

County of Monterey

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



Meeting Minutes - Final

Tuesday, November 22, 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, appeared via Zoom, Dewayne Woods, Assistant 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 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Toribia Jones (Worker's Compensation Appeals Board No. ADJ3896264)
 - (2) Toribia Jones (Worker's Compensation Appeals Board No. ADJ0399708)
 - (3) Toribia Jones (Worker's Compensation Appeals Board No. ADJ10325246)
 - (4) Timothy Lowery (Worker's Compensation Appeals Board No. ADJ12952856)
 - (5) Timothy Lowery (Worker's Compensation Appeals Board No. ADJ12952855)
 - (6) Hector Cruz (Worker's Compensation Appeals Board No. ADJ11257269)
 - (7) Jesse Hernandez, et al. v. County of Monterey, et al. (United States District Court, Northern District of California Case No. 13CV02354-BLF)
 - b. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two matters of potential initiation of litigation.
 - c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
 - d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment/recruitment to the position of Agricultural Commissioner.
 - e. 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): Units H

(2) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado

Employee Organization(s): Unit X

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 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, appeared via Zoom, Dewayne Woods, Assistant 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 Jean-Jacques Murphy, Interim Military & Veteran Affairs Officer.

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:

Removal of Item No. 22 under Health Department - Consent Calendar at the request of County Counsel

Ceremonial Resolutions

Open for public comments; no public comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to adopt Ceremonial Resolutions 2 through 4.

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 proclaiming November as Military Family Appreciation Month in the County of Monterey. (Supervisor Askew)

Adopted Resolution No. 22-459

- 2.1 Adopt a resolution proclaiming December 2, 2022 as Kathleen Founds Day in Monterey County. (Supervisor Askew) (ADDED VIA ADDENDA)

Adopted Resolution No. 22-458

3. Adopt a resolution commending Chief Deputy James Bass, upon his retirement from twenty-eight years of public service with the Monterey County Sheriff's Office. (Supervisor Adams)

Adopted Resolution No. 22-457

4. Adopt a resolution recognizing Mayor Clyde Roberson on his retirement from the City of Monterey. (Supervisor Adams)

Adopted Resolution No. 22-456

Appointments

Open for public comments; Nicholas Kite, in person, commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez to appoint/reappoint Item Numbers 5 through 13 excluding Item No. 7 where 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

For Item Number 7

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

Appoint Angel Augusto Rivera Gutierrez to the Economic Development Committee as a Non-Profit or Community Member Representative with a term ending at the pleasure of the Board.
(Nominated by the Economic Development Committee)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: NAY

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

Motion failed 3 to 2

The main motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Mary L. Adams to:
Appoint Nicholas Kite to the Economic Development Committee as a Non-Profit or Community Member Representative with a term ending at the pleasure of the Board. (Nominated by the Economic Development Committee)

Roll call vote taken pursuant to Government Code 54953:

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

Motion passed 3 to 2

5. Reappoint Aimee Cuda to the Area Agency on Aging Advisory Council as an At-Large Member with a term ending on January 1, 2026. (Nominated By The Area Agency on Aging Advisory Council)

Reappointed

6. Appoint Derrick Elder to the Behavioral Health Commission as a Consumer & Public Interest Representative with a term ending on May 31, 2025. (Nominated By District 4, Supervisor Askew)

Appointed

7. The Board of Supervisors will appoint one of the following three nominees; Angel Augusto Rivera-Gutierrez, Kathleen Lee or Nicholas Kite to the Economic Development Committee as a Non-Profit or Community Member Representative with a term ending at the pleasure of the Board. (Nominated by the Economic Development Committee)

Appointed Nicholas Kite.

8. Appoint Beth Fabinsky to the Economic Development Committee as a Research and Development Representative with a term ending at the pleasure of the Board. (Nominated by the Economic Development Committee)

Appointed

9. Appoint Heather Gardner to the Economic Development Committee as a Micro Business Representative with a term ending at the pleasure of the Board. (Nominated by the Economic Development Committee)

Appointed

10. Appoint Jonathan Brown to the Economic Development Committee as a Labor Representative with a term ending at the pleasure of the Board. (Nominated by the Economic Development Committee)

Appointed

11. Appoint Claudia Gomez to the Monterey County Behavioral Health Commission as a Family & Public Interest Representative with a term ending on May 31, 2025. (Nominated By District 3, Supervisor Lopez)

Appointed

12. Appoint Elizabeth Aguilar to the Domestic Violence Coordinating Committee as a Primary Representative with a term ending on January 1, 2025. (Nominated By District 3, Supervisor Lopez)

Appointed

13. Appoint Victor Lanini to the Gonzales Rural Fire Protection District as a Primary Representative with a term ending on November 8, 2026. (Nominated By District 3, Supervisor Lopez)

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

14. See Supplemental Sheet

Open for public comments; no public comments made.

Supervisor John M. Phillips questioned Item No. 29 and Supervisor Wendy Root Askew had questions and comments on Consent Item Number 35 and 38.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to approve Consent Calendar Item Numbers 20 through 45 less Item Number 22 as it 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: AYE

Chair Supervisor Adams: AYE

General Public Comments

15. General Public Comments

Open for general public comments for items not on today's agenda; Margie Kay, via Zoom, commented,

Scheduled Matters

- 16.** a. Authorize the Contracts/Purchasing Officer to execute Amendment No. 3 to the California Forensic Medical Group, Inc. (CFMG dba Wellpath) Professional Services Agreement A-13814, to extend the provision of medical, mental health, and dental care at the Monterey County Jail through December 31, 2025, for a new total aggregate amount of \$44,349,032.
- b. Authorize the Contracts/Purchasing Officer to sign up to two (2) 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% (\$1,518,030.90) of the third-year annual contract amount of \$15,180,309.00.

Chief James Bass and Chief Jonathan Thornburg, both in person, presented via PowerPoint presentation.

Open for public comments, no public comments made.

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

- a. Authorize the Contracts/Purchasing Officer to execute Amendment No. 3 to the California Forensic Medical Group, Inc. (CFMG dba Wellpath) Professional Services Agreement A-13814, to extend the provision of medical, mental health, and dental care at the Monterey County Jail through December 31, 2025, for a new total aggregate amount of \$44,349,032.**
- b. Authorize the Contracts/Purchasing Officer to sign up to two (2) 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% (\$1,518,030.90) of the third-year annual contract amount of \$15,180,309.00.**

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

- 16.1** Adopt a Resolution of Necessity (RON) Finding and determining that:
- a. The Public Interest and Necessity Require the Davis Road Bridge Replacement and Road Widening Project (Project).
- b. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. The property sought to be acquired is necessary for the Project.
- d. Portions of the subject property may be subject to existing public uses, and the subject property is being acquired pursuant to California Code of Civil Procedure section 1240.510 for a public use set forth herein which is compatible with the existing public uses.
- e. The acquisition and public use herein described of the subject parcel will not unreasonably interfere with or impair the continuance of any possible public use as it exists or may reasonably be expected to exist in the future, as required by California Code of Civil Procedure section 1240.510.
- f. In the alternative, the subject parcel and interests therein described are being acquired pursuant to California Code of Civil Procedure section 1240.610 for a more necessary public use.

CEQA Action: An Environmental Impact Report (EIR) was certified by the Board of Supervisors for the Project on July 11, 2016. An EIR Addendum for the Project was prepared to amend the Project design details to incorporate design modifications following the Value Analysis Study Report prepared in 2017. The EIR Addendum was filed and approved by Caltrans on May 8, 2020.

Project Location: Davis Road between Blanco Road and Reservation Road, south of the City of Salinas.

Property Owners of Record: CUS Holding Trust (ADDED VIA ADDENDA)

Randy Ishii, Director, of Public Works, Facilities and Parks, in person, and Enrique Saavedra, Chief of Public Works, via Zoom, presented via PowerPoint presentation.

Open for public comments; Thomas Adcock and Rick Friess, via Zoom, commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Wendy Root Askew to: Adopt a Resolution of Necessity (RON) Finding and determining that:

- a. The Public Interest and Necessity Require the Davis Road Bridge Replacement and Road Widening Project (Project).
- b. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. The property sought to be acquired is necessary for the Project.
- d. Portions of the subject property may be subject to existing public uses, and the subject property is being acquired pursuant to California Code of Civil Procedure section 1240.510 for a public use set forth herein which is compatible with the existing public uses.
- e. The acquisition and public use herein described of the subject parcel will not unreasonably interfere with or impair the continuance of any possible public use as it exists or may reasonably be expected to exist in the future, as required by California Code of Civil Procedure section 1240.510.
- f. In the alternative, the subject parcel and interests therein described are being acquired pursuant to California Code of Civil Procedure section 1240.610 for a more necessary public use.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: NAY

Supervisor Lopez: AYE

Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

Motion passed 4 to 1

Other Board Matters

County Administrative Officer Comments

17. County Administrative Officer Comments

Dewayne Woods, Assistant County Administrative Officer made no comments.

New Referrals

18. New Referrals

Dewayne Woods, Assistant County Administrative Officer shared there are two new referrals this week:

Referral No. 2022.23; Supervisor John M. Phillips

Referral Title: Long-Range Funding Source for Pajaro Park

Referral Purpose: To seek a long-range funding source for Pajaro Park to ensure long term park access to residents of the Pajaro Valley which will enhance the overall health and well-being of residents of this disadvantaged community who need it the most.

Referral No. 2022.26; Supervisor Luis A. Alejo

Referral Title: Opioid Settlement Funding Program for Monterey County

Referral Purpose: To devise a comprehensive program utilizing the opioid settlement dollars designated for all Monterey County local governments for providing treatment and other services to local communities.

Board Comments**19. Board Comments**

Board Comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4770

Read Out from Closed Session by County Counsel

The Board approved the initiation of litigation in closed session.

Adjourned

The meeting was adjourned at 12:16 p.m. by 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: December 6, 2022

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

- 20.** Adopt Resolution to:
- a. Amend Personnel Policies and Practices Resolution No. 98-394 and Appendix A to adjust the salary ranges of the Pharmacist I and Clinical Pharmacy Coordinator classifications as indicated in Attachment A; and
 - b. Direct the Human Resources Department to implement the changes in the Advantage HRM System.

Adopted

- 21.** Adopt Resolution to:
- a. Amend Personnel Policies and Practices Resolution No. 98-394 and Appendix A to adjust the salary ranges of the Supervising Clinic Nurse, Supervising Nurse I, Supervising Nurse II and Supervising Public Health Nurse classifications as indicated in Attachment A; and
 - b. Direct the Human Resources Department to implement the changes in the Advantage HRM System.

Adopted

Health Department

- 22.**
- a. Authorize the Director of Health or Assistant Director of Health to execute an Agreement with Natividad Medical Foundation for Natividad Medical Foundation's philanthropic services, defined as "donor cultivation and solicitation" in the amount not to exceed \$306,319 with an agreement term of January 1, 2023, through June 30, 2024; and
 - b. Approve the recommendation of the Director of Health to accept all non-standard provisions in the Agreement; and
 - c. Approve and authorize the Director of Health or Assistant Director of Health 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%) (\$30,631) of the original cost of the agreement.

Removed from agenda via additions and corrections

- 23.**
- a. Approve and authorize the Director of Health or Assistant Director of Health, the District Attorney, and the Chief Executive Officer for Natividad Medical Center to execute a Memorandum of Understanding between the County of Monterey and community Steering Committee members of the Sexual Assault Response Team (SART), for the purpose of providing a coordinated community response to the needs of survivors of sexual assault, effective retroactive to November 1, 2022, to October 31, 2025, or amend MOU; and
 - b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments to the Memorandum of Understanding that does not significantly change the scope of services.

Approved

- 24.** a. Accept a Grant Award of \$1,193,550.30 from The California Department of Health Care Services (DHCS) for the development and implementation of an in-house Mentored Internship Program (“MIP”), to assist in the treatment and recovery of patients with substance use disorders or co-occurring disorders and to support the statewide expansion of California’s behavioral health workforce; and
- b. Approve and authorize the Director of Health or the Assistant Director of Health to execute a Subcontract Agreement, ID No. 7438-BHWD-MONTEREY (MIP)-01G, as modified by Modification 1 and Modification 2, between the County of Monterey (“County”) and Advocates for Human Potential, Inc. (“AHP”), the administrative entity for the MIP, for professional services to be performed by County as an AHP subcontractor, for a retroactive term of April 1, 2022, through September 29, 2023, in the amount of \$1,193,550.30; 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 (10%) of the original Subcontract Agreement amount (\$119,355) and do not significantly change the scope of services.

Approved

- 25.** a. Accept a \$275,000 Grant Award from the California Department of Public Health (CDPH), in partnership with the Center for Care Innovations (CCI) and Physicians for a Healthy California to support the County of Monterey in operationalizing better access to clinically appropriate COVID-19 therapeutics through improved testing, prescribing, and dispensing; and
- b. Ratify the execution by the Director of Health of the COVID-19 Test to Treat Grant Agreement, on behalf of the County of Monterey for activities related to the Test to Treat grant, in the amount of \$275,000 and effective October 26, 2022, to August 26, 2023.

Approved

- 26.** a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Participation Agreement between the County of Monterey and California Mental Health Services Authority (CalMHSA), for the provision of administering stipends to Behavioral Health Interns, for a total Agreement amount not to exceed \$1,065,000 for the term Upon Execution through September 30, 2025;
- b. 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%) (\$106,500) of the original Agreement amount and do not significantly alter the scope of services.

Approved

- 27.** a. Set a public hearing for December 13, 2022, at 10:30 a.m. to consider and adopt a Resolution to approve Amendment No. 14 with [Proposed] Exhibit 1 “Approved Rates and Charges” to Unified Franchise Agreement A-11631 regarding proposed rates for services and adjustments to current rates for the Unified Franchise Agreement A-11631 between the County of Monterey and Waste Management, Inc. dba USA Waste of California dba Carmel Marina Corp., for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County; and

b. Direct the Clerk of the Board to publish the Notice of Public Hearing in newspapers of general circulation to provide for County-wide Notice of Public Hearing on or before November 26, 2022.

Approved

Department of Social Services

- 28.** a. Approve and authorize the Director or Assistant Director of the Department of Social Services to sign an agreement with Northwoods Consulting Partners, Inc. for the period of December 10, 2022 through December 9, 2025 in the amount of \$1,353,480, with nonstandard indemnification terms; and
- b. Authorize the Director or Assistant Director of the Department of Social Services to sign up to three (3) amendments to the agreement as long as they do not exceed 10% (\$135,348) of the agreement amount or significantly change the scope of work.

Approved

Criminal Justice

- 29.** a. Authorize and direct the Auditor-Controller to amend the fiscal year (FY) 2022-23 Adopted Budget for the Facility Master Plan Fund (404-3200-8564-PFP057) to increase appropriations and operating transfers in by \$312,567, financed by a transfer out from the Building Improvement and Replacement Fund (478-BIR-1050-8539-CAO47) for the replacement and installation of a new Automatic Transfer Switch at the Correctional Facility (4/5ths vote required); and
- b. Authorize the Auditor-Controller to amend the FY 2022-23 Adopted Budget to increase appropriations in the Facility Master Plan Fund (404-3200-8564-PFP057) by \$312,567, financed by fund balance (478-3101) for the replacement and installation of a new Automatic Transfer Switch at the Correctional Facility (4/5ths vote required); and
- c. Authorize the Auditor-Controller to transfer \$312,567 in FY 2022-23 from the Building Improvement and Replacement Fund (478-BIR-1050-8539-CAO47) to the Facility Master Plan Fund (404-3200-8564-PFP057) to replace and install a new Automatic Transfer Switch at the Correctional Facility (4/5ths vote required).

Approved

General Government

- 30.** a. Authorize the Library Director or her Designee to Amend the Agreement dated March 15, 1994 by and between the County of Monterey, Monterey County Free Libraries, and Spreckels Union School District of Monterey County, updating Sections 4.3 and Section 5 of said Agreement allowing Monterey County Free Libraries (MCFL) use of outside space for library purposes.
- b. Authorize the Library Director or her Designee to execute future Amendments to said Agreement as deem necessary.

Approved

- 31.** a. Approve and authorize the Executive Director of the Monterey County Workforce Development Board (WDB) to execute a non-standard Agreement with Launchpad Careers, Inc., for the development of a business services Customer Relations Management (CRM) application and provision of related application subscription services to the WDB retroactive to November 1, 2022 for the period of November 1, 2022 through October 31, 2023, in the amount of \$25,000; and
- b. Authorize the Executive Director, or designee, to execute up to three (3) future amendments of one (1) year each, subject to County Counsel review, where the amendments do not exceed ten percent (10%) of the original agreement amount of \$25,000, for a total maximum increase per amendment of \$2,500, and do not significantly change the scope of work or non-standard contract provisions

Approved

- 32.** a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute the Assignment and Assumption Agreement between Fluence Automation LLC ("Fluence") (Assignor) and DMT Solutions Global Corporation (d/b/a BlueCrest, "BlueCrest") for Agreement No. A-14482; and
- b. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute Renewal and Amendment No.2 to Agreement No. A-14482 with DMT Solutions Global Corporation (d/b/a BlueCrest, "BlueCrest") to provide software, maintenance and support services for a "Vote by Mail" processing system, extending the agreement for an additional three (3) years with a retroactive start date of November 1, 2022 through October 31, 2025 for a revised full agreement term of November 1, 2018 through October 31, 2025, and adding \$110,945 for a revised total agreement amount not to exceed \$207,602.

Approved

- 33.** a. Ratify the execution by the County Assessor of the non-standard Software-as-a-Service ("SaaS") Services Agreement (A-15410) between the County of Monterey and Just Appraised Inc. to provide software services with a retroactive start date of July 1, 2021 through September 30, 2022, for a revised total agreement amount of \$59,500; and
- b. Approve and authorize the County Assessor to execute Amendment No. 1 to the SaaS Services Agreement (A-15410) with Just Appraised Inc., extending the agreement for an additional nine (9) month period (retroactively from October 1, 2022) for a revised full agreement term of July 1, 2021 through June 30, 2023, and adding \$60,000 for a revised total agreement amount of not to exceed \$119,500; and
- c. Approve nonstandard provisions in the SaaS Services Agreement and Amendment No. 1 as recommended by the County Assessor; and
- d. Approve and Authorize the Assessor, or designee, to sign up to three (3) future one (1) year amendments to this agreement where the amendments do not significantly change the scope of work for a maximum, not to exceed amount of \$330,000 for the full term of the agreement.

Approved

- 34.** Introduce, waive reading, and set December 6, 2022 at 10:30 a.m. as the date and time to adopt an ordinance amending Chapters 2.12, 2.27, 2.28, 2.29, 2.30, 2.31, 2.36, and 2.56 of the Monterey

County Code relating to dissolution of the Resource Management Agency, creation of the Housing and Community Development Department and Public Works, Facilities and Parks Department, and update of the fee for examination of records of survey.

Proposed CEQA action: The ordinance is not a project pursuant to CEQA Guidelines section 15378(b)(4) and (5).

Approved

35. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign an Agreement for an Emergency Notification Platform and Comprehensive Evacuation Management Platform between the County of Monterey and Genasys Inc. in an amount not to exceed \$270,000 for a three-year and four-month (40-month) initial term from December 1st, 2022, to March 31st, 2026, with the option to renew annually for five (5) additional 1-year options at \$90,000/year.

Approved

36. Accept the Monterey County Law Library Annual Report, Financial Year 2021-2022.

Approved

Housing and Community Development

37. a. Approve Amendment No. 2 to Professional Services Agreement No. A-15200 with Rincon Consultants, Inc., for the period of January 1, 2023 to June 30, 2023 to provide Planning Permit Application Review Services and to increase the Agreement amount of \$150,000 by \$50,000 for a not to exceed amount of \$200,000; and
b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 and future amendments that to do not significantly alter the scope of work or increase the amount payable by more than ten percent (10%), subject to review and approval by County Counsel.

Approved

Public Works, Facilities and Parks

38. a. Approve and authorize the Monterey County Laguna Seca Representative to execute a retroactive Standard Agreement between Dynamic Press Inc., and the County of Monterey for printing services for WeatherTech® Raceway at Laguna Seca with a term beginning April 10, 2022, through December 31, 2023, for an amount not to exceed of \$30,000;
b. Approve and authorize the Monterey County Laguna Seca Representative to execute up to three (3) future amendments to the Standard Agreement where the total amendments do not exceed ten percent (10%), or \$3,000, of the agreement amount and do not significantly change the scope of work, subject to County Counsel approval.

Approved

39. Approve and authorize the Monterey County Laguna Seca Representative to:

- a. Execute a retroactive Standard Agreement between Raul Lozano dba ASAP Signs & Printing and the County of Monterey for Signage and Related Services for Laguna Seca Recreation Area with a term beginning April 1, 2022, through December 31, 2023, and for a total not-to-exceed agreement amount of \$75,000;
- b. Execute up to three (3) future amendments to the Standard Agreement where the total amendments do not exceed ten percent (10%), or \$7,500, of the agreement amount and do not significantly change the scope of work, subject to County Counsel approval.

Approved

- 40.**
- a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to Standard Agreement No. A-14976 between the County of Monterey and Delcas Auto Collision, Inc., to increase the not to exceed amount by \$250,000, for a total not to exceed amount of \$400,000, and Amendment No. 2 to Standard Agreement No. A-14977 between the County of Monterey and Salinas Valley Ford Sales Inc., dba Salinas Collision Repair, to increase the not to exceed amount by \$125,000, for a total not to exceed amount of \$400,000; and
 - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute up to two additional amendments to Standard Agreement No. A-14976 where each amendment does not increase the not to exceed amount by ten percent (10%) of the original Agreement amount (\$150,000), and two additional amendments to Standard Agreement No. A-14977 where each amendment does not increase the not to exceed amount by ten percent (10%) of the original Agreement amount (\$250,000), subject to prior review and approval by County Counsel and provided the terms of each Agreement remain substantially the same.

Approved

- 41.**
- a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Lease Agreement, effective on or about December 1, 2022 or as mutually agreeable by and between the Parties and expiring on January 2, 2023, with Jimmy Panetta, 20th District Congressman, a Member of the United States House of Representatives for the 117th Congress for approximately 2,000 square feet of general office space located at 1200 Aquajito Road, Suite 3, Monterey, California for \$2,880 per month, in a form substantially similar to the proposed Lease Agreement set forth in Attachment A;
 - b. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Lease Agreement, effective on or about January 3, 2023 or as mutually agreeable by and between the Parties and expiring on January 2, 2025, with Jimmy Panetta, 20th District Congressman, a Member of the United States House of Representatives for the 118th Congress for approximately 2,000 square feet of general office space located at 1200 Aquajito Road, Suite 3, Monterey, California for \$2,880 per month, in a form substantially similar to the proposed Lease Agreement set forth in Attachment B;
 - c. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the United States House of Representatives District Office Lease Attachment for the 117th Congress and 118th Congress under similar terms, conditions, and format as Attachment C;
 - d. Authorize the Contracts/Purchasing Officer of Contracts/Purchasing Supervisor to execute future amendments and congressional lease attachments under similar terms, condition, and format for the

117th Congress and 118th Congress, if deemed by the Contracts/Purchasing Officer to be in the best interest of the County, subject to review and approval by the Office of the County Counsel-Risk Management; and

e. Find that the proposed Lease Agreements are in the public interest and that said Lease Agreements will not substantially conflict or interfere with the use of the property by the County.

Approved

- 42.** a. Consider adoption of an ordinance amending Chapter 12.12.10 of the Monterey County Code to set a speed limit of twenty-five (25) miles per hour (MPH) on the entirety of Watkins Gate Road and West Camp Street in the East Garrison community; and
- b. Find that the adoption of the ordinance is categorically exempt per Section 15301(c) of the California Environmental Quality Act (CEQA) Guidelines.

CEQA Action: Categorically Exempt.

Adopted

- 43.** a. Approve Standard Agreements with the following three (3) contractors: ACCO Engineered Systems, Inc. dba Geo H. Wilson Mechanical Contractors, George Wilson's Plumbing, Inc., and Val's Plumbing & Heating, Inc. to provide on-call plumbing repair and maintenance services for County facilities, awarded under RFP #10870, amounts not to exceed \$150,000 each, for a term of three (3) years beginning October 25, 2022 to October 24, 2025, with the option to extend each Agreement for up to two (2) additional years; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Standard Agreements and future amendments to each Agreement where the amendments do not increase the approved amount of each Agreement more than ten percent (10%) of the original Agreement amount, subject to the review and approval as to form of any future amendments by the Office of the County Counsel.

Approved

- 44.** a. Consider adoption of an ordinance amending Title 12 of the Monterey County Code to:
- i. Amend Section 12.12.010 to establish a 45-mph speed limit on San Miguel Canyon Road from a point 250 feet south of Wilson Way to its intersection with Hall Road; and
- ii. Amend Section 12.28.010 to prohibit parking on both sides of San Juan Grade Road from Crazy Horse Canyon Road and continuing north along San Juan Grade Road to the County limit boundary.

CEQA Action: Categorically Exempt per CEQA Guidelines Section 15301(c).

Adopted

- 45.** 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, Unit 8552, Appropriation Unit PFP054, to increase appropriations by \$59,157, to pay the vendor cancellation fee for a cancelled generator and automatic transfer switch order for a project planned at the Government Center, 168 W. Alisal, Salinas, financed by a decrease in appropriations of \$59,157 from General Fund Contingencies, Fund 001, Unit 8034,

Appropriation Unit CAO020 (4/5th vote required).

Adopted

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

Addenda

46. Addenda

Added Under Ceremonial Resolutions

- 2.1** Adopt a resolution proclaiming December 2, 2022, as Kathleen Founds Day in Monterey County.
(Supervisor Askew)

Added Under Scheduled Matters

16.1. Adopt a Resolution of Necessity (RON) Finding and determining that:

- a. The Public Interest and Necessity Require the Davis Road Bridge Replacement and Road Widening Project (Project).
- b. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.
- c. The property sought to be acquired is necessary for the Project.
- d. Portions of the subject property may be subject to existing public uses, and the subject property is being acquired pursuant to California Code of Civil Procedure section 1240.510 for a public use set forth herein which is compatible with the existing public uses.
- e. The acquisition and public use herein described of the subject parcel will not unreasonably interfere with or impair the continuance of any possible public use as it exists or may reasonably be expected to exist in the future, as required by California Code of Civil Procedure section 1240.510.
- f. In the alternative, the subject parcel and interests therein described are being acquired pursuant to California Code of Civil Procedure section 1240.610 for a more necessary public use.