

MONTEREY COUNTY



BOARD OF SUPERVISORS

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Simón Salinas
Jane Parker
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2nd District
3rd District
4th District (Chair)
5th District (Vice-Chair)

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ACTION MINUTES **MONTEREY COUNTY BOARD OF SUPERVISORS** **MONTEREY COUNTY WATER RESOURCES AGENCY**

TUESDAY, APRIL 12, 2011
9:00 A.M.

9:00 A.M.

ROLL CALL

Present: Supervisors Parker (Chair), Armenta, Calcagno, Salinas, and Potter.

1. Additions and Corrections for Closed Session: County Counsel McKee announced agenda corrections and proposed additions, which were acted on by the Board as provided in Sections 54954.2 of the California Government Code.

County Counsel advised of corrections to the agenda titles, so the agenda now reads: Convene as the Board of Supervisors of the Monterey County Water Resources Agency for items 2a 5, 6, 7 and 2.d. under Closed Session. Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 -0 (Supervisor Potter Absent)

2. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(a), the Board will confer regarding existing litigation:
 - (1) Javier Guzman, et al. v. Rick Pinch, et al. (MCSC case no. M71543)
CLOSED SESSION REPORT: The Board conferred with counsel and provided general litigation strategy direction to counsel. No final decision.

(2) Gerald Pate v. County of Monterey (MCSC case no. M100633)

CLOSED SESSION REPORT: The Board gave settlement authority to Counsel and if concluded, the settlement agreement will be available in County Counsel's office.

(3) Omni Resources, LLC v. Monterey County, et al. (USDC CAND case no. C06-05420-HRL)

CLOSED SESSION REPORT: The Board conferred with counsel and provided general litigation strategy direction to counsel. No final decision.

(4) Georgine Scott-Codiga v. County of Monterey, et al. (USDC CAND case no. CV10-05450-LHK)

CLOSED SESSION REPORT: The Board conferred with counsel and provided general litigation strategy direction to counsel. No final decision.

Convened as the Board of Supervisors of the Monterey County Water Resources Agency for Items 2.a. (5), (6), (7)

(5) Eduardo Lorenzana v. County of Monterey, et al. (MCSC case no. M111479) (Added via Addendum)

CLOSED SESSION REPORT: The Board conferred with counsel and provided general litigation strategy direction to counsel. No final decision.

(6) California-American Water Company v. County of Monterey (PUC case no. 97-03-052) (Added via Addendum)

CLOSED SESSION REPORT: This item is related to the Monterey County Water Resources Agency and cases regarding the desalination project, and exposure to litigation in relation to matters at the Water Resources Agency. No final decisions were made. The Board authorized County Counsel to retain outside counsel and to coordinate an investigation into allegations of conflict of interests in relation to the Water Resources Agency projects and contracts. The County's current position is to wait until the investigation and analysis is completed to determine what type of prudent response is appropriate.

(7) Ag Land Trust v. Monterey County Water Resources Agency, et al. (MCSC case no. M110691) (Added via Addendum)

CLOSED SESSION REPORT: This item is related to the Monterey County Water Resources Agency and cases regarding the desalination project and exposure to litigation in relation to matters at the Water Resources Agency. No final decisions were made. The Board authorized County Counsel to retain outside counsel in coordinate an investigation into allegations of conflict of interests in relation to the Water Resources Agency projects and contracts. The County's current position is to wait until the investigation and analysis is completed to determine what type of prudent response is appropriate.

- b. Pursuant to Government Code section 54957, the Board will consult with Acting Chief Monarque of the Sheriff's Office.
CLOSED SESSION REPORT: The Board conferred with Acting Chief Monarque regarding a security issue and received an update.
- c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
(1) Designated representatives: Keith Honda and Dianne Dinsmore
Employee organizations: All Units
CLOSED SESSION REPORT: The Board conferred with labor negotiators, and provided direction to negotiators on how to proceed in upcoming labor negotiations.
- d. Pursuant to Government Code section 54956.9(b), the Board of Supervisors of the Monterey County Water Resources Agency will confer with legal counsel regarding one item of significant exposure to litigation.
(Added via Addendum)
CLOSED SESSION REPORT: This item is related to the Monterey County Water Resources Agency and cases regarding the desalination project and exposure to litigation in relation to matters at the Water Resources Agency. No final decisions were made. The Board authorized County Counsel to retain outside counsel in coordinate an investigation into allegations of conflict of interests in relation to the Water Resources Agency projects and contracts. The County's current position is to wait until the investigation and analysis is completed to determine what type of prudent response is appropriate.
- e. Pursuant to Government Code section 54956.9(b)(2), the Board will confer to determine whether a closed session is authorized. (Added via Addendum)
CLOSED SESSION REPORT: No action taken on this item today.

10:30 A.M. RECONVENED

ROLL CALL

Present: Supervisors Parker (Chair), Armenta, Calcagno, Salinas, and Potter.

Interpreter: Christie Marcella (AM only)

3. The Pledge of Allegiance was led by Supervisor Salinas.
4. Additions and Corrections: None
5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
Motion by Supervisor Potter, seconded by Supervisor Armenta to approve Consent Calendar - Regular. ALL AYES

CEREMONIAL RESOLUTIONS 6 through 12 heard concurrently

6. Adopted **Resolution No. 11-087** commending Commander Fred Garcia, Monterey County Sheriff's Office upon his retirement after 29 years of public service. (Full Board, Supervisor Parker)
Motion by Supervisor Armenta, seconded by Supervisor Salinas. ALL AYES
7. Adopted **Resolution No. 11-088** recognizing and congratulating Kyle Titus, Ph.D., LCSW, Deputy Director, Adult Services upon his retirement from the Monterey County Health Department after 19 years of public service in Monterey County. (Chair Parker)
Motion by Supervisor Armenta, seconded by Supervisor Salinas. ALL AYES
8. Adopted **Resolution No. 11-089** designating the week of April 10 through April 16, 2011 as National Crime Victims' Rights Week in Monterey County. (Chair Parker)
Motion by Supervisor Armenta, seconded by Supervisor Salinas. ALL AYES
9. Adopted **Resolution No. 11-090** of the Monterey County Board of Supervisors proclaiming April 10 through April 16, 2011 to be Public Safety Dispatchers Week in Monterey County. (Chair Parker)
Motion by Supervisor Armenta, seconded by Supervisor Salinas. ALL AYES
10. Adopted **Resolution No. 11-091** proclaiming the month of May 2011 to be "Fruits and Vegetables Month" in Monterey County. (Chair Parker)
Motion by Supervisor Armenta, seconded by Supervisor Salinas. ALL AYES
11. Adopted **Resolution No. 11-092** proclaiming the week of April 10 through April 16, 2011 to be "Celebrating People In Action" in Monterey County as part of National Volunteer Week and honoring Natividad Medical Center's Volunteer Auxiliary for 51 years of dedicated service to the hospital. (Chair Parker)
Motion by Supervisor Armenta, seconded by Supervisor Salinas. ALL AYES
12. Adopted **Resolution No. 11-093** proclaiming 2011 to be Central Coast Visiting Nurse Association and Hospice year in Monterey County. (Chair Parker)
Motion by Supervisor Armenta, seconded by Supervisor Salinas. ALL AYES

APPOINTMENTS 13 through 22 heard concurrently

13. Appointed Mary Claypool to the Citizen's Redistricting Advisory Committee, to fill an unexpired term ending January 25, 2013. (Supervisor Parker)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

14. Reappointed Margaret Robbins and Wayne Ross to the Housing Advisory Committee, terms ending April 12, 2013. (Supervisor Potter)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES
15. Appointed Sara Rubin to the Commission on the Status of Women, to fill an unexpired term ending February 1, 2012. (Supervisor Potter)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES
16. Appointed Amy Sands to the Commission on the Status of Women, term ending February 1, 2014. (Supervisor Potter)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES
17. Appointed Mary Huss to the Area Agency on Aging Advisory Council, to fill an unexpired term ending January 1, 2012. (Full Board)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES
18. Appointed Roxana Alcantar to the Commission on the Status of Women, term ending February 1, 2013. (Supervisor Armenta)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES
19. Reappointed Annalisa Mitchell to the Commission on the Status of Women, term ending February 1, 2014. (Supervisor Parker)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES
20. Reappoint Vivienne Moore to the Community Restorative Justice Commission, term ending January 29, 2014. (Full Board)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES
21. Appointed Ron Mesiroff to the Aromas Tri County Fire Protection District, term ending November 30, 2014. (Full Board)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES
22. Appointed Olivia Quezada to the Commission on Disabilities, to fill an unexpired term ending December 31, 2011. (Full Board)
Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

OTHER BOARD MATTERS

23. Board Comments
 - Supervisor Armenta advised he spent 14 years at NMC and appreciates volunteers at NMC and their years of dedication and service. He also participated in Walks for Peace City with the City of Salinas sponsored by Williams Road Fire Department. Gloria and Tony de La Rosa and a number of community residents participated in the effort to recognize work that needs to be done regarding gang violence.

- Supervisor Calcagno attended an event at Our Lady of Refuge Catholic church in Castroville, organized by Debbie Martin, to pay respect to teens that have passed away due to gang violence. The event included participation from ministries throughout the north county area. He expressed his appreciation for the work Ms. Martin continues to do to bring awareness to the community about gang violence.
- Supervisor Salinas attended the groundbreaking for a two (2) megawatt mini-solar energy grid system at Fort Hunter Liggett. The project, costing approximately \$9 million, will provide 30 percent of their energy needs. There is a 20 year life-cycle on the project and it will pay for itself in 10 years, with savings of about \$1 million per year.
- Supervisor Parker thanked Natividad CEO Harry Weis and his staff for bringing James Orlikoff to speak on healthcare reform at the special session on April 6th.

24. CAO Comments and Referrals: None

25. Public Comment

Amalia Gamez with Interpreter; Mariano Santos, with interpreter; Juana Martinez with interpreter; Uberio Ibarra with interpreter; Jose Castaneda; Elizabeth Miller with interpreter; Kathleen Nolan; Julie Engell; Nina Beety.

SCHEDULED MATTERS

S-1 Received a status report from the County Administrative Office on development of the County of Monterey Fiscal Year (FY) 2011-12 Recommended Budget and provide direction to staff.

Motion by Supervisor Salinas, seconded by Supervisor Calcagno. ALL AYES

S-2 Considered and:

- a. Adopted Ordinance 5174 of the County of Monterey, State of California, to amend Section 5.06.020 of the Monterey County Code relating to the General Fund Strategic Reserve;
- b. Approved the recommended County Financial Guidelines containing countywide financial principles and strategies for building the Fiscal Year (FY) 2011-12 Recommended Budget and ongoing fiscal management; and
- c. Authorized the Auditor-Controller to make necessary accounting transactions to implement Board approved financial strategies related to Strategic Reserve and Workers' Compensation funding.

Motion by Supervisor Calcagno, seconded by Supervisor Potter to approve staff recommendations, with additional direction in Section 7.11, of the Financial Guidelines, add item j. to read: "When augmenting or decreasing the budget, consideration will be given to the strategic plan initiatives"; and directed staff to put a system in place to monitor compensation claims for

each department to be presented to the Board every six months for their review. **ALL AYES**

RECESSED TO LUNCH – CONTINUED CLOSED SESSION

RECONVENED

ROLL CALL

Present: Supervisors Parker (Chair), Armenta, Calcagno, Salinas, and Potter.

SCHEDULED MATTERS

- S-3 Considered and adopted Resolution of Intention No. 11-100 to:
- a. Amend the North County Local Coastal Program. The amendment to the Local Coastal Program would consist of an ordinance amending Sheet 2 (Section 20-2) of the Monterey County Zoning Maps (Coastal Implementation Plan) to reclassify a 57.24 acre parcel and a 5.0 acre parcel from "RDR/10 (CZ)" [Rural Density Residential, 10 acre per unit minimum (Coastal Zone)] zoning classification to the "RDR/10-B-8 (CZ)" [Rural Density Residential, 10 acre per unit minimum, with B-8 Building Site Overlay (Coastal Zone)] zoning classification;
 - b. Certify that the amendment is intended to be carried out in a manner fully in conformity with the Coastal Act; and
 - c. Direct staff to transmit the proposed amendment to the California Coastal Commission for certification together with materials sufficient for a thorough and complete review. (PLN100297/Walworth, 2575 and 2579 San Juan Road, Aromas, North County Land Use Plan)

Motion by Supervisor Armenta, seconded by Supervisor Calcagno. ALL AYES

- S-4 Public hearing opened to consider an appeal by Lorin and Karen Letendre from the February 10, 2011 decision of the Monterey County Zoning Administrator approving an application by the Monterey County Resource Management Agency - Public Works (Scenic Rd. /PLN110001) for a Coastal Administrative Permit and Design Approval to install traffic controls (signage and striping) to change Scenic Road (a County maintained road) to one way traffic from Valley View Avenue to Carmelo Street. (Carmel River State Beach parking lot). Properties fronting the affected section of road include APNs: 009-471-001 & 002, 009-471-014 to 018, 009-471-021 & 022, 009-471-025, 009-472-001 & 004. (County of Monterey/Scenic Road - PLN110001, Carmel Area Land Use Plan)
(Hearing to be continued)

Motion by Supervisor Armenta, seconded by Supervisors Calcagno to continue this matter to a date uncertain and to incorporate the one-lane Scenic Road project into the process. ALL AYES

- S-5
- a. Conducted a public hearing and received public comment to satisfy the provisions of Streets and Highways Code, Section 100.22 regarding a Freeway Agreement with Caltrans;
 - b. Considered the environmental effects as noted in the Mitigated Negative Declaration signed by Caltrans on December 7, 2009;
 - c. Adopted **Resolution No. 11-101** to certify that the Board has reviewed and considered the information in the Mitigated Negative Declaration previously adopted by Caltrans for the State Route 101 @ San Juan Road Interchange Project, and making related findings thereto;
 - d. Approved a Freeway Agreement with Caltrans for the construction of the State Route 101 @ San Juan Road Interchange Project;
 - e. Authorized the Chair to execute the Freeway Agreement; and
 - f. Directed the Director of Public Works to submit the fully endorsed Freeway Agreement to the County Recorder for filing.

Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES

- S-6
- a. Public hearing held to consider an appeal by Omni Resources, Inc. from the January 26, 2011 decision by the Monterey County Planning Commission resulting in no action on a Combined Development Permit for a 126,523 square foot commercial development and Omni Resources' request to remove the "B-8" Overlay zoning designation and rezone the property from "LC-B-8-D" to "LC-D."
 - b. Provided direction to staff related to certification of the EIR, preparation of findings and evidence related to action on the Combined Development Permit and request to remove the B-8 zoning and continued the public hearing to May 17, 2011.
 - c. Adopted **Resolution of Intent No. 11-102** to deny the appeal and directed staff to return on May 17, 2011 with conditions and findings for denial.

(Appeal, Discretionary Decision - PLN110077 (an appeal of PLN020344) Omni Resources, Inc. LLC, 5 Corral de Tierra Road, Salinas, Toro Area Plan)

Speakers for the Applicant: Eric Phelps, Brian Finnegan; Paul Milton David Zenker; Brent Walinski.

Public comment: Nannette Tielman ; Jeri Gaddis (sp); Jessica Gutsall; Michelle Foley; Donald Kellogg; Bill Vaughn; Heidi Guierllmo; Joan Wood; Michael Rucca; Ron Bandegrift; Vicki Phillips; Mark Vonnegut; Mike Weaver; Nancy Linares with Lonnie Wiggam; Dwight Stump; Beverly DeSurr; Scott Johnson; Kerry William; Susan Bachialupi; Phil Wood; Wendy Grimm; Myron Sears; Dee Myers; Margo Daniels; Janet Brennan; Bill Carothers; Arlene Guest; Lauren Keenan; Dr. Lavachek; Bruce Pearson; Tom Parola; Larry Daniels; Helene Daniels; Lori Koster; Karen Reeger (sp); Steven Huckabee; Nancy McGinnis; Carl Davis; Al Ferrera; Jim Eagle; Jordan Daniels; Carrie Thomas; Felicia Moncata; Tom Worthington; Ron Wolfe; Sylvia Shee; Patricia Shiffman; Beverly Bean; George Riley; Ron Chesshire; Carolyn Anderson; Terry Shadek; Linda Boardman; Anjel Anastasi; Barbara Ventress (sp); Hans Jongens; Ann Hill; Mary-Lynne Pinto; David Beach; Norman Shiffman; Richard Dante; Amy White; Jan Mitchell; Julie Engell; John Vorwick no card; Molly Erickson

Applicant rebuttal: Ed Bowman; Will Halligan; Dave Zender; Eric Phelps.

Motion by Supervisor Potter, seconded by Supervisor Calcagno to adopt Resolution of Intent No. 11-102 to deny the appeal and directed staff to return on May 17, 2011 with findings and conditions for the denial; and directed to staff to work with applicant to see if they are willing to propose a redesign of the project and bring back to the Board for consideration. ALL AYES

CLOSED SESSION REPORT (See 2 a through e)

ADJOURNMENT

In Memory of Myra Blankenship

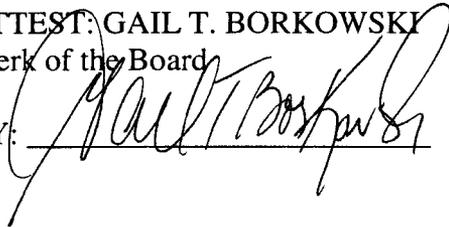
APPROVED:



JANE B. PARKER, CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY:



(Supplemental Sheet)

CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

26. **Agreement No. A-11964**

Authorized the County Contracts/Purchasing Officer to increase the current purchase order with SFN Group, Inc (formally Spherion) from the County Master Agreement (MA*65) for Temporary Personnel Services at Natividad Medical Center (NMC) in an amount not to exceed \$1,000,000 (an increase of \$500,000) for the period January 1, 2011 to June 30, 2011.

27. **Agreement No. A-11123**

Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 3 to the Agreement with JLG Medical Inc. for Medical Dictation and Transcription Services at NMC in an amount not to exceed \$3,999,126.40 (an increase of \$2,000,000) for the period April 1, 2011 to March 31, 2014.

28. **Agreement Nos. A-11863; A-11864**

Authorized the Purchasing Manager for Natividad Medical Center (NMC) to approve an increase to the agreement for recruitment advertising at NMC from \$200,000 to \$300,000, pursuant to the terms of the Request for Proposal (RFP #9600-4), with the authority to open purchase orders and distribute these funds among all of the vendors under the agreement.

CRIMINAL JUSTICE

- 28.1 Approved and authorized the Auditor-Controller to transfer \$56,175 from the Capital Projects Fund 402, Unit 8174 Account 7521 to the Sheriff's Appropriation Unit 001-2300-SHE001-8273-6613 to pay MTG Management Consultants LLC for Request for Proposal (RFP) Evaluation Service for the Integrated Justice Information System (IJIS) project. (4/5th vote required) (Added via Addendum)

HEALTH AND SOCIAL SERVICES

29. Approved revision to reduce the retention period of the existing Paper Records Destruction and Retention Schedule for the Department of Child Support Services.
30. **Agreement No. A-11962**
- a. Approved and authorized the Director of Health to sign an agreement with Santa Cruz Community Counseling Center for the provision of mental health services effective July 1, 2011 through June 30, 2014 for a total amount not to exceed \$539,700; and

- b. Authorized the Director of Health to sign up to three (3) future amendments to this agreement where the cumulative amount of amendments do not exceed ten percent (10%) of the maximum agreement amount and do not significantly change the scope of work.
31. **Agreement No. A-11963**
- a. Approved and authorized the Director of the Department of Social and Employment Services, or his designee, to sign an agreement with the Food Bank for Monterey County to provide food access services for low income people in Monterey County for \$93,290 for the period April 1, 2011 through December 31, 2011; and
 - b. Authorized the Director of the Department of Social and Employment Services, or his designee, to sign up to three (3) amendments to this agreement where the total amendments do not exceed ten percent (10%) of the original contract amount, and do not significantly change the scope of work.
32. Approved the Area Agency on Aging 2011-2012 Area Plan Update, and authorize the Chair of the Board of Supervisors to sign the Area Plan Update Transmittal Letter.

GENERAL GOVERNMENT

33. a. Approved the recommendation to revise the Fish & Game Propagation Budget for Fiscal Year (FY) 2010-11; and
- b. Authorized the Auditor-Controller to increase appropriations by \$18,000 in Appropriation Unit PAR002 to be financed by \$16,837 in audited fund balance, Fund 006, and \$1,163 in increased revenue from court fines (4/5ths vote required).
34. a. Introduced, waived the reading, and set April 26, 2011, at 1:30 p.m. to consider adoption of an Ordinance revising Chapter 18.40 of the Monterey County Code, the Inclusionary Housing Ordinance, to clarify certain regulations and procedures to improve the Inclusionary Program and establish fees for service; and
- b. Directed the Redevelopment and Housing Office to publish the Ordinance Summary in *The Californian* at least 5 days prior to the hearing for the Ordinance adoption.
35. a. **Approved Agreement No. A-11177** Amendment No. 4 extending the Management Agreement (“Interim Agreement”) between Forever Resorts, doing business as “Monterey Lake Resorts and Marinas, LLC”, and the County of Monterey, two weeks to operate the resort business at Lake Nacimiento and Lake San Antonio until May 6, 2011;
- b. Authorized the Parks Director to approve up to three more two week extensions; and
- c. Authorized the Parks Director to sign Agreement Amendment No. 4.

RMA - PLANNING DEPARTMENT

36. a. Accepted the Conservation and Scenic Easement Deed for the Polkow property;
b. Authorized the Chair of the Board of Supervisors to execute the Conservation and Scenic Easement Deed; and
c. Directed the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing and recordation.
(Conservation and Scenic Easement Deed - PLN080266/Polkow, 26478 Carmelo Street, Carmel, Carmel Land Use Plan, Coastal Zone)
37. a. Accepted the Conservation and Scenic Easement Deed for the Wheatley property;
b. Authorized the Chair of the Board of Supervisors to execute the Conservation and Scenic Easement Deed; and
c. Directed the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for filing and recordation.
(Conservation and Scenic Easement Deed-PLN080038, 3429 Carmel Way, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone)
38. **Agreement Nos. A-11918; A-11919**
a. Approve Amendment No. 1 to Professional Services **Agreement No. A-11918** with Jones & Stokes Associates, Inc. (aka ICF International) where the Base Budget of \$78,513 is increased by \$438,104 to \$516,617 and the Contingency Budget of \$11,777 is increased by \$65,716 to \$77,493, for a total amount not to exceed \$594,110 to include an additional phase of work, Phase 2, EIR, for completion of the Environmental Impact Report (EIR) for the Pebble Beach Company Project (PLN100138) in Pebble Beach, for a term through October 31, 2012;
b. Approve Amendment No. 1 to Funding **Agreement No. A-11919** with the Pebble Beach Company where the Base Budget of \$78,513 is increased by \$438,104 to \$516,617 and the Contingency Budget of \$11,777 is increased by \$65,716 to \$77,493 with no change to the County fee of \$3,170, for a total amount not to exceed \$597,280 to allow funding to Monterey County for costs incurred by Jones & Stokes Associates, Inc. (aka ICF International) to include an additional phase of work, Phase 2, EIR, for completion of the EIR for the Pebble Beach Company Project (PLN100138) in Pebble Beach, for a term through October 31, 2012; and
c. Authorize the Director of Planning to execute Amendment No. 1 to Professional Services Agreement No. A-11918, Amendment No. 1 to Funding Agreement No. A-11919 and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved agreement amounts.
(PD061136/Jones & Stokes, Inc.)

RMA - PUBLIC WORKS

39. Adopted **Resolution No. 11-094:**
 - a. Accepting the Certificate of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 10062 for Window Replacement, performed by Signature Glass & Windows, Inc.; and
 - b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 10062 for Window Replacement, performed by Signature Glass & Windows, Incorporated.

40. Adopted **Resolution No. 11-095:**
 - a. Accepting the Certificate of Completion for the North Wing Salinas Courthouse Flood Remediation Project, Project No. 8782, for Roof Replacement Services performed by Scudder Roofing Co.; and
 - b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the North Wing Salinas Courthouse Flood Remediation Project, Project No. 8782, for Roof Replacement Services performed by Scudder Roofing Company.

41. Adopted **Resolution No. 11-096:**
 - a. Accepting the Certificate of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 9781-03 for Selective Demolition/Hazardous Materials Abatement, performed by Restec Contractors, Inc.; and
 - b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Renovation of North Wing of Salinas Courthouse, Project No. 8772-Project Bid 9781-03 for Selective Demolition/Hazardous Materials Abatement, performed by Restec Contractors, Incorporated.

42. Adopted **Resolution No. 11-097:**
 - a. Accepting the Certificate of Completion for construction of the Carmel Valley Road Overlay Project, Project No. 10-140865; and
 - b. Authorizing the Director of Public Works to execute and record the Notice of Completion.

43. Adopted **Resolution No. 11-098:**
 - a. Accepting the Certificate of Completion for the construction of Roof Repairs and Renovations-Roof Replacement-Health Building, 1200 Aguajito Rd., Monterey, Project No. 8543, Bid Package No. 10236, performed by Progressive Roofing and authorizing the Director of Public Works to execute and record the Notice of Completion;
 - b. Approving the transfer of project savings in the amount of \$24,090 from Fund 401, Appropriation Unit RMA004 to Fund 402, Appropriation Unit RMA014;
 - c. Approving reducing Fund 401 appropriations and revenues by \$24,090; and
 - d. Authorizing the Auditor-Controller to amend the Fiscal Year (FY) 2010-11 Budget by increasing revenue and appropriations in Fund 402, Unit 8174, Appropriation Unit RMA014, Accounts 5940 and 7521, (Operating Transfers-

In, and Building Improvements - Needs Board Approval, respectively) in the amounts of \$24,090 (4/5ths vote required).

44. **Adopted Resolution No. 11-099:**
- a. Approving submittal of the Stormwater Flood Management grant application, funded under Proposition 1E, to the California Department of Water Resources, Integrated Regional Water Management Division; and
 - b. Authorizing the Director of Public Works, or his designee, to act as the agent for the County in processing and signing all documentation to secure these funds.
45. **Construction No. 2011-007:**
- a. Approved Plans and Special Provisions for the Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat 2010 Project, Contract No. 11-551120; and
 - b. Authorized the Clerk of the Board to re-advertise the "Notice to Bidders" in *The Californian* for ten consecutive times commencing April 18, 2011.
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- a. Approved a Professional Services **Agreement No. A-11965** with Mill Construction Company, Inc. to provide building performance evaluation services for the East and West Wing Buildings located at 240 Church Street, Salinas, CA in an amount not to exceed \$115,500 for a term through November 30, 2011;
 - b. Authorized the Contracts/Purchasing Officer to execute the Professional Services Agreement and future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original Agreement amount and do not significantly alter the scope of work;
 - c. Approved \$53,028 in prior year expenditure and estimated staff costs; and
 - d. Authorized the allocation of funds in the amount of \$180,078 within Fund 404, Appropriation Unit RMA015. (Added via Addendum)

###