

Monterey County

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



Meeting Agenda - Final-Revised

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

Tuesday, October 12, 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 AB361 and recommendation of the Monterey County Health Officer, in order to minimize the spread of the COVID 19 virus, please do the following:

1. While the Board chambers remain open, you are strongly encouraged to observe the live stream of the Board of Supervisors meetings at <https://monterey.legistar.com/Calendar.aspx>, <http://www.mgtvonline.com/>, www.youtube.com/c/MontereyCountyTV or <https://www.facebook.com/MontereyCoInfo/>

If you attend the Board of Supervisors meeting in person, it is recommended to maintain appropriate social distancing, i.e., maintain a 6-foot distance between yourself and other individuals.

2. If you choose not to attend the Board of Supervisors meeting but desire to make general public comment, or comment on a specific item on the agenda, you may do so in two ways:

a. submit your comment via email by 5:00 p.m. on the Monday prior to the Board meeting. Please submit your comment to the Clerk of the Board at cob@co.monterey.ca.us. In an effort to assist the Clerk in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Board of Supervisors Agenda) and item number (i.e. Item No. 10). Your comment will be placed into the record at the Board meeting.

b. you may participate through ZOOM. For ZOOM participation please join by computer audio at: <https://montereycty.zoom.us/j/224397747>

OR to participate by phone call any of these numbers below:

+1 669 900 6833 US (San Jose)
+1 346 248 7799 US (Houston)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
+1 253 215 8782 US
+1 301 715 8592 US

Enter this Meeting ID number: 224397747 when prompted. Please note there is no Participant Code, you will just hit # again after the recording prompts you.

You will be placed in the meeting as an attendee; when you are ready to make a public comment if joined by computer audio please Raise your Hand; and by phone please push *9 on your keypad.

Aviso importante sobre COVID 19

Según AB361 y la recomendación del Oficial de Salud del Condado de Monterey, para minimizar la propagación del virus COVID 19, haga lo siguiente:

1. Mientras las cámaras de la Junta permanezcan abiertas, se le recomienda encarecidamente que observe la transmisión en vivo de las reuniones de la Junta de Supervisores en <https://monterey.legistar.com/Calendar.aspx>, <http://www.mgtvonline.com/>, www.youtube.com/c/MontereyCountyTV o <https://www.facebook.com/MontereyCoInfo/>

Si asiste a la reunión de la Junta de Supervisores en persona, se recomienda mantener un distanciamiento social adecuado, es decir, mantener una distancia de 6 pies entre usted y otras personas.

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

Envíe su comentario por correo electrónico antes de las 5:00 p.m. el lunes anterior a la reunión de la Junta. Envíe su comentario al Secretario de la Junta a cob@co.monterey.ca.us. En un esfuerzo por ayudar al Secretario a identificar el ítem de la agenda relacionado con su comentario público, por favor indique en la Línea de Asunto, el cuerpo de la reunión (es decir, la Agenda de la Junta de Supervisores) y el número del ítem (es decir, el Ítem No. 10). Su comentario se colocará en el registro en la reunión de la Junta.

B. puede participar a través de ZOOM. Para participar en ZOOM, únase por audio de computadora en: <https://montereycty.zoom.us/j/224397747>

O para participar por teléfono llame a cualquiera de los siguientes números:

+1669900 6833 EE. UU. (San José)

+ 1346248 7799 EE. UU. (Houston)

+1312626 6799 EE. UU. (Chicago)

+1929205 6099 EE. UU. (Nueva York)

+1 253215 8782 EE. UU.

+1 301 715 8592 EE. UU.

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

Se le colocará en la reunión como asistente; cuando esté listo para hacer un comentario público si se le une el audio de la computadora, levante la mano; y por teléfono, presione * 9 en su teclado.

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

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

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

CEREMONIAL/APPOINTMENTS/OTHER BOARD MATTERS: These items may include significant financial and administrative actions, and items of special interest, usually approved by majority vote for each program. The regular calendar also includes "Scheduled Items," which are noticed hearings and public hearings.

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

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

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

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

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

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

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

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

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

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

NOTE: All agenda titles related to numbered agenda items are live web links. Click on the title to be directed to the corresponding Board Report.

PUBLIC COMMENT: Members of the public may address comments to the Board concerning each agenda item. The timing of public comment shall be at the discretion of the Chair.

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

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

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 ~~one~~ two matters of significant exposure to litigation. (CHANGED ON SUPPLEMENTAL)

Public Comments on Closed Session Items

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. Resolution honoring Beata Obydzinski upon her retirement as Librarian II after 20 years at Monterey County Free Libraries. (Supervisor Askew)

Attachments: [Ceremonial Resolution - Beata Obydzinski](#)

3. Adopt a resolution recognizing Mel and Regina Mason as the Community Foundation for Monterey County's 2021 Distinguished Trustee Award Recipients. (Supervisor Askew)

Attachments: [Ceremonial Resolution - Regina Mason](#)

4. Adopt a resolution recognizing Mel Mason as the Community Foundation for Monterey County's 2021 Distinguished Trustee Award Recipients. (Supervisor Askew)

Attachments: [Ceremonial Resolution - Mel Mason](#)

Appointments

5. Appoint Marguerite Susan Breen to the Commission on the Status of Women, with a term ending date of February 1, 2024. (Nominated by Supervisor Askew)

Attachments: [Notification to Clerk of Appt.- Breen](#)

Approval of Consent Calendar – (See Supplemental Sheet)**General Public Comments**

6. 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

7. Comprehensive Operations Analysis study and related changes to MST transit services throughout Monterey County

Attachments: [PowerPoint for MST](#)

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call

1:30 P.M. - Scheduled Matters

8. **PLN150372 - RIVER VIEW AT LAS PALMAS ASSISTED LIVING SENIOR FACILITY**
Continued from July 20 and August 31, 2021. Public hearing to consider an application for the River View at Las Palmas Assisted Living Senior Facility, including the following:
 - a. Amendment to the text of the Las Palmas Ranch Specific Plan (LPRSP) to add policy language to clarify that one assisted living facility is an allowed use subject to a Use Permit within Area A of the Specific Plan; and
 - b. Use Permit to allow construction of an assisted living facility (River View at Las Palmas Assisted Living Senior Facility) including:
 1. Thirteen Casitas providing 26 separate units ranging in size from 1,513 to 3,757 square feet and totaling approximately 41,300 square feet;
 2. Forty assisted living units with 52 beds ranging in size from 360 to 587 square feet each and totaling approximately 27,000 square feet;
 3. A 21,600 square foot, three-story memory care facility including 39 living units ranging in size from 313 to 453 square feet and containing a total of 48 beds; and
 4. Associated infrastructure including roads and grading of approximately 60,000 cubic yards.

Project Location: Vacant 15.74-acre lot within Las Palmas Subdivision #1, south of River Road and west of Country Park Road, within the Las Palmas Ranch Specific Plan area, approximately 1.25 miles west of Spreckels and 0.5 miles east of State Highway 68.

Proposed CEQA actions: Certify the Final Subsequent Environmental Impact Report (Final SEIR), adopt a Statement of Overriding Considerations, and adopt a Mitigation Monitoring and Reporting Plan.

Attachments: [Board Report](#)
[Attachment A - Discussion](#)
[Attachment B1 - Draft CEQA Resolution](#)
[Attachment B2 - Draft Las Palmas Ranch Specific Plan Amendment Resolution](#)
[Attachment B3 - Draft Combined Development Permit Resolution](#)
[Attachment C - Draft Text of Las Palmas Ranch Specific Plan Amendment](#)
[Attachment D - Vicinity Maps](#)
[Attachment E - Toro Land Use Advisory Committee \(LUAC\) Minutes \(October 26, 2015\)](#)
[Attachment F - Toro LUAC Minutes \(September 26, 2016\)](#)
[Attachment G - Correspondence \(received since October 10, 2019\)](#)
[Attachment H - Emergency Response Calls for Comparable Facilities in Monterey County](#)
[Attachment I - Las Palmas Ranch Specific Plan Residential Build Out by Area](#)
[Attachment J - Response to Comments regarding Noise \(prepared by Rincon Consultants, Inc., dated January 27, 2020\)](#)
[Attachment K - Planning Commission Resolution No. 20-004, dated February 12, 2020](#)
[Attachment L - Planning Commission Resolution No. 20-005, dated February 12, 2020](#)
[Attachment M - Planning Commission Resolution No. 20-006, dated February 12, 2020](#)
[Attachment N - Las Palmas Ranch Specific Plan \(adopted September 1983\)](#)
[Attachment O - Draft Subsequent Environmental Impact Report \(Draft SEIR\), with all](#)
[Attachment P - Final SEIR, including Comments and Responses to Comments on the](#)

9. a. Receive a report outlining the proposed framework and next steps for the implementation and funding of a local equity program; and
- b. Adopt a resolution authorizing the Cannabis Program Manager to execute a grant agreement with the Governor's Office of Business and Economic Development to receive grant funding to assist local equity applicants and licensees through a local equity program for commercial cannabis activities; and
- c. Provide direction to staff as appropriate.

- Attachments:** [Board Report](#)
 [Attachment A: Proposed Equity Program Framework](#)
 [Attachment B: Draft Resolution](#)
 [PowerPoint Presentation](#)

10. Consider providing further direction regarding amendments to Chapter 10.72 of the Monterey County Code regarding “Desalinization Treatment Facility” to include preparation of an Initial Study pursuant to the California Environmental Quality Act (“CEQA”).

- Attachments:** [Board Report](#)
 [A. Staff Rpt 9-21](#)
 [B. Attachment - Draft ord 10-72 final](#)
 [C. 10-72 Underline Strikeout](#)

Other Board Matters

County Administrative Officer Comments and New Referrals

11. County Administrative Officer Comments and Referrals

- Attachments:** [Board Referral Matrix 10-12-21](#)
 [Board Referral No. 2021.20](#)

Referral Responses

12. Receive a preliminary analysis report in response to Board Referral No. 2021.17 Monterey Bay Veterans Home at the Former Fort Ord; and approve recommendation to designate establishment of a Veterans Home in Monterey County as a legislative priority of the Board.

- Attachments:** [Board Report](#)
 [BoS Referral No. 2021.17 Veterans Home](#)

Board Comments

13. 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. Ratify the execution by the Director of Health of the Agreement with Walmart, Inc., and the Monterey County Health Department's Public Health Bureau, to provide and administer immunizations to Monterey County employees with a retroactive start date of August 10, 2021, at no cost to the County; and
- b. Authorize the Director of Health or the Assistant Director of Health to approve up to two (2) future amendments that do not significantly alter the scope of services.

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

15. Approve and authorize the Director of Health or the Assistant Director of Health to execute a Snowflake Data Access Agreement between the County of Monterey and the California Department of Public Health for the COVID-19 data access for the term two (2) years, effective upon execution of the Agreement.

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

16. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Mental Health Services Agreement with Sierra Vista Child and Family Services for the provision of Short-Term Residential Therapeutic Program and mental health services in the amount of \$176,876 for Fiscal Year (FY) 2021-22, \$235,834 for FY 2022-23, and \$235,834 for FY 2023-24, for a total Agreement amount not to exceed \$648,544 for the term October 1, 2021 through June 30, 2024; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$64,855) of the original Agreement amount and do not significantly change the scope of services.

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

Department of Social Services

17. Authorize the Director of Social Services to sign the notice of intent to apply as an independent applicant and sign all state funding agreements related to the Homeless, Housing Assistance and Prevention Round 3 (HHAP-3) funding for Monterey County.

Attachments: [Board Report](#)
 [Standard Agreement to Apply](#)
 [hhap r3 sample contract](#)

18. Adopt Resolution to:

- a. Authorize the County of Monterey to participate in the State Rental Assistance Program - 2; and
- b. Authorize the Director of Social Services to act on behalf of the County in connection with the State Rental Assistance Program - 2 block grant award and to enter into, execute, and deliver any and all documents required or deemed necessary or appropriate to be awarded for the State Rental Assistance Program - 2, and all amendments.

Attachments: [Board Report](#)
 [Resolution](#)
 [Administrative Option Letter of Intent \(AB 832\)](#)

General Government

- 19.** Approve and authorize the Executive Director of the Monterey County Workforce Development Board (WDB) to execute Amendment No. 2 to the WDB's Agreement with Brennan Workforce Consulting (BWC) to provide WIOA policy development and training services to the WDB retroactive to July 1, 2021 for the period from July 1, 2021 through June 30, 2022, for a total amount not to exceed \$74,200

Attachments: [Board Report](#)
 [Agreement with BWC for Policy Development](#)
 [BWC Policy Development Amendment No. 1](#)
 [BWC Policy Development Amendment No. 2](#)

- 20.** Approve and authorize the Executive Director of the Monterey County Workforce Development Board (WDB) to execute Amendment No. 2 to the WDB's Agreement with Brennan Workforce Consulting (BWC) to provide WIOA Employment Training Provider monitoring services retroactive to July 1, 2021 for the period from July 1, 2021 through June 30, 2022, for a total amount not to exceed \$65,000

Attachments: [Board Report](#)
 [Brennan Workforce Consulting ETPL Monitoring Agreement](#)
 [BWC ETPL Monitoring Agreement Amendment No. 1](#)
 [BWC ETPL Monitoring Agreement Amendment No. 2](#)

- 21.** Adopt a Resolution to approve and authorize the Chairperson to execute the Golden State Connect Authority Joint Exercise of Powers Agreement.

Attachments: [Board Report](#)
 [Golden State Connect Authority Joint Exercise of Powers Agreement](#)
 [RCRC's Rural Broadband Initiative](#)

- 22.** Adopt a Resolution to:
- a. Amend the FY 2021-22 Human Resources Department's Adopted Budget (001-1060-8445-HRD001) to add one (1) Management Analyst I allocation as indicated in Attachment A (4/5 vote required); and
 - b. Authorize and direct the County Administrative Office and the Auditor-Controller to incorporate these changes in the FY 2021-22 Adopted Budget.

Attachments: [Board Report](#)
 [HR BR - New Allocation MA I Resolution](#)
 [Attachment A - New Allocation MA I](#)

- 23.** Approve the Board of Supervisors Draft Action Meeting Minutes for the following meeting date(s): Friday, February 12, 2021, Tuesday, February 23, 2021, Tuesday, March 2, 2021, Friday March 5, 2021, Tuesday March 9, 2021, Tuesday March 16, 2021, and Tuesday, March 23, 2021.

Attachments: [DRAFT Special BOS Minutes 2-12-2021](#)
 [DRAFT BOS Minutes 2-23-2021](#)
 [DRAFT BOS Minutes 3-2-2021](#)
 [DRAFT Special BOS Minutes 3-5-2021](#)
 [DRAFT BOS Minutes 3-9-2021](#)
 [DRAFT BOS Minutes 3-16-2021](#)
 [DRAFT BOS Minutes 3-23-2021](#)

- 24.** a. Approve and authorize the Treasurer-Tax Collector's Revenue Division Application for Discharge from Accountability for the collection of delinquent court-ordered criminal and traffic fines, fees, penalties, and assessments deemed uncollectible due to age of debt and lack of value where the cost of recovery exceeds the cost of collection efforts, per Government Code Section 25257; and
- b. Authorize the Treasurer-Tax Collector or her designee to take all necessary and appropriate action to discharge the accountability of delinquent court-ordered accounts pursuant to Government Code Section 25259.

Attachments: [Board Report](#)
 [Attachment A - Application for Discharge from Accountability](#)
 [Attachment B - Discharge from Accountability Information](#)
 [Sheet](#)

25. Receive the certified Statement of Votes Cast and declare final the results of the September 14, 2021 California gubernatorial Recall Election as set forth in the attached documents.

Attachments: [Board Report](#)
 [Exhibit A - September 14, 2021 Final Summary Report](#)
 [Exhibit B - Statement of Votes Cast](#)

26. a. Approve and authorize step advancement for Susan Blich and Wendy Strimling to Step 6 of the Assistant County Counsel salary range effective October 9, 2021, in accordance with Personnel Policies and Practices Resolution (PPPR) No. 98-394, Section A.1.11.5;
b. Approve and authorize step advancement for Christopher Knight and Marisol Jones to Step 5 of the Assistant District Attorney salary range effective October 9, 2021, in accordance with Personnel Policies and Practices Resolution (PPPR) No. 98-394, Section A.1.11.5;
c. Approve and authorize step advancement for Jeremy Dzubay to Step 7 of the Assistant Public Defender salary range effective October 9, 2021, in accordance with Personnel Policies and Practices Resolution (PPPR) No. 98-394, Section and A.1.11.5.

Attachments: [Board Report](#)

SUPPLEMENTAL

27.

SUPPLEMENTAL

1. c. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~one~~ **two** matters of significant exposure to litigation.