

County of Monterey

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



Meeting Agenda - Final-Revised

Tuesday, March 21, 2023

9:00 AM

as of 5:24 pm

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

Board of Supervisors

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

Participation in meetings

While the Board chambers remain open, members of the public may participate in Board meetings in 2 ways:

1. You may attend the meeting in person; or,
2. You may 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 or <https://www.facebook.com/MontereyCoInfo/>

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 2 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. 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)
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- +1 253 215 8782 US
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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.

Participación en reuniones

Mientras las cámaras de la Junta permanezcan abiertas, los miembros del público pueden participar en las reuniones de la Junta de 2 maneras:

1. Podrá asistir personalmente a la reunión; o,
2. Puede observar 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 o <https://www.facebook.com/MontereyCoInfo/>

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

- a. 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. En un esfuerzo por ayudar al secretario a identificar el tema de la agenda relacionado con su comentario público, indique en la línea de asunto el cuerpo de la reunión (es decir, la agenda de la Junta de Supervisores) y el número de artículo (es decir, el artículo n.º 10). Su comentario se colocará en el registro en la reunión de la Junta.
- b. puedes 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 estos números a continuación:

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- +1 929 205 6099 EE. UU. (Nueva York)
- +1 253 215 8782 EE. UU.
- +1 301 715 8592 EE. UU.

Ingrese este número de ID de reunión: 224397747 cuando se le solicite. Tenga en cuenta que no hay un código de participante, simplemente presione # nuevamente después de que la grabación lo solicite.

Se le colocará en la reunión como asistente; cuando esté listo para hacer un comentario público si se une al 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 intérprete, 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 intérprete.

Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

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

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

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

HELPFUL INFORMATION/INFORMACION UTIL

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

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

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

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

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

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

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

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

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.

9:00 A.M. - Call to Order

Roll Call

Additions and Corrections for Closed Session by County Counsel

County Counsel 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.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Vincent Hernandez (Worker's Compensation Appeals Board No. ADJ9074552)
 - (2) Vincent Hernandez (Worker's Compensation Appeals Board No. ADJ9074553)
 - (3) Mitchell, Daniel v. Moses, et al. (Monterey County Superior Court case no. 19CV001523)
 - b. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.
 - c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding four matters of significant exposure to litigation.
 - d. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado
Employee Organization(s): Unit Y
 - (2) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado
Employee Organization(s): Units F, H, J and K

Public Comments for Closed Session

The Board Recesses for Closed Session Agenda Items

Closed Session may be held at the conclusion of the Board's Regular Agenda, or at any

other time during the course of the meeting, before or after the scheduled time, announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

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

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

2. Adopt a resolution proclaiming March 2023 as American Red Cross Month.
(Supervisor Alejo)

Attachments: [Ceremonial Resolution - American Red Cross Month](#)

Approval of Consent Calendar – (See Supplemental Sheet)

3. See Supplemental Sheet

General Public Comments

4. General Public Comments

This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to the statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Board at a future meeting.

Scheduled Matters

5. Receive a report on the 2022 Human Resources Department Surveys

Attachments: [Board Report](#)
[Presentation Item No. 5](#)

6. Adopt a Resolution of Necessity Finding and determining that:
 - a. The Public Interest and Necessity Require the Davis Road Bridge Replacement and Road Widening Project (Project).
 - b. The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

c. The property sought to be acquired is necessary for the Project.

California Environmental Quality Act Action: Environmental Impact Report certified by the Board of Supervisors on July 11, 2016.

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

Property Owners of Record: Susan E. Linscott, Christopher George Davis, Eric Lee Davis (AKA Eric Verskusky), Lisa Marie Linscott, Heirs and devisees of George L. Davis, Successor trustees and beneficiaries of the Will of George T. Davis, et al.

Attachments: [Board Report](#)

[Attachment A - Project Budget](#)

[Attachment B – Location Map](#)

[Attachment C – Resolution of Necessity](#)

[Attachment D – Linscott Easement](#)

7. Consider adopting a resolution to:
- Approve and adopt the Levine Act Policy statement for inclusion in the Board Policy Manual given recent changes to Government Code section 84308, a provision of the Political Reform Act; and,
 - Provide direction to staff as appropriate.

Attachments: [Board Report](#)

[Resolution](#)

[Levine Act Policy](#)

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

Scheduled Matters

8. **PLN110173 - SEPTEMBER RANCH PARTNERS (CARMEL RESERVE LLC)**

Public hearing to consider:

- A Resolution amending Figure LU3 of the 2010 Monterey County General Plan, to change the land use designations on 377.69 acres in Carmel Valley from Low Density Residential and Rural Density Residential to Open Space consistent with the approved Vesting Tentative Map for the September Ranch Subdivision (Condition of approval No. 30 in Resolution No. 10-312); and
- An Ordinance amending Section 21-17A of the Sectional Maps of Section 21.08.060 of Title 21 (zoning) of the Monterey County Code to rezone portions of

the September Ranch property from “RDR/10-D-S-RAZ” (northern half) and “LDR/2.5-D-S-RAZ” (southern half) to “O-D-S” (377.69 acres), add a Building Site 6 (B-6) Zoning Overlay Designation to properties designated for residential development in the September Ranch Vesting Tentative Map (Resolution No. 10-312, “condition of approval No. 37), and remove the Residential Allocation Zoning (“RAZ”) zoning overlay from the zoning designations. The resulting zonings will include 4 properties zoned O-S-D, 11 residential lots zoned RDR/B-6-D-S (northern properties) and 27 properties zoned LDR/B-6-D-S (southern properties).

Proposed CEQA Action: Consider the Certified Final Revised Environmental Impact Report (FEIR) (SCH No. 1995083033) for the September Ranch Subdivision Project and find the General Plan Amendment and rezone consistent with the FEIR pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162.

Attachments: [Board Report](#)

[Attachment A - Draft Resolution Approving the General Plan Amendment](#)

[Attachment B - Draft Ordinance to Rezone](#)

[Attachment C - Monterey County Planning Commission Resolution No. 23-008](#)

9.

**PLN200118 - CALIFORNIA DEPARTMENT OF TRANSPORTATION
(HWY 156 ROUNDABOUTS)**

- a. Consider the environmental effects of the project described in the Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact (FEIR/EA with FONSI) together with NEPA/CEQA Re-Validation Form (aka Addendum) certified by the California Department of Transportation on January 31, 2013 (SCH#1999111063);
- b. Adopt a Statement of Overriding Considerations finding that there are benefits of the project (public safety, public access, and relief of congestion) that outweigh significant and unavoidable impacts on the environment (conversion of agricultural land);
- c. Approve a Combined Development Permit consisting of:
 1. A Coastal Development Permit to allow construction of three new roundabouts to replace the existing Highway 156/Castroville Boulevard intersection, including construction of new on and off ramps, a new bridge overpass, reuse of a portion of the current Castroville Boulevard as a mixed use bicycle and pedestrian path, driveway improvements, a new frontage road, the realignment of Castroville Boulevard and replacement along the new or modified sections of Highway 156 and Castroville Boulevard,
 2. A Coastal Development Permit to allow development on slopes exceeding 25%,
 3. A Coastal Development Permit to allow the removal of one native tree and two non-native landmark trees, and
 4. A Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat areas; and
- d. Adopt a Mitigation Monitoring and Reporting Program.

Project Location: State Route 156 between Castroville Boulevard (postmile R1.40) and the Moro Cojo Slough Bridge (postmile 1.60), North County Land Use Plan, Coastal Zone (Assessor's Parcel Numbers: 133-081-007-000, 133-073-002-000, 133-073-005-000, 133-073-008-000, 133-073-034-000, 133-073-009-000, 133-073-001-000, 133-073-004-000, 133-073-007-000, 133-072-031-000, 133-073-006-000, 133-073-003-000, 133-072-014-000, 133-072-006-000, 133-071-013-000, 133-071-012-000, 133-071-021-000, 133-071-010-000, 133-071-011-000, and 133-071-008-000)

Attachments: [Board Report](#)

[Attachment 1 - Draft Resolution](#)

[Attachment 2 - NEPA-CEQA Re-Validation Form \(Hyperlink\)](#)

[Attachment 3 - Caltrans adopted Offsite Compensatory Mitigation \(Hyperlink\)](#)

[Attachment 4 - Caltrans adopted Onsite Wetland Enhancement Plan \(Hyperlink\)](#)

[Attachment 5 - California Coastal Commission LCP Amendment Adoption Letter](#)

[Attachment 6 - Board of Supervisors Resolution No. 22-474](#)

Other Board Matters

County Administrative Officer Comments

10. County Administrative Officer Comments

New Referrals

11. New Referrals

Attachments: [Board Referral Matrix 3-21-23](#)

Referral Responses

12. Receive a report in response to ***Board Referral No. 2023.01*** to allow each supervisorial office greater opportunity to tailor its staffing to meet the needs of its district's constituents.

Attachments: [Board Report](#)

[Attachment A - Personnel Policies and Practices Resolution A.38. Board of Sup](#)

[Ref 2023.01 \(Church\) Increase Staffing Flexibility in Supervisorial Offices](#)

13. Receive a preliminary analysis report in response to ***Board Referral No. 2023.05*** seeking to consider an interim ordinance to enact a stay or moratorium on issuance of Administrative Permits for transient use of residential property for remuneration (Inland) under Monterey County Code Section 21.64.280 until new vacation rental regulations are adopted.

Attachments: [Board Report](#)
[Attachment A - Board Referral 2023-05](#)
[Attachment B - Monterey County Code Section 21.64.280](#)
[Attachment C - Approved and pending STRs and Bed and Breakfast application](#)

14. a. Receive an oral report regarding the planning and potential implementation of a Storm Recovery Rent Subsidy program for farmworkers negatively impacted by the recent weather disaster events; and
b. Provide direction for implementing a rental assistance program for farm workers affected by the winter storms.

Attachments: [Board Report](#)

Board Comments

15. Board Comments

Read Out from Closed Session by County Counsel

Read out by County Counsel will only occur if there is reportable action(s).

Adjournment

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

16. a. Authorize the Chief Executive Officer for Natividad or his designee to execute the Fourth Amendment to the Professional Services Agreement (A-13538) with James F. Lilja, M.D. dba Bay Area Gynecology Oncology to provide gynecology oncology and urology gynecology services, extending the term by twelve months (April 1, 2023 to March 31, 2024) for a revised full agreement term of February 1, 2018 to March 31, 2024, and adding \$350,000 for a revised total not to exceed amount of \$1,510,000 in the aggregate; and
- b. Authorize the Chief Executive Officer for Natividad or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$41,000) of the original contract amount.

Attachments: [Board Report](#)
[James F. Lilja MD dba Bay Area Gynecology Oncology Amendment #4](#)
[James F Lilja MD dba Bay Area Gynecology Oncology Amendment #3](#)
[James F Lilja MD dba Bay Area Gynecology Oncology Amendment #2](#)
[James F Lilja MD dba Bay Area Gynecology Oncology Amendment #1](#)
[James F Lilja MD dba Bay Area Gynecology Oncology Agreement](#)

17. a. Ratify execution by the Chief Executive Officer for Natividad Medical Center (NMC) a month-to-month short term rental agreement with Brainlab, Inc. for a software-based guided neurosurgery system, for a total amount not to exceed \$100,000 and with an effective date of July 21, 2022.
- b. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute a twelve (12) month lease agreement with Brainlab, Inc. for a software-based guided neurosurgery system for an amount not to exceed \$330,762 (intended to replace the short term rental agreement), with an agreement term effective when signed by both parties.
- c. Approve the NMC Chief Executive Officer's recommendation to accept non-standard indemnification, insurance, and limitations on liability provisions within both agreements.

Attachments: [Board Report](#)
[Brainlab Inc. Neurosurgery Rental Agreement.pdf](#)

18. a. Authorize the Chief Executive Officer for Natividad or his designee to execute the First Amendment to the Professional Services Agreement with The Regents of the University of California on behalf of the University of California, San Francisco, School of Medicine, Department of Pediatrics (UCSF) to provide neonatology

services extending the term by twelve months (April 1, 2023 to March 31, 2024) for a revised full agreement term of April 1, 2021 to March 31, 2024, and adding \$350,000 for a revised total not to exceed amount of \$1,050,000 in the aggregate; and

b. Authorize the Chief Executive Officer or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$70,000) of the original contract amount.

Attachments: [Board Report](#)
[UCSF Pediatric Neonatology First Amendment](#)
[UCSF Pediatric Neonatology Agreement](#)

19. a. Authorize the Chief Executive Officer for Natividad or his designee to execute the Second Amendment to the Professional Services Agreement Alan Smith D.P.M. to provide podiatry services, extending the term by twenty-four months (July 1, 2023 to June 30, 2025) for a revised full agreement term of July 1, 2019 to June 30, 2025, and adding \$100,000 for a revised total not to exceed amount of \$200,000 in the aggregate; and
- b. Authorize the Chief Executive Officer for Natividad or his designee to sign up to three (3) future amendments to this Agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$10,000) of the original contract amount.

Attachments: [Board Report](#)
[Alan Smith DPM Second Amendment](#)
[Alan Smith DPM First Amendment](#)
[Alan Smith DPM Agreement](#)

Health Department

20. a. Approve and authorize the Director of Health or the Assistant Director of Health to sign a Renewal and Amendment No. 3 with Bi Optic for the provision of three (3) years of preventative maintenance and service, including minor parts and repairs on laboratory microscopes, extending the agreement for an additional three (3) years, for a revised full term of August 1, 2018, through January 1, 2026, and adding \$6,997 to increase the maximum contract liability to \$16,993.

Attachments: [Board Report](#)
[Agreement](#)
[Exhibit A.3](#)
[Amendment No. 1](#)
[Amendment No. 2](#)
[Amendment No. 3](#)

Department of Social Services

- 21.** a. Approve and authorize the Director or Assistant Director of the Department of Social Services to execute Amendment #4 to Agreement A-14917 with Central Coast Center for Independent Living to provide long-term support services by adding \$39,034 for a revised total contract amount of \$382,575; and
- b. Authorize the Director or Assistant Director of the Department of Social Services to sign up to three (3) amendments to this Agreement where the total amendments do not exceed ten percent 10% (\$38,257) of the revised contract amount and do not significantly change the scope of work.

Attachments: [Board Report](#)
[Original Agreement](#)
[Amendment No. 1](#)
[Amendment No. 2](#)
[Amendment No. 3](#)
[Proposed Amendment No. 4](#)

General Government

- 22.** Approve and authorize the Chief Information Officer to execute a Memorandum of Understanding and Department of Motor Vehicles Information Security Agreement with the California Department of Motor Vehicles (DMV) providing the County, through its Information Technology Department, with direct access to DMV records for a term of March 14, 2023, through March 13, 2027, at no cost.

Attachments: [Board Report](#)
[DMV MOU - 2023 - 2027 final](#)
[DISA Agreement](#)

- 23.** a. Approve and adopt the proposed amended bylaws of the Monterey County Deferred Compensation Administrative Committee.

Attachments: [Board Report](#)
[Exhibit A - Current Bylaws of the Deferred Compensation Administrative Committ](#)
[Attachment B -Bylaws of the DC Committee Proposed Revisions- Clean](#)
[Attachment C -Bylaws of the DC Committee Proposed Revisions- Redline](#)
[Resolution Bylaws](#)

24. a. Authorize the Chief Information Officer to execute a non-standard Agreement with OpenText, incorporating the terms of State of California Software Licensing Program, California Department of General Services contractor Image Access Corp, Contract Number SLP-20-70-0315A, for software, maintenance, implementation, and training as needed for a term of March 21, 2023, to March 20, 2025, for a total contract amount of up to \$90,000; and
- b. Approve and authorize the Chief Information Officer, to execute order confirmations and such documents as are necessary to implement the agreement for the County's purchase of products, services, and support; and
- c. Accept non-standard agreement terms as recommended by the Chief Information Officer of the Information Technology Department; and
- d. Authorize the Chief Information Officer or designee to execute up to three (3) future amendments, subject to County Counsel review, to extend services by one (1) year per amendment and to allow for a ten percent (10%) annual increase per year provided the amendments do not significantly change the terms of the Agreement, including non-standard terms approved by the Board.

Attachments: [Board Report](#)
[OpenText Agreement & Amend 1 & 2](#)

25. Adopt an ordinance amending Chapter 7.90 (Commercial Cannabis Permits) of the Monterey County Code to make organizational changes which clarify and simplify permit procedures and requirements for processing and manufacturing activities, be consistent with the regulations of the Department of Cannabis Control, and update requirements for odor control, business owners, and employees.

Attachments: [Board Report](#)
[A. Draft ordinance \(redline version\)](#)
[B. Draft ordinance \(signed clean version\)](#)

- 25.1 Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to modify Section V Definitions to add a definition for Exempt Classification;
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to retitle and modify Section A.8.7 Administrative Leave for Overtime Exempt Classes;
- c. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to retitle and modify Sections A.8.9 Additional Pay for Exempt Employees. A.8.9.1 Emergency Compensation for Exempt Classes and A.8.9.2 Declared Local Emergency/Disaster - Pay for Exempt Employees;

d. Direct the Human Resources Department and Auditor-Controller's Office to implement the changes. (ADDED VIA ADDENDA)

Attachments: [Board Report](#)
[Attachment A - PPPR Section A.8.7 & A.8.9 Amendments - Redline \(1\)](#)
[Attachment B - PPPR Section A.8.7 & A.8.9 Amendments - Clean \(1\)](#)
[PPPR Resolution 03.16.23](#)

25.2

- a. Approve and authorize Contracts/Purchasing Officer, or the Contracts/Purchasing Supervisor, to execute an agreement with AECOM Technical Services, Inc, for natural disaster cost recovery efforts in an amount not to exceed \$750,000 for a term of March 21, 2023 to March 15, 2025;
- b. Adopt a resolution to authorize the Auditor-Controller to amend the FY 2022-23 Adopted Budget to increase appropriations by \$200,000 for the County Administrative Office, Fund 001, Appropriation Unit CAO005, Budget Unit 8541, in support of the Emergency Operations Center's FEMA recovery efforts, funded by a release of Cannabis Tax Assignment (001-3132) (4/5ths vote); and,
- c. Authorize the use of the Cannabis Tax Assignment (001-3132) for remaining costs of the FEMA recovery efforts in Fiscal Year 2023-24. (ADDED VIA ADDENDA)

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

Housing and Community Development**26.**

Adoption of a Resolution to:

- a. Authorize staff to submit a Prohousing Designation Program (PDP) application administered by the California Department of Housing and Community Development; and
- b. Authorize the Housing and Community Development Director or designee to execute all required Agreements and related documents necessary to participate in the program; and
- c. Find that these actions are either not a "project" as defined by the California Environmental Quality Act (CEQA) or, if they are viewed as a project, are exempt from CEQA under the "common sense" exemption.

Attachments: [Board Report](#)
[Attachment A - Draft Resolution](#)
[Attachment B - Prohousing Designation Program Regulations](#)
[Attachment C - Prohousing Designation Program Blank Application](#)

27.

Introduce, waive first reading, and set April 18, 2023 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Chapter 16.16 of the Monterey County Code to ensure alignment with federal and state law for continued

participation in the National Flood Insurance Program, and to reflect the change in the responsible agency from Monterey County Water Resources Agency to the County of Monterey, Housing and Community Development Department.

Project Location: Countywide

CEQA action: Find that the adoption of the ordinance is categorically exempt per Section 15301(c) of the California Environmental Quality Act (CEQA) Guidelines.

Attachments: [Board Report](#)

[Attachment A - Draft Ordinance \(redline\)](#)

[Attachment B - Draft Ordinance \(clean-signed\)](#)

[Attachment C - WRA RMA MOU](#)

Public Works, Facilities and Parks

28. Approve the acceptance of a \$350,000 grant for the roundabout portion of the Davis Road Bridge Replacement and Road Widening Project (Project) from the Monterey Bay Air Resources District (MBARD) AB 2766 grant program.

Attachments: [Board Report](#)

[ATTACHMENT A - Project Budget](#)

[ATTACHMENT B - Location Map](#)

29. Approve and authorize the Monterey County Laguna Seca Representative to:
- Execute a Standard Agreement between Norcal Rental Group LLC dba Cresco Equipment Rentals and the County of Monterey for Golf Cart Rentals and Service for WeatherTech® Raceway at Laguna Seca with a term beginning April 1, 2023, through December 31, 2023, for an amount not to exceed of \$165,000; and
 - Execute up to three (3) future amendments to the Standard Agreement where the total amendments do not exceed ten percent (10%), or \$16,500, of the agreement amount and do not significantly change the scope of work, subject to County Counsel approval.

Attachments: [Board Report](#)

[Attachment A - Cresco Equipment Rental Agreement](#)

30. a. Find that the adoption of this ordinance is categorically exempt per California code of Regulations (CCR) Section 15301(c) of the California Environmental Quality Act (CEQA) Guidelines because the action involves negligible changes to the regulations that govern the existing highways and streets.
- b. Consider adoption of an ordinance amending Title 12 of the Monterey County Code to establish all-way stop control at Boronda Road and Calle del Adobe, in the Boronda area, an unincorporated area of the County of Monterey.

Proposed CEQA Action: Find that the adoption of this ordinance is categorically exempt per California code of Regulations (CCR) Section 15301(c) of the California Environmental Quality Act (CEQA) Guidelines because the action involves negligible

changes to the regulations that govern the existing highways and streets.

Attachments: [Board Report](#)

[Attachment A - Ordinance - Boronda-Calle del Adobe](#)

[Attachment B - Location Map](#)

Addenda/Supplemental

31.

Addenda/Supplemental

Added Under Consent - General Government

25.1 Adopt a Resolution to:

- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to modify Section V Definitions to add a definition for Exempt Classification;
- b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to retitle and modify Section A.8.7 Administrative Leave for Overtime Exempt Classes;
- c. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to retitle and modify Sections A.8.9 Additional Pay for Exempt Employees. A.8.9.1 Emergency Compensation for Exempt Classes and A.8.9.2 Declared Local Emergency/Disaster - Pay for Exempt Employees;
- d. Direct the Human Resources Department and Auditor-Controller's Office to implement the changes.

25.2

- a. Approve and authorize Contracts/Purchasing Officer, or the Contracts/Purchasing Supervisor, to execute an agreement with AECOM Technical Services, Inc, for natural disaster cost recovery efforts in an amount not to exceed \$750,000 for a term of March 21, 2023 to March 15, 2025;
- b. Adopt a resolution to authorize the Auditor-Controller to amend the FY 2022-23 Adopted Budget to increase appropriations by \$200,000 for the County Administrative Office, Fund 001, Appropriation Unit CAO005, Budget Unit 8541, in support of the Emergency Operations Center's FEMA recovery efforts, funded by a release of Cannabis Tax Assignment (001-3132) (4/5ths vote); and,
- c. Authorize the use of the Cannabis Tax Assignment (001-3132) for remaining costs of the FEMA recovery efforts in Fiscal Year 2023-24.