

Monterey County

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



Action Minutes - Final

Tuesday, July 31, 2012

9:00 AM

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 Jane Parker and Supervisor Simón Salinas

Additions and Corrections for Closed Session

There were no additions or corrections to Close 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) LandWatch Monterey County v. County of Monterey (Monterey County Superior Court case no. M109434)
 - (2) The Open Monterey Project v. Monterey County Board of Supervisors (Monterey County Superior Court case no. M109441)
 - (3) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey (Monterey County Superior Court case no. M109442)
 - (4) Salinas Valley Water Coalition, et al. v. County of Monterey (Monterey County Superior Court case no. M109451)
 - b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
 - c. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
 - (1) Guillermina Ortiz Saenz
 - (2) Keaton Belliston, et al.
 - ~~d. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.~~
REMOVED VIA SUPPLEMENTAL/ADDENDUM
 - e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: Elliott Robinson and Fran Buchanan
Employee Organization(s): IHSS Unit

f. Pursuant to Government code section 54957, the Board will confer regarding discipline, dismissal, or release of a public employee.

g. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the County Administrative Officer. ADDED VIA ADDENDUM

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) LandWatch Monterey County v. County of Monterey (Monterey County Superior Court case no. M109434)

(2) The Open Monterey Project v. Monterey County Board of Supervisors (Monterey County Superior Court case no. M109441)

(3) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey (Monterey County Superior Court case no. M109442)

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

CLOSED SESSION REPORT: The Board took no reportable actions.

b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

CLOSED SESSION REPORT: The Board took no reportable action.

c. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding liability claims against the County of Monterey.

(1) Guillermina Ortiz Saenz

CLOSED SESSION REPORT: The Board authorized settlement of the claim of Guillermina Ortiz Saenz. The settlement agreement will be available in the office of County Counsel when it has been fully executed.

(2) Keaton Belliston, et al.

CLOSED SESSION REPORT: The Board voted unanimously to reject the claim of Keaton Belliston, et al.

d. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

CLOSED SESSION REPORT: This item was removed via the Supplemental Agenda.

e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:

**(1) Designated representatives: Elliott Robinson and Fran Buchanan
Employee Organization(s): IHSS Unit**

CLOSED SESSION REPORT: The Board conferred with labor negotiators and approved the Unit agreement in both open and Closed session. It is also understood that the labor unit also approved the agreement.

f. Pursuant to Government Code section 54957, the Board will confer regarding discipline, dismissal, or release of a public employee.

CLOSED SESSION REPORT: The Board took no reportable action.

g. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the County Administrative Officer (ADDED VIA ADDENDUM)

CLOSED SESSION REPORT: The Board took no reportable action.

10:30 AM Reconvene

Roll Call

Present: Joan Chu, Interpreter

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

Pledge of Allegiance

The Pledge of Allegiance was led by County Counsel Charles McKee.

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 additions and corrections:

Remove from 1:30 p.m. Scheduled Matters

11. Accept an oral presentation from the Interim Health Officer and the Program Manager of the Planning, Evaluation and Policy Unit regarding County support for Early Childhood Development, as requested by Board of Supervisors Referral #2012.04.

A motion was made by Supervisor Simon Salinas, seconded by Supervisor Fernando Armenta to approve the Corrections to the Agenda. ALL AYES

Consent Calendar- (See Supplemental Sheet)

2. Approve Consent Calendar - Regular (See Supplemental Sheet, item 14 through 32)

Supervisor Calcagno pulled item 27.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, to approve the Consent Calendar - Regular, with the exception of item 27. ALL AYES

Ceremonial Resolutions

3. Resolution proclaiming the Month of August 2012 as "Breastfeeding Awareness Month" in the County of Monterey. (Supervisor Potter)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 12-174. ALL AYES

4. Resolution commending David E. Lutes for his 25 years of dedicated public service

to the County of Monterey. (Supervisor Potter)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 12-175. ALL AYES

- 4.1 Adopt Resolution declaring August 2012 as “Child Support Awareness Month” in Monterey County. (Supervisor Potter) ADDED VIA ADDENDUM

A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 12-214. ALL AYES

8. Legislative Update by Assemblymember Luis Alejo

The Board received a Legislative Update from Assemblymember Luis Alejo.

Other Board Matters

5. Board Comments

Supervisor Armenta thanked the Board and staff for negotiating the agreement with SEIU 6434. He also thanked the patients and providers for making sure there is a well-run healthcare system in Monterey County.

Supervisor Parker announced a meeting on Thursday, August 2nd from 5:30 - 8:00 pm p.m. at Chartwell School in Seaside (LEED Platinum certified facility) called Designing Sustainable and Healthy Communities and will feature a great panel of speakers.

Supervisor Parker acknowledged the resolution for Breast Feeding Awareness Month and advised of additional activities for those interested in breast feeding awareness, including a walk event hosted by WIC and Baby Moon is hosting "The Big Latch-On" event on Saturday at 10:00 am in Pacific Grove. She also announced the West End Celebration in Sand City event on August 24-26th celebrating diversity, art, dance, food, and music.

6. CAO Comments and Referrals

There were no CAO referrals.

7. Public Comment

Mario Torres; Raquel Toribio; Dan Tichenor; Frank Dornan; Hans Jongens.

9. Consider appointment of Berkley Brannon to the Monterey County Law Library Board of Trustees. (Chair Potter)

A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Jane Parker, that this Appointment be approved. ALL AYES

Scheduled Matters

10. Public hearing to:
a. Adopt a Resolution to approve an additional two year extension request for

an approved Lot Line Adjustment for Michael and Vicky Wing (Permit No. PLN050620, Board of Supervisors Resolution No.07-0340); and
 b. Amend Conditions of Approval adopted per Resolution No. 07-340. (Williamson Act - PLN110514/Wing, 73000 Highway 198, Coalinga, South County Area)

Public hearing held and a motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to:

- a. Adopt Resolution No. 12-230 to approve an additional two year extension request for an approved Lot Line Adjustment for Michael and Vicky Wing (Permit No. PLN050620, Board of Supervisors Resolution No.07-0340); and
- b. Amend Conditions of Approval adopted per Resolution No. 07-340, including a correction to Resolution Exhibit C, changing the date from July 24, 2012 to July 31, 2012. (Williamson Act - PLN110514/Wing, 73000 Highway 198, Coalinga, South County Area) ALL AYES

12:00 PM - Recess to Lunch and Joint Meeting of the Board of Supervisors of the Monterey County Water Resources Agency and the Monterey County Water Resources Agency Board of Directors - See the Water Resources Agency Minutes for Actions.

1:30 PM Reconvene - Monterey County Board of Supervisors

Roll Call

Scheduled Matters

11. Accept an oral presentation from the Interim Health Officer and the Program Manager of the Planning, Evaluation and Policy Unit regarding County support for Early Childhood Development, as requested by Board of Supervisors Referral #2012.04.

REMOVED VIA ADDITIONS AND CORRECTIONS

12. Conduct a public hearing to consider and approve:
 a. Nursing Program Grant Agreement (“Agreement”) with Hartnell College Foundation to provide Hartnell Community College District with Grant funds to meet the direct costs of the Nursing Program of the Hartnell Community College, in an amount not to exceed \$175,000 for the period July 31, 2012 to June 30, 2013, with an option for Natividad Medical Center to extend term for up to two additional years (4/5th Vote Required); and
 b. Resolution finding that the expenditure of funds from the Natividad Medical Center (“NMC”) Fiscal Year 2012/2013 Budget to underwrite the Agreement has a direct and primary public purpose, benefiting Monterey County, in general, and Natividad Medical Center (“NMC”), in particular (4/5th Vote Required); and
 c. Authorizing the Purchasing Manager for NMC to execute the Agreement in an amount not to exceed \$175,000 for the period July 31, 2012 to June 30,

~~2013 (4/5th Vote Required)~~—REMOVED VIA SUPPLEMENTAL

12.1

Conduct a public hearing to consider and approve:

- a. Nursing Program Grant Agreement (“Agreement”) with Hartnell College Foundation to provide Hartnell Community College District with Grant funds to meet the direct costs of the Nursing Program of Hartnell Community College, in an amount not to exceed \$175,000 for the period July 31, 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); and
- b. Letter Agreement with Hartnell Community College District authorizing release of College faculty members from Nursing Program to work on-site at on NMC projects for the period July 31, 2012 to June 30, 2013 and for an additional two years should the Agreement with Hartnell College Foundation be extended (4/5 Vote Required).
- c. 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, in particular (4/5th Vote Required);
- d. Authorizing the Purchasing Manager for NMC to execute the Agreement with Hartnell College Foundation in an amount not to exceed \$175,000 for the period July 31, 2012 to June 30, 2013, with an option for NMC to extend term for up to two additional years (4/5th Vote Required); and
- e. Authorizing the Purchasing Manager for NMC to execute the Letter Agreement with Hartnell Community College District authorizing release of College faculty members from the Nursing Program to work on-site at NMC on NMC projects for the period July 31, 2012 to June 30, 2013 and for an additional two years should the Agreement with Hartnell College Foundation be extended (4/5 Vote Required).

ADDED VIA ADDENDUM

Conducted a public hearing; considered and approved:

a. Nursing Program Grant Agreement (Agreement No. A-12268) with Hartnell College Foundation to provide Hartnell Community College District with Grant funds to meet the direct costs of the Nursing Program of Hartnell Community College, in an amount not to exceed \$175,000 for the period July 31, 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); and

b. Letter Agreement with Hartnell Community College District authorizing release of College faculty members from Nursing Program to work on-site at on NMC projects for the period July 31, 2012 to June 30, 2013 and for an additional two years should the Agreement with Hartnell College Foundation be extended (4/5 Vote Required)

c. Adopted Resolution No. 12-218 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, in particular (4/5th Vote Required);

d. Authorizing the Purchasing Manager for NMC to execute the Agreement with Hartnell College Foundation in an amount not to exceed \$175,000 for the period July 31, 2012 to June 30, 2013, with an option for NMC to extend term for up to two additional years (4/5th Vote Required); and

e. Authorizing the Purchasing Manager for NMC to execute the Letter Agreement with Hartnell Community College District authorizing release of College faculty members from the Nursing Program to work on-site at NMC on NMC projects for the period July 31, 2012 to June 30, 2013 and for an additional two years should the Agreement with Hartnell College Foundation be extended (4/5 Vote Required). A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Simón Salinas, that this BoS Agreement be approved. ALL AYES

13.

Public hearing to consider actions pertaining to the Camphora Apartment Replacement Project, including:

- a. Adoption of a Negative Declaration;
- b. Adoption of an Ordinance to rezone a 4.6 acre parcel to add an Affordable Housing Overlay (AHO) Zoning District to the existing F/40 Farmland Zoning designation; and
- c. Approve a Use Permit to allow for the demolition of 44 substandard farmworker housing units and the construction of 44 new farmworker housing units.

(Rezone and Use Permit - PLN100446/Camphora Apartment Replacement Project, 32101 McCoy Road, Soledad, Central Salinas Valley Area Plan)

Public hearing held to consider actions pertaining to the Camphora Apartment Replacement Project:

- a. **Adopted Resolution No. 12-219 a Negative Declaration;**
- b. **Adopted Ordinance 5205 to rezone a 4.6 acre parcel to add an Affordable Housing Overlay (AHO) Zoning District to the existing F/40 Farmland Zoning designation; and**
- c. **Adopted Resolution No. 12-221 to Approve a Use Permit to allow for the demolition of 44 substandard farmworker housing units and the construction of 44 new farmworker housing units.**

(Rezone and Use Permit - PLN100446/Camphora Apartment Replacement Project, 32101 McCoy Road, Soledad, Central Salinas Valley Area Plan)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter. ALL AYES

13.1

Public hearing to consider adoption of a Resolution of Intent to:

- a. Find the proposed ordinance statutorily exempt
- b. 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;

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

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

(REF120004, Elimination of Minor and Standard Subdivision Committees, Coastal Ordinance Amendments, Coastal Zone)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, to continue this item to August 28, 2012. ALL AYES

Adjournment

APPROVED:

**FERNANDO ARMENTA, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

**BY: _____
GAIL T. BORKOWSKI
CLERK OF THE BOARD**

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

14. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement with Advanced Gastroenterology of Monterey County to provide gastroenterology services at NMC, extending the Agreement to July 31, 2013 and adding \$180,000 for a revised total Agreement amount not to exceed \$380,000 in the aggregate.

Approved - Agreement No. A-12155

15. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement with Salinas Valley Plastic Surgery Associates to provide plastic surgery services at NMC, extending the Agreement to August 31, 2013 and adding \$200,000 for a revised total Agreement amount not to exceed \$400,000 in the aggregate.

Approved - Agreement No. A-11850

16. a. Approve the Plans and Specifications for the Natividad Medical Center, Project #9600-28 - Building 500, Emergency Department Exterior Door Replacement, Bid #NMC-1003 for contractors to bid on construction; and
b. Authorize the Clerk of the Board to advertise the "Notice to Contractors" in *The Californian* on August 6, and 13, 2012.

Approved - Construction No. 2012-015

Health and Social Services

17. a. Approve and authorize the Director of Health to sign a Mental Health Services Agreement (February 1, 2012-June 30, 2012, FY 2012-13 and FY 2013-14) with Chamberlain's Children Center for the provision of mental health services in the amount of \$81,226.92 for FY 2011-12, \$196,340.80 for FY 2012-13 and \$196,340.80 for FY 2013-14, for a total of \$473,908.52, for the period February 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-12287

18. Adopt the Monterey County FY 2012-13 Mental Health Services Act Annual Update.

Approved

19. a. Approve and authorize the Director of the Department of Social and Employment Services, or his designee, to sign an agreement with Moss Beach Homes/dba Aspiranet for \$172,000 for the operation of the CHERISH Receiving Center 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-12279

20. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign a contract with Alisal Union School District for \$101,250 to provide meals to Monterey County seniors for the period July 1, 2012 through 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 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-12280

21. a. Reallocate a vacant 1.0 FTE Supervising Office Assistant II to a 1.0 FTE Chronic Disease Prevention Specialist II in Health Department Budget Unit HEA003-8124; and
b. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2012-13 Adopted Budget.

Approved

- 21.1 Approve and adopt a tentative agreement with Service Employees International Union (SEIU) United Long Term Care Workers , representing In Home Supportive Services Providers for a new Memorandum of Understanding (MOU) for the period of March 1, 2012 through December 31, 2013.

Approved

General Government

22. Approve a Resolution:
a. Approving the Office of Emergency Services to submit an application in the amount of \$368,431 for the Homeland Security Fiscal Year (FY) 2012 Grant Program; and,
b. Designating and authorizing as Monterey County representatives, the appropriate Auditor-Controller staff, Emergency Services Manager and Planner to execute grant documents.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 12-216:

- a. Approving the Office of Emergency Services to submit an application in the amount of \$368,431 for the Homeland Security Fiscal Year (FY) 2012 Grant Program; and,
b. Designating and authorizing as Monterey County representatives, the appropriate Auditor-Controller staff, Emergency Services Manager and Planner to execute grant documents. ALL AYES

23. Approve a Resolution designating County staff positions to authorize and execute documents and applications for the purpose of obtaining financial assistance with the Fiscal Year 2012 Emergency Management Performance Grant.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 12-217 designating County staff positions to authorize and execute documents and applications for the purpose of obtaining financial assistance with the Fiscal Year 2012 Emergency Management Performance Grant. ALL AYES

24. a. Approve an Agreement with the Monterey County Historical Society for the Care, Custody and Control of Certain Records.
b. Authorize the Chair of the Board to sign the agreement.

Approved - Agreement No. A-12289

25. Adopt a Resolution supporting the County of Monterey's participation in *Get Connected!*, a program launched by the California Emerging Technology Fund that promotes digital literacy and high-speed internet connectivity for residents both in the home and at school.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 12-231 supporting the County of Monterey's participation in Get Connected!, a program launched by the California Emerging Technology Fund that promotes digital literacy and high-speed internet connectivity for residents both in the home and at school.. ALL AYES

26. Adopt a Resolution confirming the appointment of Mr. Gene Rogers as Interim Assistant County Administrative Officer

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 12-232 confirming the appointment of Mr. Gene Rogers as Interim Assistant County Administrative Officer. ALL AYES

RMA- General

27. Adopt a resolution approving the proposed Resolution of Intention and Boundary Map for the Aromas Water District's proposed Assessment District No. 2012-1.

THIS ITEM REMOVED VIA CONSENT APPROVAL ACTION, SEE ITEM 2.

RMA - Planning

28. a. Approve the Parcel Map for a minor subdivision to divide an approximately 80.6 acre parcel into two (2) parcels of approximately 40 and 40.6 acres; and
b. Direct the Clerk of the Board to submit the Parcel Map and Deed Notices to the County Recorder for filing.
(Parcel Map - PLN060177/Villalobos; 379, 383 and 387 San Benancio Road, Toro Area Plan)

Approved

RMA-Public Works

29. a. Approve and authorize the Contracts/Purchasing Officer to execute a two year Lease Agreement, effective on or around September 1, 2012, with Creekbridge Office Center II, LLC, for approximately 1,266 rentable square feet of space located at 1615 Bunker Hill Road, Suite 210, in Salinas, California, for use by the Health Department's Clinic Services Bureau;
b. Authorize the Auditor-Controller to make lease payments of \$2,532 per month and in accordance with the terms of the agreement; and
c. Authorize the extension of the Lease Agreement for two additional one-year periods under the same terms and conditions, and make minor revisions to the Lease Agreement if deemed by the Contracts/Purchasing Officer to be in the best interests of the County.

Approved - Agreement No. A-12288

30.

Adopt a Resolution:

- a. Accepting the Certificate of Completion for construction of the Lonoak Road Bridge at Lewis Creek, County Bridge No. 402, State Bridge No. 44C-0158, Project No. 11-220565, State Project No. EA 05-927094L, Federal Aid Project No. BRLOZB-5944(035), performed by MCM Construction, Inc.; and
- b. Authorizing the Director of Public Works to execute and record the Notice of Completion for the Lonoak Road Bridge at Lewis Creek, County Bridge No. 402, State Bridge No. 44C-0158, Project No. 11-220565, State Project No. EA 05-927094L, Federal Aid Project No. BRLOZB-5944 (035), performed by MCM Construction, Inc.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, to Adopt Resolution No. 12-226:

- a. **Accepting the Certificate of Completion for construction of the Lonoak Road Bridge at Lewis Creek, County Bridge No. 402, State Bridge No. 44C-0158, Project No. 11-220565, State Project No. EA 05-927094L, Federal Aid Project No. BRLOZB-5944(035), performed by MCM Construction, Inc.; and**
- b. **Authorizing the Director of Public Works to execute and record the Notice of Completion for the Lonoak Road Bridge at Lewis Creek, County Bridge No. 402, State Bridge No. 44C-0158, Project No. 11-220565, State Project No. EA 05-927094L, Federal Aid Project No. BRLOZB-5944 (035), performed by MCM Construction, Inc.. ALL AYES**

31.

Adopt a Resolution:

- a. Determining County-owned real property improvements of two buildings located at 54692 Teresa Street, San Lucas, California, is surplus real property with a value less than twenty-five thousand dollars (\$25,000), and is no longer necessary for County or other public purposes;
- b. Adopting a Notice of Intention pursuant Government Code Section 25526.5 for sale of surplus real property improvements consisting of two buildings located at 54692 Teresa Street, San Lucas, California;
- c. Authorizing the Clerk of the Board to publish Notice of Intent to Sell;
- d. Approving the Closed Bid Procedures and Transfer Agreement;
- e. Authorizing the Contracts/Purchasing Officer to receive bids until 2 p.m. on Wednesday, August 15, 2012;
- f. Authorizing the Contracts/Purchasing Officer to read the bids at 2 p.m. on Wednesday, August 15, 2012, accept oral bids, and declare the highest responsible bid;
- g. Authorizing the Contracts/Purchasing Officer to execute and record the Transfer Agreement, Quitclaim Deed, and any related documents to complete the sale when the sale is reported to and confirmed by the Board of Supervisors; and
- h. Determining the sale of the surplus County property is Categorically Exempt under California Environment Quality Act Guidelines Section 15312.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 12-222:

- a. **Determining County-owned real property improvements of two buildings**

located at 54692 Teresa Street, San Lucas, California, is surplus real property with a value less than twenty-five thousand dollars (\$25,000), and is no longer necessary for County or other public purposes;

b. Adopting a Notice of Intention pursuant Government Code Section 25526.5 for sale of surplus real property improvements consisting of two buildings located at 54692 Teresa Street, San Lucas, California;

c. Authorizing the Clerk of the Board to publish Notice of Intent to Sell;

d. Approving the Closed Bid Procedures and Transfer Agreement;

e. Authorizing the Contracts/Purchasing Officer to receive bids until 2 p.m. on Wednesday, August 15, 2012;

f. Authorizing the Contracts/Purchasing Officer to read the bids at 2 p.m. on Wednesday, August 15, 2012, accept oral bids, and declare the highest responsible bid;

g. Authorizing the Contracts/Purchasing Officer to execute and record the Transfer Agreement, Quitclaim Deed, and any related documents to complete the sale when the sale is reported to and confirmed by the Board of Supervisors; and

h. Determining the sale of the surplus County property is Categorically Exempt under California Environment Quality Act Guidelines Section 15312.. **ALL AYES**

32.

a. Award a contract to Telfer Oil Company, the lowest responsible bidder, for the Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat 2012 Project, Project No. 13-551327, in the total amount of \$433,628.28;

b. Approve the Performance and Payment Bonds executed and provided by Telfer Oil Company;

c. Authorize a contingency (not to exceed 10% 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% of the original contract amount and do not significantly change the scope of work.

Approved - Agreement No. A-12274