

# Monterey County

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



## Meeting Agenda - Final-revised

Tuesday, June 11, 2013

9:00 AM

See separate agendas for Monterey County Water Resources  
Agency and East Garrison Financing Authority

### Board of Supervisors

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

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 rostrum 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:** Please complete a Speaker Request Form, available on the rostrum, and submit it to the Clerk of the Board before the commencement of that agenda item. Public comments shall not pertain to matters on the agenda.

**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 translation 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 items are live web links. Click on the title to be directed to corresponding Board Report.**

## **9:00 AM Call to Order**

## **Roll Call**

## **Additions and Corrections for Closed Session**

*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. The public may comment on Closed Session items prior to the Board's recess to Closed Session.*

## **Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) County of Santa Cruz, et al. v. Sebelius (USDC CAND case no. 3:07-CV-02888 MJJ)
    - (2) Ramon Obas v. County of Monterey (USDC CAND case no. CV-09-5540-LHK)
    - (3) Save Our Peninsula Committee v. County of Monterey (Monterey County Superior Court case no. M110694)
    - (4) LandWatch Monterey County v. County of Monterey (Monterey County Superior Court case no. M109434)
    - (5) The Open Monterey Project v. County of Monterey Board of Supervisors (Monterey County Superior Court case no. M109441)
  - 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) Monterey-Salinas Transit District
  - c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
    - (1) Designated representatives: James May and Brette Neal  
Employee Organizations: All Units.
  - d. ~~Pursuant to Government Code section 54956.87 and Health & Safety Code section 1462, the Board will receive a report and confer regarding health care facility/hospital trade secrets. Discussion will concern two new programs.~~  
(REMOVED VIA SUPPLEMENTAL)
  - e. 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.

*Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting 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 AM Reconvene**

### **Roll Call**

### **Pledge of Allegiance**

### **Additions and Corrections**

*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.*

### **Consent Calendar- (See Supplemental Sheet)**

2. Approval of Consent Calendar (See Supplemental Sheet)

### **Ceremonial Resolutions**

3. Adopt Resolution Commending George David Montanez, Mechanic II, Department of Public Works, upon his retirement for more than 29 Years of Public Service. (Supervisor Armenta)

**Attachments:** [Montanez Retirement Resolution](#)

4. Adopt Resolution Recognizing Estella "Stella" Serrano for distinguished service as a Secretary for the County of Monterey Department of Social Services. (Supervisor Armenta)

**Attachments:** [Serrano Resolution](#)

5. Adopt Resolution on behalf of the Monterey County Branch of the NAACP in Commemoration of the 50th Anniversary of the death of Medgar Wiley Evers. (Supervisor Armenta)

**Attachments:** [Evers Resolution](#)

### **Appointments**

6. Appoint David Salles to the Mental Health Commission with a term ending May 31, 2016. (Supervisor Calcagno)

**Attachments:** [Salles Notification to Clerk](#)

7. Appoint Carolyn Anderson to the Commission on the Status of Women to fill an unscheduled vacancy, term ending February 1, 2015. (Supervisor Potter)
- Attachments:** [Anderson Notification to Clerk](#)
8. Appoint Will Taylor to the King City Cemetery Board to fill an unscheduled vacancy, term ending July 1, 2015. (Supervisor Salinas)
- Attachments:** [Taylor Notification to Clerk](#)
9. Reappoint to the Emergency Medical Care Committee the following members: Heidi Burch; Donald C. Tettelbach; Harry B. Robins, Jr. and Sherrie L. Collins, with terms ending June 30, 2015. (Full Board)
- Attachments:** [Burch Notification to Clerk](#)  
[Tettelbach Notification to Clerk](#)  
[Robins Notification to Clerk](#)  
[Collins Notification to Clerk](#)
10. Appoint Michael J. Tozzi and Fire Chief Edmond A. Rodriguez to the Emergency Medical Care Committee, terms ending June 30, 2015. (Full Board)
- Attachments:** [Tozzi Notification to Clerk](#)  
[Rodriguez Notification to Clerk](#)
11. Reappoint Levonne Stone to the Community Action Commission, term ending July 1, 2016. (Supervisor Parker)
- Attachments:** [Stone Notification to Clerk](#)
12. Reappoint Tom Mancini to the Ft. Ord Veteran Cemetery Citizen's Advisory Committee, term ending December 31, 2013. (Full Board)
- Attachments:** [Mancini Notification to Clerk](#)
13. Reappoint Chris Daniel to the Assessment Appeals Board, term ending June 1, 2016. (Supervisor Parker)
- Attachments:** [Notification to Clerk of Appt - Chris Daniel](#)

### **Other Board Matters**

14. Board Comments
15. CAO Comments and Referrals
- Attachments:** [Referrals 061113](#)
16. General Public Comment

*This portion of the meeting is reserved for persons to address the Board on any matter*

*not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to the statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Board at a future meeting.*

### **10:30 A.M. - Scheduled Matters**

17. Receive an oral report/presentation from Office of Emergency Services (OES) Division regarding the status of the Emergency Management in Monterey County, including the realignment of the Operational Area Coordinating Council (OACC), grant management, Emergency Operations Center (EOC) upgrades, Continuity of Government plans, community preparedness efforts, and new hazard mitigation planning.

**Attachments:** [County of Monterey EM overview BOS](#)

18. Adopt Resolution to:  
Authorize the execution and delivery by the County of amendments to a ground lease and a lease agreement in connection with the lease substitution and release of property previously leased with respect to the County of Monterey Certificates of Participation (2007 Refunding and Public Facilities Financing) and authorizing execution by the County Debt Manager of necessary documents and certificates and related actions. (REVISED ATTACHEMENT SUBMITTED - BOARD REPORT DISCUSSION - VIA SUPPLEMENTAL)

**Attachments:** [Board Report Discussion](#)  
[Revised Board Report Discussion](#)  
[Resolution 13-045](#)  
[Amended and Restated Lease Agreement](#)  
[Amended and Restated Ground Lease](#)  
[Amended and Restated Assignment Agreement - Monterey County 2007 Certificate Termination Agreement and Quitclaim Deed- Monterey County 2007 Certificates](#)  
[MONTEREY COUNTY RMA Budget Sheet](#)  
[Proposed Lease Properties Legal Descriptions and plot maps](#)  
[Fair Market Rental Analysis by Dore Group](#)

19. Consider adoption of an ordinance amending section 12.24.020 of the Monterey County Code to establish a stop intersection on Pollock Lane at the north entrance to Pesante Road in Prunedale in the unincorporated area of the County of Monterey.

**Attachments:** [Ordinance](#)  
[Location Map](#)  
[Proposed Stop Intersection Map](#)

### **12:00 PM Recess to Lunch - Continued Closed Session**

**1:30 PM Reconvene****Roll Call****1:30 P.M. - Scheduled Matters**

20. Public hearing to consider:
- Adoption of an ordinance amending Title 21 (non-coastal zoning) of the Monterey County Code to classify Cottage Food Operations as a permitted use of residential property for zoning purposes; and
  - Adoption of a resolution of intent to adopt an ordinance amending the Monterey County Coastal Implementation Plan, Part 1 (Title 20 of the Monterey County Code) to classify Cottage Food Operations as a permitted use of residential property for zoning purposes, with direction to staff to transmit the proposed ordinance to the California Coastal Commission for certification. [REF120083 (Inland) and REF130010 (Coastal), Cottage Food Operation Ordinances (AB 1616), County-wide]

**Attachments:** [Attachment A - Discussion](#)  
[Attachment B-1 - Draft Inland Ordinance \(Clean Version\)](#)  
[Attachment B-2 - Draft Inland Ordinance \(Redline Version\)](#)  
[Attachment C - Draft Board Resolution of Intent](#)  
[Attachment D - Planning Commission Resolution No. 13-019](#)  
[Attachment E - Planning Commission Resolution No. 13-018](#)  
[Attachment F - Assembly Bill 1616](#)

21. Consider adoption of a Resolution to:
- Consider the Greenfield General Plan Environmental Impact Report and the South End Environmental Impact Report and City General Plan EIR Addendum;
  - Adopt the Greater Greenfield Area Memorandum of Agreement; and
  - Authorize the Chair of the Board of Supervisors to execute the Memorandum of Agreement.  
(Greenfield Memorandum of Agreement/PD060778)

**Attachments:** [Attachment A - Draft Resolution & MOA](#)  
[Attachment B - Changes adopted by City of Greenfield](#)  
[Attachment C - City of Greenfield Enviro Docs.Part 1](#)  
[Attachment C - City of Greenfield Enviro Docs.Part 2](#)  
[Attachment C - City of Greenfield Enviro Docs.Part 3](#)  
[Attachment D - Correspondence](#)

**Adjournment**

*Adjourn in Memory of Donna Alonzo-Vaughan*



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

22. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement (MYA703) with The Abaris Group for Phase II of Level II Trauma Center Designation Preparation Services at NMC, extending the Agreement to June 30, 2014 and adding \$191,450 for a revised total Agreement amount not to exceed \$291,450 in the aggregate.

**Attachments:** [Abaris Group Amendment #1 & Original Agreement](#)

23. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement (MYA73) with Shred It USA for Document Shredding Services at NMC, extending the Agreement to June 30, 2014 and adding \$80,000 for a revised total Agreement amount not to exceed \$179,620 in the aggregate.

**Attachments:** [Shred-it USA Amendment #2](#)

24. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 5 to the Agreement (A-11010) with Metro Republic Commercial Service Inc. for Bad Debt Collection Services at NMC, extending the Agreement to June 30, 2015 for a total Agreement amount not to exceed \$3,100,000 (no change to previously approved amount) in the aggregate.

**Attachments:** [Metro Republic Amendment #5](#)

25. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 4 to the Agreement (A-12214) with Monterey Language Services for Translation, Interpretation and other Language Services at NMC, extending the Agreement to June 30, 2014 and adding \$74,000 for Fiscal Year 2013-2014 for a revised total Agreement amount not to exceed \$245,000 in the aggregate.

**Attachments:** [Monterey Language Services Amendment #4.pdf](#)

26. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 7 to the Agreement (A-10081) with Professional Research Consultants Inc. for Patient Satisfaction Survey Services at NMC, extending the Agreement to June 30, 2014 and adding \$45,000 for Fiscal Year (FY) 2013-14 for a revised total Agreement amount not to exceed \$348,937.50 in the aggregate.

**Attachments:** [Professional Research Consultants Amendment #7](#)

27. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement with Marci Bracco Cain for Marketing & Public Relations Consulting Services at NMC, extending the

Agreement to June 30, 2014 and adding \$100,000 for a revised total Agreement amount not to exceed \$200,000 in the aggregate.

**Attachments:** [Marci Bracco Cain Amendment #2.pdf](#)

## **Health and Social Services**

28. Set a date for a public hearing on June 25, 2013, at 10:30 A.M., to consider approving the Fiscal Year (FY) 2013-14 assessments for CSA 74 for the Emergency Medical Services System Special Tax.
- Attachments:** [CSA 74 Resolution.doc](#)  
[Budget Hearings-NOTICE TO TAXPAYERS FY13-14 - draft.pdf](#)  
[CSA 74 History\\_03 04 13.doc](#)  
[CSA 74 FEE CODES0001.pdf](#)
29. Receive and accept a report that explains staff's decision to transfer oversight responsibilities for remediation of leaking Underground Storage Tanks from the Environmental Health Bureau to the Regional Water Quality Control Board.
- Attachments:** [Attachment 1 Underground Storage Tank](#)
30. Receive and accept the first annual financial report from the Director of Health regarding the funds received by the Health Department from the Childhood Lead litigation settlement and accepted by action of the Board of Supervisors on December 13, 2011.
- Attachments:** [Attachment 1](#)
31. a. Authorize the Auditor-Controller to increase appropriations for FY 2012-13 in the Department of Social Services General Assistance Budget Unit 8253 (SOC002) by \$85,000, financed by a cancellation of \$85,000 from the Social Services Assignment (4/5th vote required); and  
b. Direct the County Administrative Office to confirm with the Auditor-Controller the amount to cancel from the Social Services Assignment during the closing of the Fiscal Year 2011-12 actual results.
32. a. Approve and authorize the Contracts/Purchasing Officer to execute a twenty year Lease Agreement with Community Hospital Properties for approximately 25,000 rentable square feet of space located at 1150-1154 Fremont Boulevard, Seaside, California for use by the Health Department's Clinic Services Bureau, to commence within one hundred twenty days of Board of Supervisors approval;  
b. Authorize the Auditor-Controller to make lease payments in an amount not to exceed \$68,750 per month and in accordance with the terms of the Lease Agreement; and  
c. Authorize the extension of the Lease Agreement for two additional five year terms under the same terms and conditions, if deemed by the Contracts/Purchasing Officer to be in the best interest of the County.  
d. Authorize the establishment of a committed fund of up to \$3.2 million from

the Natividad Medical Center Enterprise Fund in accordance with the Article 5 of the Lease Agreement, solely for that purpose.

**Attachments:** [Att A-Lease Agreement for 1150-1154 Fremont Blvd\\_CHOMP \(Rev4-8-13\) emj.](#)  
[Completed Board Order](#)

33. Approve and authorize the Director of Health to sign the Second Amended and Restated Joint Exercise of Powers Agreement that governs operations of the California Mental Health Services Authority (CalMHSA).

**Attachments:** [CalMHSA Second Amendment 06 22 2013](#)  
[CalMHSA JPA Signed by Monterey Co July 2010](#)  
[JPA F-E version](#)

### **Criminal Justice**

34. Approve and Authorize the District Attorney to sign, submit and execute a grant application, including any extensions or amendments thereof, for continued funding for FY 2013-16 from Federal and State agencies for the District Attorney's Office Victim Compensation and Government Claims Board (VCGCB).

35. Amend the February 5, 2013 Board Order (File# 13-0084) to increase Fund 022 State AB109 Public Safety Realignment appropriations for the Public Defender 2270-PUB002-8169-7614 in the amount of \$63,261.

**Attachments:** [File#13-0084 Board Order](#)

### **General Government**

36. a. Approve and authorize the Contracts/Purchasing Officer to execute an Enrollment Confirmation with County of Ventura for their existing Master Contract with Gartner, Inc. on an as-needed basis for the period of May 1, 2013 through April 30, 2014 for the provision of information technology advisory services;
- b. Accept non-standard liability and indemnification provisions in the Master Contract as recommended by the Director of Information Technology,
- c. Authorize the Contracts/Purchasing Officer to enter into up to four (4) additional one year Enrollment Confirmations under the Master Contract, provided that the terms and conditions for the Master Contract, as amended, remain the same; and
- d. Authorize the Contracts/Purchasing Officer to issue purchase orders pursuant to the Enrollment Confirmation(s) on an as-needed basis in an amount not to exceed \$100,000 yearly.

**Attachments:** [Original Agreement Ventura County & Gartner, Inc.](#)  
[Exhibit 1\\_Contract Amendment 9 SIGNED 03012013](#)  
[Enrollment Form\\_County of Monterey & Ventura County](#)

37. Adopt Resolution to approve the Conflict of Interest Code of the Northern Salinas Valley Mosquito Abatement District.

**Attachments:** [Draft Resolution](#)  
[Conflict of Interest Code](#)  
[Approval Document](#)

38. Approve authorizing the Office of the Auditor-Controller to modify the appropriations in the FY 2012-13 adopted budget, up to the amounts listed on Attachment A, as necessary, to reflect the changes required in the allocation of the County's property insurance premiums (4/5ths Vote Required).

**Attachments:** [County Property Insurance Attachment A 06-11-13.pdf](#)

39. Approve a request authorizing:
- a. The transfer of General Fund Contingency funds as supported and recommended by the Budget Committee, in the amount of \$1,018,685, for costs related to the San Antonio and Nacimiento Lakes Fuel Spill; and
  - b. The Auditor-Controller to increase FY 2012-13 revenue and appropriations by \$1,018,685 in the newly created Lakes Fuel Spill Budget Unit 8429, which is under County Counsel Risk Management. (4/5ths Vote Required)

**Attachments:** [Fuel Spill Exhibit A 06-11-13.pdf](#)

40.
  - a. Approve Amendment Number 4 to the Contractual Agreement No. A-07625 between the County of Monterey and the Megabyte Systems Inc. dated April 28, 1998, and its Addendum, the Software Upgrade MPTS2000+ dated July 1, 2007, as it has been subject to Amendments Nos. 1, 2, and 3, combined.
  - b. Approve an additional year of maintenance for the Megabyte Property Tax system for the fiscal year 2013-2014 at 1.7% increase from the current annual rate.

**Attachments:** [Megabyte attachments](#)

41. Set the time and place for hearing of Carmel Valley Ranch's appeal of Transient Occupancy Tax Penalty for Tuesday, June 25, 2013 at 1:30 p.m. or as soon thereafter as the matter may be heard, at the Monterey County Government Center Board Chamber, 168 W. Alisal St., 1st Floor, Salinas, California.

42. Approve the use of San Lorenzo Park on June 23, 2013 and August 18, 2013 for two functions held by Grace Lutheran Church in compliance with Monterey County Code 14.12.130.

43.
  - a. Ratify the May 7, 2013 execution of a Revocable License Agreement for

Non-Federal Use of Real Property between the County of Monterey and the United States of America by the Commandant of the Coast Guard for the use of the Point Sur Radio Communications site for public safety communications;

- b. Accept non-standard indemnification and insurance provisions as recommended by the Sheriff and Director of Emergency Communications;
- c. Authorize the Contracts / Purchasing Officer to sign amendments to this agreement where the total amendments do not result in additional cost to the County or significantly change the scope of the Agreement; and
- d. Authorize the Director of Information Technology to sign the Waiver and Release from Liability Form related to climbing towers and other structures on the site;

**Attachments:** [Waiver and Release from Liability Form.pdf](#)

[Revocable License for Non-Federal Use of Real Property.pdf](#)

44. Authorize the Registrar of Voters to execute Agreement Number 13G26117 with the Secretary of State's office to receive Help America Vote Act (HAVA) Section 261 grant funds in the amount of \$30,000.

**Attachments:** [HAVA Grant 13G26117](#)

45. a. Approve a Housing and Financing Regulatory Agreement and Declaration Of Restrictive Covenants for Rockrose Gardens; and
- b. Authorize the Director of Economic Development to execute the Agreement and make minor modifications as necessary.

**Attachments:** [Housing and Finance Regulatory Agreement and Declaration of Restrictive Cov](#)

### **RMA - General**

46. Adopt Resolution to:
- a. Approve a Memorandum of Understanding (MOU) by and between Monterey County, the US Army Corp of Engineers and the National Marine Fisheries Service for "Flood Prevention and Habitat Protection at the Carmel Lagoon"; and
  - b. Authorize the Chair of the Board of Supervisors to sign the Memorandum of Understanding (MOU).

**Attachments:** [Exhibit A - Discussion](#)

[Exhibit B - Resolution](#)

[Exhibit 1 to Resolution \(draft MOU\)](#)

### **RMA - Public Works**

47. a. Award a contract to John F. Otto, Inc., dba Otto Construction, the lowest responsible and responsive bidder, for Modular #3 District Attorney - Tenant Improvements, 320 Church Street, Salinas, CA Project No. 8778, Bid Package No. 10405, in the total amount of \$308,900;

- b. Approve the Performance and Payment Bonds executed and provided by John F. Otto, Inc., dba Otto Construction and Travelers Casualty and Surety Company of America;
- c. Authorize the Director of Public Works to establish a twenty percent contingency in the amount of \$61,780, to provide funding for approved contract change orders that do not significantly change the scope of work;
- d. Authorize the Director of Public Works to execute the contract and, subject to the terms of the August 28, 2001 Board Order, approve contract change orders where each change order does not exceed \$25,000, plus 5 percent of the amount of the original contract cost in excess of \$250,000; and
- e. Authorize the Director of Public Works to accept a Certificate of Completion and record a Notice of Completion with the County Recorder when he determines the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of the Modular #3 District Attorney - Tenant Improvements, 320 Church Street, Salinas, CA Project No. 8778, Bid Package No. 10405, performed by John F. Otto, Inc., dba Otto Construction.

**Attachments:** [Project Budget](#)  
[Bid Summary](#)  
[Agreement](#)  
[Location Map](#)

## **Addendum/Supplemental**

48. Board of Supervisors Addendum/Supplemental for Tuesday, June 11, 2013.

### **Addendum**

Add Adjournment in Memory of Donna Alonzo-Vaughan

### **Supplemental**

#### **Under Closed Session - Remove d.**

1. Closed Session under Government Code section 54950, relating to the following items:
  - d. Pursuant to Government Code section 54956.87 and Health & Safety Code section 1462, the Board will receive a report and confer regarding health care facility/hospital trade secrets. Discussion will concern two new programs.

#### **Under Scheduled Matters**

18. ***Revised Attachment Submitted - Board Report Discussion***

Adopt Resolution to:

Authorize the execution and delivery by the County of amendments to a ground lease and a lease agreement in connection with the lease substitution and release of property previously leased with respect to the County of Monterey Certificates of Participation (2007 Refunding and

Public Facilities Financing) and authorizing execution by the County Debt Manager of necessary documents and certificates and related actions.

###