

Monterey County

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



Meeting Agenda - Final-Revised

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

Tuesday, January 25, 2022

9:00 AM

<https://montereycty.zoom.us/j/224397747>

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

Important Notice Regarding COVID 19

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

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

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

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

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

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

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

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

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

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

Aviso importante sobre COVID 19

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

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

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

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

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

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

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

+1669900 6833 EE. UU. (San José)

+ 1346248 7799 EE. UU. (Houston)

+1312626 6799 EE. UU. (Chicago)

+1929205 6099 EE. UU. (Nueva York)

+1 253215 8782 EE. UU.

+1 301 715 8592 EE. UU.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9:00 A.M. - Call to Order

Roll Call

Additions and Corrections for Closed Session by County Counsel

County Counsel will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54957(a), the Board will confer with County Counsel regarding matters posing a threat to the security of public buildings, essential public services, or the public's right of access to public services or facilities.
 - b. Pursuant to Government Code section 54957.6, the Board will provide direction to negotiators:
 - (1) Designated representatives: Irma Ramirez-Bough and Kim Moore
 - Employee Organization(s): All Units
 - c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) *Guadalupe Rivera, et al. v. County of Monterey, et al.* (United States District Court for the Northern District, Case No. 20CV07665-SVK)
 - d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding appointment to the position of Natividad Medical Center Chief Executive Officer.

Public Comments for Closed Session

The Board Recesses for Closed Session Agenda Items

Closed Session may be held at the conclusion of the Board's Regular Agenda, or at any other

time during the course of the meeting, before or after the scheduled time, announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

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

Roll Call

Pledge of Allegiance

Additions and Corrections by Clerk

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

Ceremonial Resolutions

2. Adopt a resolution recognizing Captain Don Harvey upon his retirement after 26 ½ years of loyal service to North Monterey County Fire Protection District. (Supervisor Phillips)

Attachments: [Ceremonial Resolution - Don Harvey](#)

3. Adopt a resolution commending Fire Chief Michael B. Urquides for thirty-four years of service to the Monterey County Regional Fire Protection District.

Attachments: [Ceremonial Resolution - Chief Michael Urquides](#)

4. Adopt a resolution honoring Gloria Perez upon her retirement after forty-two years of service with the Monterey County Treasurer-Tax Collector's Revenue Division. (Supervisor Alejo)

Attachments: [Ceremonial Resolution - Gloria Perez](#)

Appointments

5.
Reappoint Kevin Kreyenhagen to the Fish and Game Commission, with a term ending date of February 1, 2025. (Nominated by Supervisor Adams, District 5)

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

6. Appoint Ryan O'Connell to the CSA 15 Serra Village, with a term ending date of June 30, 2024. (Nominated by Supervisor Adams, District 5)

Attachments: [Notification to Clerk of Appt. - O'Connell](#)

7. Reappoint Carla Strobridge to the Animal Control Program Advisory Board, with a term ending date of July 1, 2023. (Nominated by Supervisor Lopez, District 3)

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

8. Reappoint Belinda Taluban to the Historic Resources Review Board, with a term ending date of December 31, 2024. (Nominated by Supervisor Phillips, District 2)

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

9. Reappoint Nona Childress to the Commission on Disabilities, with a term ending date of December 31, 2024. (Nominated by the Commission on Disabilities)

Attachments: [Notification to Clerk of Appt - Nona Childress](#)
 [Nona Childress Resume](#)

Approval of Consent Calendar – (See Supplemental Sheet)

10. See Supplemental Sheet

General Public Comments

.

11. General Public Comments

10:30 A.M. - Scheduled Matters

12. Conduct a public hearing to receive and accept the 2021 Annual Carmel Valley Traffic Report on traffic volumes for Segments 3, 4, 5, 6, 7, and 10 (on Carmel Valley Road), pursuant to the 2010 General Plan, Carmel Valley Master Plan (CVMP).

Attachments: [Board Report](#)
 [Attachment A - Location Map 2021](#)
 [Attachment B - ADT and PTSF](#)
 [Attachment C - Percent Under Threshold](#)
 [Attachment D - Segment Traffic Volumes from 2015 to Present](#)

13. a. Briefing and update on Covid19, including impacts, and action, proposals and plans to address (oral report).
 b. Provide direction to staff to address Covid-19.

12:00 P.M. - Recess to Lunch

1:30 P.M. - Reconvene

Roll Call**1:30 P.M. - Scheduled Matters****13.****1** Adopt a resolution to:

- a. Accept a grant ("Grant") from the Natividad Medical Foundation ("NMF") in the amount of \$1,000,000, inclusive of \$18,560.66 in in-kind support in the form of architectural services already rendered by NMF, for proposed improvements to three distinct exterior areas of the grounds of Natividad Medical Center ("the Improvements"); and
- b. Authorize the Interim Chief Executive Officer or his designee to execute a Grant Agreement with NMF in the amount of \$1,000,000, inclusive of \$18,560.66 in in-kind support in the form of architectural services already rendered by NMF, for the Improvements, in substantially the same form as that which has been presented to the Board without significant change to its content; and
- c. Authorize the Interim Chief Executive Officer of Natividad Medical Center or his designee to accept, administer, and execute documents to secure the Grant from NMF. (MOVED VIA SUPPLEMENTAL)

Attachments: [Board Report](#)
 [Board Resolution Dowd grant.pdf](#)
 [Grant Agreement NMF and Natividad](#)
 [Approval of Use of Name.pdf](#)

- 14.** a. Introduce, waive reading, and set February 8, 2022 at 10:30 a.m. as the date and time to consider adoption of an ordinance amending Chapter 7.80 of the Monterey County Code to ban the sale of flavored tobacco products and single use electronic cigarettes; and
- b. Provide direction to staff as appropriate.

Attachments: [Board Report](#)
 [Ordinance](#)
 [Ordinance-Redline](#)
 [List of Authorities](#)
 [PowerPoint Presentation](#)
 [Chapter 7.80.](#)

15. PLN190252 - KOSTIGEN GREGORY A & DONNA STARKS TRS

Public hearing to consider:

- a. Finding that the project involves construction of three retaining walls, installation of drainage culvert improvements, and acceptance of an amended Conservation and Scenic Easement Deed, which qualifies as a Class 3 and Class 17 Categorical Exemption pursuant to section 15303 and 15317 of the CEQA Guidelines and no exceptions under section 15300.2 apply;
- b. Accepting the Amended Conservation and Scenic Easement Deed for the Kostigen & Starks TRS property;
- c. Authorize the Chair to execute the amended Conservation and Scenic Easement Deed;
- d. Directing the Clerk of the Board to submit the amended Conservation and Scenic Easement Deed

and Map to the County Recorder for recording with all applicable recording fees paid by the applicant; and

e. Approving an after-the-fact Coastal Development Permit and Design Approval to partially clear Code Enforcement violation (19CE00007) to allow development on slopes exceeding 30% for the construction of three retaining walls and installation of drainage culvert improvements.

Project Location: 24956 Lincoln Street, Carmel, Carmel Area Land Use Plan, Coastal Zone.

Proposed CEQA action: Find the project Categorical Exempt per section 15303 and 15317 of the CEQA Guidelines

Attachments:

[Board Report](#)

[Attachment A – Draft Resolution](#)

[Attachment B – Recorded Conservation and Scenic Easement Deed](#)

[Attachment C – Vicinity Map](#)

[Attachment D – Carmel Highland Unincorporated LUAC Minutes \(June 7, 2021\)](#)

[Attachment E – Planning Commission Resolution No. 21-041 \(December 1, 2021\)](#)

[Attachment F – Board of Supervisor Resolution No. 82-43](#)

[Attachment G – California Coastal Commission Resolution No. 82-48](#)

[Attachment H – Geotechnical Report, prepared by Grice Engineering \(March 2021\)](#)

[Attachment J – Geotechnical Letter, prepared by Grice Engineering \(September 2021\)](#)

16. a. Accept public comments and close the public comment period for the First Substantial Amendment to the Monterey Urban County 2021-2022 Community Development Block Grant (CDBG) Annual Action Plan;
- b. Adopt and authorize the Housing and Community Development Director to submit the First Substantial Amendment to the 2021-2022 Annual Action Plan to the U.S. Department of Housing and Urban Development;
- c. Authorize the Housing and Community Development Director to execute a Subrecipient Agreement in the amount \$80,500.00 with the Veterans Transition Center, including making minor changes as necessary, subject to review and approval by County Counsel, to implement the First Substantial Amendment to the 2021-2022 Annual Action Plan; and,
- d. Direct the Auditor-Controller to amend the FY2021-22 Housing and Community Development (HCD) Adopted Budget to increase appropriations and revenue for Community Development Grant (013-3100-8546-HCD005) by \$202,800, financed by CDBG funds from prior years to implement the First Substantial Amendment to the 2021-2022 Annual Action Plan.

Attachments:

[Board Report](#)

[Attachment A - Draft First Substantial Amendment to the 2021-2022 Urban County Annual Action Plan](#)

Other Board Matters**County Administrative Officer****17. New Referrals**

Attachments: [Board Referral Matrix \(1/25/22\)](#)

18. County Administrative Officer Comments**Referral Responses**

- 19.** a. Receive status update on Board referral No. 2021.23 seeking to create a new management position of Monterey County Director of Homeless Strategies and Services
 b. Provide direction to staff as necessary

Attachments: [Board Report](#)
 [Board Referral No. 2021.23](#)

Board Comments**20. Board Comments****Read Out from Closed Session by County Counsel**

Read out by County Counsel will only occur if there is reportable action(s).

Adjournment

Adjourn in Memory of Retired Board of Supervisor Barbara Shipnuck and Norm Anthony

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

21. Item Removed. Moved to 1:30 P.M. - Scheduled Matters, Item 13.1.
22. a. Authorize the Interim Chief Executive Officer for Natividad Medical Center (NMC) or his designee to execute an agreement with Hologic, Inc. for Digital Breast Tomosynthesis data conversion services for an amount not to exceed \$8,000 with a retroactive agreement term of November 1, 2021 through October 31, 2022.
- b. Approve the Interim NMC Chief Executive Officer's recommendation to accept non-standard limitations on liability, and limitations on damages provisions within the agreement.

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

23. Authorize the Interim Chief Executive Officer for NMC or his designee to execute an amendment No. 4 to the agreement (A-14280) with Optuminsight, Inc. for perioperative and case advisor consulting services to analyze and advise regarding the quantity and quality of certain patient procedures, adding \$234,000 for a revised total agreement amount not to exceed \$2,454,000, with no change to the agreement term March 26, 2019 through March 31, 2025.

Attachments: [Board Report](#)
 [Optuminsight Amendment No. 4](#)
 [Optuminsight Amendment No. 3](#)
 [Optuminsight Amendment No. 2](#)
 [Optuminsight Amendment No. 1](#)
 [Optuminsight Agreement](#)

Health Department

24. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Mental Health Services Agreement, retroactive to November 1, 2021 through June 30, 2024, with Oak Grove Institute Foundations, Inc. dba Oak Grove Center for the provision of Short Term Residential Therapeutic Program and mental health services in the amount of \$343,944 for Fiscal Year (FY) 2021-22, \$515,916 for FY 2022-23, and \$515,916 for FY 2023-24, for a total Agreement amount not to exceed \$1,375,776; 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%) (\$13,757.76) of the original Agreement amount and do not significantly change the scope of services.

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

25. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a new five-month Mental Health Services Agreement with A&A Health Services, LLC for the provision of mental health services to Monterey County adult residents with severe psychiatric disabilities in a Board and Care facility, for a maximum County obligation of \$155,495 for the term of February 1, 2022 through June 30, 2022; 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%) (\$15,549) of the original Agreement amount and do not significantly alter the scope of services.

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

26. a. Approve and authorize the Director of Health, Assistant Director of Health, or the Emergency Medical Services (EMS) Agency Director to execute a Third Party Organizer Super User Agreement with the American Heart Association (AHA) to furnish access to the Stroke and Coronary Artery Disease (CAD) modules of the Get With The Guidelines® (GWTG) Program via a Super User Account that permits access to a Limited Data Set from participating hospitals for a period of five years in the amount of \$10,769 per year; and
- b. Approve nonstandard indemnification provisions as recommended by the Director of Health; and
- c. Authorize the Director of Health, the Assistant Director of Health, or the Emergency Medical Services Director, to sign up to three (3) future amendments to this Agreement where each amendment does not exceed ten percent (10%) (\$1,076.90) of the original amount and does not significantly change the scope of work.

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

27. a. Approve and authorize the Acting Contracts and Purchasing Officer to sign an Agreement with Accountable Care Transactions, Inc. dba Activate Care for the provision of software license subscription, software maintenance/support in a vendor hosted data environment, and professional services for the implementation of a case management solution for the period of January 25, 2022 through January 24, 2025 in an aggregate amount not to exceed \$260,000; and
- b. Approve the Director of Health's recommendation to accept the non-standard risk provisions in this Agreement (indemnification, limitation of liability, disclaimer of warranty, insurance); and
- c. Authorize the Director of Health or her designee to execute amendments over the term of the agreement to incorporate statements of work ("SOWs") into the Agreement, subject to further County Counsel and County Auditor-Controller approval, so long as the SOWs do not significantly change the scope of work and do not change the maximum liability of the Agreement; and
- d. Approve and authorize the Acting Contracts and Purchasing Officer to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$26,000) of the original Agreement amount and do not significantly alter the scope of services.

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

28. a. Approve a request to use unexpended FY 2020-21 American Rescue Plan Act (ARPA) funds allocated to the Health Department in the amount of \$879,250 to enhance Crime Prevention Through Environmental Design (CPTED) efforts in Salinas and Greenfield from March 1, 2022 through December 31, 2024; and
- b. Approve the request for the implementation of CPTED in two additional Salinas schools and one location in Greenfield such as Greenfield High School, along with the surrounding neighborhoods.

Attachments: [Board Report](#)
 [Attachment A](#)

29. a. Approve and authorize the Director of Health or Assistant Director of Health to sign a three-year term Mental Health Services Agreement (February 1, 2022 to June 30, 2024) with the University of Southern California for the provision of “Teletherapy,” for ages 12 and above who live in underserved geographic areas of Monterey County in the amount of \$193,009 for Fiscal Year (FY) 2021-22, \$218,292 for FY 2022-23 and \$218,953 for Fiscal Year FY 2023-24 for a total Agreement amount not to exceed \$630,254; 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%) (\$63,025) of the original Agreement amount and do not significantly alter the scope of services.

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

Criminal Justice

30. a. Authorize the Contracts/Purchasing Officer or Contracts Purchasing Supervisor to execute a Renewal and Amendment to the Agreement between Hayashi and Wayland and the County, for auditing services for the Office of the District Attorney, extending the agreement to December 31, 2024 and increasing the total amount payable to \$150,180; and
- b. Authorize the Contracts/Purchasing Office or Contract Purchasing Supervisor to issue purchase orders on an as-needed basis pursuant to this Renewal and Amendment over the period July 1, 2021 through December 31, 2024.

Attachments: [Board Report](#)
 [Resolution - Hayashi and Wayland ljg edits](#)
 [Hayashi and Wayland - Renewal and Amendment](#)
 [Hayashi and Wayland - July 2019 Agreement](#)

General Government

31. Adopt a Resolution to:
- a. Authorize the Assistant County Administrative Officer and/or the Economic Development Manager to execute an Agreement for ARPA Economic Recovery Countywide Business Retention Standard

Agreement for Monterey County Business Council to perform all tasks necessary to develop and implement business retention programming in Monterey County, for the period of three (3) years, for the term January 25, 2022 through December 31, 2024, in the amount not to exceed \$3,000,000; and

- b. Authorize the Auditor-Controller to amend the FY 2021-22 County Administrative Office Development Set-Aside Adopted Budget 001-1050-CAO036-8512 to increase appropriations by \$500,000, financed by an increase in non-program revenue 001-1050-CAO019-8041 funded by ARPA revenue (4/5th vote required);

Attachments: [Board Report](#)
 [ARPA_Economic Recovery_Countywide Business](#)
 [Retention Exhibit A](#)
 [ARPA_Economic Recovery_Countywide Business](#)
 [Retention Exhibit B](#)
 [Resolution ARPA_Economic Recovery Appropriations](#)
 [Agreement](#)

- 32. Approve and authorize the Treasurer-Tax Collector, on behalf of Monterey County, to sign and execute an Amendment to the Memorandum of Understanding (Amendment) Between the California State Association of Counties - Finance Corporation (CSAC FC) Tax Refund Exchange and Compliance System (Cal-TRECS) and the County of Monterey and sign all necessary related documents that add clarifying language to Section IV of the existing MOU subject to review and approval by the Office of the County Counsel as to form.

Attachments: [Board Report](#)
 [Exhibit A](#)
 [Exhibit B](#)
 [Exhibit C](#)

- 33. a. Authorize the Director of the Information Technology Department or his designee to execute an Order Form with Equinix, LLC. for continued colocation of County technology infrastructure within an Equinix-hosted facility, for an additional 5 years, resulting in a revised agreement term of July 25, 2017 through October 14, 2026, adding an additional \$375,122 for a total agreement amount of \$579,907; and
- b. Accept additional non-standard contract provisions as recommended by the Director of Information Technology; and
- c. Authorize the Director of Information Technology or his designee to execute order forms and change order forms as necessary to secure services as required by the County; and
- d. Authorize the Director of Information Technology to sign up one (1) amendment to this Agreement, extending the term by one year, where the additional costs per year do not exceed ten percent (10%) of the cost of the prior year, subject to County Counsel review, and provided that the terms and conditions of the agreement remain substantially the same.

Attachments: [Board Report](#)
 [Agreement Order 1-4](#)
 [Order Form #5](#)
 [Required Funds Spreadsheet](#)

34. Approve Property Tax Transfer for the proposed “Miramonte Reorganization” involving Sphere of Influence amendment, annexation of approximately 647 acres to the City of Soledad and detachments from the Monterey County Resource Conservation District, the Soledad Mission Recreation District and the Mission Soledad Rural Fire Protection District.

Attachments: [Board Report](#)
 [Miramonte Annexation Map](#)
 [Miramonte Tax Transfer Resolution Final 1-5-2022](#)

35. Receive and Accept the Treasurer’s Report of Investments for the Quarter Ending December 31, 2021.

Attachments: [Board Report](#)
 [Exhibit A – Investment Portfolio Review 12.31.21](#)
 [Exhibit B – Portfolio Management Report 12.31.21](#)
 [Exhibit C – Aging Summary 01.01.22](#)

36. Adopt a resolution authorizing the Emergency Services Manager to execute a Master Agreement between the County of Monterey and the City and County of San Francisco. The term of this Agreement shall commence on December 1, 2021 and shall end at 11:59 p.m. San Francisco time on November 30, 2025.

Attachments: [Board_Report_MOU_UASI](#)
 [2022 UASI Monterey MOU](#)
 [Resolution](#)

Housing and Community Development

37. Adopt a Resolution to:
- Amend the Housing and Community Development Department Budget Unit Environmental Services (001-3100 -8543-HCD002) to authorize one (1) FTE Water Resources Technician; and
 - Direct the Auditor-Controller and County Administrative Office to incorporate the approved position changes in the FY 2021-22 Housing and Community Development Department Adopted Budget (001-3100-8543-HCD002).

Attachments: [Board Report](#)
 [Attachment A – Position Summary](#)
 [Attachment B - Draft Resolution](#)

38. a. Accept an Amended Conservation and Scenic Easement Deed for the Conservancy for the Range of the Condor properties;
- b. Authorize the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed; and
- c. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation; and
- d. Find that execution of the Amended Conservation and Scenic Easement Deed is categorically exempt under CEQA Guidelines section 15317
- (Conservation and Scenic Easement Deed Amendment - PLN210263/Conservancy for the Range of the Condor, Lots 1 and 8 of the Rocky Creek Ranch Subdivision, Big Sur (Assessor's Parcel Numbers 418-132-001-000 and 418-132-008-000), Big Sur Land Use Plan, Coastal Zone)

Attachments: [Board Report](#)
 [Attachment A – Memorandum to the Clerk of the Board](#)
 [Attachment B – Amended Conservation and Scenic Easement Deed](#)

39. a. Find that the project involves a Conservation and Scenic Easement Deed, which qualifies as a Class 17 Categorical Exemption pursuant to section 15317 of the CEQA Guidelines and no exception under section 15300.2 applies;
- b. Approve and accept a Conservation and Scenic Easement Deed of approximately 0.47 acres of 008-491-021-000 as a required condition of approval for Planning Commission Resolution 17-032 (File No. PLN160117).
- c. Authorize the Chair to execute the Conservation and Scenic Easement Deed; and
- d. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing with all recording fees to be paid by the applicant.
- (Conservation Easement Deed - PLN160117, El Why Square LLC, 3168 Seventeen Mile Drive, Pebble Beach)

Attachments: [Board Report](#)
 [Attachment A - Conservation and Scenic Easement Deed](#)
 [Attachment B - Cover memo to the Clerk of the Board](#)

Public Works, Facilities and Parks

40. Adopt a resolution to:
- a. Authorize and direct the Auditor-Controller to increase fiscal year 2021-22 appropriations and revenue in Public Works, Facilities and Parks (PWFP), Fund 404, Appropriation Unit PFP057, Unit 8564 for the Carmel River Floodplain Restoration and Environmental Enhancement Project (CRFREE), in the amount of \$937,637 with currently held grant funds from the Department of Water Resources, the National Fish and Wildlife Foundation, and the Wildlife Conservation Board. 4/5ths vote required; and
- b. Approve and authorize the Director of Housing and Community Development (HCD), as the

successor to the Director of the Resource Management Agency (RMA) to execute grant funding agreements from the Department of Water Resources (DWR) Coastal Watershed Flood Risk Reduction Grant Program for \$5,147,149, and the California State Coastal Conservancy (SCC) grant for \$4.25 million, for the CRFREE Project, with the approval of County Counsel; and

c. Authorize Director of the Housing and Community Development to sign any agreement, amendment, or extensions, and documentation required by the DWR and SCC, after review and approval as to form by County Counsel.

Attachments: [Board Report](#)
 [Attachment A - Draft Resolution](#)
 [Attachment B - Resolution 20-72 DWR Grant application](#)
 [Attachment C - SCC typical grant agreement terms](#)
 [Attachment D - CRFREE FY22 Grant reimbursement and expenditures estimate](#)

41. a. Approve the Quitclaim Deed between the County and UCP East Garrison LLC, for the conveyance of an approximately 7,197 square foot vacant lot located on a portion of Assessor's Parcel Number 031-161-032, further identified as being off of Watkins Gate Road within the County of Monterey jurisdictional limits, pursuant to the Disposition and Development Agreement dated October 4, 2005;
- b. Authorize the Director of Public Works, Facilities and Parks to execute the Quitclaim Deed, and any related documents needed to complete the transaction, subject to the review and approval of the Office of the County Counsel; and
- c. Find that the subject parcel transfer is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15312.

Attachments: [Board Report](#)
 [Attachment A - Location Map](#)
 [Attachment B - Draft Quitclaim Deed](#)
 [Attachment C – Disposition and Development Agreement dated October 4, 2005](#)

42. a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Non-Standard Agreement with TK Elevator Corporation in an amount not to exceed \$300,000 for elevator maintenance and repair services;
- b. Approve non-standard insurance and indemnification contract provisions as recommended by the Director of Public Works, Facilities & Parks; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to sign, subject to prior review and approval as to form by the Office of the County Counsel-Risk Management, amendments to the Agreement provided that said amendments do not significantly change the terms of the Agreement or increase the not to exceed amount by ten percent (10%) of the original Agreement amount.

Attachments: [Board Report](#)
 [Attachment A - Agreement with TK Elevator](#)

- 43.** Introduce, waive reading, and adopt an urgency ordinance to prohibit overnight parking from 10:00 pm to 6:00 am on Potrero Road: on the south side, from State Route 1, westerly to the terminus of Potrero Road at the north side of the Salinas River State Beach parking lot; and on the north side, from the centerline of Laguna Place westerly to the terminus of Potrero Road at north side of the Salinas River State Beach parking lot, in the unincorporated area of Monterey County. (4/5ths vote required).

Attachments: [Board Report](#)
 [Attachment A - Board Referral No. 2021.22](#)
 [Attachment B - Draft Ordinance](#)
 [Attachment C - Location Map](#)