County of Monterey

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



Meeting Agenda - Final-Revised

Tuesday, September 17, 2024 9:00 AM

Join via Zoom at https://montereycty.zoom.us/j/224397747 or in person at the address listed above

Board of Supervisors

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

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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- +1 312 626 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.

PLEASE NOTE: IF ALL BOARD MEMBERS ARE PRESENT IN PERSON, PUBLIC PARTICIPATION BY ZOOM IS FOR CONVENIENCE ONLY AND IS NOT REQUIRED BY LAW. IF THE ZOOM FEED IS LOST FOR ANY REASON, THE MEETING MAY BE PAUSED WHILE A FIX IS ATTEMPTED BUT THE MEETING MAY CONTINUE AT THE DISCRETION OF THE CHAIRPERSON.

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:

- +1 669 900 6833 EE. UU. (San José)
- +1 346 248 7799 EE. UU. (Houston)
- +1 312 626 6799 EE. UU. (Chicago)
- +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.

TENGA EN CUENTA: SI TODOS LOS MIEMBROS DE LA JUNTA ESTÁN PRESENTES EN PERSONA, LA PARTICIPACIÓN DEL PÚBLICO POR ZOOM ES ÚNICAMENTE POR CONVENIENCIA Y NO ES REQUERIDA POR LA LEY. SI LA ALIMENTACIÓN DE ZOOM SE PIERDE POR CUALOUIER MOTIVO, LA REUNIÓN PUEDE PAUSARSE MIENTRAS SE

INTENTA UNA SOLUCIÓN, PERO LA REUNIÓN PUEDE CONTINUAR A DISCRECIÓN DEL PRESIDENTE.

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

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

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office. CEREMONIAL/APPOINTMENTS/OTHER BOARD MATTERS: These items may include significant financial and administrative actions, and items of special interest, usually approved by majority vote for each program. The regular calendar also includes "Scheduled Items," which are noticed hearings and public hearings.

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

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

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

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

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

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un interprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado

de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

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

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

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

HELPFUL INFORMATION/INFORMACION UTIL

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

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

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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:

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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)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
 - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Andreas Pyper, Kim Moore and Ariana Hurtado Employee Organization(s): All Units
 - c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.
 - d. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Administrative Officer.

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

September 17, 2024

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 recognizing September 15, 2024, through October 15, 2024, as Hispanic Heritage Month in Monterey County. (Supervisor Alejo) (REVISED VIA SUPPLEMENTAL)

Attachments: Ceremonial Resolution - Hispanic Heritage Month

Revised Ceremonial Resolution - Hispanic Heritage Month

3. Adopt a resolution in recognition of Bruce A. McPherson for his lifetime of hard work and community dedication upon his well-earned retirement. (Supervisor Adams)

Attachments: Ceremonial Resolution - Bruce McPherson

4. Adopt a resolution commending Robert D. Vanderslice II, Information Technology Department, upon his retirement from 33 years of public service. (Supervisor Alejo)

Attachments: Ceremonial Resolution - Robert D. Vanderslice

Appointments

5. Reappoint Daniel Covarrubias to the Greenfield Memorial District with a term ending November 30, 2027. (District Specific: District 3, Supervisor Lopez)

Attachments: Notification to Clerk of Appt - Daniel Covarrubias

Letter of Interest - Daniel Covarrubias

6. Reappoint Dominic Gilliam to the Greenfield Memorial District with a term ending on November 20, 2027. (District Specific: District 3, Supervisor Lopez)

Attachments: Notification to Clerk of Appt - Dominic Gilliam

<u>Letter of Interest - Dominic Gilliam</u>

7. Reappoint Marlene J. Thomason to the Cholame Valley Cemetery District with a term ending on February 1, 2027. (District Specific: District 3, Supervisor Lopez)

Attachments: Notification to Clerk of Appt - Marlene J. Thomason

Letter of Interest - Marlene J. Thomason

8. Appoint Neahkahnie Hunt-Conley to the Community Restorative Justice Commission as a Victim Representative with a term ending on September 17, 2026. (Nominated by: Community Restorative Justice Commission)

Attachments: Notification to Clerk of Appt - Neahkahnie Hunt-Conley

Application - Neahkahnie Hunt-Conley

Approval of Consent Calendar – (See Supplemental Sheet)

9. See Supplemental Sheet

General Public Comments

10. 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

11. Consider adopting a Resolution for naming a private road located off Valley Greens Drive in Carmel Valley, "Wolters Farm Way".

Attachments: Board Report

Attachment A - Petition Letter

Attachment B - Ordinance No. 1241, dated January 13, 1987
Attachment C - Correspondence Emergency Communications &

Fire Department Approval

Attachment D - Draft Resolution
Attachment E - Location Map

12. a. Receive an update on the status of the County's compliance with Assembly Bill 1466 regarding discriminatory restrictive covenants, the County's restrictive covenants education project, and the County's equity timeline; and

b. Provide direction to staff.

Attachments: Board Report

Attachment A – Restrictive Covenant Educational Social Media

<u>Poster</u>

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

Scheduled Matters

13. PLN200032-FLORES PAUL H & LINDA S TRS

Public hearing to consider denying the appeal of the Planning Commission's July 10, 2024 decision to deny a Combined Development Permit for the construction of a single-family dwelling and attached garage, a non-habitable pool cabana with an attached garage, and associated site improvements including removal of protected Coast live oak trees and development on slopes in excess of 25%.

Project Location: 25836 El Paseo Real, Monterey

Proposed CEQA action: Find that denial of the project is statutorily exempt from CEQA pursuant to CEQA Guidelines section 15270.

Attachments: Board Report

Attachment A - Draft Resolution

Attachment B - Site Plans, Floor Plans, Elevations

Attachment C - Tree Assessment
Attachment D - Vicinity Map
Attachment E - Public Comment

Attachment F - Planning Commission Resolution (Resolution No.

<u>24-023</u>)

Attachment G - Notice of Appeal

Attachment H - Discussion

Other Board Matters

County Administrative Officer Comments

14. County Administrative Officer Comments

New Referrals

15. New Referrals

Attachments: Board Referral Matrix 9-17-24

Referral Responses

16. a. Receive a status update on Board Referral No. 2023.13 seeking a Laurel Yard Master Plan; and b. Support continued efforts needed to achieve a County-Wide Facilities Master Plan.

Attachments: Board Report

Attachment A - Board Referral No. 2023.13

Attachment B - BOS 8-29-23 Bd Report PAR 23-023

Attachment C - CIP Budget Sheet

17. a. Receive an update from Public Works, Facilities and Parks (PWFP) on the independent assessment in response to Board Referral #2022.16 - feasibility of consolidating the Youth Center with the New Juvenile Hall;

b. Provide direction to staff on capital planning objectives for Probation youth facilities.

Attachments: Board Report

Attachment A - Space Planning Options

Board Comments

18. Board Comments

Read Out from Closed Session by County Counsel

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

Adjourn In Memory of Santiago Flores

Supplemental Sheet, Consent Calendar

Natividad Medical Center

19. Adopt Resolution to:

a. Amend Personnel Policies and Practices Resolution No. 98-394 Appendix A to adjust the salary range of the Hospital Decision Support Analyst classification as indicated in Attachment A effective the first day of the current pay period, which is September 7, 2024; and

b. Direct the Human Resources Department to implement the changes in the Advantage Human Resources Management (HRM) System.

Attachments: Board Report

Attachment A
Resolution

Resolution (WORD)

- 20. a. Award Job Order Contracts (JOC) to the lowest responsive bidders for Natividad Medical Center (NMC) with a one-year term from the date of signing by NMC. The contracts will have a minimum value of \$25,000 and a maximum value of \$6,023,368. The awarded contracts are as follows: NMC 2024-01 to Newton Construction and Management, and NMC 2024-02 to Angeles Contractor Incorporated.
 - b. Approve the Performance and Payment Bonds provided by Newton Construction and Management and Angeles Contractor Incorporated, each in the amount of \$2,500,000.
 - c. Authorize the Chief Executive Officer (CEO) of Natividad Medical Center to execute the Job Order Contracts for NMC 2024-01 with Newton Construction and Management and for NMC 2024-02 with Angeles Contractor Incorporated.

Attachments: Board Report

<u>Angeles Contractor 2024-2 Agreement</u> Newton Construction 2024-1 Agreement

Health Department

- 21. a. Approve and authorize the Director of Health Services or designee to execute Amendment No. 1 to Mental Health Services Agreement A-16946 between the County of Monterey and Altos Health Partners (AHP) for the provision of Electroconvulsive therapy (ECT) services, to extend the term for one (1) additional fiscal year and add \$61,875 of additional services, for a revised total Agreement amount not to exceed \$82,500 for a new term of April 1, 2024 through August 31, 2025 and retroactive to September 1, 2024; and
 - b. Approve and authorize the Director of Health Services or designee to execute up to three (3) future amendments where the combined amendments do not exceed 10% (\$8,250) of the original Agreement amount, do not significantly change the scope of services, and do not increase the total not to exceed amount over \$90,750.

Attachments: Board Report

Amendment No. 1 to Mental Health Service Agreement A-16946

Agreement

22. a. Approve and authorize a Fair Share Agreement Memorandum of Understanding (MOU) between the County of Monterey and the Monterey Regional Waste Management District (MRWMD) regarding technical assistance and compliance with California Senate Bill 1383 (SB1383), California's Short-Lived Climate Pollutants regulation; and

b. Approve and authorize the Director of Health Services or designee to sign the MOU; and

c. Authorize the payment provisions as contained in the MOU.

Attachments: Board Report

Fair Share Agreement with Monterey Regional Waste Management

District

Department of Social Services

23. a. Approve and authorize the Director or designee of the Department of Social Services to execute a no cost Privacy and Security Agreement (PSA) with the California Department of Health Care Services (DHCS) to continue to use data hosted by the Social Security Administration (SSA) and the Medi-Cal Eligibility Data System (MEDS), retroactive to September 1, 2024 through September 1, 2028; and

b. Authorize the Director or designee of the Department of Social Services to sign up to three future amendments to this Agreement where the amendments do not significantly change the responsibilities of the parties.

Attachments: Board Report

Agreement

General Government

24. Approve and authorize the Director of the Department of Emergency Management or designee to execute a five year Memorandum of Understanding with United Way Monterey County for the purpose of formalizing roles, responsibilities, and collaborative partnership related to 2-1-1 Monterey County during Emergency Operations Center activations, at a minimum cost of \$600 per incident activation.

Attachments: Board Report

United Way MOU

25. a. Approve and authorize the Contracts & Purchasing Officer or Contracts & Purchasing Supervisor to sign Amendment #1 to Agreement No. A-14566 between the County of Monterey and Vision Service Plan (VSP) for Third-Party Administration (TPA) of the County's Self-Insured Vision Plan extending the term of the Agreement through December 31, 2027, including the option to extend the Agreement

for up to two (2) additional mutually agreed periods; and

b. Authorize the Contracts & Purchasing Officer or Contracts & Purchasing Supervisor to sign future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement rates of more than ten percent (10%).

Attachments: Board Report

Attachment A – Agreement No. A-14566

Attachment B – Amendment #1 to Agreement No. A-14566

- **26.** a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute a non-standard Agreement with KNOWiNK to lease electronic poll books and provide software, maintenance, and support services in the period September 17, 2024 to September 17, 2027 for a total amount not to exceed \$52,995; and
 - b. Accept the non-standard terms and conditions contained in the vendor's contract pursuant to the recommendation of the Registrar of Voters; and
 - c. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign up to two (2) future amendments of one (1) year each to this Agreement where amendments do not significantly alter the scope of work, and the cost of each amendment does not increase by more than ten percent (10%) of the prior year's cost, with an aggregate not to exceed amount of \$89,539.

Attachments: Board Report

Exhibit A - KNOWiNK Agreement.pdf

27. Introduce, waive reading, and set October 1, 2024 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Section 2.04.180 of the Monterey County Code to require that a Board of Supervisor abstention vote count as an abstention and not as a vote of the majority.

Attachments: Board Report

A: Referral No. 2024.09

B: Ordinance abstention clean-signed

C: Ordinance abstention redline

Housing and Community Development

- **28.** Adopt a resolution to:
 - a. Enter into a Joint Exercise of Powers Agreements and Cooperation Agreements (JPA and CA) with Gonzales, Greenfield, Marina, and Sand City to participate in Monterey County's Community Development Block Grant (CDBG) Urban County Consortium for the period of July 1, 2025, to June 30, 2028;
 - b. Authorize the County Administrative Officer to sign the JPA and CA;
 - c. Authorize the County Administrative Officer to make minor modifications to the JPA and CA as necessary to comply with federal requirements and as directed by the U.S. Department of Housing and Urban Development (HUD); and,
 - d. Authorize the Housing and Community Development Director to submit the JPA and CA and other

necessary documents to HUD to requalify for and receive direct entitlement funds as an Urban County.

Attachments: Board Report

Attachment A - Joint Powers and Cooperative Agreement

Attachment B - DRAFT Resolution

Public Works, Facilities and Parks

29. Adopt a Resolution to:

a. Amend the Department of Public Works, Facilities and Parks Fiscal Year (FY) 2024-25 Adopted Budget for the Road Fund 002, Appropriation Unit PFP004 to add one (1) Full-time Equivalent (FTE) Senior Civil Engineer and increase appropriations by \$252,393 funded by the Road Fund (4/5th vote required); and

b. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2024-25 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system (4/5th vote required).

Attachments: Board Report

Attachment A - Position Count
Attachment B - Draft Reso

30. Adopt a Resolution to:

a. Use General Fund Contingency to provide funding for a drainage study, in response to the next steps for *Board Referral No.* 2024.04 seeking to 1) analyze and address floodplain issues in the Little Bear Creek area; and 2) to address expedited permit processes for cleaning and long-term maintenance of Little Bear Creek; and

b. Authorize and direct the Auditor-Controller to amend the Fiscal Year (FY) 2024-25 adopted budget to increase appropriations by \$200,000 for Special Districts Administration General Fund 001, Appropriation Unit PFP003, financed by a decrease in appropriations of \$200,000 in Contingencies, General Fund 001, Appropriation Unit CAO020 (4/5ths vote required).

Attachments: Board Report

Attachment A - DDA Proposal, dated July 22, 2024

Attachment B - Draft Resolution

Addenda/Supplemental

31. Addenda/Supplemental

Attached Revised Ceremonial Resolution to Item No. 2