

# Monterey County

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



## Meeting Agenda - Final Special Meeting

Tuesday, December 14, 2021  
2:00 PM

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

### Board of Supervisors

*Chair Supervisor Wendy Root Askew - District 4*  
*Vice Chair Supervisor Mary L. Adams - District 5*  
*Supervisor Luis A. Alejo - District 1*  
*Supervisor John M. Phillips - District 2*  
*Supervisor Chris Lopez - District 3*

**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**

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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

**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.**

**Please refer to the separate agendas for Special Districts and Agencies governed by the Board of Supervisors that may be scheduled for agenda items today.**

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

**2:00 P.M. - Call to Order**

**Roll Call**

**Pledge of Allegiance**

**Additions and Corrections by Clerk**

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

**Ceremonial Resolutions**

1. Adopt a resolution Declaring December 14, 2021, as Hartnell Women's Soccer Team State Championship Day in Monterey County. (Supervisor Alejo)

**Attachments:**     [Ceremonial Resolution - Hartnell Women's Soccer](#)

2. Adopt a resolution honoring Labor Leader Sergio Rangel of UNITE HERE Local 483 for his lifetime of service and his retirement. (Supervisor Alejo)

**Attachments:**     [Ceremonial Resolution - Sergio Rangel](#)

**Appointments**

3. Reappoint Juan Morales to the In-Home Support Services Advisory Committee, with a term ending date of June 30, 2024. (Nominated by In-Home Support Services Advisory Committee)

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

4. Reappoint Richard Kuehn to the In-Home Support Services Advisory Council, with a term ending date of June 30, 2024. (Nominated by In-Home Support Services Advisory Council)

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

**2:00 P.M. - Scheduled Matters**

- 5. a. Consider options to amend the commercial cannabis tax structure, rates, and penalties and interest for delinquent tax accounts; and
- b. Consider directing the Cannabis Program to amend Monterey County Code Chapter 7.100; and
- c. Provide further direction as appropriate.

**Attachments:**     [Board Report](#)  
                              [Attachment A - Cannabis Committee Reports on Wholesale Pricing](#)  
                              [\(Legistar File Nos. 21-966 and 21-1053\)](#)  
                              [Attachment B - Current and Proposed Cannabis Tax Rates](#)

- 6. a. Adopt a resolution setting forth the 2021 County of Monterey Supervisorial District Boundaries; and,
- b. Authorize and Direct the County Administrative Officer, County Counsel and the Registrar of Voters, to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this resolution.

**Attachments:**     [Board Report](#)  
                              [Resolution](#)  
                              [Plan 1.1](#)  
                              [Plan B](#)  
                              [Plan N](#)

**Other Board Matters**

**County Administrative Officer Comments and New Referrals**

- 7. County Administrative Officer Comments and New Referrals

**Attachments:**     [Referral Matrix \(12-14-21\)](#)  
                              [Ref No 2021.30 \(Askew\) School Vaccination Coordination](#)  
                              [Ref No 2021.31 \(Alejo\) Housing Authority of MoCo](#)  
                              [Reorganization and New Governance Structure](#)

**Referral Responses**

- 8. Consider a response by the Clerk of the Board Supervisors’ office to Board Referral No. 2020.27 seeking the need for simultaneous Spanish interpreter services for live Zoom Board of Supervisor’s meetings and Spanish translation services of the recorded minutes of Board of Supervisors meetings.

**Attachments:**    [Board Report](#)  
                          [Attachment A - Options](#)  
                          [Board Referral 2020.27 - Translations services](#)

**Adjournment**



# Monterey County

## Item No.1

### Board Report

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

Legistar File Number: CR 21-155

December 14, 2021

**Introduced:** 12/9/2021

**Current Status:** Ceremonial Resolution

**Version:** 1

**Matter Type:** Ceremonial Resolution

Adopt a resolution Declaring December 14, 2021, as Hartnell Women's Soccer Team State Championship Day in Monterey County. (Supervisor Alejo)

**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

**Resolution No.:**

Adopt Resolution Declaring December 14, 2021, as **Hartnell Women’s Soccer Team State Championship Day** in Monterey County.

**WHEREAS**, On December 5, 2021, the Hartnell Women’s Soccer Team (Hartnell Panthers) of Hartnell College in Salinas captured the California Community College Athletic Association CCCAA State Championship for the first time in program history; and

**WHEREAS**, Along the way, this group of women won the Coast Conference title (second time in program history) and broke several program records. The team recorded 22 wins, 2 loses, and 2 ties through the course of the year with a winning percentage of .885. A total of 16 shutouts were recorded; and

**WHEREAS**, The Hartnell Women’s Soccer Team ended the season with a 24 game non-losing streak, which is the longest streak for Division 3 Junior College in the country. All of these achievements are record breaking for the program; and

**WHEREAS**, The Hartnell Women’s Soccer Team performed and dominated at the highest level with 100 percent local student-athletes representing our local communities. Its athletes represent Salinas, Soledad, Gilroy, Hollister, Castroville, Greenfield, Gonzales, Santa Cruz, Watsonville, and Seaside; and

**WHEREAS**, All members of the team are full-time students at Hartnell, with many of them holding part-time or full-time jobs. Many are also members of the Salinas Valley Promise Program; and

**WHEREAS**, The Hartnell Women’s Soccer Team is coached by Ivan Guerrero, who is on his 11th year, and is assisted by Hugo Gonzales and Miguel Gutierrez; and

**WHEREAS**, The success, hard work, team spirit and accomplishments of the Hartnell Women’s Soccer Team serves an inspiration for all Salinas and Monterey County residents, but especially for women and girl athletes in our local communities.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors, on behalf of the County and all of the residents thereof, proclaim December 14, 2021 as “**The Hartnell Women’s Soccer Team State Championship Day**” in Monterey County and call upon all residents to celebrate and honor the success, hard work, team spirit and accomplishments of the Hartnell Women’s Soccer Team in their first ever State Championship title.

**PASSED AND ADOPTED** on this \_\_\_ day of \_\_\_ 2021, upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_ by the following vote, to-wit:

AYES:  
NOES:  
ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book \_\_\_ for the meeting on \_\_\_\_\_.

Dated:  
Valerie Ralph, Clerk of the Board of Supervisors, County of Monterey, State of California.

By \_\_\_\_\_  
Deputy



# Monterey County

## Item No.2

### Board Report

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

Legistar File Number: CR 21-156

December 14, 2021

**Introduced:** 12/9/2021

**Current Status:** Ceremonial Resolution

**Version:** 1

**Matter Type:** Ceremonial Resolution

Adopt a resolution honoring Labor Leader Sergio Rangel of UNITE HERE Local 483 for his lifetime of service and his retirement. (Supervisor Alejo)

**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

**Resolution No.:**

Adopt a resolution Honoring Labor Leader **Sergio Rangel** of UNITE HERE Local 483 for his lifetime of service and his retirement.

**WHEREAS**, Sergio Rangel joined UNITE HERE Local 483 in 1987 as a union member when he began working at the Lodge in Pebble Beach. He soon became a union committee member who represented his coworkers from his department and later became the Union Chief Shop Steward for his worksite; and

WHEREAS, Sergio Rangel approached the union leadership to ask that union contracts be translated into Spanish when he saw an increase of Spanish speakers joining the hospitality industry in the Monterey Peninsula; and

WHEREAS, Sergio Rangel was member of the Negotiations Committee for several years until 2000 when he became union staff. He organized and mobilized hundreds of workers for elections, union actions and supporting other organizations, such as LULAC where he was vice-president for several years in Monterey; and

WHEREAS, Sergio is considered the heart and conscience of Local 483 for his tenacity and fearless representation, whether in meetings with management or in labor actions. He would often be the lead chanter in all Local 483 union actions; and

**WHEREAS**, Sergio Rangel has dedicated his career to improving the lives of his fellow hospitality workers and advocating for the labor and civil rights of thousands of local workers; and

**WHEREAS**, Sergio Rangel retired in 2021 and his career and accomplishments will be celebrated on December 17, 2021; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors, on behalf of the County and all of the residents thereof, honor the lifetime of service and retirement of labor leader **Sergio Rangel** of UNITE HERE Local 483 and thank him for improving the lives of thousands of hospitality workers in Monterey County.

**PASSED AND ADOPTED** on this \_\_\_ day of \_\_\_ 2021, upon motion of Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_ by the following vote, to-wit:

AYES:  
NOES:  
ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book \_\_\_\_ for the meeting on \_\_\_\_\_.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors, County of Monterey, State of California.

By \_\_\_\_\_  
Deputy



# Monterey County

## Item No.3

### Board Report

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

Legistar File Number: APP 21-192

December 14, 2021

**Introduced:** 10/26/2021

**Current Status:** Draft

**Version:** 1

**Matter Type:** Appointment

Reappoint Juan Morales to the In-Home Support Services Advisory Committee, with a term ending date of June 30, 2024. (Nominated by In-Home Support Services Advisory Committee)

[Enter Text Here]



**NOTIFICATION TO CLERK OF APPOINTMENT**

To: Clerk of the Board's Office

Date forwarded to Clerk: 9/17/21

From: (In-Home Support Services Advisory Council) Representing District 1

Board of Supervisors Meeting Date: December 14, 2021

Name of Board, Commission, or Committee: In-Home Support Services (IHSS) Advisory Committee

Name and Address of Appointed: Juan Morales\_\_\_\_\_

Check one:

New Term \_\_\_\_\_

Reappointment   X  

Filling an unexpired term \_\_\_\_\_ (if checked, list who is being replaced and reason below)

Replacing which member:

**Maddy Act Regulations:**

If applicable, check below regarding the reason for the unexpired term:

Resignation of member \_\_\_\_\_

Death of member \_\_\_\_\_

Member did not complete term \_\_\_\_\_

Other \_\_\_\_\_

**TERM EXPIRATION DATE:**   June 30, 2024  

Clerks use: \_\_\_\_\_ Web updated \_\_\_\_\_ Maddy Book updated \_\_\_\_\_ Added to Legistream agenda \_\_\_\_\_ COI

Form Updated 05-15-13

My name is Juan “Johnny” Morales. I was born in King City and have lived and grew up in the Salinas since the age of eleven. I attended El Sausal Middle School and Alisal High School where I developed many friendships. I have four brothers, two sisters and I am the third of a family of seven.

Prior to my disability I worked in a variety of jobs within the Salinas area including in the agriculture industry. In 1997, at the age of 23, I became quadriplegic. From 2012-2016, I resided in a nursing home in the Salinas area where I learned how to first advocate for myself. With the assistance of Central Coast Center for Independent Living (CCCIL), I was able to find housing, care givers, transportation, and learn how to integrating back into the community as a wheel chair user.

After many years of assistance and support from Central Coast Center for Independent Living, I was invited to become part of their Board. Since my inception in 2017, I help review quarterly numbers of services and give advice on how to best serve the community with disabilities to help increase CCCIL’s qualitative numbers.

I continue to live independent and support advisory committees and collaborative that serve the community with disabilities.



# Monterey County

## Item No.4

### Board Report

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

Legistar File Number: APP 21-193

December 14, 2021

**Introduced:** 10/26/2021

**Current Status:** Draft

**Version:** 1

**Matter Type:** Appointment

Reappoint Richard Kuehn to the In-Home Support Services Advisory Council, with a term ending date of June 30, 2024. (Nominated by In-Home Support Services Advisory Council)

[Enter Text Here]



**NOTIFICATION TO CLERK OF APPOINTMENT**

To: Clerk of the Board's Office

Date forwarded to Clerk: 9/17/21

From: (In-Home Support Services Advisory Council) Representing Area Agency on Aging (AAA) Advisory Council

Board of Supervisors Meeting Date: December 14, 2021

Name of Board, Commission, or Committee: In-Home Support Services (IHSS) Advisory Committee

Name and Address of Appointed: Richard Kuehn\_\_\_\_\_

New Term \_\_\_\_\_

Reappointment   X  

Filling an unexpired term \_\_\_\_\_ (if checked, list who is being replaced and reason below)

Replacing which member:

**Maddy Act Regulations:**

If applicable, check below regarding the reason for the unexpired term:

Resignation of member \_\_\_\_\_

Death of member \_\_\_\_\_

Member did not complete term \_\_\_\_\_

Other \_\_\_\_\_

**TERM EXPIRATION DATE:**   June 30, 2024  

Clerks use: \_\_\_\_\_ Web updated \_\_\_\_\_ Maddy Book updated \_\_\_\_\_ Added to Legistream agenda \_\_\_\_\_ COI

Form Updated 05-15-13

## CURRICULUM VITAE

### RICHARD KUEHN

**Family inHome Caregiving, Inc.** Carmel, CA 2010-Present  
*Owner*

After more than two decades of caregiving, both in a professional environment and for a 97-year-old family member, Richard was dissatisfied with service from local caregiving agencies. He became convinced of the need for a service which provides very personal assistance to the elderly and founded Family inHome Caregiving, serving the Monterey Peninsula. After just a year and a half, he has quickly grown the company's reputation as having the cream of the crop in caregivers, specializing in helping Clients with Alzheimer's disease and seniors with mobility issues. His company had the fundraising team which raised the most money for the Monterey Chapter of the Alzheimer's Association Annual Walk to End Alzheimer's for two years in a row (renamed from Memory Walk) and is hoping to do the same this year. His attention to detail and ability to match personalities between caregivers and his senior citizen Clients has enabled Family inHome Caregiving to quickly take market share from competitors and gain a great reputation in the community. Services include:

- Caring companionship;
- Meal planning and preparation;
- Running errands;
- Light housekeeping;
- Medication reminders;
- Assistance with bathing and grooming;
- Assistance with bill paying; and
- Information and referral services.

Here are what Family inHome Caregiving Clients are saying about the quality of the caregiver's and Richard's care of his Clients. They provide highly qualified and trained caregivers at affordable prices ranging from as little as 15 minutes to 24-hour live-in care:

#### **Client Testimonials:**

"We discovered Family inHome Caregiving by way of discharge planning nurses and a local senior's organization. I really do not know how I would have managed without Richard and his care staff. Richard is always available and takes time to listen. He cares that my husband is making progress and that I am OK too. We have found that having someone dependable, skilled and easily available has been extremely helpful to both of us, and more comforting than we can say." ~**Mr. & Mrs. A. Holzer, Carmel, California**

"I learned about Family inHome Caregiving and Richard Kuehn after reading an article in 'Off 68', a weekly newspaper servicing the 68 Corridor of Monterey county. My husband suffers from Parkinson's and Lewy Body Dementia. He weighs 230 lbs and I cannot lift him nor move him on my own. Richard is very professional and efficient and at the same time very caring. He also is full of good advice and I have learned a lot through his website!" ~**Marie-France de Sibert, Monterey, CA**

"...I wish to add that in my experience, the attention to detail, compassion, and accomplishment of service were beyond excellent. Your selection of Kristina as the caregiver for RJ was perfect in every regard. She was an exceptional facilitator of services and companion for RJ during this difficult transition..."  
~**Fred and Susan Schwantes, Pacific Grove**

## **CURRICULUM VITAE**

**Richard Kuehn**

**Page 2**

Here is what the President of The Senior's Choice, of which Family inHome Caregiving is a member, has to say about the quality of services offered by Richard's company:

"It is my pleasure to be associated and work closely with Richard Kuehn of Family inHome Caregiving, Inc. and his team of dedicated caregivers. Their focus on each Client's individual needs is exemplary and we are proud to have them as a fellow member of The Senior's Choice. We at The Senior's Choice support more than 250 in-home companion care companies around the world and we take pride in the standards of excellence common among all our members. Richard represents the best of The Senior's Choice because of his demonstrated integrity, commitment, and love for seniors and their families. We know that those individuals who take advantage of Family inHome Caregiving's services will experience greater peace, independence, and more quality time with their loved ones," said Steve Everhart, the President of The Senior's Choice.

Richard is actively involved in fighting for senior citizen's rights, having recently gone to California State Capitol Sacramento to lobby, as well as attending a local town hall meeting with his Assemblymember, Bill Monning. He is also starting a non-profit corporation to solicit donations which will help provide in-home caregiving services for the impoverished, as well as delivering other goods and services to the elderly who aren't fortunate enough to be able to hire a caregiving service. He has also been appointed to the Area Agency on Aging Advisory Council Member representing District 5, appointed to the Executive Committee for the AAA Advisory Council; Appointed to the InHome Support Services (IHSS), and serves as the Vice-Chair person for the IHSS Advisory Committee, and he is the lead person for reviewing IHSS Advisory Committee Policies and Procedures and reports information back to the AAA Advisory Council.

### **McGraw Hill Companies** Monterey, CA 1999-2009

*Proposal Manager (2002-2009), Senior Contract Associate (1999-2002)*

With over 15 years' experience at divisions of the McGraw-Hill Companies (Richard also worked at McGraw-Hill School Systems and CTB Macmillan/McGraw Hill prior to his positions at Logistix Inc. and Softbank Content Services, Inc.), he became an expert in many facets of legal, finance and administration. Amongst the various duties and accomplishments, he achieved were:

- Planning, managing and delivering winning multi-million dollar fixed-price programs in response to Request for Proposals from educational agencies across the world;
- Leading team members, including those at the executive levels, in challenging and complex environments in order to deliver winning proposals;
- Directing multiple projects and team members simultaneously on solutions development;
- Preparing budgets for multi-million dollar contracts;
- Analyzing markets to identify new trends and propose products that fill market gaps;
- Reviewing changes in educational legislation and proposing and implementing new policies and procedures to make sure the company was in compliance with all rules and regulations while maintaining an unbiased liaison position between Corporate legal and CTB/McGraw-Hill LLC;
- Resolving legal issues related to conceptual ideas, trademarks and patents to the protection of corporate assets and intellectual property rights; and
- Planning and conducting presentations for Clients and sales staff.

### **Logistix, Inc.** Fremont, CA 1999

*Consultant*

- Assisted with the integration of Softbank's and Logistix's program management teams for large customers (such as Microsoft, Hewlett Packard and Compaq);
- Trained cost accountants in specifics of worldwide gross margin and inventory accounting;
- Analyzed data between Symix and SAP systems for integrity, thereby producing high quality migration of data from Softbank to Logistix; and
- Assisted in producing ISO 9000 processes and procedures.

**Softbank Content Services, Inc.** Monterey, CA 1995-1999  
*Senior Cost Accountant*

- Implemented and managed quality control and inventory management worldwide with a value in excess of \$250 million;
- Directed all facets of domestic and international internal financial audits and used quantitative and statistical analysis to enhance internal processes; and
- Performed costing functions related to vendor request for proposals and attended pricing meetings to establish internal product costs.

**EDUCATION:**

Senior's Choice, Certified Companion Aide (CCA), 2010  
Senior's Choice, Certified Hospice Companion Aide (CHCA), 2010  
Association of Proposal Management Professionals, Certified Professional Proposal Member (PPM.APMP) in Proposal Management and Business Development, 2008  
Golden Gate University, B.S. Accounting, 2000  
U.S. Army Finance & Administration, Certificate in Finance & Administration, 1979

**OTHER:**

**Family inHome Caregiving Certifications/Memberships:**

Certified Home Care Aide Organization by California Association for Health Services at Home (CAHSAH)  
Member of the Better Business Bureau  
Member of California Association for Health Services at Home (CAHSAH)  
Member of the National Association for Home Care & Hospice  
Member of National Private Duty Association (NPDA)  
Member of The Senior's Choice  
Member of the Home Care Pulse



# Monterey County

## Item No.5

### Board Report

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

Legistar File Number: 21-1071

December 14, 2021

**Introduced:** 12/3/2021

**Current Status:** Scheduled AM

**Version:** 1

**Matter Type:** General Agenda Item

- a. Consider options to amend the commercial cannabis tax structure, rates, and penalties and interest for delinquent tax accounts; and
- b. Consider directing the Cannabis Program to amend Monterey County Code Chapter 7.100; and
- c. Provide further direction as appropriate.

#### RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Consider options to amend the commercial cannabis tax structure, rates, and penalties and interest for delinquent tax accounts; and
- b. Consider directing the Cannabis Program to amend Monterey County Code Chapter 7.100; and
- c. Provide further direction as appropriate.

#### SUMMARY:

For several months the Cannabis Program (Program) has scheduled monthly meetings with the local cannabis industry (Industry) to discuss relevant topics and concerns. The Industry voiced concerns over the commercial cannabis cultivation and distribution tax rates imposed by Monterey County Code (MCC) section 7.100.050. Specific to the distribution tax, MCC Chapter 7.100.050(G), the Industry's concern was that this tax places operators within Monterey County at a competitive disadvantage when compared to other jurisdictions that do not impose a distribution tax. The Industry has also expressed concerns that commercial cannabis product is taxed at each stage of the supply chain in Monterey County. The Program presented information related to the distribution tax to the Cannabis Committee (Committee) and Budget Committee in July and August 2021 respectively.

With regard to the commercial cannabis cultivation tax rates, the decline in cannabis wholesale price points has severely impacted the Industry financially. The Industry requested that a subcommittee be formed to discuss the current downward trends in wholesale price points and the commercial cannabis tax structure and rate, as set forth in Monterey County Code Chapter 7.100.50. Through these subcommittee meetings, the Program has provided updates to the Committee on November 17th and November 29th of 2021. (Attachment A) The Committee directed staff to present these updates to the Board of Supervisors (Board) with options for consideration. The Budget Committee Chair also approved that this matter be presented directly to the Board.

#### The options for the Board to consider are as follows:

1. Reduce the distribution tax rate from 3% to 1%.
2. A \$4/\$7/\$1.50 model represents \$4 for mixed-light, \$7 for indoor, and \$1.50 for outdoor. This

- represents a 17% decrease in cannabis revenue for the current fiscal year (FY).
3. A \$3/\$6/\$1 model would represent a 25% decrease in cannabis revenue for the current FY.
  4. Eliminate the cannabis tax escalator.
  5. Place a stay on delinquent commercial cannabis tax account penalties and fines on unpaid installments of the annual commercial cannabis business tax until June 30, 2022.

Based on the direction provided to the Program, staff could prepare and have an ordinance amending MCC Chapter 7.100 ready for Board consideration in January 2022. The ordinance will require two readings before the Board. The ordinance can be written so that any changes are made retroactive to January 1, 2022.

DISCUSSION:

Distribution Tax.

Monterey County imposes an annual gross receipt on commercial cannabis distribution activities. The distribution tax rate is currently set at 3% of gross receipts. It is important to note that when the distribution tax was set by the County, vertical integration was not allowed under state law. State law has since been changed and vertical integration is allowed. Distribution is typically structured as either a wholesaler or provider of a service to transfer commercial cannabis products from one licensee to another. Licensed distributors may also provide the following services: packaging, re-packaging, labeling, relabeling, and storage.

Vertical integration is when a business has control of multiple points of the supply chain. This may manifest itself through a merger or acquisition of separate businesses with distinct stages of production into one business, or it can exist in the initial structure of a business. An example of this in the cannabis industry would be an operator who has a cultivation license, a distribution license, and a retail license. Local operators meet the definition of vertical integration when they are interrelated through their corporate structure. Individuals who have ownership interests in multiple operations are not vertically integrated unless their corporate structure is demonstrably interrelated via documentation provided to the Secretary of State of California. It is important to note, operators who meet the definition may deduct the cash value of transactions from gross receipts as outlined in section 7.100.040(Q).

The concern expressed to the Program by the Industry is that distributors typically follow one of two business models:

- Buy in bulk, using purchasing power to drive per unit costs down and sell at market rates to create margins.
- Take possession of product and sell for a service fee/pre-negotiated price.

Both business models encounter the same problem: when the business is taxed on gross receipts, the cost of goods is not always considered. This means that distributors must be profitable on very small margins or they will be vulnerable to undercutting by distributors in other jurisdictions who do not impose distribution taxes.

As presented by the Treasurer-Tax Collector (TTC) staff in March 2021, less than half of distributors registered with TTC reported gross receipts or paid distribution taxes in the prior two FYs. As a point

of reference, 40 distributors were registered in FY 18-19 and 46 were registered in FY 19-20. In FY 19-20, distribution tax revenue totaled \$839,039. Operators were required to provide their METRC API key to the TTC by July 15, 2020 to enable the TTC to monitor transactions through the California Cannabis Authority (CCA) and confirm reported gross receipts. Following submission of the METRC API key to the CCA, the TTC observed an increase in distribution tax revenue reported. In FY 20-21, distribution tax revenue totaled \$1,230,240.

In July 2021, the Committee directed the Program to the Budget Committee with a recommendation to reduce the commercial cannabis distribution tax rate to 0% of gross receipts for a period of three years, with the capability to amend in the future. The Budget Committee received the report and directed staff to the Board with a recommendation for an additional option to reduce the rate to 1% of gross receipts, to take effect either halfway through FY 21-22, or at the beginning of FY 22-23.

Commercial Cannabis Tax Structure, Rates, Delinquent Penalties, and Interest.

A subcommittee was formed to further discuss the commercial cannabis tax structure and rate. The Committee received a memorandum on the subcommittee meetings on November 17th and 29th of 2021. The following is a summary of the Industry's request:

1. Immediate reduction in commercial cannabis cultivation tax rates.
  - a. The Industry proposes an indefinite reduction to commercial cannabis cultivation tax rates that match the "3/2/1 taxing model" implemented by the Counties of Humboldt and Lake. This implies \$3/square foot (sf) for indoor cultivation, \$2/sf for mixed-light cultivation, and \$1/sf for outdoor cultivation. This proposed change would result in a 60% reduction from current cultivation tax rates of \$8/sf for indoor, \$5/sf for mixed-light and \$2.50/sf for outdoor. As of this writing, there are no licensed outdoor grow cultivators in Monterey County. The 3/2/1 taxing model was intended to be a starting point for conversation.
2. Remove the commercial cannabis automatic annual tax escalator.
  - a. The Industry requests removal of the automatic annual tax escalator. The suspensions of the escalator have occurred in subsequent FYs. The FY 20-21 suspension was in response to the COVID-19 pandemic. The FY 21-22 suspension was also in response to the COVID-19 pandemic, in addition to a local outbreak of the Hop Latent Viroid in April 2021.
    - i. The operative word with this viroid is "latent," meaning that it was largely asymptomatic and not evident until later stages of cultivation where the harvest yields and potency of Tetrahydrocannabinol, the psychoactive component generated by cannabis plants, were both greatly impacted. Operators reported lower prices through the affected period, but there is not a clear indication of this within the wholesale pricing information. (Attachment A, page 27)
3. Consider placing a stay on the penalties and interest for tax payments deemed delinquent.
  - a. MCC section 7.100.080 specifies when tax payments are delinquent. MCC section 7.100.100 specifies the penalties and interest due for such delinquency. The industry requests a stay on these penalties and interest for the current FY, which ends on June 30, 2022.
4. Miscellaneous comments and suggestions to assist the Industry during this period of declining wholesale price points for commercial cannabis.

- a. Overhead costs are increasing industrywide.
- b. Cost of goods sold, the direct costs of producing commercial cannabis products including materials and labor, is increasing, partially due to shortages in the supply chain.
- c. Decline in the cannabis industry workforce due to layoffs.
- d. Finished goods are being sold at a much lower price point.
- e. Industry businesses are carrying accounts receivables for longer periods of time and are challenged to collect, further impacting cash flow.
- f. The Committee should consider reviewing the Program and reducing staffing levels as the business entities become fully permitted and require less County monitoring.

#### Program Research and Analysis

The Program conducted interviews with the California Cannabis Authority (CCA) and the County Administrative Office Budget Director. Here is the analysis to date:

1. Decline in commercial cannabis wholesale price point and the inability to identify when a correction may take place.
  - a. The Program has been monitoring the significant decline in the wholesale price point since April 2021. Like traditional agriculture, Monterey County cannabis price points tend to be higher than other counties because the cannabis is cultivated in a desirable geographic growing region. Another indication of a higher price point could be the inconsistency of the permittee to update consignment pricing in Metrc; the Program is working with CCA and industry operators to establish best practices for reporting consignment prices. CCA met with the subcommittee members and County staff on December 1, 2021 to begin such discussions.
  - b. Relative to October 2020, average wholesale prices are down \$683 per pound, which represents a 56% decline. (See Attachment A, page 27) It would be difficult to forecast if or when a correction could occur, but analysts, including CCA, project a change or correction in the spring of 2022. The Industry speculates that the change or correction may not occur for some time.
2. Increase in inventory levels among permittees in Monterey.
  - a. Compared to 2020, permittee inventory levels have increased due to the decline in wholesale price points and the “waiting game” of determining the optimal time to sell. The higher level of inventory is indicative of reduced gross sales, which impacts cash flow and could lead to delays of infrastructure improvements and employee layoffs. In July 2021, the Program required industry operators to submit employee rosters. At that time, the industry employee workforce equaled approximately 2,400. The Program could request current employee information to update the workforce count if the Board desired.
3. Preliminary discussion with the CAO Budget Director on financial impacts for the current FY.
  - a. On November 18th and 29th of 2021, the Program met with the CAO Budget Director to review financial impacts to the current FY budget if the Board approved a policy decision to amend the commercial cannabis tax rates. If rates were decreased, there would be a financial impact to the current budget, reducing department services. Impacts would be dependent on the scale of tax reductions.
  - b. Based on the proposed amended commercial cannabis tax rates, there could be an

estimated \$5.2m decrease in the current FY of cannabis tax revenue and an estimated \$8.8m decrease in FY 22-23 compared to the cannabis revenue estimates provided on July 1, 2021.

- c. The Cannabis Assignment balance as of December 1, 2021 is \$18,693,631.
  - d. The CAO Budget Office requested proposed costs for FY 22-23 from the Program on November 15, 2021. The current FY 21-22 Program costs are \$6,334,421.18. The proposed FY 22-23 Program costs are estimated at \$6,346,485.85, but this does not include all salary increases, as some bargaining units are still in negotiations.
4. CCA Insights.
- a. The CCA has developed “The NCS Transparency Project,” which automatically updates each month on the Program’s webpage. The Project is a publicly available data portal, specific to Monterey County, filled with industry insights and useful information geared towards the average citizen. The Program uses the NCS Platform’s data points for a multitude of regulatory and compliance needs, including tracking the wholesale and retail price points. It should be noted that the data available within the NCS Platform is complex and will require collaborative discussions to interpret, refine, and reflect upon when factoring into policy decisions. These discussions should include industry operators.
  - b. Indoor prices are typically higher, and they are impacted less because the product is viewed as higher quality and therefore commands a higher price point than outdoor or mixed-light cultivation.
  - c. A canopy-based tax structure is much easier to implement and regulate, but it impacts growers differently. Smaller growers typically amortize their tax liability across fewer harvests; relative to a large grower with greater economies of scale, amortization is more burdensome to a small grower. When the costs of goods sold shift, this method becomes disproportionate. A gross receipts tax is difficult to regulate, but when reliably reported, tax revenues and industry revenues are correlated.
  - d. Due to varied opinions on the accuracy of CCA data, the Program scheduled an initial meeting with CCA on December 1, 2022 with industry operators and representatives to share information, ask questions, and gain knowledge for understanding. This will be an on-going effort as we continue our collaboration with the Industry and partners.
5. Cannabis Program Forum (Forum).
- a. On November 19, 2021, Monterey County hosted the Forum, which consists of thirteen counties as far north as Nevada County and south to Santa Barbara County. The Forum meets quarterly to discuss a variety of topics and to share information. At the recent Forum, the Program asked about cannabis tax rates and collection and received the following input:
    - i. A recent Department of Cannabis Control (DCC) weekly listserve identifies 7,085 active cultivation licenses in the state. (Attachment A, page 28) The table within the attachment breaks down both state licenses and how commercial cannabis is taxed. It has been filtered to the top 12 counties in terms of cultivation licenses, with total license counts reflected in the grand total.
    - ii. Richard Parrott, DCC Deputy Director of Compliance, was the guest speaker at the Forum. Mr. Parrott discussed topics related to DCC consolidation efforts, including refinements to compliance and enforcement mechanisms, better

collaboration with local jurisdictions, and the development of compliance training and education programs. Mr. Parrott emphasized that DCC's goal is to build and sustain a strong compliance and enforcement structure.

- iii. Nevada County is considering moving from its current 2.5% of gross receipts model to a canopy tax following the 3/2/1 model. Its operators are considering transitioning to mixed-light because there is no demand for outdoor flower.
- iv. Santa Cruz County reported a 70% decline in their tax revenue relative to the prior FY, but the county has not seen an increase in tax delinquency. This is due in part to their gross receipts-based tax model, which correlates with the widespread decline in wholesale pricing; as sales decline, so do tax liabilities. Operators are reportedly following their fields because they are not profitable to harvest. Abnormally foggy weather led to moldy crops, further contributing to price declines. Santa Cruz County's Board has not requested a reduction to the 6% gross receipts commercial cannabis tax rate as of this writing and may be considering an ordinance to permit consumption lounges. The County Licensing Office has audited retail dispensaries for years and will begin audits of non-retails soon.
- v. San Luis Obispo County recently put a stay on an automatic increase that would have raised its gross receipt tax from 6 to 8%. This was in part because of reports of several operators following their fields. Licensed operators cite their heavy tax burden and more stable prices as incentives to divert into the unlicensed market.
- vi. Santa Barbara County reported current year tax collections are 40% below projections.
- vii. Sonoma County operators were affected by mold saw crop destruction. They are working on a request to their Board to freeze tax rates.
- viii. A few jurisdictions expressed interest in drafting a letter to address tax reform at the state level.

#### Commercial Cannabis Proposed Amended Tax Structure and Rates.

The Committee directed the Program to prepare proposed commercial cannabis tax rates. Attachment B outlines the following with these assumptions.

1. Cultivation square footage numbers were used as of November 30, 2021.
2. Distribution, manufacturing, and retail gross receipts are values used from FY 20-21.
3. Proposed commercial cannabis tax revenue is based on the amended ordinance to be retroactive to January 1, 2022.

#### Options for the Board to review and consider.

1. Reduce the distribution tax rate from 3% to 1%.
2. A \$4/\$7/\$1.50 model represents \$4 for mixed-light, \$7 for indoor, and \$1.50 for outdoor. This represents a 17% decrease in cannabis revenue for the current FY.
3. A \$3/\$6/\$1 model would represent a 25% decrease in cannabis revenue for the current FY.
4. Eliminate the cannabis tax escalator.
5. Place a stay on delinquent commercial cannabis tax account penalties and fines on unpaid installments of the annual commercial cannabis business tax until June 30, 2022.

Based on the direction provided to the Program, staff could prepare and have an ordinance amending MCC Chapter 7.100 ready for Board consideration in January 2022. The ordinance will require two readings before the Board. The ordinance can be written so that any changes are made retroactive to January 1, 2022.

Staff notes it is important to highlight the immediate turnaround of reports to the Committee and Board with the anticipated preparation of an amended ordinance that has and will take significant time to research and develop. TTC staff will be required to amend tax rates in a timely manner and determine if refunds are applicable which will impact their other work responsibilities. Program staff remain committed to meet the needs of the Industry, yet other work is currently being re-prioritized and may impact the local jurisdiction assistance and equity grants proposed awards.

OTHER AGENCY INVOLVEMENT:

The County Administrative Office Budget Director, Office of the County Counsel, and California Cannabis Authority were involved in the preparation of this report.

FINANCING:

Monterey County's Cannabis Program is funded through County Administrative Office - Department 1050, Intergovernmental and Legislative Affairs Division - Unit 8054, Cannabis, and approval of this report will not incur additional expenses to the Program. However, based on the amended commercial cannabis tax rates, there could be an estimated \$5.2m decrease in the current FY of cannabis tax revenue and an estimated \$8.8m decrease in FY 22-23 compared to the cannabis revenue estimates provided on July 1, 2021. Every \$1m reduction in the cannabis tax would translate to approximately 0.5% reduction in discretionary revenue to provide services across all general fund departments.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Monterey County Cannabis Program addresses each of the Strategic Initiative Policy Areas that promote the growth of a responsible and legal Monterey County cannabis industry.

Mark a check to the related Board of Supervisors Strategic Initiatives

- X Economic Development
- X Administration
- X Health & Human Services
- X Infrastructure
- X Public Safety

Prepared by: Joann Iwamoto, Cannabis Program Manager

Approved by: Nicholas E. Chiulos, Assistant CAO

Attachments:

- A. Cannabis Committee Reports on Wholesale Pricing (Legistar File Nos. 21-966 and 21-1053)
- B. Current and Proposed Cannabis Tax Rates





# Monterey County

**Item No.**

## Board Report

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

**Legistar File Number: 21-1071**

**December 14, 2021**

**Introduced:** 12/3/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

- a. Consider options to amend the commercial cannabis tax structure, rates, and penalties and interest for delinquent tax accounts; and
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### RECOMMENDATIONS:

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### SUMMARY:

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#### DISCUSSION:

##### Distribution Tax.

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The concern expressed to the Program by the Industry is that distributors typically follow one of two business models:

- Buy in bulk, using purchasing power to drive per unit costs down and sell at market rates to create margins.
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of reference, 40 distributors were registered in FY 18-19 and 46 were registered in FY 19-20. In FY 19-20, distribution tax revenue totaled \$839,039. Operators were required to provide their METRC API key to the TTC by July 15, 2020 to enable the TTC to monitor transactions through the California Cannabis Authority (CCA) and confirm reported gross receipts. Following submission of the METRC API key to the CCA, the TTC observed an increase in distribution tax revenue reported. In FY 20-21, distribution tax revenue totaled \$1,230,240.

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#### Commercial Cannabis Tax Structure, Rates, Delinquent Penalties, and Interest.

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  - a. The Industry requests removal of the automatic annual tax escalator. The suspensions of the escalator have occurred in subsequent FYs. The FY 20-21 suspension was in response to the COVID-19 pandemic. The FY 21-22 suspension was also in response to the COVID-19 pandemic, in addition to a local outbreak of the Hop Latent Viroid in April 2021.
    - i. The operative word with this viroid is "latent," meaning that it was largely asymptomatic and not evident until later stages of cultivation where the harvest yields and potency of Tetrahydrocannabinol, the psychoactive component generated by cannabis plants, were both greatly impacted. Operators reported lower prices through the affected period, but there is not a clear indication of this within the wholesale pricing information. (Attachment A, page 27)
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4. Miscellaneous comments and suggestions to assist the Industry during this period of declining wholesale price points for commercial cannabis.

- a. Overhead costs are increasing industrywide.
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- f. The Committee should consider reviewing the Program and reducing staffing levels as the business entities become fully permitted and require less County monitoring.

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- a. On November 19, 2021, Monterey County hosted the Forum, which consists of thirteen counties as far north as Nevada County and south to Santa Barbara County. The Forum meets quarterly to discuss a variety of topics and to share information. At the recent Forum, the Program asked about cannabis tax rates and collection and received the following input:
    - i. A recent Department of Cannabis Control (DCC) weekly listserve identifies 7,085 active cultivation licenses in the state. (Attachment A, page 28) The table within the attachment breaks down both state licenses and how commercial cannabis is taxed. It has been filtered to the top 12 counties in terms of cultivation licenses, with total license counts reflected in the grand total.
    - ii. Richard Parrott, DCC Deputy Director of Compliance, was the guest speaker at the Forum. Mr. Parrott discussed topics related to DCC consolidation efforts, including refinements to compliance and enforcement mechanisms, better

collaboration with local jurisdictions, and the development of compliance training and education programs. Mr. Parrott emphasized that DCC's goal is to build and sustain a strong compliance and enforcement structure.

- iii. Nevada County is considering moving from its current 2.5% of gross receipts model to a canopy tax following the 3/2/1 model. Its operators are considering transitioning to mixed-light because there is no demand for outdoor flower.
- iv. Santa Cruz County reported a 70% decline in their tax revenue relative to the prior FY, but the county has not seen an increase in tax delinquency. This is due in part to their gross receipts-based tax model, which correlates with the widespread decline in wholesale pricing; as sales decline, so do tax liabilities. Operators are reportedly following their fields because they are not profitable to harvest. Abnormally foggy weather led to moldy crops, further contributing to price declines. Santa Cruz County's Board has not requested a reduction to the 6% gross receipts commercial cannabis tax rate as of this writing and may be considering an ordinance to permit consumption lounges. The County Licensing Office has audited retail dispensaries for years and will begin audits of non-retails soon.
- v. San Luis Obispo County recently put a stay on an automatic increase that would have raised its gross receipt tax from 6 to 8%. This was in part because of reports of several operators following their fields. Licensed operators cite their heavy tax burden and more stable prices as incentives to divert into the unlicensed market.
- vi. Santa Barbara County reported current year tax collections are 40% below projections.
- vii. Sonoma County operators were affected by mold saw crop destruction. They are working on a request to their Board to freeze tax rates.
- viii. A few jurisdictions expressed interest in drafting a letter to address tax reform at the state level.

#### Commercial Cannabis Proposed Amended Tax Structure and Rates.

The Committee directed the Program to prepare proposed commercial cannabis tax rates. Attachment B outlines the following with these assumptions.

1. Cultivation square footage numbers were used as of November 30, 2021.
2. Distribution, manufacturing, and retail gross receipts are values used from FY 20-21.
3. Proposed commercial cannabis tax revenue is based on the amended ordinance to be retroactive to January 1, 2022.

#### Options for the Board to review and consider.

1. Reduce the distribution tax rate from 3% to 1%.
2. A \$4/\$7/\$1.50 model represents \$4 for mixed-light, \$7 for indoor, and \$1.50 for outdoor. This represents a 17% decrease in cannabis revenue for the current FY.
3. A \$3/\$6/\$1 model would represent a 25% decrease in cannabis revenue for the current FY.
4. Eliminate the cannabis tax escalator.
5. Place a stay on delinquent commercial cannabis tax account penalties and fines on unpaid installments of the annual commercial cannabis business tax until June 30, 2022.

Based on the direction provided to the Program, staff could prepare and have an ordinance amending MCC Chapter 7.100 ready for Board consideration in January 2022. The ordinance will require two readings before the Board. The ordinance can be written so that any changes are made retroactive to January 1, 2022.

Staff notes it is important to highlight the immediate turnaround of reports to the Committee and Board with the anticipated preparation of an amended ordinance that has and will take significant time to research and develop. TTC staff will be required to amend tax rates in a timely manner and determine if refunds are applicable which will impact their other work responsibilities. Program staff remain committed to meet the needs of the Industry, yet other work is currently being re-prioritized and may impact the local jurisdiction assistance and equity grants proposed awards.

OTHER AGENCY INVOLVEMENT:

The County Administrative Office Budget Director, Office of the County Counsel, and California Cannabis Authority were involved in the preparation of this report.

FINANCING:

Monterey County’s Cannabis Program is funded through County Administrative Office - Department 1050, Intergovernmental and Legislative Affairs Division - Unit 8054, Cannabis, and approval of this report will not incur additional expenses to the Program. However, based on the amended commercial cannabis tax rates, there could be an estimated \$5.2m decrease in the current FY of cannabis tax revenue and an estimated \$8.8m decrease in FY 22-23 compared to the cannabis revenue estimates provided on July 1, 2021. Every \$1m reduction in the cannabis tax would translate to approximately 0.5% reduction in discretionary revenue to provide services across all general fund departments.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Monterey County Cannabis Program addresses each of the Strategic Initiative Policy Areas that promote the growth of a responsible and legal Monterey County cannabis industry.

Mark a check to the related Board of Supervisors Strategic Initiatives

- X Economic Development
- X Administration
- X Health & Human Services
- X Infrastructure
- X Public Safety

Prepared by: Joann Iwamoto, Cannabis Program Manager  
Approved by: Nicholas E. Chiulos, Assistant CAO

DocuSigned by:  
*Joann Iwamoto* 12/6/2021 | 8:33 AM PST  
B759D9F5D66A4D7...  
[On behalf of Nicholas Chiulos]

Attachments:

- A. Cannabis Committee Reports on Wholesale Pricing (Legistar File Nos. 21-966 and 21-1053)
- B. Current and Proposed Cannabis Tax Rates

*Legistar File Number: 21-1071*

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# MONTEREY COUNTY

## County Administrative Office

Nicholas E. Chiulos  
Assistant County Administrative Officer

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Intergovernmental & Legislative Affairs

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November 17, 2021

To: Board of Supervisors Cannabis Committee

Fr: Joann Iwamoto, Cannabis Program Manager

Re: County-Industry Subcommittee on Commercial Cannabis Tax Structure and Rates

The Cannabis Program (“Program”) meets with industry members each month to discuss current topics, including areas they feel are going well, those that have improved, and challenges that remain. For many months, industry members have raised the topic of commercial cannabis tax structure and rates. At the industry’s request, the Program coordinated a “County-Industry Subcommittee” specifically designed to discuss the current commercial cannabis tax structure and rates.

The Subcommittee first met on October 28, 2021. Participants included four industry business operators, three local attorneys/consultants, and four County staff members. This initial meeting was to discuss a proposed meeting schedule and the goals/objectives of this Subcommittee. The Program has scheduled two monthly follow-up meetings.

The industry expressed these critical concerns:

- Wholesale Price Points
  - In the past months, local wholesale price points have trended downward, and industry fears an additional, significant correction may be looming statewide.
  - Supply and demand issues persist statewide.
  - Given the above, it is difficult to remain competitive, even with proven, favorable cannabis growing conditions in the County.
- Immediate Relief
  - Industry proposes some form of immediate relief from the commercial cannabis tax, either in a rate reduction, a stay on penalties if the account is delinquent, or the removal of the escalator.

The Program provided the following for the Subcommittee members to review as they regroup with industry members and prepare for our next meeting scheduled for November 18, 2021:

- Cannabis Program Strategic Initiatives, Mission Statement and Goals.

- Specific review of Goal Number 4, “Generation of commercial cannabis tax revenue to support the program and services to the public.”
- Board of Supervisor Board Report, Legistar File Number 18-418 and Attachments.
  - This report provides the outcomes of the individual district focus groups and the surveys conducted to receive input on how the commercial cannabis tax revenue could be allocated for public services. (Attachment A)
- Board of Supervisors Cannabis Assignment Summary by Fiscal Year.
  - These summaries detail the allocations made by the Board of Supervisors from cannabis assignment. (Attachment B)

The Program will provide a status update on the November 18, 2021 meeting at the next regularly scheduled Cannabis Committee meeting.



# Monterey County

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Salinas, CA 93901  
831.755.5066

## Board Report

Legistar File Number: 18-418

April 17, 2018

**Introduced:** 4/10/2018

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

Receive report on results of the Board of Supervisors directed community engagement process for use of cannabis tax revenue over and above program operation costs;  
Provide direction to staff.

CAO-IGLA

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Receive report on results of the Board of Supervisors directed community engagement process for use of cannabis tax revenue over and above program operation costs;  
Provide direction to staff.

SUMMARY/DISCUSSION:

As a result of a Board of Supervisors referral, staff was directed to implement a 3-faceted community engagement process with the intention of gaining public input on potential uses of cannabis tax revenue over and above program operating costs. In January 2018, the Board of Supervisors approved the staff proposal for community engagement and authorized the use of up to \$50,000 of cannabis tax revenue to implement the engagement process.

The community engagement process consisted of 3 components:

1. A random telephone survey of 625 registered voters in Monterey County of Monterey
2. An on-line survey
3. A series of 5 facilitated community forums, are held in each supervisorial district of the County.

The overall program design was intended to use and build upon information collected previously as part of the Impact Monterey County program developed by United Way Monterey County. The random telephone survey was conducted as the first stage of the engagement process and was completed in February 2018. High level results of the random telephone survey are shown in Attachments "A" and "B".

The community forums and on-line survey were developed and conducted in March 2018. To date the on-line survey has had 760 completed responses. High level results are also shown in Attachments "A" and "B".

Approximately 70 community members attended each of the 5 meetings held in the Supervisorial districts.

High level results of the community forums are provided in Attachment "C" and "D". More detailed



*Legistar File Number: 18-418*

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Attachments:

- Attachment A - Top 5 Issues From Phone and Online Survey
- Attachment B - High Level Results Phone and Online Survey
- Attachment C - High Level Results if the Community Forums
- Attachment D - Community Forums Memo

Attachments are on file with the Clerk of the Board.

## Attachment A

**Top 5 Specific Issues Selected As Highest Priority**

Rank	Online Survey	Telephone Survey
<b>1</b>	Early education and pre-school programs	Early education and pre-school programs
<b>2</b>	Providing quality healthcare, including mental health care, for County residents	Providing quality healthcare, including mental health care, for County residents
<b>3</b>	Programs to reduce and prevent crime and violence	Services for homeless families and adults
<b>4</b>	Other responses*	Programs to reduce and prevent crime and violence
<b>5</b>	Services for homeless families and adults	Programs that help people find affordable housing here and prevent displacement

**Table shows a comparison between the Online Survey and the Telephone Survey for the top 5 responses provided when asked what specific issue stood out as the highest priority to receive cannabis tax revenue funding.**

\* A textual analysis was performed on answers provided when respondents selected "Other". The frequency of the words used was calculated and the most commonly occurring key words are as follows:

- 1) Libraries/Library
- 2) Roads
- 3) School
- 4) Education
- 5) Public
- 6) Funding
- 7) Fix
- 8) Enforcement

## Attachment B

Telephone Survey Results Program or Issue to Fund with Cannabis Tax Revenue	Percent Ranking High/Med/Low				Highest Priority
	High	Medium	Low	Don't Know	
Early education and pre-school programs	57%	30%	13%	1%	26%
Programs to reduce and prevent crime and violence	69%	25%	6%	1%	18%
Services for homeless families and adults	56%	34%	9%	1%	19%
Improved public transportation, as well as increasing safe places for people to bike and walk	37%	41%	21%	1%	3%
Programs to provide training for County residents to help attract businesses to come here and provide residents with good jobs	43%	35%	20%	2%	5%
Violence prevention programs	64%	29%	6%	1%	13%
Providing quality healthcare, including mental health care, for County residents	70%	24%	5%	1%	22%
Programs to protect our environment	57%	26%	15%	2%	7%
Programs that help people when they get out of prison to stay out of prison	49%	36%	13%	1%	5%
Programs and services for non-citizens regardless of their immigration status	30%	37%	31%	3%	3%
Programs that help people find affordable housing here and prevent displacement	57%	30%	12%	1%	17%
Replenishing some of the County's reserve funds	30%	44%	21%	5%	1%
After-school youth programs	60%	29%	11%	1%	10%
Substance abuse education, prevention, and treatment programs	56%	34%	9%	1%	8%
Child abuse prevention programs	72%	23%	5%	1%	9%
Programs to reduce discrimination and inequality	45%	33%	21%	1%	3%
Programs to enhance people's participation in local government	23%	41%	34%	2%	2%
Don't Know/Not Applicable					7%

Online Survey Results Program or Issue to Fund with Cannabis Tax Revenue	Percent Ranking High/Med/Low				Highest Priority
	High	Medium	Low	Don't Know	
Early education and pre-school programs	46%	30%	20%	3%	17%
Programs to reduce and prevent crime and violence	42%	38%	18%	3%	11%
Services for homeless families and adults	40%	38%	19%	2%	8%
Improved public transportation, as well as increasing safe places for people to bike and walk	24%	37%	36%	4%	4%
Programs to provide training for County residents to help attract businesses to come here and provide residents with good jobs	19%	31%	43%	7%	4%
Violence prevention programs	34%	38%	25%	3%	2%
Providing quality healthcare, including mental health care, for County residents	53%	33%	12%	2%	14%
Programs to protect our environment	36%	33%	27%	4%	5%
Programs that help people when they get out of prison to stay out of prison	26%	40%	30%	4%	1%
Programs and services for non-citizens regardless of their immigration status	19%	30%	41%	10%	1%
Programs that help people find affordable housing here and prevent displacement	39%	33%	23%	4%	7%
Replenishing some of the County's reserve funds	14%	33%	43%	9%	3%
After-school youth programs	43%	33%	21%	4%	5%
Substance abuse education, prevention, and treatment programs	32%	37%	26%	4%	4%
Child abuse prevention programs	40%	38%	20%	3%	1%
Programs to reduce discrimination and inequality	23%	31%	39%	8%	1%
Programs to enhance people's participation in local government	14%	32%	45%	9%	0%
Other (Further analysis provided in supplemental sheet)					10%
Don't Know/Not Applicable					2%

\*Other option not included in Telephone Survey

**COUNTY OF MONTEREY  
CANNABIS TAX REVENUE FORUM - COMMUNITY PRIORITY ADVOCACY**

**ECONOMIC SELF-SUFFICIENCY 22.11%**

District 1 - Supervisor Alejo	48	249	19.28%
District 2 - Supervisor Phillips	34	170	20.00%
District 3 - Supervisor Salinas	23	233	9.87%
District 4 - Supervisor Parker	67	225	29.00%
District 5 - Supervisor Adams	71	219	32.42%

**EDUCATION 28.99%**

District 1 - Supervisor Alejo	82	249	32.93%
District 2 - Supervisor Phillips	48	170	28.24%
District 3 - Supervisor Salinas	65	233	27.90%
District 4 - Supervisor Parker	61	225	27.11%
District 5 - Supervisor Adams	63	219	28.77%

**HEALTH 27.63%**

District 1 - Supervisor Alejo	77	249	30.92%
District 2 - Supervisor Phillips	41	170	24.12%
District 3 - Supervisor Salinas	76	233	32.62%
District 4 - Supervisor Parker	55	225	24.44%
District 5 - Supervisor Adams	57	219	26.03%

**SAFETY 14.70%**

District 1 - Supervisor Alejo	28	249	11.24%
District 2 - Supervisor Phillips	31	170	18.24%
District 3 - Supervisor Salinas	49	233	21.03%
District 4 - Supervisor Parker	23	225	10.22%
District 5 - Supervisor Adams	28	219	12.79%

**Overall County Services 6.41%**

District 1 - Supervisor Alejo	14	249	5.62%
District 2 - Supervisor Phillips	16	170	9.41%
District 3 - Supervisor Salinas	20	233	8.58%
District 4 - Supervisor Parker	19	225	8.44%
District 5 - Supervisor Adams	0	219	0.00%

**COMMUNITY PRIORITY ADVOCACY RANKING**

<b>EDUCATION</b>	29.00%
<b>HEALTH</b>	28.00%
<b>ECONOMIC SELF-SUFFICIENCY</b>	22.00%
<b>SAFETY</b>	15.00%
<b>Overall County Services</b>	6.00%



DATE: April 3, 2018

TO: Nick Chiulos, Assistant County Administrative Officer  
County of Monterey

FROM: Michelle Slade, Chief Strategist  
C<sup>4</sup> Consulting

RE: **Highlights of Community Prioritization Advocacy -  
Cannabis Tax Revenue Community Forums**

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Following are highlights of initial insights and findings gleaned from the five Cannabis Tax Revenue Community Forums held in March 2018 to assist the Board of Supervisors in understanding what their constituents would like prioritized when determining the budget for excess cannabis tax revenue:

1. **Three hundred fifty (350) constituents participated** in total with **an average of 70 participants** per Forum.
2. **100%** of participants completing Forum Feedback cards answered **YES** to the question:  
  
***Would you like the Board of Supervisors to continue hosting forums like these to gain public input?***
3. Attached in Appendix is a summary of **key themes of Forum Feedback responses** to these prompts:
  - a. **What Worked:** What did you like about the Forum? What was helpful?
  - b. **Improvements:** What would have made this Forum better?
  - c. **Additional Comments:** Any additional comments, questions, concerns, recommendations you would like your Supervisor and the rest of the Board of Supervisors to consider?
  - d. **How did you learn about this Forum?**
4. Across the five Forums, the following **ranking of Community Priorities** emerged:
  - a. **Education - 29%**
  - b. **Health - 28%**
  - c. **Economic Self-Sufficiency - 22%**
  - d. **Safety - 15%**
  - e. **Overall County Services - 6%**

5. Within all of the Community Priority Areas (Economic Self-Sufficiency, Education, Health, Safety, and Overall County Services), providing services through an **equity lens and ensuring culturally relevant and competency** in program/service design and delivery was a notable theme.
6. Within the **Education Priority Area**, the following programs/services received the most advocacy for investment:

<p><b>Investing in Early Childhood Development &amp; Pre-School Programs</b></p>	<ul style="list-style-type: none"> <li>● <i>Early childhood education and preschool programs</i></li> <li>● <i>In South County, universal, expand center, better pay for providers, provide technical assistance</i></li> <li>● <i>Free universal preschool for all, particularly system impacted families and displaced parents</i></li> <li>● <i>Increase infant/toddler services with slots in North County</i></li> <li>● <i>More playgroups to empower parents to gain additional tools for positive parenting and understanding the importance of early childhood experiences</i></li> <li>● <i>Provide more playgroups and parenting classes in Greenfield and King City to educate parents in early childhood development</i></li> <li>● <i>Provide support for proposed early childhood education center near Oscar Loya School</i></li> <li>● <i>Library materials for children of color</i></li> <li>● <i>Fund direct services from Bright Beginnings</i></li> </ul>
<p><b>Expanding Youth Services - Out of School Time Programming: After School &amp; Summer Programs</b></p>	<ul style="list-style-type: none"> <li>● <i>Expand After-school Programs</i></li> <li>● <i>Expand existing afterschool programs (e.g., Boys &amp; Girls Club in Greenfield, YMCA)</i></li> <li>● <i>Expand summer youth programs in North Monterey County during Summer in partnership with NMCUSD</i></li> <li>● <i>Invest in Parks &amp; Recreation: soccer fields, BMX tracks, nature trails</i></li> <li>● <i>Provide more arts programming</i></li> <li>● <i>Provide more sports programming, including funding for soccer complex</i></li> <li>● <i>Social worker paid mental health staff onsite at schools and afterschool programs</i></li> <li>● <i>More educational, academic enrichment, e.g., college prep, vocational training and career readiness, digital literacy, restorative justice</i></li> <li>● <i>Refer youth to Rancho Cielo</i></li> </ul>
<p><b>Supporting</b></p>	<ul style="list-style-type: none"> <li>● <i>How to be a parent</i></li> </ul>

<b>Parent Education</b>	<ul style="list-style-type: none"> <li>● Parenting programs</li> <li>● Programs for single mothers and their children (health, work trainings)</li> <li>● Increase parent capacity to students as they navigate higher education</li> <li>● Going to local schools and educate teachers, students, and parents (Cannabis Education)</li> <li>● Programs to help parents understand how to be the best parents possible</li> </ul>
<b>Fostering Civic Education &amp; Participation</b>	<ul style="list-style-type: none"> <li>● Programs to enhance people's participation in local government</li> <li>● Mentoring program for youth with with local elected officials and law enforcement</li> </ul>

7. Within the **Health Priority Area**, the Community advocated for the greatest investment in the following:

<b>Ensuring Affordable, Quality Healthcare (with special emphasis on prevention, mental health, and wellness services)</b>	<ul style="list-style-type: none"> <li>● Providing quality healthcare, including mental health care, for County residents</li> <li>● Funding for Esperanza care - Health Care for All</li> <li>● Behavioral Health</li> <li>● Further investment in mental behavioral health- trauma informed care</li> <li>● Giving more support for preventative mental health treatment for children and more mental health treatment centers for youth and children</li> <li>● Increased maternal mental health support</li> <li>● Free healthcare for justice impacted youth, foster care, displaced and homeless, elderly</li> <li>● In Home support services more funding for children, elders, people with disabilities</li> <li>● Health services for veterans - Free medical cannabis as mental health treatment and veterans with PTSD</li> <li>● Holistic programs for families, parental education and mental health             <ul style="list-style-type: none"> <li>○ Wellness and nutrition</li> <li>○ Yoga and meditation</li> </ul> </li> <li>● Opportunities for family screening and care coordination for multiple and varied need</li> <li>● Lowering restrictions on who can receive mental health services for example someone with depression can be seen if they meet a criteria</li> </ul>
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<p><b>Expanding Public Health Education - Substance Abuse Prevention &amp; Treatment</b></p>	<ul style="list-style-type: none"> <li>● Substance abuse education, prevention, and treatment programs</li> <li>● Rehabilitation centers for those with addiction to marijuana and cocaine</li> <li>● Treatment options for youth- residential, outpatient, relapse prevention</li> <li>● Culturally relevant rites of passage for youth and young adults that address drug and alcohol</li> <li>● Substance abuse treatment programs for youth in Greenfield and King City</li> <li>● Rehab mental health services for anyone who wants it; top priority drug arrests/ alternative to jail</li> <li>● Use arts (theatre) for substance abuse education</li> <li>● Targeted support for communities that have been impacted by illegal status of marijuana</li> <li>● Recommend 25% be set aside for the next 5 years for marijuana, opioid and other drug abuse prevention treatment and recovery services</li> </ul>
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8. Within the **Economic Self-Sufficiency Priority Area**, the following emerged as the top 3 areas receiving the most advocacy for investment (noted by category and specific programs/services):

<p><b>Ensuring Housing Affordability</b></p>	<ul style="list-style-type: none"> <li>● Programs that help people find affordable housing here and prevent displacement</li> <li>● Rent Control</li> <li>● Add more housing to be able to use the affordable housing programs</li> <li>● Section 8 housing availability</li> <li>● Inclusionary housing for low-income East Garrison Project</li> <li>● Emergency housing/shelter for low income and/or families who demonstrate need</li> <li>● Housing for aging out foster youth- safe spaces for learning and spending time</li> <li>● Domestic abuse and homeless shelters</li> <li>● Housing for the homeless</li> <li>● Small houses for affordable housing for homeless</li> <li>● Funding for the new Salinas/County homeless shelter</li> <li>● Building affordable housing; Support MBEP Policy</li> </ul>
<p><b>Providing Services for the Vulnerable</b></p>	<ul style="list-style-type: none"> <li>● Services for homeless families and adults</li> <li>● Programs and services for non-citizens regardless of their immigration status</li> <li>● Emergency Assistance programs: eviction, deportations, deaths</li> </ul>

<p><b>Increasing Economic Development - Workforce Development</b></p>	<ul style="list-style-type: none"> <li>● <i>Programs to provide training for County residents to help attract businesses to come here and provide residents with good jobs</i> <ul style="list-style-type: none"> <li>○ <i>Vocational training</i></li> <li>○ <i>Community laboratory and small business incubator</i></li> <li>○ <i>Diversify Monterey county economic portfolio for ex: build biotech industry</i></li> <li>○ <i>Home-grown companies: cannabis, agtech, biotech</i></li> </ul> </li> <li>● <i>Equitable economic development opportunities in the Cannabis industry</i> <ul style="list-style-type: none"> <li>○ <i>Special permit of cannabis conviction for communities affected by past criminalization those not included because of startup costs</i></li> <li>○ <i>Prioritization for licences for sale for communities that have been impacted by the war on drugs</i></li> </ul> </li> <li>● <i>Support re-entry employment &amp; reparations</i> <ul style="list-style-type: none"> <li>○ <i>Support union jobs with good wages and benefits for system impacted and previously incarcerated regardless of immigration status</i></li> <li>○ <i>Expungements for those w/ marijuana charges</i></li> <li>○ <i>Reparations for marijuana drug offenses- clear records and reduce sentences</i></li> </ul> </li> </ul>
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9. Within the **Safety Priority Area**, key programs/services the Community advocated for the greatest investment are:

<p><b>Providing Re-Entry &amp; Diversion Services</b></p>	<ul style="list-style-type: none"> <li>● <i>Programs that help people when they get out of prison to stay out of prison</i></li> <li>● <i>Re-entry programs: help people give back to their community with program and jobs</i></li> <li>● <i>Reparations - Amnesty program for cannabis conviction; Help for people with past drug convictions; Expunge records, help people get out of prison for past arrests for marijuana</i></li> <li>● <i>Training (including on the job training) &amp; employment</i></li> <li>● <i>Youth arts programs as alternatives to punitive practices in the justice system</i></li> <li>● <i>Gang reduction activities-provide alternative pathways</i></li> <li>● <i>Rehabilitation programs for at-risk populations</i></li> </ul>
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<p><b>Strengthening Crime, Violence Prevention &amp; Reduction</b></p>	<ul style="list-style-type: none"> <li>● <i>Funded coordinated enforcement to protect legal growers from being undercut</i></li> <li>● <i>Protect the public from illegal grows</i></li> <li>● <i>Protect the county from loss of legal grows and lower Prop Y revenue</i></li> <li>● <i>Establish program to respond to grows, include a way to report</i></li> <li>● <i>Fund a dedicated Sheriff's Field Unit with drones and other surveillance equipment to locate, close down, and arrest illegal grows</i></li> <li>● <i>Fund DA to prosecute.</i></li> <li>● <i>More security and safety</i></li> <li>● <i>Prevention &amp; justice reform</i></li> <li>● <i>More programs and vigilance in the community to prevent crime and violence.</i></li> <li>● <i>More security by increasing police presence in the streets.</i></li> </ul>
<p><b>Improving Transportation &amp; Safer Built Environment</b></p>	<ul style="list-style-type: none"> <li>● <i>Improved public transportation, as well as increasing safe places for people to bike and walk</i></li> <li>● <i>New bus routes and free passes for people below poverty line</i></li> <li>● <i>Improve built environment</i></li> <li>● <i>Improve lighting</i></li> <li>● <i>More street lights (King City)</i></li> <li>● <i>More lighting and install security cameras</i></li> <li>● <i>Safe places for people to bike and walk</i></li> </ul>

10. Within the **Overall County Services Priority Area**, key programs/services the Community advocated for the greatest investment are:

<p><b>Maintaining Existing Services</b></p>	<ul style="list-style-type: none"> <li>● <i>Avoid cuts in existing services</i></li> <li>● <i>Support our County libraries; Library services- to reverse cutbacks and hours, staff and materials</i></li> <li>● <i>Funding parks</i></li> <li>● <i>Support existing animal shelters</i></li> </ul>
<p><b>Ensuring County Solvency</b></p>	<ul style="list-style-type: none"> <li>● <i>Replenishing some of the county's reserve funds</i></li> </ul>
<p><b>Investing in Public Infrastructure</b></p>	<ul style="list-style-type: none"> <li>● <i>Water for 300k new residents</i></li> </ul>

In addition to the insights and findings shared above, particularly noteworthy additional themes were expressed by participants regarding the engagement process (representative direct comments noted in *italics*):

1. **APPRECIATED THE OPPORTUNITY** - Participants deeply appreciated that the Board of Supervisors sought their perspectives and provided a robust opportunity to express and advocate for their points of view; again, **100%** of participants completing the Forum Feedback cards responded **YES**, that they would like the Board of Supervisors to continue hosting forums like these to gain public input:
  - *Thank you for providing me with this opportunity.*
  - *Very pleased that Supervisor Alejo was present to hear his constituents ideas and proposals for the investment of the tax revenues.*
  - *Keep us involved in the process.*
  - *Keep hosting forums!*
  - *Keep it going!*
  - *Thank you for bringing other organizations to support the Forums.*
  
2. **LIKED THE FORUM APPROACH** - Participants liked the approach to the Forums, especially the opportunity to have dialogue with other community members and supportive facilitation:
  - *We got to talk to people who will help us make our community a better place. What I liked was that we got to come up with good ideas for the community.*
  - *I like learning about the County's budget. I liked how we were put into groups and voted for what was important to us. Hearing other people's opinion was helpful to get their viewpoint.*
  - *Small groups worked. I liked the small group discussion and large sharing. It was helpful to have facilitator and participants it present.*
  - *Translation, facilitator involvement, coffee, group sizes and informative slides at beginning of the Forum.*
  
3. **HOPEFUL FOR ACTION, TRANSPARENCY** - Participants expressed hope their input would be acted upon and a desire to be kept informed, including access to information from the overall Community Engagement process (inclusive of the Forums, polling, on-line survey) and what action was taken upon this information:
  - *Please make it public that way our input is going to be used and now things will be priorities people want it to be feel that their input matters.*
  - *When will the county let us know what decisions were made? How will you use this feedback/ input? How will you decide where the money will go?*
  - *I just don't want this process to be for nothing and fall on deaf ears so please listen to the people.*
  - *Please be honest to people's wishes.*

I look forward to providing you and the Board of Supervisors with a full report. Thank you for the opportunity to partner with you, your fantastic team and the Board of Supervisors to engage our community to ensure: **Together, a healthy, safe, thriving Monterey County!**

**Attachment B Cannabis Assignment Expenditures by Fiscal Year**

<b>BOS Date</b>	<b>Purpose</b>	<b>Amount</b>
9/12/2017	Salinas Homeless Shelter (DSS)	\$158,740
<b>Total FY 17-18 Non-Recurring Expenditures</b>		<b>\$158,740</b>
6/26/2018	Interlake Tunnel & Spillway Modification Project (WRA)	\$445,897
6/26/2018	Whole Person Care/Emergency Women's Shelter (DSS)	\$929,928
6/26/2018	Veterans Affairs Stand Down Event (DSS)	\$50,000
6/26/2018	Children's Emergency Response Team/Adult Protective Services (DSS)	\$1,591,246
6/26/2018	Books and Materials (Library)	\$300,000
3/26/2019	Safe Parking (DSS)	\$40,170
3/26/2019	CAO IGLA Cannabis - HdL & Associates	\$18,500
4/30/2019	CAO Contributions - Salinas Valley Promise	\$200,000
<b>Total FY 18-19 Non-Recurring Expenditures</b>		<b>\$3,575,741</b>
6/25/2019	Salinas Homeless Shelter (DSS)	\$92,825
6/25/2019	Safe Parking (DSS)	\$86,380
6/25/2019	Whole Person Care (DSS)	\$37,261
6/25/2019	First 5 Programs (Health)	\$340,000
6/25/2019	Book Collection (Library)	\$300,000
6/25/2019	Homelessness Consultant (CAO)	\$45,000
6/25/2019	Chinatown Outreach (CAO)	\$5,000
6/25/2019	Prunedale Senior Center (CAO)	\$20,000
6/25/2019	Salinas Soccer Park Complex	\$250,000
6/25/2019	Rural County Representatives of California Membership	\$15,000
9/10/2019	Census (CAO-8440)	\$300,000
10/8/2019	DUI Court (Probation)	\$109,000
10/8/2019	DUI Court (Health)	\$51,000
11/19/2019	Lakes Fund Deficit (RMA)	\$2,131,440
1/14/2020	Citygate Consultant (RMA)	\$199,696
3/24/2020	Emergency funding for The Food Bank of Monterey County	\$250,000
4/21/2020	Emergency funding for The Food Bank of Monterey County	\$250,000
4/28/2020	Fondo Empresarial Emergency Loan Program	\$25,000
5/12/2020	Emergency Operations Center response to COVID-19 (OES)	\$3,000,000
5/12/2020	COVID-19 Project RoomKey Program (OES)	\$529,538
6/9/2020	California Cannabis Authority Administrative Fees (CAO)	\$50,000
6/30/2020	Boronda County Sanitation District Unplanned Operational Needs (Loan)	\$46,750
<b>Total FY 19-20 Non-Recurring Expenditures</b>		<b>\$8,133,890</b>

**Attachment B Cannabis Assignment Expenditures by Fiscal Year**

<b>BOS Date</b>	<b>Purpose</b>	<b>Amount</b>
6/23/2020	Salinas Valley Promise	\$200,000
6/23/2020	California Cannabis Authority (CAO)	\$50,000
6/23/2020	HED Housing Fund	\$200,000
6/23/2020	Sheriff Radios	\$1,250,000
6/23/2020	Salinas Valley Ground Water Basin (RMA)	\$75,998
6/23/2020	Pajaro Sanitation District Loan (WRA)	\$207,500
6/23/2020	Health Bright Beginnings Programs	\$350,000
6/23/2020	Whole Person Care, Coalition on Homelessness, Safe Parking, Seaside Shelter, Gathering for Women (DSS)	\$626,859
6/23/2020	Library Bus	\$125,000
7/7/2020	Pajaro River Flood Risk Management Project (WRA)*	\$1,000,000
8/18/2020	Census Deadline Extension (CAO)	\$300,000
9/1/2020	Emergency Operations Center response to COVID-19 (OES)†	\$6,884,635
9/1/2020	Emergency funding for The Food Bank of Monterey County	\$250,000
10/27/2020	Well destruction under Prop 1 grant (MCWRA)	\$399,499
12/1/2020	Monterey County Small Business Relief Program, Round 2 (WDB)§	\$878,643
12/1/2020	Housing Development, Homelessness Consulting, Fondo Empresarial Emergency Loan Program (HED)	\$35,598
12/1/2020	TMD Creative COVID 19 Public Health Messaging Contract (OES)†	\$335,000
12/8/2020	Fee Study for the Cannabis Business Permit (CAO)	\$33,927
12/21/2020	Temporary workers (34 workers for 4 weeks) to support Care and Shelter Branch (OES)	\$171,000
12/21/2020	Community Outreach and Education Pilot Project	\$2,989,651
1/5/2021	California Cannabis Authority Administrative Fees (CAO)	\$120,000
1/26/2021	COVID-19 Project RoomKey Program (OES)	\$103,990
2/9/2021	Senior Meal Program (DSS)	\$707,920
2/9/2021	Redirected Staff and Temp Workers (DSS)	\$1,555,079
2/9/2021	Portion of Alternative Housing (OES)	\$403,979
2/9/2021	PPE & Supplies for EOC Use (OES)	\$75,000
2/9/2021	United Way Call Center (OES)	\$120,000
2/9/2021	RMA Revenue Loss (HCD)	\$1,814,761
2/9/2021	Emergency Paid Leave- Patrol (Sheriff Office)	\$74,767
2/9/2021	PPE and Cleaning & Sanitizing Supplies (Sheriff Office)	\$62,106
2/9/2021	VM Software for SRO (Sheriff Office)	\$39,876
2/9/2021	Coroner's Body Storage Lease, Transportation fee & Body Bags (Sheriff Office)	\$49,844
2/9/2021	Coroner's Autopsy Costs, including COVID19 Testing (Sheriff Office)	\$174,456
2/9/2021	Coroner's Body lift & Portable Diesel Tank for Morgue (Sheriff Office)	\$7,477
2/9/2021	Workplace Preparedness- Investigation (Sheriff Office)	\$22,430
2/9/2021	Workplace Preparedness- Crime Lab (Sheriff Office)	\$32,399
2/9/2021	Workplace Preparedness- Records Warrants/IT (Sheriff Office)	\$37,383
2/9/2021	Emergency Paid Leave-Jail (Sheriff Office)	\$45,358
2/9/2021	Redirected Staff-Overtime (Sheriff Office)	\$321,497
2/9/2021	2021 PCR Testing Costs (Sheriff Office)	\$85,433
2/9/2021	Security Guards/Temp Check (Sheriff Office)	\$65,795
2/9/2021	Security & Transportation to Hospitals (Sheriff Office)	\$73,271
2/9/2021	Monterey County Small Business Relief Program, Round 3 (WDB)§	\$900,000
2/9/2021	Public Communication & Outreach (Health)	\$126,758
2/9/2021	Workplace Preparedness (Health)	\$19,349
2/9/2021	Broadband/Telecommunications (Health)	\$18,000
2/9/2021	Medical Supplies and Equipment (Health)	\$13,800
<b>Total FY 20-21 Non-Recurring Expenditures</b>		<b>\$23,434,038</b>
2/9/2021	Prop 1 Implementation Grant Project Protection of Domestic Water (WRA)	\$2,263,801
	2nd half of cost in FY 2021-22 Sheriff Radios (Sheriff Office)	\$1,250,000
10/19/2021	Laguna Seca	\$750,000
<b>Total FY 21-22 Non-Recurring Expenditures</b>		<b>\$4,263,801</b>
<b>Total Non-Recurring Expenditures, All Fiscal Years</b>		<b>\$39,566,210</b>

\* To be repaid when State Subvention Funds are received, which is estimated between 6 - 12 months from the time costs are incurred

† These expenditures of may be eligible for reimbursement by CARES Act, FEMA, and the State assuming they meet the eligibility criteria established

§ WDB Office will look into whether or not this could be eligible for reimbursement

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# Monterey County

## Board Report

Legistar File Number: 21-1053

Item No.

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

November 29, 2021

**Introduced:** 11/24/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** General Agenda Item

- a. Receive a status update on the industry input received during the County-Industry Subcommittee meetings on commercial cannabis tax structure and rates; and
- b. Receive a status update from the California Cannabis Authority regarding wholesale price point trends specific to Monterey County and Statewide and a high-level overview of square foot versus gross receipts tax rate structures; and
- c. Review options for addressing tax rates prepared by the Cannabis Program for the Committee to consider; and
- d. Direct the Cannabis Program to present specific options to the Board of Supervisors; and
- e. Provide direction to staff as appropriate.

### RECOMMENDATIONS:

It is recommended that the Board of Supervisors Cannabis Committee:

- a. Receive a status update on the industry input received during the County-Industry Subcommittee meetings on commercial cannabis tax structure and rates; and
- b. Receive a status update from the California Cannabis Authority regarding wholesale price point trends specific to Monterey County and Statewide and a high-level overview of square foot versus gross receipts tax rate structures; and
- c. Review options for addressing tax rates prepared by the Cannabis Program for the Committee to consider; and
- d. Direct the Cannabis Program to present specific options to the Board of Supervisors; and
- e. Provide direction to staff as appropriate.

### SUMMARY

On November 17, 2021, the Cannabis Program (“Program”) presented a memorandum on the “County-Industry Subcommittee on Commercial Cannabis Tax Structure and Rates” (“Subcommittee”) providing a review of the discussion and input received during the first meeting. The Subcommittee consists of six County staff, six industry business owners/operators, and six local attorneys/industry consultants.

The Program memorandum summarized the input received as follows: a significant decline in the wholesale price point since April 2021 and an industry request for immediate relief. The Committee directed staff to schedule a Cannabis Committee (“Committee”) Special meeting to receive further information.

### DISCUSSION:

At the October 28, 2021, Subcommittee meeting, the Program received the following input:

**1. Wholesale Price Points.**

- a. Local wholesale price points have seen a drastic decline over the prior three months, exacerbated by ongoing supply and demand issues statewide.
- b. Despite favorable cannabis growing conditions in Monterey County, there are significant challenges to remaining competitive in the market.

**2. Immediate Relief.**

- a. The industry proposes some form of immediate relief from the commercial cannabis tax, either in a rate reduction or a stay on penalties if the account is delinquent, and the removal of the annual automatic escalator.

The industry representatives agreed to meet independently from the County to review and prepare for the next Subcommittee meeting; it is unclear how many other industry business owners/operators were contacted or surveyed. The Monterey County Cannabis Industry Association (“MCCIA”) has been doing its due diligence in researching and analyzing current commercial cannabis tax structure and rates. The MCCIA also met with Santa Cruz County, but it is unclear if other counties were interviewed as well. Through this outreach, the MCCIA found that operators are conducting internal analyses to review their overhead costs and costs of goods sold and are beginning to lay off employees in response to the downturn.

On November 18, 2021, the Program and Subcommittee met to further discuss the commercial cannabis tax rate and structure. Industry members stated they met several times to formulate one “voice” and “ask.” Some industry members offered to share their financial information if needed to support the request for immediate relief. Listed below are the highlights of this meeting.

**1. Immediate reduction in commercial cannabis cultivation tax rates.**

- a. The industry proposes an indefinite reduction to commercial cannabis cultivation tax rates that matches the “3/2/1 taxing model” implemented by the counties of Humboldt and Lake. This implies \$3/square foot (“sf”) for indoor cultivation, \$2/sf for mixed-light cultivation, and \$1/sf for outdoor cultivation. This proposed change would result in a 60 percent reduction from current cultivation tax rates of \$8/sf for indoor, \$5/sf for mixed-light and \$2.50/sf for outdoor. As of this writing, there are no licensed outdoor grow cultivators in Monterey County.

**2. Place a stay or remove the commercial cannabis automatic annual tax escalator.**

- a. The industry requests suspension or removal of the automatic annual tax escalator. Two suspensions of the escalator have occurred in subsequent fiscal years. The FY 20-21 suspension was in response to the COVID-19 pandemic. The FY 21-22 suspension was also in response to the COVID-19 pandemic, in addition to a local outbreak of the Hop Latent Viroid in April 2021.
  - i. The operative word with this viroid is “latent”, meaning that it was largely asymptomatic and not evident until later stages of cultivation where the harvest yields and potency of Tetrahydrocannabinol, the psychoactive component generated by cannabis plants, were both greatly impacted. Operators reported lower prices through the affected period, but there isn’t a clear indication of

this within the wholesale pricing information. (Attachment A)

3. **Consider placing a stay on the penalties and interest for tax payments deemed delinquent.**
  - a. Monterey County Code (“MCC”) section 7.100.080 specifies when tax payments are delinquent. MCC section 7.100.100 specifies the penalties and interest due for such delinquency. The industry requests a stay on these penalties and interest for the current fiscal year, which ends on June 30, 2022.
4. **Miscellaneous comments and suggestions to assist the industry during this period of declining wholesale price points for commercial cannabis.**
  - a. Overhead costs are increasing industrywide.
  - b. Cost of Goods Sold, the direct costs of producing commercial cannabis products, including materials and labor, is increasing, partially owing to shortages in the supply chain.
  - c. Decline in the cannabis industry workforce due to layoffs.
  - d. Finished goods are being sold at a much lower price point.
  - e. Industry businesses are carrying accounts receivables for longer periods of time and are challenged to collect, further impacting cash flow.
  - f. The Committee should consider reviewing the Program and reducing staffing levels as the business entities become fully permitted and require less County monitoring.

During the Subcommittee meetings, the industry indicated their appreciation of both the Committee and the Board in receiving their input regarding the need for immediate relief.

Since the Committee last met, the Program conducted interviews with the California Cannabis Authority (“CCA”) and the County Administrative Office (“CAO”) Budget Director. The Program will continue its due diligence in contacting other County departments and investigating other resources as needed once the Committee provides the Program with its direction. Here is the analysis to date:

1. **Decline in commercial cannabis wholesale price point and the inability to identify when a correction may take place.**
  - a. There has been a significant decline in the wholesale price point since April 2021, which is determined after the cannabis plant is processed. Like traditional agriculture, Monterey County cannabis price points tend to be higher than other counties because the cannabis is cultivated in a desirable geographic growing region. Another indication of a higher price point could be the inconsistency of the permittee to update consignment pricing in Metrc; the Program is working with CCA and industry operators to establish best practices for reporting consignment prices.
  - b. Relative to October 2020, average wholesale prices are down \$680 per pound; this represents a 53% decline. (See Attachment A) It would be difficult to forecast if or when a correction could occur, but analysts, including CCA, project a change or correction in spring 2022. The industry speculates that the change or correction may not occur for some time.
2. **Increase in inventory levels among permittees in Monterey.**
  - a. Compared to 2020, permittee inventory levels have increased due to the decline in

wholesale price points and the “waiting game” of determining the optimal time to sell. The higher level of inventory is indicative of reduced gross sales, which impacts cash flow and could lead to delays of infrastructure improvements and employee layoffs. In July 2021, the Program required industry operators to submit employee rosters. At that time, the industry employee workforce equaled approximately 2,400. The Program will request current employee information to update the workforce count.

**3. Preliminary discussion with the CAO Budget Director on financial impacts for the current fiscal year.**

- a. On November 18, 2021, the Program met with the CAO Budget Director to review financial impacts to the current fiscal year budget if the Board approved a policy decision to amend the current commercial cannabis tax rate. If rates were decreased, there would be a financial impact to the current budget, reducing department services; impacts would be dependent on the scale of tax reductions. The Program can provide commercial cannabis tax revenue estimates, but these figures can and will likely change due to a convergence of a decline in wholesale price points and other financial obligations required to meet local jurisdiction requirements.
- b. The CAO Budget Office requested proposed costs for Fiscal Year (“FY”) 22-23 from the Program on November 15, 2021. The current FY 21-22 Program costs are \$6,334,421.18. The proposed FY 22-23 Program costs are estimated at \$6,346,485.85, but this does not include all salary increases, as some bargaining units are still in negotiations.

**4. CCA Insights.**

- a. The CCA has developed “The NCS Transparency Project,” which automatically updates each month on the Program’s webpage. The Project is a publicly available data portal filled with industry insights and useful information geared towards the average citizen. The Project’s goal is to share information in an easy-to-understand, visually appealing, and timely manner. The data is aggregated, anonymized, and securely displayed. Recent industry comments found value in the report, characterizing it as “very helpful.” The Program uses the NCS Platform’s data points for a multitude of regulatory and compliance needs including tracking the wholesale and retail price points.
- b. Indoor prices are typically higher, and they are impacted less because the product is viewed as higher quality and therefore commands a higher price point than outdoor or mixed-light cultivation.
- c. A canopy-based tax structure is much easier to implement and regulate, but it impacts growers differently. Smaller growers typically amortize their tax liability across fewer harvests; relative to a large grower with greater economies of scale, amortization is more burdensome to a small grower. When the costs of goods sold shift, this method becomes disproportionate. A gross receipts tax is difficult to regulate, but when reliably reported, tax revenues and industry revenues are correlated.
- d. Companies that provide services which report on state wholesale price point trends tend to have a smaller pool of licensees to study. As CCA data is limited to Monterey County, the relevance is critical to this Committee and the Board in their ability to

make decisions.

**5. Cannabis Program Forum (“Forum”).**

- a. On November 19, 2021, Monterey County hosted the Forum, which consists of thirteen counties as far north as Nevada County and south to Santa Barbara County. The Forum meets quarterly to discuss a variety of topics and to share information. At the recent Forum, the Program asked about cannabis tax rates and collection and received the following input:
  - i. A recent Department of Cannabis Control (“DCC”) weekly listserve identifies 7,085 active cultivation licenses in the state. Attachment B breaks down both state licenses and how commercial cannabis is taxed; the table within the attachment has been filtered to the top 12 counties in terms of cultivation licenses, with total license counts reflected in the grand total.
  - ii. Richard Parrott, DCC Deputy Director of Compliance, was the guest speaker at the Forum. Mr. Parrott discussed topics related to DCC consolidation efforts, including refinements to compliance and enforcement mechanisms, better collaboration with local jurisdictions, and the development of compliance training and education programs. Mr. Parrott emphasized that DCC’s goal is to build and sustain a strong compliance and enforcement structure.
  - iii. Nevada County is considering moving from its current 2.5 percent of gross receipts model to a canopy tax following the 3/2/1 model. Its operators are considering transitioning to mixed light because there is no demand for outdoor flower.
  - iv. Santa Cruz County reported a 70 percent decline in their tax revenue relative to the prior fiscal year, but the county has not seen an increase in tax delinquency. This is due in part to their gross receipts-based tax model, which correlates with the widespread declines in wholesale pricing; as sales decline, so do tax liabilities. Operators are reportedly following their fields because they are not profitable to harvest. Abnormally foggy weather led to moldy crops, further contributing to price declines. Santa Cruz County’s BoS has not requested a reduction to the 6% gross receipts commercial cannabis tax rate as of this writing and may be considering an ordinance to permit consumption lounges. The County Licensing Office has audited retail dispensaries for years and will begin audits of non-retails soon.
  - v. San Luis Obispo County recently put a stay on an automatic increase that would have raised its gross receipt tax from 6 to 8 percent. This was in part because of reports of several operators following their fields. Licensed operators cite their heavy tax burden and more stable prices as incentives to divert into the unlicensed market.
  - vi. Santa Barbara reported current year tax collections are 40 percent below projections.
  - vii. Sonoma County operators were affected by mold saw crop destruction; they are working on a request to their board to freeze tax rates.
  - viii. A few jurisdictions expressed interest in drafting a letter to address tax

reform at the state level.

Additional relevant considerations include:

- a. An emergency ordinance, as referenced in Elections Code section 9141(a)(4), can take effect immediately, provided a 4/5th vote of the BoS find that the Ordinance is necessary for the immediate preservation of the public peace, health, or safety, and that the BoS cites facts constituting that necessity in the Ordinance.
- b. In October 2021, the BoS approved an amendment to MCC Chapter 7.90 to allow a second modification to canopy size during the Cannabis Business Permit annual term on the Fiscal Year Registration Form. This amendment allows permittees to reduce or increase canopy limits two times each annual term; the change is effective November 25, 2021.
  - i. Treasurer Tax-Collector (“TTC”) staff estimate that pending modifications to zero square feet will result in approximately \$886,000 decline to current FY cultivation tax revenue.
  - ii. In addition, TTC staff reports that approved modifications will result in an additional \$447,200 decline to current FY cultivation tax revenue.
- c. In January 2022, the Program will present a report on the commercial cannabis distribution tax to the BoS and recommend a reduced tax rate. Currently, the rate is 3%. For FY 20-21, distribution tax revenue was \$1,332,386.
  - i. Assuming FY 20-21 gross receipts, distribution tax revenue would decline by approximately \$450k if the rate was reduced to 1%, as discussed by the Budget Committee.
- d. The growing climate in Monterey County has provided ideal conditions for both traditional agriculture and commercial cannabis to produce high quality products. The Cannabis Program has a multi-faceted permit process that requires a land use permit, cannabis business permit, and annual business license; obtaining all three represent significant investments. In spite of the time it has taken to achieve full permit compliance, the industry has provided the County with a new revenue stream in recent years. To date, the collected commercial cannabis revenue is \$73,656,737.

## **Options to Consider**

### **1. Industry’s request for immediate relief to reduce commercial cannabis cultivation rates in one of three ways.**

- a. The industry continues to recommend the 3/2/1 taxing model because other counties follow this model and “compared to other large counties, Monterey County taxes are high”. A reduction in tax rates could be indefinite, or for a limited period. Furthermore, a retroactive reduction in tax rates would require the issuance of tax refunds or credits.
  - i. The commercial cannabis business tax is an annual tax. MCC section 7.100.060 provides that the commercial cannabis business tax be imposed on a fiscal year basis. Taxes imposed on a fiscal year allow the county to project revenue and plan for expenditures. In accordance with the fiscal nature of the commercial cannabis business tax, TTC staff recommend that any changes to the tax rate coincide with the start of fiscal year (effective July 1, 2022).

- b. Suspend the Fiscal Year 22-23 automatic increases on the County's commercial cannabis business tax rates and resume the automatic increases in FY 24-25 on July 1, 2024.
  - c. Suspend the commercial cannabis tax penalty for delinquent accounts until June 30, 2022 provided the base tax due is received by the TTC by June 30, 2022.
    - i. The existing criteria for canopy modification requests require an operator to be current on their taxes, therefore operators affected by tax delinquency would not be eligible to reduce their tax liability through a reduction to canopy; this could result in a compounding effect as the fiscal year progresses. The Board could consider a one-time exemption this FY for delinquent operators to submit canopy modification requests in response to the market correction.
    - ii. The Board could consider a waiver of penalties and interest that would apply retroactively to assist operators who experienced delinquency in Q1.
2. **Review of commercial cannabis tax analysis.**
- a. Request Board approval for the Program to hire a consultant to provide unbiased subject matter expertise to conduct a comprehensive analysis of the County cannabis industry, including a review of comparable commercial cannabis tax rates throughout California and an evaluation of current industry operators.

The Program requests that the Committee review these options and provide direction to the Program for next steps. In its consideration, the Committee should be aware that time is of the essence because:

- 1. The Program will need time to further confer with several County departments, Subcommittee members, CCA, and other related resources.
- 2. The CAO Budget Director will need to review and analyze financial impacts to a proposed reduced tax rate for current and subsequent fiscal years, if applicable.
- 3. The Program will need to coordinate workloads when considering:
  - a. The upcoming winter holiday schedule.
  - b. State of CA GO-Biz equity grant application due date of December 13, 2021.
  - c. Overall impacts to departmental cannabis staff workloads.

**OTHER AGENCY INVOLVEMENT:**

The Office of the County Counsel, County Administrative Office Budget Office, and California Cannabis Authority were involved in the preparation of the report.

**FINANCING:**

Monterey County's Cannabis Program is funded in County Administrative Office - Department 1050, Intergovernmental and Legislative Affairs Division - Unit 8533, Cannabis. Based on the direction of this Committee, there could be significant impacts to the overall County budget if one or more commercial cannabis tax rates are reduced.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

The Monterey County Cannabis Program addresses each of the Strategic Initiative Policy Areas that

Legistar File Number: 21-1053

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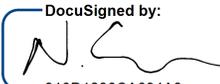
promote the growth of a responsible and legal Monterey County cannabis industry.

Mark a check to the related Board of Supervisors Strategic Initiatives

- X Economic Development
- X Administration
- X Health & Human Services
- X Infrastructure
- X Public Safety

Prepared by: Joann Iwamoto, Cannabis Program Manager

Approved by: Nicholas E. Chiulos, Assistant CAO

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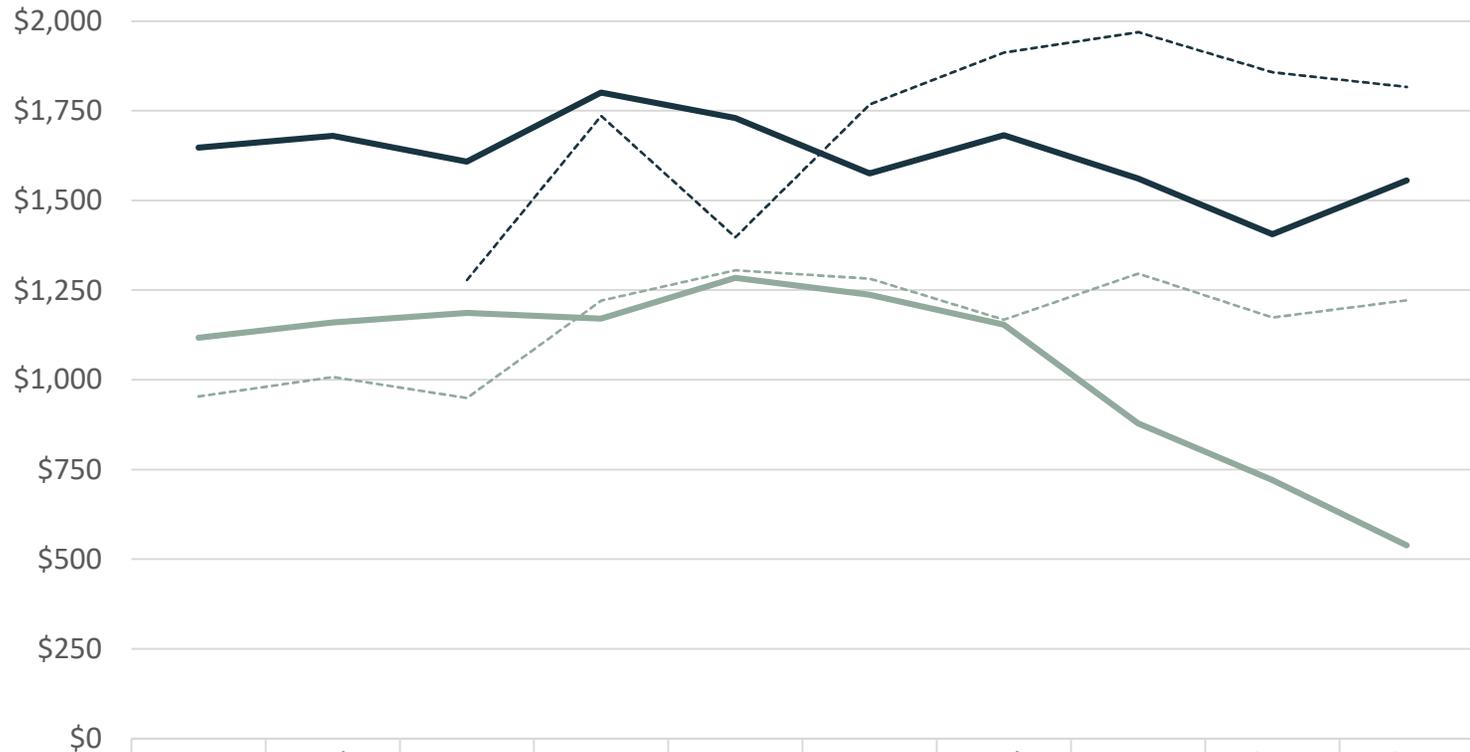
Attachments:

A: Commercial Cannabis Wholesale Price Values for 2021 and 2022

B: Department of Cannabis Control Commercial Cannabis Cultivation Licenses

Attachment A  
Commercial Cannabis Wholesale Price Values for 2021 and 2022

**Monthly Wholesale Flower Pricing by Cultivation Type (\$/lb.)**



	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
----- 2020 Mixed Light*	\$954	\$1,008	\$949	\$1,221	\$1,305	\$1,282	\$1,167	\$1,296	\$1,174	\$1,222
———— 2021 Mixed Light*	\$1,117	\$1,159	\$1,187	\$1,170	\$1,284	\$1,237	\$1,154	\$878	\$720	\$539
----- 2020 Indoor			\$1,279	\$1,736	\$1,397	\$1,767	\$1,912	\$1,969	\$1,857	\$1,816
———— 2021 Indoor	\$1,647	\$1,679	\$1,608	\$1,800	\$1,729	\$1,575	\$1,681	\$1,561	\$1,406	\$1,555

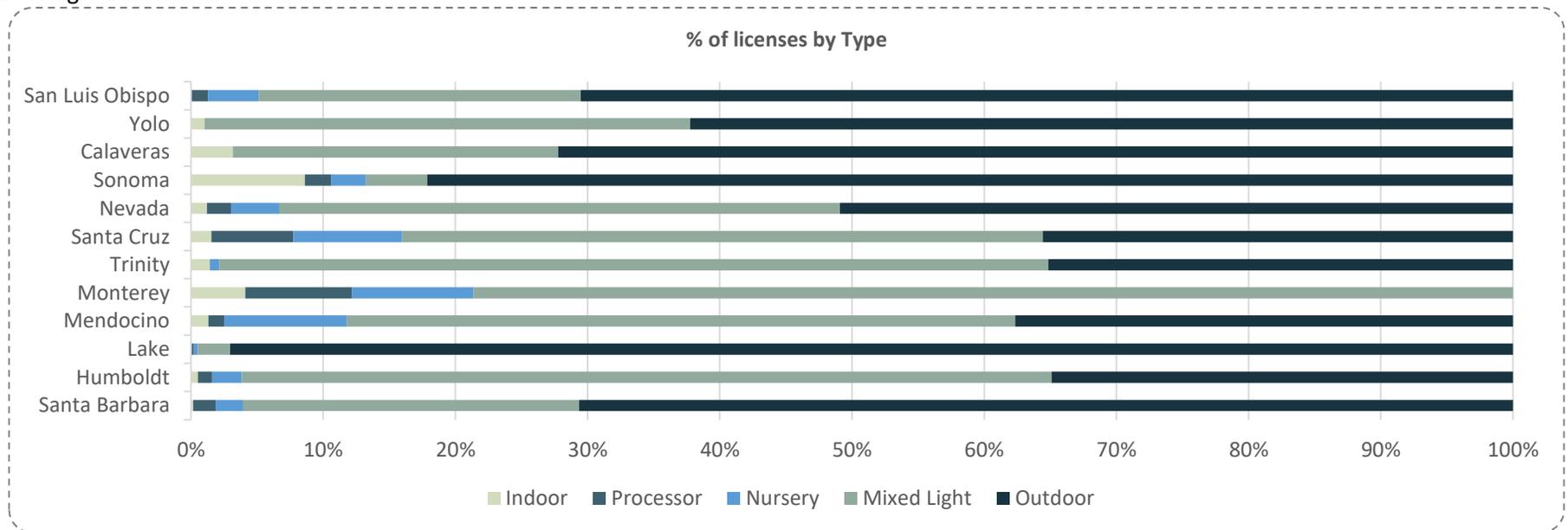
\*Due to differences in volume between Indoor and Mixed Light, Mixed Light pricing represents a blended average.

Attachment B  
DCC Cultivation License Breakdown by County

County	Indoor	Processor	Nursery	Mixed Light	Outdoor	Total	% of Total	Tax Structure
Santa Barbara	3	29	36	438	1218	1724	24%	GR
Humboldt	9	18	38	1037	591	1693	24%	SF
Lake		2	3	24	952	981	14%	SF
Mendocino	11	10	78	424	316	839	12%	GR
Monterey	21	41	47	401		510	7%	SF
Trinity	6		3	264	148	421	6%	WB
Santa Cruz	3	12	16	94	69	194	3%	GR
Nevada	2	3	6	70	84	165	2%	GR
Sonoma	13	3	4	7	124	151	2%	SF
Calaveras	4			31	91	126	2%	SF
Yolo	1			36	61	98	1%	GR
San Luis Obispo		1	3	19	55	78	1%	GR
<b>Total*</b>	<b>90</b>	<b>121</b>	<b>246</b>	<b>2865</b>	<b>3763</b>	<b>7085</b>	<b>99%</b>	

\*This table has been filtered to the top 12 counties in terms of cultivation licenses; total license counts are reflected in grand total.

GR=Gross Receipts  
SF=Square Footage  
WB=Weight Based



Attachment B  
Current and Proposed Cannabis Tax Rates

Cannabis Type	Current Tax Rate	Est. Tax Revenue	Proposed Tax Rate	Est. Tax Revenue	Est. Tax Revenue	Proposed Tax Rate	Est. Tax Revenue	Est. Tax Revenue
		(Jul 2021 - Jun 2022)	(Jan 2022 - Jun 2022)	(Jul 2021 - Jun 2022)	(Jul 2022 - Jun 2023)	(Jan 2022 - Jun 2022)	(Jul 2021 - Jun 2022)	(Jul 2022 - Jun 2023)
Mixed-Light	\$5.00	\$ 16,757,152	\$4.00	\$ 13,624,427	\$ 12,110,602	\$3.00	\$ 12,110,602	\$ 9,082,951
Indoor	\$8.00	\$ 803,755	\$7.00	\$ 768,805	\$ 717,552	\$6.00	\$ 717,552	\$ 615,044
Outdoor	\$2.50	\$ -	\$1.50	\$ -	\$ -	\$1.00	\$ -	\$ -
Nursery	\$1.00	\$ 1,528,022	No Change	\$ 1,462,369	\$ 1,462,369	No Change	\$ 1,462,369	\$ 1,462,369
<b>Total Cultivation*</b>		<b>\$ 19,088,930</b>		<b>\$ 15,855,602</b>	<b>\$ 14,290,523</b>		<b>\$ 14,290,523</b>	<b>\$ 11,160,365</b>
Distribution†	3%	\$ 1,332,386	2%	\$ 1,110,322	\$ 888,257	1%	\$ 888,257	\$ 444,129
Manufacturing†	3.5%	\$ 46,346	No Change	\$ 46,346	\$ 46,346	No Change	\$ 46,346	\$ 46,346
Retail†	4.5%	\$ 894,916	No Change	\$ 894,916	\$ 894,916	No Change	\$ 894,916	\$ 894,916
<b>Total Cannabis Tax Revenue</b>		<b>\$ 21,362,579</b>		<b>\$ 17,907,186</b>	<b>\$ 16,120,043</b>		<b>\$ 16,120,043</b>	<b>\$ 12,545,757</b>

\*Based on canopy registration through 11/30/2021

†Based on FY 20-21 Gross Receipts



# Monterey County

## Item No.6

### Board Report

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

Legistar File Number: RES 21-222

December 14, 2021

**Introduced:** 12/8/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Resolution

- a. Adopt a resolution setting forth the 2021 County of Monterey Supervisorial District Boundaries; and,
- b. Authorize and Direct the County Administrative Officer, County Counsel and the Registrar of Voters, to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this resolution.

#### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Adopt a resolution setting forth the 2021 County of Monterey Supervisorial District Boundaries; and,
- b. Authorize and Direct the County Administrative Officer, County Counsel and the Registrar of Voters, to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this resolution.

#### SUMMARY:

The United States Census Bureau is required by Article I, Section 2 of the United States Constitution to conduct an accurate count of the population every ten years, and the census data is used to determine how many seats each state will have in the United States House of Representatives and to adjust the districts for state legislatures, county boards of supervisors, and city councils.

On April 26, 2021, the Census Bureau delivered 2020 Census state population counts to be used for reapportionment, on August 16, 2021, the Census Bureau released redistricting counts to all 50 states, and on September 20, 2021, the State of California released adjusted redistricting counts. These counts are used to redraw legislative districts based on population changes. California Elections Code Section 21500 (a) provides, in pertinent part, "...following each federal decennial census for a county whose board is already elected using district-based elections, the board shall, by ordinance or resolution, adopt boundaries for all of the supervisorial districts of the county so that the supervisorial districts shall be substantially equal in population as required by the United States Constitution," and "[p]opulation equality shall be based on the total population of residents of the county as determined by the most recent federal decennial census." The Registrar of Voters also reserves the right to make minimal administrative changes, to the boundary lines, if needed to follow parcel boundaries.

In order to comply with the requirement to adjust district boundaries, counties are required to adopt Redistricting Plans, and state law allows for Redistricting Plans to be approved either by resolution. The Board of Supervisors established an Advisory Redistricting Commission to hold the required

hearings to obtain public input on revising the supervisorial boundaries in Monterey County and provide recommendations to the Board of Supervisors. The Advisory Redistricting Commission was made up of 15 commissioners and 4 alternate commissioners. Between August 9, 2021, and December 14, 2021, the Advisory Redistricting Commission (the Commission) held a total of approximately 19 meetings. It should be noted that even though the Commission had 19 meetings spanning just over three months, the Commission had near perfect attendance by all commissioners at every meeting. All Commission meetings were held in the early evening with an online option to attend via Zoom and language interpretation in Spanish was made available regardless if a request for interpreting was received from the public. In particular, the Commission held five meetings where the laws and process of redistricting were taught and discussed. The Commission held five Community of Interest meetings to hear and discuss public testimony from each district, with one meeting being held in each district, as well as on remote zoom access. The Commission held six public workshops to learn about two different map drawing tools and to discuss maps that were submitted by the public and by commissioners, with one meeting being held in each district, including one on a Saturday morning, as well as through remote zoom access. Three joint public hearings were held with the Board of Supervisors and the Advisory Redistricting Commission, one of which was held on a Saturday morning and two others at 5:30 p.m. or after. The joint public hearings served the purposes of reporting on the results of the Communities of Interest public testimonies, receive preliminary recommendations on draft map plans and to receive the final recommendations on draft map plans for adoption.

Throughout the process, community outreach efforts to notify and engage public testimony related to the redistricting draft maps was performed through Community Outreach email distribution lists which included key community partner organizations, Media buys in Spanish and English, notification to LULAC Councils, NAACP, League of Women Voters, Japanese American Citizens League, 2020 Census Complete Count Committee, Telemundo/KION, Entravision, Radio Bilingue, and the following newspapers: The Californian, El Sol, South County Papers, The Monterey County Weekly and The Monterey County Herald. Three days of Virtual Office Hours were scheduled for the public and/or commissioners to receive one-on-one training and technical assistance on the map drawing tools, including the actual drawing of a map and submitting it for them. A Monterey County Redistricting Website was created and information regarding all redistricting education tools, presentations at meetings, minutes and recordings of meetings, notifications of upcoming meetings, notification of the map drawing Virtual Office Hours and draft maps are posted. The website also hosted the Communities of Interest public testimonies online tool Survey123 and the Maptitude Online Redistricting, an online mapping tool. Social media pages on Facebook and Instagram included content focused on building community awareness on the redistricting process and information on meetings, workshops, and public hearings.

Public input has now been received and the public hearings required by the Elections Code have been held. The Advisory Redistricting Commission made its recommendations on map(s) to the Board of Supervisors. Adoption of a resolution setting forth the 2021 County of Monterey Supervisorial District Boundaries is recommended.

OTHER AGENCY INVOLVEMENT:

County Counsel and the County Administrator's Office (CAO) have been consulted on the

redistricting maps and concur with these actions. The following departments are engaged in support of the 2021 Redistricting process in their respective capacities: Elections, Information Technology Department, Contracts and Purchasing, Libraries and Public Works-Facilities.

FINANCING:

The FY 2021-22 County budget includes funding in the amount of \$400,000 to cover costs related to the 2021 Redistricting process. Board action on map plan recommendations have no additional financial impact.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Receipt of this report and adoption of a map plan supports the selected Board of Supervisors Strategic Initiatives:

Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Anne K. Brereton, Deputy County Counsel x5363

Approved by: Nicholas E. Chiulos, Assistant CAO

Attachments:

Resolution;

Map Plan Recommendations by the Advisory Redistricting Commission:

Plan 1.1, Plan B, and Plan N



# Monterey County

## Item No.11

### Board Report

Board of Supervisors  
Chambers

168 W. Alisal St., 1st Floor  
Salinas, CA 93901

**Legistar File Number: RES 21-222**

December 14, 2021

**Introduced:** 12/8/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Resolution

- a. Adopt a resolution setting forth the 2021 County of Monterey Supervisorial District Boundaries; and,
- b. Authorize and Direct the County Administrative Officer, County Counsel and the Registrar of Voters, to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this resolution.

#### RECOMMENDATION:

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- a. Adopt a resolution setting forth the 2021 County of Monterey Supervisorial District Boundaries; and,
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In order to comply with the requirement to adjust district boundaries, counties are required to adopt Redistricting Plans, and state law allows for Redistricting Plans to be approved either by resolution. The Board of Supervisors established an Advisory Redistricting Commission to hold the required

hearings to obtain public input on revising the supervisorial boundaries in Monterey County and provide recommendations to the Board of Supervisors. The Advisory Redistricting Commission was made up of 15 commissioners and 4 alternate commissioners. Between August 9, 2021, and December 14, 2021, the Advisory Redistricting Commission (the Commission) held a total of approximately 19 meetings. It should be noted that even though the Commission had 19 meetings spanning just over three months, the Commission had near perfect attendance by all commissioners at every meeting. All Commission meetings were held in the early evening with an online option to attend via Zoom and language interpretation in Spanish was made available regardless if a request for interpreting was received from the public. In particular, the Commission held five meetings where the laws and process of redistricting were taught and discussed. The Commission held five Community of Interest meetings to hear and discuss public testimony from each district, with one meeting being held in each district, as well as on remote zoom access. The Commission held six public workshops to learn about two different map drawing tools and to discuss maps that were submitted by the public and by commissioners, with one meeting being held in each district, including one on a Saturday morning, as well as through remote zoom access. Three joint public hearings were held with the Board of Supervisors and the Advisory Redistricting Commission, one of which was held on a Saturday morning and two others at 5:30 p.m. or after. The joint public hearings served the purposes of reporting on the results of the Communities of Interest public testimonies, receive preliminary recommendations on draft map plans and to receive the final recommendations on draft map plans for adoption.

Throughout the process, community outreach efforts to notify and engage public testimony related to the redistricting draft maps was performed through Community Outreach email distribution lists which included key community partner organizations, Media buys in Spanish and English, notification to LULAC Councils, NAACP, League of Women Voters, Japanese American Citizens League, 2020 Census Complete Count Committee, Telemundo/KION, Entravision, Radio Bilingue, and the following newspapers: The Californian, El Sol, South County Papers, The Monterey County Weekly and The Monterey County Herald. Three days of Virtual Office Hours were scheduled for the public and/or commissioners to receive one-on-one training and technical assistance on the map drawing tools, including the actual drawing of a map and submitting it for them. A Monterey County Redistricting Website was created and information regarding all redistricting education tools, presentations at meetings, minutes and recordings of meetings, notifications of upcoming meetings, notification of the map drawing Virtual Office Hours and draft maps are posted. The website also hosted the Communities of Interest public testimonies online tool Survey123 and the Maptitude Online Redistricting, an online mapping tool. Social media pages on Facebook and Instagram included content focused on building community awareness on the redistricting process and information on meetings, workshops, and public hearings.

Public input has now been received and the public hearings required by the Elections Code have been held. The Advisory Redistricting Commission made its recommendations on map(s) to the Board of Supervisors. Adoption of a resolution setting forth the 2021 County of Monterey Supervisorial District Boundaries is recommended.

OTHER AGENCY INVOLVEMENT:

County Counsel and the County Administrator's Office (CAO) have been consulted on the

Legistar File Number: RES 21-222

redistricting maps and concur with these actions. The following departments are engaged in support of the 2021 Redistricting process in their respective capacities: Elections, Information Technology Department, Contracts and Purchasing, Libraries and Public Works-Facilities.

FINANCING:

The FY 2021-22 County budget includes funding in the amount of \$400,000 to cover costs related to the 2021 Redistricting process. Board action on map plan recommendations have no additional financial impact.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Receipt of this report and adoption of a map plan supports the selected Board of Supervisors Strategic Initiatives:

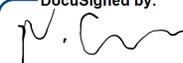
Mark a check to the related Board of Supervisors Strategic Initiatives

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Anne K. Brereton, Deputy County Counsel x5363

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Approved by: Nicholas E. Chiulos, Assistant CAO

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Attachments:

Resolution;

Map Plan Recommendations by the Advisory Redistricting Commission:

Plan 1.1, Plan B, and Plan N

**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

**Resolution No.**

Adopting the 2021 County of Monterey )  
Supervisorial District Boundaries. )

**WHEREAS**, the United States Census Bureau is required by Article I, Section 2 of the United States Constitution to conduct an accurate count of the population every ten years, and the census data is used to determine how many seats each state will have in the United States House of Representatives and to adjust the districts for state legislatures, county boards of supervisors, and city councils; and,

**WHEREAS**, on April 26, 2021, the Census Bureau delivered 2020 Census state population counts to be used for reapportionment, on August 16, 2021, the Census Bureau released redistricting counts to all 50 states, and on September 20, 2021, the State of California released adjusted redistricting counts; and,

**WHEREAS**, these counts are used to redraw legislative districts based on population changes; and,

**WHEREAS**, California Elections Code Section 21500 (a) provides, in pertinent part, "...following each federal decennial census for a county whose board is already elected using district-based elections, the board shall, by ordinance or resolution, adopt boundaries for all of the supervisorial districts of the county so that the supervisorial districts shall be substantially equal in population as required by the United States Constitution," and "[p]opulation equality shall be based on the total population of residents of the county as determined by the most recent federal decennial census;" and,

**WHEREAS**, in order to comply with the requirement to adjust district boundaries, counties are required to adopt Redistricting Plans, and state law allows for Redistricting Plans to be approved either by resolution; and,

**WHEREAS**, the Board of Supervisors established an Advisory Redistricting Commission to hold the required hearings to obtain public input on revising the supervisorial boundaries in Monterey County and provide recommendations to the Board of Supervisors; and,

**WHEREAS**, the Registrar of Voters reserves the right to make minimal administrative changes, to the boundary lines, if needed to follow parcel boundaries.

**WHEREAS**, public input has been received and the public hearings required by the Elections Code have been held; **NOW, THEREFORE**,

**BE IT RESOLVED**, by the Board of Supervisors in and for the County of Monterey as follows:

1. The above-described recitals are true and correct;

2. The boundaries of the Supervisorial districts of the County of Monterey as depicted in Exhibits A, B, C, D, and E, on file in the Office of the Clerk of the Board of Supervisors, are approved; and,

3. The County Administrative Officer, County Counsel and the Registrar of Voters are authorized and directed to take such other and further actions as may be necessary or appropriate to implement the intent and purposes of this resolution.

PASSED AND ADOPTED on this \_\_\_\_ day of December 2021, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

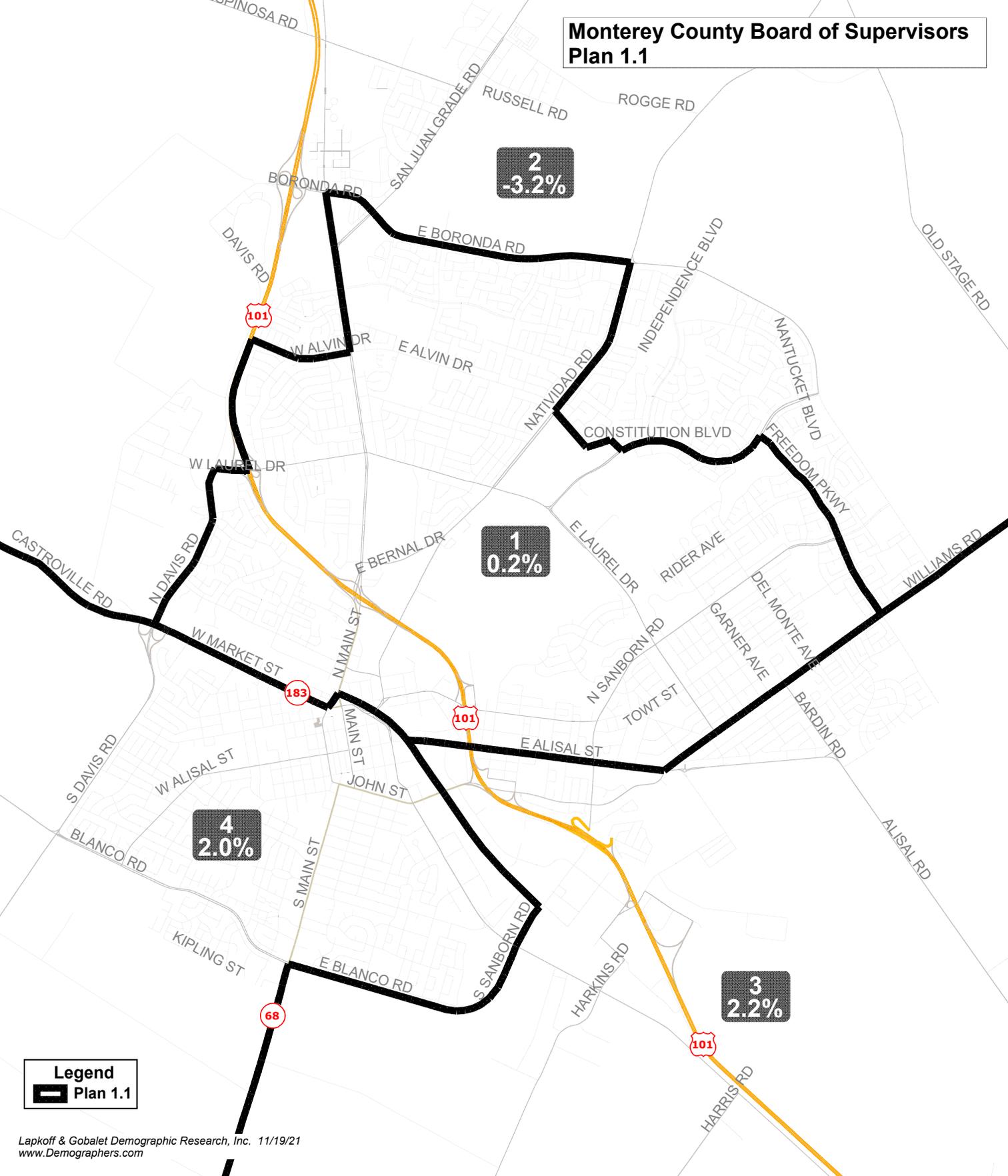
I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book \_\_\_\_\_ for the meeting on \_\_\_\_\_.

Dated:

Valerie Ralph, Clerk of the Board of  
Supervisors County of Monterey, State of  
California

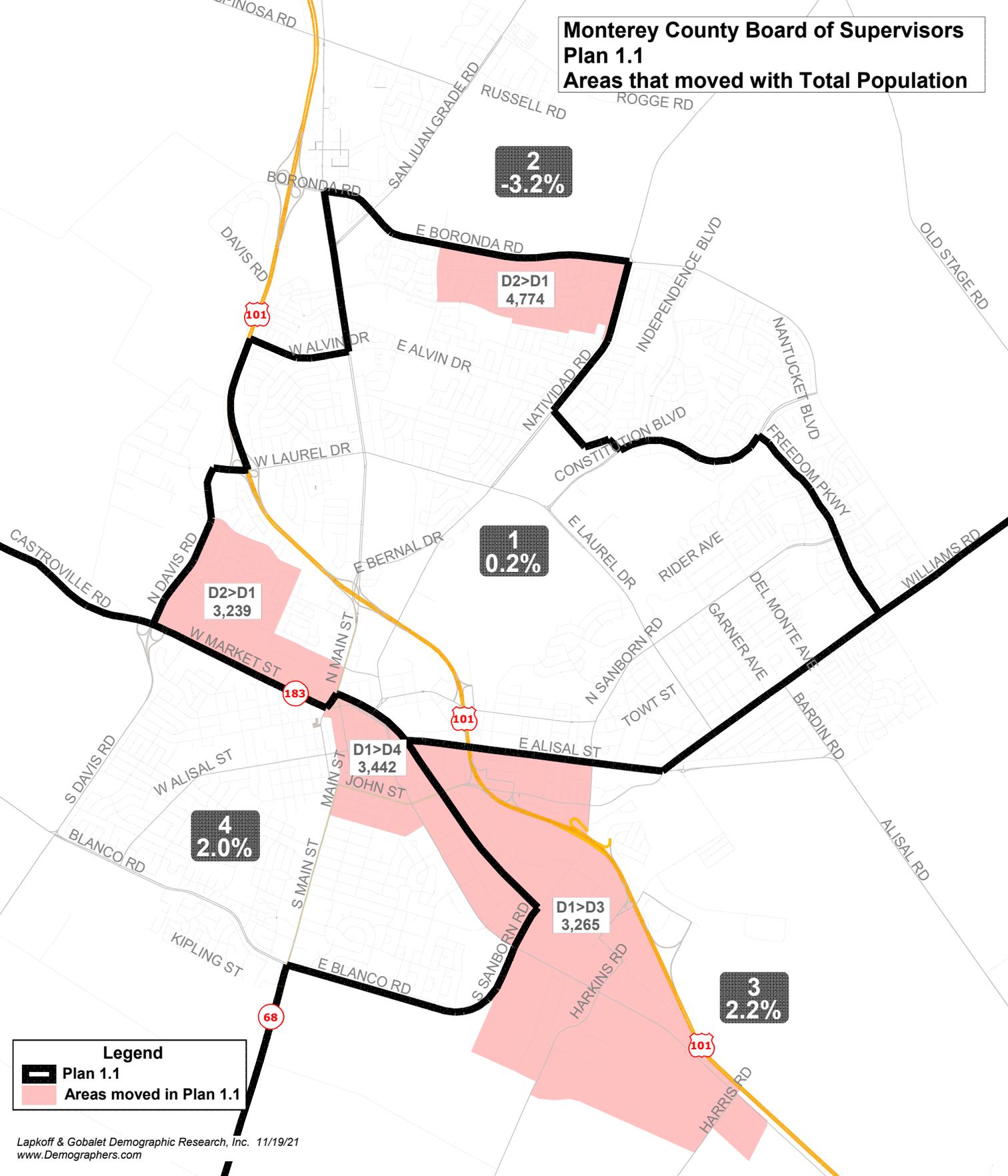
By \_\_\_\_\_  
, Deputy

# Monterey County Board of Supervisors Plan 1.1



**Legend**  
Plan 1.1

**Monterey County Board of Supervisors  
Plan 1.1  
Areas that moved with Total Population**



**Legend**

- Plan 1.1
- Areas moved in Plan 1.1

**Demographers' Analysis of Plan 1.1<sup>1</sup>**  
**Lapkoff & Gobalet Demographic Research, Inc. 11/7/2021**

Plan 1.1 is similar to the original "Draft Map 1," but Del Rey Oaks remains in District 4 in Plan 1.1.

The accompanying maps provide an overview of this plan as well as detailed maps of the Salinas area. Colored shading identifies the Current Supervisorial Districts and the black lines show Plan 1.1 boundaries. Statistics for this map are shown on the last two pages.

Pieces that were moved from the Current Plan assignment to another District in Plan 1.1:

- Piece 2 moved from D2 to D1
- Piece 3 moved from D2 to D1
- Piece 8 moved from D2 to D1
- Piece 10 moved from D1 to D4
- Piece 11 moved from D1 to D4
- Piece 12 moved from D1 to D4
- Piece 13 moved from D1 to D3
- Piece 14 moved from D1 to D3
- Del Rey Oaks piece *remains* in District 4

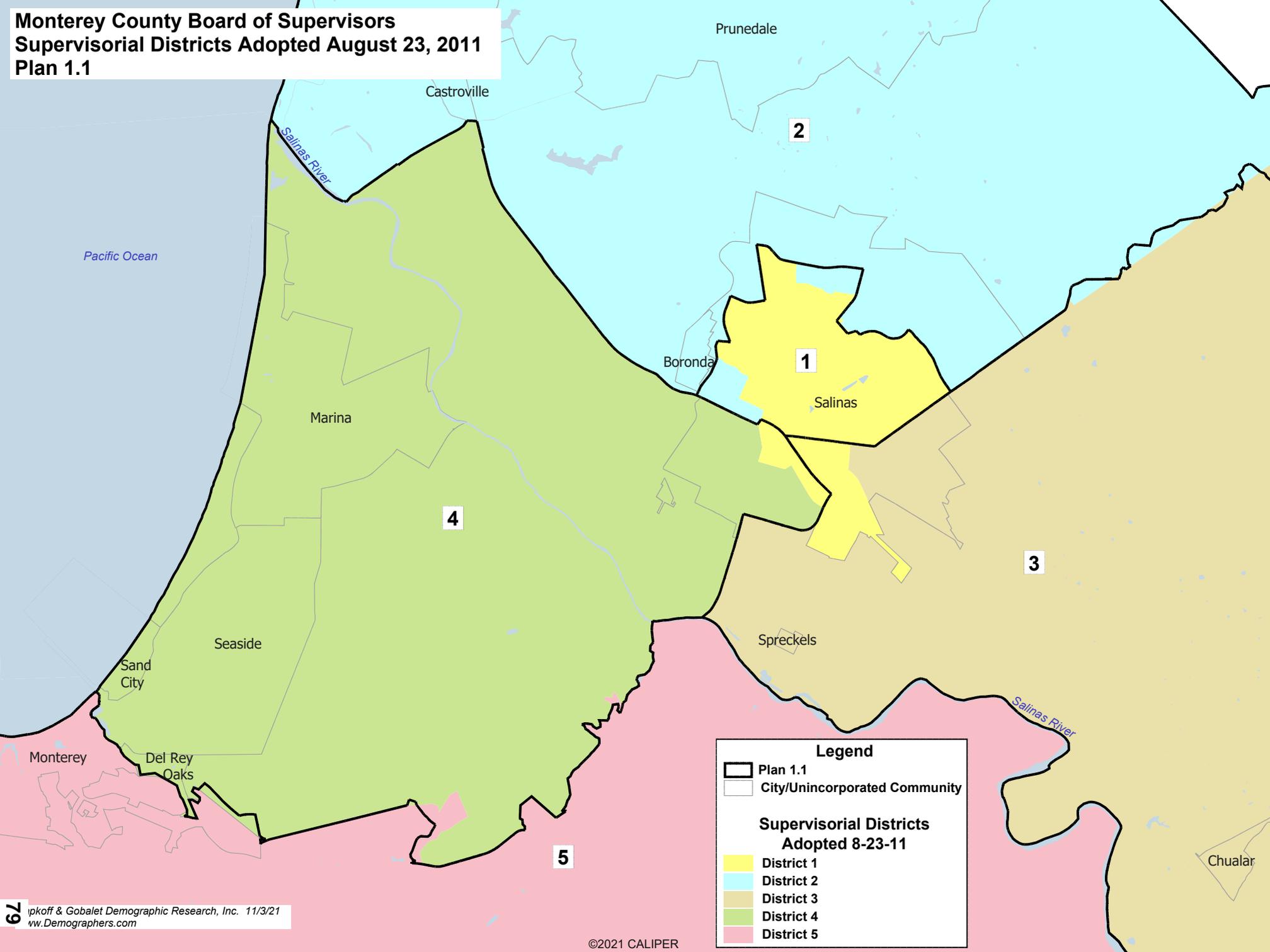
**Demographers' comments about Plan 1.1's characteristics:**

- Boundaries are much more recognizable and may keep more Communities of Interest intact, especially the northern boundary of District 1 and the boundary between Districts 1 and 2 in west central Salinas
- The total population of District 2 is reduced and less of Salinas' population is in District 2
- The plan's total deviation is lower than the Current plan
- In western Salinas, Pieces 7 and 8 are kept together
- Creekbridge Office Center is separated from the rest of Creekbridge.

---

<sup>1</sup> This plan was developed by demographers.

**Monterey County Board of Supervisors  
Supervisory Districts Adopted August 23, 2011  
Plan 1.1**



**Legend**

- Plan 1.1
- City/Unincorporated Community

**Supervisory Districts Adopted 8-23-11**

- District 1
- District 2
- District 3
- District 4
- District 5

Monterey County Board of Supervisors  
 Supervisorial Districts Adopted August 23, 2011  
 Plan 1.1 - Salinas Detail

2  
-3.2%

1  
0.2%

Salinas

4  
2.0%

3  
2.2%

Boronda

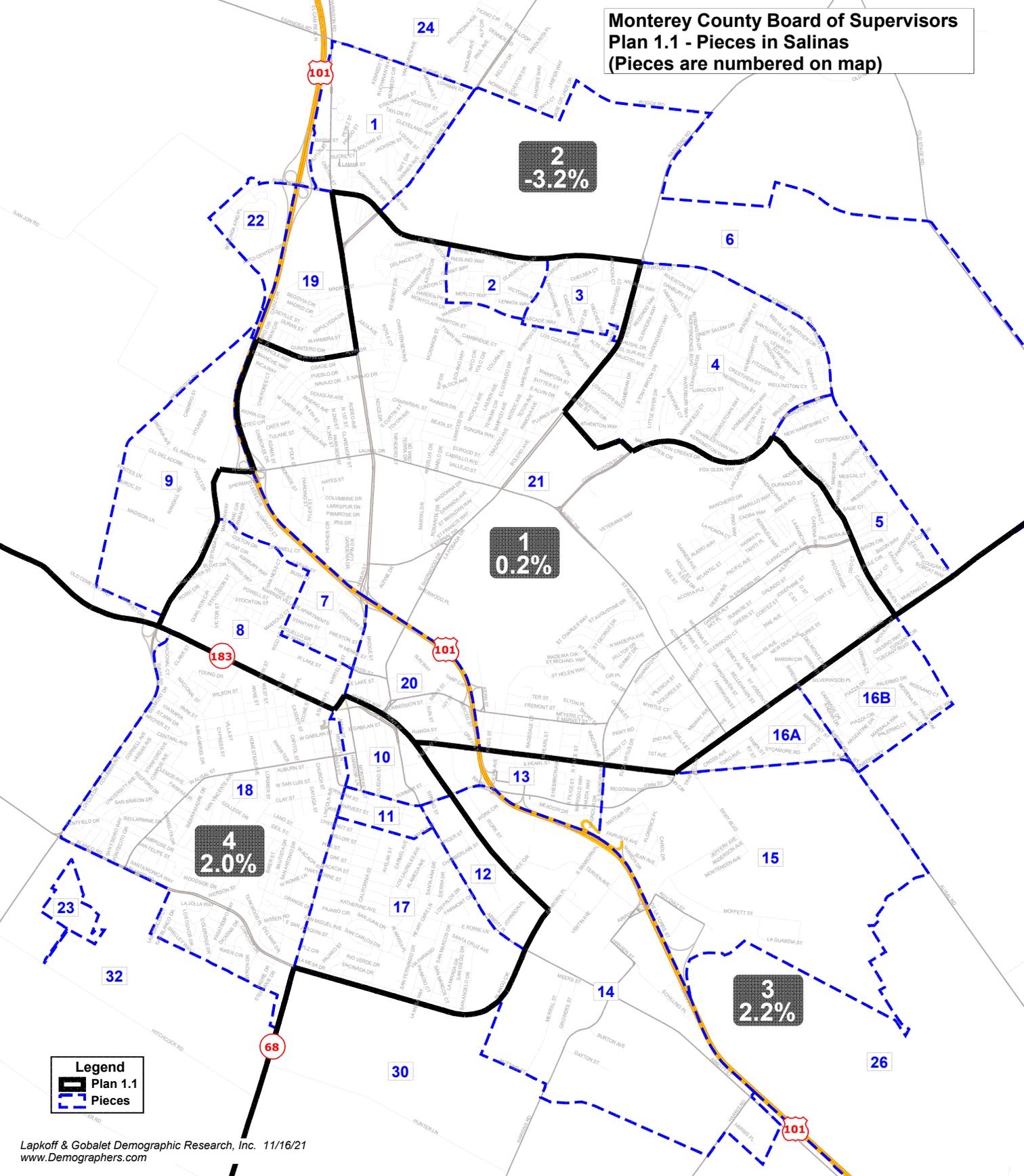
**Legend**

- Plan 1.1
- City/Unincorporated Community

**Supervisorial Districts  
 Adopted 8-23-11**

- District 1
- District 2
- District 3
- District 4
- District 5

# Monterey County Board of Supervisors Plan 1.1 - Pieces in Salinas (Pieces are numbered on map)



**Legend**  
 Plan 1.1  
 Pieces

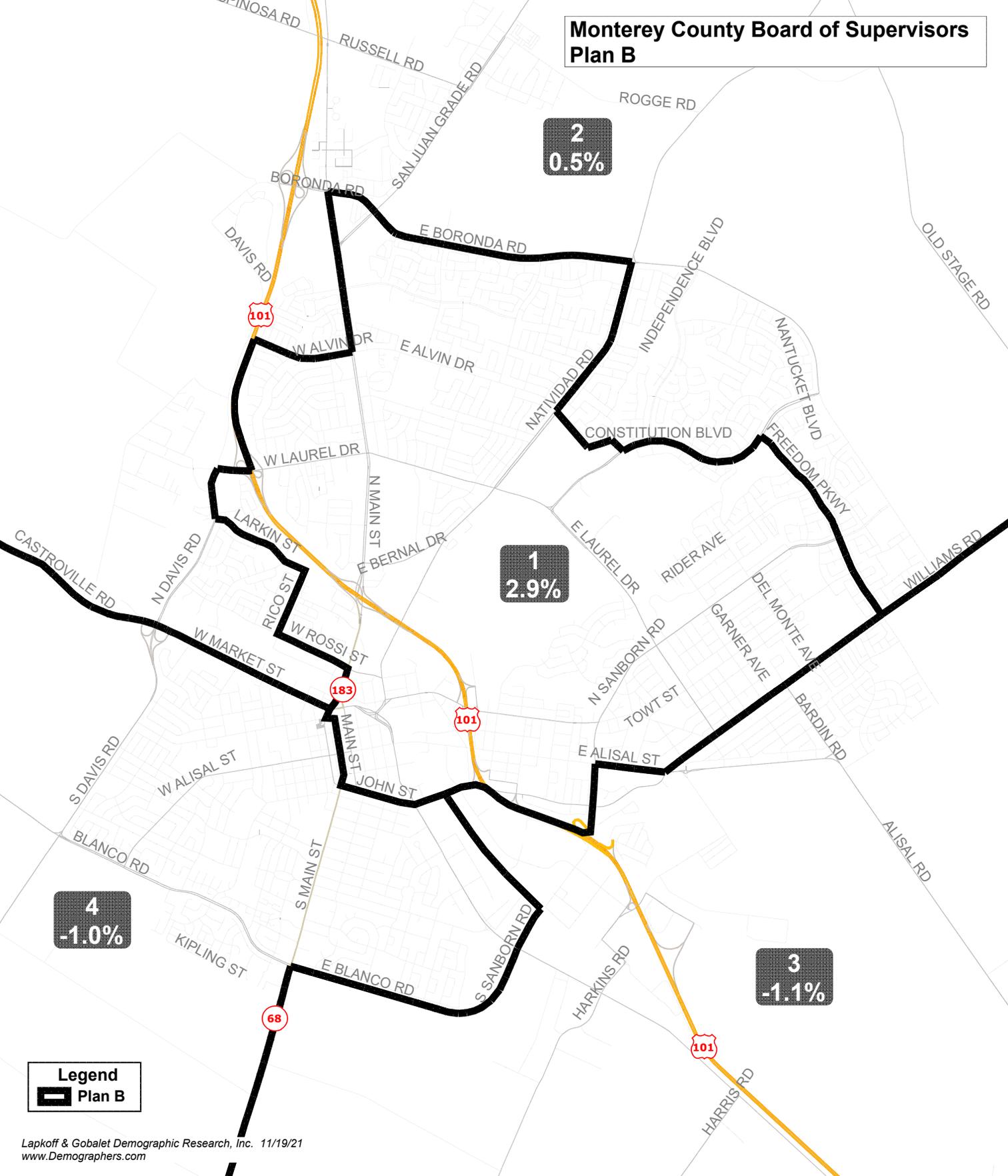
## Data for Plan 1.1

<b>MC BOS Plan 1.1 with Del Rey Oaks in District 4</b>								<b>MC BOS Plan 1.1 with Del Rey Oaks in District 4</b>						
Non-Hispanic								Non-Hispanic						
District	Total Population	Latino/ Hispanic	White	Black	Asian	Other	Total	District	Total	Latino/ Hispanic	White	Black	Asian	Other
<b>Total Population Percentages</b>								<b>Registered Voters</b>						
1	87,141	84%	7%	1%	5%	2%	100%	1	30,897	72%	n/a	n/a	5%	n/a
2	84,113	72%	19%	1%	5%	3%	100%	2	39,880	54%	n/a	n/a	4%	n/a
3	88,850	87%	9%	1%	2%	2%	100%	3	32,353	73%	n/a	n/a	3%	n/a
4	88,706	45%	32%	5%	13%	5%	100%	4	46,395	30%	n/a	n/a	8%	n/a
5	85,850	14%	71%	2%	9%	4%	100%	5	59,305	8%	n/a	n/a	4%	n/a
Total	434,660	61%	27%	2%	7%	3%	100%	Total	208,830	41%	n/a	n/a	5%	n/a
<b>Total</b>								<b>Actual Voters</b>						
District	Total Population	Age 18+ (Voting Age) Population Percentages						District	Total	Actual Voters				
1	60,725	81%	9%	1%	7%	2%	100%	1	21,239	69%	n/a	n/a	6%	n/a
2	61,464	67%	23%	1%	6%	3%	100%	2	30,388	51%	n/a	n/a	4%	n/a
3	60,802	84%	11%	1%	2%	2%	100%	3	22,764	70%	n/a	n/a	3%	n/a
4	67,566	41%	35%	6%	13%	5%	100%	4	37,416	27%	n/a	n/a	8%	n/a
5	72,845	12%	74%	2%	8%	4%	100%	5	52,534	8%	n/a	n/a	4%	n/a
Total	323,402	55%	32%	2%	7%	3%	100%	Total	164,341	37%	n/a	n/a	5%	n/a
District	Total Population	Citizens of Voting Age (CVAP) Percentages						District	Total Pop	Deviation	% Deviation			
1	31,492	65%	18%	3%	9%	4%	100%	1	87,141	209	0.2%			
2	44,487	50%	36%	2%	6%	6%	100%	2	84,113	-2,819	-3.2%			
3	32,879	67%	23%	1%	2%	6%	100%	3	88,850	1,918	2.2%			
4	56,367	29%	45%	7%	13%	7%	100%	4	88,706	1,774	2.0%			
5	67,953	9%	78%	2%	6%	5%	100%	5	85,850	-1,082	-1.2%			
Total	233,178	37%	46%	3%	8%	6%	100%	Total	434,660					
								Ideal	86,932	4,737	5.4%			

### Plan 1.1 Hispanic/Latino Percentages

<b>MCBOS Plan 1.1</b>					
<b>Percent Hispanic/Latino</b>					
District	Voting Age		Citizens of Voting		
	Total Population	Population (VAP)	Age (CVAP)	Registered Voters	Actual Voters
1	84%	81%	65%	72%	69%
2	72%	67%	50%	54%	51%
3	87%	84%	67%	73%	70%
4	45%	41%	29%	30%	27%
5	14%	12%	9%	8%	8%
Total	61%	55%	37%	41%	37%

# Monterey County Board of Supervisors Plan B



4  
-1.0%

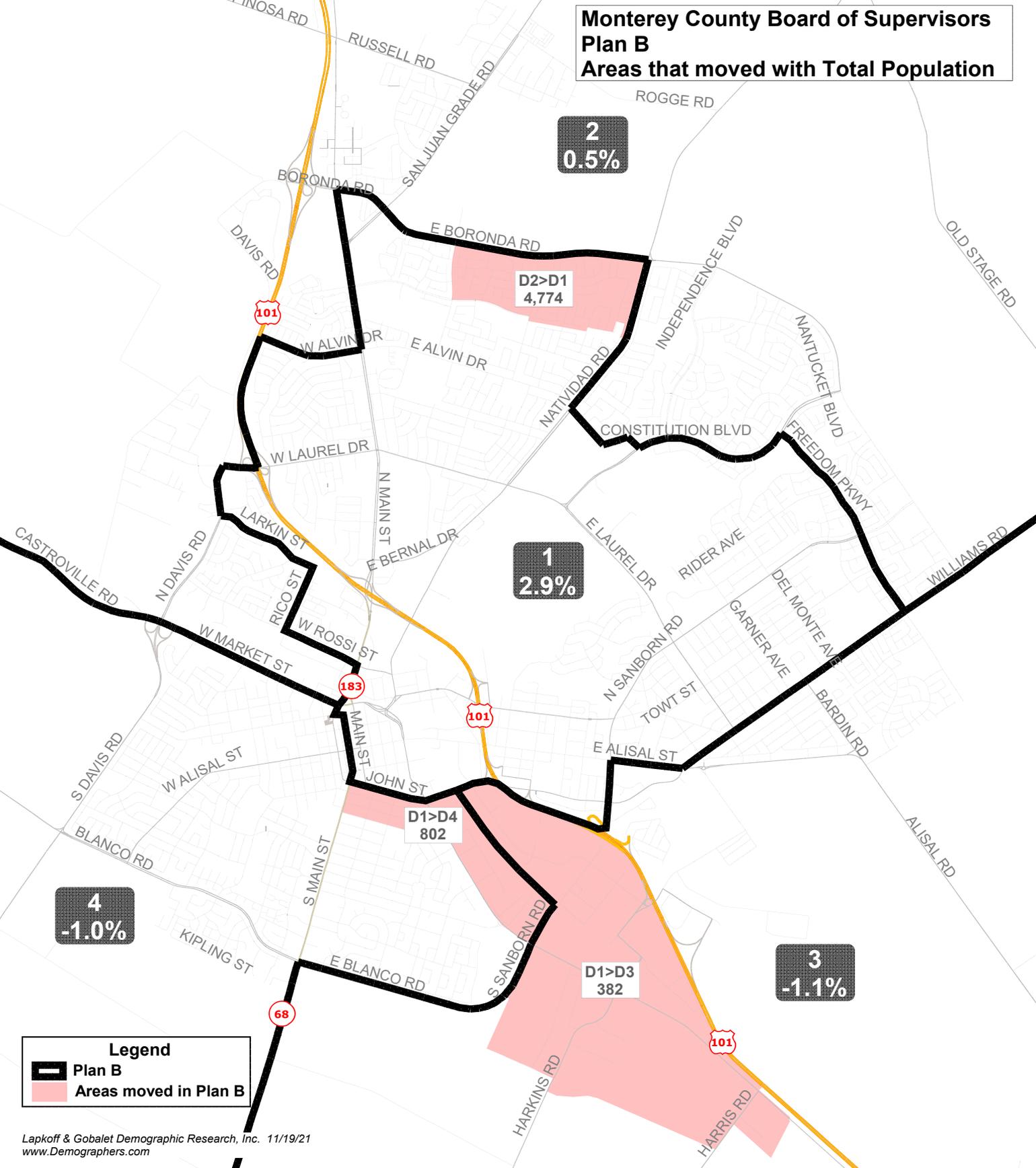
1  
2.9%

2  
0.5%

3  
-1.1%

**Legend**  
Plan B

**Monterey County Board of Supervisors  
Plan B  
Areas that moved with Total Population**



**2**  
**0.5%**

**1**  
**2.9%**

**4**  
**-1.0%**

**3**  
**-1.1%**

**D2>D1**  
**4,774**

**D1>D4**  
**802**

**D1>D3**  
**382**

**Legend**

-  **Plan B**
-  **Areas moved in Plan B**

**Demographers' Analysis of the Plan B<sup>1</sup>**  
**Lapkoff & Gobalet Demographic Research, Inc. 11/3/2021**

Plan B uses a subset of the pieces that were moved to create Plan 1.1. The map on the following page shows the Plan B; the current Supervisorial Districts are color-shaded and the black line indicates the Plan B.

Pieces changed (from the current plan to the PlanB ):

- Piece 2 from D2 to D1
- Piece 3 from D2 to D1
- Piece 11 from D1 to D4
- Piece 12 from D1 to D4
- Piece 14 from D1 to D3

Key advantages of this plan:

1. Low plan deviation at 4.1 percent;
2. Minimal change from the current plan – fewer movements of territory than Draft Map 1.

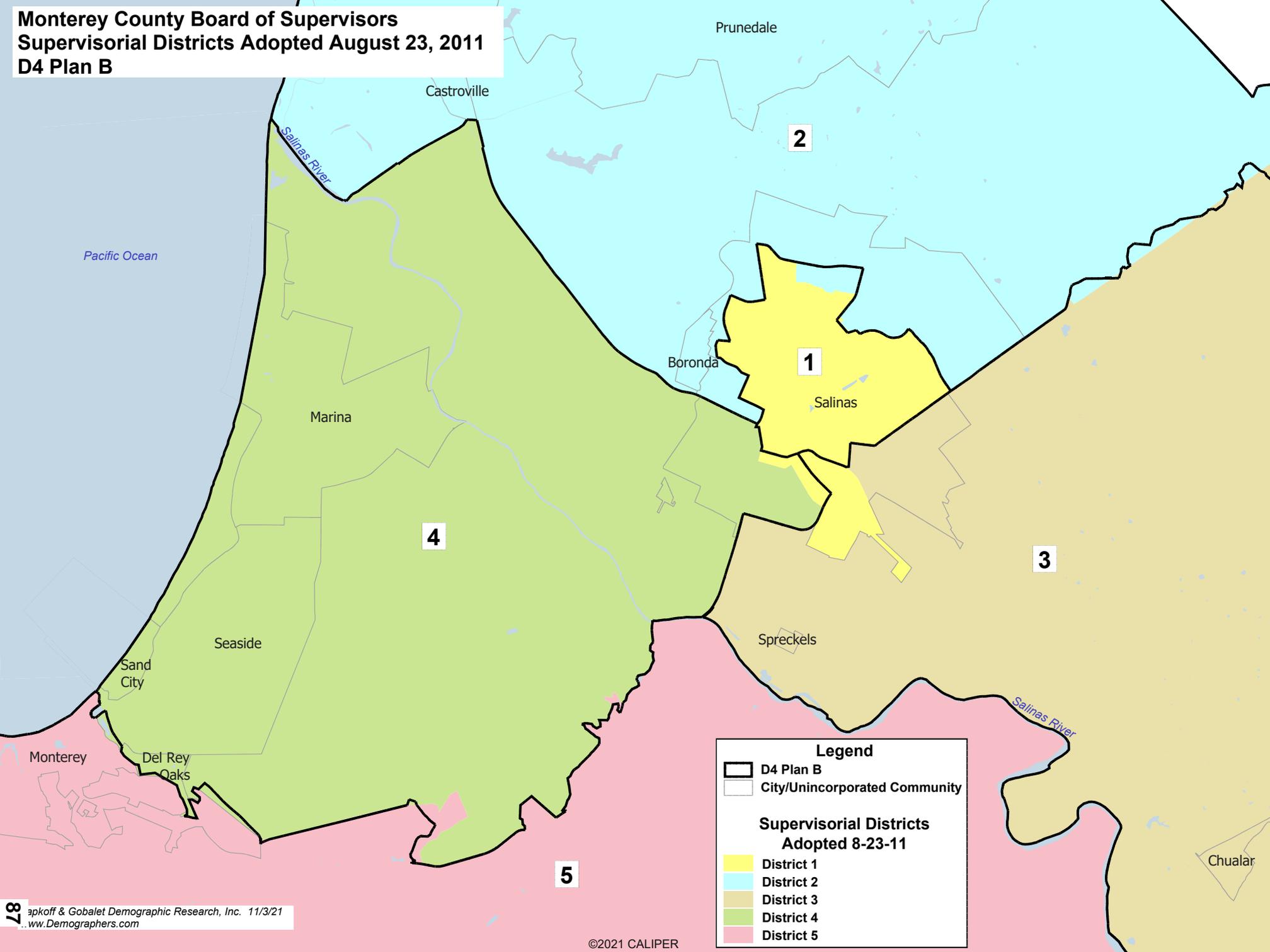
Possible disadvantages of this plan:

1. Some neighborhoods are divided that are intact in Plan 1.1, specifically in southwest Salinas (Pieces 7 and 8) and in south-central Salinas (Pieces 10, 11). These neighborhoods are divided in the current supervisorial boundaries, so this plan does not worsen the current situation. However, the neighborhoods are not as intact as in Plan 1.1.

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<sup>1</sup> This plan was submitted by Jane Parker who resides in Supervisorial District 4.

**Monterey County Board of Supervisors  
 Supervisorial Districts Adopted August 23, 2011  
 D4 Plan B**



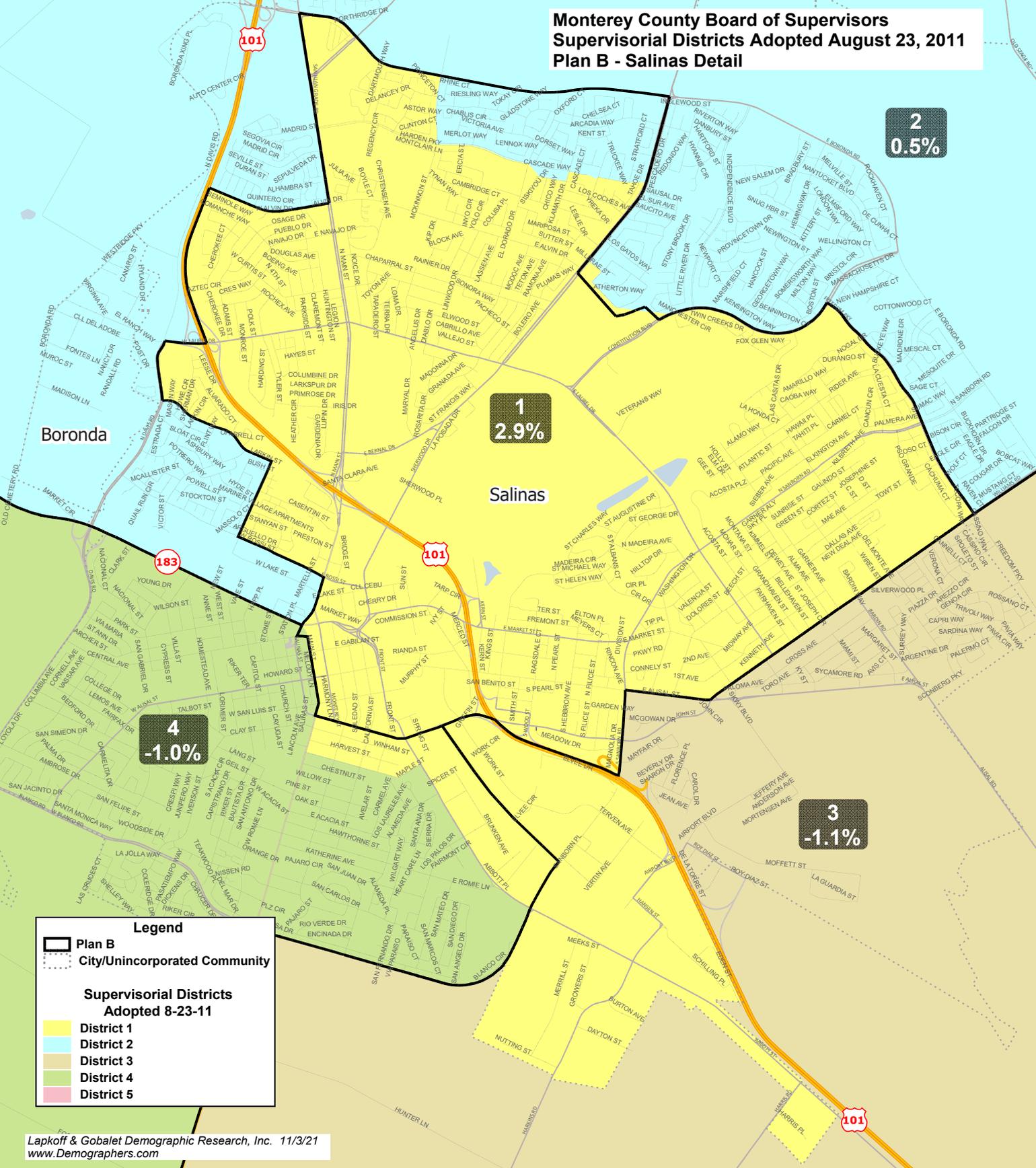
**Legend**

-  D4 Plan B
-  City/Unincorporated Community

**Supervisorial Districts Adopted 8-23-11**

-  District 1
-  District 2
-  District 3
-  District 4
-  District 5

**Monterey County Board of Supervisors  
 Supervisorial Districts Adopted August 23, 2011  
 Plan B - Salinas Detail**



**2**  
0.5%

**1**  
2.9%

Salinas

**3**  
-1.1%

**4**  
-1.0%

Boronda

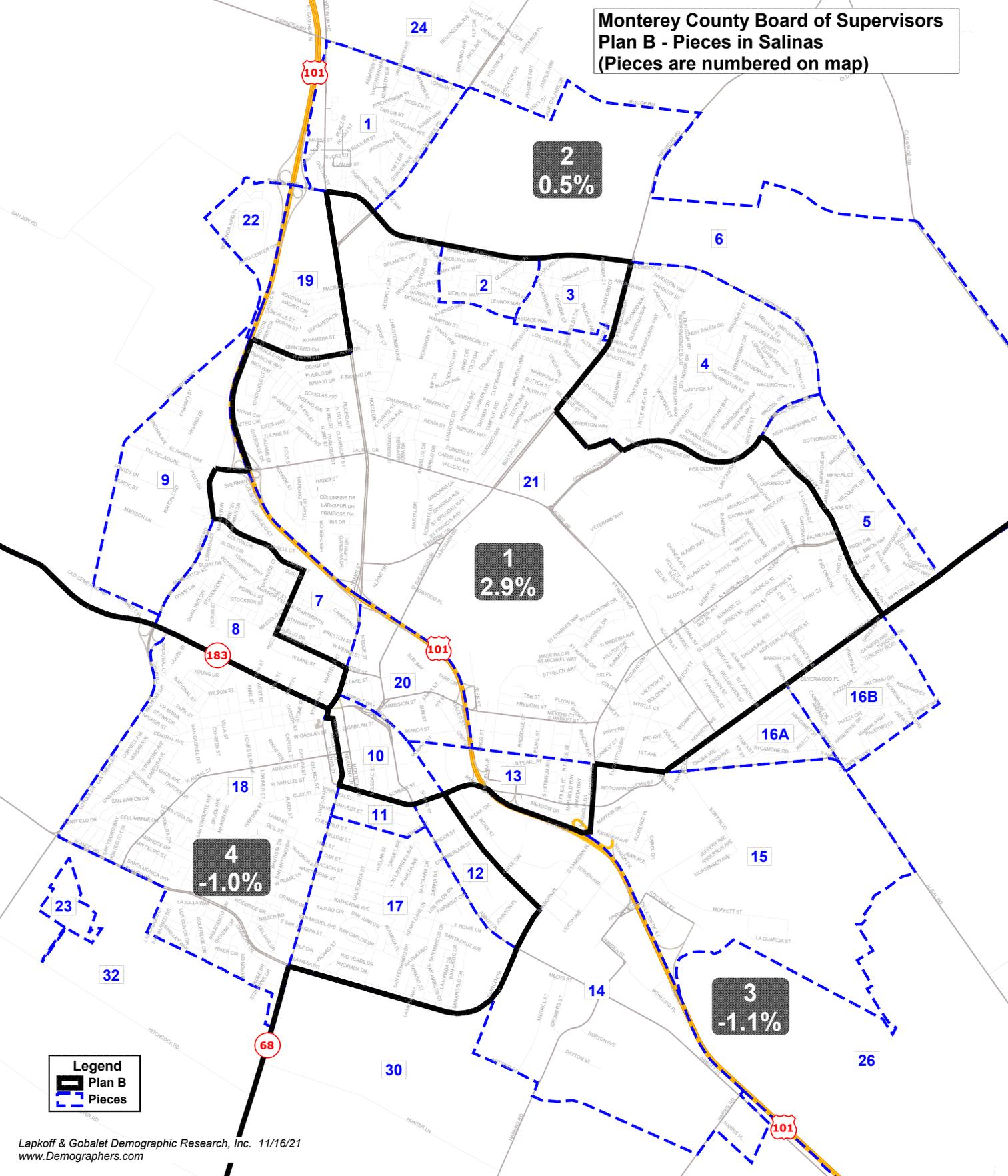
**Legend**

- Plan B
- City/Unincorporated Community

**Supervisorial Districts  
 Adopted 8-23-11**

- District 1
- District 2
- District 3
- District 4
- District 5

**Monterey County Board of Supervisors  
Plan B - Pieces in Salinas  
(Pieces are numbered on map)**



**Legend**  
 Plan B  
 Pieces

**MCBOS Plan B**

**MCBOS Plan B**

District	Total Population	Latino/ Hispanic	Non-Hispanic				Total
			White	Black	Asian	Other	
<b>Total Population Percentages</b>							
1	89,425	86%	7%	1%	5%	2%	100%
2	87,352	72%	19%	1%	5%	3%	100%
3	85,967	87%	9%	1%	2%	2%	100%
4	86,066	44%	33%	5%	13%	5%	100%
5	85,850	14%	71%	2%	9%	4%	100%
Total	434,660	61%	27%	2%	7%	3%	100%

District	Total Population	Latino/ Hispanic	Non-Hispanic				Total
			White	Black	Asian	Other	
<b>Age 18+ (Voting Age) Population Percentages</b>							
1	62,090	83%	9%	1%	6%	2%	100%
2	63,886	67%	23%	1%	6%	3%	100%
3	58,743	84%	11%	1%	3%	2%	100%
4	65,838	39%	36%	6%	14%	5%	100%
5	72,845	12%	74%	2%	8%	4%	100%
Total	323,402	55%	32%	2%	7%	3%	100%

District	Total Population	Latino/ Hispanic	Non-Hispanic				Total
			White	Black	Asian	Other	
<b>Citizens of Voting Age (CVAP) Percentages</b>							
1	31,111	67%	17%	3%	8%	5%	100%
2	46,279	50%	35%	2%	7%	6%	100%
3	32,250	67%	24%	1%	2%	6%	100%
4	55,585	28%	45%	7%	13%	7%	100%
5	67,953	9%	78%	2%	6%	5%	100%
Total	233,178	37%	46%	3%	8%	6%	100%

District	Total Population	Latino/ Hispanic	Non-Hispanic			
			White	Black	Asian	Other
<b>Registered Voters</b>						
1	30,784	74%	n/a	n/a	5%	n/a
2	41,640	54%	n/a	n/a	5%	n/a
3	31,485	73%	n/a	n/a	3%	n/a
4	45,616	29%	n/a	n/a	8%	n/a
5	59,305	8%	n/a	n/a	4%	n/a
Total	208,830	41%	n/a	n/a	5%	n/a

District	Total Population	Latino/ Hispanic	Non-Hispanic			
			White	Black	Asian	Other
<b>Actual Voters</b>						
1	20,889	71%	n/a	n/a	5%	n/a
2	31,710	51%	n/a	n/a	5%	n/a
3	22,251	69%	n/a	n/a	3%	n/a
4	36,957	27%	n/a	n/a	8%	n/a
5	52,534	8%	n/a	n/a	4%	n/a
Total	164,341	37%	n/a	n/a	5%	n/a

District	Total Pop	Deviation	% Deviation
1	89,425	2,493	2.9%
2	87,352	420	0.5%
3	85,967	-965	-1.1%
4	86,066	-866	-1.0%
5	85,850	-1,082	-1.2%
Total	434,660		
Ideal	86,932	3,575	4.1%

## MCBOS Plan B

### Percent Hispanic/Latino

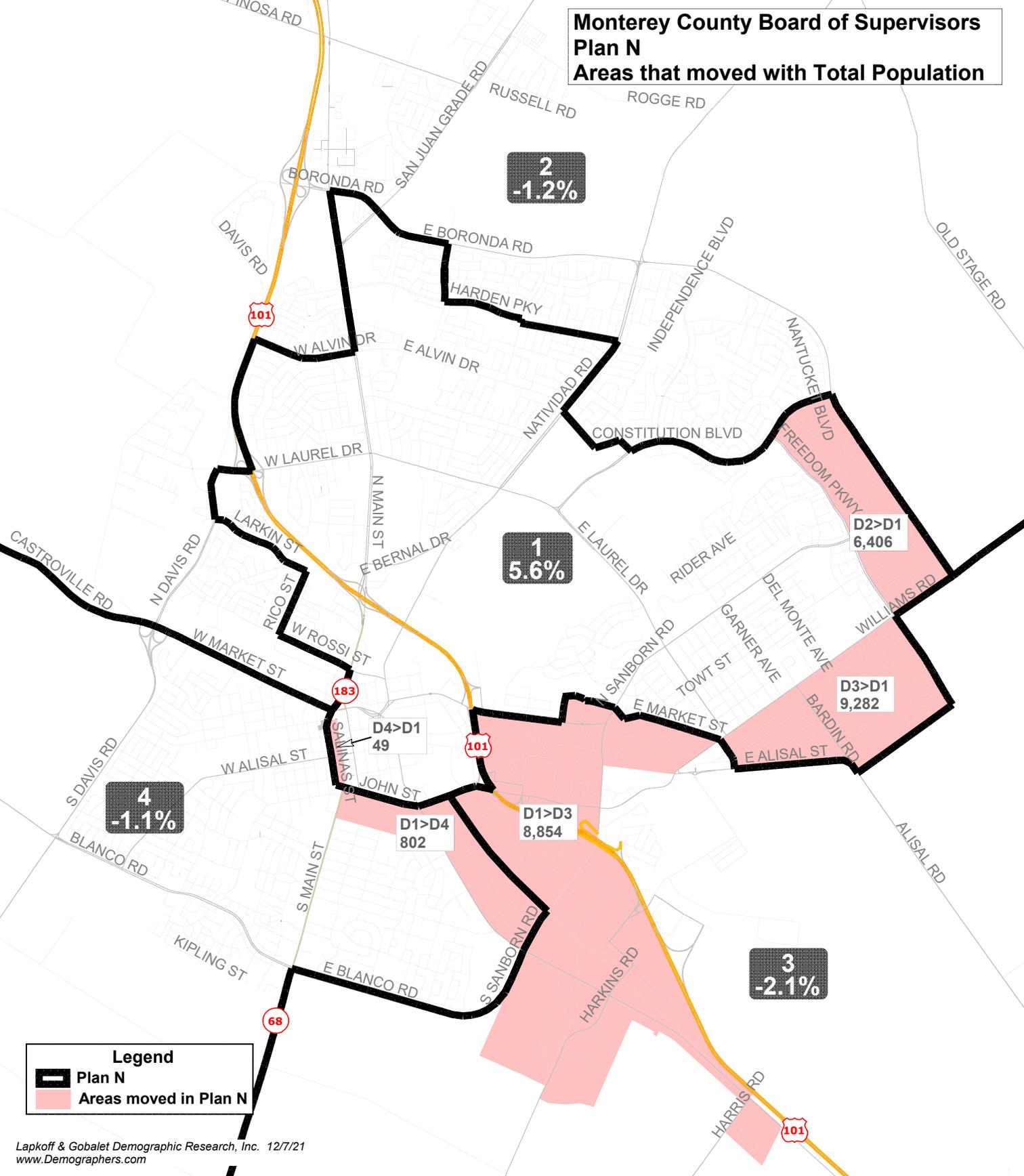
District	Voting Age		Citizens of Voting		Actual Voters
	Total Population	Population (VAP)	Age (CVAP)	Registered Voters	
1	86%	83%	67%	74%	71%
2	72%	67%	50%	54%	51%
3	87%	84%	67%	73%	69%
4	44%	39%	28%	29%	27%
5	14%	12%	9%	8%	8%
Total	61%	55%	37%	41%	37%

### Comparison Table

District	Hispanic CVAP					Actual Voters with Spanish Surnames					Plan Deviation				
	Current	Plan 1	Plan 1.1	Plan A	Plan B	Current	Plan 1	Plan 1.1	Plan A	Plan B	Current	Plan 1	Plan 1.1	Plan A	Plan B
1	68%	65%	65%	67%	67%	72%	69%	69%	71%	71%	-1%	0%	0%	1%	3%
2	50%	50%	50%	50%	50%	51%	51%	51%	51%	51%	6%	-3%	-3%	0%	0%
3	67%	67%	67%	67%	67%	69%	70%	70%	69%	69%	-2%	2%	2%	-1%	-1%
4	28%	29%	29%	29%	28%	27%	28%	27%	28%	27%	-2%	0%	2%	2%	-1%
5	9%	9%	9%	9%	9%	8%	8%	8%	8%	8%	-1%	1%	-1%	-1%	-1%
Total	37%	37%	37%	37%	37%	37%	37%	37%	37%	37%	7.9%	5.4%	5.4%	3.1%	4.1%



# Monterey County Board of Supervisors Plan N Areas that moved with Total Population



**Legend**  
 Plan N  
 Areas moved in Plan N

**Demographers' Analysis of Plan N<sup>1</sup>**  
**Lapkoff & Gobalet Demographic Research, Inc. 12/1/2021**

Plan N was constructed using the online mapping tool, Maptitude Online Redistricting (MORe).

Plan N is similar to Plans G, H, and L in that all these plans exchange territory between D1 and D3.

Plan N moves Piece 5 from D2 to D1.

Plan N moves Pieces 11 and 12 from D1 to D4.

The accompanying maps provide an overview of this plan as well as detailed maps of the Salinas area. Color shading on some of the maps identifies the Current Supervisorial Districts, and the black lines show Plan N boundaries. Statistics for this map are provided on the last two pages.

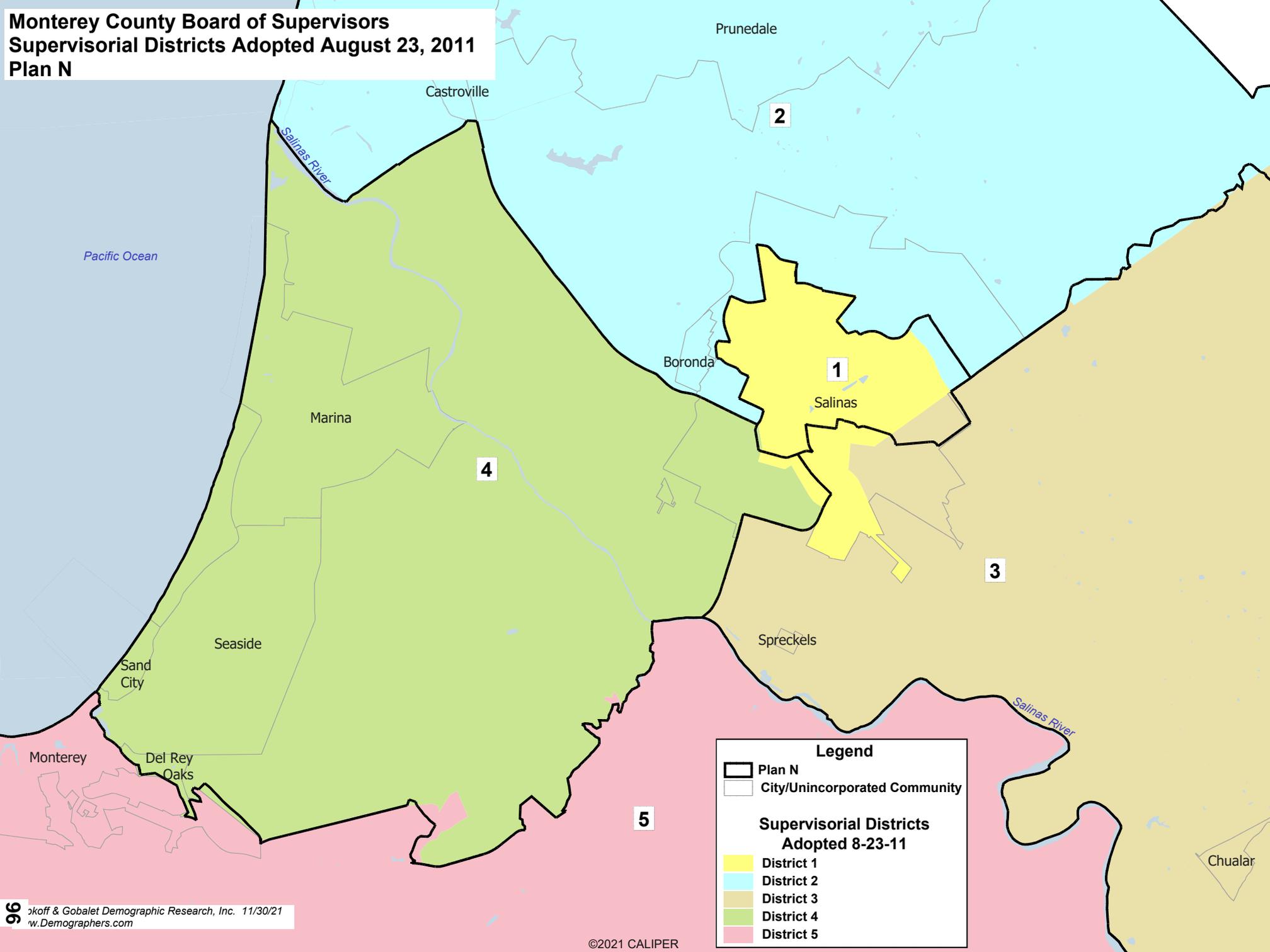
**Demographers' comments about plan characteristics:**

- Plan deviation: 7.6 percent
- Piece 5 was moved from D2 to D1.
- Pieces 11 and 12 were moved to District 4
- Large population shifts between Districts 1 and 3.

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<sup>1</sup> Plan N was submitted by ARC Commissioner Ernesto Gonzales, District 1.

**Monterey County Board of Supervisors  
Supervisory Districts Adopted August 23, 2011  
Plan N**



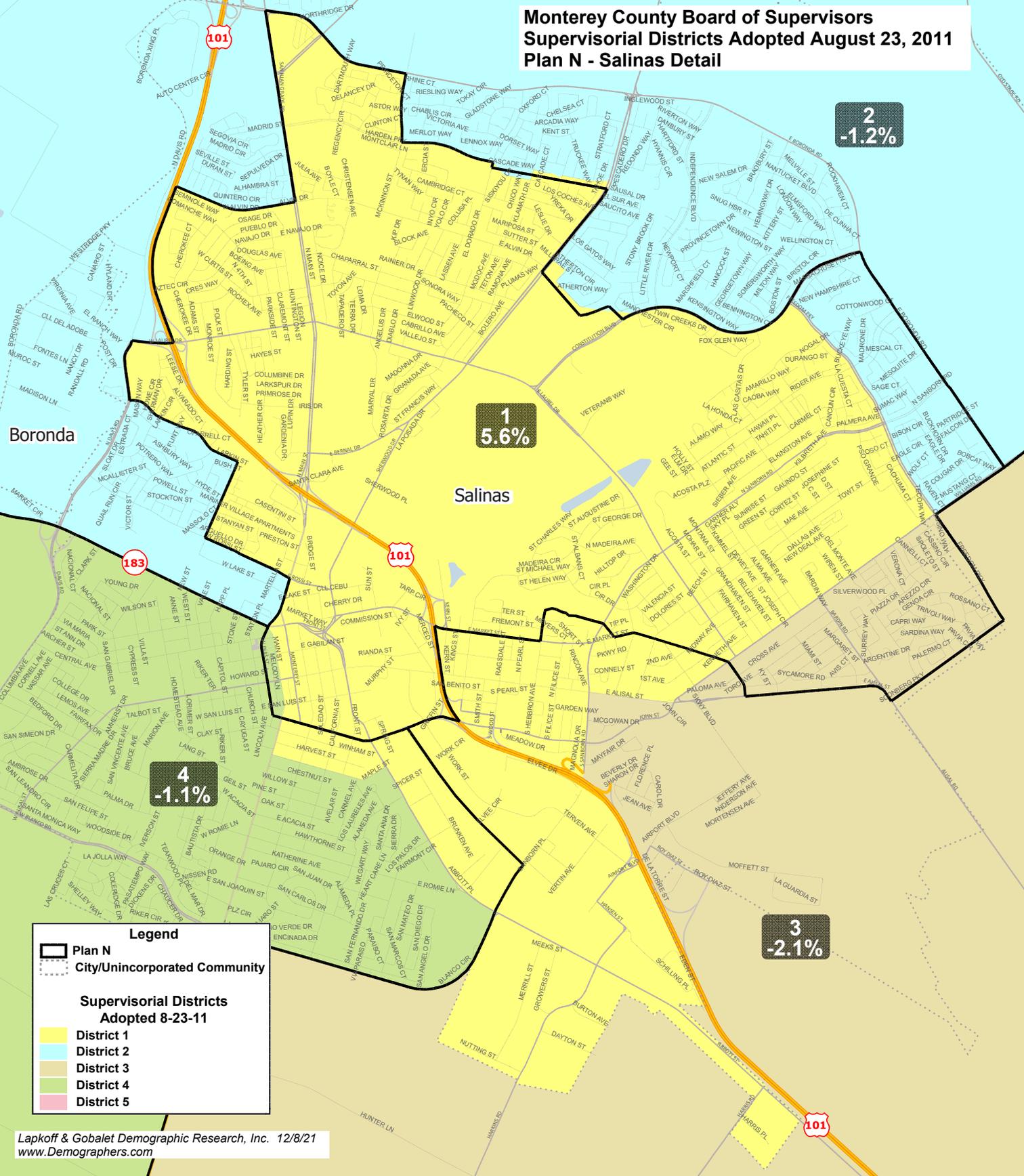
**Legend**

- Plan N
- City/Unincorporated Community

**Supervisory Districts Adopted 8-23-11**

- District 1
- District 2
- District 3
- District 4
- District 5

# Monterey County Board of Supervisors Supervisorial Districts Adopted August 23, 2011 Plan N - Salinas Detail



**2**  
**-1.2%**

**1**  
**5.6%**

Salinas

**4**  
**-1.1%**

**3**  
**-2.1%**

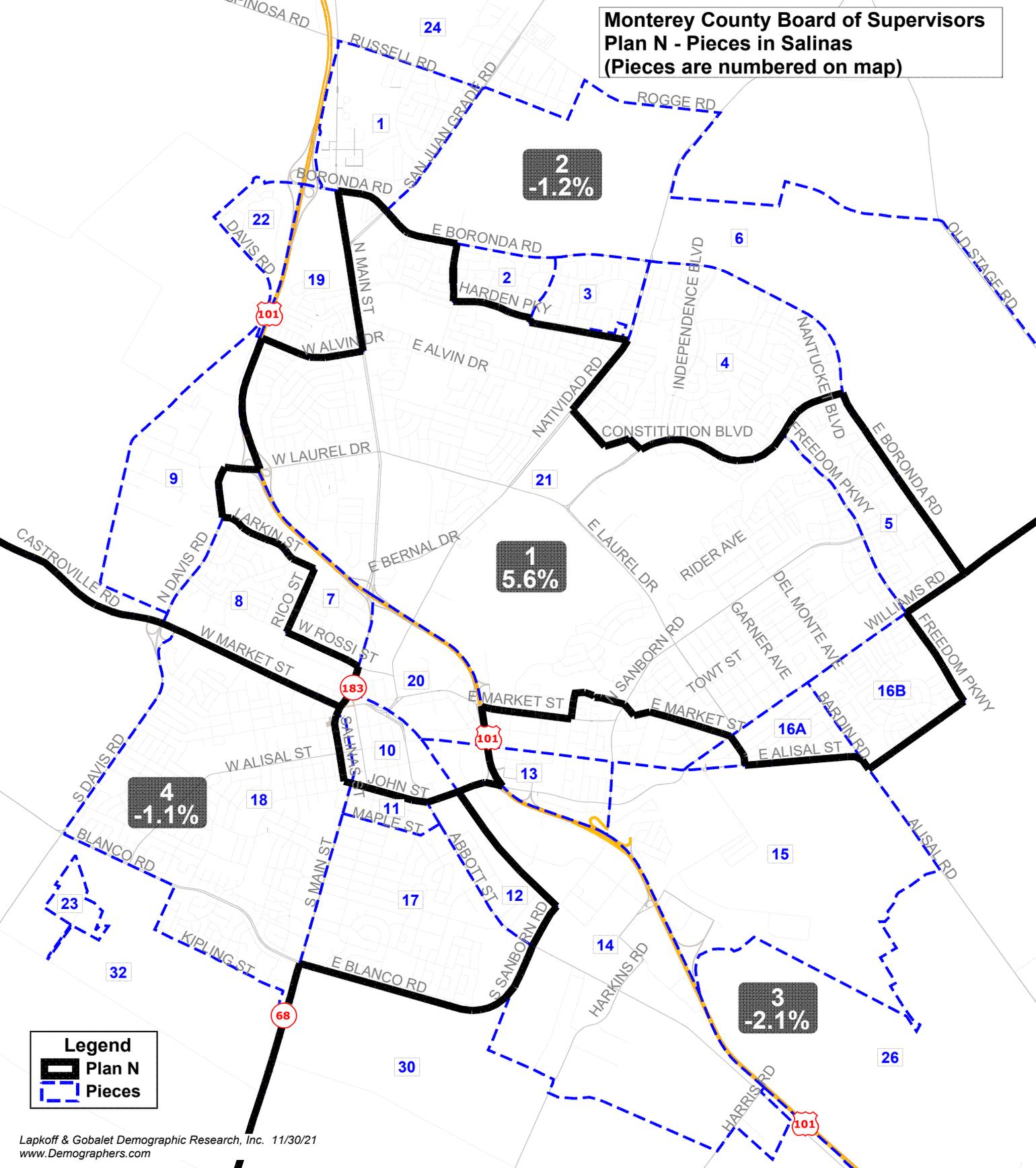
**Legend**

- Plan N
- City/Unincorporated Community

**Supervisorial Districts  
Adopted 8-23-11**

- District 1
- District 2
- District 3
- District 4
- District 5

**Monterey County Board of Supervisors  
Plan N - Pieces in Salinas  
(Pieces are numbered on map)**



**Legend**

- Plan N
- Pieces

**Plan N Data**

<b>MC BOS Plan N</b>								<b>MC BOS Plan N</b>						
<b>District</b>	<b>Total Population</b>	<b>Latino/ Hispanic</b>	<b>Non-Hispanic</b>				<b>Total</b>	<b>District</b>	<b>Total</b>	<b>Latino/ Hispanic</b>	<b>Non-Hispanic</b>			
			<b>White</b>	<b>Black</b>	<b>Asian</b>	<b>Other</b>					<b>White</b>	<b>Black</b>	<b>Asian</b>	<b>Other</b>
<b>Total Population Percentages</b>								<b>Registered Voters</b>						
1	91,780	86%	7%	1%	5%	1%	100%	1	31,974	75%	n/a	n/a	5%	n/a
2	85,856	70%	20%	1%	6%	3%	100%	2	41,677	53%	n/a	n/a	5%	n/a
3	85,134	87%	9%	1%	2%	2%	100%	3	30,252	73%	n/a	n/a	3%	n/a
4	86,019	44%	33%	5%	13%	5%	100%	4	45,619	29%	n/a	n/a	8%	n/a
5	85,871	14%	71%	2%	9%	4%	100%	5	59,308	8%	n/a	n/a	4%	n/a
Total	434,660	61%	27%	2%	7%	3%	100%	Total	208,830	41%	n/a	n/a	5%	n/a
<b>Age 18+ (Voting Age) Population Percentages</b>								<b>Actual Voters</b>						
1	63,708	83%	8%	1%	6%	2%	100%	1	21,736	72%	n/a	n/a	5%	n/a
2	62,939	65%	23%	1%	7%	3%	100%	2	31,831	50%	n/a	n/a	5%	n/a
3	58,088	85%	11%	1%	2%	2%	100%	3	21,280	69%	n/a	n/a	3%	n/a
4	65,804	39%	36%	6%	14%	5%	100%	4	36,958	27%	n/a	n/a	8%	n/a
5	72,863	12%	74%	2%	8%	4%	100%	5	52,536	8%	n/a	n/a	4%	n/a
Total	323,402	55%	32%	2%	7%	3%	100%	Total	164,341	37%	n/a	n/a	5%	n/a
<b>Citizens of Voting Age (CVAP) Percentages</b>								<b>Deviation</b>						
<b>District</b>	<b>Total</b>							<b>District</b>	<b>Total Pop</b>	<b>Deviation</b>	<b>% Deviation</b>			
1	31,556	69%	17%	3%	7%	4%	100%	1	91,780	4,848	5.6%			
2	46,373	49%	36%	2%	8%	6%	100%	2	85,856	-1,076	-1.2%			
3	31,717	66%	24%	2%	2%	6%	100%	3	85,134	-1,798	-2.1%			
4	55,567	28%	45%	7%	13%	7%	100%	4	86,019	-913	-1.1%			
5	67,965	9%	78%	2%	6%	5%	100%	5	85,871	-1,061	-1.2%			
Total	233,178	37%	46%	3%	8%	6%	100%	Total	434,660					
								Ideal	86,932	6,646	7.6%			

### Plan N Hispanic/Latino Percentages

<b>MC BOS Plan N</b>					
<b>Percent Hispanic/Latino</b>					
<b>District</b>	<b>Total Population</b>	<b>Voting Age Population (VAP)</b>	<b>Citizens of Voting Age (CVAP)</b>	<b>Registered Voters</b>	<b>Actual Voters</b>
<b>1</b>	<b>86%</b>	<b>83%</b>	<b>69%</b>	<b>75%</b>	<b>72%</b>
<b>2</b>	<b>70%</b>	<b>65%</b>	<b>49%</b>	<b>53%</b>	<b>50%</b>
<b>3</b>	<b>87%</b>	<b>85%</b>	<b>66%</b>	<b>73%</b>	<b>69%</b>
<b>4</b>	<b>44%</b>	<b>39%</b>	<b>28%</b>	<b>29%</b>	<b>27%</b>
<b>5</b>	<b>14%</b>	<b>12%</b>	<b>9%</b>	<b>8%</b>	<b>8%</b>
<b>Total</b>	<b>61%</b>	<b>55%</b>	<b>37%</b>	<b>41%</b>	<b>37%</b>



# Monterey County

## Item No.7

### Board Report

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

Legistar File Number: OBM 21-118

December 14, 2021

**Introduced:** 12/9/2021

**Current Status:** County Administrative  
Officer Comments and  
Referrals

**Version:** 1

**Matter Type:** Other Board Matters

County Administrative Officer Comments and New Referrals

**Monterey County Board of Supervisors**

MEETING:		December 14, 2021 - Other Board Matters								
SUBJECT:		Board Referrals Update								
DEPARTMENT:		County Administrative Office								
Item #	Brd Ref #	Assignment Date	Referred By	Lead Dept.	Sub-Depts.	Project Lead	Requested Due	Item	Report	Status
1	2016.02	4/12/16	Adams	HCD	County Counsel	Girard/Lundquist	5/10/16	Short Term Rental (STR) Ordinance a) Prioritize completion of the STR rental ordinance by scheduling a final meeting of the STR Working Group; and b) Present a complete STR Ordinance to the Planning Commission; c) County Counsel respond to the Board re. County not engage in code violation citations while the STR ordinance is being developed.	Staff presented the draft vacation rental ordinances to the Board on November 17, 2020, and May 2021 for direction. Based on Board direction, the necessary environmental review will be conducted. Upon completion of the environmental review, the Planning Commission would consider a recommendation to the Board on the environmental documentation and draft ordinance. Referral modified on August 24, 2021 (as part of Board's annual evaluation of referrals) requesting that HCD provide a proposal to address implementation of enforcement at this time, as well as anticipated funding sources for those costs. On October 5, 2021, the Board directed HCD to developed a pilot program to enforce STRs in District 5. On December 8, 2021, staff provided a presentation to the Board on its proposed proactive enforcement and was directed to proceed by returning in January/February 2022 for Board action on staff resources, funding, and a draft ordinance increasing fines for unauthorize STRs.	Pending
2	2017.18	9/19/17	Board	HRD/CAO		Bokanovich	10/24/17	Request a presentation to the Board of Supervisors with options for commissioner compensation that supports our ability to recruit a diverse and representative pool of commissioners.	The item was presented to the Board on 10/2/2018. The Board directed that HR: 1) convene a committee of Department Heads that manage significant boards and commissions to develop a Commissioner Recruitment Strategy; 2) ask departments to provide information related to the diversity of their current volunteer Commissioner's and committee members; and 3) work with County Counsel and Auditor to determine what would be involved/required to actively implement reimbursement to these volunteers, with budget/cost implications. Referral modified on August 24, 2021 (as part of Board's annual evaluation of referrals) to include: A) an assessment on how commissions are being utilized; how well they are serving in their advisory function to the Board; staffing levels of various committees, and, how that may or may not contribute to their functioning; and, B) referring the referral to the Board of Supervisors Human Resources Committee to engage in discussion and bring back recommendations to the full Board. This item will be discussed with the Human Resources Committee on December 17, 2021.	Pending
3	2017.20	11/19/19	Alejo	PWFP		Ishii	1/28/20	Lease agreement between the City of Salinas and the County of Monterey regarding County's parcel adjacent 855 East Laurel Drive in Salinas for the implementation of a BMX Bike Track, new Skate Park, and sidewalk on East Laurel Drive in Salinas.	An initial referral was initiated on September 15, 2017. On September 1, 2017, Supervisor Alejo held a meeting with the City of Salinas, County RMA staff, and a BMX bike park and skate park engineers/designers to review the property. County Staff conferred with City Staff relative to the City's update of their Parks Master Plan. RMA has also been coordinating with City staff regarding sidewalks on County-owned lands along East Laurel Drive adjacent to this property (between Sanborn Road and Constitution Boulevard). The referral was closed on May 7, 2019 for staff to pursue efforts for a Shelter at 855 E. Laurel. RMA is preparing to bring a master planning effort for use of County lands, specifically lands at Natividad/Laurel in Salinas. This matter is reinstated for reconsideration. Public comment on this item was received on January 14, 2020.  Item was pulled from the June 16, 2020, Board meeting agenda and is on hold pending identification of funding. Staff to consult with requesting Supervisor prior to resubmitting item to the Board. PWFP staff continues to work with our state legislative consultants to identify potential grant opportunities.  At the September 14, 2021 Board Meeting, the Board provided direction to PWFP staff to apply for Prop 68 grant funding, and staff are following through with the application process.	Postponed
4	2018.15	6/5/18	Phillips./Alejo	HCD		Lundquist	7/17/18	Consider zoning changes to prohibit drilling for oil & gas north of King City	Present options for initiating amendments to County zoning to prohibit new oil and gas exploration in Monterey County except in the southern Salinas Valley, generally south of King City and east of the Santa Lucia range, so that it meets all legal requirements. RMA prepared options for consideration by the Planning Commission at a workshop held on 7/11/18. Referral postponed until Measure Z litigation is concluded.	Postponed

Item #	Brd Rfl #	Assignment Date	Referred By	Lead Dept.	Sub-Depts.	Project Lead	Requested Due	Item	Report	Status
5	2018.16	6/26/2018	Alejo	County Counsel/Auditor-Controller		Girard/Shah	8/28/2018	Update County Travel Policy by County Counsel in coordination with the Auditor-Controller's Office.	<p>Monterey County's travel policy managed by the Auditor-Controller has not been updated in many years and today, it does not compare with current market prices or organizational procedures and may exceed legal requirements. The current policy creates barriers for county staff to be able to effectively represent county business at conferences, trainings or in litigation. This policy also conflicts with another travel policy found in the Personnel Policies and Practices Resolution (PPPR). This referral seeks to update the policies to account for inconsistencies, business needs, efficiency, market prices, whether government rates are available or whether the discounted lodging rooms were secured by conference organizers, such as the California State Association of Counties. This lack in clarity in the existing policy is costing unnecessary staff time and an update would modernize our policy with current standards. The new policy should meet Federal and State law while supporting business efficiency.</p> <p>A revised policy was presented to the Board on November 6, 2018. An updated memo was submitted to the Board. A revised policy will be presented to the Board in January 2022.</p>	Pending
6	2018.28	12/4/2018	Phillips	HCD		Lundquist	12/11/2018	Affordable Housing in the Coastal Zone	Amend County LCP to be consistent with the Coastal Act regarding affordable housing, authorize staff to investigate processes and provide language revision recommendations to the Local Coastal Plan. A presentation was provided to the Board on January 15, 2019. HCD plans to couple this work with the 6th Housing Element to be completed by December 2023. In the interim, staff considers the integration of affordable housing policies in the coastal zones when the opportunities exist (e.g., update to the Big Sur Land Use Plan )	Pending
7	2019.08	9/10/2019	Alejo	PWFP/GLA		Ishii/Chiuolos	12/10/2019	State Funding for the Historic Old Monterey County Jail	A presentation of options for the disposition of the Old Jail was provided on September 10, 2019. The Board identified specific options and authorized Supervisor Alejo to pursue state funding match (\$10M) in the 2020 budget, which will be determined by June 2020. Meanwhile, RMA has coordinated with City staff on their Lincoln Avenue Corridor Master Plan efforts that includes an option for potential reuse of the old jail site. Due to the pandemic the Legislature did not entertain specific budget requests, such as that for the Old Jail. This item is now on hold until the State Budget situation improves. A status update will be provided to the Board in February 2022.	Postponed
8	2019.11	10/8/2019	Adams	Health/Environmental Health/Co Cou		Jimenez/Encarnacion/Strimling	11/19/2019	Establish an Ordinance restricting the use of single-use plastics	<p>Due to the ongoing Shelter In Place order, the development of this ordinance remains delayed. Many of the stakeholder entities have been severely impacted by the SIP (the restaurant and hotel industry particularly) and EH recommends their participation in the development of this ordinance once SIP conditions are lifted or allow business activities to resume at a higher level of production.</p> <p>During the entire month of September 2021, the Recycling Resource And Recovery Services (RRRS) of the Environmental Health Bureau had a survey on posted on the program's webpage seeking input from the public. The survey was live for 30 days and RRRS received a total of 294 responses and 94 comments. 70% of respondents Strongly Agreed and 13% Strongly Disagreed.</p>	Postponed
9	2020.06	1/28/2020	Askew	PWFP		Ishii	3/10/2020	Install speed limit signs on West Camp/Watkins Gate Roads	Staff presented to the Board on March 9, 2021, and the Board approved an update to Title 12 to apply the California Vehicle Code to private East Garrison roads. Staff met with the East Garrison CSD Advisory Committee's Traffic Safety Subcommittee on April 9, 2021 to discuss concerns and options along Watkins Gate Road. It was agreed to hold a follow-up field meeting with the subcommittee which occurred on June 10. The subcommittee will likely recommend to the East Garrison CSD Advisory Committee installation of several radar speed feedback signs on Watkins Gate and West Camp Roads. Staff provided estimated costs to the subcommittee, and will coordinate to place the item on the East Garrison Advisory CSD Committee for consideration. If ultimately approved by the Board, the signs will be implemented and monitored before any additional actions are pursued (if needed).	Pending

Item #	Brd Ref #	Assignment Date	Referred By	Lead Dept.	Sub-Depts.	Project Lead	Requested Due	Item	Report	Status
10	2020.09	2/25/2020	Lopez	CAO		Chiuolos	3/24/2020	Murals at the Government Center	Partner with the Arts Council of Monterey County to create murals on the walls of the stairways at the County Government Center located at 168 West Alisal. Staff will provide a Board report and presentation in February 2022.	Pending
11	2020.12	3/3/2020	Phillips & Adams	CAO/PWFP		Vega/Ishii	4/7/2020	Consider funding options to increase the Pavement Condition Index of County roads to at least a "Fair" standard over the next ten years.	Staff has been performing research on funding options with the assistance of a financial consultant. A report was presented to the Capital Improvement Committee (CIC) meeting on September 13, 2021. Item scheduled for Board consideration in January 2022.	Pending
12	2020.22	7/7/2020	Phillips	CAO		Bokanovich	7/28/2020	Referral Process Amendment	This referral requests that the process be amended to have Board approval for a referral as part of an agenda item showing the purpose of the referral, costs, time, challenges, and details of the project. Exceptions may be made for urgent matters. The Board approved an Amended Board Referral Process on April 27, 2021. The Board will conduct a review of the amended referral process, along with the evaluation of outstanding referrals, on an annual basis.	Pending
13	2020.27	12/8/2020	Lopez-Alejo	COB		Ralph		Address the need for translation services	This referral seeks to support access to live translation services and translate recorded minutes of Board of Supervisor meetings. Staff will provide report to the Board on December 14, 2021.	Pending
14	2021.05	3/2/2021	Alejo	PWFP		Ishii	6/1/2021	Monterey County COVID-19 Victims Memorial	This referral seeks to create a permanent memorial with the names of all COVID-19 victims of Monterey County on the Monterey County Government Campus at 168 West Alisal Street. Staff anticipates providing a presentation and report to the Board in January 2022.	Pending
15	2021.06	3/9/2021	Adams	PWFP/Counsel		Ishii/Girard	4/6/2021	Scenic Drive No Parking Enforcement	This referral seeks the creation of an urgency ordinance to increase enforcement capabilities within existing No Parking zones on Scenic Drive in the Carmel area. On April 27, 2021, the Board approved an urgency ordinance creating a "no parking \$250 fine tow away" zone along portions of Scenic Drive in the unincorporated area in the Carmel Point area near the City of Carmel-by-the-Sea, and authorized the County Administrative Officer to enter into an agreement with the City of Carmel-by-the-Sea for its police department to enforce the regulation. PWFP staff has coordinated details of the parking enforcement approach with the Carmel Police Department and County Counsel prepared a draft agreement which was provided to the City for review. No Parking signs have been installed along the affected portion of Scenic Drive, and a field meeting (coordinated by Supervisor Adam's Office) was held on July 21, 2021 with affected residents to review and consider any adjustments to sign locations. Staff is completing proposed sign adjustments and will coordinate those with Supervisor Adam's office and the community prior to implementation. Also, City of Carmel City Council will consider approval of the parking enforcement agreement at its September 7 meeting. The City of Carmel approved the agreement at its 7 Sep 21 City Council Meeting.	Pending
16	2017.24	10/18/2017	Alejo	Probation		Keating		Proposal to consolidate the current "Youth Center" on 970 Circle Drive in east Salinas with the new Juvenile Hall on 1420 Natividad Road and repurpose the property on 970 Circle Drive.	A memorandum was provided to the Board of Supervisors in late August 2020. Continuing discussions are occurring. Staff provided a memorandum to the Board on May 6, 2021. Referral modified on August 24, 2021 (as part of Board's annual evaluation of referrals) to include a report from the CAO on options for retaining an independent consultant to look into this matter. CAO staff anticipates providing a report in late January 2022.	Pending
17	2021.08	5/18/2021	Alejo/Lopez	ITD		Chatham		Monterey County Broadband Joint Powers Authority	This referral seeks to explore the potential of creating a Monterey County Broadband Joint Powers Authority to facilitate regional governance, strategy, collaboration and partnerships on expanding broadband access and closing the digital divide throughout Monterey County. A preliminary analysis was approved by the Board on June 8, 2021. On July 20, 2021, Monterey County Broadband JPA was approved to set up a Task Force and report back in 90 days. A status report was provided to the Board in November 2021.	Pending

Item #	Brd Ref #	Assignment Date	Referred By	Lead Dept.	Sub-Depts.	Project Lead	Requested Due	Item	Report	Status
18	2021.09	5/25/2021	Phillips/Askey	CAO		McKee		Review of Board Committee Responsibilities	This referral seeks to clarify the purpose and responsibilities of each Board of Supervisors committees to improve staff workflow and Board decision making ability. A preliminary analysis was approved by the Board on June 15, 2021. Staff will be submitting a response to this referral for Board consideration in January 2022.	Pending
19	2021.11	7/13/2021	Adams	HRD		Ramirez-Bough		Juneteenth Holiday	This referral seeks to establish June 19th, also known as Juneteenth, as an official County holiday. A preliminary analysis was approved by the Board on August 24, 2021. A request for confirmation of referral completion has been submitted to the referring supervisor.	Pending
20	2021.12	7/13/2021	Phillips	CAO/HRD		Chiuolos/Ramirez-Bough		Review of Cannabis Program Organizational Structure	This referral seeks the review of the Cannabis Program's efficiencies, particularly the processes for permit review and compliance inspections. Insignificant progress has been made towards local authorizations for cannabis operators related to land use and building permits, which impacts the industry's ability to be considered for state annual licenses. Disparate departmental staff funded solely by cannabis revenue should report directly to the Cannabis Program Manager to expedite permit submittal and reporting efficiencies. This would serve to not only expedite current cannabis permitting, but would in-turn free up staff dedicated to cannabis to more quickly focus on other programs. A preliminary analysis was approved by the Board on August 24, 2021. The referring supervisor further requested that County Counsel look into the authority cited by the Agricultural Commissioner. A status report was presented to the Board on October 26, 2021.	Pending
21	2021.13	7/27/2021	Phillips	Health/Co Co.		Jimenez/Encarnacion/Girard		Desalination Amendment to County Code 10.72	<p>This referral seeks to expand entities allowed to own and operate desalination facilities to provide additional water supply while maintaining protections for health &amp; welfare. Adequate water supply in Monterey County is inconsistent. Climate change is predicted to make water supply reliability erratic. In addition, sea water intrusion continues to negatively impact potable groundwater. Referral 2018.09 in 2018 requested review of County Code Section 10.72 to clarify its limits as well as to allow public-private partnership owned/operated desalination facilities. However, the amendment of 10.72 did not occur. This referral requests that 10.72 be amended to allow public-private partnerships, CPUC regulated utilities and entities who deliver desalinated water to a public entity, a municipal water supplier and/or a CPUC regulated utility. A preliminary response was submitted to the Board on August 31, 2021. A report was provided to the Board at a subsequent meeting (September 21, 2021), at which time, staff was directed to return to the Board within 3 weeks with a specific proposal for the Board to consider regarding amendments to or rescission of Chapter 10.72.</p> <p>Desalination Amendment to County Code 10.72 – The item was taken back to the BOS of October 12, 2021 to consider providing further direction regarding amendments to Chapter 10.72 of the Monterey County Code regarding “Desalination Treatment Facility” to include preparation of an Initial Study pursuant to the California Environmental Quality Act (“CEQA”). The BOS approved the motion so an initial study will need to be prepared.</p>	Pending
22	2021.14	8/24/2021	Alejo	CAO		Chiuolos/Paulsworth		EV Charging Station Infrastructure, Mapping and Investment	This referral requests that the Monterey County Sustainability Manager assess and map existing EV charging stations (Level 2 and DC fast chargers) in Monterey County and make it accessible to the public on a new county website, and to assess the need for charging station infrastructure and investment in unserved/underserved areas and disadvantaged communities in Monterey County. This referral further requests that Monterey County partner with the Monterey County Air Resources District, Central Coast Community Energy and other potential partners to pursue grant funding and expand EV charging infrastructure in unserved/underserved areas and disadvantaged communities in our county. A preliminary analysis was provided to the Board on September 21, 2021, at which time, staff was directed to return to the Board with a further analysis. Staff provided a report and presentation for Board consideration on October 26, 2021. A status update will be provided to the Board in early 2022.	Pending

Item #	Brd Ref #	Assignment Date	Referred By	Lead Dept.	Sub-Depts.	Project Lead	Requested Due	Item	Report	Status
23	2021.15	8/31/2021	Phillips	HCD/CoCo		Lundquist/Girard		Update Noise Ordinance Chapter 10.60	This referral seeks to refine the noise ordinance with improved processes through lessons learned. This referral seeks to explore possible ordinance revision solutions, enforcement implementation strategies such as bolstered staffing and technological resources and possible funding solutions to implement them. The Board of Supervisors considered the preliminary analysis on September 28, 2021 and requested that HCD and the County Counsel's Office conduct a comprehensive analysis per the referral's direction.	Pending
24	2021.16	9/14/2021	Alejo	Health/CAO		Jimenez/Chiuulos		Declaring COVID-19 Health Misinformation a Public Health Crisis in Monterey County	This referral seeks to combat health misinformation and curb the spread of falsehoods that threaten the health and safety of our residents and visitors. The referral was modified by the Board on September 14, 2021 to exclude reference to the resolution. A preliminary analysis was provided to the Board on October 5, 2021. Staff will continue to send out positive and accurate health information via social media to keep the/our community safe and will continue to identify and label health misinformation and disseminate timely to counter misinformation. Staff will further review activities underway and determine if additional strategies and staffing should be considered and return to the Board with a request for additional staffing and funding if needed, in November 2021. Otherwise, staff will return to the Board in January 2022 to provide a status update.	Pending
25	2021.18	9/28/2021	Adams	WRA		Buche		Board Workshop to Review Regional Water Issues and Potential Solutions	This referral seeks to initiate a comprehensive discussion on regional scale water issues and potential solutions in Monterey County. This referral is for the Board of Supervisors of the MCWRA to hold a special joint meeting with the MCWRA Board of Directors, the SVBGSA Board of Directors, and the Marina Coast Water District GSA Board for the water agencies' leadership to provide a comprehensive overview of regional projects under consideration by the MCWRA, SVBGSA and MCWD GSA. Elected officials, local agencies, water purveyors, industry representatives, landowners and other stakeholders that may have some oversight or authority, or potential interest in participating in regional solutions should be invited. A preliminary analysis was provided to the Board on November 2, 2021.	Pending
26	2021.19	9/28/2021	Lopez	Ag. Comm.		Gonzales		Farmworker Resource Center	In order to better serve the farm working population of Southern Monterey County, this referral seeks to direct staff to research and come back to our Board of Supervisors with options and feasibility for locating a Farmworker Resource Center in the community of Greenfield CA. The leverage opportunity of matching dollars in the recently signed AB 941, at a 3:1 ratio, provides a great incentive for our County to develop a resource center in a community that lacks direct access to County services, while continuing to face access barriers, such as transportation. The analysis of feasibility should include a recommendation of what services should be provided at this location, as well as the potential to shift existing staff, already focused on this work, into locations near the geographic center of Monterey County. A preliminary analysis was provided to the Board on October 26, 2021. A formal referral response will be provided in late January 2022.	Pending
27	2021.20	10/12/2021	Phillips	DA	DSS	Pacioni/Medina		Family Justice Center	This referral seeks to direct staff to research and come back to the Board of Supervisors with potential funding and locations suitable for a Family Justice Center. This referral would also direct staff to coordinate and work with the City of Salinas and agencies who would be part of the Family Justice Center. A preliminary response was provided to the Board on November 16, 2021. Staff will report back to the Board in March 2022.	Pending
28	2021.21	10/19/2021	Adams	CAO		Vega		Big Sur Byway Organization Budget Unit	This referral is to request that the Budget Office establish a new budget unit for the Big Sur Byway Organization to establish the required mechanism for appropriation of grants or other funds. The referral also requests that the Board of Supervisors consideration allocating seed funds in the amount of \$10,000 to further support establishment of the organization, to contract for assistance from the RCDMC for administrative support, and to enter into a letter of agreement the NTC to cover efforts to obtain funding, when funding is awarded. A preliminary analysis was provided to the Board on December 7, 2021.	Pending

Item #	Brd Ref #	Assignment Date	Referred By	Lead Dept.	Sub-Depts.	Project Lead	Requested Due	Item	Report	Status
29	2021.22	10/26/2021	Phillips	PWPF		Ishii		Roadside Camping Prohibition Enforcement	This referral requests that staff implement requisite signage to clarify and strengthen the ability for Monterey County Sheriff's Office peace officers to enforce and better implement the intent of Monterey County Code Section 12.28.021 to enforce the no overnight parking ordinance. A preliminary response was provided to the Board on November 16, 2021.	Pending
30	2021.23	11/2/2021	Alejo	CAO		Chioulos		Monterey County Director of Homeless Strategies and Solutions	This referral seeks to create a new management position to better coordinate homelessness services, strategies and solutions in Monterey County, to realize more permanent supportive housing, and collaborate with key stakeholders to end homelessness in Monterey County. A preliminary response was provided to the Board on December 7, 2021. Staff will report back to the Board in January 2022.	Pending
31	2021.25	#####	Askew	PWFP		Ishii		East Garrison Street Renaming	This referral seeks to identify the process and funding for the renaming of certain streets in East Garrison and revise the naming approval process. A preliminary response will be provided to the Board on January 11, 2022.	Pending
32	2021.26	11/16/2021	Lopez	CAO		D'Adamo		Letter of Concern to California Citizens Redistricting Commission	This referral seeks to send a letter of concern to California Citizens Redistricting Commission in regards to the proposed redistricting maps and their impact on the Salinas Valley. Due to the urgency of this referral, the Board took action to submit a letter of concern on November 16, 2021. A request for confirmation of referral completion has been submitted to the referring supervisor.	Pending
33	2021.27	12/7/2021	Askew	HRD		Ramirez-Bough		Class and Comp Study Process	This referral directs the Human Resource Director to prepare a report detailing the current process to submit a Class and Comp study request and a current list of outstanding requests, and to work with the Human Resources Committee to develop an equitable transparent process for prioritization of ongoing class and comp studies to ensure that county workers are fairly compensated. A preliminary response will be provided to the Board on January 11, 2022.	Pending
34	2021.28	12/7/2021	Alejo/Lopez	WRA		Buehe		Water Storage Infrastructure and Maintenance State Budget Request	This referral requests that Monterey County Water Resources Agency partner with our state legislative delegation to make a \$300 million budget request in the 2022 legislative session for the water storage infrastructure & maintenance projects at Lakes San Antonio and Nacimiento. A preliminary response will be provided to the Board on January 11, 2022.	Pending
35	2021.29	12/7/2021	Adams	PWFP		Ishii		Increased Fines for Big Sur Roadside Camping Prohibition	This referral seeks to increase the administrative citation and fine amounts for citations issued under Monterey County Code Section 14.18.020.A. This is a follow-up to Board Referral No. 2019.16 (Big Sur Roadside Camping Prohibition Enforcement). A preliminary response will be provided to the Board on January 11, 2022.	Pending
36	2021.30	#####	Askew	Health		Jimenez		School Vaccination Coordination	This referral directs the Monterey County Health Department to partner with the K12 school system to increase the rate of vaccinations amongst pediatric residents aged 5 to 11 years old in disproportionately impacted communities.	"NEW - Pending Approval on 12/14/21"
37	2021.31	12/14/2021	Alejo	HCD/CoCo		Lundquist/Girard		Housing Authority of Monterey County Reorganization and New Governance Structure	This referral seeks to reorganize and consolidate the Housing Authority of Monterey County and its subsidiary, the Housing Development Corporation, under one Executive Director, and have the Monterey County Board of Supervisors serve at its new governing board to oversee its operations and implement needed reforms	"NEW - Pending Approval on 12/14/21"
<i>Completed by Executive Assistant on December 10, 2021</i>										

**Monterey County Board of Supervisors  
Referral Submittal Form**

**Referral No. 2021.30**  
**Assignment Date: 12/14/21**  
(Completed by CAO's Office)

**SUBMITTAL - Completed by referring Board office and returned to CAO no later than noon on Thursday prior to Board meeting:**

Date: 11/15/2021	Submitted By: Supervisors Wendy Root Askew	District #: 4
Referral Title: School Vaccination Coordination		
Referral Purpose: Direct the Monterey County Health Department to partner with the K12 school system to increase the rate of vaccinations amongst pediatric residents aged 5 to 11 years old in disproportionately impacted communities		
Brief Referral Description (attach additional sheet as required):		
<p>Children aged 5 to 11 years old became eligible to be vaccinated against the SARS-CoV-2 (COVID-19) virus on November 2, 2021. To date, approximately 6,530 Monterey County children in this age group have received at least one dose of the Pfizer vaccine, representing just 15% of those eligible. The current Monterey County Health Department pediatric vaccination strategy does not include partnering to deliver vaccines at one of the most known and trusted institutions children and their caregivers interact with – the local K12 school system. This referral would direct the Health Department to partner with K12 school systems to increase the rate of pediatric vaccinations by offering vaccine clinics in partnership with districts. By partnering with the districts and their schools, the County would better achieve its health equity goal of ensuring children who live and learn in disproportionately impacted communities have priority access to vaccination clinics.</p>		
<b>Classification - Implication</b>		<b>Mode of Response</b>
<input type="checkbox"/> Ministerial / Minor <input type="checkbox"/> Land Use Policy <input type="checkbox"/> <b>Social Policy</b> <input type="checkbox"/> Budget Policy <input type="checkbox"/> <b>Other:</b> _____	<input type="checkbox"/> Memo <input type="checkbox"/> <b>Board Report</b> <input type="checkbox"/> Presentation	
		<b>Requested Response Timeline</b>
		<input type="checkbox"/> <b>2 weeks</b> <input type="checkbox"/> 1 month <input type="checkbox"/> 6 weeks <input type="checkbox"/> Status reports until completed <input type="checkbox"/> Other: <input type="checkbox"/> Specific Date:

**ASSIGNMENT – Provided by CAO at Board Meeting. Copied to Board Offices and Department Head(s) Completed by CAO's Office:**

Department(s): <b>Health</b>	Referral Lead: <b>Elsa Jimenez</b>	Board Date: <b>12/14/21</b>
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**REASSIGNMENT – Provided by CAO. Copied to Board Offices and Department Head(s). Completed by CAO's Office:**

Department(s):	Referral Lead:	Date:
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**ANALYSIS - Completed by Department and copied to Board Offices and CAO:**

Department analysis of resources required/impact on existing department priorities to complete referral:	
Analysis Completed By:	<b>Department's Recommended Response Timeline</b>
_____	<input type="checkbox"/> By requested date <input type="checkbox"/> 2 weeks <input type="checkbox"/> 1 month <input type="checkbox"/> 6 weeks <input type="checkbox"/> 6 months <input type="checkbox"/> 1 year <input type="checkbox"/> Other/Specific Date: _____
Date: _____	

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**REFERRAL RESPONSE/COMPLETION - Provided by Department to Board Offices and CAO:**

Referral Response Date:	Board Item No.:	Referrals List Deletion:
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**Note:** Please cc Karina Bokanovich, Rocio Quezada and Maegan Ruiz-Ignacio on all CAO correspondence relating to referrals.

**Monterey County Board of Supervisors  
Referral Submittal Form**

**Referral No. 2021.31  
Assignment Date: 12/14/21**

**SUBMITTAL - Completed by referring Board office and returned to CAO no later than noon on Thursday prior to Board meeting:**

Date: 12/10/2021	Submitted By: Luis A. Alejo	District #: 1
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**Referral Title: Housing Authority of Monterey County Reorganization and New Governance Structure**

Referral Purpose: To reorganize and consolidate the Housing Authority of Monterey County and its subsidiary, the Housing Development Corporation, under one Executive Director, and have the Monterey County Board of Supervisors serve at its new governing board to oversee its operations and implement needed reforms.

Brief Referral Description: The Housing Authority of the County of Monterey (Housing Authority) was established by the Board of Supervisors on March 1941, as a separate Community Development Commission. On March 24, 1941, the Board of Supervisors appointed the first five-person Commission to oversee the Housing Authority operations. Since the Housing Authority is a fully separate legal entity from the County, the Housing Authority retains authority to appoint its own Executive Director who is responsible for its staffing.

While the Housing Authority has its own Executive Director, its subsidiary, the Housing Development Corporation (HDC), has a separate director. The Housing Authority created the HDC in response to HUD’s Rental Assistance Demonstration (RAD) Program. The RAD program was an attempt by HUD to attract private capital to upgrade public housing properties by allowing some market rate units to be included in the development and to allow the development to receive housing voucher subsidies with the goal of stabilizing the development finances and improving the quality of housing. Public housing units in the RAD program are technically no longer public housing.

There are approximately 4,100 households in Monterey County benefiting from the Housing Authority’s housing voucher program. The HDC separately operates approximately 1,077 units of family housing; 292 units of farmworker family housing; 345 units for seniors and other special needs populations; and 56 units of transitional housing (1,770 TOTAL). Separate entities governing programs/voucher and housing units may be ineffective and not best serving local residents. This is the time to potentially reorganize the Housing Authority and HDC under one new Executive Director.

As an example, the Los Angeles County Board of Supervisors in 2018 created the Los Angeles County Development Authority by consolidating the Los Angeles County Housing Authority and the Los Angeles County Community Development Commission. The merger was voluntary and placed both under a single Executive Director.

There appear to be numerous other concerns listed in the Board of Supervisors complaint letter to the Monterey County Civil Grand Jury dated Nov. 2, 2021 that will require reforms, oversight and implementation by a new governing board under the Board of Supervisors.

This referral requests staff present options to accomplish the referral purpose.

Classification - Implication	Mode of Response
<input type="checkbox"/> Ministerial / Minor <input type="checkbox"/> Land Use Policy <input type="checkbox"/> Social Policy <input type="checkbox"/> Budget Policy <input checked="" type="checkbox"/> Other: <u>Housing Authority of Monterey County</u>	<input type="checkbox"/> Memo <input checked="" type="checkbox"/> Board Report <input checked="" type="checkbox"/> Presentation
	Requested Response Timeline
	<input type="checkbox"/> 2 weeks <input checked="" type="checkbox"/> 1 month <input type="checkbox"/> 8 weeks <input type="checkbox"/> Status reports until completed <input type="checkbox"/> Other: _____ <input type="checkbox"/> Specific Date: _____

**ASSIGNMENT – Provided by CAO at Board Meeting. Copied to Board Offices and Department Head(s)  
Completed by CAO’s Office:**

Department(s): Housing and Community Development County Counsel	Referral Lead: Erik Lundquist Les Girard	Board Date: 12/14/21
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**REASSIGNMENT – Provided by CAO. Copied to Board Offices and Department Head(s). Completed by CAO’s Office:**

Department(s):	Referral Lead:	Original Date:
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**ANALYSIS - Completed by Department and copied to Board Offices and CAO:**

Department analysis of resources required/impact on existing department priorities to complete referral:	
Analysis Completed By: _____	<b>Department’s Recommended Response Timeline</b>
Date: _____	<input type="checkbox"/> By requested date <input type="checkbox"/> 2 weeks <input type="checkbox"/> 1 month <input type="checkbox"/> 6 weeks <input type="checkbox"/> 6 months <input type="checkbox"/> 1 year <input type="checkbox"/> Other/Specific Date: _____

**REFERRAL RESPONSE/COMPLETION - Provided by Department to Board Offices and CAO:**

Referral Response Date:	Board Item No.:	Referrals List Deletion:
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# Monterey County

## Item No.8

### Board Report

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

Legistar File Number: OBM 21-117

December 14, 2021

**Introduced:** 5/5/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Other Board Matters

Consider a response by the Clerk of the Board Supervisors' office to Board Referral No. 2020.27 seeking the need for simultaneous Spanish interpreter services for live Zoom Board of Supervisor's meetings and Spanish translation services of the recorded minutes of Board of Supervisors meetings.

#### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Consider a response to Board Referral No. 2020.27;
- b. Direct that the referral be completed as indicated in Attachment A - Options.

#### SUMMARY:

Board Referral No, 2020.27 is a joint referral submitted by Supervisor Chris Lopez and Supervisor Luis A. Alejo.

The referral requests completion of the following tasks for:

- A community member to receive simultaneous Spanish interpreter services via Zoom during live meetings;
- A recording (video) of the simultaneous Spanish interpreter services be uploaded to the Clerk of the Board's webpage; and
- The Board's meeting minutes translated into Spanish and uploaded to the Clerk of the Board's webpage.

#### **Estimated Projected Costs:**

The Clerk of the Board's office does not have the budget for these services and would need to seek a budget augmentation which would need to be considered for all future budget requests.

If implemented the new live simultaneous Spanish interpretation services via Zoom will require two (2) simultaneous certified Spanish Interpreters due to interpreter fatigue after 45 minutes when interpreting; this will ensure quality of interpretation for community members and would:

- Consist of 38 regular meetings (not including special meetings) approximately 4 hours on average for 152 hours in meeting time; \$85 per hour per simultaneous Spanish Interpreter = \$25,840.

In addition, if implemented the Board's meeting minutes translated into Spanish by an outside certified

vendor would be:

- On average minutes consists of 5000 words. Mid-range translation costs are .15 cents per word. \$750 per minutes x 38 regular meetings (not including special meetings) = \$28,500.

For both services the total = \$54,340

**Note:**

A pilot of these services were put into place from December 2020 - April 2021, from salary savings in the Clerk of the Board's budget equaling approximately \$28,000 (for live Spanish Zoom meetings only). Unfortunately, during the duration of this pilot no one attended the live Spanish Zoom meetings and to date no requests for the minutes to be translated into Spanish have been made.

**Staffing Level Estimate:** One (1) IT person at initiation and set-up; one (1) Clerk of the Board plus support staff on-going:

- This would require two meeting dates in Legistar to display on the Clerk of the Board's webpage one in English and one in Spanish;
  - The English recording (video) and minutes are uploaded automatically via the case management system; and
  - The Spanish recording (video) which will also include the live transcript in Spanish and the Spanish translated minutes require a manual upload by staff.

**Departmental Challenges:** Press of other business.

**Proposed Response Date:** July 1, 2022 *once funded*

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

*One or two sentences explaining how this recommendation supports/advances the Board of Supervisors Strategic Initiatives. Reference to any Key Objectives and/or Milestones that are related.*

Mark a check to the related Board of Supervisors Strategic Initiatives:

Economic Development

Administration/Public Service

Health & Human Services

Infrastructure

Public Safety

Prepared by: Valerie Ralph, Clerk of the Board, Phone Number 831-755-5842

Approved by: Charles McKee, County Administrative Officer, 831-755-5113

Attachments: Attachment A - Options; and Board Referral No. 2020-27 - Address the need for translation services



# Monterey County

Item No.

## Board Report

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

Legistar File Number: OBM 21-117

December 14, 2021

**Introduced:** 5/5/2021

**Current Status:** Draft

**Version:** 1

**Matter Type:** Other Board Matters

Consider a response by the Clerk of the Board Supervisors' office to Board Referral No. 2020.27 seeking the need for simultaneous Spanish interpreter services for live Zoom Board of Supervisor's meetings and Spanish translation services of the recorded minutes of Board of Supervisors meetings.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

Consider a response to Board Referral No. 2020.27;

Select an option(s) and direct that the referral be completed as indicated in Attachment A - Options.

### SUMMARY:

Board Referral No. 2020.27 is a joint referral submitted by Supervisor Chris Lopez and Supervisor Luis A. Alejo.

The referral requests the following:

Enable community members to receive simultaneous Spanish interpreter services via Zoom during live meetings;

Upload a recording (video) of the simultaneous Spanish interpreter services to the Clerk of the Board's webpage; and

Upload the Board's meeting minutes translated into Spanish to the Clerk of the Board's webpage.

### **Estimated Projected Costs:**

The Clerk of the Board's office does not have the budget for these services and would need to seek a budget augmentation which would need to be considered for all future budget requests.

If implemented the new live simultaneous Spanish interpretation services via Zoom will require two (2) simultaneous certified Spanish Interpreters due to interpreter fatigue after 45 minutes when interpreting; this will ensure quality of interpretation for community members and would:

Consist of 38 regular meetings (not including special meetings) approximately 4 hours on average for 152 hours in meeting time; \$85 per hour per simultaneous Spanish Interpreter = \$25,840.

In addition, if implemented the Board's meeting minutes translated into Spanish by an outside certified vendor would be:

On average minutes consists of 5000 words. Mid-range translation costs are .15 cents per word. \$750 per minutes x 38 regular meetings (not including special meetings) = \$28,500.

For both services the total = \$54,340

**Note:**

A pilot of these services were put into place from December 2020 - April 2021, from salary savings in the Clerk of the Board's budget equaling approximately \$28,000 (for live Spanish Zoom meetings only). Unfortunately, during the duration of this pilot no one attended the live Spanish Zoom meetings and to date no requests for the minutes to be translated into Spanish have been made.

**Staffing Level Estimate:** One (1) IT person at initiation and set-up; one (1) Clerk of the Board plus support staff on-going:

This would require two meeting dates in Legistar to display on the Clerk of the Board's webpage one in English and one in Spanish;

The English recording (video) and minutes are uploaded automatically via the case management system; and

The Spanish recording (video) which will also include the live transcript in Spanish and the Spanish translated minutes require a manual upload by staff.

**Departmental Challenges:** Press of other business.

**Proposed Response Date:** July 1, 2022 *once funded*

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

*One or two sentences explaining how this recommendation supports/advances the Board of Supervisors Strategic Initiatives. Reference to any Key Objectives and/or Milestones that are related.*

Mark a check to the related Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration/Public Service
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Valerie Ralph, Clerk of the Board, Phone Number 831-755-5842

Approved by: Charles McKee, County Administrative Officer, 831-755-5113



Attachments: Attachment A - Options; and Board Referral No. 2020-27 - Address the need for translation services

## **Attachment A**

### **Board Meeting Interpretation & Translation Options to consider:**

- a. Comprehensive – Interpreter(s) (certified) for live meetings/ Translation certified for minutes;
- b. Partial - Interpreter(s) certified for live meetings;
- c. Other options;
  - a. Interpreter(s) (certified) for live meetings /Translation of minutes through Google translation which is a free service;
  - b. Interpreter(s) (certified) by request from a member of the public for live meetings /Translation (certified) by request from a member of the public; or
  - c. Implement another pilot program for three months; during the pilot program, measure the number of requests for a Spanish-speaking interpreter, requests for translation of minutes, attendance at public meetings in the Spanish channel, and report back to the Board of Supervisors for further consideration, and
- d. No change.

**Monterey County Board of Supervisors  
Referral Submittal Form**

**Referral No. 2020.27**  
**Assignment Date: 12/08/20**  
(Completed by CAO's Office)

**SUBMITTAL - Completed by referring Board office and returned to CAO no later than noon on Thursday prior to Board meeting:**

Date: 12-04-20	Submitted By: Supervisor Lopez and Supervisor Alejo	District #: 3
Referral Title: Address the need for translation services		
Referral Purpose: To support access to live translation services and translate recorded minutes of Board of Supervisors Meetings		
<p>Brief Referral Description (attach additional sheet as required): We ask that a process be created, wherein, a community member could receive simultaneous translation services via zoom while watching a live meeting. The simultaneous translation should be recorded and offered on our website for viewing after a meeting so that Spanish speaking members of our community can access critical information, even if they cannot watch the meeting live.</p> <p>A majority of residents in the County of Monterey predominantly speak Spanish, much of the community will be left unaware of important opportunities or services available for them if our meetings are not translated and accessible. There is a need for the live video recordings of the Board Meetings to be translated in Spanish in order for the community to remain actively involved and well informed. Also, the current recorded minutes posted on the County Website are only available in English. There is need to have these recorded meetings translated in Spanish as well so the community may remain engaged.</p>		

Classification - Implication	Mode of Response
<input type="checkbox"/> Ministerial / Minor <input type="checkbox"/> Land Use Policy <input checked="" type="checkbox"/> Social Policy <input type="checkbox"/> Budget Policy <input type="checkbox"/> Other: _____	<input type="checkbox"/> Memo <input checked="" type="checkbox"/> Board Report <input type="checkbox"/> Presentation <b>Requested Response Timeline</b> <input type="checkbox"/> 2 weeks <input type="checkbox"/> 1 month <input type="checkbox"/> 6 weeks <input type="checkbox"/> Status reports until completed <input checked="" type="checkbox"/> Other: <u>_3 Months_</u> <input type="checkbox"/> Specific Date: _____

**ASSIGNMENT – Provided by CAO at Board Meeting. Copied to Board Offices and Department Head(s) Completed by CAO's Office:**

Department(s): Clerk of the Board	Referral Lead: Valerie Ralph	Board Date: 12/08/20
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**REASSIGNMENT – Provided by CAO. Copied to Board Offices and Department Head(s). Completed by CAO's Office:**

Department(s):	Referral Lead:	Date:
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**ANALYSIS - Completed by Department and copied to Board Offices and CAO:**

Department analysis of resources required/impact on existing department priorities to complete referral:	
Analysis Completed By: _____	<b>Department's Recommended Response Timeline</b>
Date: _____	<input type="checkbox"/> By requested date <input type="checkbox"/> 2 weeks <input type="checkbox"/> 1 month <input type="checkbox"/> 6 weeks <input type="checkbox"/> 6 months <input type="checkbox"/> 1 year <input type="checkbox"/> Other/Specific Date: _____

**REFERRAL RESPONSE/COMPLETION - Provided by Department to Board Offices and CAO:**

Referral Response Date:	Board Item No.:	Referrals List Deletion:
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**Note:** Please cc Karina Bokanovich, Rocio Quezada and Maegan Ruiz-Ignacio on all CAO correspondence relating to referrals.