicant provide proof of cannabis cultivation on the site prior to January 1, 2016; and
- b. Receive an update on operating costs and estimated tax revenues resulting from proposed amendments to the Outdoor Commercial Cannabis Cultivation Pilot Program; and
- c. Provide further direction as appropriate.

Erik Lundquist, Housing and Community Development Director and Joann Iwamoto, Cannabis Program Manager, in person, presented via PowerPoint presentation.

Open for public comments; Oliver Bates, Eloise Shim, Kim Stemler and Freddy Rincon, commented.

A substitute motion was made by Chris Lopez, seconded by Supervisor John M. Phillips, as amended, with Supervisor Wendy Root Askew and Supervisor Mary L. Adams, voting no to:

a. Discuss and provide direction regarding proposed amendments to Monterey County Code Titles 20.69 and 21.69 extend the sunset date of the Outdoor Commercial Cannabis Cultivation Pilot

Program to 2030;

- b. Receive an update on incremental costs and estimated tax revenues resulting from proposed amendments to the Outdoor Commercial Cannabis Cultivation Pilot Program; and
- c. Provide further direction as appropriate.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Root Askew: NAY
Chair Supervisor Adams: NAY

Motion carried 3 to 2

Now at a later time Item No. 55 recalled

Open for public comments; Oliver Bates, Jennifer Rosenthal and Ricardo Diaz, Jr. commented.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Wendy Root Askew to approve Item Number 55 with Supervisor Luis A. Alejo, Supervisor John M. Phillips and Supervisor Chris Lopez, voting no to approve Item Number 55.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: NAY
Supervisor Phillips: NAY
Supervisor Lopez: NAY
Supervisor Root Askew: AYE
Chair Supervisor Adams: AYE

Motion failed 3 to 2

13. a. Consider adopting a resolution to approve an Addendum to the Final Environmental Impact Report for the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project (REF140048) to amend mitigation measure HF-5 to allow specified construction involving initial floodplain restoration work on the east side of State Route 1, before construction of the causeway portion of the CRFREE Project; and
- b. Consider adopting a resolution revising the Mitigation, Monitoring and Report Plan for the CRFREE Project to incorporate changes to the Final EIR as adopted by the Board of Supervisors on January 28, 2020, and to amend mitigation measure HF-5.

Project: REF140048 - Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project

Project Location: Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE), State Highway Route 1, Carmel, CA, 93923, Carmel Area Land Use Plan, Assessor's Parcel Numbers (APNs) 243-071-005-000, 243-071-006-000, 243-071-007-000, 243-021-007-000, 157-121-001-000 and 243-081-005-000, 243-071-008-000

Proposed CEQA Action: Consider an addendum together with certified Final Environmental Impact Report (FEIR) for the CRFREE Project.

Removed from agenda via additions and corrections

14. a. Award a contract to Granite Construction Company, the lowest responsible bidder for the Carmel River Floodplain Restoration & Environmental Enhancement (CRFREE) Project - Phase 1, Project No. 7200, in the total amount of \$4,388,222;
- b. Approve the Performance and Payment Bonds executed and provided by Granite Construction Company;
- c. Authorize a contingency, not to exceed ten percent (10%) of the contract amount or \$438,822, to provide funding for approved contract change orders for Carmel River Floodplain Restoration & Environmental Enhancement (CRFREE) Project - Phase 1, Project No. 7200;
- d. Authorize the Director of Public Works, Facilities and Parks to execute the contracts and, subject to the provisions of the Public Contract Code (PCC) and Board Policies as applicable, approve change orders to the contract that do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work; and
- e. Authorize the Director of Public Works, Facilities and Parks to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of Carmel River Floodplain Restoration & Environmental Enhancement (CRFREE) Project - Phase 1, Project No. 7200.

Removed from agenda via additions and corrections

15. PLN190140 - Mid Valley Partners LLC (Stanley/Mid Valley Shopping Center historic determination) Public hearing to consider adopting a resolution to:
- a. Consider the previously adopted Environmental Impact Report (EIR) for the Mid-Valley Shopping Center Design Approval Project (SCH#2020090480) and find that no subsequent environmental review is required pursuant to Section 15162 of the CEQA Guidelines; and
- b. Find that the preponderance of evidence supports the conclusion that the Mid-Valley Shopping Center, located at 9550 Carmel Valley Road, is not an historic resource.
- [Mid-Valley Shopping Center historic determination, 9550 Carmel Valley Road, Carmel Valley, CA (APN: 169-243-007-000)]

Craig Spencer, Housing and Community Development, Chief of Planning, in person, verbally presented.

Anthony Lombardo, attorney on behalf of the applicant commented.

Open for public comments; no public comments made.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis A. Alejo to adopt Resolution No. 22-334 to:

- a. Consider the previously adopted Environmental Impact Report (EIR) for the Mid-Valley Shopping Center Design Approval Project (SCH#2020090480) and find that no subsequent environmental review is required pursuant to Section 15162 of the CEQA Guidelines; and
- b. Find that the preponderance of evidence supports the conclusion that the Mid-Valley Shopping Center, located at 9550 Carmel Valley Road, is not an historic resource.

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: NAY

Motion carried 4 to 1

New Referrals

16. New Referrals

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

Referral Responses

17. a. Receive an update regarding District Attorney Family Justice Center;

Jeannine Pacioni, District Attorney, appeared via Zoom, verbally presented.

Open for public comments; no public comments made.

Upon consensus the Board:

a. Received an update regarding District Attorney Family Justice Center;

Other Board Matters

County Administrative Officer Comments

17. County Administrative Officer Comments

Charles McKee, County Administrative Officer made no comments.

Board Comments

18. Board Comments

Board Comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4630

Read Out from Closed Session by County Counsel

There was no reportable read out from closed session.

Adjourned

The meeting was adjourned in Memory of Steve Taylor, Christine Armanasco, Lisa Eisemann, and Supervisor Carmen Ramirez 3:45 at p.m. by Chair Supervisor Mary L. Adams.

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

20. Adopt Resolution to:
- Amend Personnel Policies and Practices Resolution No. 98-394 and Appendix A to adjust the salary ranges of the Surgical Technician, Obstetrical Technician, and Senior Obstetrical Technician classifications as indicated in Attachment A; and
 - Direct the Human Resources Department to implement the changes in the Advantage HRM System.

Adopted

21. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute amendment No. 4 to the agreement (A-13971) with Spin Recruitment Services pursuant to RFP #9600-78 for advertising recruitment services, with no change to the agreement term of July 1, 2018 through December 31, 2023, and adding \$500,000 for a revised total agreement amount not to exceed \$1,725,000.

Approved

22. Adopt Resolution to:
- Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendices A and B to create the classification of Trauma Program Manager with the salary range as indicated in Attachment A;
 - Amend the Natividad FY 2022-23 Adopted Budget Unit 9600-8142 - Fund 451 -Appropriation Unit NMC001 to reallocate and reclassify a Nursing Services Unit Manager to a Trauma Program Manager as indicated in Attachment A; and
 - Authorize the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2022-23 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM System.

Adopted

23. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute an agreement with Experian Health, Inc. for Meditrack Enterprise for access to Medicare DDE Screens services at NMC for an amount not to exceed \$450,000 with an agreement term retroactive to July 1, 2021 through June 30, 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%) (\$45,000) of the original cost of the agreement.

Approved

24. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute renewal & amendment No. 4 to the agreement (A-13703) with Kit Check, Inc. for pharmacy

scanning equipment and web-based software services, extending the agreement an additional three (3) year period (August 15, 2022 through August 14, 2025) for a revised full agreement term of August 15, 2014 through August 14, 2025, and adding \$150,000 for a revised total agreement amount not to exceed \$476,000.

Approved

25. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute an agreement with Meltwater News US Inc. for news and social media monitoring and media relations platform services at NMC for an amount not to exceed \$8,317 with an agreement term September 1, 2022 through August 31, 2023.
- b. 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

26. Adopt Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendices A and B to create the classifications of Cardiac Sonographer and Cardiac Sonographer-Per Diem with the salary ranges as indicated in Attachment A;
- b. Amend the Natividad FY 2022-23 Adopted Budget Unit 9600-8142 - Fund 451 - Appropriation Unit NMC001 to reallocate three (3.0) Sonographer to three (3.0) Cardiac Sonographer as indicated in Attachment A; and
- c. Authorize the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2022-23 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM System.

Adopted

27. a. Authorize the Chief Executive Officer for Natividad or his designee to execute the First Amendment to the Professional Services Agreement with Cy A. Cedar MD to provide hospitalist physician services, adding \$650,000 for a revised not to exceed amount of \$750,000 in the aggregate, but with no change to the original agreement term of July 14, 2022 to September 30, 2024; and
- b. Authorize the Chief Executive Officer for Natividad or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$10,000) of the original contract amount.

Approved

28. a. Authorize the Chief Executive Officer ("CEO") for NMC or his designee to execute renewal & amendment No. 9 to the agreements with Medical Search, LLC d.b.a. SUMO Medical Staffing (A-12896) and MDA Holdings, Inc. d.b.a. Medical Doctor Associates and renewal & amendment No. 10 to the agreements with Staff Care, Inc. (A-12897) and Jackson & Coker Locum Tenens, LLC d.b.a. Jackson & Coker (A-12900) ("Locum Tenens Agencies") for locum tenens physician referral

services at NMC pursuant to the Request for Proposals (RFP) #9600-61, extending the agreement an additional one (1) year period (July 1, 2022 through June 30, 2023) for a revised full agreement term of August 1, 2015 through June 30, 2023 and to update payment rates with no change to the total aggregate liability for all agreements (\$10,500,000);

b. Authorize the CEO for NMC or his designee to execute a further amendment to each of the agreements with the Locum Tenens Agencies to extend the term of each agreement to June 30, 2023, with necessary updates to payment rates, but with no change to the total aggregate liability for all agreements.

Approved

- 29.** a. Authorize the Chief Executive Officer for Natividad or his designee to execute the First Amendment to the Professional and Call Coverage Services Agreement with Allen Radner MD to provide infectious disease physician services, extending the term by twenty-four months (September 1, 2022 to August 31, 2024) for a revised full agreement term of September 1, 2021 to August 31, 2024 and adding \$200,000 for a revised not to exceed amount of \$300,000 in the aggregate; and
- b. Authorize the Chief Executive Officer for Natividad or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$10,000) of the original contract amount.

Approved

- 30.** Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute renewal and amendment No. 3 to the agreement (A-14289) with Abbott Rapid Diagnostics Informatics, Inc. for software modules related to laboratory testing, extending the agreement term through April 24, 2024 (May 14, 2022 through April 24, 2024) for a revised full agreement term of May 15, 2016 through April 24, 2024, and adding \$35,514 for a revised total agreement amount not to exceed \$300,216.

Approved

- 31.** a. Authorize the Chief Executive Officer for Natividad or his designee to execute the Second Amendment to the Physician Services Agreement with Lucile Salter Packard Children's Hospital at Stanford (LPCH) to provide retinopathy of prematurity (ROP) screenings services, extending the term by twenty-four months (September 1, 2022 to August 31, 2024) for a revised full agreement term of September 1, 2018 to August 31, 2024 and adding \$90,000 for a revised not to exceed amount of \$270,000 in the aggregate; and
- b. Authorize the Chief Executive Officer for Natividad or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$9,000) of the original contract amount.

Approved

32. a. Authorize the Chief Executive Officer for Natividad or his designee to execute the First Amendment to the Professional and Call Coverage Services Agreement with Francis M. Wright Jr. M.D. to provide obstetrics and gynecology physician services, extending the term by twelve months (July 1, 2023 to June 30, 2024) for a revised full agreement term of July 1, 2021 to June 30, 2024 and adding \$200,000 for a revised not to exceed amount of \$300,000 in the aggregate; and
- b. Authorize the Chief Executive Officer for Natividad or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$10,000) of the original contract amount.

Approved

33. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute renewal & amendment No. 3 to the agreement (A-12966) with Salinas Valley Memorial Healthcare Systems (SVMHS) for laboratory testing services, extending the agreement for an additional four (4) year period (retroactively from November 1, 2021), for a revised full agreement term of July 1, 2015 through October 31, 2025, and adding \$782,000 for a revised total agreement amount not to exceed \$1,899,000.

Approved

34. a. Authorize the Chief Executive Officer for Natividad or his designee to execute the First Amendment to the Professional and Call Coverage Services Agreement with Monterey Anesthesia Professionals (MAP) to provide anesthesia services, extending the term by twelve months (January 1, 2023 to December 31, 2023) for a revised full agreement term of January 1, 2021 to December 31, 2023 and adding \$7,800,000 for a revised not to exceed amount of \$19,800,000 in the aggregate; and
- b. Authorize the Chief Executive Officer for Natividad or his designee to sign up to three (3) future amendments to this agreement where the total amendments do not exceed 10% (\$1,200,000) of the original contract amount and do not significantly change the scope of work.

Approved

Health Department

35. Adopt a further Resolution amending Article I.d. of the Monterey County Master Fee Resolution effective July 1, 2022, to add certain fees related to the Health Department's Clinic Services Bureau (Clinic Services) pursuant to the attached Fee Schedule.

Adopted

36. a. Approve and authorize the Director of Health or the Assistant Director of Health to sign a Memorandum of Understanding between the County of Monterey and Monterey Peninsula Unified School District to provide school-based education on the adverse effects of cannabis use by youth for the term of upon execution date through September 30, 2023; and

b. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work and do not cause an increase of more than ten percent (10%) (\$0) of the original contract amount.

Approved

- 37.** a. Authorize the Director of Health, or Assistant Director of Health to execute Amendment No. 4 to Apexus 340B Prime Vendor Program Participation Agreement (“Letter of Participation”) with Cardinal Health 110, LLC. and Cardinal Health 112, LLC. (Cardinal) to extend the term one (1) additional year with the option to extend, based on ninety (90) days’ written notice, for one (1) additional three (3) year period, for a total not to exceed maximum of four (4) years for the purchase of discounted outpatient pharmaceuticals; and
- b. Authorize the Director of Health or Assistant Director of Health to sign up to two (2) future amendments to this Letter of Participation where the amendments do not extend the term of the Letter of Participation and do not significantly change the scope of work; and
- c. Authorize the Director of Health or Assistant Director of Health to exercise the option to extend, based on ninety (90) days’ written notice, which, if exercised, shall extend the term for one (1) additional three (3) year period, for a revised full term of July 1, 2018, to August 31, 2026.

Approved

- 38.** a. Approve and authorize the Director of Health to execute a Standard Agreement with Clinicians Telemed Medical Group, Inc., for the term September 1, 2022 through September 1, 2023 in the total Agreement amount not to exceed \$98,000; and
- b. Approve the recommendation of Director of Health to accept all non-standard provisions in Agreement, including indemnification; and
- c. Approve and authorize the Director of Health or Assistant Director of Health or their designees to sign up to three (3) future amendments to the Agreements where the amendments do not significantly change the scope of work and do not cause an increase of more than ten percent (10%) (\$9,800) of the original cost of the agreement.

Approved

- 39.** a. Approve and authorize the Director of Health or the Assistant Director of Health to execute Amendment No. 2 to the Health Literacy Project agreement with Community Foundation of Monterey County, for the provision of education and outreach support services by Community-based Organizations, adding Exhibit C: Data Sharing and Use Agreement (CBOs), with no change to term of agreement; and
- b. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work.

Approved

- 40.** a. Authorize the Director of Health or Assistant Director of Health to execute Amendment No. 2, effective September 1, 2022, to a Platform License Agreement, No. A-14686, between the County of

Monterey and Conduent Health Communities Corporation (CHCC) adding Claritas Consumer Expenditures data to the CHCC Platform and adding \$10,000 for a total aggregate amount not to exceed \$180,000 for a term of April 15, 2020 through June 23, 2025; and

b. Approve and authorize the Health Director or Assistant Health Director to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$17,000) of the original Platform License Agreement amount and do not significantly alter the scope of services.

Approved

41. Approve and authorize Credit Consulting Services, Inc., to initiate legal action procedures on behalf of the Health Department Environmental Health Bureau, on uncollected debt accounts as part of its debt collections service agreement.

Approved

42. a. Approve and authorize the Contracts/Purchasing Officer to execute a five (5) year Lease Agreement, effective September 1, 2022 with SIBS, A Limited Partnership, for 12,122 square feet of general office and warehouse space at 632 East Alisal Street, Salinas, California, for use by the Health Department's Public Health Bureau's Women, Infants, and Children Nutritional Program; and
- b. Authorize the Auditor-Controller to make lease payments of \$11,851 per month in accordance with the terms of the Lease Agreement; and
- c. Authorize the extension of the Lease Agreement for two (2) additional three-year terms under the same terms and conditions and make minor revisions to the Lease Agreement if deemed to be in the best interest of the County by the Contracts/Purchasing Officer and subject to review and approval as to form by the Office of the County Counsel and review and approval of fiscal provisions by the Auditor Controller's Office.

Approved

43. a. Authorize the Director of Health or Assistant Health Director to execute a Data Processing Agreement between the County of Monterey and Qualtrics, LLC for the provision of a survey software platform subscription hosted by the vendor and professional services as needed in the amount of \$30,000 for Fiscal Year (FY) 2022-23, \$65,000 for Fiscal Year (FY) 2023-24, and \$65,000 for Fiscal Year (FY) 2024-25, in an aggregate amount not to exceed \$160,000; and
- b. Approve non-standard risk terms regarding indemnification and insurance provisions as recommended by the Director of Health; and
- c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$16,000) of the original Data Processing Agreement amount and do not significantly alter the scope of services.

Approved

Criminal Justice

44. Approve and adopt a Resolution amending Article VII of the Monterey County Master Fee Resolution

effective October 1, 2022, to adjust fees relating to services provided by the Sheriff's Office.

Adopted

General Government

- 145.** a. Authorize the County Administrative Office, Office of Community Engagement and Strategic Advocacy ("CAO OCESA") to accept a grant (Subaward XC21 04 0270, Cal OES ID 053-00000), in the amount of \$220,927 awarded by the California Governor's Office of Emergency Services (Cal OES), for the provision of direct services to victims of crime in Monterey County, for the grant period January 1, 2022, to December 31, 2022; and
- b. Authorize the Assistant County Administrative Officer (ACAO) overseeing the OCESA or the ACAO's designee to execute amendments to existing operational agreements extending term to December 31, 2022, and distributing a total of \$220,927, for direct services delivery, with the following public and private entities: YWCA of Monterey County, CASA of Monterey County, Monterey County Rape Crisis Center, Seaside Police Department, and Greenfield Police Department; and
- c. Authorize the CAO or the ACAO's designee to apply for, execute memoranda, amendments, or agreements, and administer documents to secure, receive, and distribute further funding from Cal OES for the grant period through December 31, 2023. -

Approved

- 46.** Approve and authorize a \$5,000,000.00 increase to the Countywide Service Agreement for Custodial Services based upon criteria set forth in RFP #10710, for a total aggregate amount not to exceed \$15,000,000.00.

Approved

- 47.** Approve the submission of four (4) entries to the 2022 California State Association of Counties (CSAC) Challenge Awards competition: 1) District Attorney Office Cold Case Task Force (CCTF); 2) Civil Rights Office - Youth Presentations; 3) Civil Rights Office - Employee Resource Groups; and 4) Civil Rights Office - Online Self-Paced Mandated Civil Rights Training.

Approved

- 48.** a. Approve and authorize the Assistant County Administrative Officer, or his designee, to sign an amendment to remove certain payment provisions from the Agreement with Mynt Systems to undertake an Energy Assessment at both the Natividad Jail Complex and Schilling Place;
- b. Provide other direction to staff as appropriate.

Approved

- 49.** Authorize the County Assistant Administrative Officer or his designee to enter into a non-standard

agreement with the Civicwell for the CivicSpark Fellowship to bring on one CivicSpark fellow to assist in the implementation of the Municipal Climate Action Plan and in stakeholder engagement and outreach for the County Climate Action plan at a cost of \$29,000 funded through the Sustainability Program Budget with a term ending on December 31, 2023.

Approved

50. Approve the Board of Supervisors of the Monterey County Draft Action Meeting Minutes for the following meeting date: June 2022.

Approved

Housing and Community Development

51. Approve a request to rollover FY 2021-22 ARPA funds to FY 2022-23 allocated to the Civil Rights Office in the amount of \$17,912 for Equal Opportunity Plan (EOP) Implementation and Title VI & Title VII Training support.

Approved

52. Approve a request from the North County Fire Protection District for dry period loan of \$2,000,000 for the Fiscal Year ending June 30, 2023

Approved

53. Adopt a resolution to:
Authorize the Auditor-Controller to amend the FY 2022-23 County Administrative Office 001-1050-CAO038-8514 to increase appropriations by \$50,000 for ARPA Wine Signage Program, financed by an increase in non-program revenue 001-1050-CAO019-8041 funded by American Rescue Plan Act ("ARPA") revenue (4/5th vote required).

Approved

54. a. Approve Standard Agreement with the California Coastal Rural Development Corporation (CCRDC) to manage the day-to-day operation of the County's Small Business Revolving Loan Fund (SBRLF); and
b. Authorize the County Contracts/Purchasing Officer or designee to execute an Agreement with the California Coastal Rural Development Corporation (CCRDC) for a five (5) year term, from September 1, 2022 through June 30, 2027, in an amount not to exceed \$725,000 during the term of the agreement.

Approved

55. a. Approve a Professional Services Agreement with Wood Environment & Infrastructure Solutions,

Inc., to conduct a programmatic-level environmental analysis for outdoor commercial cannabis pilot program operators, Request for Proposals #10840, in a not to exceed amount of \$261,939 for a three-year term commencing with the signing of the Agreement through July 31, 2025;

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Manager to execute this Agreement and future amendments that do not significantly alter the scope of work and/or change the amount by more than 10 percent.

Failed

Public Works, Facilities and Parks

- 56.** a. Approve Renewal and Amendment No.1 to the Non-Standard Agreement A-14198 between the County of Monterey and Invers Mobility Solutions, Inc. to increase the not to exceed amount to provide related technology services by \$18,900, for a total amount not to exceed \$117,400 and extend the term retroactively from July 1, 2022 to June 30, 2023; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Renewal and Amendment No.1 to the Non-Standard Agreement A-14198 and up to one (1) additional year, subject to County Counsel approval, provided the terms of the Agreement remain substantially the same and provided the additional cost per year does not exceed ten percent (10%) of the cost of the prior year

Approved

- 57.** Introduce, waive reading and set a hearing for September 27, 2022, at 1:30 p.m. to consider findings per Policy CV-2.19 of the Carmel Valley Master Plan, adoption of an ordinance amending Ordinance 499 to abandon the Official Plan Lines for the unacquired portion of Rio Road, and adoption of a resolution to rename the northerly segment of Rio Road to Village Park Road:
- a. Pursuant to the California Environmental Quality Act (CEQA) find that adoption of the proposed ordinance and road renaming involve a negligible change to existing streets and such minor alterations to land qualify respectively as Class 1 and Class 4 categorical exemptions pursuant to CEQA Guidelines Sections 15301(c) - existing highways and streets; and 15304 - minor public alterations in the condition of the land and there are no exceptions pursuant to CEQA Guidelines Section 15300.2.
- b. Introduce, waive reading, and set a hearing for September 27, 2022, at 1:30 p.m., to consider:
1. Finding that the abandonment of the Official Plan Lines of the portion of Rio Road between the two segments of Rio Road currently constructed, being approximately that portion from Engineer's Station 6+77.8 to 39+72.02, as said Official Plan Lines and said Stations are shown on map filed in the Office of the County Recorder in Volume 2 of Official Plan Lines, at Page 55, is in conformity with Policy CV-2.19 of the Carmel Valley Master Plan, a part of the Monterey County General Plan;
 2. Adoption of an ordinance amending Ordinance 499, being the Streets and Highways Plan of Monterey County, deleting a portion of Section 3ww and Section 8ww of the Official Plan Lines of the Rio Road Extension; and
 3. Adoption of a resolution to rename that portion of Rio Road northerly of Engineer's Station 39+72.02 to Village Park Road.

Proposed CEQA Action: Find that the proposed ordinance and street renaming is categorically

exempt as Class 1 and Class 4 categorical exemptions pursuant to CEQA Guidelines Sections 15301(c) - existing highways and streets; and 15304 - minor public alterations in the condition of the land and there are no exceptions pursuant to CEQA Guidelines Section 15300.2.

Approved

- 58.** Approve and authorize the Monterey County Laguna Seca Representative to:
- a. Execute a retroactive Standard Agreement between Robert Joseph Poma dba POMA Electric and the County of Monterey to provide temporary power electrical services for events held at WeatherTech® Raceway at Laguna Seca, with a term from May 1 through December 31, 2022, for an amount not to exceed \$99,000; and
 - b. Execute up to three (3) future amendments to the Standard Agreement where the total amendments do not exceed 10% (\$9,900) of the Agreement amount and do not significantly change the scope of work, subject to County Counsel approval.

Approved

- 59.**
- a. Approve submittal of a grant funding application for the CSA-75 Chualar Wastewater System Consolidation Project to apply for a \$4.4 million planning grant from the State of California - Clean Water State Revolving Fund grant program;
 - b. Adopt a Resolution authorizing the Director of Public Works, Facilities and Parks (PWFP), or designee, to act as agent for the County in processing all documentation to secure these funds; and
 - c. Direct PWFP staff to return to the Board of Supervisors for approval prior to acceptance of any grant award(s).

Approved

- 60.** Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Second Amendment to the Wireless Communication Site Lease Agreement between the County of Monterey and New Cingular Wireless PCS, LLC, for certain Real Property located at 1410 Natividad Road, Salinas, California to modify and/or replace wireless equipment, increase the lease fee, update the notices section of the Agreement, and extend the term of the Agreement.

Approved

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