

Monterey County

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



Action Minutes - Final

Tuesday, December 17, 2013

9:00 AM

See separate agenda for Monterey County Water Resources Agency and Special Joint Meeting of the Board of Supervisors of the Monterey County Water Resources Agency and the Water Resources Agency Board of Directors

Board of Supervisors

Supervisor Fernando Armenta - District 1

Supervisor Philips - District 2

Supervisor Simón Salinas - District 3

Chair Jane Parker - District 4

Vice Chair, Dave Potter - District 5

9:00 A.M. - Call to Order

The meeting was called to order by Chair Armenta.

Roll Call

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

Additions and Corrections for Closed Session

County Counsel Charles McKee advised there is a correction to item 1.a. to now reflect two matters of significant exposure to litigation. This item was changed via the Addendum.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~one matter~~ two matters of significant exposure to litigation. (ADDED VIA ADDENDUM)
 - b. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
 - c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
(1) Designated representatives: James May and Brette Neal
Employee Organizations: Units G and S
 - d. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the County Administrative Officer.
CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a., b. and d.
 - c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
(1) Designated representatives: James May and Brette Neal
Employee Organizations: Units G and S
CLOSED SESSION REPORT: The Board conferred with labor negotiators. There was a tentative agreement for three years, with Unit G which includes a pay and training allowances. The final agreement will come back to the Board.

The public can access copies of the final agreement in the office of County Counsel.

10:30 AM Reconvene

Roll Call

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

Pledge of Allegiance

The Pledge of Allegiance was led by Chair Armenta.

Additions and Corrections

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

Add Under Appointments

9.4 Reappoint Hazel Tompkins to the Military & Veterans Affairs Advisory Commission, term ending January 1, 2017. (Supervisor Parker)

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

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker pulled items 25 and 31 for comments.

Sig Matt pulled item 34.1 commented. County Administrative Officer Dr. Lew Bauman responded.

Supervisor Calcagno commented on item 34.1.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno, to approve the Consent Calendar. ALL AYES

Ceremonial Resolutions

3. Adopt Resolution commending Phyllis Earlene McClair, Social Work Supervisor II, on her retirement from over 30 years of dedicated public service with the Monterey County Department of Social Services, Family and Children's Services Branch. (Supervisor Armenta)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to adopt Resolution No. 13-365 commending Phyllis Earlene McClair, Social Work Supervisor II, on her retirement from over 30 years of dedicated

public service with the Monterey County Department of Social Services, Family and Children's Services Branch. (Supervisor Armenta) ALL AYES

4. Adopt Resolution commending Fred Muerer for 26 years of dedicated public service to the City of Monterey. (Supervisor Potter)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to dopt Resolution No. 13-364 commending Fred Muerer for 26 years of dedicated public service to the City of Monterey. (Supervisor Potter). ALL AYES

- 4.1 Adopt Resolution congratulating Ruth Perales, Monterey County District Attorney's Office, upon her retirement. (Supervisor Armenta)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to adopt Resolution No. 13-363 congratulating Ruth Perales, Monterey County District Attorney's Office, upon her retirement. (Supervisor Armenta) ALL AYES

Appointments

5. Appoint Kathleen Ballesteros to the Housing Authority of Monterey County for a term ending April 1, 2018. (Supervisor Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to appoint Kathleen Ballesteros to the Housing Authority of Monterey County for a term ending April 1, 2018. (Supervisor Armenta) ALL AYES

6. ~~Reappoint Hazel Tompkins and Scott Dick to the Military & Veterans Affairs Commission, term ending December 31, 2016. (Full Board) (ITEM REMOVED VIA SUPPLEMENTAL)~~

~~(ITEM REMOVED VIA SUPPLEMENTAL)~~

7. Appoint Ginger Pierce to the Monterey County Workforce Investment Board - Youth Council, term ending December 17, 2015. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to appoint Ginger Pierce to the Monterey County Workforce Investment Board - Youth Council, term ending December 17, 2015. (Full Board) ALL AYES

8. Reappoint Erik Cushman to the Monterey County Workforce Investment Board, term ending December 11, 2016. (Full Board)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to Reappoint Erik Cushman to the Monterey County Workforce Investment Board, term ending December 11, 2016. (Full Board) ALL AYES

9. Appoint Wendi Franscioni to the Area Agency on Aging Advisory Council, term ending January 1, 2016. (Full Board)

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

Simón Salinas to Appoint Wendi Franscioni to the Area Agency on Aging Advisory Council, term ending January 1, 2016. (Full Board) ALL AYES

- 9.1** Reappoint Lance Monosoff to the CSA #50 Citizen's Advisory Committee, term ending January 1, 2017. (Supervisor Potter) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to Reappoint Lance Monosoff to the CSA #50 Citizen's Advisory Committee, term ending January 1, 2017. (Supervisor Potter) (ADDED VIA ADDENDUM) ALL AYES

- 9.2** Reappoint Scott Dick to the Military & Veterans Affairs Advisory Commission, term ending January 1, 2017. (Supervisor Potter) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to Reappoint Scott Dick to the Military & Veterans Affairs Advisory Commission, term ending January 1, 2017. (Supervisor Potter) (ADDED VIA ADDENDUM) ALL AYES

- 9.3** Reappoint Richard Denier to the CSA #50 Citizens Advisory Committee, term ending January 1, 2017. (Supervisor Potter) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to Reappoint Richard Denier to the CSA #50 Citizens Advisory Committee, term ending January 1, 2017. (Supervisor Potter) (ADDED VIA ADDENDUM) ALL AYES

Other Board Matters

- 10.** Board Comments

Supervisor Louis Calcagno announced he will not run for re-election after the conclusion of this term.

- 11.** CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman advised of the previous Board Referral to appoint two board members to an Ad Hoc committee to work with the Community Health Center.

Upon the motion of Supervisor Simon Salinas, seconded by Supervisor Jane Parker approved appointment of Supervisor Armenta and Supervisor Parker to an Ad Hoc Committee to meet and discuss the ongoing relationship between the clinics and Natividad Medical Center. ALL AYES

Assistant County Administrative Officer Nick Chiulos and Chief Hutchinson provided a brief update about the Pfifer Ridge Fire which began last Sunday and is effecting Big Sur residents. Department of Health Director Ray Bullick updated the Board on air quality and environmental concerns. Elliott Robinson, Department of Social Services Director, advised of the sheltering options in place for displaced county residents.

Upon the motion of Supervisor Dave Potter, seconded by Supervisor Jane Parker that: Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code, the Board directed staff to return

this afternoon with a Resolution regarding the Pfifer Ridge Fire Local Emergency, and include direction that staff return on January 7, 2014 with a resolution that allows for disaster assistance from the State and a program that will allow an expedited permitting process for reconstruction for those affected by the fire. **ALL AYES**

12. General Public Comment

MacGregor Eddy; Richard Calhoun; Dr. Craig Walls; Ron Chesshire; Nancy Isakson; Norm Groat; Hans Jongens; Bud Riewerts.

10:30 A.M. - Scheduled Matters

13. a. Consider the recommended County Financial Policies containing County-wide financial principles and strategies for building the Fiscal Year (FY) 2014-15 Recommended Budget and ongoing fiscal management; and
b. Consider the financial strategy to fulfill Board direction established in the Financial Policies to fund the Road Fund through the County Transient Occupancy Tax contribution formula as calculated to maintain roads.

**A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Simón Salinas: a. Considered and approved the recommended County Financial Policies containing County-wide financial principles and strategies for building the Fiscal Year (FY) 2014-15 Recommended Budget and ongoing fiscal management; and
b. Considered and approved the financial strategy to fulfill Board direction established in the Financial Policies to fund the Road Fund through the County Transient Occupancy Tax contribution formula as calculated to maintain roads.
ALL AYES**

14. Consider adoption of an ordinance amending Section 12.24.020 of the Monterey County Code to establish a four-way stop intersection at Jolon Street and Main Street, a four-way stop intersection at Jolon Street and Center Street, and a three-way stop intersection at Jolon Street and College Street in the San Ardo area in the unincorporated area of the County of Monterey.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Ordinance 5228 amending Section 12.24.020 of the Monterey County Code to establish a four-way stop intersection at Jolon Street and Main Street, a four-way stop intersection at Jolon Street and Center Street, and a three-way stop intersection at Jolon Street and College Street in the San Ardo area in the unincorporated area of the County of Monterey. ALL AYES

15. Consider adoption of an ordinance:
a. Amending Section 12.24.010 of the Monterey County Code to designate the following roads as through highways: Barloy Canyon Road from Watkins Gate Road generally southeast to its terminus; Inter-Garrison Road from Reservation Road to Sherman Boulevard, from Sherman Boulevard to Schoonover Road, and from Schoonover Road to its terminus 500 feet east of the centerline of Abrams Drive; Sherman Boulevard from Inter-Garrison

Road to West Camp Street; Watkins Gate Road from West Camp Street generally northeast to its terminus; and West Camp Street from Sherman Boulevard generally southeast to its terminus in the East Garrison area, in the unincorporated area of the County of Monterey; and

b. Amending Section 12.24.020 of the Monterey County Code to establish a three-way stop intersection at Inter-Garrison Road and Sherman Boulevard and a three-way stop intersection at Sherman Boulevard and West Camp Street in the East Garrison area, in the unincorporated area of the County of Monterey.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to adopt Ordinance 5229: a. Amending Section 12.24.010 of the Monterey County Code to designate the following roads as through highways: Barloy Canyon Road from Watkins Gate Road generally southeast to its terminus; Inter-Garrison Road from Reservation Road to Sherman Boulevard, from Sherman Boulevard to Schoonover Road, and from Schoonover Road to its terminus 500 feet east of the centerline of Abrams Drive; Sherman Boulevard from Inter-Garrison Road to West Camp Street; Watkins Gate Road from West Camp Street generally northeast to its terminus; and West Camp Street from Sherman Boulevard generally southeast to its terminus in the East Garrison area, in the unincorporated area of the County of Monterey; and b. Amending Section 12.24.020 of the Monterey County Code to establish a three-way stop intersection at Inter-Garrison Road and Sherman Boulevard and a three-way stop intersection at Sherman Boulevard and West Camp Street in the East Garrison area, in the unincorporated area of the County of Monterey. ALL AYES

16.

a. Consider approval of an agreement with California Coastal Rural Development Corporation (CCRDC) to manage the day-to-day operation of the County's Small Business Revolving Loan Fund (SBRLF) for three years with annual compensation not to exceed \$150,000 in any one year; and

b. Authorize the Director of Economic Development to execute the agreement and any amendments that do not increase the amount payable or significantly change the scope of work.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to a. Approve an agreement with California Coastal Rural Development Corporation (CCRDC) to manage the day-to-day operation of the County's Small Business Revolving Loan Fund (SBRLF) for three years with annual compensation not to exceed \$150,000 in any one year; and b. Authorize the Director of Economic Development to execute the agreement and any amendments that do not increase the amount payable or significantly change the scope of work. ALL AYES

12:00 PM Recess to Lunch and:

**Special Joint Meeting of the Monterey County Board of Supervisors of the Water Resources Agency and the Water Resources Agency Board of Directors
 Monterey Room, 2nd Floor and Board Chamber, 1st Floor, 168 W. Alisal St., Salinas, CA 93901
 (See Separate Agenda)**

2:00 PM Reconvene

Roll Call

**Supervisor Dave Potter left the dais at approximately 2:00 p.m.
 Supervisor Calcagno left the dais at approximately 3:10 p.m.**

Present: 6 - Supervisor Fernando Armenta, Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

Present: 6 - Supervisor Fernando Armenta, Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

2:00 P.M. - Scheduled Matters

- 17. Public hearing to consider adoption of an ordinance:
 - a. Making express findings regarding amendments to the 2013 California Building Standards Code that are reasonably necessary due to local climatic, geological or topographic conditions pursuant to Sections 17958.7 and 18941.5 of the Health And Safety Code;
 - b. Amending Chapter 1.22 relating to code enforcement and repealing Chapters 18.01, 18.02, 18.03, 18.04, 18.05, 18.06, 18.07, 18.08, 18.09, 18.10, 18.11, 18.12, 18.13, 18.16, 18.17, and 18.52 and adding chapters 18.00, 18.01, 18.02, 18.02.5, 18.03, 18.04, 18.05, 18.06, 18.08, 18.09, 18.10, 18.11, 18.12, 18.13 and 18.16 of the Monterey County Code relating to adoption of the 2013 edition of the California Building Standards Code with local amendments with related administrative and enforcement provisions; and
 - c. Establishing the Building Standards Appeals Board, to be appointed by the Board of Supervisors, to hear matters and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the County’s Building Codes.

Pursuant to the request of staff, a motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to continue this item to January 7, 2014. 3-0 (Supervisors Potter and Calcagno Absent)

- 18. Public hearing to consider:
 - a. Adopting an ordinance adding Section 320 to Chapter 21.64 of the Monterey County Code to establish regulations relating to the issuance of land use permits and entitlements for development utilizing private roads in the inland unincorporated areas of Monterey County;

- b. Adopting a Resolution of Intent to adopt an ordinance adding Section 320 to Chapter 20.64 of Title 20 (The Coastal Implementation Plan Part 1) of the Monterey County Code to establish regulations relating to the issuance of land use permits and entitlements for development utilizing private roads in the Coastal Zone; and
- c. Finding the actions categorically exempt under the California Environmental Quality Act; and
- d. Directing staff to submit the Resolution of Intent to amend the Coastal Implementation Plan to the California Coastal Commission for certification. (Proof of Access, PLN060127/Inland, REF130084/Coastal, County-wide)

Staff advised of corrections to typographical errors in the ordinance on page 4, Sections 21.64.320 (D)(3)(b) and 20.64.320 (D)(3)(b).

Public comment: Margaret Robbins; C.W. Freeman; Michael Waxer, Peter Eichorn; Michael Herrington.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to continue this matter to February 26, 2014. 3-0 (Supervisors Potter and Calcagno Absent)

19. Consider authorizing the Purchasing Manager for Natividad Medical Center (NMC) to execute the Letter Agreement to extend the Professional Services Agreement (A-12154) with Precision Orthopedics to provide orthopedic services at NMC extending the term an additional one hundred twenty (120) days to April 30, 2014.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to: Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Letter Agreement (A-12154) to extend the Professional Services Agreement (A-12154) with Precision Orthopedics to provide orthopedic services at NMC extending the term an additional one hundred twenty (120) days to April 30, 2014. 3-0 (Supervisors Potter and Calcagno Absent)

20. a. Consider authorizing the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to Professional Medical Services Agreement with Ventana Faculty Medical Associates of Monterey County to provide Family Medicine Services at NMC extending the term of the Agreement January 1, 2014 to December 31, 2015 and adding \$2,055,000 to the extended period, for a revised total amount not to exceed \$4,110,000 in the aggregate (for the period January 1, 2012 to December 31, 2015); and
- b. Authorize the Purchasing Manager for NMC to sign up to three (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.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to: a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to Professional Medical Services Agreement (A-12615) with Ventana Faculty Medical Associates of Monterey County to provide Family Medicine Services at NMC extending the term of the Agreement January 1, 2014 to December 31, 2015 and adding \$2,055,000 to the

extended period, for a revised total amount not to exceed \$4,110,000 in the aggregate (for the period January 1, 2012 to December 31, 2015); and
b. Authorize the Purchasing Manager for NMC to sign up to three (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. 3-0 (Supervisors Potter and Calcagno Absent)

21. Consider authorizing the Purchasing Manager for Natividad Medical Center (NMC) to approve the First Amendment to Professional Services Agreement with Jackson & Coker to provide referrals of locum tenens physicians at NMC, replacing the existing rate sheet in the current Agreement to add additional specialties and make non-substantial changes to existing specialties, for the period May 9, 2013 to March 31, 2014, without increasing the not to exceed amount of \$200,000 or extending the term of the Agreement.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to: Authorize the Purchasing Manager for Natividad Medical Center (NMC) to approve the First Amendment to Professional Services Agreement (A-12616) with Jackson & Coker to provide referrals of locum tenens physicians at NMC, replacing the existing rate sheet in the current Agreement to add additional specialties and make non-substantial changes to existing specialties, for the period May 9, 2013 to March 31, 2014, without increasing the not to exceed amount of \$200,000 or extending the term of the Agreement. 3-0 (Supervisors Potter and Calcagno Absent)

22. a. Consider authorizing the Purchasing Manager for Natividad Medical Center (NMC) to execute the Ninth Amendment to the Professional Services Agreement (A-11427) with Medical Doctor Associates (MDA) to provide locum tenens services at NMC adding \$500,000, for a revised total Agreement amount not to exceed \$2,300,000 in the aggregate (for the period February 1, 2009 to June 30, 2014); and
b. Authorize the Purchasing Manager for NMC to execute to sign up to three (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.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to: a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Ninth Amendment (A-11427) to the Professional Services Agreement (A-11427) with Medical Doctor Associates (MDA) to provide locum tenens services at NMC adding \$500,000, for a revised total Agreement amount not to exceed \$2,300,000 in the aggregate (for the period February 1, 2009 to June 30, 2014); and
b. Authorize the Purchasing Manager for NMC to execute to sign up to three (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. 3-0 (Supervisors Potter and Calcagno Absent)**

23. a. Consider authorizing the Purchasing Manager for Natividad Medical Center (NMC) to execute the Professional Medical Services Agreement with Monterey Anesthesia Professionals (MAP) to provide anesthesia services at NMC for the period January 1, 2014 to December 31, 2016 for a total amount not to exceed

\$10,192,705 in the aggregate in accordance with RFP #10431; and

b. Authorize the Purchasing Manager for NMC to sign up to three (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.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to: a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Professional Medical Services Agreement (A-12617) with Monterey Anesthesia Professionals (MAP) to provide anesthesia services at NMC for the period January 1, 2014 to December 31, 2016 for a total amount not to exceed \$10,192,705 in the aggregate in accordance with RFP #10431; and

b. Authorize the Purchasing Manager for NMC to sign up to three (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. 3-0 (Supervisors Potter and Calcagno Absent)

23.1

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

Public comment: Jyl Lutes.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker Adopted Resolution No. 13-371 In the Matter of the Salinas Valley Solid Waste Authority Revenue Bonds, Series 2013, and the County's Notices of Intent to Withdraw from the Authority and the related Waste Delivery Agreement; and

SECTION 1 The County hereby approves the issuance not to exceed \$38,000,000 aggregate principal amount of Salinas Valley Solid Waste Authority Refunding Revenue Bonds, Series 2013 (the "Bonds"), pursuant to Section 147(f)(2) of the Code.

SECTION 2 Pursuant to the Bond Law, the County hereby finds and determines that "significant public benefits" will be experienced by the County and its residents from the issuance of the Bonds and the financing of the Project, including without limitation demonstrable savings in effective interest rate and other bond related costs associated with the delivery of waste disposal services to residential and commercial development within the County's boundaries.

SECTION 3 The Bonds, if any are issued by the Salinas Valley Solid Waste Authority, will be special revenue obligations only of the Authority and will be secured by revenues pledged to repayment thereof by the Authority, and certain other assets of the Authority, but shall not be general obligations of the Authority, the County or the State of California (the "State") for which is pledged the taxing power or the full faith and credit of the Authority, the County or the State. The County, the State and the other members of the Authority will not be obligated to pay, or otherwise be liable for, the payments due on the Bonds.

SECTION 4 The Board of Supervisors hereby approves the Member Refunding Bonds Actions (including without limitation the rescission for all purposes of the Withdrawal Notice pertaining to the JPA Agreement and the Waste Delivery Agreement) and directs the Chief Administrative Officer or his/her written designee, the Chair or Vice-Chair, the Clerk of the Board or any Deputy Clerk of the Board, County Counsel and/or any other authorized officer thereof ("Authorized Officer") to execute and deliver as part of the Member Refunding Bonds Actions such documents, certificates, agreements, opinion letters (in the

case of County Counsel) or other instruments (the "Other Instruments") as may be reasonably requested by the Authority to facilitate the issuance of the Refunding Bonds, including but not limited to further amendments to the Waste Delivery Agreement or estoppel certificates with respect to the JPA Agreement, the Waste Delivery Agreement and the rescission of the Withdrawal Notice; provided, however, that such authority and direction is granted solely and exclusively if, in the opinion of the Chief Administrative Officer and County Counsel, such Other Instruments do not modify or eliminate material rights of the County under the JPA Agreement, Waste Delivery Agreement, or other related agreements. Without limiting the generality of the foregoing, the Amendment to Waste Delivery Agreement attached hereto as Exhibit A is hereby approved in substantially the form presented and any Authorized Officer (other than County Counsel) is hereby authorized and directed to execute and deliver such instrument in substantially the form presented subject to such further changes as may be consistent with the purposes and limitations of this resolution, such Authorized Officer's execution thereof to be conclusive evidence of such approval.

SECTION 5 The Board of Supervisors having requested, and the Authority Board of Directors having adopted and delivered its Resolution No. 2013-32 setting forth the following covenants: a) that, to the extent permitted by law and barring unforeseen exigent circumstances, the Authority shall not raise rates or impose new rates for the disposal or processing of waste of any kind at any facilities owned, controlled, managed or leased by the Authority (including without limitation tipping fees or AB 939 fees) through and including June 30, 2015, without the express approval of the County's representatives to the Authority's Board of Directors in attendance at a meeting of the Authority's Board where such action is considered, other than implementation of the previously approved rate increase effective July 1, 2013; b) the Authority shall participate in and fund its fair share of a Regional Solid Waste Study; and c) the Authority shall not pursue an autoclave, or other developmental or experimental waste disposal technologies, including but not limited to the expenditure of funds on planning or siting activities, except for the biomethane pilot program, and economic and environmental analyses for alternate locations for a future transfer station and a materials processing and recovery facility, through and including June 30, 2015, without the express approval of the County's representatives to the Authority's Board of Directors in attendance at a meeting of the Authority's Board where such action is considered; the County hereby accepts those covenants and this resolution shall take effect immediately.

SECTION 6 This Resolution amends and supersedes Resolution No. 13-355, adopted on December 3, 2013. 3-1 (Supervisor Calcagno dissented; Supervisor Potter Absent)

23.1.1

In the Matter of Proclaiming the Existence of a Local Emergency within Monterey County and Request for Assistance from the State of California (Pfifer Ridge Fire)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to adopt Resolution No. 13-372 - A Proclamation of a Location Emergency and a request for assistance from the State of California by the Monterey County Board of Supervisors; directed staff to return on January 7, 2014 with a resolution that allows for disaster assistance from the State and a program that will allow an expedited permitting process for reconstruction for those affected by the fire. ALL AYES. ALL AYES

Adjournment

In Memory of Roosevelt "Doc" Holliday

APPROVED:

/ s/ Mary L. Adams

**MARY L. ADAMS, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: / s/ Gail T. Borkowski

GAIL T. BORKOWSKI

CLERK OF THE BOARD

APPROVED: August 29, 2017

Supplemental Sheet, Consent Calendar**Criminal Justice**

- 23.2 Approve and authorize the Monterey County Sheriff's Office to execute a contract for the purchase of a Cessna 206 surveillance aircraft from San Mateo County Sheriff's Office. (ADDED VIA ADDENDUM)

Approved

General Government

24. a. Amend the Department of Child Support Services Budget to add two (2) FTE's, one (1) Department Information System Manager, class code 16F40 and one (1) Departmental Information System Coordinator, class code 43J05 that are required allocations to meet the Department's needs for Information Systems management and operational support; and
b. Authorize the County Administrative Office to incorporate the new positions in the Department of Child Support Services FY 2013-2014 Adopted Budget.

Approved

25. a. Approve and authorize the Contracts/Purchasing Office to execute an Agreement with Siteimprove, Inc. for the provision of support services in the administration of the County website in the amount of \$4,620 for the period of January 2, 2014 through January 1, 2015;
b. Accept non-standard contract provisions as recommended by the Director of Information Technology; and
c. Authorize the Contracts/Purchasing Officer to sign renewals to the yearly subscription under the same or similar terms as needed.

Approved- Agreement No. A-12618

26. a. Approve and authorize the Contracts/Purchasing Officer to execute on behalf of County of Monterey the quote for the VRT subscription Rules License Agreement between the County of Monterey and Sourcefire, Inc. for the period of September 29, 2013 through September 28, 2014 for the yearly provision of a subscription to the Snort application in the total amount of \$5,187;
b. Accept non-standard contract provisions as recommended by the Director of Information Technology; and
c. Authorize the Contracts/Purchasing Officer to exercise the renewal options to the Subscription yearly under the same or similar terms.

Approved - Agreement No. A-12619

27. a. Approve the Agreement between the Parks Foundation of Monterey County, a

nonprofit corporation, and the Monterey County Parks Department for an additional 10-Year term; and

b. Authorize Board Chair to sign the Agreement.

Approved - Agreement No. A-12620

- 28.** Authorize acceptance of work and file a combined Notice of Completion for the second and third quarters of the annual maintenance of interior Park roadways at Laguna Seca Recreation Area for calendar year 2013, Bid No. 10407.

Approved - Construction No. 2013-001

- 29.**
- a. Approve and authorize the Contracts/Purchasing Office to sign Amendment No. 2 with Social Policy Research Associates to provide Consulting Services for the development of an integrated gang violence prevention action plan for an additional amount of \$42,486, for a not to exceed total of \$178,484; and
 - b. Approve a transfer of \$139,208 from General Fund Contingencies, Appropriation Unit CAO020 to CAO Administration, Appropriation Unit CAO001; and
 - c. Approve and authorize the Auditor-Controller to increase appropriations CAO-Administration, Appropriation Unit CAO001 and decrease appropriations in the amount of \$139,208 General Fund Contingencies, Appropriation Unit CAO020 (4/5th Vote Required).

Approved - Agreement No. A-12621

- 30.**
- a. Amend the Personnel Policies and Practices Resolution (PPPR) No. 98-394 to add the classification of Digital Forensic Investigator (43G05) and establish the salary range as indicated in the attached resolution;
 - b. Authorize the Human Resources Department to implement the change in the Advantage HRM system;
 - c. Amend the District Attorney's Office Budget Unit 2240-8063, to reallocate one (1) To Be Determined (TBD) FTE to one (1) Digital Forensic Investigator (43G05) FTE; and
 - d. Authorize the County Administrative Office and the Auditor/Controller to incorporate the changes into the FY 2013-14 2240-8063 adopted budget to reflect the change in position counts as indicated in attachment A.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-368 to:

- a. Amend the Personnel Policies and Practices Resolution (PPPR) No. 98-394 to add the classification of Digital Forensic Investigator (43G05) and establish the salary range as indicated in the attached resolution;**
- b. Authorize the Human Resources Department to implement the change in the Advantage HRM system;**
- c. Amend the District Attorney's Office Budget Unit 2240-8063, to reallocate one (1) To Be Determined (TBD) FTE to one (1) Digital Forensic Investigator (43G05) FTE; and**
- d. Authorize the County Administrative Office and the Auditor/Controller to**

incorporate the changes into the FY 2013-14 2240-8063 adopted budget to reflect the change in position counts as indicated in attachment A. ALL AYES

31. a. Approve and authorize the Contracts/Purchasing Officer to execute a Master Product License Agreement and yearly Product Schedule with UNICOM Systems, Inc. for the provision of software subscription and maintenance/support in the yearly amount not to exceed \$50,000, with an effective date of September 5, 2013;
- b. Accept non-standard contract provisions as recommended by the Director of Information Technology; and
- c. Authorize the Contracts/Purchasing Officer to sign future Product Schedules in an amount not to exceed \$50,000 and issue purchase orders under the same or similar terms as needed.

Approved - Agreement No. A-12622

32. Adopt a Resolution Which (a) Elects to Receive 2013 Secure Rural Schools and Communities Act (SRSCA) Funding; and (b) Elects to 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 Louis R. Calcagno to adopt Resolution No. 13-368 Which (a) Elects to Receive 2013 Secure Rural Schools and Communities Act (SRSCA) Funding; and (b) Elects to Use 100-percent of the funds received for public roads and schools under Title I of the SRSCA. ALL AYES

33. Authorize the Auditor-Controller to amend the FY 2013-14 budget for the District Attorney; increasing revenues by \$128,773 in DIS001 and increasing revenues and appropriations by \$257,546 in DIS022 (4/5ths vote required).

Approved

34. a. Approve and authorize the Contracts/Purchasing Officer to execute on behalf of County of Monterey a Master Ordering Agreement with ServiceNow, Inc. in the amount of \$566,382 for the period of December 17, 2013 through December 16, 2016 for the provision of software subscription, software maintenance/support, and implementation services;
- b. Approve and authorize the use of the Information Technology Designation account in the amount of \$290,381 for Fiscal Year 2013-14 ;
- c. Authorize the Auditor Controller to increase appropriations in the amount of \$290,381 for Fiscal Year 2013-14; and
- d. Authorize the Contracts/Purchasing Officer to sign future renewals to the Service Agreement under the same or similar terms as recommended by the Director of Information Technology.

Approved - Agreement No. A-12623

- 34.1 Authorize Amendment No. 3 to Agreement with Aromas Water District for the funding of engineering and other work for the formation of an assessment district in

the Oak Ridge and Via Del Sol areas, and connection to the Aromas Water District system. (ADDED VIA ADDENDUM)

Approved - Agreement No. A-12624

RMA - Planning

35. a. Accept the Conservation and Scenic Easement Deed for a portion of the property where sensitive habitat (maritime chaparral) and slopes exceed twenty five percent will remain undisturbed from any future development;
- b. Authorize the Chair to execute the Conservation and Scenic Easement Deed; and
- c. Direct the Clerk of the Board to submit the Conservation and Scenic Easement Deed to the County Recorder for recording.
- (Conservation and Scenic Easement Deed - PLN040476 WZ USA Group Inc. a California Corporation, 60 Desmond Road, North County area Coastal Zone.)

Approved

RMA - Public Works

36. Adopt a Resolution:
- a. Accepting the Certificate of Completion for the implementation of Addendum No. 3 to provide implementation of additional energy efficiency measures described generally as Mechanical Systems Controls Marina Coastal Office, Project No. 8550, performed by Honeywell International, Inc.; and
- b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Addendum No. 3 Additional Energy Efficiency Measures work, Project No. 8550, performed by Honeywell International, Inc.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-370:

- a. Accepting the Certificate of Completion for the implementation of Addendum No. 3 to provide implementation of additional energy efficiency measures described generally as Mechanical Systems Controls Marina Coastal Office, Project No. 8550, performed by Honeywell International, Inc.; and**
- b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Addendum No. 3 Additional Energy Efficiency Measures work, Project No. 8550, performed by Honeywell International, Inc. ALL AYES**

37. a. Approve Amendment No. 2 to Professional Services Agreement No. A-12164 with Kimley-Horn and Associates, Inc. to expand the study area of the Carmel Valley Road Corridor from Laureles Grade to Boronda Road. Amendment No. 2 will increase the Professional Services Agreement by \$12,090, for a total amount not to exceed \$364,343, and extend the term to December 31, 2014; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 2 to Professional Services Agreement No. A-12164, and up to three (3) future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Approved - Agreement No. A-12164

38. a. Approve Professional Services Agreement with Page & Turnbull, Inc. to provide an Adaptive Reuse Feasibility Study for the Old County Jail located at 142 West Alisal Street, Salinas CA, Project No. 8850, RFP No. 10438, in an amount not to exceed \$119,700, for a term of December 16, 2013 to June 13, 2014, in accordance with the terms and conditions of the Agreement; and
- b. Authorize the Contracts/Purchasing Officer to execute the Professional Services Agreement and up to three (3) future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

Approved - Agreement No. A-12624

39. a. Approve and authorize the Contracts/Purchasing Officer to execute an Agreement with E.J. WARD INC. to provide a Fleet Fuel Management System to the County of Monterey for the initial term beginning December 3, 2013 through and including December 3, 2018, with an aggregate value estimated not to exceed \$450,000; and
- b. Authorize the Contracts/Purchasing Officer to execute up to three (3) future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement annual rates of more than fifteen percent (15%).

Approved - Agreement No. A-12625

40. Introduce, waive the reading, and set January 7, 2014 at 1:30 p.m. as the date and time to consider adoption of an ordinance renewing the County of Monterey's grant of a nonexclusive franchise pursuant to Ordinance No. 1278 to the California-American Water Company for a period of twenty-five (25) years on the terms specified, including the right to install and thereafter maintain, replace, and use underground water pipelines and appurtenances for the distribution of water to the public for any and all purposes in so many and such parts of the public highways, roads, streets, and ways within the unincorporated territory of Monterey County, and adding pipelines for the collection of wastewater to the franchise.

Approved

41. a. Approve Amendment No. 3 to Professional Services Agreement MYA#3000*183 with Kleinfelder West, Inc. to continue to provide on-call geotechnical engineering services (RFQ #10249), in the amount of \$50,000 for a total amount not to exceed \$150,000 for a term to September 1, 2014, with the option to extend the Agreement for two (2) additional one (1) year periods, in accordance with the terms and conditions of the Agreement;
- b. Approve Amendment No. 2 to Professional Services Agreement MYA#3000*186 with Pacific Crest Engineering, Inc., to Professional Services

Agreement MYA#3000*187 with Professional Service Industries, Inc., to Professional Services Agreement MYA#3000*188 with RMA Group, Inc., and to Professional Services Agreement MYA#3000*192 with Twining, Inc. to continue to provide on-call geotechnical engineering services (RFQ #10249), in the amount of \$50,000 for a total amount not to exceed \$150,000 for a term to September 1, 2014, with the option to extend the Agreement for two (2) additional one (1) year periods, in accordance with the terms and conditions of the Agreement; and

c. Authorize the Contracts/Purchasing Officer to execute the Amendments to the Professional Services Agreements and up to three (3) future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

Approved - Agreement Nos. A-12626 (Kleinfelder West, Inc.); A-12627 (Pacific Crest Engineering, Inc.); A-12628 (Professional Services Industries, Inc.); A-12629 (RMA Group); A-12630 (Twining, Inc.)