

# County of Monterey

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



## Meeting Agenda - Final-Revised

Wednesday, December 7, 2022

10:30 AM

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

### Board of Supervisors

*Chair Supervisor Mary L. Adams - District 5*

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

*Supervisor John M. Phillips - District 2*

*Supervisor Chris Lopez - District 3*

*Supervisor Wendy Root Askew - District 4*

**Important Notice Regarding COVID 19**

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

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

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

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

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

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

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

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

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

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

**Aviso importante sobre COVID 19**

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

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

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

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

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

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

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

+1669900 6833 EE. UU. (San José)

+ 1346248 7799 EE. UU. (Houston)

+1312626 6799 EE. UU. (Chicago)

+1929205 6099 EE. UU. (Nueva York)

+1 253215 8782 EE. UU.

+1 301 715 8592 EE. UU.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### HELPFUL INFORMATION/INFORMACION UTIL

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

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

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

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

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

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

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

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

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

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

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

### **10:30 A.M. - Call to Order**

#### **Roll Call**

#### **Pledge of Allegiance**

#### **Additions and Corrections by Clerk**

#### **Appointments**

1. Consider the appointment of Xochitl Marina Camacho as interim Assessor-Clerk-Recorder effective December 31, 2022, at 12:01a.m.

**Attachments:**     [Board Report](#)  
                          [Resolution](#)  
                          [Vagnini Resignation Ltr](#)

2. Consider the appointment of Tina Nieto as interim Sheriff-Coroner effective December 30, 2022, at 5:01 p.m.

**Attachments:**     [Board Report](#)  
                          [Resolution](#)  
                          [Resignation Ltr from Sheriff Steve Bernal](#)

#### **General Public Comments**

3. General Public Comments

#### **Scheduled Matters**

4. Consider receipt of the proposed Board of Supervisors Standing Committee Rotation Schedule.

**Attachments:**     [Board Report](#)  
                          [Attachment A - Board Policy G-10](#)  
                          [Attachment B - Proposed Standing Committee Rotational Schedule](#)

- 4.1. a. Receive a broadband progress report from the Chief Information Officer; and

- b. Provide further direction as appropriate. (ADDED VIA ADDENDA)

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

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

**1:30 P.M. - Reconvene**

**Roll Call**

**Scheduled Matters**

5. ~~a. Receive information and provide direction regarding proposed amendments to Monterey County Code Chapter 7.90 and Titles 20.67 and 21.67 related to commercial cannabis retail operations; and~~  
~~b. Receive recommendations from the Cannabis Committee's regarding the proposed amendments; and~~  
~~c. Direct staff to either immediately prepare proposed amendments or combine the amendments with the work currently being prepared by an outside consultant for Monterey County Code Chapter 7.90 and Titles 20.67 and 21.67 by early 2023; and~~  
~~d. Provide further direction as appropriate. (REMOVED VIA SUPPLEMENTAL)~~
6. a. Receive an update on current Cannabis Program allocations; and  
b. Review proposed changes to cannabis positions and related non-cannabis staff costs with an effective date of February 1, 2023; and  
c. Consider recommending other County resources to fund the non-cannabis staff and costs; and  
d. Consider identifying other funding sources to pay for the Cannabis Program costs if commercial cannabis business tax collections are found to be insufficient; and  
e. Provide additional direction to staff as appropriate.

**Attachments:**     [Board Report](#)  
                          [A. Current Cannabis Program Allocations](#)  
                          [B. Proposed Program Core Functions](#)  
                          [C. Proposed Cannabis Program Reductions](#)  
                          [D. Current Non-Cannabis Allocations paid by Commercial Cannabis Tax Revenue](#)

7. a. Review options to reduce commercial cannabis cultivation business tax rates; and  
b. Direct the Cannabis Program to return to the Board of Supervisors for consideration of an amendment to Monterey County Code 7.100 with the approved amended commercial cannabis business tax rates; and  
c. Revise the formal payment plan by reducing the 25% down payment to 15% and delaying the due date to make the down payment to on or before January 31, 2023; and  
d. Provide further direction as appropriate.

**Attachments:**     [Board Report](#)  
                          [A. Recap of Cannabis Cultivation Tax Rates](#)  
                          [B. Proposed Sliding Scale Cultivation Tax Rates](#)

8. a. Receive a report concerning the Sheriff's Office oversight options.
- b. Provide direction to staff as appropriate.

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

9. a. Adopt an ordinance amending Chapters 2.12 and 2.68 of the Monterey County Code to establish a Director of Emergency Management and Department of Emergency Management; and
- b. Adopt a Resolution to:
  - i. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A & B to create the classification of Director of Emergency Management and Section A.10.1 Department Heads Designated to add the newly created Director of Emergency Management as indicated in Attachment A;
  - ii. Amend the County Administrative Office-Office of Emergency Services Budget Unit 8056-Fund 001 - Appropriation Unit CAO005 to allocate one (1) Director of Emergency Management position; reallocate one (1) Management Analyst II to one (1) Finance Manager I and one (1) Senior Secretary to one (1) Administrative Secretary as indicated in Attachment A;
  - iii. Direct the Auditor-Controller's Office and the County Administrative Office to reflect the approved position change in the Fiscal Year 2022-23 Adopted Budget and the Human Resources Department to create the Director of Emergency Management classification in the Advantage HRM system;
  - iv. Direct the County Administrative Office and the Auditor-Controller to take such actions as may be necessary to fund the activities of the new department within the adopted budget of the County Administrative Office without changes in appropriations for the balance of Fiscal Year 2022-23;
  - v. Direct the County Administrative Office and the Budget Director to prepare the budget for Fiscal Year 2023-24 reflecting the new department on a separate basis.

**Attachments:**     [Board Report](#)  
                          [BOS Resolution](#)  
                          [ATT A Create Dept of Emer Mgmt & Director 12-06-22](#)  
                          [ATT B CAO Org Chrt~ Current December 2022](#)  
                          [ATT C CAO Org Chrt~ Proposed December 2022.ppt](#)  
                          [ATT D Department of Emergency Management Org Chrt~](#)  
                          [Proposed December 2022](#)  
                          [ATT E Ordinance Emergency.Management 12.06.22](#)  
                          [\(clean-signed-1\)](#)  
                          [ATT F Ordinance Emergency.Management 12.06.22 \(redline-1\)](#)

### **Other Board Matters**



**County Administrative Officer Comments**

**9.1.** County Administrative Officer Comments (ADDED VIA ADDENDA)

**New Referrals**

**9.2.** New Referrals (ADDED VIA ADDENDA)

**Attachments:**     [Referral Matrix 12-7-22](#)

**Referral Responses**

**9.3.** Receive a status update report in response to *Board Referral No. 2021.19* seeking to create a Farmworker Resource Center that provides services and referrals in the community of Greenfield. (ADDED VIA ADDENDA)

**Attachments:**     [Board Report](#)  
                          [Attachment 1-Draft Resolution](#)  
                          [Attachment 2-BOS Referral](#)  
                          [Attachment 3-Board Order](#)  
                          [Attachment 4-CSD FRC Presentation, Nov. 7, 2022](#)  
                          [Attachment 5-Notice of Funding Availability Farmworker Resource Center Grant](#)  
                          [Exhibit A-Regions](#)  
                          [Exhibit B-Farmworker Resource Center Grant Program Schedule](#)

**9.4.** a. Receive a verbal report update to *Board Referral No. 2022.06* which sought an increase in funding allocated to the Virus Integrated Distribution of Aid (VIDA) to maintain operations through December 31, 2022; and  
      b. Provide further direction, as appropriate. (ADDED VIA ADDENDA)

**Attachments:**     [Board Report](#)  
                          [Board Referral No. 2022.06](#)

**Board Comments**

**9.5.** Board Comments (ADDED VIA ADDENDA)

**Adjourn In Memory of Mike Owen and James Claypool**

**Addenda/Supplemental**

**10. Addenda/Supplemental**

**Added under Scheduled AM**

- 4.1. a. Receive a broadband progress report from the Chief Information Officer; and
- b. Provide further direction as appropriate.

**Removed under Scheduled PM**

- 5. a. Receive information and provide direction regarding proposed amendments to Monterey County Code Chapter 7.90 and Titles 20.67 and 21.67 related to commercial cannabis retail operations; and
- b. Receive recommendations from the Cannabis Committee’s regarding the proposed amendments; and
- c. Direct staff to either immediately prepare proposed amendments or combine the amendments with the work currently being prepared by an outside consultant for Monterey County Code Chapter 7.90 and Titles 20.67 and 21.67 by early 2023; and
- d. Provide further direction as appropriate.

**Added Other Board Matters section**

**Other Board Matters**

**County Administrative Officer Comments**

- 9.1 County Administrative Officer Comments

**New Referrals**

- 9.2 New Referrals

**Referral Responses**

- 9.3 Receive a status update in response to ***Board Referral No. 2021.19*** seeking to create a Farmworker Resource Center that provides services and referrals in the community of Greenfield.

- 9.4 a. Receive a verbal report update to ***Board Referral No. 2022.06*** which sought an increase in funding allocated to the Virus Integrated Distribution of Aid (VIDA) to maintain operations through December 31, 2022; and
- b. Provide further direction, as appropriate

**Board Comments**

- 9.5 Board Comments

**Added to Adjournment**

Adjourn In Memory of Mike Owen and James Claypool

