

# Monterey County

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



## Action Minutes - Final

Tuesday, August 28, 2012

9:00 AM

**See separate agendas for the Monterey County Water Resources Agency, Successor Agency to the Redevelopment Agency and the Pajaro County Sanitation District - See Addendum Items referenced under 49**

**Board of Supervisors**

**Call to Order**

The meeting was called to order by Chair Potter.

**Roll Call**

**Present:** 5 - Supervisor Dave Potter, Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas and Supervisor Jane Parker

**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(a), the Board will confer with legal counsel regarding existing litigation:
    - (1) Salinas Valley Water Coalition, et al. v. County of Monterey (Monterey County Superior Court case no. M109451)
  - b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
    - (1) Designated representative: Morin Jacob  
Employee Organization: Unit S
    - (2) Designated representative: Elliott Robinson  
Employee Organizations: Units J and X

**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) Salinas Valley Water Coalition, et al. v. County of Monterey (Monterey County Superior Court case no. M109451)

**CLOSED SESSION REPORT: The Board approved a settlement agreement and once it is signed, it will be available through the office of County Counsel.**
  - b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
    - (1) Designated representative: Morin Jacob  
Employee Organization(s): Unit S
    - (2) Designated representative: Elliott Robinson  
Employee organizations: Units J and X

**CLOSED SESSION REPORT: The Board took no reportable actions.**

**10:30 AM Reconvene****Roll Call**

**Present:** 5 - Supervisor Dave Potter, Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas and Supervisor Jane Parker

**Pledge of Allegiance**

The Pledge of Allegiance was led by Supervisor Chair Potter.

**Additions and Corrections**

There were no additions or corrections.

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

This was approved

2. Approve Consent Calendar-Regular (See Supplemental Sheet items 16 through 48)  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, to approve the Consent Calendar - Regular. ALL AYES**

**Ceremonial Resolutions**

3. Resolution proclaiming the month of September 2012 as "Childhood Cancer Awareness Month" in Monterey County. (Supervisor Potter)  
**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 12-233. ALL AYES**
4. Resolution proclaiming the month of September 2012 as "National Preparedness Month" in Monterey County. (Supervisor Potter)  
**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 12-235. ALL AYES**
5. Resolution honoring Monterey County Ohlone Basket Weaver Linda Yamane. (Supervisor Potter)  
**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 12-236. ALL AYES**

**Appointments**

6. Appoint Kristen A. Henderson to the North Monterey County Recreation & Park District, term ending November 14, 2014. (Supervisor Calcagno)  
**A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Simón Salinas, that this Appointment be approved. ALL AYES**

### Other Board Matters

7. Board Comments

Supervisor Armenta announced his attendance, as well as that of Supervisor Parker at the Community Alliance for Safety and Peace (CASP) bi-monthly meetings, and when the Department of Justice visited. They attended the general meeting at CASP, the luncheon at St. Mary's, as well as the press conference. The County was well represented. It's important that the Federal County recognize the County's role in preventing gang violence in our communities.

Supervisor Potter advised of two referrals that have been forwarded to the County Administrative Officer

- 1) Examine process for County's inclusion in the Monterey County Peninsula Regional Water Authority's Joint Powers Authority. What would that entail financially? What is the intent, What can be accomplished.
- 2) Look at a more participatory process in the implementation and planning of ordinances relevant to the coastal areas and stressing the need for as much public input as possible for those communities.

8. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman acknowledged receipt of the two referrals from Supervisor Potter.

Dr. Bauman advised of a shooting event at the Marina Clinic last week and commended staff in their response to the events. Ray Bullick, Director of Health Services advised that the victim is in fair condition and no one was fatally injured. He commended Health Services staff for their handling of the crisis and read a letter to the Board regarding the event.

9. General Public Comment

Nina Beety; Kimberly Craig; Hans Jongens; Jody Hansen

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

10. a. Consider approving and adopting the Monterey County Local Preference Policy as presented by the Resource Management Agency and the Contracts/Purchasing Division in response to Board Referral 2011.08; and
- b. Consider supporting staff's recommendation of Option-B, within Section B of the proposed policy, as currently defined by County Ordinance 2.32.035 Preference for Local Suppliers.

**Public comment: Peter Kasavan; Mark Miller; Paul Farmer; Michael Groves; Jody Hansen; Charles Denly; Christian Chavez-White.**

**A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Jane Parker, to approve and adopt the Monterey County Local Preference Policy as presented by the Resource Management Agency and the Contracts/Purchasing Division in response to Board Referral 2011.08; and**

b. Approved recommended Option-A: In procurement of goods or services in which price is the determining factor for award of the contract, a five percent (5%) preference shall be subtracted from a bid submitted by a responsive local vendor in determining the lowest responsive bidder. If application of the 5% results in a local vendor's bid being at or lower than then on-local vendor, the contract award shall be made to the local vendor at the local vendor's bid price, as currently defined by County Ordinance 2.32.035 Preference for Local Suppliers. ALL AYES

11.

Conduct a public hearing to consider and approve:

- a. Nursing Program Grant Agreement ("Agreement") with California State University, Monterey Bay ("CSUMB") to provide CSUMB with Grant funds to meet some of the direct costs of the Nursing Program of CSUMB, in an amount not to exceed \$195,000 for the period August 28, 2012 to June 30, 2013, with an option for Natividad Medical Center ("NMC") to extend term for up to two additional years (4/5th Vote Required);
- b. Resolution finding that the expenditure of funds from the NMC Fiscal Year 2012/2013 Budget to underwrite the Agreement has a direct and primary public purpose, benefiting Monterey County, in general, and NMC and the Monterey County Health Department, in particular (4/5th Vote Required); and
- c. Authorizing the Purchasing Manager for NMC to execute the Agreement with CSUMB, in an amount not to exceed \$195,000 for the period August 28, 2012 to June 30, 2013, with an option for NMC to extend term for up to two additional years (4/5th Vote Required).

**Conducted a public hearing; considered and approved:**

- a. Nursing Program Grant Agreement ("Agreement") with California State University, Monterey Bay ("CSUMB") to provide CSUMB with Grant funds to meet some of the direct costs of the Nursing Program of CSUMB, in an amount not to exceed \$195,000 for the period August 28, 2012 to June 30, 2013, with an option for Natividad Medical Center ("NMC") to extend term for up to two additional years (4/5th Vote Required);
- b. Adopted Resolution No. 12-237 finding that the expenditure of funds from the NMC Fiscal Year 2012/2013 Budget to underwrite the Agreement has a direct and primary public purpose, benefiting Monterey County, in general, and NMC and the Monterey County Health Department, in particular (4/5th Vote Required); and
- c. Authorizing the Purchasing Manager for NMC to execute the Agreement (A-12290) with CSUMB, in an amount not to exceed \$195,000 for the period August 28, 2012 to June 30, 2013, with an option for NMC to extend term for up to two additional years (4/5th Vote Required).

Motion by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker.  
ALL AYES

**12:00 PM Recess to Lunch**

**1:30 PM Reconvene - Monterey County Board of Supervisors**

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

12. Human Resource Academy Graduation Ceremony
- Yvonne Walker from Learning and Development Division facilitated the Human Resource Academy Graduation Ceremony. The Board of Supervisors congratulated the participants and commended for their efforts and work.**
13. Adopt a resolution authorizing the County Administrative Officer or his designee to:
- a. File an application to fund an update of the Monterey County Multi-Jurisdictional Hazard Mitigation Plan (HMP) with State Community Development Block Grant (CDBG) 2008 Disaster Recovery Initiative funds in the amount of \$150,000;
  - b. enter into a Memorandum of Understanding with participating cities for this purpose, and
  - c. sign all grant related documents, contracts, or amendments.
- Adopted Resolution No. 12-238 authorizing the County Administrative Officer or his designee to:**
- a. File an application to fund an update of the Monterey County Multi-Jurisdictional Hazard Mitigation Plan (HMP) with State Community Development Block Grant (CDBG) 2008 Disaster Recovery Initiative funds in the amount of \$150,000;**
  - b. Enter into a Memorandum of Understanding with participating cities for this purpose, and**
  - c. Sign all grant related documents, contracts, or amendments.**
- Motion by Supervisor Simon Salinas, seconded by Supervisor Jane Parker.**  
**ALL AYES**
14. Receive an oral presentation from the Resource Management Agency-Planning Department regarding the status and outcome of meetings with concerned citizens regarding the draft ordinances amending Titles 19 (coastal and non-coastal Subdivision Ordinances) and Titles 20 and 21 (coastal and non-coastal Zoning Ordinances) which propose to amend the process for consideration of applications for subdivisions and lot line adjustments in the unincorporated areas of the County of Monterey. (REF100014 (Inland) and REF120004 (Coastal), Ordinances for the Elimination of the Minor and Standard Subdivision Committees)
- Public comment: Ed Mitchell**  
**By consensus, the Board :**  
**Received an oral presentation from the Resource Management Agency-Planning Department regarding the status and outcome of meetings with concerned citizens regarding the draft ordinances amending Titles 19 (coastal and non-coastal Subdivision Ordinances) and Titles 20 and 21 (coastal and non-coastal Zoning Ordinances) which propose to amend the process for consideration of applications for subdivisions and lot line adjustments in the**

unincorporated areas of the County of Monterey.  
(REF100014 (Inland) and REF120004 (Coastal), Ordinances for the Elimination  
of the Minor and Standard Subdivision Committees)

14.1

Public hearing to consider:

- a. Denial of an appeal by Barry and Tricia Smith from the decision of the Director of the County of Monterey Resource Management Agency-Planning Department granting a Design Approval (Merritt/PLN120348) to allow a replacement fence of less than 6 feet tall;
- b. Finding the project categorically exempt from CEQA pursuant to CEQA Guidelines Section 15303(e); and
- c. Approval of the Design Approval to allow the replacement of existing fence less than 6 feet tall.

(Appeal of a Design Approval - PLN120348/Merritt, 24505 South San Luis Avenue, Carmel, Carmel Area Land Use Plan, Coastal Zone) ADDED VIA ADDENDUM

**Jason Retterer addressed the Board on behalf of the Applicants.**

**Barry Smith addressed the Board on behalf of the Appellant.**

**Public comment: Kaz Donne.**

**Public hearing held; adopted Resolution No. 12-244 :**

- a. Denied appeal by Barry and Tricia Smith from the decision of the Director of the County of Monterey Resource Management Agency Planning Department granting a Design Approval Merritt/PLN120348) to allow a replacement fence of less than 6 feet tall;**
- b. Found the project categorically exempt from CEQA pursuant to CEQA Guidelines Section 15303(e); and**
- c. Approving the Design Approval to allow the replacement of existing fence less than 6 feet tall.**

**(Appeal of a Design Approval PLN120348/Merritt, 24505 South San Luis Avenue, Carmel, Carmel Area Land Use Plan, Coastal Zone)**

**Motion by Supervisor Dave Potter, seconded by Supervisor Simón Salinas.**

**ALL AYES**

15.

Item deleted

**Adjournment**

**In Memory of Barbara Bass Evans, Sandy Koffman and Alden Willilam Barstad**

**APPROVED:**

/s/ Fernando Armenta  
**FERNANDO ARMENTA, CHAIR**  
**BOARD OF SUPERVISORS**

**ATTEST:**

**BY:** /s/ Gail T. Borkowski  
**GAIL T. BORKOWSKI**  
**CLERK OF THE BOARD**

## Supplemental Sheet, Consent Calendar

### Natividad Medical Center

16. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement (A-12095) with Monterey Bay GI Consultants to provide gastroenterology services at NMC, extending the Agreement to August 31, 2013 and adding \$50,000 for a revised total Agreement amount not to exceed \$300,000 in the aggregate.
- b. Authorize the Purchasing Manager for NMC to execute, within 120 days of the First Amendment, a Second Amendment to this Agreement, in substantially the same form as that which has been presented to the Board, without material change to its content, adding professional services in the Clinic and Outpatient Surgery to the scope of services; increasing the aggregate amount of the agreement by \$150,000 to include the Clinic and Outpatient Surgery Services; and extending the term of the Agreement an additional 12 months from the effective date of the Second Amendment for a revised total Agreement amount not to exceed \$450,000 in the aggregate.

**Approved - Agreement No. A-12095**

### Health and Social Services

17. Approve and Authorize the Emergency Medical Services (EMS) Agency Director to sign and execute EMS Aircraft Service Provider Agreements with Reach Air Medical Services and California Shock Trauma Rescue dba CALSTAR wishing to provide EMS Aircraft services in the County of Monterey.

**Approved - Agreement Nos. A-12292 (CALSTAR); A-12310 (Reach Air Medical Services)**

18. Approve and authorize the Director of Health to sign Amendment No. 1 to Agreement A-12068 with the Family Service Agency of the Central Coast for suicide prevention services for Monterey County residents. Amendment No. 1 revises the Payment and Billing Provisions, incorporates the new Exhibits H and I, and increases the FY 2012-13 and FY 2013-14 annual amounts by \$18,000 per year for a revised total Agreement amount not to exceed \$384,000.

**Approved - Agreement No. A-12068**

19. a. Approve and authorize the Director of Health to sign a Mental Health Services Agreement (May 1, 2012-June 30, 2012, FY 2012-13 and FY 2013-14) with Red Rock Canyon School for the provision of mental health services in the amount of \$17,934 for FY 2011-12, \$107,310 for FY 2012-13 and \$107,310 for FY 2013-14, for a total of \$232,554, for the period May 1,

2012 through June 30, 2014; and

b. Authorize the Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) of the annual amount, which does not significantly alter the scope of work or result in an increase to General Fund Contribution.

**Approved - Agreement No. A-12293**

20. a. Reallocate a vacant 1.0 FTE Deputy Public Guardian Administrator II (34H34) to 1.0 FTE Principal Office Assistant (80E80); and,  
b. Direct the County Administrative Office to incorporate the approved changes into the FY 2012-13 Health Department Adopted Budget.

**Approved**

21. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign an agreement with Community Human Services for \$215,000 to support the Family-to-Family Initiative throughout Monterey County for the period July 1, 2012 through June 30, 2013; and  
b. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

**Approved - Agreement No. A-12294**

22. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign two (2) agreements with Maxim Healthcare Services, Inc. for a total of \$17,800 for in-home care services for Adult Protective Services (APS) and Area Agency on Aging (AAA) clients, including non-standard Mutual Indemnification and Termination language for the period July 1, 2012 to June 30, 2013; and  
b. Authorize the Director of the Department of Social & Employment Services, or his designee, to sign up to three (3) amendments to each agreement, where the total amendments do not exceed 10% of the original contract amounts, and do not significantly change the scopes of work.

**Approved - Agreement No. A-12295**

23. a. Amend the Department of Social & Employment Services (DSES) Budget Unit Budget Unit 5010-SOC005-8262, to reallocate one (1) FTE vacant Office Assistant II to one (1) FTE Warehouse Worker; and  
b. Authorize the County Administrative Office and the Auditor/Controller to incorporate the changes into the FY 2012-13 5010- SOC005-8262 adopted budget to reflect the change in position counts as indicated in the attached Board Order

**Approved**

24. a. Approve and authorize the Director of the Department of Social and Employment Services, or his designee, to sign an agreement with Alisal Union School District for \$199,570 to provide coordination and support for the Family-to-Family Initiative in the Salinas area, and CAPIT case management for families involved in the Child Welfare System for the period July 1, 2012 through June 30, 2013; and
- b. Authorize the Director of the Department of Social and Employment Services, or his designee, to sign up to (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

**Approved - Agreement No. A-12297**

25. Approve and authorize the Chair of the Board of Supervisors to sign Amendment #2 to Agreement #A-11489 with Central California Alliance for Health for the provision of health plan benefits for In-Home Supportive Service (IHSS) providers adding \$2,661,813, increasing the total contract amount to \$4,649,313 for the period July 1, 2011 to June 30, 2013.

**Approved - Agreement No. A-11489**

26. Adopt a Resolution to:
- a. Approving modification of terms for the General Assistance Program in regards to cooperation with the County SSI Advocacy Program;
- b. Replace reference for Social Services with Social and Employment Services;
- c. Change time period for filing formal appeals;
- d. Change CalWORKs time limits; and
- e. Remove reference to Natividad Medical Center

**Adopted Resolution No. 12-239 to:**

- a. Approve modification of terms for the General Assistance Program in regards to cooperation with the County SSI Advocacy Program;**
- b. Replace reference for Social Services with Social and Employment Services;**
- c. Change time period for filing formal appeals;**
- d. Change CalWORKs time limits; and**
- e. Remove reference to Natividad Medical Center**

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta. ALL AYES**

- 26.1 Receive an update on workforce reductions in the Office for Employment Training.

**Approved**

### **Criminal Justice**

27. Authorize the Chair of the Board of Supervisors to sign the California Federal Surplus Personal Property Program renewal application, between the Monterey County Sheriff's Office and the Federal Surplus Personal Property

Program administered by the California Department of General Services for a three year period beginning September 1, 2012 through September 1, 2015.

**Approved**

- 28.
- a. Approve Renewal of the Memorandum of Understanding (MOU) in the amount of \$538,356 with the Salinas Union High School District for campus-based services effective July 1, 2012 through June 30, 2013;
  - b. Approve and authorize the Contracts/Purchasing Officer to execute the MOU; and
  - c. Authorize the Contracts/ Purchasing Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.

**Approved - Agreement No. A-12298**

**General Government**

29. Approve the Memorandum of Understanding (MOU) for Deputy Public Defenders Association Unit D for July 1, 2012 through June 30, 2014.
- Approved - Agreement No. A-12299**
30. Approve the Memorandum of Understanding (MOU) for Resident Physicians Unit R for January 1, 2012 through December 31, 2014.
- Approved - Agreement No. A-12300**
31. Approve the Board of Supervisors Action Minutes of Tuesday, May 1, 2012; Tuesday, May 8, 2012; Tuesday, May 15, 2012; Tuesday, May 22, 2012 and Tuesday, June 19, 2012.
- Approved**
- 32.
- a. Approve a resolution authorizing the County Administrative Officer or his designee to file an application for grant funds through the Habitat Conservation Fund (HCF) program under the California Wildlife Protection Act of 1990;
  - b. Authorize the County Administrative Officer or his designee to certify that Monterey County Parks will have the required match and sufficient funds to complete the project and will have sufficient funds to operate and maintain the project;
  - c. Authorize the County Administrative Officer or his designee to certify that Monterey County Parks has reviewed, understands and agrees to the provisions contained in the contract shown in the grants administration guide; and
  - d. Appoint the County Administrative Officer or his designee as agent to conduct all negotiations, execute and submit all documents, including but not

limited to applications, agreements, amendments and payment requests, which may be necessary for the completion of the project.

**Adopted Resolution No. 12-240:**

**a. Authorizing the County Administrative Officer or his designee to file an application for grant funds through the Habitat Conservation Fund (HCF) program under the California Wildlife Protection Act of 1990;**

**b. Authorize the County Administrative Officer or his designee to certify that Monterey County Parks will have the required match and sufficient funds to complete the project and will have sufficient funds to operate and maintain the project;**

**c. Authorize the County Administrative Officer or his designee to certify that Monterey County Parks has reviewed, understands and agrees to the provisions contained in the contract shown in the grants administration guide; and**

**d. Appoint the County Administrative Officer or his designee as agent to conduct all negotiations, execute and submit all documents, including but not limited to applications, agreements, amendments and payment requests, which may be necessary for the completion of the project.**

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta. ALL AYES**

- 33.** Authorize the Board of Supervisors' Chair to sign a Memorandum of Understanding with United Way Monterey County to provide 2-1-1 call center representatives to the Operational Area Emergency Operations Center (EOC) Public Information Section during significant emergencies and disasters.

**Approved**

- 34.** Authorize the Board of Supervisors' Chair to sign a Memorandum of Understanding with United Way Monterey County to provide volunteer management services and an Emergency Volunteer Center during disasters.

**Approved**

- 35.** Adopt a Resolution Electing to Receive 2012 Secure Rural Schools and Communities Act (SRSCA) Funding and Use 100 percent of the funds received for public roads and schools under Title I of the SRSCA.

**Adopted Resolution No. 12-241: Electing to Receive 2012 Secure Rural Schools and Communities Act (SRSCA) Funding and Use 100 percent of the funds received for public roads and schools under Title I of the SRSCA.**

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta. ALL AYES**

- 36.** Authorize the Registrar of Voters to consolidate and render specified election services to certain cities and districts relating to the conduct of the November 6, 2012 Consolidated Presidential General Election.

**Approved**

37. a. Approve the FY 2012-13 Development Set-Aside (DSA) Agency/Professional Services Agreement (“Agreement”), Scope of Services and Work Plans for the Arts Council for Monterey County (ACMC); and  
b. Authorize the Interim Assistant CAO of the County of Monterey to execute the Agreement for the term of July 1, 2012 through June 30, 2013, in an amount not to exceed \$272,823

**Approved - Agreement No. A-12301**

38. Adopt Resolution confirming the appointment of Ms. Linda Guillis as Interim Economic Development/WIB Director.

**Adopted Resolution No. 12-242 confirming the appointment of Ms. Linda Guillis as Interim Economic Development/WIB Director.**

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta. ALL AYES**

39. a. Approve Amendment No. 2 to the Richard and Patricia Walton individual Inclusionary Housing Agreement to allow conveyance of their unit into a revocable trust;  
b. Approve Amendment No. 2 to the Rowaine W. Kram individual Inclusionary Housing Agreement to allow conveyance of her unit into a Revocable Living Trust;  
c. Approve Amendment No. 2 to the Guy and Linda Agrati individual Inclusionary Housing Agreement to allow conveyance of their unit into a revocable living trust; and  
d. Authorize the Interim Assistant County Administrative Officer to execute the Approved Agreements.

**Approved**

40. a. Authorize the Acting Economic Development Director, on behalf of the County of Monterey, to accept \$999,847 from the State of California Employment Development Department for 25 Percent Governor’s Additional Assistance Dislocated Worker funding for Manufacturing and Banking displaced workers;  
b. Authorize the Acting Economic Development Director to make modifications to and sign contracts, amendments and other related documents for these grant funds;  
c. Authorize the Acting Economic Development Director to execute Amendment No. 1 to the Professional Services Agreement (PSA), dated July 26, 2012, with Shoreline Workforce Development Services in the amount of \$359,993 for the period of August 1, 2012 to June 30, 2013;  
d. Authorize the Acting Economic Development Director to execute an Agreement, with the Office of Employment Training in the amount of \$514,019 for the period of August 1, 2012 to June 30, 2013;

**Approved - Agreement No. A-12325**

- 41.** a. Approve the FY 2012-13 Professional Services Agreement (“Agreement”), Scope of Services and Work Plans for the Monterey County Business Council (MCBC); and  
b. Authorize the Interim Assistant CAO of the County of Monterey to execute the Agreement for the term of July 1, 2012 through June 30, 2013, in an amount not to exceed \$87,210

**Approved - Agreement No. A-12302**

- 42.** a. Approve the FY 2012-13 Development Set-Aside (DSA) Agency/Professional Services Agreement (“Agreement”), Scope of Services and Work Plans for the Monterey County Film Commission (MCFC); and  
b. Authorize the Interim Assistant CAO of the County of Monterey to execute an Agreement with the MCFC for the term of July 1, 2012 through June 30, 2013, in an amount not to exceed \$130,900.

**Approved - Agreement No. A-12303**

- 42.1** a. Accept the recommendation of the Monterey County Fish and Game Commission to award a \$1,500 grant to Rancho Cielo to assist in the cost of maintenance and repairs to the lower fishing pond at the school’s fishing reservoir; and  
b. Approve distribution of Fish and Game grant funds in the amount of \$1,500 for the specified Rancho Cielo grant project for Fiscal Year 2012-2013.

**Approved**

- 42.2** a. Approve the FY 2012-13 Development Set-Aside (DSA) Agency/Professional Services Agreement (“Agreement”), Scope of Services and Work Plans for the Monterey County Destination Marketing Organization dba Monterey County Convention and Visitors Bureau (MCCVB); and  
b. Authorize the Interim Assistant CAO of the County of Monterey to execute the Agreement for the term of July 1, 2012 through June 30, 2013, in an amount not to exceed \$826,737.

**Apparoved - Agreement No. A-12304**

- 42.3** Set the time and place for Hearing the Pebble Beach Company’s Appeal of Tax Penalty.

**Approved**

- 42.4** a. Approve a Fuel Spill Cost Reimbursement Agreement between the Monterey County Water Resources Agency and the County of Monterey; and,  
b. Authorize the County Administrative Officer to execute the Agreement (ADDED VIA ADDENDUM)

**Approved - Agreement No A-12305**

**RMA - Planning**

42.5

- a. Approve a Professional Services Agreement with EMC Planning Group, Inc. (EMC) where the Base Budget is \$143,554.80 to provide an Environmental Impact Report (EIR) for the Paraiso Hot Springs Resort (PLN040183) in Soledad, for a term through June 30, 2013; and
- b. Approve a Funding Agreement with Thompson Holdings, LLC where the Base Budget is \$143,554.80, the County contract administration fee is \$3,170.00, and the Planning Department's deposit is \$16,742.13, for a total amount not to exceed \$163,466.93 to allow funding to Monterey County for costs incurred by EMC and County departments to provide an EIR for the Paraiso Hot Springs Resort (PLN040183) in Soledad, for a term through June 30, 2013; and
- c. Authorize the Director of Planning to execute the Professional Services Agreement, Funding Agreement and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

**Permit Type:** PLN 040183 / Environmental Impact Report for the Paraiso Hot Springs Resort in Soledad (REF110063/EMC Planning)  
ADDED VIA ADDENDUM

**Approved - Agreement Nos. A-12306 (EMC Planning Group, Inc.); A-12307 (Thompson Holdings, LLC)**

**RMA - General**

43.

- a. Approving Amendment No. 1 to the Memorandum of Understanding (MOU) A-08204 between Monterey County and the City of Greenfield modifying the terms and conditions relating to the annexation of the Yanks development project to the City of Greenfield.
- b. Authorizing the Chair of the Board of Supervisors to sign the Amendment No. 1.

**Approved - Agreement No. A-08204**

**RMA - Public Works**

44.

Adopt a Resolution:

- a. Authorizing the expenditure of \$4,032,778 from the Capital Projects Fund 404, Unit 8174 Appropriation Unit RMA015, as matching funds for the conditional AB 900 Phase II award of \$36,295,000 from the State of California for the Jail Expansion project; and
- b. Authorizing and directing the CAO, RMA Director and the Sheriff to take such other and further actions as may be necessary or appropriate to meet the State's requirements for the award of the AB 900 Phase II funding.

**Adopted Resolution No. 12-243:**

a. Authorizing the expenditure of \$4,032,778 from the Capital Projects Fund 404, Unit 8174 Appropriation Unit RMA015, as matching funds for the conditional AB 900 Phase II award of \$36,295,000 from the State of California for the Jail Expansion project; and

b. Authorizing and directing the CAO, RMA Director and the Sheriff to take such other and further actions as may be necessary or appropriate to meet the State's requirements for the award of the AB 900 Phase II funding.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, that this BoS Resolution be adopted. ALL AYES**

**45.**

a. Award a Contract for Public Work to Granite Construction Company, the lowest responsible base bidder, for the Blackie Road Safety Improvements, Project No. 13-140665 & 13-142265, State Project No. EA 05-930075L & EA 05-930155L, Federal Aid Project No. HRRRL-5944(086) & HRRRL-5944(091) in the amount of \$1,274,274, and Additive Alternate No. 1 in the amount of \$188,883 for a total amount of \$1,463,157;

b. Approve the Performance and Payment Bonds and accept Rider thereto, executed and provided by Granite Construction Company;

c. Authorize a contingency (not to exceed 10 percent of the Contract amount) to provide funding for approved Contract change orders; and

d. Authorize the Director of Public Works to execute the Contract, and subject to the terms of the Public Contract Code, approve change orders to the Contract that do not exceed 10 percent of the original Contract amount, and do not significantly alter the scope of work.

**Approved - Agreement No. A-12308; Construction No. 2012-014**

**46.**

a. Approve and authorize the Chair to execute a Grant of Easement for Private Roadway (Chamberlain Avenue) over a portion of APN 031-161-013 to UCP East Garrison, LLC, a Delaware limited liability company for purpose of maintaining this private roadway in conjunction with the East Garrison Development Project on the former Fort Ord; and

b. Authorize the Director of Public Works to submit the executed Grant of Easement for Private Roadway to the County Recorder for recordation.

**Approved**

**47.**

a. Approve and authorize the Chair to execute a Grant of Easement for Private Fence over a portion of APN 031-161-013 to UCP East Garrison, LLC, a Delaware limited liability company for purpose of constructing and maintaining this private fence in conjunction with the East Garrison Development Project on the former Fort Ord; and

b. Authorize the Director of Public Works to submit the executed Grant of Easement for Private Fence to the County Recorder for recordation.

**Approved**

**48.**

Approve and authorize the Chair to execute a Grant of Easement for Landscape & Drainage ("Basin 1A") over a portion of APN 031-161-013 to

the East Garrison Community Services District for purpose of constructing, operating, and maintaining a storm drainage disposal basin, associated landscaping, and related infrastructure in conjunction with the East Garrison Development Project on the former Fort Ord.

**Approved**