

Monterey County

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



Meeting Minutes - Draft

Tuesday, September 27, 2022

9:00 AM

Board of Supervisors

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

9:00 A.M. - Called to Order

The meeting was called to order by Chair Supervisor Mary L. Adams.

Roll Called

Present: 5 - Supervisor Mary L. Adams and Supervisor Wendy Root Askew, appeared in person, and Supervisor John M. Phillips, Supervisor Chris Lopez and 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 or corrections to closed session.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) Linda Chavarria (Workers' Compensation Appeals Board No. ADJ9891595)
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

Public Comments for Closed Session

Open for public comments; David Rosen, Karen Pointeaus, Lori Sampac and Mary Lou Gomez, all in person, commented.

The Board Recessed for Closed Session Agenda Items

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

Roll Called

Present: 5 - Supervisor Mary L. Adams, Supervisor Wendy Root Askew and Supervisor Chris Lopez, appeared in person, and Supervisor John M. Phillips and 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

Diego Celis, Spanish Interpreter present and announced Spanish interpreter services.

Pledge of Allegiance

The Pledge of Allegiance led by Gina Martinez, Registrar of Voters.

Additions and Corrections by Clerk

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following addition and correction:

The following was recited into the record:

Referral Responses:

For Item No. 23 the Department requested to remove this item which will be brought back at a later time.

Health Department Consent Calendar:

For Item No. 30 a revised Board Report was received.

Ceremonial Resolutions

Open for public comments; no public comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Chris Lopez to adopt Ceremonial Resolutions 2 through 4.

Roll call vote taken pursuant to Government Code 54953:

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

2. Adopt a resolution commending Gary Giboney, Chief Deputy Auditor-Controller, Office of the Auditor-Controller, for his dedicated service of 22 years to the County of Monterey. (Supervisor Adams)

Adopted Resolution No. 22-366

3. Adopt a resolution honoring Glenn Sakasegawa for his 17 years of Public Service in Monterey County. (Supervisor Adams)

Adopted Resolution No. 22-367

4. Adopt a resolution recognizing Bruce and Linda Taylor as the Community Foundation for Monterey County's 2022 Distinguished Trustee Award Recipients. (Supervisor Adams)

Adopted Resolution No. 22-365

Appointments

Open for public comments; no public comments made.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Wendy Root Askew to appoint/reappoint Item Numbers 5 and 13.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

5. Appoint Jeffrey Andrews to the Carmel Valley Road Advisory Committee as an Alternate for Business Representative with a term ending on September 20, 2025. (Nominated By District 5, Supervisor Adams)

Appointed

6. Reappoint Katie Coburn to the Carmel Valley Road Advisory Committee as a Primary Representative of Mouth-of-the-Valley with a term expiring on June 30, 2025. (Nominated By District 5, Supervisor Adams)

Reappointed

7. Appoint MaryBeth Murray to the Commission on the Status of Women as a District 5 Representative to fill an unexpired term ending on February 1, 2023. (Nominated By District 5, Supervisor Adams)

Appointed

8. Appoint Suzanne Cole to the CSA 25 to fill an unexpired term ending on February 9, 2024. (Nominated By District 5, Supervisor Adams)

Appointed

9. Reappoint Karen Araujo to the Commission on the Status of Women as a Primary Representative with a term ending on February 1, 2023. (Nominated By District 4, Supervisor Askew)

Reappointed

10. Reappoint Cesar Lara to the Monterey County Workforce Development Board as a Business

Organization Representative with a term ending on July 27, 2025. (Nominated By The Monterey County Workforce Development Board)

Reappointed

- 11. Reappoint Steve MacArthur to the Monterey County Workforce Development Board as a Business Organization Representative with a term ending on October 19, 2025. (Nominated By The Monterey County Workforce Development Board)

Reappointed

- 12. Reappoint Erik Cushman to the Monterey County Workforce Development Board as Business Organization Representative with a term ending on December 11, 2022. (Nominated By The Monterey County Workforce Development Board)

Reappointed

- 13. Appoint Germaine Esquivel to the Community Action Commission as a Low-Income Representative with a term ending September 27, 2025. (Nominated By District 4, Supervisor Askew)

Appointed

Approval of Consent Calendar – (See Supplemental Sheet)

- 14. See Supplemental Sheet

Open for public comments; no public comments made.

Supervisor Wendy Root Askew commented on Consent Item Number 40.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Chris Lopez to approve Consent Calendar Item Numbers 26 through 42.

Roll call vote taken pursuant to Government Code 54953:

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

General Public Comments

- 15. General Public Comments

Open for general public comments for items not on today's agenda; Lurna Moffet, via Zoom, commented.

Scheduled Matters

- 16.** Adopt a Resolution to:
- a. Authorize the reallocation of unspent American Rescue Plan Act of 2021 (ARPA) funds of \$1,178,797 to the Pajaro County Sanitation District;
 - b. Authorize and direct the Auditor-Controller to amend the Fiscal Year (FY) 2022-23 Adopted Budget for the General Fund, Fund 001, Other Financing Uses Appropriation Unit CAO017, to increase appropriations by \$1,320,603, where the financing source is Cannabis Tax Assignment (001-3132) (4/5th vote required);
 - c. Authorize and direct the Auditor-Controller to amend the FY 2022-23 Pajaro County Sanitation District Adopted Budget, Fund 151, Appropriation Unit PFP047, to increase appropriations by \$2,499,400, financed by an increase in ARPA revenues of \$1,178,797 and an operating transfer in of \$1,320,603 from General Fund, Fund 001, Other Financing Uses Appropriation Unit CAO017 to fund projected budget deficiency (4/5th vote required); and
 - d. Authorize and direct the Auditor-Controller to transfer \$1,320,603 for the FY 2022-23 from General Fund, Fund 001, Other Financing Uses CAO017, to Pajaro County Sanitation District, Fund 151, Appropriation Unit PFP047, where General Fund Other Financing Uses has sufficient appropriations available to fund the transfer (4/5ths vote required).

Randy Ishii, Director of the Public Works, Facilities and Parks, in person, and Erich Rauber, Civil Engineer, via Zoom, presented via PowerPoint presentation.

Open for public comments; no public comments made.

Acting as the Board of Directors of the Pajaro County Sanitation District the Board took the following action:

A substitute motion was made by Supervisor Luis A. Alejo, seconded by Supervisor John M. Phillips with Supervisor Wendy Root Askew and Supervisor Mary L. Adams, voting no, to adopt a Resolution in support of Option 1.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: AYE**
- Supervisor Phillips: AYE**
- Supervisor Lopez: AYE**
- Supervisor Root Askew: NAY**
- Chair Supervisor Adams: NAY**

Motion failed as 4/5ths vote is required.

The main motion was called on:

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Mary L. Adams with Supervisor Luis A. Alejo, Supervisor John M. Phillips and Supervisor Chris Lopez, voting no, to adopt a resolution in support of Option 3.

Roll call vote taken pursuant to Government Code 54953:

- Supervisor Alejo: NAY**
- Supervisor Phillips: NAY**
- Supervisor Lopez: NAY**
- Supervisor Root Askew: AYE**
- Chair Supervisor Adams: AYE**

Motion failed 3 to 2

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Luis A. Alejo, as amended, to:

- a. Authorize the reallocation of unspent American Rescue Plan Act of 2021 (ARPA) funds of \$1,178,797 to the Pajaro County Sanitation District;
- b. Authorize and direct the Auditor-Controller to amend the Fiscal Year (FY) 2022-23 Adopted Budget for the General Fund, Fund 001, Other Financing Uses Appropriation Unit CAO017, to increase appropriations by \$1,320,603, where the financing source is Cannabis Tax Assignment (001-3132) (4/5th vote required);
- c. Authorize and direct the Auditor-Controller to amend the FY 2022-23 Pajaro County Sanitation District Adopted Budget, Fund 151, Appropriation Unit PFP047, to increase appropriations by \$2,499,400, financed by an increase in ARPA revenues of \$1,178,797 and an operating transfer in of \$1,320,603 from General Fund, Fund 001, Other Financing Uses Appropriation Unit CAO017 to fund projected budget deficiency (4/5th vote required);
- d. Authorize and direct the Auditor-Controller to transfer \$1,320,603 for the FY 2022-23 from General Fund, Fund 001, Other Financing Uses CAO017, to Pajaro County Sanitation District, Fund 151, Appropriation Unit PFP047, where General Fund Other Financing Uses has sufficient appropriations available to fund the transfer (4/5ths vote required); and

A Budget Process Workshop to be held in January 2023 to discuss transparency and equity in our budget process which will include a review of the County financial policy with a commitment in how these policies are implemented.

Roll call vote taken pursuant to Government Code 54953:

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

12:00 P.M. - Recessed to Lunch - Stairwell Mural Project Ribbon Cutting Event and then back into Closed Session.

1:30 P.M. - Reconvened

Roll Called

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

Diego Celis, Spanish Interpreter present and announced Spanish interpreter services.

Scheduled Matters

17. a. Conduct a public hearing on Urban County Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for FY21/22;
- b. Consider the CAPER for FY21/22;
- c. Consider authorizing the Director of Housing and Community Development to submit the CAPER to the U.S. Department of Housing and Urban Development (HUD);
- d. Consider authorizing the Director of Housing and Community Development to make minor changes to the CAPER as needed in response to comments from HUD;
- e. Approve the Urban County CDBG CAPER for FY21/22 for submittal to the U.S. Department of Housing and Urban Development (HUD); and,
- f. Authorize the Director of Housing and Community Development to make minor changes to the CAPER as needed or in response to comments from HUD.

Public hearing commenced.

Darby Marshall, Housing Program Manager, in person, presented via PowerPoint presentation.

Open for public comments; no public comments made.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Wendy Root Askew to:

- a. Conduct a public hearing on Urban County Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER) for FY21/22;
- b. Consider the CAPER for FY21/22;
- c. Consider authorizing the Director of Housing and Community Development to submit the CAPER to the U.S. Department of Housing and Urban Development (HUD);
- d. Consider authorizing the Director of Housing and Community Development to make minor changes to the CAPER as needed in response to comments from HUD;
- e. Approve the Urban County CDBG CAPER for FY21/22 for submittal to the U.S. Department of Housing and Urban Development (HUD); and,
- f. Authorize the Director of Housing and Community Development to make minor changes to the CAPER as needed or in response to comments from HUD.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: AYE

Supervisor Lopez: AYE

Supervisor Root Askew: AYE

Chair Supervisor Adams: AYE

18. a. Approve Monterey County Communications & Public Relations Guidelines pursuant to the County Media Policy (Policy Number G-145 of the Board Policy Manual)
- b. Provide direction to staff as appropriate.

Nick Pasculli, County Communications Director, in person, verbally presented.

Open for public comments; no public comments made.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Chris Lopez, as

amended, to:

- a. Make edits to the Monterey County Communications & Public Relations Guidelines pursuant to the County Media Policy (Policy Number G-145 of the Board Policy Manual) as suggested by Supervisor Wendy Root Askew; and
- b. Directed staff to place it back on a future Board of Supervisor agenda as a consent item for approval.

Roll call vote taken pursuant to Government Code 54953:

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

19. Conduct a hearing to consider:

- a. Finding that the abandonment of the Official Plan Lines of the portion of Rio Road between the two segments of Rio Road currently constructed, being approximately that portion from Engineer's Station 6+77.8 to 39+72.02, as said Official Plan Lines and said Stations are shown on map filed in the Office of the County Recorder in Volume 2 of Official Plan Lines, at Page 55, is in conformity with Policy CV-2.19 of the Carmel Valley Master Plan, a part of the Monterey County General Plan;
- b. Adoption of an ordinance amending Ordinance 499, being the Streets and Highways Plan of Monterey County, deleting a portion of Section 3ww and Section 8ww of the Official Plan Lines of the Rio Road Extension; and
- c. Adoption of a resolution to rename that portion of Rio Road northerly of Engineer's Station 39+72.02 to Village Park Road.

Hearing commenced.

Michael Goetz, Chief of Surveys, in person, presented via PowerPoint presentation.

Open for public comments; no public comments made.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Wendy Root Askew to:

- a. Find that the abandonment of the Official Plan Lines of the portion of Rio Road between the two segments of Rio Road currently constructed, being approximately that portion from Engineer's Station 6+77.8 to 39+72.02, as said Official Plan Lines and said Stations are shown on map filed in the Office of the County Recorder in Volume 2 of Official Plan Lines, at Page 55, is in conformity with Policy CV-2.19 of the Carmel Valley Master Plan, a part of the Monterey County General Plan;
- b. Adopt an ordinance amending Ordinance 499, being the Streets and Highways Plan of Monterey County, as amended by Ordinance No. 1693, deleting a portion of Section 3ww and Section 8ww of the Official Plan Lines for the extension and construction of Rio Road; and
- c. Adopt a resolution to rename that portion of Rio Road northerly of Engineer's Station 39+72.02 to Village Park Road.

Roll call vote taken pursuant to Government Code 54953:

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

20. Consider making appointments to the Primary and Alternate Public Member Director positions on the Board of Directors of the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”) for terms commencing July 1, 2022, through June 30, 2025.

Les Girard, County Counsel, in person, verbally presented.

Open for public comments; Caroline Chapin, via Zoom, and Robert Rodoni, in person, commented.

A motion was made by Supervisor Wendy Root Askew, seconded by Supervisor Luis A. Alejo to: Appoint as Primary Director Caroline Chapin and as Alternate Public Member Director Robert Rodoni on the Board of Directors of the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”) for terms commencing July 1, 2022, through June 30, 2025.

In future, the SVBGSA shall make available all the applicants who applied to the Board of Supervisors.

Roll call vote taken pursuant to Government Code 54953:

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

Other Board Matters

County Administrative Officer Comments

21. County Administrative Officer Comments

Charles McKee, County Administrative Officers' comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4650

New Referrals

22. New Referrals

Charles McKee, County Administrative Officer shared there were three new referral this week:

Supervisor Chris Lopez District 3

Referral Title: Review of Local Requirement for Commercial Cannabis Operators

Referral Purpose: To consider a review of the department specific local requirements for commercial cannabis operators to achieve local authorization for the transition from a Department of Cannabis Control Provisional License to Annual Licensure.

Supervisor Luis A. Alejo District 1

Referral Title: Clerk of the Board of Supervisors Budget Augmentation for Resolutions

Referral Purpose: To augment the budget for the Clerk of the Board of Supervisors to cover all expenses for framed Board Resolutions, and to enhance our certificates for Board Resolutions.

Date: 9/19/2022 **Submitted By:** SUPERVISOR LUIS ALEJO **District #:** 1
Referral Title: East Salinas District 1 Office
Referral Purpose: To search and open a District Office for District 1 in East Salinas 93905 to provide greater office access to constituents in this area of Salinas with the greatest need.

Referral Responses

- 23. Receive a preliminary analysis report in response to Board Referral No. 2022.17 seeking the Elections staff bring forward recommendations to possibly create a fee schedule for candidates to request and plan for recounts when needed.

Removed from agenda via additions and corrections

- 24. a. Receive an oral report update to **Board Referral No. 2022.06** which sought an increase in funding allocated to the Virus Integrated Distribution of Aid (VIDA) to maintain operations through December 31, 2022; and
b. Provide direction to staff.

Krista Hanni, Public Health Program Manager II, Roxann Seepersad, Supervising Public Health Epidemiologist and Michael Castro, Director of Community Initiatives and Partnerships, all via Zoom, presented via PowerPoint presentation.

Open for public comments; no public comments made.

Upon consensus the Board:

- a. Received an oral report update to Board Referral No. 2022.06 which sought an increase in funding allocated to the Virus Integrated Distribution of Aid (VIDA) to maintain operations through December 31, 2022; and
- b. Provided direction to staff.

Board Comments

- 25. Board Comments

Board Comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4650

Read Out from Closed Session by County Counsel

There was no reportable read out from closed session.

Adjourned

The meeting was adjourned at 3:27 p.m. by Chair Supervisor Mary L. Adams.

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

26. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute amendment No. 3 to the agreement with Huffmaster Crisis Response, Inc. for nurse and allied professional staffing services in the event of an emergent staffing crisis at NMC, to add \$5,000,000 for a revised total agreement amount not to exceed \$5,901,988, until the conclusion of the staffing need.

Approved

27. a. Authorize the Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute a Hospital Participation Agreement (“Agreement”) with American College of Surgeons (ACS) for participation in the National Surgical Quality Improvement Program (“ACS NSQIP”), for the term of October 1, 2022 through September 30, 2023, and for a total agreement amount of \$14,000.
- b. Approve the NMC Chief Executive Officer’s recommendation to accept non-standard indemnification, insurance, no warranty, limitations on liability, and governing laws within the agreement.

Approved

28. a. Authorize Chief Executive Officer (CEO) for Natividad or his designee to execute the Second Amendment to the Professional and Call Coverage Services Agreement with Richard Moore M.D., Inc. to provide general and critical care surgery services at NMC extending the term by twenty-four months (October 1, 2022 to September 30, 2024) for a revised full agreement term of October 1, 2018 to September 30, 2024, and adding \$300,000 for a revised not to exceed amount of \$800,000 in the aggregate; and
- b. Authorize the CEO for Natividad to sign up to three (3) future amendments to this agreement where the total amendments do not significantly change the scope of work and do not cause an increase of more than ten percent 10% (\$50,000) of the original contract amount.

Approved

Health Department

29. Adopt a Resolution to:
Amend Article I.b. - Public Health Bureau of the Monterey County Master Fee Resolution effective November 1, 2022, to adjust fees pursuant to the attached Fee Schedule relating to services provided by the Health Department’s Administration and Public Health Bureaus - Sexual Assault Response Team (SART) Fee Schedule (Penal Code Section 13823.95) and Research/Evaluation and Information Technology Fee Schedule.

Adopted

30. Approve and authorize the Director of Health or Assistant Director of Health to execute an Operational Agreement between Monterey County Health Department's Sexual Assault Response Team (SART) and Monterey County Rape Crisis Center (MCRCC), agreeing to work together toward the mutual goal of providing maximum available assistance for crime victims residing in Monterey County, for the term October 1, 2022 through September 30, 2025.

Approved

31. a. Approve and authorize the Director of Health or the Assistant Director of Health to execute a Student Placement Agreement between the County of Monterey and the University of San Francisco for the term October 1, 2022 to May 12, 2023 for the provision of Student Internship; and
b. Approve the recommendation of Director of Health to accept all non-standard provisions in Agreement; and
c. Approve the Director of Health or the Assistant Director of Health to approve up to three (3) future Amendments that do not significantly alter the scope of services.

Approved

Department of Social Services

32. a. Approve and authorize the Director or Assistant Director of the Department of Social Services to sign an agreement with the County of Santa Cruz Human Services Department, allowing them to use Monterey County's CHERISH Receiving Center for the temporary placement of children removed from their homes, for the term of October 1, 2022 to September 30, 2025, where the County of Santa Cruz will reimburse Monterey County for the placements in an amount not to exceed \$168,510; and
b. Authorize the Director or Assistant Director of the Department of Social Services to sign up to three amendments to this agreement that do not encompass payment by Monterey County or significantly change the scope of work.

Approved

General Government

33. a. Approve and authorize the Executive Director of the Monterey County Workforce Development Board (WDB) to execute an Agreement with Arbor E&T, LLC, doing business as Equus Workforce Solutions, in an amount not to exceed \$125,000, to provide WIOA One Stop Operator services to the WDB retroactive to July 1, 2022, for the period of July 1, 2022, through June 30, 2023; and
b. Approve and authorize the Executive Director of the WDB to execute up to three (3) future amendments of one (1) year each, subject to County Counsel review and approval by the Board of Supervisors, to extend the Agreement on substantially the same terms

Approved

34. a. Approve and authorize the Chief Information Officer to execute retroactively September 1, 2022 an

Amendment No. 1 to a non-standard License Agreement with American Tower, LLC for the Next Generation Radio System (NGEN) - Table Mountain site extending the agreement for an additional five (5) years to August 31,2027; and

- b. Accept non-standard provisions as recommended by the Chief Information Officer; and
- c. Authorize the Chief Information Officer or designee to execute up to two (2) future amendments, subject to County Counsel review, to extend the non-standard License Agreement term for five (5) additional years per amendment and to allow for a four percent (4%) annual increase per year provided the amendments do not significantly change the scope of work and do not alter the non-standard terms of the License Agreement.

Approved

- 35.** Adopt a resolution to amend Article XV of the Monterey County Master Fee Resolution, effective October 25, 2022, authorizing new fees and adjusting existing fees for Treasurer-Tax Collector services and enforcement requirements.

Adopted

- 36.** Receive a report that provides periodic updates on Cannabis Program performance indicators.

Received

- 37.** Adopt a Resolution to:
- a. Amend the County Counsel's Office - Budget Unit 1210-8407-Fund 001 -Appropriation Unit COU002 to reallocate one (1) Finance Manager I to one (1) Finance Manager II as indicated in Attachment A; and
 - b. Direct the County Administrative Office to incorporate the position changes in the FY 2022-23 Adopted Budget.

Adopted

- 38.** Approve the Board of Supervisors of the Monterey County Draft Action Meeting Minutes for the following meeting date: Tuesday, September 20, 2022.

Approved

Housing and Community Development

- 39.**
- a. Approve retroactively a Renewal and Amendment No. 9 to Agreement A-12442 with Denise Duffy & Associates, Inc., (CONTRACTOR) to extend the term of the Agreement seventeen (17) months to December 31, 2023, with a retroactive start date of July 1, 2022 for the Carmel Lagoon Project (REF 120051);
 - b. Approve redistribution of funds from Task 8.7, Additional Services, in the amount of \$5,242 to Task 8.4, Additional Technical Studies, subtasks 8.4.1 and 8.4.4 in the amounts of \$1,693 and \$3,549, respectively; and
 - c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute: 1)

Renewal and Amendment No. 9 to Professional Services Agreement No. A-12442 and 2) future amendments to Professional Services Agreement A-12442 to extend the term beyond the original term authorized in Request for Proposals #2012-CRL-1 where the amendments do not significantly alter the scope of work or increase the amount by more than 10%, subject to County Counsel approval.

Approved

40. REF220004 - PROFESSIONAL SERVICES AGREEMENT FOR GENERAL PLAN ELEMENTS UPDATES

a. Approve a Professional Services Agreement with Harris & Associates, Inc., to provide services to update the Housing Element, Safety Element, create the Environmental Justice Element, and prepare an environmental study for the not to exceed amount of \$967,520 and for a term October 1, 2022 to September 30, 2025; and

b. Authorize the Contracts/Purchasing Officer of Contracts/Purchasing Supervisor to execute the Professional Services Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount by more than ten percent (10%), subject to review and approval by County Counsel.

Approved

- 41. a.** Approve Amendment No.7 to Professional Services Agreement No. A-13085 with Whitson and Associates, Inc. dba Whitson Engineers (Whitson) to include additional services associated with the completion of the Final Design of the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project, to increase the not-to-exceed amount by \$310,139, for a total amount not to exceed \$2,202,228; and
- b. Authorize the Housing and Community Development Director to execute Amendment No. 7 to Professional Services Agreement No. A-12775 with Whitson, and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amount by more than ten percent (10%) subject to approval by County Counsel.

Approved

Public Works, Facilities and Parks

- 42.** Approve and authorize the Director of Public Works, Facilities and Parks to execute and record a thirty (30) year Deed Restriction for parcels at Toro Park (Assessor's Parcel Number: 161-011-071) and Jacks Peak Park (Assessor's Parcel Number: 103-071-013), as required for projects funded by the California Department of Parks and Recreation Per Capita Program.

Approved

Please refer to the Board Orders for the approved and adopted Agreement, Resolution and Ordinance numbers.