

Monterey County

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



Meeting Minutes - Final

Tuesday, October 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, Supervisor Mary L. Adams and Supervisor John M. Phillips appeared in person with Supervisor Chris Lopez and Supervisor Luis A. Alejo who appeared via video conference

Staff Present

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Iracema Lopez, Management Analyst I 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 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

Open for public comments; Wes White, Rita Acosta and Wildfire, 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 Wendy Root Askew, Supervisor Mary L. Adams and Supervisor John M. Phillips appeared in person with Supervisor Chris Lopez and Supervisor Luis A. Alejo who appeared via video conference

Staff Present

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Iracema Lopez, Management Analyst I appeared in person.

Announcement of Interpreter

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

Pledge of Allegiance

The Pledge of Allegiance to be led by Joey Martinez, 2021 Veteran of the Year.

Additions and Corrections by Clerk

There were no additions and corrections for the agenda.

Ceremonial Resolutions

Open for public comments; Marieke Desmond, via Zoom, commented.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips 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 Adams: AYE

Chair Supervisor Root Askew: AYE

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

Adopted Resolution No. 21-335

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

Adopted Resolution No. 21-334

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

Adopted Resolution No. 21-329

Appointments

Open for public comments; no public comments made.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Mary L. Adams to appoint Item Number 5.

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. 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)

Appointed

Approval of Consent Calendar – (See Supplemental Sheet)

Open for public comments; Nina Beety, via Zoom, commented.

Supervisor Luis A. Alejo commented on Item Number 18 and Supervisor Chris Lopez commented on Item No. 21.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to approve Consent Calendar Item Numbers 14 through 26.

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

General Public Comments

6. General Public Comments

Open for general public comments for items not on today's agenda; Nina Beety and Jane Jarvis, both via Zoom, commented.

10:30 A.M. - Scheduled Matters

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

Carl Sedoryk, Monterey Salinas Transit General Manager and Chief Executive Officer, via Zoom, and Michelle Overmeyer, Monterey Salinas Transit Director of Planning and Innovation, in person, presented via PowerPoint presentation.

Open for public comments; no public comments made.

Upon consensus the Board:

Received a Comprehensive Operations Analysis study and related changes to MST transit services throughout Monterey County

12:00 P.M. - Recessed to Lunch

1:30 P.M. - Reconvened

Roll Called

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

Staff Present

Charles McKee, County Administrative Officer, Les Girard, County Counsel and Iracema Lopez, Management Analyst I appeared in person.

Announcement of Interpreter

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

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.

Erik Lundquist, Director and Craig Spencer, Chief of Planning from the Housing Community and Development Department, in person, presented via PowerPoint presentation.

Anthony Lombardo, Attorney for the Applicant presented on their behalf.

Open for public comments; John McCormick, in person, Karen Curtis, Eloise Shim, Shelley Ponati and Marc Rosen, all via Zoom, commented.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to: Return this matter back to staff for further analysis into the original project with an expanded look into

the EIR, the community benefit analysis and the housing unit:

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.

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. 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.

Joann Iwamoto, Cannabis Program Manager and Myles Echenique, Management Analyst, in person, from the County Administrative office, presented via PowerPoint presentation.

Open for public comments; Christopher Bunn, Oliver Bates, Robert Roach and Eloise Shim, all via Zoom, commented.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to:

- a. Receive a report outlining the proposed framework and next steps for the implementation and funding of a local equity program; and
- b. Adopt Resolution No. 21-350 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.

Roll call vote taken pursuant to Government Code 54953:

Supervisor Alejo: AYE

Supervisor Phillips: NAY

Supervisor Lopez: AYE

Supervisor Adams: AYE

Chair Supervisor Root Askew: AYE

Motion carried 4 to 1

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").

Les Girard, County Counsel, from the County Counsel office, in person, verbally presented.

Open for public comments; David Bunn, Joe Desmond, Melodie Chrislock, Margie Kay, Susan Schiavone, Eloise Shim, Wallace Notely, Marli (no last name provided), Nancy Isakson and Eric Tynan, all via Zoom, commented.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis A. Alejo to: 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").

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: NAY

Motion carried 4 to 1

Other Board Matters

County Administrative Officer Comments and New Referrals

11. 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:

One new referral from Supervisor John M. Phillips: Referral 2021.20:

Referral Purpose: Find resources and coordinate with the City of Salinas to open a Family Justice Center in Monterey County.

Open for public comments; no public comments made.

County Administrative Officer comments/new referrals can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4356

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.

Charles McKee, County Administrative Officer, in person, made opening remarks.

Annette D'Adamo, Management Analyst, via Zoom, from the County Administrative office, and Jason Cameron, Military and Veteran Affairs Officer from the Military and Veterans office, also via Zoom, presented.

Open for public comments; no public comments made.

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

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

Board Comments

13. Board Comments

Board Comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4356

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 and Kim Moore

Employee Organization(s): All Units

(2) Designated representatives: Lori Medina and Jeff Bailey

Employee Organization(s): IHSS

The Board took no reportable actions on items 1.b.(1)(2)

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)

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

Adjourned

The meeting was adjourned In Memory of Terry Kaiser at 4:30 p.m. by Chair Supervisor Wendy Root Askew.

APPROVED:

**_____/s/ Mary L. Adams_____
MARY L. ADAMS, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: ____/s/ Valerie Ralph_____

VALERIE RALPH

CLERK OF THE BOARD

APPROVED ON: March 1, 2022

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.

Approved; Agreement No.: A-15558

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.

Approved; Agreement No.: A-15559

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.

Approved; Agreement No.: A-15560

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.

Approved; Agreement No.: A-15561

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.

Adopted Resolution No.: 21-351**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

Approved; Agreement No.: A-15564; 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

Approved; Agreement No.: A-15563, 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.

Adopted Resolution No.: 21-352 and Approved; Agreement No.: A-15562

22. Adopt a Resolution to:
- 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
 - Authorize and direct the County Administrative Office and the Auditor-Controller to incorporate these changes in the FY 2021-22 Adopted Budget.

Adopted Resolution No.: 21-348

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.

Approved

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.

Approved

- 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.

Received

- 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.

Approved

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.