

Monterey County

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



Meeting Minutes - Final

Tuesday, August 23, 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, Supervisor Wendy Root Askew and Supervisor John M. Phillips appeared in person, and Supervisor Chris Lopez and Supervisor Luis A. Alejo appeared via video conference

Staff Present

Charles McKee, County Administrative Officer, Kelly Donlon, Assistant Chief County Counsel and Valerie Ralph, Clerk of the Board appeared in person.

Additions and Corrections for Closed Session by County Counsel

Kelly Donlon, Assistant Chief County Counsel requested that two (2) urgency items be added to the closed session items:

- 1 - Significant exposure to litigation; and
- 2- Potential initiation of litigation

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Wendy Root Askew to approve the two (2) urgency items to be added to closed session items.

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

Closed Session

- 1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado
 - Employee Organization(s): Units R, S and X (REVISED VIA SUPPLEMENTAL)
 - b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: Laguna Seca Recreation Area
 - Agency Negotiator(s): Randy Ishii, Director of Public Works Facilities and Parks and Leslie J. Girard, County Counsel
 - Negotiating Parties: A&D Narigi Consulting LLC and Friends of Laguna Seca
 - Under negotiation: Price and terms

c. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding recruitment/appointment of the position of County Administrative Officer.

d. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.

(1) Application to file late Claim - Gloria Rodriguez

e. 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.

f. 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.

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

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

(1) *Richard Storms, Jr. v. County of Monterey, et al.* (U.S. District Court for the Northern District of California Case No. 20CV07913NC)

(2) Malcolm Gray (Worker's Compensation Appeals Board No. ADJ8228976)

(3) Scott Ranan (Worker's Compensation Appeals Board No. ADJ8400942)

(4) Sharon Gold (Worker's Compensation Appeals Board No. ADJ12173002)

Public Comments for Closed Session

Open for public comments; no public comments were made.

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, Supervisor John M. Phillips, Supervisor Chris Lopez and Supervisor Luis A. Alejo appeared in person

Staff Present

Charles McKee, County Administrative Officer, Kelly Donlon, Assistant Chief 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 to be led by Cynthia Rand-Thompson from the Central Coast Art Association.

Additions and Corrections by Clerk

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

The following additions and corrections were read into the record:

Corrections to Item No. 3 under Ceremonial Resolutions:

Resolution came from District 4, Supervisor Askew and not Supervisor Adams as noted on the Agenda

Addition to Item No. 9 under Appointment:

Attached Bio to Appointment for Dr. Bettye J. Saxon

Removal of Item No. 64 under Public, works and Facilities, Consent Calendar:

Department requested item be removed and to return on a date to be determined

Ceremonial Resolutions

Open for public comments; no public comments made.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Wendy Root Askew to adopt Ceremonial Resolutions 2 through 8.

ALL AYES

2. Adopt a resolution honoring Deputy Probation Officer II Kathy Longoria upon her retirement from the Monterey County Probation Department after more than 25 years of dedicated County service.
(Supervisor Adams)

Adopted Resolution No. 22-318

3. Adopt a resolution proclaiming August as Artist Appreciation Month in the County of Monterey.
(Supervisor Adams Root Askew)

Adopted Resolution No. 22-317

4. Adopt a resolution honoring Mari Beraz upon her retirement after thirty-three years of dedicated service with the County of Monterey. (Supervisor Alejo)
Adopted Resolution No. 22-319
5. Adopt a resolution commending Deputy Sheriff Reed Fisher upon his retirement after sixteen years of public service with the Monterey County Sheriff's Office. (Supervisor Adams)
Adopted Resolution No. 22-322
6. Adopt a resolution commending Deputy Sheriff Joseph Martinez upon his retirement after twenty-two years of public service with the Monterey County Sheriff's Office. (Supervisor Adams)
Adopted Resolution No. 22-316
7. Adopt a resolution honoring the City of Seaside Community Vaccine Action Team's work to combat the spread of COVID-19 and increase vaccination rates in the City of Seaside. (Supervisor Askew)
Adopted Resolution No. 22-315
8. Adopt a resolution honoring and celebrating the life of Señora Silvia Huerta for her lifelong dedication to social justice and activism in the County of Monterey. (Supervisor Alejo)
Adopted Resolution No. 22-321

Appointments

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

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Luis A. Alejo to appoint/reappoint Item Numbers 9 through 18.

ALL AYES

9. Appoint Dr. Bettye J. Saxon to the Natividad Center Board of Trustees with a term expiration date on August 1, 2023. (Nominated by Natividad Medical Center Board of Trustees)

Appointed

10. Appoint Aimee Dahle to the Monterey County Regional Fire District Board of Directors to fill an unexpired term ending on March 1, 2025. (Nominated By District 5, Supervisor Adams)

Appointed

11. Reappoint Paola Berthoin to the Carmel Valley Road Advisory Committee representing Mid-Valley with a term ending on August 23, 2025. (Nominated By District 5, Supervisor Adams)

Reappointed

- 12. Reappoint Charles Franklin to the Carmel Valley Road Advisory Committee as an Alternate of Carmel Valley Village with a term ending on June 30, 2025. (Nominated By District 5, Supervisor Adams)

Reappointed

- 13. Appoint Kakani Young to the Carmel Valley Road Advisory Committee as an Alternate of Carmel Valley Village with a term ending on August 23, 2025. (Nominated By District 5, Supervisor Adams)

Appointed

- 14. Reappoint Patricia Bernardi to the Carmel Valley Road Advisory Committee as a Primary of Mid-Valley with a term ending on June 30, 2025. (Nominated By District 5, Supervisor Adams)

Reappointed

- 15. Reappoint Steve Hubbard to the Carmel Valley Road Advisory Committee as an Alternate of Cachagua with a term ending on June 30, 2025. (Nominated By District 5, Supervisor Adams)

Reappointed

- 16. Appoint Marisa Hernandez to the Commission on the Status of Women with a term ending February 1, 2025. (Nominated By District 2, Supervisor Phillips)

Appointed

- 17. Reappoint Marc Davidian to the Carmel Highlands Fire Protection District with a term ending on June 30, 2024. (Nominated By District 5, Supervisor Adams)

Reappointed

- 18. Appoint Winifred Chambliss to the Community Action Commission as a Public Sector Representative with a term ending on August 23, 2025. (Nominated By District 4, Supervisor Askew)

Appointed

Approval of Consent Calendar – (See Supplemental Sheet)

- 19. See Supplemental Sheet

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

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Luis A. Alejo to approve Consent Calendar Item Numbers 29 through 66.

ALL AYES

20. General Public Comments

Open for general public comments for items not on today's agenda; MacGregor Eddy, in person, commented.

Scheduled Matters

- 21.** a. Introduce, waive first reading, and set September 13, 2022 at 10:30 a.m. as the date and time to consider adoption of an ordinance approving a military equipment use policy for the District Attorney's Office pursuant to Assembly Bill 481.
b. Provide direction to staff as appropriate.

Ryan McGuirk, Chief District Attorney Investigator, in person, presented via PowerPoint presentation.

Open for public comments; MacGregor Eddy, in person, commented.

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez to:
a. Introduce, waive first reading, and set September 13, 2022 at 10:30 a.m. as the date and time to consider adoption of an ordinance approving a military equipment use policy for the District Attorney's Office pursuant to Assembly Bill 481.
b. Provide direction to staff as appropriate.

ALL AYES

12:00 P.M. - Recessed to Lunch

1:30 P.M. - Reconvened

Roll Called

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

Staff Present

Charles McKee, County Administrative Officer, Kelly Donlon, Assistant Chief 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

22. PLN150669-AMD1 - MARTIN WILLIAM H & SIMONA H TRS (FORMERLY NASE WERNER JR. TRUST)

Public hearing to consider:

- a. Terminating the Conservation and Scenic Easement on the Martin William H & Simona H TRS (Formerly Nase Werner Jr. Trust) property;
- b. Finding that termination of the Conservation and Scenic Easement does not require additional environmental review under CEQA Guidelines section 15162.
- c. Authorizing the Chair to execute the Termination Agreement and Quitclaim Deed; and
- d. Directing the Clerk of the Board to submit the Termination Agreement and Quitclaim Deed to the County Recorder for recording with all applicable recording fees paid by the applicant.

Project Location: 1412 Lisbon Lane, Pebble Beach

Proposed CEQA action: Finding that termination of the Conservation and Scenic Easement does not require additional environmental review under CEQA Guidelines section 15162.

Fionna Jensen, Housing, Community and Development Associate Planner, in person, presented via PowerPoint presentation.

Open for public comments; Joe Panzer, in person, commented.

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Wendy Root Askew to adopt Resolution No. 22-323 to:

- a. Consider the previously adopted Mitigated Negative Declaration (MND) prepared for the construction of the Werner Nase Jr. Trust residence (PLN150669); and
- b. Terminate the Conservation and Scenic Easement on the Martin William H & Simona H TRS (Formerly Nase Werner Jr. Trust) property; and
- c. Authorize the Chair to execute the Termination Agreement and Quitclaim Deed; and
- d. Direct the Clerk of the Board to submit the Termination Agreement and Quitclaim Deed to the County Recorder for recording with all applicable recording fees paid by the applicant.

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

- 23.**
- a. Receive a presentation from the Housing and Community Development Department on its existing Special Events Program; and
 - b. Discuss and provide direction regarding possible revisions to the Special Events Program, instituting a fee for special event applications, and the appropriateness of an unruly gathering ordinance; and
 - c. Provide further direction to staff as appropriate.

Project File No.: REF150053/REF150054

Erik Lundquist, Director of Housing, Community and Development, in person, presented via PowerPoint presentation.

Open for public comments; Marla Anderson, via Zoom, commented.

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

- a. Receive a presentation from the Housing and Community Development Department on its

existing Special Events Program; and

b. Discuss and provide direction regarding possible revisions to the Special Events Program, instituting a fee for special event applications, and the appropriateness of an unruly gathering ordinance; and

c. Directed staff to review an umbrella special event permit and a fee for the processing, public notice for family events in residential areas vs. big special events in residential areas and to report back in six (6) months with an update on the types of complaints that continue to be received so the Board can review the need to pursue/explore the unruly gathering ordinance.

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

24. a. Receive a presentation regarding the County Climate Action Plan and Municipal Climate Action Plan and provide direction to staff in regard to the development of these plans.

Open for public comments; no public comments made.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor John M. Phillips to continue the below matter to Tuesday, August 30, 2022:

a. Receive a presentation regarding the County Climate Action Plan and Municipal Climate Action Plan and provide direction to staff in regard to the development of these plans

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

25. Introduce, waive reading of, and set September 6, 2022 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Chapter 7.100 of the Monterey County Code to reduce the commercial cannabis business tax rates for mixed-light and indoor cultivation retroactive to October 1, 2022, authorize the Board to, by resolution, waive and/or stay interest and penalties for cannabis operators with delinquent cannabis business taxes, extend the Board's conditional waiver of penalties and interest for FY 21-22 Quarters 2, and 3, from July 31, 2022 to January 31, 2023, and add FY 21-22 Quarter 4 to that conditional waiver.

Joann Iwamoto, Cannabis Program Manager, Norma Aceves Management Analyst III and Myles Echenique, Management Analyst II. all in person, from the Cannabis Program presented via PowerPoint presentation.

Open for public comments; Jay Brooks, Joey Espinoza, Kathy Neil and Aaron Johnson commented.

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Mary L. Adams to, as amended, to:

Introduce, waive reading of, and set September 13, 2022 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Chapter 7.100 of the Monterey County Code to

reduce the commercial cannabis business tax rates for mixed-light and indoor cultivation retroactive to October 1, 2021, authorize the Board to, by resolution, waive and/or stay interest and penalties for cannabis operators with delinquent cannabis business taxes, extend the Board’s conditional waiver of penalties and interest for FY 21-22 Quarters 2, and 3, from July 31, 2022 to January 31, 2023, and add FY 21-22 Quarter 4 to that conditional waiver and clear intent was given for good standing with direction to staff to bring back to the Cannabis Committee for further discussions to support and uphold the industry currently in Monterey County.

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

New Referrals

26. New Referrals

Charles McKee, County Administrative Officer shared that there were two (2) new referrals this week:

Referral No. 2022.17

Referral Title: Elections Fee Schedule – Recounts

Referral Purpose: Bring forward recommendations to possibly include creating a fee schedule for candidates to request and plan for recounts when needed.

Submitted by: Supervisor Chris Lopez

Referral No. 2022.18

Referral Title: Monitoring of FCS Programs and Services

Referral Purpose: This referral requests HHHSC Committee roles and responsibilities be amended to explicitly include responsibility for monitoring the programs and services of Family and Children’s Services

Submitted by: Supervisor Luis Alejo and Supervisor Wendy Root Askew

Open for public comments; David Rosen, MaryLou Gomez and Khrystal Arevalo commented.

County Administrative Officer Comments

27. County Administrative Officer Comments

Charles McKee, County Administrative Officer made no comments this week.

Board Comments

28. Board Comments

Board Comments can be heard by clicking the following link:

http://monterey.granicus.com/EditFile.php?clip_id=4606

Read Out from Closed Session by County Counsel

There was no reportable action on the closed session items.

Adjourned

The meeting was recessed in Memory of Elgie Louis Bellizio, Tiffany Kerlee, Silvia Puga Camacho Huerta, and Gary Edwards at 3:38 p.m. by Chair Supervisor Mary L. Adams and will return to and adjourn from closed session.

APPROVED:

_____/s/ Mary L. Adams_____
MARY L. ADAMS, CHAIR

ATTEST:

BY: ____/s/ Valerie Ralph_____

VALERIE RALPH

CLERK OF THE BOARD

APPROVED ON: September 13, 2022

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

29. a. Authorize the Chief Executive Officer (CEO) for Natividad or his designee to execute each of the following Professional Services Agreements with Ian Atkinson MD, Inc.; Claire Hartung MD, Inc.; Adrian Jordan MD, and Natalie LaCorte MD, Inc. to provide hospitalist services each for the period August 26, 2022 to September 30, 2024, and each for an amount not to exceed \$300,000; and
- b. Authorize the CEO for Natividad or his designee to sign up to three (3) amendments to these agreements where the total amendments do not exceed 10% (\$30,000) of the original contract amount and do not significantly change the scope of work.

Approved

30. a. Authorize the Chief Executive Officer (CEO) for Natividad or his designee to execute the Third Amendment to the Professional Services Agreements with Nathaniel Uchtman, M.D. to provide pediatric and adult hospitalist physician services, extending the term by twelve months (July 1, 2023 to June 30, 2024) for a revised full agreement term of July 1, 2019 to June 30, 2024, and adding \$200,000 for a revised not to exceed amount of \$300,000 in the aggregate; and
- b. Authorize the CEO for Natividad or his designee to sign up to three (3) amendments to these agreements where the total amendments do not exceed 10% (\$10,000) of the original contract amount and do not significantly change the scope of work.

Approved

31. Ratify execution by the Chief Executive Officer for Natividad Medical Center (NMC) a Memorandum of Understanding (MOU) with Salinas Union High School District for the provision by NMC personnel of on-site sports physicals for student athletes of the school district, for no exchange of money, and with an agreement term August 4, 2022 through June 1, 2023.

Approved

Health Department

32. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 2 to Mental Health Services Agreement A-15270 between the County of Monterey and Harmony at Home retroactive to July 1, 2022, for the provision of Prevention and Early Intervention Youth based teen success program, bullying prevention and intervention services which increases FY 2022-23 funding amount by \$264,000, and extends terms by one year and adds \$430,120 for FY 2023-24, for a new total Agreement amount not to exceed \$1,026,360 for the full-term of July 1, 2021 through June 30, 2024.

Approved

33. a. Approve and authorize the Director of Health or the Assistant Director of Health to execute an Animal Services Agreement between the County of Monterey and the City of Carmel-by-the-Sea (City), for the term retroactive to July 1, 2022 to June 30, 2024 for the use of the Animal Services Center and the provision of other animal services; and
- b. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work.

Approved

34. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 1 to Mental Health Services Agreement A-15246 between the County of Monterey and National Alliance on Mental Illness, Monterey County (NAMI MC), for the provision of education, support, information and referrals to those affected by mental illnesses, retroactive to July 1, 2022, which adds funding in the amount of \$80,000 for FY 2022-2023, and \$80,000 for FY 2023-2024 for a new total Agreement not to exceed \$520,000 for the full-term of July 1, 2021 - June 30, 2024.

Approved

35. a. Ratify the execution by the Director of Health of the non-standard Agreement between the County of Monterey and Heluna Health to provide Public Health Microbiologist (PHM) training and to participate in the California Department of Public Health's (CDPH's) Continuity of Operations Plan (COOP) for statewide emergency/surge laboratory testing, with a retroactive start date of July 1, 2021 through December 15, 2022, for a total agreement amount of \$160,000; and
- b. Approve nonstandard risk provisions in Agreement as recommended by the Director of Health.

Approved

36. a. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement between the County of Monterey and Central Coast VNA and Hospice, Inc. for the term retroactive to July 22, 2022 to November 15, 2022 in the amount not to exceed \$129,000 for pop-up COVID-19 vaccination clinics in under-served County areas; and
- b. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the total amendments do not exceed ten percent (10%) (\$12,900) of the original contract amount and do not significantly change the scope of work.

Approved

37. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Non-Standard Agreement between the County of Monterey and BSK Associates in the amount of \$600,000 to provide Environmental Laboratory testing and analysis services for the term of September 1, 2022, through August 31, 2025; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of

work and do not cause an increase of more than ten percent (10%) (\$60,000) of the original contract amount.

Approved

38. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Memorandum of Understanding template for the provision of therapeutic services and mental health supports to students with each of the following Monterey County School Districts (“School Districts”): Gonzales Unified, Greenfield Union, Monterey County Office of Education for Monterey County Home Charter School, Monterey Peninsula Unified, Salinas City Elementary, Salinas Union High, San Ardo Elementary, Santa Rita Union, and Soledad Unified for a total maximum amount for all School Districts not to exceed \$2,422,854 revenue to the County, for a total not to exceed amount per School District as outlined in Exhibit A, retroactive to July 1, 2022 for a term through June 30, 2023; and
- b. Approve non-standard insurance and Indemnification provisions in Agreement as recommended by the Director of Health; and
- c. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments to each MOU that in total do not exceed ten percent (10%) of the initial liability of each MOU, as shown in Exhibit A, and that do not significantly change the scope of services.

Approved

39. a. Approve and authorize the Director of Health, to sign a Quotation Purchase Agreement (“Agreement”) with Esaote North America, for the purchase of extended services warranty for one (1) ultrasound machine with serial number #1749 and related software and warranty, for use in the Monterey County Health Department Alisal Health Center clinic, retroactive to March 6, 2022 for a term through March 05, 2027, for a total contract liability of \$13,750; and
- b. Approve the recommendation of Director of Health to accept all non-standard provisions in Agreement, including indemnification; and
- c. Authorize the Director of Health or Assistant Director of Health or their designees to sign up to three (3) future amendments to the Agreements where the amendments do not significantly change the scope of work and do not exceed 10% (\$1,375) in the aggregate.

Approved

40. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 2 to Substance Use Disorder Treatment Services Agreement A-15296 between the County of Monterey and Community Human Services retroactive to July 1, 2021 for the provision of alcohol and drug recovery services adding \$81,109 in Fiscal Year (FY) 2021-22 and \$436,974 in FY 2022-23, for a new total Agreement amount not to exceed \$8,811,899 for a term of July 1, 2021 through June 30, 2023.

Approved

41. a. Approve and authorize the Director of Health or the Assistant Director of Health to execute an Agreement between the County of Monterey and the City of Marina (City) for the use of the Animal Services Center and the provision of other animal services for the term retroactive to July 1, 2022 through June 30, 2024; and

b. Approve and authorize the Director of Health or the Assistant Director of Health to sign up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work.

Approved

- 42.** a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Mental Health Services Agreement between Discovery Practice Management, Inc. dba Center for Discovery for the provision of eating disorder intensive outpatient and residential treatment services retroactive to July 1, 2022, in the amount of \$328,700 for Fiscal Year (FY) 2022-23, \$328,700 for FY 2023-24, and \$328,700 for FY 2024-25, for a total Agreement amount not to exceed \$986,100 for the term July 1, 2022 through June 30, 2025;
- b. Approve non-standard insurance and template provisions in Agreement as recommended by the Director of Health; and
- c. 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%) (\$98,610) of the original Agreement amount and do not significantly change the scope of services.

Approved

- 43.** Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 2 to Mental Health Services Agreement A-15247 between The County of Monterey and The Village Project, Inc. for the provision of Prevention and Early Intervention Outreach and Engagement services retroactive to July 1, 2022 which adds \$140,000 in FY 2022-23 and \$510,000 in FY 2023-2024, for a new total Agreement amount not to exceed \$1,390,000 for a term of July 1, 2021 through June 30, 2024.

Approved

- 44.** a. Approve and authorize the Director of Health or Assistant Director of Health to execute a new one-year Mental Health Services Agreement between the County of Monterey and Psynergy Programs, Inc. for the provision of mental health services for adults with severe psychiatric disabilities, for a maximum County obligation of \$2,826,243 for the retroactive term of July 1, 2022 through June 30, 2023; 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%) (\$282,624) of the original Agreement amount and do not significantly alter the scope of services.

Approved

Department of Social Services

- 45.** a. Approve and authorize the Director or Assistant Director of the Department of Social Services to sign a zero cost agreement with the California Community Action Partnership Association to gain access to a Community Action Virtual Onboarding Course for the period of September 1, 2022 through February 28, 2025; and

b. Authorize the Director or Assistant Director of the Department of Social Services to sign up to three (3) amendments to this agreement as long as they do not encompass payment or significantly change the scope of services.

Approved

- 46.** Adopt a resolution to approve and authorize the Auditor-Controller to amend the FY 2021-22 Adopted Budget by increasing appropriations in the Capital Project Fund, Fund 404, Appropriations Unit PFP057, by \$715,762, funded by an operating transfer in from Military & Veterans Affairs, Fund 001, Appropriations Unit SOC003 for the Marina Coastal Veterans Office Remodel (4/5ths vote required).

Adopted

Criminal Justice

- 47.** Adopt a Resolution to approve the proposed amendments to the Conflict of Interest Code of the Probation Department of the County of Monterey.

Adopted

- 48.**
- a. Approve and authorize the Contracts/Purchasing Officer to execute a Professional Services Agreement (“PSA”) with Shane M. Kelly for legal representation in indigent adult criminal cases, through the Alternate Defenders Office, with a term of September 1, 2022 through June 30, 2023, in the amount of \$90,562;
 - b. Approve non-standard insurance provisions in PSA, as recommended by the Public Defender; and
 - c. Approve and authorize the Contracts/Purchasing Officer to execute up to three (3) amendments, each extending the term by one (1) fiscal year per amendment, provided the amendments do not significantly change the scope of work and do not exceed ten percent (10%) (\$9,056) of the original contract amount.

Approved

- 49.**
- a. Amend the District Attorney’s (2240-8063-DIS001) Adopted Budget to reallocate four (4) Legal Secretary II positions (80B22) to three (3) Legal Secretary III (80B26) and one (1) Administrative Services Assistant (14C70) positions as indicated in attachment A (4/5ths vote required);
 - b. Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2022-23 Adopted Budget.

Approved

- 50.** Approve and Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to Amend Agreement No. A-15703 with Precision Survey Supply, LLC., to include leasing services with GreatAmerica Financial Services Corporation for Laser Scanner equipment, effective from the date of execution through June 30, 2027.

Approved

51. Adopt a Resolution to:
- Amend the Sheriff's Office Budget Unit 2300-8238-Fund 001-Appropriation Unit SHE003 to reallocate and approve the reclassification of one (1) Management Analyst III to one (1) Program Manager II as indicated in Attachment A;
 - Direct the County Administrative Office and the Auditor-Controller to incorporate the approved position changes in the FY 2022-23 Adopted Budget.

Adopted**General Government**

52. a. Approve and authorize the Chief Information Officer to sign a non-standard Site Lease Agreement with the Emily Gardner - Jamesburg Relay Communication Site for an amount not to exceed \$111,000, retroactive to July 1, 2022, and ending on June 30, 2042; 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, provided the amendments do not significantly change the scope of work and do not alter the non-standard terms of the Site Lease Agreement.

Approved

53. Approve and authorize the County Clerk/Recorder (CCR) to execute an agreement with BMI Imaging Systems, Inc. (BMI), to provide a Digital Reel System Upgrade, for the term beginning September 1, 2022, through June 30, 2024, for a total contract amount of \$47,720.

Approved

54. Approve and authorize the Chief Information Officer of the Information Technology Department to execute Amendment No 2 to the Site Lease Agreement with Weathertop Ranch, LLC to make site and radio communications equipment modifications in preparation for termination of the lease, and closure of the site for a final lease amount not to exceed \$100,000.

Approved

55. Approve the Board of Supervisors of the Monterey County Draft Action Meeting Minutes for the following meeting date: June through July 2022.

Approved

56. Adopt the Board of Supervisors' meeting schedule for the calendar year 2023.

Approved

57. It is recommended that the Board of Supervisors to adopt a resolution to:
- Approve the submittal of a grant funding application, retroactive to March 15, 2022, by the

Monterey County Office of Emergency Services (OES) to the Governor's Office of Emergency Services (CalOES), LISTOS California (LC) Community Emergency Response Teams (CERT) Support Grant Program, in the amount of \$15,000, with a grant performance period of June 1, 2022, to December 31, 2023, for the OES Big Sur and Carmel Valley CERT disaster response training and training/response equipment; and

b. Authorize the Emergency Services Manager, or designee, from the Monterey County Office of Emergency Services to execute, receive, manage, and enter into a contract with the Governor's Office of Emergency Services for a \$15,000 grant, for the 2022 LISTOS California Community Emergency Response Team Support grant from the Governor's Office of Emergency Services; and

c. Authorize and direct Auditor-Controller to amend the Fiscal Year 2022-2023 Adopted Budget for the Office of Emergency Services (024-1050-CAO023-8412) to increase appropriations and estimated revenues by \$15,000 funded the augmentation of grant revenues from the Governor's Office of Emergency Services (Cal OES), (4/5th vote required.)

Adopted

58. Receive a report that provides updates on the implementation of Citygate recommendations and alternative enhancements for the Cannabis Program.

Received

59. Receive the Action Minutes of the Budget Committee for the 1st and 2nd Quarters of 2022 for the meetings held on January 26, 2022, February 23, 2022, March 30, 2022, April 25, 2022, and May 25, 2022.

Approved

60. Adopt a Resolution to:
- Amend the Information Technology Department - Budget Unit 1930-8433-Fund 001 -Appropriation Unit INF002 to reallocate one (1) Departmental Information Systems Manager II to one (1) Information Technology Manager as indicated in Attachment A;
 - Amend the Information Technology Department - Budget Unit 1930-8433-Fund 001 -Appropriation Unit INF002 to reallocate and to approve the reclassification of one (1) Departmental Information Systems Coordinator to one (1) Information Technology Support Specialist as indicated in Attachment A; and
 - Direct the County Administrative Office to incorporate the position changes in the FY 2022-23 Adopted Budget.

Adopted

Public Works, Facilities and Parks

61. Approve and authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisors to execute a Standard Agreement between the County of Monterey and Val's Plumbing & Heating, to provide routine plumbing maintenance work for County-owned and managed facilities, for a total not to exceed amount of \$50,000, with a retroactive term from December 12, 2021 to December 11, 2022.

Approved

- 62.** a. Award a contract to Granite Rock Company, the lowest responsible bidder for the Toro Road Embankment Failure, Project No. 621082, Federal Aid Project No: PA-09-CA-4301-PW-00671 in the total amount of \$1,327,542;
- b. Approve the Performance and Payment Bonds executed and provided by Granite Rock Company;
- c. Authorize a contingency, not to exceed ten percent (10%) of the contract amount or \$132,754 to provide funding for approved contract change orders for Toro Road Embankment Failure, Project No. 621082, Federal Aid Project No: PA-09-CA-4301-PW-00671;
- d. Authorize the Director of Public Works, Facilities and Parks to execute the contracts and, subject to the provisions of the Public Contract Code and Board Policies as applicable, approve change orders to the contract that do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work; and
- e. Authorize the Director of Public Works, Facilities and Parks to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Director determines that the contract is complete in all respects in accordance with Plans and Special Provisions for the construction of the Toro Road Embankment Failure, Project No. 621082, Federal Aid Project No: PA-09-CA-4301-PW-00671.

Approved

- 63.** a. Approve Amendment No. 5 to Professional Services Agreement No. A-12657 with TRC Engineers, Inc. to provide bidding and construction support services associated with the completion of the Bradley Road Bridge Scour Repair, County Bridge No. 448, Request for Qualifications (RFQ) #10490, to: increase the not to exceed amount by \$222,008 for a total amount not to exceed \$974,381; and extend the expiration date for one (1) additional year through December 31, 2024, for a revised term from March 10, 2015 to December 31, 2024;
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 5 to Professional Services Agreement No. A-12657; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute future amendments to Professional Services Agreement No. A-12657 to extend the term beyond the original term authorized in RFQ #10490 where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.

Approved

- 64.** a. Approve submittal of a grant funding application for the CSA-75 Chualar Wastewater System Consolidation Project to apply for a \$4.4 million planning grant from the State of California - Clean Water State Revolving Fund grant program;
- b. Adopt a Resolution authorizing the Director of Public Works, Facilities and Parks (PWFP), or designee, to act as agent for the County in processing all documentation to secure these funds; and
- c. Direct PWFP staff to return to the Board of Supervisors for approval prior to acceptance of any grant award(s).

Removed from agenda via additions and corrections

65. Approve and authorize the Monterey County Laguna Seca Representative (MCLSR) to execute an Event Agreement (Agreement) between Porsche Cars North America, Inc. (Porsche) and the County of Monterey (County) for a motorsports event at WeatherTech® Raceway at Laguna Seca (WRLS) with event dates beginning September 28 through October 1, 2023.

Approved

66. Adopt a resolution to:
- Authorize and direct the Auditor-Controller to amend the FY 2022-23 Adopted Budget to increase appropriations for Other Financing Uses, Fund 001, Unit 8038, Appropriation Unit CAO017 by \$1,954,013 financed by a decrease in appropriations of \$977,007 in Contingencies, Fund 001, Unit 8034, Appropriation Unit CAO020, and a release of \$977,006 in the Cannabis Tax Assignment 001-3132 (4/5ths vote required);
 - Authorize and direct the Auditor-Controller to amend the FY 2022-23 Adopted Budget by increasing appropriations and operating transfers in by \$1,954,013 for Facility Master Plan Projects, Fund 404, Unit 8564, Appropriation Unit PFP057, financed by an operating transfer out of \$1,954,013 from Other Financing Uses, Fund 001, Unit 8038, Appropriation Unit CAO017 for costs related to settlement and closeout of the Jail Housing Addition Project 8819 (4/5ths vote required); and
 - Authorize and direct the Auditor-Controller to transfer \$1,954,013 for FY 2022-23 to Facility Master Plan Projects, Fund 404, Unit 8564, Appropriation Unit PFP057 from Other Financing Uses, Fund 001, Unit 8038, Appropriation Unit CAO017 (4/5ths vote required).

Adopted

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

Addenda/Supplemental

67. **Addenda/Supplemental**
Closed Session

- a. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
(1) Designated representatives: Irma Ramirez-Bough and Ariana Hurtado
Employee Organization(s): Units R, S and X

Correct Ordinance Attached - Scheduled AM

- a. Introduce, waive first reading, and set September 13, 2022 at 10:30 a.m. as the date and time to consider adoption of an ordinance approving a military equipment use policy for the District Attorney's Office pursuant to Assembly Bill 481.
- b. Provide direction to staff as appropriate.

26. New Referrals - Referrals added

Revised Board Report and Resolution - General Government Consent

60. Adopt a Resolution to:

- a. Amend the Information Technology Department - Budget Unit 1930-8433-Fund 001 -Appropriation Unit INF002 to reallocate one (1) Departmental Information Systems Manager II to one (1) Information Technology Manager as indicated in Attachment A;
- b. Amend the Information Technology Department - Budget Unit 1930-8433-Fund 001 -Appropriation Unit INF002 to reallocate and to approve the reclassification of one (1) Departmental Information Systems Coordinator to one (1) Information Technology Support Specialist as indicated in Attachment A; and
- c. Direct the County Administrative Office to incorporate the position changes in the FY 2022-23 Adopted Budget.