

Monterey County

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



Meeting Agenda - Final-revised

Tuesday, November 6, 2012

9:00 AM

See separate agenda for Monterey County Water Resources Agency/ See item 45 for Supplemental/Addendum

Note: The Open Session starts at 10:00 A.M.

Board of Supervisors

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

The Board of Supervisors welcomes you to its meetings, which are regularly scheduled each Tuesday. Your interest is encouraged and appreciated. Meetings are held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901. As a courtesy to others, please turn off all cell phones and pagers prior to entering the Board Chambers.

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

CEREMONIAL/APPOINTMENTS/OTHER BOARD MATTERS: These items may include significant financial and administrative actions, and items of special interest, usually approved by majority vote for each program. The regular calendar also includes "Scheduled Items," which are noticed hearings and public hearings.

CONSENT CALENDAR: These matters include routine financial and administrative actions, appear in the supplemental section by program areas, and are usually approved by majority vote.

TO ADDRESS THE BOARD ON A MATTER ON THE AGENDA: Walk to the rostrum and wait for recognition by the Chair. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair, with equal time allocated to opposing sides of an issue insofar as possible. Allocated time may not be reserved or granted to others, except as permitted by the Chair. On matters for which a public hearing is required, please note that a court challenge to the Board's action may be limited to only those issues raised at the public hearing or in correspondence delivered to the Board at or before the public hearing.

TO ADDRESS THE BOARD DURING PUBLIC COMMENT: Please complete a Speaker Request Form, available on the rostrum, and submit it to the Clerk of the Board before the commencement of that agenda item. Public comments shall not pertain to matters on the agenda.

DOCUMENT DISTRIBUTION: Documents related to agenda items that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Clerk of the Board Office, 168 W. Alisal Street, 1st Floor, Salinas, CA. Documents distributed to the Board at the meeting by County staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

INTERPRETATION SERVICE POLICY: The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for translation assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

La Cámara de Supervisores del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un interprete, por favor comuníquese con la oficina de la Asistente de la Cámara de Supervisores localizada en el Centro de Gobierno del Condado de Monterey, (Monterey County Government Center), 168 W. Alisal, Salinas – o por teléfono al (831) 755-5066. La Asistente hará el esfuerzo para acomodar los pedidos de asistencia de un interprete. Los pedidos se deberán hacer lo mas pronto posible, y a lo mínimo 24 horas de anticipo de cualquier reunión de la Cámara de Supervisores.

All documents submitted by the public must have no less than ten (10) copies. The Clerk of the Board of Supervisors must receive all materials for the agenda packet by noon on the Tuesday one week prior to the Tuesday Board meeting. Any agenda related writings or documents distributed to members of the County of Monterey Board of Supervisors regarding any open session item on this agenda will be made available for public inspection in the Clerk of the Board's Office located at 168 W. Alisal St., 1st Floor, Salinas, California. during normal business hours and in the Board Chambers on the day of the Board Meeting, pursuant to Government Code §54957.5

NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to the corresponding Board Report.

9:00 A.M. Call to Order

Roll Call

Additions and Corrections for Closed Session

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
 - (1) County of Monterey v. California-American Water Company (San Francisco Superior Court case no. CGC-12-521875
 - (2) Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project: Application 12-04-019
 - (3) John McCormick v. Monterey County, et al. (USDC CAND case no. CV12-04434EJD)
 - b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding four matters of significant exposure to litigation.
 - c. Pursuant to Government Code section 54957, the Board will confer regarding discipline, dismissal, or release of a public employee.

Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

10:00 AM Reconvene

Roll Call

Pledge of Allegiance

Additions and Corrections

Consent Calendar- (See Supplemental Sheet)

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

Ceremonial Resolutions

3. Resolution recognizing the dedication of the new Hartnell College Veterans Center on November 9, 2012. (Supervisor Potter)

Attachments: [Hartnell College Veterans Center Resolution](#)

4. Resolution commending Tarpy's Roadhouse on the celebration of their 20th Year Anniversary. (Supervisor Potter)

Attachments: [Tarpy's Roadhouse 20th Anniversary Resolution](#)

5. Resolution honoring Frank Aguillon for his many years of service to the community while serving on the Veterans Cemetery Citizens Advisory Committee and the Monterey County Military & Veterans Advisory Commission. (Supervisor Calcagno)

Attachments: [Frank Aguillon Resolution](#)

6. Resolution honoring Shelby L. Jackson as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2012. (Supervisor Parker)

Attachments: [Shelby Jackson Resolution](#)

7. Resolution honoring Joe Gunter as a Monterey County Military and Veterans Services Advisory Commission's "Veteran of the Year" for 2012. (Supervisor Parker)

Attachments: [Joe Gunter Resolution](#)

Appointments

8. Appoint Lynne Semeria to the Carmel Highlands Fire Protection District to fill unscheduled vacancy, term ending June 30, 2014. (Supervisor Potter)

Attachments: [Semeria Notification to the Clerk](#)

9. Appoint Jason Wittmann to the San Lucas County Water District to fill unscheduled vacancy, term ending December 1, 2013. (Supervisor Salinas)

Attachments: [Wittmann Notification to the Clerk](#)

10. Appoint Dr. Fernando R. Elizondo to the Natividad Medical Center Board of Trustees, term ending June 30, 2015. (Full Board)

Attachments: [Dr. Elizondo Notification to the Clerk](#)

11. Appoint Olivia Quezada to the In-Home Supportive Services Advisory Committee to fill unscheduled vacancy, term ending June 30, 2013. (Full Board)
- Attachments:** [Quezada Notification to the Clerk](#)
12. Appoint Michael Bennett to the In-Home Supportive Services Advisory Committee to fill unscheduled vacancy, term ending June 30, 2013. (Full Board)
- Attachments:** [Bennett Notification to the Clerk](#)
13. Appoint Francis W. White, Jr. to the Area Agency on Aging Advisory Council, term ending January 1, 2015. (Full Board)
- Attachments:** [White Notification to the Clerk](#)

Other Board Matters

14. Board Comments
15. CAO Comments and Referrals
- Attachments:** [Referrals 110612](#)
16. General Public Comment

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

10:30 A.M. - Scheduled Matters

- 16.1 Receive a written update on Monterey County's Low Income Health Plan (LIHP) "Via Care" and its Medically Indigent Adult Program from the CEO of Natividad Medical Center (NMC) and the Director of Health.
- Attachments:** [11.06.12 Exhibit A.pdf](#)
17. a. Receive and accept the FY 2011-12 Budget End-of-Year Report from the County Administrative Office; and
b. Approve recommended actions as outlined in the FY 2011-12 Budget End of Year Report.
- Attachments:** [BEYR_2011-12_Final](#)

12:00 PM Recess to Lunch

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

18. a. Consider adoption of a resolution to approve Amendment No. 2 to the Unified Franchise Agreement (Agreement No. A-11631) between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County in order to adjust collection rates as shown in Exhibit 1 “Approved Rates and Charges” of Amendment No. 2 effective January 1, 2013, to implement a rate adjustment as required by contract for services provided by USA Waste of California, Inc., dba Carmel Marina Corporation; and
- b. Approve and authorize the Director of Health to execute Amendment No. 2 to the Unified Franchise Agreement (Agreement No. A-11631) between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County.

Attachments: [EXHIBIT A - EH AMENDMENT 2 AND EXHIBIT 1.pdf](#)
[EXHIBIT B - RRI WORKSHEETS.pdf](#)
[EXHIBIT C - RESOLUTION \(2\).doc](#)

19. Public hearing to: Consider adoption of an ordinance amending Chapter 18.12 of the Monterey County Code to adopt the 2010 California Green Building Standards Code by reference and add requirements and incentives for incorporating “green” building principles and practices into new development in the unincorporated area of Monterey County.
(Green Building Ordinance - REF110058/County-wide)

Attachments: [Attachment A - Draft Ordinance](#)
[Attachment B - Draft Ordinance \(redline version\)](#)
[Attachment C - Planning Commission Recommendation](#)
[Attachment D - Financial Analysis](#)

20. a. Approving a Lot Line Adjustment of Williamson Act Lands to increase Parcel B (Assessor’s Parcel Number 223-042-022-000 and 223-042-025-000) from 30.76 acres to 30.91 acres and decrease Parcel A (Assessor’s Parcel Number 223-042-008-000) from 525.12 acres to 524.97 acres owned by Silverado Monterey Vineyards LLC. Parcel B is within Williamson Act Agricultural Preserves per Land Conservation Contract No. 73-032.A.2, owned by Harkins Road Building Limited Partnership; and
- b. Authorizing the Chair to execute new or amended Land Conservation Contract, in order to rescind a portion of the existing Land Conservation

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

c. Directing the Clerk of the Board to record the new or amended Contract concurrently with the recordation of the Certificates of Compliance for the reconfigured Williamson Act parcels.

(Lot Line Adjustment - PLN090248 / Harkins Road Building Limited Partnership, 32501 & 33155 Gloria Road, Gonzales, Central Salinas Valley Area Plan)

Attachments: [Attachment A - Discussion](#)
[Attachment B - Draft Board Resolution](#)
[Attachment C - Lot Line Adjustment Map](#)
[Attachment C-1 - Recommended Conditions of Approval](#)
[Attachment D - Vicinity Map](#)
[Attachment E - Land Conservation Contract 83-26-3](#)
[Attachment F - Land Conservation Contract 73-032.A.1](#)
[Attachment G - Land Conservation Contract 73-032.A.2](#)
[Attachment H - Board of Supervisors Resolution No. 06-081](#)

21.

Conduct a Public hearing to consider adoption of Resolution related to the Yanks Air Museum Project to:

- a. Consider an Addendum (Addendum No. 2) to the previously certified Environmental Impact Report (EIR No. 95-01) for the Yanks Air Museum;
- b. Approve a Lot Line Adjustment of Williamson Act Lands within Agricultural Preserve No. 71-41 and related Amendment to Land Conservation Contract No. 71-41 as applicable to the reconfigured parcels;
- c. Approve Amendment to Agricultural Conservation Easement Agreement and Deed;
- d. Approve Second Amendment to Agricultural Buffer Easement Deed;
- e. Adopt Findings and Evidence as required to support the proposed Lot Line Adjustment of Williamson Act Lands and said Amendments, as applicable to the reconfigured parcels; and
- f. Authorize the Chair of the Board to execute Amendments to said instruments; and
- g. Direct the Clerk of the Board to record the Amendments to said instruments concurrently with the recordation of the Certificates of Compliance for the reconfigured parcels.

(Lot Line Adjustment: PLN120376 / Charles F. Nichols and Judith A. Nichols, Trustees of the Nichols Family Trust, U/D/T May 19, 1966; Highway 101 at Thorne Road, easterly of Highway 101 and northerly of the City of Greenfield, Greenfield area, Central Salinas Valley Area Plan.)

- Attachments:** [Attachment A - Discussion](#)
[Attachment B - Draft Board Resolution](#)
[Attachment C - Recommended Conditions of Approval](#)
[Attachment D - Vicinity Map](#)
[Attachment E - Project Plans](#)
[Attachment F - City of Greenfield's Addendum...](#)
[Attachment G - Addendum No. 1 to County's Certified FEIR](#)
[Attachment H - County's Certified FEIR](#)
[Attachment I - Land Conservation Contract No. 71-41](#)
[Attachment J - Land Conservatin Contract No. 71-41 amended 2-28-94](#)
[Attachment K - Agreement Regarding Agricultural Conservation Easement](#)
[Attachment L - Board Resolution No. 01-344](#)
[Attachment M - Agricultural Conservation Easement Agreement and Deed](#)
[Attachment N - \[Proposed\] Amendment to Agricultural Conservation Easement /](#)
[Attachment O - Ag Land Trust Minutes](#)
[Attachment P - Agricultural Buffer Easement Deed](#)
[Attachment Q - Amendment to Agricultural Buffer Easement Deed](#)
[Attachment R - Proposed Amendment No. 2 to Agricultural Buffer Easement De](#)

- 22.**
- a. Receive report from the Resource Management Agency-Planning Department regarding the Planning Commission's recommendation to the Board of Supervisors regarding draft ordinances (inland and coastal) to dissolve the Minor and Standard Subdivision Committees and change the process for consideration of applications for subdivisions and lot line adjustments.
 - b. For REF100014 (Non-Coastal Ordinance)
 1. Find the proposed Ordinance statutorily exempt from CEQA; and
 2. Adopt an Ordinance to amend Title 19 (non-coastal subdivision ordinance) and Title 21 (non-coastal zoning ordinance) of the Monterey County Code to change the process for consideration of applications for subdivisions and lot line adjustments in the unincorporated inland area of the County of Monterey. Changes to the process include dissolution of the County of Monterey's Minor and Standard Subdivision Committees, elimination of the Director of Planning's authority to decide upon minor subdivisions and lot line adjustments, and designation of the Monterey County Planning Commission as the appropriate authority to consider applications for subdivisions and lot line adjustments in the inland unincorporated area of the County.
 - c. For REF120004 (Coastal Ordinance)

Adopt Resolution to:

 1. Find the proposed Ordinance statutorily exempt from CEQA; and
 2. Adopt a resolution of intent to adopt an Ordinance amending Title 19 (coastal subdivision ordinance) and Title 20 (Monterey County Coastal Implementation Plan, Parts 1, 2, 3 and 4) of the Monterey County Code to change the process for consideration of applications for subdivisions and lot line adjustments in the

unincorporated coastal zone of the County, including dissolving the County of Monterey's Minor and Standard Subdivision Committees, designating the Monterey County Planning Commission as the appropriate authority to consider applications for minor subdivisions and lot line adjustments in the coastal zone, and updating the lot line adjustment and filing standards in coastal Title 19 to conform to changes in state law; and

3. Certify that the Ordinance is intended to be carried out fully in conformity with the Coastal Act; and

4. Direct staff to transmit the proposed ordinance to the California Coastal Commission for certification together with materials sufficient for a thorough and complete review.

[REF100014 (Non-Coastal) and REF120004 (Coastal), Ordinances for the Elimination for the Minor and Standard Subdivision Committees]

Attachments: [Attachment A - Discussion](#)

[Attachment B-1 - Draft Ordinance - Redline Version - Non-Coastal](#)

[Attachment B-2 - Draft Ordinance - Clean Version](#)

[Attachment C - Resolution for Coastal Ordinance REF120004](#)

[Attachment C-1 - Draft Ordinance - Redline Version \(Coastal\) REF120004](#)

[Attachment C-2 - Draft Ordinance - Clean Version \(Coastal\) REF120004](#)

[Attachment D - Planning Commission Resolution No. 12-002](#)

[Attachment E - Planning Commission Resolution No. 12-026](#)

[Attachment F - Charts for OPTION 1](#)

[Attachment G - Charts for OPTION 2](#)

[Attachment H - Charts for OPTION 3](#)

Adjournment

In Memory of Joe Berlanga & Charles Griffith, Monterey County Sheriff Bailiff

Supplemental Sheet, Consent Calendar

Natividad Medical Center

23.

Adopt a Resolution:

- a. Accepting the Certificate of Completion for Outpatient Expansion 2nd Floor-Building 200 for Natividad Medical Center, located at 1441 Constitution Blvd., Salinas, CA 93906, Project No. 8842, Bid Package No. 10317; and
- b. Authorizing the Assistant Administrator of Operations & Support Services to execute and record the Notice of Completion. (AMENDMENT 1 AND NOTICE OF COMPLETION SUBMITTED VIA SUPPLEMENTAL)

Attachments: [10-23-12 Avila Certificate of Completion](#)
[10-23-12 Avila Completion Resolution](#)
[Avila Construction Amendment #1](#)
[Avila Construction Agreement](#)
[10-23-12 Avila Completion Project Budget](#)
[Notice of Completion - Avila.pdf](#)

24. a. Authorize proceeding with a contract in the total amount of \$479,100 to Otto Construction the lowest responsible and responsive base bidder, for the Natividad Medical Center (NMC) Radiology Equipment Replacement Project No 9600-12 Bid NMC-1005, for the period October 1, 2012 through June 30, 2013; and
- b. Authorize approval of the Performance and Payment Bonds executed and provided by Otto Construction; and
- c. Authorize a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change order; and
- d. Authorize the Purchasing Manager at NMC to execute the contract and subject to the terms of the Public Contract Code, approve change order to the contract that do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

Attachments: [10-23-12 Otto Construction \(9600-12 Bid NMC-1005\) Exhibit 1](#)
[10-23-12 Otto Construction \(Radiology Equipment \(Project # 9600-12\)](#)

25. Approve the proposed amendment to the Conflict of Interest Code of the Hospital Department (Natividad Medical Center) of Monterey County.

Attachments: [11-6-12 Conflict of Interest Code NMC](#)

26. a. Approve the Request for Qualifications (RFQ) #9600-42 for the Natividad Medical Center (NMC) Signage Master Plan Program Analysis per the scope of services described in the RFQ and;
- b. Approve the Purchasing Manager for Natividad Medical Center (NMC) to release the RFQ to the public on or about December 13, 2012.

Attachments: [9600-42 RFQ \(Signage Design\)](#)

27. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to enter into a Master Agreement pursuant to the Request for Qualifications (RFQ #9600-25) for Architectural Services (Projects under \$100,000) at NMC.
- b. Authorize the Purchasing Manager for NMC to execute contracts pursuant to RFQ #9600-25 for Architectural Services (Projects under \$100,000) with Kasavan Architects, Reel Grobman & Associates, The Stinnett Group, LLP and Wald Ruhnke and Dost for a total aggregate amount of \$2,250,000 over three years (or \$750,000 per fiscal year) for all contracts issued under the Master Agreement for the period November 1, 2012 to June 30, 2015.
- c. Authorize the Purchasing Manager for NMC to approve up to two (2) future

amendments to all contracts pursuant to Master Agreement, RFQ #9600-25 where the amendments do not exceed 10% of the original Master Agreement amount and do not significantly change the scope of services or result in an increase in County General Fund Contribution.

Attachments: [Kasavan Architects](#)
[Reel Grobman & Associates](#)
[The Stinnett Group LLP](#)
[Wald Ruhnke and Dost](#)

28. Adopt a Resolution to Amend the Personnel Policies and Practices Resolution No. 98-394 to Revise Section A.12.7: On Call Pay for Physicians, as Indicated in Attachment A.

Attachments: [08.28.12 - MOVED to FY13 - Physician On Call Pay ATTACHMENT A.docx](#)

Health and Social Services

29. Approve and authorize the Director of Health or designee to execute, on behalf of the County of Monterey, grant applications and agreements, and any amendments thereto, for continued Beach Act Grant and Beach Sanitation Grant funding administered by California State Water Resources Control Board.

Attachments: [Attachment A - Program Funding List approved June 26 2012 .pdf](#)
[Attachment B - Proposed Corrections to Program Funding List.pdf](#)

30. a. Authorize the Contracts/Purchasing Officer to approve and sign a Professional Services Agreement with James Stubblefield, M. D., for the period of December 01, 2012 through November 30, 2015 for Medical Director services for the Emergency Medical Services Agency, in the amount of \$80,100 for Fiscal Year (FY) 2012-13, \$80,100 for FY 2013-14, and \$80,100 for FY 2014-15, for a total Agreement amount of \$240,300 upon receipt of all required and updated documents and certificates of professional liability insurance; and,
b. Authorize the Contracts/Purchasing Office to approve up to two future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original amount and do not significantly change the scope of work or result in an increase in the County General Fund Contribution; and,
c. Authorize the modification of the County standard insurance requirements pertaining to General Liability Insurance, Business Automobile Liability Insurance, Workers Compensation Insurance, and Professional Liability Insurance.

Attachments: [Dr. Stubblefield FY 13 Contract](#)
[EXHIBIT A Dr. Stubblefield FY 2013 v1_10 17 2012.docx](#)
[Exhibit B for Insurance 10 22 12.doc](#)

31. Approve the Monterey County Commission on the Status of Women Annual

Report Fiscal year 2011-2012.

Attachments: [CSW Cover Sheet](#)
[CSW Annual Report](#)

- 32.** a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign an agreement with Mexican American Opportunity Foundation (MAOF) to facilitate the exchange of confidential information in order to provide Child Care Payment services to CalWORKs customers for the period July 1, 2012 through June 30, 2014; and
b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to this agreement that do not significantly change the scope of work.

Attachments: [MAOF](#)

- 33.** a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign the Social Solutions ETO (Efforts to Outcomes) Software Sub-License Agreement with Child & Family Policy Institute of California for the purpose of tracking information related to the Family-to-Family Initiative and the California Connected by 25 Initiative; and
b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign all future amendments and updates to this Agreement that do not significantly change the licensing terms and conditions.

Attachments: [ETO Subcontract](#)

- 33.1** a. Authorize the Chair of the Monterey County Board of Supervisors to sign an agreement with the Superior Court of California, County of Monterey concerning the administration and maintenance of the Dispute Resolution Programs Act (DRPA) in Monterey County.
b. Approve the Board Resolution that delegates administration of the DRPA Trust Fund to the Superior Court of California, County of Monterey; for purposes of dispute resolution program administration, approve an amount not to exceed 10% of the annual revenue of the DRPA Trust Fund, as provided by Section 469 of the California Business and Professions Code, which shall be used to finance the administration of the program.

Attachments: [DRPA Resolution](#)
[DRPA Agreement](#)

Criminal Justice

- 34.** a. Authorize the Auditor-Controller to increase revenues \$7,931,442 and appropriations \$9,555,720 in Special Revenue Fund 022 and 023 for multiple departments in Fiscal Year 2012-13 for AB109 program reimbursements (4/5ths vote required); and

- b. Authorize the Auditor-Controller to increase revenues and appropriations in Special Revenue Fund 022 by \$155,775 in Fiscal Year 2012-13 for the District Attorney and Public Defender legal services account (4/5ths vote required); and
- c. Authorize the Auditor-Controller to increase revenues and appropriations in Special Revenue Fund 022 by \$3,071,990 in Fiscal Year 2012-13 for Probation Department AB118 program revenue (4/5ths vote required).

Attachments: [Attachment A](#)
[Attachment B](#)

General Government

35. Approve and authorize the Contracts/Purchasing Officer to sign Master Agreements under the terms and conditions of RFP #10349 between the County of Monterey and Leyva's Towing LLC, Miller's Towing, PDP Investment Inc. dba P & R Towing, and U.S.A. Towing Inc. for the provision of towing services for County owned vehicles for an initial term of three years, effective from the date of execution through and including September 1, 2015, in an amount not to exceed the aggregate amount of \$300,000 for the initial term.

Attachments: [RFP10349_Towing_Agmt-Leyva.pdf](#)
[RFP10349_Towing_Agmt-PDP.pdf](#)
[RFP10349_Towing_Agmt-Millers.pdf](#)
[RFP10349_Towing_Agmt-USA](#)

36. Approve and authorize amendments to the Conflict of Interest Code of the Information Technology Department.

Attachments: [COI Code -ITD- Amended 110612.docx](#)
[Adopted COI CODE 2000.pdf](#)
[Amended COI Code 2002.pdf](#)
[Amended COI Code 2008.pdf](#)

37. Approve the Memorandum of Understanding (MOU) for Monterey County Probation Association Units M and N for the period July 1, 2011 through June 30, 2013.

Attachments: [MN 10-2-12 Contract MOU 2011-2013.pdf](#)

38. Accept the FY 2010/11 and 2011/12 Annual Report from the Monterey County Fish and Game Advisory Commission.

Attachments: [2010-11 2011-12 Annual Report Attachment .doc](#)

39. a. Introduce, waive reading, and set December 4, 2012 at 1:30 p.m. to consider adoption of an ordinance of the County of Monterey, State of California, amending Section 5.32 of the Monterey County Code as it relates to the Documentary Transfer Tax to reflect current law regarding the recognition of

transfer of ownership rights in realty; and
b. Direct the Clerk of Board to publish the summary five days prior to set date of December 4, 2012 and within 15 days of adoption in The Salinas Californian.

Attachments: [Proposed Ordinance-Clean](#)
[Proposed Ordinance-Tracked](#)

39.1

a. Approve and authorize the Director of Information Technology to execute on behalf of the County of Monterey an Oracle Public Sector Technical Support Services Agreement between the County of Monterey and Oracle for the period of October 26, 2012 through October 25, 2015 for the yearly provision of technical support/maintenance of Oracle database server software used by the Monterey County Water Resources Agency in a total aggregate amount within this period not to exceed \$17,497;
b. Accept non-standard language in the Agreement provided by the vendor as recommended by the Director of Information Technology; and
c. Authorize the Auditor/Controller's Office to issue payments on a yearly basis not to exceed the total aggregate amount as requested by the Director of Information Technology. (ADDED VIA ADDENDUM)

Attachments: [Tech Support Agreement for Oracle Licenses](#)
[Oracle License Purchase Doc 1991 & Updated Service Quote](#)
[Oracle Confirmation of License Purchase #CSI518276 Contract 3442618](#)

RMA - Planning**40.**

a. Set a public hearing for December 4, 2012 at 1:30 p.m., to consider 2013 applications to establish one (1) Agricultural Preserve ("AgP") and three (3) Farmland Security Zones ("FSZ") and Contracts (hereafter, "Applications") as set forth in the proposed Board Order (Attachment "A").
b. Direct the Clerk of the Board of Supervisors to publish Notice of Hearing for the Public Hearing to take place on December 4, 2012 at 1:30 p.m., to consider 2013 applications to establish one (1) Agricultural Preserve ("AgP") and three (3) Farmland Security Zones ("FSZ") and Contracts (hereafter, "Applications") as set forth in the proposed Board Order (Attachment "A").
(PLN120585 - /Williamson Act Contract Applications - 2013, County-wide)

Attachments: [Attachment A - Notice of Hearing for December 4](#)
[Attachment B - Procedures for Agricultural Preserves](#)
[Attachment C - Procedures for the Creation of Farmland Security Zones](#)
[Attachment D - 2013 Application Matrix](#)
[Attachment E - County-wide Map](#)

RMA - Public Works**41.**

a. Receive a report on United States Postal Service's Intelligent Mail Barcode system; and

b. Approve updating the County's Mail Services machinery with the new Intelligent Mail Barcode system to allow for the continuation of discounts for full-service mailings by January 2013.

42.

Adopt a Resolution:

- a. Accepting the Certificate of Completion for construction of the Jail Restroom Renovation-1410 Natividad Rd, Project No. 8546, Bid Package No. 10345, performed by Tombleson, Inc.; and
- b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Jail Restroom Renovation-1410 Natividad Rd, Project No. 8546, Bid Package No. 10345, performed by Tombleson, Inc.

Attachments: [Resolution](#)
[Project Budget](#)
[Certificate of Completion](#)
[Notice of Completion](#)
[Location Map](#)

43.

- a. Approve Amendment No. 4 to Professional Services Agreement No. A-12166 with HMC Architects to provide additional tasks associated with architectural and technical master planning services and include preparation of an Environmental Impact Report to address California Environmental Quality Act requirements and to support the County's efforts in meeting the specific conditional award requirements pursuant to the \$36,295,000 State grant for expansion of the Criminal Justice Complex located at 1414 Natividad Road, Salinas, CA, in the amount of \$528,945, plus a ten percent (10%) contingency amount of \$52,895, for a total amount not to exceed \$876,384, and extend the term to March 15, 2014; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 4 to Professional Services Agreement No. A-12166 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount. (ADDED VIA ADDENDUM)

Attachments: [Exhibit 1 - Chronological Details of HMC Architects' Professional Service Agreement](#)
[Project Budget](#)
[Amendment No. 4 to Professional Services Agreement between County of Monterey and HMC Architects](#)
[Location Map](#)

44.

- a. Approve Modification and Amendment No. 1 to Professional Services Agreement MYA #3000*282 with Kitchell/CEM, Incorporated to continue consultant management services to complete the requirements for final Assembly Bill 900 Phase II funding approval for the Jail Housing Addition Project No. 8812 and to complete the 20 E. Alisal Street 2nd Floor Tenant Improvements Project No. 8787, in the amount of \$284,550 for a total amount not to exceed \$384,550 for a term to February 6, 2014;
- b. Approve addition of two positions (Project Executive and Senior Project

Manager) to Kitchell/CEM, Incorporated Hourly Rates schedule (Exhibit A);
c. Ratify Modification and Amendment No. 1 to Professional Services Agreement MYA #3000*282 as of September 10, 2012; and
d. Authorize the Contracts/Purchasing Officer to execute Modification and Amendment No. 1 to Professional Services Agreement MYA #3000*282 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount. (ADDED VIA ADDENDUM)

Attachments: [Exhibit A - Hourly Rates](#)
[Exhibit B - Summary of Project Funding](#)
[Modification Amend 1 PSA MYA 3000 282 Kitchell CEM Inc](#)
[Location Maps](#)

45. Supplemental / Addendum for Tuesday, November 6, 2012

ADDENDUM

Add Under Consent Regular - General Government

- 39.1 a. Approve and authorize the Director of Information Technology to execute on behalf of the County of Monterey an Oracle Public Sector Technical Support Services Agreement between the County of Monterey and Oracle for the period of October 26, 2012 through October 25, 2015 for the yearly provision of technical support/maintenance of Oracle database server software used by the Monterey County Water Resources Agency in a total aggregate amount within this period not to exceed \$17,497;
- b. Accept non-standard language in the Agreement provided by the vendor as recommended by the Director of Information Technology; and
- c. Authorize the Auditor/Controller's Office to issue payments on a yearly basis not to exceed the total aggregate amount as requested by the Director of Information Technology.

Add Under Consent Regular - Public Works

43. a. Approve Amendment No. 4 to Professional Services Agreement No. A-12166 with HMC Architects to provide additional tasks associated with architectural and technical master planning services and include preparation of an Environmental Impact Report to address California Environmental Quality Act requirements and to support the County's efforts in meeting the specific conditional award requirements pursuant to the \$36,295,000 State grant for expansion of the Criminal Justice Complex located at 1414 Natividad Road, Salinas, CA, in the amount of \$528,945, plus a ten percent (10%) contingency amount of \$52,895, for a total amount not to exceed \$876,384, and extend the term to March 15, 2014; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 4 to Professional Services Agreement No. A-12166 and future amendments that do not significantly alter the scope of work or

change the approved Agreement amount.

44. a. Approve Modification and Amendment No. 1 to Professional Services Agreement MYA #3000*282 with Kitchell/CEM, Incorporated to continue consultant management services to complete the requirements for final Assembly Bill 900 Phase II funding approval for the Jail Housing Addition Project No. 8812 and to complete the 20 E. Alisal Street 2nd Floor Tenant Improvements Project No. 8787, in the amount of \$284,550 for a total amount not to exceed \$384,550 for a term to February 6, 2014;
- b. Approve addition of two positions (Project Executive and Senior Project Manager) to Kitchell/CEM, Incorporated Hourly Rates schedule (Exhibit A);
- c. Ratify Modification and Amendment No. 1 to Professional Services Agreement MYA #3000*282 as of September 10, 2012; and
- d. Authorize the Contracts/Purchasing Officer to execute Modification and Amendment No. 1 to Professional Services Agreement MYA #3000*282 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Adjourn in Memory of

Joe Berlanga & Monterey County Sheriff Bailiff Charles Griffith

SUPPLEMENTAL

MATERIALS SUBMITTED

23. Amendment 1 and Notice of Completion Submitted

Adopt a Resolution:

- a. Accepting the Certificate of Completion for Outpatient Expansion 2nd Floor-Building 200 for Natividad Medical Center, located at 1441 Constitution Blvd., Salinas, CA 93906, Project No. 8842, Bid Package No. 10317; and
- b. Authorizing the Assistant Administrator of Operations & Support Services to execute and record the Notice of Completion

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