



Monterey County

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

Action Minutes - Draft Board of Supervisors

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

Tuesday, November 5, 2013

9:00 AM

See separate Agendas for other Agency and Legislative Body Meetings

9:00 A.M. - Call to Order

The meeting was called to order by Chair Armenta.

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)(1), the Board will confer with legal counsel regarding existing litigation:
 - (1) County of Monterey v. La Paz Partners, et al.; 559 East Alisal Street, LLC, et al. v. County of Monterey (Monterey County Superior Court case no. M124457)
 - (2) City of Carmel-by-the-Sea, et al. v. County of Monterey, et al. (Monterey County Superior Court case no. M125153)
 - (3) City of Pacific Grove v. County of Monterey, et al. (Monterey County Superior Court case no. M125158)
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
 - c. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.

d. 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): All Units

e. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the following public employee positions:

(1) Equal Opportunity Officer
(2) County Counsel

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 Monterey v. La Paz Partners, et al.; 559 East Alisal Street, LLC, et al. v. County of Monterey (Monterey County Superior Court case no. M124457)
(2) City of Carmel-by-the-Sea, et al. v. County of Monterey, et al. (Monterey County Superior Court case no. M125153)
(3) City of Pacific Grove v. County of Monterey, et al. (Monterey County Superior Court case no. M125158)

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a.(1), (2) or (3).

b. 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 action on item 1.b

c. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.

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

d. 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): All Units

CLOSED SESSION REPORT: The Board conferred with labor negotiators and approved a tentative agreement with SEIU Local 521. The agreement will go into effect the next pay period. The agreement will return to the Board for final approval. The same conditions will apply to the unrepresented units.

e. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the following public employee positions:

(1) Equal Opportunity Officer
(2) County Counsel

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.e.(1) & (2).

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 Chair Armenta.

Additions and Corrections

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

Correction Under Consent Calendar – General Government

45. A Revised Attachment A entitled "Monterey Peninsula Water Supply Project Governance Committee Revised and Clauses" has been submitted.

Approve an Amendment to the Governance Committee Agreement for review of the Monterey Peninsula Water Supply Project to Incorporate Revisions Necessitated by Changes included in the Settlement Agreement in California Public Utilities Commission application A.12.04.019.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to approve the correction. ALL AYES

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Calcagno pulled item 28 and asked questions of staff. Ray Bullick responded.

Supervisor Parker pulled items 30, 32 and 55 for comments and questions. Supervisor Parker requested item 55 be continued since all options should be understood. She announced information is available regarding suicide prevention services at 1-877-1-L-I-F-E (663-5433).

MacGregor Eddy pulled item 37 and commented on the item.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simon Salinas to approve item 28. 4-1 (Supervisor Calcagno Dissented)

Public comment on item 55: Jay Donato; MacGregor Eddy; Sylvia Shih; Katherine Crockett; Steve Rease; Lillian Chen.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Simon Salinas to approve item 55. 4-1 (Supervisor Parker Dissented)

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Dave Potter to approve the Consent Calendar with the exception of items 28 and 55. ALL AYES

Ceremonial Resolutions

3. Adopt Resolution congratulating Peter Meckel on the celebration of Hidden Valley Music Seminars 50th Anniversary. (Supervisor Potter)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 13-335 congratulating Peter Meckel on the celebration of Hidden Valley Music Seminars 50th Anniversary. (Supervisor Potter) ALL AYES**
4. Adopt Resolution congratulating Tony Tollner on the celebration of the 30th Anniversary of Rio Grill. (Supervisor Potter)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 13-336 congratulating Tony Tollner on the celebration of the 30th Anniversary of Rio Grill. (Supervisor Potter) ALL AYES**
5. Adopt Resolution proclaiming November 2013 as National Caregiver Month in Monterey County. (Supervisor Armenta)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 13-337 proclaiming November 2013 as National Caregiver Month in Monterey County. (Supervisor Armenta) ALL AYES**
6. Adopt Resolution honoring Salinas LULAC Council #2055 celebrating their 40th Anniversary this year and for the tremendous work they do for the Salinas area. (Supervisor Armenta)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 13-338 honoring Salinas LULAC Council #2055 celebrating their 40th Anniversary this year and for the tremendous work they do for the Salinas area. (Supervisor Armenta). ALL AYES**

Appointments

7. Appoint Helene Brodrick to the Area Agency on Aging Advisory Council to fill an unscheduled vacancy, term ending January 1, 2014. (Supervisor Calcagno)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Appoint Helene Brodrick to the Area Agency on Aging Advisory Council to fill an unscheduled vacancy, term ending January 1, 2014. (Supervisor Calcagno) ALL AYES**
8. Reappoint Harry Wiggins and Stephen Snodgrass to the Pajaro-Sunny Mesa Community Services District, terms ending November 30, 2017. (Supervisor Calcagno)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Reappoint Harry Wiggins and Stephen Snodgrass to the Pajaro-Sunny Mesa Community Services District, terms ending November 30, 2017. (Supervisor Calcagno) ALL AYES**
9. Reappoint Alejandrina Tirado to the King City Cemetery District, term ending July 1, 2017. (Supervisor Salinas)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Reappoint Alejandrina Tirado to the King City Cemetery District, term ending July 1, 2017. (Supervisor Salinas). ALL AYES

10. Appoint Sharon Albert to the Workforce Investment Board (Youth Council) term ending February 14, 2014. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Appoint Sharon Albert to the Workforce Investment Board (Youth Council) term ending February 14, 2014. (Full Board). ALL AYES

11. Appoint Vivian Brennand, Mary Luz Fucci and Romelo Hendley to the Workforce Investment Board (Youth Council), terms ending November 5, 2015. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Appoint Vivian Brennand, Mary Luz Fucci and Romelo Hendley to the Workforce Investment Board (Youth Council), terms ending November 5, 2015. (Full Board) ALL AYES

12. Reappoint Al Davis to the Workforce Investment Board, term ending June 15, 2016. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Reappoint Al Davis to the Workforce Investment Board, term ending June 15, 2016. (Full Board) ALL AYES

13. Reappoint Cesar Lara and Salvador Muñoz to the Workforce Investment Board, terms ending July 27, 2016. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Reappoint Cesar Lara and Salvador Muñoz to the Workforce Investment Board, terms ending July 27, 2016. (Full Board) ALL AYES

14. Reappoint Steve MacArthur to the Workforce Investment Board, term ending October 19, 2016. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Reappoint Steve MacArthur to the Workforce Investment Board, term ending October 19, 2016. (Full Board) ALL AYES

15. Reappoint David Dwyer to the Workforce Investment Board, term ending October 29, 2016. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Reappoint David Dwyer to the Workforce Investment Board, term ending October 29, 2016. (Full Board) ALL AYES

16. Reappoint Brian Turlington to the Workforce Investment Board, term ending November 5, 2016. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Reappoint Brian Turlington to the Workforce Investment Board, term ending November 5, 2016. (Full Board) ALL AYES

17. Appoint Eva Mae Sigala to the Castroville Cemetery District filling an unscheduled vacancy, term ending March 30, 2016. (Supervisor Calcagno)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Appoint Eva Mae Sigala to the Castroville Cemetery District filling an unscheduled vacancy, term ending March 30, 2016. (Supervisor Calcagno). ALL AYES

Other Board Matters

- 17.1 Approve Board of Supervisors Regular Meeting Schedule for Calendar Year (CY) 2014. (ADDED VIA ADDENDUM)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to Approve the Board of Supervisors Regular Meeting Schedule for Calendar Year (CY) 2014. ALL AYES

18. Board Comments

Supervisor Parker thanked staff, Erica Padilla and Yvonne Walker for their response to her Board Referral regarding public engagement and organizing the excellent community engagement training workshop held on October 30th, presented by the Davenport Institute. This is a first step to improving the County's public engagement process. The trainers brought thoughtful ideas and simple solutions, as well as clear steps to think about the process. She looks forward to the next steps.

Supervisor Armenta reminded everyone that next Monday is Veteran's Day and encouraged everyone to attend at least one Veteran event.

Supervisor Armenta announced that the Monterey Bay Aquarium is open for free to Veterans (Active Duty, Reservists, and Retirees with valid Military ID) this Saturday from 9:30 am - 6:00 pm through Veteran's Day.

19. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman announced the Child Support Services Division hit the \$40,000,000 mark this last year in collections for child support. This is a nearly five percent increase. It is much need money for custodial parents. He congratulated Stephen Kennedy and his staff.

Dr. Bauman announced two Board referrals from Supervisor Parker:

- 1) Request for a legal opinion from County Counsel on the impacts of the inconsistent language between the County's General Plan and the Fort Ord Reuse Plan.
- 2) Request for staff in CAO's office to prepare an analysis of operational liabilities associated with the jail expansion and obtain technical assistance to complete a study related to the County's pre-trial release system.

20. General Public Comment

Richard Calhoun; Hans Jongens.

10:30 A.M. - Scheduled Matters

21. a. Receive and accept the FY 2012-13 Budget End-of-Year Report from the County Administrative Office.
b. Approve recommended actions as outlined in the FY 2012-13 Budget End of Year Report.

Public comment: Jay Donato.

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Dave Potter, that this General Agenda Item be approved. ALL AYES

22. a. Receive an oral report from Citygate Associates, consultants to Health Department - EMS Agency, regarding the final report developed on Ambulance System Issues Review and Analysis of Options.
b. Approve and authorize the Director of Health to sign and execute Amendment No. 5 to Agreement No.: A-11610 for a (1) year contract extension with American Medical Response - West (AMR) for the period of January 31, 2017 through January 31, 2018.

Public comments: Jay Donato; Humberto Arista; Len Foster; Michael Urquides; Doug Petric.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to: a. Received an oral report from Citygate Associates, consultants to Health Department EMS Agency, regarding the final report developed on Ambulance System Issues Review and Analysis of Options;

b. Approved and authorized the Director of Health to sign and execute Amendment No. 5 to Agreement No.: A 11610 for a (1) year contract extension with American Medical Response West (AMR) for the period of January 31, 2017 through January 31, 2018;

c. Directed staff with the assistance of Citygate Associates to implement the strategies noted in the Citygate report;

d. Directed staff to hire a third party consultant to establish and regular communication between paramedic providers, other transport providers, AMR and the County EMS agency and to determine whether the Compliance Committee needs additional staff members to represent dispatch and non-transport paramedic providers; and

e. Directed staff to return in 30 days with a plan and timeline for billing outreach, a timeline for hiring a consultant, and a schedule for future contract compliance reports.

ALL AYES

12:00 PM Recess to Lunch and:

**Special Joint Meeting of the Monterey County Board of Supervisors and
Natividad Medical Center Board of Trustees
Monterey Room, 2nd Floor
168 W. Alisal St., Salinas, CA 93901
(see separate agenda and minutes)**

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 PM - Scheduled Matters

23.

Public hearing to consider adoption of a resolution to:

- a. Certify that the Board has reviewed and considered the Addendum together with the Environmental Impact Report (EIR) for the Santa Lucia Preserve (EIR No. 94-005); and
- b. Approve a Map Amendment to increase the Homeland boundary of adjusted Lot 65 of the Santa Lucia Preserve Phase A Subdivision Map by 1.08 acres.

(Map Amendment - PLN130466/Vardell, 34205 Robinson Canyon Road, Carmel, Greater Monterey Peninsula Area Plan)

Public comment: John Bridges for the Applicant; Christine Fisher.

Staff submitted a memo with requested amendments to the Resolution and the Conditions of approval for the Vardell map amendment.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-340 of the Monterey County Board of Supervisors to:

- a) Certify the Board has considered the Addendum together with the Santa Lucia Preserve EIR No. 94-005; and**
- b) Approve the Map Amendment to adjust the Homeland Boundary of adjusted Lot 65 of the Santa Lucia Preserve Phase A and B Subdivision Map, by 1.08 acres.**

[PLN130466, Vardell Living Trust, 34205 Robinson Canyon Road, Carmel (Lot 65 in Santa Lucia Preserve), Greater Monterey Peninsula Area Plan (APN: 239-061-011-000) ALL AYES

24.

Public hearing continued from October 22, 2013 to consider adopting a resolution to amend Article IX (RMA-Planning) of the Monterey County Fee Resolution to increase the Surface Mine Annual Inspection fee from \$3,227.91 to \$7,600.00 for all mines or only those with a disturbed area of greater than 20 acres, for Fiscal Year 2013-2014 to cover the reasonable cost of inspections.

(Adjust Fees - REF130098/Surface Mine Annual Inspection Fee)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-345: A Resolution Amending Article IX (RMA-Planning) of the Monterey County Fee Resolution to increase the Surface Mine Annual Inspection fee from \$3,227.91 to \$7,600.00, for mine operations with a disturbed area of over 20 acres, as shown in the 2012 Inspection Reports, for Fiscal Year 2013-2014 to cover the reasonable cost of inspections. (REF130098/SMARA Inspection Fee)

ALL AYES**25.**

Public hearing to consider:

Adoption of a resolution to adopt the Monterey County Municipal Climate Action Plan: Greenhouse Gas Reduction Plan for County Operations (MCAP).

(County Operation Greenhouse Gas Reduction Plan - REF120044)

Public comment: Bob Perkins.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to adopt Resolution No. 13-341: A Resolution of the Monterey County Board of Supervisors adopting the Monterey County Municipal Climate Action Plan: Greenhouse Gas Reduction Plan for County Operations (MCAP) (REF120044) ALL AYES

25.1

In the Matter of the Salinas Valley Solid Waste Authority Revenue Bonds, Series 2013, and the County's Notices of Intent to Withdraw from the Authority and the related Waste Delivery Agreement. (ADDED VIA ADDENDUM)

Staff submitted a revised resolution based upon staff's recommendations.

Public comment: Steve Snodgrass; Rene Mendez; Patrick Matthews; Robert Moreno; John Kim.

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Dave Potter and: Conducted a public hearing pursuant to Internal Revenue Code section 147 (f) and California Government Code section 6586.5, and CONTINUED TO DECEMBER 3, 2013 consideration to:

- a. Rescind the Notices of Intent to withdraw from the Salinas Valley Solid Waste Authority ("Authority") and the related Waste Delivery Agreement (the "Notices of Intent"), and approve the Authority's proposed Series 2013 Revenue Bonds with conditions;**
- b. Rescind the Notices of Intent but not approve the Authority's proposed Series 2013 Revenue Bonds;**
- c. Not rescind the Notices of Intent but approve the Authority's proposed Series 2013 Revenue Bonds, and instruct staff to return in December of 2013, with a date certain for withdrawal from the Authority and other necessary actions; or**
- d. Not rescind the Notices of Intent, not approve the Series 2013 Revenue Bonds, and instruct staff to return in December of 2013, with a date certain for withdrawal from the Authority and other necessary actions; and further authorized Supervisors Parker and Salinas to continue their dialogue with the City of Salinas 4-1 (Supervisor Armenta Dissented)**

Adjournment

In Memory of Warren Goldman

APPROVED:

**LOUIS CALCAGNO, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

**BY: _____
GAIL T. BORKOWSKI
CLERK OF THE BOARD**

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

26. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Renewed, Amended and Consolidated Agreement with Truven Health Analytics Inc. for Meaningful Use Quality Manager (A-12282) and Care Discovery Transform Tool (A-12063) Services at NMC, for the period October 8, 2013 through June 30, 2016 and adding \$313,845 (over three years) for a revised total Agreement amount not to exceed \$902,155 in the aggregate.

Approved - Agreement Nos. A-12282 (Truven Health Analytics Inc.); A-12063 (Care Discovery Tranform Tool)

Health Department

27. a. Reallocate two (2) vacant 2.0 FTE Public Health Nutritionist II to two (2) 2.0 FTE Public Health Program Coordinator in Health Department Budget Unit HEA003-8124; and
b. Authorize the County Administrative Office to incorporate approved position changes in the FY 2013-14 Adopted Budget.

Approved

28. a. Set a Public Hearing for December 10, 2013, at 10:30 a.m. regarding proposed rate adjustments for the Unified Franchise Agreement A-11631 (UFA) for solid waste and recyclables collection between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation (Waste Management); and
b. Direct the Clerk of the Board to publish Notice of Public Hearing in newspapers of general circulation to provide for County-wide Notice of Public Hearing on or before November 29, 2013. (REVISED ATTACHMENT A VIA SUPPLEMENTAL)

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to: a. Set a Public Hearing for December 10, 2013, at 10:30 a.m. regarding proposed rate adjustments for the Unified Franchise Agreement A-11631 (UFA) for solid waste and recyclables collection between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation (Waste Management); and
b. Direct the Clerk of the Board to publish Notice of Public Hearing in newspapers of general circulation to provide for County-wide Notice of Public Hearing on or before November 29, 2013. 4-1 (Supervisor Calcagno Dissented)**

29. Approve and authorize the Director of Health to sign Amendment No. 1 to the Mental Health Services Agreement A-12488 with the Alliance on Aging for the Senior Peer Counseling Program that provides mental health intervention,

support and referral services to older adults. Amendment No. 1 increases the current Agreement amount of \$440,160 by \$225,000 in FYs 2014-16 for a new total Agreement amount not to exceed \$665,160.

Approved - Agreement No. A-12488

- 30.
- a. Approve and authorize the Director of Health or his designee to sign Agreement #13-20348 with the California Department of Public Health in the amount of \$321,208, for the period of July 1, 2013 through June 30, 2015, to develop, implement and evaluate small-scale, low-cost educational interventions to promote safety with underserved schools in the Monterey Peninsula Unified School District ; and
 - b. Authorize the Contracts/Purchasing Officer to approve three future amendments up to ten percent (10%) of the annual amount, which does not significantly alter the scope of services or result in an increase to general fund contribution.

Approved - Agreement No. A-12599

- 31.
- Authorize the Contracts/Purchasing Officer to execute the Acknowledgement and Consent to the Assignment and Assumption Agreement between TR & Associates, Inc. and TFR Medical Services, Inc., effective August 29, 2013. The contract is for the provision of services related to credentialing and re-credentialing of health care providers and facility applications for the Clinic Services Bureau of the Health Department.

Approved

- 32.
- Approve and authorize the Director of Health to sign Amendment No. 2 to Agreement A-12068 with the Family Service Agency of the Central Coast for suicide prevention services for Monterey County residents. Amendment No. 2 increases the FY 2013-14 annual amount by \$5,360 for a revised total Agreement amount not to exceed \$389,360.

Approved - Agreement No. A-12068

- 33.
- a. Approve and authorize the Contracts/Purchasing Officer to sign an Agreement with Monterey County Children and Families Commission DBA First 5 Monterey County in the amount of \$300,000, for the period of October 22, 2013 to June 30, 2014, to finalize Phase 1 and to implement Phases 2 and 3 of the Early Childhood Development Initiative in Monterey County; and
 - b. Accept the modifications to the County's Standard Agreement language; and
 - c. Authorize the Contracts/Purchasing Officer to approve three future amendments up to ten percent (10%) of the annual amount, which does not significantly alter the scope of services or result in an increase to net county costs.

Approved - Agreement No. A-12594

34. a. Approve and authorize the Director of Health or designee to execute and submit, on behalf of the County of Monterey, all agreements, applications and documents, and any amendments thereto, related to the revised Local Primacy Delegation Agreement and the Grant Funding Agreement for grant funds that will be awarded from the State of California Department of Public Health after the two agreements have been executed;
- b. Authorize the Director of Health or designee to receive grant funds in an amount of \$879,000 to implement the purposes specified in the revised Local Primacy Delegation Agreement and the Grant Funding Agreement with the State of California Department of Public Health; and
- c. Authorize the Auditor-Controller to establish a deferred revenue liability sub-Balance Sheet Account (BSA) LPA Trust Fund under BSA 2875 EHB LPA for Environmental Health, effective FY 2013-14.

Approved

Social Services Department

35. a. Approve and authorize the Monterey County Veteran's Services Officer to sign the California Department of Veterans Affairs' Special Certificate of Compliance to receive one-time Subvention Program funding for Fiscal Year 2013-14;
- b. Approve and authorize the Auditor-Controller to amend the 5010-SOC003-8260 FY 2013-14 Adopted Budget to increase appropriations and estimated revenues in the amount of \$36,498. (4/5ths Vote Required)

Approved

36. Approve Child Abuse Prevention Program (CAPIT/CBCAP/PSSF) Funding Assurances for Monterey County and Authorize the Chair of the Board to sign the required Notice of Intent for January 1, 2014 through December 31, 2014 for submission to the State.

Approved

Criminal Justice

37. Authorize the Sheriff's Office to apply for the Marijuana Suppression Program (MSP) grant application in the amount of \$179,873 with the Board of State and Community Corrections (BSCC) to continue funding for the County of Monterey Marijuana Eradication Team (COMMET) Program for the period of October 1, 2013 through September 30, 2014.

Approved

38. Authorize the Sheriff's to apply for the Anti Drug Abuse (ADA) Enforcement Team Program grant application in the amount of \$179,124 with the Board of State and Community Corrections (BSCC) to continue funding for the County

of Monterey Narcotics Enforcement Unit (NEUCOM) Program for the period of October 1, 2013 through September 30, 2014.

Approved

39. a. Approve and authorize the Contracts/Purchasing Officer to sign a Memorandum of Understanding in the amount of \$160,915 between the Probation Department and the Monterey County Office of Education for collaborative services for the Salinas Community School program during FY 2013-2014; and
- b. Authorize the Contracts/Purchasing Officer to sign up to three (3) future amendments to each Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.

Approved - Agreement No. A-12595

General Government

40. Approve and authorize a resolution for the renewal of a Memorandum of Understanding (MOU) with the Cities of Oakland, San Jose, San Francisco and the Counties of Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Sonoma that provides governance structures and procedures for application, allocation and distribution of federal Urban Area Security Initiative (UASI) programs and reappoints a primary and alternate member to the UASI Approval Authority.

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Dave Potter to adopt Resolution No. 13-342 approving and authorizing the renewal of a Memorandum of Understanding (MOU) with the Cities of Oakland, San Jose, San Francisco and the Counties of Alameda, Contra Costa, Marin, San Mateo, Santa Clara, and Sonoma that provides governance structures and procedures for application, allocation and distribution of federal Urban Area Security Initiative (UASI) programs and reappoints a primary and alternate member to the UASI Approval Authority.. ALL AYES

41. a. Approve & Authorize the Contracts / Purchasing Officer to sign a Memorandum of Understanding between COUNTY OF MONTEREY and CITY AND COUNTY OF SAN FRANCISCO and associated Grant Assurances Document to receive funds in the amount of \$750,000 for the replacement of the Emergency Communications Department's Computer Aided Dispatch System; and
- b. Approve & Authorize the Contracts / Purchasing Officer to sign up to three (3) future amendments to the Memorandum of Understanding where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.

Approved - Agreement No. A-12596

42. a. Ratify the October 1, 2013 execution of a Revocable License Agreement for

Non-Federal Use of Real Property between the County of Monterey and the Secretary of the Army by the U.S. Army Engineer District, Sacramento, for the use of roof top space at the DoD Center located at Ord Military Community for public safety communications for a term of 5 years;
b. Authorize payment of power costs as invoiced by DMDC as specified in the Agreement; and
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.

Approved - Agreement No. A-12601

- 43.** a. Approve and authorize the purchase of individual Security Socket Layer Certificates by the Information Technology Department for the provision of secure connectivity from a web server to a browser for county users accessing County data in a yearly amount not to exceed a combined total of \$25,000;
b. Accept non-standard terms and conditions that accompany Security Socket Layer Certificate purchases as recommended by the Director of Information Technology; and
c. Authorize the Contracts/Purchasing Officer to issue individual purchase orders as requested by the Information Technology Department for the purchase of separate Security Socket Layer Certificates not to exceed a combined total of \$25,000.

Approved

- 44.** Accept the Monterey County Law Library Annual Report, Financial Year 2012-2013.

Approved

- 45.** Approve an Amendment to the Governance Committee Agreement for review of the Monterey Peninsula Water Supply Project to Incorporate Revisions Necessitated by Changes included in the Settlement Agreement in California Public Utilities Commission application A.12.04.019.

Approved - Agreement No. A-12597

- 46.** Consider and approve appointments to the Oversight Board for the Successor Agency to the Redevelopment Agency of the City of Del Rey Oaks.

Approved

- 47.** a. Approve amending the Community Development Block Grant FY 2013-2014 adopted budget, by increasing revenue and appropriations by \$1,038,220; and
b. Authorize the Auditor-Controller's Office to incorporate the approved appropriations and revenue modifications in the FY 2013-2014 Budget.

Approved

48. Approve and authorize the Contracts/Purchasing Officer to sign a Professional Services Agreement with JEA & Associates for the provision of state legislative advocacy services at a cost of \$144,000, for the one (1) year period of July 1, 2013 through June 30, 2014.

Approved - Agreement No. A-12592

49. Approve and authorize the Contracts/Purchasing Officer to sign a Professional Services Agreement with Nossaman LLP for the provision of federal legislative advocacy services at a cost of \$125,000, for the one (1) year period of July 1, 2013 through June 30, 2014.

Approved - Agreement No. A-12593

RMA - General

50. a. Receive a report on United States Postal Service (USPS) Full Service Intelligent Mail barcode system; and
b. Approve the recommendation to update the County's Mail Services software to support the new USPS barcode and to allow for the continuation of discounts for Full-Service mailings by January 2014.

Approved

RMA - Planning

51. a. Set a public hearing for December 3, 2013 at 10:30 a.m., to consider 2014 applications to establish twelve (12) Farmland Security Zones ("FSZ") and Contracts.
b. Direct the Clerk of the Board of Supervisors to publish Notice of Hearing for the Public Hearing to take place on December 3, 2013 at 10:30 a.m., to consider 2014 applications to establish twelve (12) Farmland Security Zones ("FSZ") and Contracts.
(REF130065 - /Williamson Act Contract Applications - 2014, County-wide)

Approved

RMA - Public Works

52. a. Approve the submittal of a Brownfields Program Cleanup Grant application to the United States Environmental Protection Agency; and
b. Authorize the Director of Public Works, or his designee, to act as the Agent for the County in processing all documentation to secure the grant funds.

Approved

53. Acting on behalf of County Service Area No. 31 - Aromas:
a. Accept a report on the financial condition of County Service Area No. 31 -

Aromas;

- b. Authorize the Auditor-Controller to increase appropriations in County Service Area No. 31 - Aromas, Fund 065-3000-8198-RMA061, in the amount of \$15,000 for the Aromas Drainage System Rehabilitation Project; and
- c. Authorize the Auditor-Controller to incorporate the approved increase in appropriations into the FY 2013-14 budget (4/5th vote required).

Approved

- 54.** Introduce, waive the reading, and set December 3, 2013 at 1:30 p.m. as the date and time to consider adoption of an ordinance amending section 12.24.020 of the Monterey County Code to establish a three-way stop intersection at Main Street and Lincoln Street and a four-way stop intersection at Jackson Street and Washington Street in Chualar in the unincorporated area of the County of Monterey.

Approved

- 55.** Adopt a Resolution:
- a. Approving the acceptance of additional conditional funding for the Jail Housing Addition Project, Project 8819, in the amount of \$43,705,000, to increase the present Project from a 288 medium-security bed facility to a 576 medium-security bed facility with essential administrative and support space improvements based on the State of California conditional award of \$80 Million;
 - b. Approving the additional minimum matching funds in the amount of \$4,867,222 to the previously approved match of \$4,032,778, for a total cash and in-kind match of \$8,900,000;
 - c. Authorizing the Sheriff to accept the additional conditional funding award from the Board of State and Community Corrections;
 - d. Authorizing the Director of Public Works to negotiate and expand the Professional Services Agreement with Lionakis to increase its scope to comply with State full conditional award milestones, with a not-to-exceed additional amount of \$3,500,000 for additional architectural services;
 - e. Authorizing and directing the County Administrative Officer, Director of Public Works, and Sheriff to take such other further actions as may be necessary or appropriate to move the Project forward to meet the State's milestone requirements for design submissions as defined under the AB 900 Phase II funding program;
 - f. Authorizing the Director of Public Works to negotiate and execute an amendment for professional services with HMC Architects or an agreement with EMC Planning to complete an Environmental Impact Report for the State full conditional award, with a not-to-exceed amount of \$400,000; and
 - g. Authorizing the Director of Public Works to negotiate and enter into an agreement for professional services with Kitchell CEM to provide Project Management Services to comply with State full conditional award milestones, with a not-to-exceed amount of \$2 Million.

Public comment: Jay Donato; MacGregor; Sylvia Shih; Katherine Crockett; Steve Rease; Lillian Chen.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to adopt Resolution No. 13-339: a. Approving the acceptance of additional conditional funding for the Jail Housing Addition Project, Project 8819, in the amount of \$43,705,000, to increase the present Project from a 288 medium-security bed facility to a 576 medium-security bed facility with essential administrative and support space improvements based on the State of California conditional award of \$80 Million;

b. Approving the additional minimum matching funds in the amount of \$4,867,222 to the previously approved match of \$4,032,778, for a total cash and in-kind match of \$8,900,000;

c. Authorizing the Sheriff to accept the additional conditional funding award from the Board of State and Community Corrections;

d. Authorizing the Director of Public Works to negotiate and expand the Professional Services Agreement with Lionakis to increase its scope to comply with State full conditional award milestones, with a not-to-exceed additional amount of \$3,500,000 for additional architectural services;

e. Authorizing and directing the County Administrative Officer, Director of Public Works, and Sheriff to take such other further actions as may be necessary or appropriate to move the Project forward to meet the State's milestone requirements for design submissions as defined under the AB 900 Phase II funding program;

f. Authorizing the Director of Public Works to negotiate and execute an amendment for professional services with HMC Architects or an agreement with EMC Planning to complete an Environmental Impact Report for the State full conditional award, with a not-to-exceed amount of \$400,000; and

g. Authorizing the Director of Public Works to negotiate and enter into an agreement for professional services with Kitchell CEM to provide Project Management Services to comply with State full conditional award milestones, with a not-to-exceed amount of \$2 Million. 4-1 (Supervisor Parker Dissented)

56.

a. Award Job Order Contract Roads & Bridges 2013-01 contract to Sea Pac Engineering, Inc., the lowest responsible and responsive bidder for Roads & Bridges Project JOC, with a bid award criteria figure of .9260, for a term of one year with a minimum contract value of \$25,000 and maximum contract value of \$4.43 Million;

b. Award Job Order Contract Roads & Bridges 2013-02 contract to The Don Chapin Company, Inc., the lowest responsible and responsive bidder for Roads & Bridges Project JOC, with a bid award criteria figure of 1.3057, for a term of one year with a minimum contract value of \$25,000 and maximum contract value of \$4.43 Million;

c. Award Job Order Contract Facilities 2013-01 contract to Sea Pac Engineering, Inc., the lowest responsible and responsive bidder for Facilities Project JOC, with a bid award criteria figure of .9130, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.43 Million;

d. Approve the two Performance and Payment Bonds executed and provided by Sea Pac Engineering, Inc. in the amount of \$2 Million each; and

e. Approve the Performance and Payment Bonds executed and provided by The Don Chapin Company, Inc. in the amount of \$2 Million.

Approved - Agreement Nos. A-12602 (Sea Pac Engineering, Inc.); A-12603 (Don Chapin); A-12604 (Sea Pac Engineering, Inc.); Construction No. 2013-016

57. a. Approve Agreement with Lionakis to provide architectural services for schematic design through construction services of the Jail Housing Addition, Project No. 8819 (RFQ #10401), in an amount not to exceed \$2,608,643 from execution of the Agreement through and including June 30, 2018; and
b. Authorize the Contracts/Purchasing Officer to execute the Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Approved - Agreement No. A-12598

58. a. Approve award of an Agreement with FASTER Asset Solutions to the County with a new Turn-Key Fleet Management Operations System, for the initial term beginning November 5, 2013, through and including November 5, 2018, with an aggregate value estimated not to exceed \$360,000; and
b. Authorize the Contracts/Purchasing Officer to execute the Agreement and to sign future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement annual rates of more than fifteen percent (15%).

Approved - Agreement No. A-12600

59. Adopt a Resolution to:
a. Reestablish the Monterey Regional Storm Water Management Program, effective upon approval of all participating parties;
b. Authorize the Resource Management Agency Director to execute the Memorandum of Agreement, Monterey Regional Storm Water Management Program with the Monterey Regional Water Pollution Control Agency; and
c. Approve the recommendation for Resource Management Agency to pay invoice No. 09928 in the amount of \$134,076 from the Monterey Regional Water Pollution Control Agency for the annual County's FY 2013-14 participation fee to the Monterey Regional Storm Water Management Program.

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Dave Potter to adopt Resolution No. 13-343: a. Approving the acceptance of additional conditional funding for the Jail Housing Addition Project, Project 8819, in the amount of \$43,705,000, to increase the present Project from a 288 medium-security bed facility to a 576 medium-security bed facility with essential administrative and support space improvements based on the State of California conditional award of \$80 Million;
b. Approving the additional minimum matching funds in the amount of \$4,867,222 to the previously approved match of \$4,032,778, for a total cash and in-kind match of \$8,900,000;
c. Authorizing the Sheriff to accept the additional conditional funding award from the Board of State and Community Corrections;
d. Authorizing the Director of Public Works to negotiate and expand the Professional Services Agreement with Lionakis to increase its scope to comply

with State full conditional award milestones, with a not-to-exceed additional amount of \$3,500,000 for additional architectural services;

e. Authorizing and directing the County Administrative Officer, Director of Public Works, and Sheriff to take such other further actions as may be necessary or appropriate to move the Project forward to meet the State's milestone requirements for design submissions as defined under the AB 900 Phase II funding program;

f. Authorizing the Director of Public Works to negotiate and execute an amendment for professional services with HMC Architects or an agreement with EMC Planning to complete an Environmental Impact Report for the State full conditional award, with a not-to-exceed amount of \$400,000; and

g. Authorizing the Director of Public Works to negotiate and enter into an agreement for professional services with Kitchell CEM to provide Project Management Services to comply with State full conditional award milestones, with a not-to-exceed amount of \$2 Million. ALL AYES