

Monterey County

Monterey County Government Center
Board of Supervisors Chambers
168 W. Alisal St., 1st Floor



Meeting Agenda - Final

IMPORTANT COVID-19 NOTICE ON PAGE 2-4
AVISO IMPORTANTE SOBRE COVID-19 EN LA PAGINA 2-4

Tuesday, October 5, 2021

9:00 AM

<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 guidance from the California Department of Public Health and the California Governor's Office, 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 or <https://www.facebook.com/MontereyCoInfo/>

If you attend the Board of Supervisors meeting in person, you will be required 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. 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.

3. You are encouraged to participate via Zoom; however, additional seating with audio of the Board meeting will be available in the Monterey Room on the 2nd floor of the County Government Center is needed for overflow.

Aviso importante sobre COVID 19

Según la orientación del Departamento de Salud Pública de California y la Oficina del Gobernador de California, 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 o <https://www.facebook.com/MontereyCoInfo/>

Si asiste a la reunión de la Junta de Supervisores en persona, se le pedirá que mantenga un distanciamiento social apropiado, es decir, mantenga 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. 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.

3. Se le anima a participar a través de Zoom; sin embargo, se necesitarán asientos adicionales con audio de la reunión de la Junta en el Salón Monterey en el segundo piso del Centro de Gobierno del Condado para el desbordamiento.

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 Governor Newsom's Executive Order No. N-29-20, some or all Supervisors may participate in the meeting by telephone or video conference.

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 54957(a), the Board will confer with County Counsel regarding matters posing a threat to the security of public buildings, essential public services, or the public's right of access to public services or facilities.
 - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough and Kim Moore
Employee Organization(s): All Units
 - (2) Designated representatives: Lori Medina and Jeff Bailey
Employee Organization(s): IHSS
 - c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.

Public Comments

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 honoring Linda McGlone upon her retirement from Monterey County Health Department and her public service to Monterey County residents. (Supervisor Askew)

Attachments: [Ceremonial Resolution - Linda McGlone](#)

3. Adopt a resolution celebrating California's Clean Air Day. (Supervisor Adams)

Attachments: [Ceremonial Resolution - Clean Air Day](#)

4. Resolution of the Board of Supervisors of the County of Monterey, State of California, Honoring County of Monterey employees for their service during the COVID-19 pandemic. (Supervisor Askew)

Attachments: [Ceremonial Resolution - County Employees for Services During the Pandemic](#)

Appointments

5. Appoint Cesar Lara to the Juvenile Justice Coordinating Council, with a term ending date Pleasure of the Board. (Juvenile Justice Coordinating Council)

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

6. Nominate one member of the Board of Supervisors to serve on the California State Association of Counties (CSAC) Board of Directors, and one member of the Board of Supervisors to serve as alternate, for a one-year term of office beginning on November 29, 2021.

- Attachments:** [Board Report](#)
[CSAC Board Selection Memo for 2021-22](#)
[CSAC Board Selection Form for 2021-22](#)
[CSAC 2020-21 Board of Directors](#)
[2021 BOS Appointments](#)

Approval of Consent Calendar – (See Supplemental Sheet)

General Public Comments

7. 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.

10:30 A.M. - Scheduled Matters

8. Receive a presentation from the Monterey County Health Department’s Striving to Reduce Youth Violence Everywhere (STRYVE) Program, the City of Salinas’ Community Safety Division and the Monterey County Administrative Office's (CAO) Office of Community Engagement and Strategic Advocacy to describe the strategies and results of their collaboration to prevent violence.

- Attachments:** [Board Report](#)
[PowerPoint Presentation](#)

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

1:30 P.M. - Scheduled Matters

9. a. Receive an update on the County Habitat Resource Management Plan for the former Fort Ord;
b. Consider authorizing the Housing and Community Development Department to utilize the County Habitat Management Funds, Fund 029, to fund the development of the County Habitat Resource Management Plan for properties owned by the Monterey Peninsula College;
c. Consider and provide input to the Public Participation Plan; and
d. Provide direction to staff.

- Attachments:** [Board Report](#)
[Attachment A - HRMP Public Participation Plan](#)
[Attachment B - Right of Entry Agreement with MPC](#)
[Attachment C - Letter from MPC Regarding Funding](#)
[Attachment D - Detailed Discussion with Attachments](#)

10. a. Introduce, waive reading, and set October 19, 2021 at 10:30 a.m. as the date and time to consider the adoption of an ordinance amending Chapter 7.90 of the Monterey County Code to allow permitted cultivators to modify the total canopy area of any cultivation or nursery operation in their commercial cannabis permit on two occasions during the permit's annual term if certain criteria are met; and
b. Provide direction to staff as appropriate.

- Attachments:** [Board Report](#)
[Attachment A: Cultivator Letters On Canopy Adjustment and Taxation](#)
[Attachment B: News Articles](#)
[Attachment C: Good Standing Criteria](#)
[Attachment D: Draft ordinance \(redline version\)](#)
[Attachment E: Draft ordinance \(signed clean version\)](#)

Other Board Matters

County Administrative Officer Comments and New Referrals

11. County Administrative Officer Comments and New Referrals

- Attachments:** [Board Referrals Matrix 10-05-21](#)

Referral Responses

12. Receive a preliminary analysis report in response to a revision of **Board Referral 2016.02** requesting that the Housing and Community Development Department (HCD) address the enforcement of unauthorized short term rentals and potential funding sources to cover costs.

- Attachments:** [Board Report](#)
[Attachment 1 - Board Referral 2016.2](#)

13. Receive a preliminary analysis report in response to **Board Referral No. 2021.16** seeking to combat health misinformation and curb the spread of falsehoods that threaten the health and safety of our residents and visitors.

- Attachments:**
- [Board Report](#)
 - [Preliminary Analysis Report](#)
 - [Board Referral No. 2021.16](#)
 - [Surgeon General Misinformation Advisory](#)

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

Adjourn in Memory of Terry Kaiser

Supplemental Sheet, Consent Calendar**Health Department**

14. a. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement with Nurse-Family Partnership (“NFP”) in the amount of \$200,000 to provide evidence-based programming to Monterey County first-time mothers and their babies for the period retroactive to June 1, 2021 through May 31, 2023; and
- b. Approve the nonstandard indemnification provision as recommended by the Director of Health; and
- c. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement that will not exceed ten percent (10%) (\$7,652) of the original Agreement and will not significantly change the Agreement.

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

15. a. Approve and authorize the Director of Health or the Assistant Director of Health to sign an Agreement with the City of Marina (City) in the amount of approximately \$18,600 for services to be performed by the Monterey County Health Department’s Animal Services unit to provide shelter, care and other required services for the term retroactive from July 1, 2021 through December 31, 2021; and
- b. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work and do not exceed 10% (\$1,860) of the original Agreement amount.

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

Department of Social Services

16. a. Approve and authorize the Director of the Department of Social Services to sign a no cost agreement with the California Department of Social Services, retroactive to July 1, 2021 through June 30, 2024, to establish responsibilities for the provision of legal services for Resource Family Program administrative appeals; and
- b. Approve and authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement as long as they do not encompass payment or significantly change the scope of services.

Attachments: [Board Report](#)
 [Resource Family Approval State Agreement](#)

General Government

17. a. Revise the date for employee certification of COVID-19 vaccination status compliance to October 15, 2021;
- b. Revise the date for vaccine compliance (excluding employees under State Mandate) to October 31, 2021;
- c. Revise the indoor face covering requirement to allow fully vaccinated employees and members of the public who show proof of vaccination to not be required to wear a face covering in a County facility office or meeting room if all other individuals are fully vaccinated;
- d. Direct the Director of Human Resources to implement changes in the Monterey County Emergency Response Manual and COVID-19 Prevention Program.

Attachments: [Board Report](#)

18. Adopt a Resolution to:
 - a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 to modify Section A.21.4.1 to reflect the County's maximum contributions for medical insurance for Units O, XL, and Y;
 - b. Direct the Human Resources Department to incorporate the changes in the Personnel Policies and Practices Resolution No.98-394;
 - c. Direct the Human Resources Department and Auditor-Controller's Office to implement the changes in the Advantage HRM/Payroll system.

Attachments: [Board Report](#)
 [Attachment A – PPPR Section A.21.4.1 – Redline Version](#)
 [Attachment B – PPPR Section A.21.4.1 – Clean Version](#)
 [Attachment C – 2022 Health Plan Contributions for Unrepresented Units O, XL, & Y](#)
 [Attachment D – Resolution](#)

19. a. Authorize the Auditor-Controller to pay Employnet Workforce Solutions (“Employnet”) \$3,569.60 for specified invoices charging County of Monterey (“County”) for hours worked by an Employnet temporary worker assigned in Fiscal Year 2020-2021 to the Public Defender’s Office to ensure adequate staffing levels during the COVID-19 Pandemic, which hours were in excess of the 720 hour limitation set forth in the County’s now expired agreement with Employnet under RFP 10495 (“Employnet Agreement”); and
- b. Authorize the Auditor-Controller to pay Employnet \$9,360.90 for specified invoices charging County for hours worked by 2 other Employnet temporary workers assigned in Fiscal Year 2021-2021 to Natividad Medical Center (“Natividad”) to ensure adequate staffing levels during the COVID-19 Pandemic, in excess of the 720 hours limitation set forth in the Employnet Agreement; and
- c. Approve and authorize the Auditor-Controller to pay B.E. Smith, Inc. (“B.E. Smith”) \$13,600 for an invoice charging County for hours worked by a B.E. Smith temporary worker assigned in Fiscal Year 2021-2021 to Natividad to ensure adequate staffing levels during the COVID-19 Pandemic, which hours were in excess of the 720 hours limitation set forth in the current agreement, No. A-13995, between the County, on behalf of Natividad, and B.E. Smith.

Attachments: [Signed Board Report Employnet Invoices PDandNatividad 21-784](#)
[Board Report Employnet PDandNatividad 9.9.21](#)
[Nova Management and Employnet Assignment Assumption Agreement](#)
[BE Smith Agreement](#)
[BE Smith Amendment 2](#)
[Exhibit A- Countys Master Agreement with Nova Employnet](#)

- 20.** Adopt a Resolution to:
- a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to adjust the base wage salary ranges of the Office Assistant I, II, and III, Principal Office Assistant, Supervising Office Assistant I and II, Secretarial Assistant, Secretary, Senior Secretary, and Administrative Secretary classifications as indicated in Attachment A;
 - b. Direct the Human Resources Department to implement the changes in the Advantage HRM system.

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

Housing and Community Development

- 21.** Adopt a resolution to:
- a. Amend the Housing and Community Development Department (HCD) Budget Unit Administration, 406-3100-8572-HCD010 to increase appropriations of \$3,403,777 and estimated revenues in the amount of \$3,403,777; and
 - b. Authorize and direct the Auditor-Controller and County Administrative Office to incorporate the changes in the FY 2021-22 Housing and Community Development Department Adopted Budget, 406-3100-8572-HCD010 (4/5th vote required).

Attachments: [Board Report](#)
[Attachment A - FY2021-22 Annual Recognized Obligation Payment Schedule](#)
[Attachment B - Draft Resolution](#)

- 22.** Adopt a resolution to:
- a. Support the Ag Land Trust's agricultural conservation easement proposal to the State of California Department of Conservation Farmland Conservancy Program (DoC) for 210 acres of the Hitchcock-Gill Farm; and
 - b. Support the Ag Land Trust's application for grant funding from the DoC for the purchase of an

agricultural conservation easement over the Hitchcock-Gill Farm totaling 210 acres (APN 145-181-009) situated approximately 1.5 miles west of Chualar, on the eastern side of Old Stage Road, and to place said parcels into an agricultural conservation easement to conserve priority agricultural land resources; and

c. Direct the Housing and Community Development (HCD) Director or Chief of Planning to collaborate with the Ag Land Trust in the grant application process.

d. Find that the proposed action is categorically exempt per California Environmental Quality Act (CEQA) Guidelines Section 15317 and/or CEQA Guidelines Section 15317(b).

California Environmental Quality Act (CEQA) Action: Categorically Exempt per CEQA Guidelines Section 15317 (Open Space Contracts or Easements) and/or CEQA Guidelines Section 15325 (Transfer of Ownership in Land to Preserve Existing Natural Conditions and Historical Resources, Section 15317(b) - Acquisition, sale, or other transfer of areas to allow continued agricultural use of the areas.)

Planning File No. REF210028

Attachments: [Board Report](#)
 [Attachment A – Vicinity Maps Hitchcock-Gill Farm](#)
 [Attachment B – Draft Resolution](#)
 [Attachment C – Ag Land Trust Resolution No. 2020-05](#)

Public Works, Facilities and Parks

- 23.** a. Approve Amendment No. 4 to Professional Services Agreement No. A-12658 with TRC Engineers, Inc. to: include additional services associated with bridge design services for the Robinson Road Bridge Scour Repair, County Bridge No. 503, State Project No. EA 05-930265, Federal Aid Project No. BHLO-5944 (099) under Request for Qualifications (RFQ) #10490; update the Rate Schedule effective January 1, 2022; increase the not to exceed amount by \$49,594 for a total amount not to exceed \$745,975; and to extend the expiration date two (2) additional years through December 31, 2023, for a revised term from March 10, 2015 to December 31, 2023; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to Professional Services Agreement No. A-12658 and future amendments to the Agreement to extend the term beyond the original term authorized in RFQ #10490 where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.

- Attachments:**
- [Board Report](#)
 - [Attachment A-A4 to PSA](#)
 - [Attachment B-A3 to PSA](#)
 - [Attachment C-A2 to PSA](#)
 - [Attachment D-A1 to PSA](#)
 - [Attachment E-PSA](#)
 - [Attachment F-Project Budget](#)
 - [Attachment G-Location Map](#)
 - [Attachment H-Summary of PSA](#)
 - [Attachment I-Summary of PSA Annual Expenditures & Balance](#)