

Monterey County

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



Meeting Minutes - Final

Tuesday, January 12, 2021

9:00 AM

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

9:00 A.M. - Called to Order

The meeting was called to order by Chair Supervisor Wendy Root Askew.

Roll Called

Present: 5 - Supervisor Wendy Root Askew appeared in person and Supervisor Chris Lopez, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo appeared via video conference

Staff Present

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

Additions and Corrections for Closed Session by County Counsel

There were no additions and corrections for the agenda.

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, Kim Moore and Ariana Hurtado
Employee Organization(s): All Units
 - (2) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado
Employee Organization(s): Unit S
 - (3) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado
Employee Organization(s): Units F, H and S
 - (4) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado
Employee Organization(s): Units F and J
 - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Leo Gillespie (Worker's Compensation Appeals Board case no. ADJ10561467)
 - (2) Shaheen Jorgensen (Worker's Compensation Appeals Board case no. ADJ11889496)
 - (3) Mark Simar (Worker's Compensation Appeals Board case no. ADJ10938649)
 - (4) Mark Simar (Worker's Compensation Appeals Board case no. ADJ12140890)
 - d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding three matters of significant exposure to litigation.

e. 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.

f. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Administrative Officer.

g. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Counsel.

h. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

(1) Property: 259-261-003-000, 259-261-004-000 and 259-261-005-000

Agency Negotiator(s): County Counsel

Negotiating Parties: Don Chapin Company

Under negotiation: Price and terms

i. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center Chief Executive Officer.

j. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two matters of potential initiation of litigation.

Public Comment

Open for public comments; no public comments made.

The Board Recessed for Closed Session Agenda Items

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

Roll Called

Present: 5 - Supervisor Wendy Root Askew appeared in person and Supervisor Chris Lopez, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo appeared via video conference

Staff Present

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

Pledge of Allegiance

The Pledge of Allegiance was led by Charles McKee, County Administrative Officer.

Announcement of Interpreter

Jocelyn Martinez, Spanish Interpreter present and announced Spanish interpreter services.

Additions and Corrections by Clerk

The following additions and corrections were read into the record:

Correction to the Consent Calendar for the Health Department for Item No. 30 which is in receipt of a revised Board Report.

No vote is needed on this by the Board.

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar Items No. 28 through 40.

Open for public comments; Jacquelyn Nickerson, Management Analyst I from the Planning Department, via Zoom, pulled Item No. 39 to bring back at a later date.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Mary L. Adams to approve Consent Calendar Item Numbers 28 through 40 excluding Item No. 39 which was pulled from the agenda at the request of the Department.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Ceremonial Resolutions

Open for public comments; Eric Peterson, in person, and Susan Schiavone, Mr. Schiavone, Richard Fetik, Vicki Nohrden, Jeff Gorman, Mark Gonzalez, Wayne Kelly, Aurelio Sanchez, Jr., Cesar Lara, Phil Wellman and Tammy Jennings, all via Zoom, commented.

- 2.1 Resolution Condemning the Violent, Seditious Actions at Our National Capitol Incited by President Donald Trump. (Full Board - Supervisor Alejo) (ADDED VIA ADDENDA)

A motion was made Luis A. Alejo, seconded by Supervisor Wendy Root Askew, as amended, to adopt Resolution No. 21-003 condemning the Violent, Seditious Actions at Our National Capitol Incited by President Donald Trump. (Full Board - Supervisor Alejo)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Appointments

Open for public comments; no public comments made.

3. Reappoint Ron Dillender to the Community Restorative Justice Commission as an Educators Representative with a term ending date of January 12, 2024. (Full Board)
- A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to reappoint Ron Dillender to the Community Restorative Justice Commission as an Educators Representative with a term ending date of January 12, 2024. (Full Board)**
- Roll call vote taken pursuant to Government Code 54953:**
Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE
4. Appoint Libby Sofer to the IHSS Advisory Council with a term ending date of January 1, 2023. (Full Board)
- A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to appoint Libby Sofer to the IHSS Advisory Council with a term ending date of January 1, 2023. (Full Board)**
- Roll call vote taken pursuant to Government Code 54953:**
Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE
5. Reappoint Jillian Kramm to the Spreckels Memorial District with a term ending date of December 31, 2024. (District 3- Supervisor Chris Lopez)
- A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to reappoint Jillian Kramm to the Spreckels Memorial District with a term ending date of December 31, 2024. (Full Board)**
- Roll call vote taken pursuant to Government Code 54953:**
Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE
6. Reappoint James Bass to the Community Restorative Justice Commission with a term ending date of January 12, 2024. (Full Board)
- A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to reappoint James Bass to the Community Restorative Justice Commission with a term ending date of January 12, 2024. (Full Board)**
- Roll call vote taken pursuant to Government Code 54953:**

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE

7. Reappoint Angie Ortega to the Community Restorative Justice Commission with a term ending date of January 12, 2024. (Full Board)

A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to reappoint Angie Ortega to the Community Restorative Justice Commission with a term ending date of January 12, 2024. (Full Board)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE

8. Appoint Saren Pierson to the Spreckels Memorial District with a term ending date of December 31, 2024. (District 3- Supervisor Chris Lopez)

A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to appoint Saren Pierson to the Spreckels Memorial District with a term ending date of December 31, 2024. (Full Board)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE

9. Reappoint Tim K. West to CSA 45- Advisory Committee with a term ending date of January 1, 2024. (District 2- Supervisor John M. Phillips)

A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to reappoint Tim K. West to CSA 45- Advisory Committee with a term ending date of January 1, 2024. (District 2- Supervisor John M. Phillips)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE

10. Appoint Cynthia Suverkrop to CSA-45 Advisory Committee with a term ending date of January 1, 2024. (District 2- Supervisor John M. Phillips)

A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to appoint Cynthia Suverkrop to CSA-45 Advisory Committee with a term ending date of January 1, 2024. (District 2- Supervisor John M. Phillips)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE

11. Reappoint Alex Rouch to the CSA-45 Advisory Committee with a term ending date of January 1, 2024. (District 2- Supervisor John M. Phillips)

A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to reappoint Alex Rouch to the CSA-45 Advisory Committee with a term ending date of January 1, 2024. (District 2- Supervisor John M. Phillips)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE

12. Reappoint Andria Cutler to CSA-45 Advisory Committee with a term ending date of January 1, 2024. (District 2- Supervisor John M. Phillips)

A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to reappoint Andria Cutler to CSA-45 Advisory Committee with a term ending date of January 1, 2024. (District 2- Supervisor John M. Phillips)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE

13. Appoint Glen Alameda to the Agricultural Advisory Committee with a term ending date of June 30, 2021. (District 2- Supervisor John M. Phillips)

A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to appoint Glen Alameda to the Agricultural Advisory Committee with a term ending date of June 30, 2021. (District 2- Supervisor John M. Phillips)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE
Supervisor Phillips: AYE
Supervisor Lopez: AYE
Supervisor Adams: AYE
Chair Supervisor Root Askew: AYE

14. Appoint Bree Harlan to the Big Sur Multi-Agency Advisory Committee representing Big Sur Resident-South Coast. (District 5- Supervisor Mary L. Adams)

A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to appoint Bree Harlan

to the Big Sur Multi-Agency Advisory Committee representing Big Sur Resident- South Coast.
(District 5- Supervisor Mary L. Adams)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

15. Reappoint Salvador Munoz to the Monterey County Historic Resources Review Board with a term ending date of January 12, 2021. (District 1- Supervisor Luis A. Alejo)

A motion was made Mary L. Adams, seconded by Supervisor Chris Lopez to reappoint Salvador Munoz to the Monterey County Historic Resources Review Board with a term ending date of January 12, 2021. (District 1- Supervisor Luis A. Alejo)

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Other Board Matters

16. Board Comments

Board Comments can be heard by clicking the following link to the video of the Board of Supervisors meeting for Item No.16:

<https://monterey.granicus.com/player/clip/4137>

17. County Administrative Officer Comments and Referrals

Charles McKee, County Administrative Officer from the County Administrative office commented and shared there is one new referral this week:

Supervisor Luis A. Alejo submitted a referral to devise a comprehensive plan, in collaboration with agriculture associations, employers, labor unions and healthcare professionals, for the successful vaccination of tens of thousands of agricultural workers in Monterey County. The referral requests a board report and presentation to the Board within 2 weeks from the date of assignment.

Comments and referrals can be heard by clicking the link to the video of the Board of Supervisors meeting for Item No.17:

<https://monterey.granicus.com/player/clip/4137>

18. a. Consider approval of the assignment of members of the Board of Supervisors and County staff to serve on boards, committees, and commissions for calendar year 2021;
b. Consider modifying the charge and name of the Health, Housing and Human Services Committee to

- the Health, Homelessness and Human Services Committee;
- c. Consider formation of an Affordable Housing Committee;
 - d. Consider formation of a COVID-19 Communications Ad Hoc Committee;
 - e. Consider adoption of a practice of rotating the appointment of Board members to serve on the Local Agency Formation Commission (LAFCO); and,
 - f. Consider disbanding the Fort Ord Committee, Ad Hoc 2020 Census Steering Committee, and the COVID-19 Non-Hospital Medical/Personal Services Ad Hoc Committee.

Annette D'Adamo, Management Analyst III from the Intergovernmental and Legislative Affairs Division, via Zoom verbally presented.

Open for public comments; Regena Lebel, in person, Tammy Jennings, Esther Malkin, Phil Wellman, Melodie Chrislock, Michael Baer, Marli (no last name provided), Wayne Kelly, Emily Ham, Susan Schiavone, Wallace Notley, Anna Thompson, Grant Leonard, and Beverly Bean, all via Zoom, commented.

A motion was made Luis A. Alejo, seconded by Supervisor Chris Lopez, as amended, with Supervisor Mary L. Adams voting no, to:

- a. Approve the assignment of members of the Board of Supervisors and County staff to serve on boards, committees, and commissions for calendar year 2021;**
- b. Modify the charge and name of the Health, Housing and Human Services Committee to the Health, Housing, Homelessness and Human Services Committee.;**
- c. Deny formation of an Affordable Housing Committee;**
- d. Approve formation of a COVID-19 Communications Ad Hoc Committee;**
- e. Deny adoption of a practice of rotating the appointment of Board members to serve on the Local Agency Formation Commission (LAFCO); and,**
- f. Approve disbanding the Fort Ord Committee, Ad Hoc 2020 Census Steering Committee, and the COVID-19 Non-Hospital Medical/Personal Services Ad Hoc Committee.**

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: NAY

Chair Supervisor Root Askew: AYE

Item Numbers 19, 20 and 21 are trailed to the P.M. Session and will be heard after the COVID Item Numbers 22, 23 and 24

10:30 A.M. - Scheduled Matters

12:00 P.M. - Recessed to Lunch

1:30 P.M. - Reconvened

Roll Called

Present: 5 - Supervisor Wendy Root Askew appeared in person and Supervisor Chris Lopez, Supervisor John M. Phillips, Supervisor Mary L. Adams, Supervisor Luis A. Alejo appeared via video conference

Staff Present

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

Announcement of Interpreter

Jocelyn Martinez, Spanish Interpreter present and announced Spanish interpreter services.

1:30 P.M. - Scheduled Matters

22. a. Briefing and update on COVID-19, including impacts, and action, proposals and plans to address (verbal report);
b. Provide direction to staff to address COVID-19

Nick E. Chiulos, Assistant County Administrative Officer from the County Administrative office, in person, made opening remarks with additional presenters:

Dr. Edward Moreno, Health Officer and Krista Hanni, Public Health Program Manager II, via Zoom, from the Health Department presented on Public Health update, testing update, vaccine update and State extension of regional Stay at Home Order via PowerPoint presentation.

Dr. Gary Gray, Director of Natividad Medical, via Zoom, verbally presented on the hospital update.

Ezequiel Vega, Budget Director, from the Budget Division, via Zoom, presented via PowerPoint presentation with additional presenters all via Zoom:

Elsa Herrera, Director of Health Department
Becky Cromer, Department of Social Services
Undersheriff John Mineau Monterey County Sheriff's Office
Gerry Malais, Emergency Services Manager from the Office of Emergency Services
Chris Donnelly, Executive Director Workforce Development Board
Shawne Ellerbee, Assistant Director Public Works, Facilities & Parks
Todd Keating, Chief Probation Officer Monterey County Probation Department
Susan Chapman Public Defender Monterey County Public Defender's Office
Hilary Theyer, Library Director Monterey County Free Libraries
Brent Buche, General Manager Water Resources Agency

Gerry Malais, Emergency Services Manager from the Office of Emergency Services and Annette D'Adamo, Management Analyst III from the Intergovernmental and Legislative Affairs Division, both via Zoom, verbally presented on the Home for the Harvest.

Nick Pasculli, President of TMD Creative, via Zoom, verbally presented on the TMD Creative messaging.

Open for public comments; Kim Stemler, Myrleen, Janine Chicourrat and Charles Meyer, all via Zoom, commented.

Upon consensus the Board received a:

- a. Briefing and update on COVID-19, including impacts, and action, proposals and plans to address (verbal report); and
b. Provided direction to staff.

- 23.** a. Receive an update on the development of metrics for the Community Outreach and Education Pilot Project (“Pilot Project”), a County-wide project responding to the disparate impacts of the COVID-19 pandemic on Communities of Color residing in the census tracts of the lowest quartile of the Healthy Places Index (HPI Census Tracts); and
- b. Provide direction to staff as appropriate.

Rosemary Soto, Management Analyst from the County Administrative Office, via Zoom, presented via PowerPoint presentation with the assistance of Kristi Hanni and Sofia Cuentas.

Open for public comments; not public comments made.

Upon consensus the Board received a:

- a. An update on the development of metrics for the Community Outreach and Education Pilot Project (“Pilot Project”), a County-wide project responding to the disparate impacts of the COVID-19 pandemic on Communities of Color residing in the census tracts of the lowest quartile of the Healthy Places Index (HPI Census Tracts); and**
- b. Provided direction to staff as appropriate.**

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

- 24.** Adopt a Resolution to:
- a. Amend RES 20-1066 and authorize the Office of Emergency Services to utilize funds approved under RES 20-1066 to reimburse costs incurred by the County departments for Disaster Service Workers assignments as part of the COVID-19 response efforts which cannot be covered by other revenues already approved by the Board (4/5th vote required).

Ezequiel Vega, County Budget Director, via Zoom, verbally presented.

Open for public comments; no public comments made.

A motion was made Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to adopt Resolution No. 21- 005 to:

- a. Amend RES 20-1066 and authorize the Office of Emergency Services to utilize funds approved under RES 20-1066 to reimburse costs incurred by the County departments for Disaster Service Workers assignments as part of the COVID-19 response efforts which cannot be covered by other revenues already approved by the Board (4/5th vote required).**

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

- 19.** General Public Comments

Open for general public comments for items not on today's agenda; no comments made.

20. Continue to February 2, 2021, a public hearing to consider:
- An appeal by Rosana Rader and Michael Smith from the July 30, 2020 decision of the Zoning Administrator to approve a Design Approval for a fence ranging in height from four (4) to six (6) feet for property located at 99 Second Street, Spreckels [PLN190255 - SMITH & RADER (APN 177-061-003-000)]; and
 - Waiving the County appeal fee.

Liz Gonzalez, Supervising Planner; Brandon Swanson, Services Manager and Craig Spencer, Services Manager, from the Resources Management Agency, all via Zoom, requested a continuance.

Open for public comments; no public comments made.

A motion was made Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to: Continue this appeal to Tuesday, February 2, 2021, for a public hearing to consider:

- An appeal by Rosana Rader and Michael Smith from the July 30, 2020 decision of the Zoning Administrator to approve a Design Approval for a fence ranging in height from four (4) to six (6) feet for property located at 99 Second Street, Spreckels [PLN190255 - SMITH & RADER (APN 177-061-003-000)]; and
- Waiving the County appeal fee.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

21. a. Conduct a public hearing, close the public comment period, and approve an amendment to Monterey County's Community Development Block Grant (CDBG) 2019-2020 Program Annual Action Plan to increase the amount available by \$1,049,326 in additional CDBG Coronavirus funding.
- b. Accept funds for the Community Development Block Grant (CDBG)-CV3, CARES Act through the Housing and Urban Development (HUD) Secretary in the amount of \$1,049,326 and approve an amendment to the FY 19/20 HUD Action Plan to program CARES Act funds.; and
- c. Authorize and direct the Auditor-Controller to receive funds and amend the FY 20-21 Adopted Budget, General Fund, Fund 0013, Housing and Economic Development appropriation unit CAO042 to increase appropriations and revenue by \$1,049,326 financed by the CDBG-CV3 grant funds (4/5th vote required).
- d. Approve the Urban County Standing Committee's December 18, 2020 recommendation to allocate \$1,049,326 to the United Way of Monterey County to provide rental assistance to income-qualified households in the Urban County's service area.

Anastasia Wyatt, housing Program Manager, via Zoom, from Economic Development presented via PowerPoint presentation.

Open for public comments; Grant Leonard, viz Zoom, commented.

A motion was made Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips to adopt

Resolution No. 21-004 to:

- a. Conduct a public hearing, close the public comment period, and approve an amendment to Monterey County's Community Development Block Grant (CDBG) 2019-2020 Program Annual Action Plan to increase the amount available by \$1,049,326 in additional CDBG Coronavirus funding.
- b. Accept funds for the Community Development Block Grant (CDBG)-CV3, CARES Act through the Housing and Urban Development (HUD) Secretary in the amount of \$1,049,326 and approve an amendment to the FY 19/20 HUD Action Plan to program CARES Act funds.; and
- c. Authorize and direct the Auditor-Controller to receive funds and amend the FY 20-21 Adopted Budget, General Fund, Fund 0013, Housing and Economic Development appropriation unit CAO042 to increase appropriations and revenue by \$1,049,326 financed by the CDBG-CV3 grant funds (4/5th vote required).
- d. Approve the Urban County Standing Committee's December 18, 2020 recommendation to allocate \$1,049,326 to the United Way of Monterey County to provide rental assistance to income-qualified households in the Urban County's service area.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

25. Public hearing to consider an appeal by Nina Beety from the October 29, 2020 Zoning Administrator decision approving a Coastal Development Permit adding a 12-foot tower extension for a wireless communication facility on an existing 130.5-foot PG&E steel lattice tower located at 745 Dolan Road, Moss Landing (APN: 131-054-010-000, PLN200128/AT&T Mobility)

Public hearing commenced.

Hold a public hearing to consider an appeal by Nina Beety from the October 29, 2020 Zoning Administrator decision approving a Coastal Development Permit adding a 12-foot tower extension for a wireless communication facility on an existing 130.5-foot PG&E steel lattice tower located at 745 Dolan Road, Moss Landing (APN: 131-054-010-000, PLN200128/AT&T Mobility)

Mary Israel, Associate Planner and Brandon Swanson, Services Manager and from the Resources Management Agency, all via Zoom, presented via PowerPoint presentation.

Applicant: Pacific Gas and Electric (AT&T) with Tom Johnson with TSJ CONSULTING INC as the Agent verbally presented. Bill Hammett also present.

Appellant: Nina Beety, via Zoom, verbally presented.

Open for public comments, no public comments made.

A motion was made Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to adopt Resolution No. 21-006 to:

- a. Deny the appeal by Nina Beety from the October 29, 2020 Zoning Administrator decision approving a Coastal Development Permit [Planning File No. PLN200128 - PG&E (AT&T Mobility)];
- b. Find the project is limited development consisting of co-location of wireless communication facility and ground-based support equipment which qualifies as a Class 3 Categorical Exemption per section 15303(a) of the CEQA Guidelines and none of the exceptions under section 15300.2 apply; and
- c. Approve a Coastal Development Permit to allow the co-location construction of a 12-foot tower

extension for new wireless communications facility on an existing 130.5-foot PG&E lattice tower, increasing the height to 142.5 feet, adding 12 antennas, 15 remote radio units, 3 surge suppressors, an equipment shelter, and a backup generator in a new fenced adjacent compound subject to twelve (12) conditions of approval.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

- 26.** Public hearing to consider an appeal by Lidia Woytak from the November 4, 2020, decision of the Monterey County Chief of Planning approving a Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN160608/Bailey) to reduce the overall development footprint of the previously-approved project within the same general footprint of the previously approved project and within existing disturbed and hardscape areas.

[PLN160608-AMD1/La Resaca LLC, 3257 17-Mile Drive, Pebble Beach (APN: 008-461-010-000)]

Proposed CEQA Action: Consider Addendum to previously adopted Mitigated Negative Declaration

Joe Sidor, Associate Planner and Brandon Swanson, Services Manager from the Resources Management Agency, via Zoom, present.

Lidia Woytak, Appellant withdrew her appeal, therefore, no action is needed by the Board.

Withdrawn:

- a. Deny the appeal of Lidia Woytak from the Chief of Planning's November 4, 2020, environmental determination and approval of a Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN160608/Bailey);**
- b. Consider an Addendum together with a previously adopted Mitigated Negative Declaration for the Combined Development Permit (PLN160608/Bailey);**
- c. Approve a Minor and Trivial Amendment (PLN160608-AMD1/La Resaca LLC) to a previously-approved Combined Development Permit (PLN160608/Bailey) for reduction of the overall development footprint by changing from the previously approved project consisting of 2,717 square feet of first floor additions to an existing single-family dwelling and a one-story 1,135 square foot attached 3-car garage, to the amended project consisting of a one-story 1,412 square foot addition to an existing single-family dwelling and an attached 1,326 square foot two-car garage/storage/utility room with a 1,092 square foot game room above the proposed garage, within the same general footprint and within the parcels existing disturbed and hardscape areas; and**
- d. Adopt a revised Condition of Approval and Mitigation Monitoring and Reporting Plan (MMRP) for the amended project (PLN160608-AMD1/La Resaca LLC) replacing the MMRP for PLN160608/Bailey.**

- 27.** Public hearing (continued from October 20, 2020) to consider:
- a. An appeal by Don and Barbara Chapin from the August 12, 2020 Planning Commission decision denying an application (PLN170296/Cabrera/The Chapin Living Trust) for commercial cannabis retail activities, commercial cannabis non-volatile manufacturing activities, and cannabis cultivation within an existing greenhouse and associated buildings in the Farmland zoning district, located at 115 & 115-A**

Monterey Salinas Highway (McShane's Nursery), Salinas (APN: 207-131-004-000 and 207-131-005-000); and

b. Provide direction on options for amendment to General Plan and zoning for the application.

Proposed CEQA Action: to be determined with processing of application and General Plan or zoning amendments

Cheryl Ku, Senior Planner, from Resources Management Agency, via Zoom, presented via PowerPoint presentation.

Appellant and applicant is Mr. Chapin and Cerisa Skinner as the agent both in person and presented verbally.

Open for public comments; Kein Conty and Chris Bunn, in person, and David Bunn and William Spencer, via Zoom all commented.

A motion was made Supervisor Chris Lopez, seconded by Supervisor Luis A. Alejo with Supervisor Mary L. Adams and Supervisor Wendy Root Askew voting no, to

a. Receive an update from staff on options for amendment of the General Plan and zoning for an application (PLN170296/Cabrera/The Chapin Living Trust) for commercial cannabis retail activities, commercial cannabis non-volatile manufacturing activities, and cannabis cultivation within an existing greenhouse and associated buildings in the Farmland zoning district; and

b. Provide direction on pursuing a General Plan Amendment and Zoning Amendment to add a Special Treatment Area Overlay for parcel(s) along State Route 68, including the subject parcel; and

c. Remand the application to the Planning Commission.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Adams: NAY

Chair Supervisor Root Askew: NAY

Motion carried 3 to 2

Read Out from Closed Session by County Counsel

CLOSED SESSION REPORT:

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.

The Board took no reportable actions on items 1.a.

b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:

(1) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado

Employee Organization(s): All Units

(2) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado Employee

Organization(s): Unit S

(3) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado Employee

Organization(s): Units F, H and S

(4) Designated representatives: Irma Ramirez-Bough, Kim Moore and Ariana Hurtado Employee Organization(s): Units F and J

The Board took action to settle a grievance by Unit S regarding holiday pay for nurses at Natividad Medical Center;

The Board took action to ratify the use of incentive pay for nurses and respiratory staff at Natividad in light of COVID staffing needs;

The Board took action to approve a side letter with SEIU with lay off procedures in light of the Resources Management Agency dissolution; and lastly

The Board authorized Human Resources to go forward with a creation of a new temporary nurses class to help with the staffing needs in light of COVID

c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

(1) Leo Gillespie (Worker's Compensation Appeals Board case no. ADJ10561467)

(2) Shaheen Jorgensen (Worker's Compensation Appeals Board case no. ADJ11889496)

(3) Mark Simar (Worker's Compensation Appeals Board case no. ADJ10938649)

(4) Mark Simar (Worker's Compensation Appeals Board case no. ADJ12140890)

The Board took no reportable actions on items 1.c.(1)(2)(3)(4)

d. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding three matters of significant exposure to litigation.

The Board took no reportable actions on items 1.d.

e. 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.

The Board took no reportable actions on items 1.e.

f. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Administrative Officer.

The Board took no reportable actions on items 1.f.

g. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Counsel.

The Board took no reportable actions on items 1.g.

h. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

(1) Property: 259-261-003-000, 259-261-004-000 and 259-261-005-000

Agency Negotiator(s): County Counsel

Negotiating Parties: Don Chapin Company

Under negotiation: Price and terms

The Board took no reportable actions on items 1.h.(1)

i. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center Chief Executive Officer.

The Board took no reportable actions on items 1.i.

j. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two matters of potential initiation of litigation.

The Board took no reportable actions on items 1.j.

Adjourned

The meeting was adjourned at 5:20 p.m. by Chair Supervisor Wendy Root Askew

APPROVED:

_____/s/ Wendy Root Askew_____
WENDY ROOT ASKEW, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: ____/s/ Valerie Ralph_____

VALERIE RALPH

CLERK OF THE BOARD

APPROVED ON: November 16, 2021

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

28. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute amendment No. 5 to the agreement (A-14083) with Health Management Associates, Inc. for consulting services associated with patient alignment, county ambulatory clinics and health plan member access for Natividad, extending the agreement an additional one (1) year period (January 2, 2021 through January 1, 2022) for a revised full agreement term of January 2, 2017 through January 1, 2022, with no increase to the total agreement amount of \$380,000.

Approved - Agreement No.: A-14083, Amendment No. 5

29. a. Authorize advance step placement of Lawanda Janine Bouyea at Step 5 of the Hospital Assistant Administrator salary range in accordance with Personnel Policies and Practices Resolution (PPPR) #98-394, Sections A.1.11.1, A.1.11.4 and A.1.11.5, effective May 26, 2018.

Approved

Health Department

30. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 2 to Mental Health Services Agreement with Turning Point of Central California, Inc. (TP Inc.), renew the agreement retroactive to November 1, 2020, and extend the term by one year for a revised term of February 12, 2018-June 30, 2021.

Approved - Agreement No.: A-13844, Amendment No. 2

31. a. Accept a Grant Award of up to \$1,826,083 funded by the Department of Health Care Services Behavioral Health Integration (BHI) Incentive Program and administered by the Central California Alliance for Health (CCAH) to fund activities increasing behavioral health integration in a primary care setting; and
- b. Ratify execution by the Director of Health of a Memorandum of Understanding (MOU)#0120-MCHD-CS-BH12 between the County of Monterey Health Department, on behalf of its Clinic Services Bureau (Clinic Services) and Central California Alliance for Health (CCAH), for activities to increase behavioral health integration capacity under the Department of Health Care Services' Behavioral Health Integration Incentive Program for the program period January 1, 2021 to December 31, 2022.

Approved - Memorandum of Understanding No. 0120-MCHD-CS-BH12

Department of Social Services

32. Consider a resolution to:
- a. Authorize the Director of Social Services to submit an application for the Homeless, Housing

Assistance and Prevention (HHAP) Round 2 funding through the California Homeless Coordinating Financing Council in the Business Consumers Services and Housing Agency in the amount of \$1,207,830;

b. Authorize the Director of Social Services to submit a budget modification to the HHAP Round 1 budget to move funds to support urgent services for homeless including implementation of Project Homekey in Monterey County;

c. Approve an increase in appropriations and estimated revenues of \$582,314 for Social Services Community Programs Budget Unit 001-5010-SOC004-8258 in the FY 2020-21 Adopted Budget; financed by HHAP Round 1 and 2 funding (4/5ths vote required); and

d. Authorize and direct the Auditor-Controller to amend the FY 2020-21 Adopted Budget by increasing appropriations and estimated revenues by \$582,314 in Social Services Community Programs Adopted Budget 001-5010-SOC004-8258 (4/5ths Vote Required).

Adopted Resolution No. 21-001

Criminal Justice

33. Adopt a Resolution to:

Approve and authorize the Auditor-Controller to amend the FY 2020-21 Sheriff-Coroner's Adopted Budget by increasing appropriations and estimated revenue by \$392,350, Fund 001, Appropriation Unit SHE003, financed by an operating transfer from 2011 Public Safety Realignment, Fund 022, Appropriation Unit PRO002 for the purchase of jail equipment. (4/5 vote required)

Adopted Resolution No. 21-002

General Government

34. a. Approve and Authorize Amendment No. 3 to the Digital Library Reserve Content Service Plan Application Services Agreement between the County of Monterey, on behalf of Monterey County Libraries, and OverDrive, Inc., increasing the amount not to exceed from \$200,000 to \$450,000, to continue receiving license and hosting services for downloadable library services.

b. Authorize the Director of Monterey County Free Libraries, or his/her Designee, to sign Amendment No.3 to the Digital Library Reserve Content Service Plan Application Services Agreement between the County of Monterey, in behalf of Monterey County Free Libraries and OverDrive, Inc.

Approved - Agreement No.: A-13084, Amendment No. 3

35. a. Authorize the Director of Information Technology or his designee to execute Amendment No. 1 to the Memorandum of Understanding with Bridgepointe Technologies, to extend the MOU to provide brokerage services with Verizon, FirstNet, Comcast, and other telecommunications sources at discounted prices, in addition to AT&T and to extend the term to August 29, 2024;

b. Authorize the Director of Information Technology or his designee to sign order forms and associated documents for purchase of telecommunication services through Bridgepointe Technologies; and

c. Accept non-standard contract provisions as recommended by the Director of Information Technology.

d. Authorize the Director of Information Technology or his designee to sign up to three (3) extensions,

subject to County Counsel review and provided the terms of the agreement remain substantially the same.

Approved - Agreement No.: A-14489, Amendment No. 1

- 36.** a. Approve and authorize the Library Director and/or her Designee to accept a grant from the California State Library in the amount of \$250,000 to purchase a new North County Bookmobile; and
b. Approve and authorize the Library Director and/or her Designee to sign an agreement with Farber Specialty Vehicles, Inc., effective March 1, 2021 through March 31, 2022 in an amount not to exceed \$370,000 to construct and deliver the Bookmobile.

Approved - Agreement No.: A-15088

- 37.** a. Approve and authorize the Monterey County Contracts/Purchasing Officer or Contracts/Purchasing Office Supervisor to sign an Agreement with Advanced Fire & Rescue Service Inc. to provide fire and rescue services to WeatherTech Raceway Laguna Seca Raceway (WRLS) retroactive to January 1, 2021 through December 31, 2021, for an amount not to exceed \$1,100,000; and,
b. Approve and authorize the Monterey County Contracts/Purchasing Officer or Contracts/Purchasing Office Supervisor to execute up to three (3) future amendments to this Agreement where the total amendments do not exceed 10% (\$110,000) of the agreement amount and do not significantly change the scope of work.

Approved - Agreement No.: A-15089

Community Services Department and Housing and Community Development

- 38.** a. Approve an Agreement for Purchase of Real Property to purchase a Permanent Roadway Easement, and a Temporary Construction Easement, (3.372 acres, and 0.325 acres respectively) between the County of Monterey and Yuki Nojo, LLC., (APN 207-032-004), in the amount of \$331,690 for right-of-way for the construction of Davis Road Bridge Replacement and Road Widening project, Project No. 3600; and
b. Authorize the Director of Public Works, Facilities, and Parks or their designee to execute the Agreement for Purchase of Real Property to purchase a Permanent Roadway Easement, and a Temporary Construction Easement.
c. Authorize the Director of Public Works, Facilities, and Parks or their designee to accept the Permanent Roadway Easement and execute the Certificate of Acceptance and Consent to Recordation.

Approved - Agreement No.: A-15090

- 39.** Introduce, waive reading, and set February 2, 2021, at 1:30 p.m., as the date and time to consider adoption of an ordinance amending Chapter 16.10 of the Monterey County Code related to regulations to prohibit metal detection activity on the former Fort Ord in the unincorporated area of Monterey County [REF200039 - Metal Detection Prohibition].

Proposed CEQA Action: Categorically exempt per CEQA Guidelines section 15308.

Pulled from today's agenda by the Planning Department to come back to the Board at a later

time.

40. a. Approve Amendment No. 2 to Professional Services Agreement No. A-13429, Multi-Year Agreement #3000*2979, with Cal Engineering & Geology, Inc. to continue to provide on-call geotechnical engineering services for projects located in Monterey County, California, Request for Qualifications #1701, to increase the not-to-exceed amount by \$100,000 for a total amount not-to-exceed \$400,000 and extend the expiration date for one (1) additional year through January 23, 2022, for a revised term from January 24, 2017 to January 23, 2022;
- b. Approve Amendment No. 2 to Professional Services Agreement No. A-13430, Multi-Year Agreement #3000*2980, with Earth Systems Pacific to continue to provide on-call geotechnical engineering services for projects located in Monterey County, California, Request for Qualifications #1701, to increase the not-to-exceed amount by \$100,000 for a total amount not-to-exceed \$400,000 and extend the expiration date for one (1) additional year through January 23, 2022, for a revised term from January 24, 2017 to January 23, 2022;
- c. Approve Amendment No. 3 to Professional Services Agreement No. A-13432, Multi-Year Agreement #3000*2983, with Moore Twining Associates, Inc. to continue to provide on-call geotechnical engineering services for projects located in Monterey County, California, Request for Qualifications #1701, to increase the not-to-exceed amount by \$200,000 for a total amount not-to-exceed \$700,000 and extend the expiration date for one (1) additional year through January 23, 2022, for a revised term from January 24, 2017 to January 23, 2022;
- d. Approve Amendment No. 3 to Professional Services Agreement No. A-13435, Multi-Year Agreement #3000*2986, with Professional Service Industries, Inc. to continue to provide on-call geotechnical engineering services for projects located in Monterey County, California, Request for Qualifications #1701, to increase the not-to-exceed amount by \$100,000 for a total amount not-to-exceed \$600,000 and extend the expiration date for one (1) additional year through January 23, 2022, for a revised term from January 24, 2017 to January 23, 2022; and
- e. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 and Amendment No. 3 to each Professional Services Agreement and future amendments to each Agreement where the amendments do not significantly alter the scope of work or increase the approved amount of each Agreement.

Approved - Agreement No.: A-13429, Amendment No. 2

Addenda/Supplemental

41. **ADDENDA**

Added to Ceremonial Resolutions

- 2.1 Resolution Condemning the Violent, Seditious Actions at Our National Capitol Incited by President Donald Trump. (Full Board - Supervisor Alejo)

SUPPLEMENTAL

Revised Other Board Matters

17. Added attachment: REVISED - Referrals 1-12-21

