

Monterey County

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



Action Minutes - Final

Tuesday, April 7, 2015

9:00 AM

See separate agendas for Special Jt. Meeting of BOS of the Water Resources Agency & Water Resources Agency Board of Directors; & Spec. Jt Meeting of the BOS, BOS of the Water Resources Agency & Water Resources Agency Board of Directors

Board of Supervisors

*Chair Simón Salinas - District 3
Vice Chair Jane Parker - District 4
Supervisor Dave Potter - District 5
Supervisor Fernando Armenta - District 1
Supervisor John M. Phillips - District 2*

9:00 AM-Call to Order

The meeting was called to order by Chair Salinas.

Roll Call

Present: 5 - Supervisor Simón Salinas, Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter and Supervisor John M. Phillips

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) Jesse Hernandez, et al. v. County of Monterey (United States District Court case no. CV 13 2354 PSG)
 - b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: 1000 South Main Street, Salinas
Agency Negotiator: John Guertin, Acting Deputy Director
Party: Life Foundation Monterey, LLC
Under Negotiation: Price and terms
 - (2) Property: 730, 752 and 744 La Guardia Street, Salinas
Agency Negotiator: John Guertin, Acting Deputy Director
Party: Life Foundation Monterey, LLC
Under Negotiation: Price and terms

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) Jesse Hernandez, et al. v. County of Monterey (United States District Court case no. CV 13 2354 PSG)

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

 - (1).
 - b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: 1000 South Main Street, Salinas
Agency Negotiator: John Guertin, Acting Deputy Director
Party: Life Foundation Monterey, LLC
Under Negotiation: Price and terms
 - (2) Property: 730, 752 and 744 La Guardia Street, Salinas

Agency Negotiator: John Guertin, Acting Deputy Director

Party: Life Foundation Monterey, LLC

Under Negotiation: Price and terms

CLOSED SESSION REPORT: Item 1.b. (1) & (2) removed. Not discussed.

10:30 AM Reconvene

Roll Call

Present: 5 - Supervisor Simón Salinas, Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter and Supervisor John M. Phillips

Pledge of Allegiance

The Pledge of Allegiance was led by Supervisor Parker.

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 corrections:

Remove from Scheduled Matters and add to Consent Calendar – RMA Planning 27.1 Consider adopting a Resolution to:

a. Approve a Lot Line Adjustment between three (3) existing legal lots of record under an existing Williamson Act Agricultural Preserve and Land Conservation Contract No. 69 29 (AgP No. 69 29) consisting of Parcel 1 (318.79 acres), Parcel 2 (250.90 acres) and Parcel 3 (35.60 acres). The Lot Line Adjustment would result in three (3) parcels: Parcel A (449.65 acres), Parcel B (40 acres) and Parcel C (115.64 acres);

b. Authorize the Chair to execute a new or amended Land Conservation Contract or Contracts, in order to rescind a portion of the existing Land Conservation Contract as applicable to the reconfigured lots only and simultaneously execute a new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and the Property Owners of Record, reflecting the new legal descriptions, current ownership interests and, to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and

c. Direct the Clerk of the Board to record the new or amended Contract or Contracts for the reconfigured lots after the Certificates of Compliance for the reconfigured lots have been recorded and recording fees for said new or amended Contract or Contracts have been submitted by the Property Owners of Record.

(Lot Line Adjustment PLN120819 /Long Valley Partners, LP, a California limited partnership, located at 58103 Cattlemen Road and Pine Valley Road, San Ardo [Assessor's Parcel Numbers: 421 0161 001, 002, 046, 047, and 421 141 004 000], South County Area Plan)

Under Consent Calendar – RMA Planning

45. Revised letter submitted

Authorize the Chair of the Board of Supervisors to sign and send a letter to the County of San Luis Obispo addressing the County of Monterey's concerns

related to transport of crude oil by rail through Monterey County related to expansion of the Phillips 66 refinery operations permit in San Luis Obispo County.

(REF150022, County wide, Phillips 66 Refinery Rail Spur) PROJECT
INFORMATION: Planning File Number: REF150022 Owner: N/A Project
Location: County wide; APN: County wide; Agent: N/A Plan Area: County wide
Flagged and Staked: N/A CEQA Action: N/A

A motions was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to approve corrections to the agenda. ALL AYES

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Phillips pulled item 45 and requested the letter he submitted be substituted and sent. See item 45 for action.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to approve the Consent Calendar (See Supplemental Sheet), with the exception of item 45, and including item 27.1 which was moved to Consent from Scheduled matters. ALL AYES

Ceremonial Resolutions

3. Adopt Resolution recognizing Sea Otter Classic on the occasion of their 25th Anniversary. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 15-077 recognizing Sea Otter Classic on the occasion of their 25th Anniversary. (Full Board) ALL AYES

4. Adopt Resolution recognizing the 9th day of April 2015 in Monterey County as Stand Up For Transportation Day. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 15-078 recognizing the 9th day of April 2015 in Monterey County as Stand Up For Transportation Day. (Full Board) ALL AYES

5. Adopt Resolution commending Property Technician Cindy Culver of Monterey County Sheriff's Office upon receiving the award of Professional Staff Employee of the Year for 2014. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 15-079 commending Property Technician Cindy Culver of Monterey County Sheriff's Office upon receiving the award of Professional Staff Employee of the Year for 2014. (Full Board) ALL AYES

6. Adopt Resolution in appreciation of 17 years of Public Service to the County of Monterey Board of Supervisors upon the retirement of Henry M. Gowin. (Supervisor Phillips)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 15-081 in appreciation of 17 years of Public Service to the County of Monterey- Board of Supervisors upon the retirement of Henry M. Gowin. (Supervisor Phillips). ALL AYES

7. Adopt Resolution honoring Child Support Services Director Stephen H. Kennedy upon his retirement from the Monterey County District Attorney and Child Support Services after serving 21 years of outstanding county service. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 15-082 honoring Child Support Services Director Stephen H. Kennedy upon his retirement from the Monterey County District Attorney and Child Support Services after serving 21 years of outstanding county services. (Full Board) ALL AYES

8. Adopt Resolution recognizing April 12 through April 18, 2015 in Monterey County as Public Safety Dispatchers Week. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 15-083 honoring Child Support Services Director Stephen H. Kennedy upon his retirement from the Monterey County District Attorney and Child Support Services after serving 21 years of outstanding county services. (Full Board) ALL AYES

Appointments

9. Reappoint Margaret Robbins and Wayne Ross to the Monterey County Housing Advisory Committee with terms ending April 9, 2017. (Supervisor Potter)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to Reappoint Margaret Robbins and Wayne Ross to the Monterey County Housing Advisory Committee with terms ending April 9, 2017. (Supervisor Potter). ALL AYES

10. Reappoint Cheryl Ward-Kaiser to the Community Restorative Justice Commission with a term ending April 11, 2018. (Supervisor Parker)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to Reappoint Cheryl Ward-Kaiser to the Community Restorative Justice Commission with a term ending April 11, 2018. (Supervisor Parker) ALL AYES

11. Appoint Eric Sills to the Juvenile Justice Coordinating Council representing Chief of Police to serve at the pleasure of the Board. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to Appoint Eric Sills to the Juvenile Justice Coordinating Council representing Chief of Police to serve at the pleasure of the Board. (Full Board) ALL AYES

12. Appoint Veronica Magana to the Juvenile Justice Coordinating Council representing the Sunrise House to serve at the pleasure of the Board. (Full

Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, to Appoint Veronica Magana to the Juvenile Justice Coordinating Council representing the Sunrise House to serve at the pleasure of the Board. (Full Board) ALL AYES

13. Appoint Linda Fosler to the Juvenile Justice Coordinating Council, representing Voices for Children - Court Appointed Child Advocate (CASA) to serve at the pleasure of the Board. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to Appoint Linda Fosler to the Juvenile Justice Coordinating Council, representing Voices for Children - Court Appointed Child Advocate (CASA) to serve at the pleasure of the Board. (Full Board) ALL AYES

14. Appoint Ray Bullick to the Juvenile Justice Coordinating Council, representing Monterey County Health Department to serve at the pleasure of the Board. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to Appoint Ray Bullick to the Juvenile Justice Coordinating Council, representing Monterey County Health Department to serve at the pleasure of the Board. (Full Board) ALL AYES

15. Appoint Stephen Bernal to the Juvenile Justice Coordinating Council, representing the Monterey County Sheriff's office to serve at the pleasure of the Board. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to Appoint Stephen Bernal to the Juvenile Justice Coordinating Council, representing the Monterey County Sheriff's office to serve at the pleasure of the Board. (Full Board). ALL AYES

16. Appoint Catherine Stedman to the Commission on the Status of Women to fill an unscheduled vacancy term ending February 1, 2017. (Supervisor Potter)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to Appoint Catherine Stedman to the Commission on the Status of Women to fill an unscheduled vacancy term ending February 1, 2017. (Supervisor Potter). ALL AYES

17. Reappoint Mary Ann Worden to the Historical Advisory Commission with a term ending February 1, 2018. (Supervisor Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to Reappoint Mary Ann Worden to the Historical Advisory Commission with a term ending February 1, 2018. (Supervisor Armenta) ALL AYES

18. Appoint Susan Perez to the Soledad Cemetery District with a term ending February 1, 2019. (Supervisor Salinas)

A motion was made by Supervisor Jane Parker, seconded by Supervisor

Fernando Armenta to Appoint Susan Perez to the Soledad Cemetery District with a term ending February 1, 2019. (Supervisor Salinas) ALL AYES

19. Appoint Jocelyn Bridson to the Agricultural Advisory Committee with a term ending June 30, 2017. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to Appoint Jocelyn Bridson to the Agricultural Advisory Committee with a term ending June 30, 2017. (Full Board) ALL AYES

20. Appoint Karen Araujo to the Commission on the Status of Women to fill an unscheduled vacancy with a term ending February 1, 2017. (Supervisor Parker)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to Appoint Karen Araujo to the Commission on the Status of Women to fill an unscheduled vacancy with a term ending February 1, 2017. (Supervisor Parker) ALL AYES

21. Appoint Lauren DaSilva to the Commission on the Status of Women to fill an unscheduled vacancy with a term ending February 1, 2017. (Supervisor Parker)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to Appoint Lauren DaSilva to the Commission on the Status of Women to fill an unscheduled vacancy with a term ending February 1, 2017. (Supervisor Parker) ALL AYES

Other Board Matters

22. Board Comments

Supervisor Parker thanked Stephen Kennedy for his service to Monterey County and his work in Child Support Services. He worked hard using data to inform processes and build an effective team.

Supervisor Parker expressed her thanks to the community for stepping up to assist and support the Monterey County Food Bank in their time of need. Check out the Food Bank's website for more information on ways to support and contribute to the effort.

Supervisor Armenta advised the Monterey County Food Bank is requesting \$100,000 from the County Board of Supervisors.

Supervisor Salinas noted that \$12,000 has already been identified for the Food Bank. He also noted the support and generosity of the community will help the Food Bank and county residents.

23. CAO Comments and Referrals

There were no CAO comments or referrals.

24. General Public Comment

Alan Cohen announced that Supervisor Dave Potter has been selected as the Official of the Year and he will be honored May 30th at Asilomar Conference grounds. All Supervisors are invited. He thanked Supervisor Potter for his service to District 5.

General Public comment: Steve Ecklund; Judy Lehman.

10:30 AM - Scheduled Matters

25. Approve the draft Urban County Annual Action Plan for Fiscal Year 2015-2016, including recommendations for projects and programs to be funded, for issuance for a 30-day period of public review.
- Public comment: Hunter Horvath.**
A motion was made by Supervisor John M. Phillips, seconded by Supervisor Jane Parker to approve the draft Urban County Annual Action Plan for Fiscal Year 2015-2016, including recommendations for projects and programs to be funded, for issuance for a 30-day period of public review. ALL AYES
26. Receive a status report on how OpenGov will bring greater financial transparency to Monterey County.
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to receive a status report on how OpenGov will bring greater financial transparency to Monterey County. ALL AYES**
27. Public hearing to:
- Acknowledge receipt of the California Coastal Commission's resolution of certification of an ordinance relating to inactive discretionary land use applications; and
 - Adopt an ordinance to amend Title 19 (coastal subdivision ordinance) and the Monterey County Coastal Implementation Plan, Part 1 (Title 20- coastal zoning) of the Monterey County Code to establish notification and hearing procedures to address inactive discretionary land use permit applications in the coastal unincorporated area of Monterey County.
- (Inactive Discretionary Application Ordinance - REF120032, Unincorporated Coastal County-wide/Exempt from CEQA)

PROJECT INFORMATION:

Planning File Number: REF120032

Project Name: Inactive Discretionary Application Ordinance (coastal)

Plan Area: County-wide, coastal areas

CEQA Action: Exempt

Public hearing held;

Upon motion of Supervisor Potter, seconded by Supervisor Parker, the Board:

a. Acknowledged receipt of the California Coastal Commission's Resolution of Certification of an ordinance relating to inactive discretionary land use applications; and

b. Adopted Ordinance 5252 to amend Title 19 (coastal subdivision ordinance) and the Monterey County Coastal Implementation Plan, Part 1 (Title 20 coastal

zoning) of the Monterey County Code to establish notification and hearing procedures to address inactive discretionary land use permit applications in the coastal unincorporated area of Monterey County.

(Inactive Discretionary Application Ordinance REF120032, Unincorporated Coastal County wide/Exempt from CEQA)

PROJECT INFORMATION:

Planning File Number: REF120032

Project Name: Inactive Discretionary Application Ordinance (coastal)

Plan Area: County wide, coastal areas

CEQA Action: Exempt

ALL AYES

27.1

Consider adopting a Resolution to:

- a. Approve a Lot Line Adjustment between three (3) existing legal lots of record under an existing Williamson Act Agricultural Preserve and Land Conservation Contract No. 69-29 (AgP No. 69-29) consisting of Parcel 1 (318.79 acres), Parcel 2 (250.90 acres) and Parcel 3 (35.60 acres). The Lot Line Adjustment would result in three (3) parcels: Parcel A (449.65 acres), Parcel B (40 acres) and Parcel C (115.64 acres);
- b. Authorize the Chair to execute a new or amended Land Conservation Contract or Contracts, in order to rescind a portion of the existing Land Conservation Contract as applicable to the reconfigured lots only and simultaneously execute a new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and the Property Owners of Record, reflecting the new legal descriptions, current ownership interests and, to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and
- c. Direct the Clerk of the Board to record the new or amended Contract or Contracts for the reconfigured lots after the Certificates of Compliance for the reconfigured lots have been recorded and recording fees for said new or amended Contract or Contracts have been submitted by the Property Owners of Record.

(Lot Line Adjustment - PLN120819 /Long Valley Partners, LP, a California limited partnership, located at 58103 Cattlemen Road and Pine Valley Road, San Ardo [Assessor's Parcel Numbers: 421-0161-001, 002, 046, 047, and 421-141-004-000], South County Area Plan)

This item was moved via additions and corrections, and approved under the Consent Calendar

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 15-085 to:

- a. Approve a Lot Line Adjustment between three (3) existing legal lots of record under an existing Williamson Act Agricultural Preserve and Land Conservation Contract No. 69-29 (AgP No. 69-29) consisting of Parcel 1 (318.79 acres), Parcel 2 (250.90 acres) and Parcel 3 (35.60 acres). The Lot Line Adjustment would result in three (3) parcels: Parcel A (449.65 acres), Parcel B (40 acres) and Parcel C (115.64 acres);
- b. Authorize the Chair to execute a new or amended Land Conservation Contract or Contracts, in order to rescind a portion of the existing Land Conservation Contract as applicable to the reconfigured lots only and

simultaneously execute a new or amended Land Conservation Contract or Contracts for the reconfigured lots between the County and the Property Owners of Record, reflecting the new legal descriptions, current ownership interests and, to incorporate any legislative changes to State Williamson Act provisions and current County Agricultural Preserve Policies or Procedures; and

c. Direct the Clerk of the Board to record the new or amended Contract or Contracts for the reconfigured lots after the Certificates of Compliance for the reconfigured lots have been recorded and recording fees for said new or amended Contract or Contracts have been submitted by the Property Owners of Record.

(Lot Line Adjustment - PLN120819 /Long Valley Partners, LP, a California limited partnership, located at 58103 Cattlemen Road and Pine Valley Road, San Ardo [Assessor's Parcel Numbers: 421-0161-001, 002, 046, 047, and 421-141-004-000], South County Area Plan) ALL AYES

12:00 PM - Recess to Lunch

1:30 PM - Reconvene

Roll Call

Present: 5 - Supervisor Simón Salinas, Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter and Supervisor John M. Phillips

1:30 PM - Scheduled Matters

28. Receive a report from Office of Emergency Services on the status of the Alert Monterey Emergency Notification System and the community outreach efforts to date.
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to receive a report from Office of Emergency Services on the status of the Alert Monterey Emergency Notification System and the community outreach efforts to date. ALL AYES**
29. Public hearing, continued from March 3, 2015, to consider:
- Certifying that: the Final EIR for the Harper Canyon (Encina Hills) Subdivision Project (SCH #2003071157) has been completed in compliance with CEQA; that the Final EIR was presented to the Board of Supervisors and that the Board of Supervisors reviewed and considered the information contained in the EIR prior approving the project; and that the Final EIR reflects the County's independent judgment and analysis; and
 - Adopting the findings and the Statement of Overriding Considerations; and
 - Upholding the appeal by Harper Canyon Realty, LLC from the Planning Commission's denial of an application by Harper Canyon Realty, LLC for a Combined Development Permit consisting of a Vesting Tentative Map for the subdivision of 344 acres into 17 lots and associated Use Permits; and
 - Approving a Combined Development Permit consisting of a 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); and 5) grading for net cut and fill of approximately 2,000 cubic yards; and

e. Adopting a Mitigation Monitoring and Reporting Plan.

(Appeal of Combined Development Permit - PLN000696/Harper Canyon Realty LLC, San Benancio Road and Meyer Road, Salinas, Toro Area Plan area)

Staff advised that an Errata memo was submitted to the Board today with changes mainly correcting grammatical errors and timing of conditions.

Public comment: Michael Cling; Myron Sears; Michael Weaver; Rob Reager; Susan Bacciacalupi; Richard Rosenthal; Amy White.

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor John M. Phillips to adopt Resolution No. 15-084:

a. Certified that the Final EIR for the Harper Canyon (Encina Hills) Subdivision Project (SCH #2003071157) has been completed in compliance with CEQA; that the Final EIR was presented to the Board of Supervisors and that the Board of Supervisors reviewed and considered the information contained in the EIR prior approving the project; and that the Final EIR reflects the County's independent judgment and analysis; and

b. Adopted the findings and the Statement of Overriding Considerations; and

c. Upheld the appeal by Harper Canyon Realty, LLC from the Planning Commission's denial of an application by Harper Canyon Realty, LLC for a Combined Development Permit consisting of a Vesting Tentative Map for the subdivision of 344 acres into 17 lots and associated Use Permits; and

d. Approved a Combined Development Permit consisting of a 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); and 5) grading for net cut and fill of approximately 2,000 cubic yards; and

e. Adopted a Mitigation Monitoring and Reporting Plan.(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)

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 05-12-2015

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

- 30.
- a. Award Job Order Contract Natividad Medical Center 2014-01 contract to California Plus Engineering Incorporated, the lowest responsible and responsive bidder for Natividad Medical Center Project JOC, with a bid award criteria figure of 1.1950, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.5 Million;
 - b. Award Job Order Contract Natividad Medical Center 2014-02 contract to Ausonio Incorporated, the lowest responsible and responsive bidder for Natividad Medical Center Project JOC, with a bid award criteria figure of 1.2060, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.5 Million;
 - c. Award Job Order Contract Natividad Medical Center 2014-03 contract to John F. Otto, Inc. dba Otto Construction, the lowest responsible and responsive bidder for Natividad Medical Center Project JOC, with a bid award criteria figure of 1.304, for a term of one year, with a minimum contract value of \$25,000 and maximum contract value of \$4.5 Million;
 - d. Approve the Performance and Payment Bonds executed and provided by Ausonio Incorporated, Inc. in the amount of \$2 Million;
 - e. Approve the Performance and Payment Bonds executed and provided by California Plus Engineering Incorporated, Inc. in the amount of \$2 Million;
 - f. Approve the Performance and Payment Bonds executed and provided by Otto Construction, Inc. in the amount of \$2 Million; and
 - g. Approve the CEO of Natividad Medical Center to execute Job Order Contract Natividad Medical Center 2014-01 with California Plus Engineering Incorporated, Job Order Contract Natividad Medical Center 2014-02 with Ausonio Incorporated, and Job Order Contract Facilities 2014-03 with John F. Otto, Inc. dba Otto Construction.

Approved - Agreement Nos:**A-12670 (California Plus Engineering), Construction No. 2015-011****A-12671(Ausonio, Inc.), Construction No. 2015-012****A-12672 (John F. Otto, Inc./Otto Construction), Construction No. 2015-013**

- 31.
- a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute an Agreement with Peninsula Business Interiors for new product, delivery, installation and associated furniture services at NMC for an amount not to exceed \$775,000 for the period April 15, 2015 through April 14, 2016; and
 - b. Authorize the Deputy Purchasing Agent for NMC to execute up to three (3) future Amendments to the Agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) of the original cost of the Agreement per each Amendment.

Approved - Agreement No. A-12673

32. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute an Agreement with Novia Strategies Inc., for the preparation of job classification studies and consulting services for the Human Resources Division at NMC with a term of March 25, 2015 through March 24, 2016 and a total agreement amount not to exceed \$197,500.

Approved - Agreement No. A12675

33. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 3 to the Agreement (MYA-1101) with HealthCare Transformations, LLC (HCT) to add Compliance Officer Consulting Services and Chief Information Officer Consulting Services at NMC at a cost of \$236,600 for a revised total Agreement amount not to exceed \$513,400; and
b. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute one future amendment to the Agreement with HealthCare Transformations, LLC to extend the term for the consultants currently listed within the Agreement for one additional term equal to the first in duration and cost as needed.

Approved - Agreement No. A-12807

34. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute an Agreement with Quality Assurance Services, Inc. for Radiation Physics and Performance Testing Services of Radiology Equipment at NMC for an amount not to exceed \$107,270, with a retroactive start date of July 1, 2014 and an end date through June 30, 2017; and
b. Authorize the Deputy Purchasing Agent for NMC to execute up to three (3) future Amendments to the Agreement which do not significantly alter the scope of work and whereby each Amendment does not cause an increase of more than ten percent (10%) of the original cost of the Agreement.

Approved - Agreement No. A-12874

35. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute Amendment No. 2 to the Agreement (A-12051) with Mission Linen for Linen Cleaning Services at NMC, extending the Agreement an additional one (1) year period for a revised term of July 1, 2011 through June 30, 2016, and adding \$502,000 for a revised total Agreement amount not to exceed \$1,927,000.

Approved - Agreement No. A12051

Health Department

36. Approve delegation of authority to the Director of Health to execute Amendment No. 4 to the Mental Health Services Agreement A-12493 with Interim, Incorporated for housing, residential treatment, homeless outreach

and engagement, and supported education and employment services for adults with serious mental illnesses. Amendment No. 4 increases the current Agreement amount of \$22,103,674 by \$163,393 in FY 2014-15 and \$1,194,266 in FY 2015-16 for a new total Agreement amount not to exceed \$23,461,333.

Approved - Agreement No. A-12493

- 37.
- a. Authorize the Contracts/Purchasing Officer to sign a License Agreement with the National Training Institute Upstream “NTI” for the provision of a PDF copy of the 4P’s Plus Screening Tool, in the annual amount of \$1,000, for the period of March 17, 2015 through March 16, 2016; and
 - b. Accept the Non-Standard Contract Provisions and Indemnification Language as recommended by the Director of Health; and
 - c. Authorize the Contracts Purchasing Officer to approve up to three future renewals of this Agreement where the annual amounts do not exceed ten percent (10%) of the original contract amount and do not significantly change the 4Ps Screening Tool.

Approved - Agreement No. A-12676

Department of Social Services

- 38.
- Approve and authorize the Director of the Department of Social Services, or his designee, to sign the Tri-County Commercially Sexually Exploited Children (CSEC) Project Agreement for the period March 1, 2015 through June 30, 2015 with Santa Cruz County Human Services Department, and San Benito County Health and Human Services Agency.

Approved - Agreement No. A-12669

Criminal Justice

- 39.
- Approve and Authorize the District Attorney to sign, submit and execute grant applications for existing programs, including any extensions or amendments thereof under similar terms, for continued funding for FY 2015-16 from Federal and State agencies for the District Attorney’s Office Victim Assistance Unit and other Prosecution Programs.

Approved

General Government

- 40.
- a. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 2 to Agreement No. A-12700 with Granicus, Inc., increasing the amount of the Agreement from \$349,919 to \$359,303.80, for the period of July 1, 2014 through June 30, 2019, in order to replace the Stream Replicator

product with the Virtual Performance Accelerator product;

b. Approve non-standard terms and conditions based on the recommendation of the Director of Information Technology Department and Clerk of the Board;

c. Authorize the Contracts/Purchasing Officer to sign two future amendments to this Agreement with the same Agreement terms; and

d. Authorize the Auditor-Controller to transfer funds from Fund 020-2883 PEG Funds upon request from the Information Technology Department as expended.

Approved - Agreement No. A-12700

- 41.** Adopt a Resolution to approve the amended Conflict of Interest Code of the Human Resources Department of the County of Monterey.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 15-086 to approve the amended Conflict of Interest Code of the Human Resources Department of the County of Monterey. ALL AYES

- 42.** Receive a report from the County Administrative Office, Budget & Analysis Division regarding the award of the Distinguished Budget Presentation for the current fiscal period.

Approved

RMA-General

- 43.**
- a. Authorize and approve an increase in estimated appropriations of \$141,545 in the Fiscal Year 2014-15 Adopted Budget for Environmental Services Unit 001-3000-8444-RMA099 for the Carmel River Floodplain Restoration and Environmental Enhancement Project, where the financing source will be a reimbursement by the State of California Department of Water Resources (4/5th vote required);
- b. Authorize and approve an increase in estimated revenue of \$141,545 in the FY 2014-15 Adopted Budget for Environmental Services Unit 001-3000-8444-RMA099; and
- c. Authorize the Auditor-Controller to incorporate approved modifications in the FY 2014-15 Budget.

Approved

RMA-Planning

- 44.** Adopt a resolution finding that a Public Convenience or Necessity (PCN) will be served by the issuance of a Type 42 (On-Sale Beer and Wine for Public Premises) license by the Department of Alcoholic Beverage Control (ABC) to Carmel Valley Wine Tasting LLC located at 1 E. Carmel Valley Road, Ste. C, Carmel Valley for sale of alcoholic beverages.

(PLN140858, LePlus, Frances and Brigitte; Hofmann, Lee and Rebecca, 1 E. Carmel Valley Road, Ste. C, Carmel Valley, APN 189-291-005-000, Carmel Valley Master Plan)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 15-087 finding that a Public Convenience or Necessity (PCN) will be served by the issuance of a Type 42 (On-Sale Beer and Wine for Public Premises) license by the Department of Alcoholic Beverage Control (ABC) to Carmel Valley Wine Tasting LLC located at 1 E. Carmel Valley Road, Ste. C, Carmel Valley for sale of alcoholic beverages.

(PLN140858, LePlus, Frances and Brigitte; Hofmann, Lee and Rebecca, 1 E. Carmel Valley Road, Ste. C, Carmel Valley, APN 189-291-005-000, Carmel Valley Master Plan) ALL AYES

45.

Authorize the Chair of the Board of Supervisors to sign and send a letter to the County of San Luis Obispo addressing the County of Monterey's concerns related to transport of crude oil by rail through Monterey County related to expansion of the Phillips 66 refinery operations permit in San Luis Obispo County.

(REF150022, County-wide, Phillips 66 Refinery Rail Spur)

PROJECT INFORMATION:

Planning File Number: REF150022

Owner: N/A

Project Location: County-wide

APN: County-wide

Agent: N/A

Plan Area: County-wide

Flagged and Staked: N/A

CEQA Action: N/A

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Dave Potter to approve this item and submit the substitute letter provided by Supervisor Phillips. ALL AYES