

Monterey County

*Monterey County Government Center
Board Chamber
168 W. Alisal St., 1st Floor
Salinas, CA 93901*



Action Minutes - Final

Tuesday, December 2, 2014

9:00 AM

**See separate agendas for Board of Supervisors governed Agencies
and Special Districts**

Board of Supervisors

*Chair Louis R. Calcagno - District 2
Vice Chair Simón Salinas - District 3
Supervisor Fernando Armenta - District 1
Supervisor Jane Parker - District 4
Supervisor Dave Potter - District 5*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Calcagno.

Roll Call

Present: 5 - Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

Additions and Corrections for Closed Session

There were no additions or corrections to Closed Session.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding four matters of significant exposure to litigation.
 - b. 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) Claim of Francisco Perez
 - (2) Claim of Elia Perez
 - (3) Claim of Patricia Ybarra and Minor A.
 - (4) Claim of Antonia Parra Chairez
 - (5) Claim of Hector Campos
 - (6) Claim of Gabriel Ramirez
 - c. Pursuant to Government Code section 54956.8, the Board will confer with legal counsel regarding Real Property Negotiations:
Property: Manzanita County Park
Agency Negotiator: Nick Chiulos, Assistant CAO
Negotiating Party: North County Youth Recreation Association
Under negotiation: Terms of Concession Agreement
 - CLOSED SESSION REPORT:**
Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
CLOSED SESSION REPORT: The Board took no reportable actions on item 1.a.
 - b. 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) Claim of Francisco Perez
 - (2) Claim of Elia Perez

- (3) Claim of Patricia Ybarra and Minor A.
- (4) Claim of Antonia Parra Chairez
- (5) Claim of Hector Campos
- (6) Claim of Gabriel Ramirez

CLOSED SESSION REPORT: The Board conferred with legal counsel and denied the claim of (3) Patricia Ybarra and Minor A. and the claim of (4) Antonia Parra Chairez. The Board took no reportable actions on items 1.b.(1), (2), (5) & (6).

c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:

- (1) Designated representatives: James May and Brette Neal
- Employee Organization(s): Units A, B and C (DSA)

CLOSED SESSION REPORT: The Board took no reportable action on item 1.c. (1).

10:30 AM Reconvene

Roll Call

Present: Charlie Steves, Interpreter

Present: 5 - Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

Pledge of Allegiance

The Pledge of Allegiance was led by County Administrative Officer Lew Bauman.

Additions and Corrections

There were no additions or corrections to the agenda.

Consent Calendar- (See Supplemental Sheet)

- 2. Approval of Consent Calendar (See Supplemental Sheet)

Michael Weaver pulled item 48.

Supervisor Calcagno congratulated Marcia Parsons for her appointment as Chief Probation Officer and thanked Manuel Real for his years of service to the County. Manuel Real thanked the Board of Supervisors for their support of the Probation Department.

County Administrative Officer Lew Bauman introduced Presiding Judge Marla O. Anderson. Judge addressed the Board of Supervisors, Marcia Parsons and Manuel Real.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to approve the Consent Calendar, with the exception of item 33. (4-0, Supervisor Potter Absent) (Supervisor Potter was not present during Roll Call but arrived after the Consent Calendar vote)

Ceremonial Resolutions

3. Adopt Resolution commemorating the 100th Anniversary of the Castroville Branch of the Monterey County Free Libraries System. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-319 commemorating the 100th Anniversary of the Castroville Branch of the Monterey County Free Libraries System. (Full Board) ALL AYES**
4. Adopt Resolution honoring Margaret D'Arrigo-Martin for her ongoing and past work to make school meals healthier in Monterey County. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-330 honoring Margaret D'Arrigo-Martin for her ongoing and past work to make school meals healthier in Monterey County. (Full Board) ALL AYES**
5. Adopt Resolution commending Glenn Wojnar, Management Analyst III, on his retirement with more than 33 years of dedicated public service with the Monterey County Department of Social Services. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-341 commending Glenn Wojnar, Management Analyst III, on his retirement with more than 33 years of dedicated public service with the Monterey County Department of Social Services. (Full Board). ALL AYES**
6. Adopt Resolution commending Jane Finney, CLS, MBA, CPHQ Quality Director, on her retirement with more than 31 years of dedicated public service with the Natividad Medical Center. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-343 commending Jane Finney, CLS, MBA, CPHQ Quality Director, on her retirement with more than 31 years of dedicated public service with the Natividad Medical Center. (Full Board) ALL AYES**
7. Adopt Resolution to congratulate the Aromas Water District on the success of its Oak Ridge Drive/Via del Sol Road Water Supply Project. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 14-343 to congratulate the Aromas Water District on the success of its Oak Ridge Drive/Via del Sol Road Water Supply Project. (Full Board) ALL AYES**

Appointments

8. Reappoint to the North Monterey County Recreation & Park District Joseph Hernandez with a term ending November 30, 2018. (Supervisor Calcagno)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint to the North Monterey County Recreation & Park District Joseph Hernandez with a term ending November 30, 2018.**

(Supervisor Calcagno) ALL AYES

9. Appoint to the Area Agency on Aging Advisory Council Carl Braginsky to fill an unscheduled vacancy for a term ending January 1, 2017. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint to the Area Agency on Aging Advisory Council Carl Braginsky to fill an unscheduled vacancy for a term ending January 1, 2017. (Full Board) ALL AYES**
10. Reappoint to the North Monterey County Recreation & Park District Kristen Henderson with a term ending November 30, 2018. (Supervisor Calcagno)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint to the North Monterey County Recreation & Park District Kristen Henderson with a term ending November 30, 2018. (Supervisor Calcagno) ALL AYES**
11. Appoint to the North Monterey County Recreation & Park District Grant Leonard with a term ending November 30, 2018. (Supervisor Calcagno)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint to the North Monterey County Recreation & Park District Grant Leonard with a term ending November 30, 2018. (Supervisor Calcagno) ALL AYES**
12. Appoint to the North Monterey County Recreation & Park District Paul Cortopassi to fill unscheduled vacancy with a term ending November 30, 2018. (Supervisor Calcagno)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint to the North Monterey County Recreation & Park District Paul Cortopassi to fill unscheduled vacancy with a term ending November 30, 2018. (Supervisor Calcagno) ALL AYES**
13. Appoint to the Monterey County Child Care Planning Council Gabriela Jara with a term ending June 30, 2016. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint to the Monterey County Child Care Planning Council Gabriela Jara with a term ending June 30, 2016. (Full Board) ALL AYES**
14. Reappoint to the Area Agency on Aging Advisory Council Kathleen Adamson and Robert Petty with terms ending January 1, 2018. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint to the Area Agency on Aging Advisory Council Kathleen Adamson and Robert Petty with terms ending January 1, 2018. (Full Board) ALL AYES**
15. Appoint to the Monterey County Agricultural Advisory Commission Kirk Williams with a term ending June 30, 2018. (Supervisor Salinas)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor**

Fernando Armenta to appoint to the Monterey County Agricultural Advisory Commission Kirk Williams with a term ending June 30, 2018. (Supervisor Salinas) ALL AYES

- 16. Reappoint to the Monterey County Resource Conservation District Emily Paddock, Melissa Duflock and Joanna Devers with terms ending November 30, 2018. (Full Board)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint to the Monterey County Resource Conservation District Emily Paddock, Melissa Duflock and Joanna Devers with terms ending November 30, 2018. (Full Board) ALL AYES

- 17. Reappoint to the Mental Health Commission Linda Sanchez with a term ending May 31, 2017. (Supervisor Armenta)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint to the Mental Health Commission Linda Sanchez with a term ending May 31, 2017. (Supervisor Armenta) ALL AYES

Other Board Matters

- 18. Board Comments

Supervisor Armenta shared he was at the CSAC annual conference and announced that they now have a statewide legislative priority titled Gang Violence and thanked Robert Reyes from the Probation Department. Supervisor Armenta facilitated a workshop at the conference along with various other Supervisors from counties throughout the state. Supervisor Armenta also recognized the Pop Warner winners and thanked Ariana Viveros from Human Resources who has led a fundraising effort to help the team travel to the National Championship in Florida. Supervisor Armenta will be sending a letter out asking for donations.

Supervisor Salinas also recognized the Pop Warner team.

- 19. CAO Comments and Referrals

County Administrative Officer Lew Baumn congratulated Gail T. Borkowski on receiving the California Clerk of the Board of Supervisors Association (CCBSA) Presidents award.

- 20. General Public Comment

**Hans Jongens
Jose Fregosa**

10:30 A.M. - Scheduled Matters

- 21. a. Conduct a public hearing under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended; and

b. Adopt a resolution approving the issuance by the California Enterprise Development Authority of revenue obligations for the benefit of the Esalen Institute in an aggregate amount not to exceed \$11,000,000 for the purpose of financing and refinancing the cost of the acquisition, construction, renovation, installation, equipping and furnishing certain facilities, providing the terms and conditions for such obligations and other matters relating thereto.

Public Hearing held under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended;

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to: b. Adopt Resolution No. 14-348 approving the issuance by the California Enterprise Development Authority of revenue obligations for the benefit of the Esalen Institute in an aggregate amount not to exceed \$11,000,000 for the purpose of financing and refinancing the cost of the acquisition, construction, renovation, installation, equipping and furnishing certain facilities, providing the terms and conditions for such obligations and other matters relating thereto. ALL AYES

21.1

Public hearing to adopt corresponding Resolutions to:

- a. Deny G. M. Pomeroy & Sons L.P. Application to create a Farmland Security (FSZ) and Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Farmland Security Zone Contract No. 2015-001 effective January 1, 2015.
- b. Partially approve David and Susan Gill Family Trust and Hitchcock Children's Trust Application to establish a Farmland Security Zones and Contract; and, rescind portion of Agricultural Preserve (AgP) Land Conservation Contract No. 12-026 and simultaneously place the property in new Farmland Security Zone and contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Farmland Security Zone Contract No. 2015-002.
- c. Continue Linda S. De Santiago Living Trust Application to establish a Farmland Security Zone and Contract to 2016 round of applications.
- d. Partially approve V.R. Walker Company, J. Miles Reiter and Roseanne Reiter Family Foundation and Garland and Brenda Reiter Family Foundation Application to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Farmland Security Zone Contract No. 2015-004.
- e. Approve High Lemons Limited Partnership, a California Limited Partnership Application to create a Farmland Security Zone (FSZ) and Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Farmland Security Zone Contract No. 2015-005.
- f. Authorize the Chair to execute the recommended Farmland Security Zone Contracts (Gill/Hitchcock FSZ No. 2015-002, Walker/Reiter FSZ No. 2015-004 and High Lemons FSZ No. 2013-005).
- g. Direct the Clerk of the Board to record the Farmland Security Zone Contracts prior to the January 1, 2015 property tax lien date subject to the collection of the appropriate recording fees.

(REF140061 - Williamson Act Contract Applications 2015 - County-wide)

Public hearing held.

Public Comment: Paul Hart.

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker to adopt Resolution No. 14-349 to: a. Approve G. M. Pomeroy & Sons L.P. Farmland Security Zone Application No. 2015-001 to create a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Farmland Security Zone Contract No. 2015-001.

b. Partially approve David and Susan Gill Family Trust and Hitchcock Children's Trust Application to establish a Farmland Security Zones and Contract; and, rescind portion of Agricultural Preserve (AgP) Land Conservation Contract No. 12-026 and simultaneously place the property in new Farmland Security Zone and contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Farmland Security Zone Contract No. 2015-002.

c. Continue Linda S. De Santiago Living Trust Application to establish a Farmland Security Zone and Contract to 2016 round of applications.

d. Partially approve V.R. Walker Company, J. Miles Reiter and Roseanne Reiter Family Foundation and Garland and Brenda Reiter Family Foundation Application to establish a Farmland Security Zone and Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Farmland Security Zone Contract No. 2015-004.

e. Approve High Lemons Limited Partnership, a California Limited Partnership Application to create a Farmland Security Zone (FSZ) and Contract as applicable to the real property described in Exhibit A "Legal Description" to proposed new Farmland Security Zone Contract No. 2015-005.

f. Authorize the Chair to execute the recommended Farmland Security Zone Contracts (G.M. Pomeroy & Sons L.P. FSZ No. 2015-001, Gill/Hitchcock FSZ No. 2015-002, Walker/Reiter FSZ No. 2015-004 and High Lemons FSZ No. 2013-005); and

g. Direct the Clerk of the Board to record the Farmland Security Zone Contracts prior to the January 1, 2015 property tax lien date subject to the collection of the appropriate recording fees.

(REF140061 - Williamson Act Contract Applications 2015 - County-wide). ALL AYES

12:00 PM Recess to Lunch

1:30 PM Reconvene

Roll Call

Present: Charlie Steves, Interpreter

Present: 5 - Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

1:30 P.M. - Scheduled Matters

22. Public hearing, continued from August 26, 2014, to:
- a. Consider the appeal by Harper Canyon Realty LLC from the Planning Commission's denial of their application for a Combined Development Permit consisting of : 1) A Vesting Tentative Map for the subdivision of 344 acres into 17 residential lots ranging in size from 5.13 acres to 23.42 acres on 164 acres with one 180-acre remainder parcel; 2) Use Permit for the removal of approximately 79 Coast live oak trees over six inches in diameter for road and driveway construction; 3) Use Permit for development on slopes in excess of 30 percent; 4) Use Permit for the creation of a public water system with a stand-alone treatment facility (Option B); 5) grading for net cut and fill of approximately 2,000 cubic yards; and Design Approval; and
 - b. Receive update on testing of wells for the project; and
 - c. Provide direction to staff and continue the hearing to a date certain.
- (Appeal of Combined Development Permit - PLN000696/Harper Canyon Realty LLC, San Benancio Road and Meyer Road, Salinas, Toro Area Plan area)

Public hearing (continued from August 26, 2014) was held and continued.

Public Comment: Mike Weaver; John Farrell; Bill Carrothers; Richard Rosenthal; Susan Baccialipi; Carolyn Stone; William Pybern.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to continue to March 3, 2015 the Public hearing to:

- a. Consider the appeal by Harper Canyon Realty LLC from the Planning Commission's denial of their application for a Combined Development Permit consisting of : 1) A Vesting Tentative Map for the subdivision of 344 acres into 17 residential lots ranging in size from 5.13 acres to 23.42 acres on 164 acres with one 180-acre remainder parcel; 2) Use Permit for the removal of approximately 79 Coast live oak trees over six inches in diameter for road and driveway construction; 3) Use Permit for development on slopes in excess of 30 percent; 4) Use Permit for the creation of a public water system with a stand-alone treatment facility (Option B); 5) grading for net cut and fill of approximately 2,000 cubic yards; and Design Approval; and
 - b. Receive update on testing of wells for the project; and
 - c. Provide direction to staff and continue the hearing to a date certain.
- (Appeal of Combined Development Permit - PLN000696/Harper Canyon Realty LLC, San Benancio Road and Meyer Road, Salinas, Toro Area Plan area). (3-2) (Supervisors Parker and Potter dissented)**

23. Public hearing to consider:
- a. Adoption of a resolution to certify the Final Environmental Impact Report and adopt associated Findings of Fact and a Statement of Overriding Considerations for the Ferrini Ranch Subdivision Project;
 - b. Adoption of a resolution to approve a Combined Development Permit for the Ferrini Ranch Subdivision Project, including a Vesting Tentative Map for the subdivision of approximately 870 acres into 185 lots including 168 market rate single family residential lots and 17 lots for moderate income Inclusionary

Housing units; three Open Space parcels totaling approximately 700 acres (Parcels A, B, & C), and a parcel for the future development of a visitor center (Parcel D); Use Permit for removal of up to 921 protected Oak trees; and Use Permit for development on slopes exceeding 30 percent; and to adopt a Mitigation Monitoring and Reporting Plan; and

c. Adoption of a resolution to deny the request to change the General Plan Land Use Designation of Parcel D from LDR 2.5 to Agricultural Industrial and to deny the request to apply the Agricultural Industrial zoning classification to Parcel D of the Ferrini Ranch Subdivision.

(Combined Development Permit and Vesting Tentative Map - PLN040758/Bollenbacher & Kelton (Ferrini Ranch), Fronting on and southerly of State Highway 68, encompassing two areas separated by Toro Regional Park. The eastern portion is bound by River Road and the western portion is bound by San Benancio Road., Toro Area Plan)

Public Comment: Norm Groot; Maria Tanny; Steve Ecklund; Bill Huber; John Farrell; Cosmo Buett; Rachel Saunders; Pat Huber; Mike Weaver; Heddy Eddy; Scott Violinis; Susan Hilinski; Bill Carrothers; Jim Lavachek; Paul Farmer; Carl Christensen; Lynn Kennedy; Myrion Sears; Hans Jongens; Becky Jones; Janet Brennan; Bob Meyer; Dr. Tom Jones; Michelle Hill; Candance Ingram; Bill Tarp; Peter Sheets; Roxanne Bouchance; Mike Parris; Jerry Wilkinson; Jim Campbell; Roy Martinez; Mike Brown; Cathy Anderson; David Erickson; Patrick Burt; Lavone Connelly; Tom Folliard; Bill Ferrell; Eric Peterson; Sherwood Darrington; Lorraine Thayers Diaz; Ray Herrod, Jr.; Lynn Hamilton.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to continue the Public hearing to December 9, 2014, in the afternoon, to consider:

a. Adoption of a resolution to certify the Final Environmental Impact Report and adopt associated Findings of Fact and a Statement of Overriding Considerations for the Ferrini Ranch Subdivision Project;

b. Adoption of a resolution to approve a Combined Development Permit for the Ferrini Ranch Subdivision Project, including a Vesting Tentative Map for the subdivision of approximately 870 acres into 185 lots including 168 market rate single family residential lots and 17 lots for moderate income Inclusionary Housing units; three Open Space parcels totaling approximately 700 acres (Parcels A, B, & C), and a parcel for the future development of a visitor center (Parcel D); Use Permit for removal of up to 921 protected Oak trees; and Use Permit for development on slopes exceeding 30 percent; and to adopt a Mitigation Monitoring and Reporting Plan; and

c. Adoption of a resolution to deny the request to change the General Plan Land Use Designation of Parcel D from LDR 2.5 to Agricultural Industrial and to deny the request to apply the Agricultural Industrial zoning classification to Parcel D of the Ferrini Ranch Subdivision.

(Combined Development Permit and Vesting Tentative Map - PLN040758/Bollenbacher & Kelton (Ferrini Ranch), Fronting on and southerly of State Highway 68, encompassing two areas separated by Toro Regional Park. The eastern portion is bound by River Road and the western portion is bound by San Benancio Road., Toro Area Plan). ALL AYES

Adjournment

APPROVED:

/s/ Simón Salinas

**SIMÓN SALINAS, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: /s/ Gail T. Borkowski

**GAIL T. BORKOWSKI
CLERK OF THE BOARD**

APPROVED ON 4-21-2015

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

24. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute an Agreement on behalf of the County Administrative Office with SSI (US), Inc., d/b/a Spencer Stuart for executive search consulting services to conduct a national search process for the Chief Executive Officer position at Natividad Medical Center with an Agreement term of December 2, 2014 through December 1, 2015 and a total Agreement amount not exceed \$258,534.

Approved - Agreement No. A-12821

Health Department

25. Amend approved Program Funding List to add and delete programs and correct program names for which Director of Health or designee are authorized to execute on behalf of the County of Monterey standard agreements, and any amendments thereto, for continued funding from local, State, and Federal agencies for designated programs.

Approved

26. a. Reallocate 1.0 FTE Office Assistant III to 1.0 FTE Office Assistant II Environmental Health Budget 4000-8112 and 1.0 FTE Environmental Health Specialist III to 1.0 FTE Environmental Health Specialist IV, Environmental Health Budget 4000-8116; and
b. Authorize the County Administrative Office to incorporate the approved position change in the FY 2014-15 Adopted Budget.

Approved

27. Adopt the Monterey County FY 2013-14 Mental Health Services Act Annual Update.

Approved

28. a. Approve delegation of authority to the Director of Health to execute a Memorandum of Understanding (MOU) between Central California Alliance for Health (the Alliance) and Monterey County Mental Health Plan, which shall be effective as of the date of execution and shall renew automatically for subsequent terms of two (2) years each unless earlier terminated or amended; and
b. Approve delegation of authority to amend or terminate the MOU, following approval by County Counsel as to form and legality. Delegation of authority shall expire on June 30, 2019.

Approved

29. Approve and authorize the Director of Health to sign Amendment No. 2 to the Mental Health Services Agreement A-12259 with EMQ FamiliesFirst to increase funding for the Home Alternatives to Residential Treatment (HART) program for FY 2014-15 from \$447,160 to \$557,160 (an increase of \$110,000), for a revised total Agreement amount not to exceed \$1,144,318 in the aggregate.

Approved - Agreement No. A-12259

30. Introduce, waive reading, and set December 16, 2014 at 1:30 p.m. as the date and time to consider adoption of an ordinance of the County of Monterey, State of California, amending Chapter 8.04 of Title 8 and adding Chapter 8.50 to Title 8 of the Monterey County Code, relating to the keeping of roosters.

Approved**Department of Social Services**

31. a. Approve and authorize the Child and Family Services Review-System Improvement Plan September 9, 2014 through September 9, 2019; and
b. Approve and authorize CAPIT/CBCAP/PSSF Expenditure Workbook for the period - July 1, 2014 through September 30, 2019; and
c. Approve and authorize CAPIT/CBCAP/PSSF Evaluation Template-September 9, 2014 through September 9, 2019; and
d. Approve and authorize the Chair of the Board to sign the required Notice of Intent for September 1, 2014 through September 31, 2019.

Approved

32. Approve and authorize the Chair of the Board of Supervisors to sign Amendment #5 to Agreement #A-11489 for July 1, 2011 through June 30, 2015 with Central California Alliance for Health (CCAH) for a change in premium amounts for the provision of health plan benefits for In-Home Supportive Service (IHSS) providers.

Approved - Agreement No. A-11489**Criminal Justice**

33. a. Approve the attached template Agreement for the hiring of volunteer pilots to operate the Cessna 206 aircraft donated to the Sheriff's Office by the Sheriff's Advisory Council; and
b. Authorize the Sheriff or his designee to sign the Agreement.

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Simón Salinas to a. Approve the attached template Agreement for the hiring of volunteer pilots to operate the Cessna 206 aircraft donated to the Sheriff's

Office by the Sheriff's Advisory Council; and b. Authorize the Sheriff or his designee to sign the Agreement. ALL AYES

- 34.** a. Approve and amend the Fiscal Year (FY) 2014-15 Sheriff's Office Budget to add one (1.0) FTE Deputy Sheriff-Operations in the Investigations Division Agricultural Crime Unit, 001-2300-SHE001-8245 effective July 1, 2014;
b. Approve and authorize to increase appropriations and revenues in Fund 001 General Fund and Fund 022 Local Revenue Fund 2011 in the amount of \$155,000 (4/5th votes required); and
c. Approve and authorize the County Administrative Office and Auditor-Controller to incorporate approved position changes and to increase appropriations and estimated revenue in the Sheriff's FY 2014-15 Adopted Budget.
- Approved**

General Government

- 35.** a. Ratify and Authorize the Assessor to enter into an Annual Software Support Agreement with Tyler Technologies as of July 1, 2014; and
b. Direct the Contracts/Purchasing Officer to sign the 2014-15 Annual Software Support Agreement with Tyler Technologies; and
c. Accept non-standard County Liability and indemnification provisions as recommended by the Assessor.
- Approved - Agreement No. A-12826**
- 36.** Receive the 2013 Annual Report of the Equal Opportunity Advisory Commission.
- Approved**
- 37.** Approve and adopt revisions to the Bylaws of the Equal Opportunity Advisory Commission.
- Approved**
- 38.** a. Confirm the appointment of the Monterey County Chief Probation Officer Marcia Parsons; and
b. Approve an advanced placement at Step 4 effective December 13, 2014, pursuant to Sections A.1.11.1 and A.1.11.5 of the Personnel Policies and Practices Resolution 98-394.
- Approved**
- 39.** a. Ratify and approve the proposed Amendment No. 2 to the Standard Agreement with Dave's Repair Service to continue to provide on-call repair services and include new services described as annual underground storage tank monitor certification, spill bucket & LLD testing, annual underground tank vapor testing, monthly designated operator inspections and SP989 testing

(Tri-Annual) at various County fueling sites in the amount of \$73,118.93, for a total amount not to exceed \$185,617.86 and extend the term to June 30, 2016; and

b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 2 to the Standard Agreement and up to two (2) future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Approved - Agreement No. A-12823

39.1

Approve and authorize the Contracts/Purchasing Officer to execute an agreement with S&B Consulting, Inc. in the amount of \$200,000.00 for the period of December 10, 2014 to December 9, 2017 to lead and facilitate the 1441 & 1488 Schilling Place Relocation Project.

Approved - Agreement No. A-12826

40.

a. Approve and authorize the Contracts/Purchasing Officer, on behalf of the Director of Information Technology, to execute a non-standard agreement with Sable Computers Inc., dba KIS (Keep IT Simple), an authorized partner of McAfee, for the provision of the McAfee product enhanced support and licensing for all County users in the amount of \$64,067.26 for the term of January 23, 2015 through January 22, 2016; \$64,067.26 for the term of January 23, 2016 through January 22, 2017; and \$64,067.26 for the term of January 23, 2017 through January 22, 2018, for an amount not to exceed \$192,201.78 in the aggregate;

b. Accept the non-standard language in the Agreement provided by McAfee as recommended by the Director of Information Technology; and

c. Authorize the Contracts/Purchasing Officer to issue purchase orders on an as needed basis as recommended by the Director of Information Technology for the next three (3) years not to exceed \$64,067.26 annually and \$192,201.78 in the aggregate.

Approved - Agreement No. A-12820

41.

a. Ratify and authorize the Contracts/Purchasing Officer to execute a State and Local Agency Server and Cloud Volume Licensing Agreement with Insight Public Sector, Inc., a Microsoft Licensing Reseller, for the provision of enterprise software subscription and maintenance/support for Microsoft applications and solutions utilized by County employees for the period of July 1, 2014 through June 30, 2017;

b. Accept non-standard contract provisions as recommended by the Director of Information Technology; and

c. Authorize the Contracts/Purchasing Officer to sign renewals to the Server and Cloud Volume Licensing Agreement with Insight Public Sector Inc, a Microsoft Licensing Reseller, and issue purchase orders on an as needed basis for Microsoft tools and solutions with the same non-standard contract provisions in the amount not to exceed \$19,200 per year over the next three

(3) fiscal years.

Approved - Agreement No. A-12822

42. Approve the Monterey County Board of Supervisors Action Meeting Minutes for the following dates: Tuesday, June 10, 2014; Tuesday, October 7, 2014; Tuesday, October 14, 2014.

Approved

43. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Monterey Regional Water Pollution Control Agency.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-353 to approve the amendments to the Conflict of Interest Code of the Monterey Regional Water Pollution Control Agency. ALL AYES

44. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Spreckels Union School District.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to Adopt Resolution No. 14-347 to approve the amendments to the Conflict of Interest Code of the Spreckels Union School District. ALL AYES

RMA - General

- 44.1 Approve and authorize the following actions in connection with future Pollution Legal Liability (PLL) insurance coverage for property within the former Fort Ord:
- That the County succeed the Fort Ord Reuse Authority (FORA) as the first-named insured for the remainder of the Pollution Legal Liability (PLL) insurance policy term (January 1, 2015 through December 31, 2024) following dissolution of FORA; and
 - That the County Risk Manager negotiate with FORA staff regarding the terms upon which the County would succeed FORA as the first-named insured for the remainder of the term of the PLL policy following dissolution of FORA.

Approved

RMA - Planning

45. Introduce, waive reading, and set December 16, 2014 at 10:30 A.M. as the date and time to consider adoption of an ordinance amending Chapter 10.60 of the Monterey County Code relating to noise control.
(Nighttime Noise Ordinance - REF140008, County-wide; exempt under CEQA)

Approved

RMA - Public Works

46. a. Approve Amendment No. 3 to Professional Services Agreement MYA#3000*270 with Bender Rosenthal, Inc. to continue to provide on-call real estate services (RFQ #10249), in the amount of \$100,000 for a total amount not to exceed \$200,000, and extend the term to January 31, 2016, with the option to extend the Agreement for one (1) additional one (1) year period, in accordance with the terms and conditions of the Agreement;
- b. Approve Amendment No. 2 to Professional Services Agreement MYA#3000*269 with Universal Field Services, Inc. to continue to provide on-call real estate services (RFQ #10249), in the amount of \$100,000 for a total amount not to exceed \$200,000, and extend the term to January 31, 2016, with the option to extend the Agreement for one (1) additional one (1) year period, in accordance with the terms and conditions of the Agreement; and
- c. Authorize the Contracts/Purchasing Officer to execute the Amendments to the Professional Services Agreements and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

Approved - Agreement No. A-12818 (Bender Rosenthal, Inc.) & A-12819 (Universal Field Services, Inc.)

47. a. Approve a Grant Award from the California Department of Transportation for an Active Transportation Program Grant in the amount of \$913,000 for the Castroville Bicycle/Pedestrian Path and Railroad Crossing Project; and
- b. Authorize the Director of Public Works, or his designee, to accept, administer, and execute documents to secure these funds from the California Department of Transportation.

Approved

48. a. Approve a Grant Award from the Transportation Agency for Monterey County for a Regional Surface Transportation Program Competitive Grant in the amount of \$361,622 for intersection improvements for the State Route 68 at Corral de Tierra Road Project, Project No. 1140; and
- b. Authorize the Director of Public Works, or his designee, to accept, administer, and execute documents to secure these funds from the Transportation Agency for Monterey County.

Public comment: Michael Weaver.

Approved