



# Monterey County

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

## Action Minutes - Final Board of Supervisors

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

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Tuesday, June 19, 2012

9:00 AM

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**See separate agendas for the Monterey County Water Resources Agency, Pajaro County Sanitation District and Boronda County Sanitation District**

### Call to Order

### 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

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) People v. Bad Boys Bail Bonds (California Sixth District Court of Appeals case no. H036881)
  - b. 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 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) People v. Bad Boys Bail Bonds (California Sixth District Court of Appeals case no. H036881)

**CLOSED SESSION REPORT: The Board unanimously authorized County Counsel to file a letter in support of the County of Santa Clara's request that the Supreme Court review the matter.**
  - b. 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 provided direction to staff on how to proceed in negotiations.

**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 Potter.

**Additions and Corrections**

There were no additions or corrections.

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

- 2. Approve Consent Calendar - Regular (See Supplemental Sheet, items 11 through 47)  
**Supervisor Calcagno pulled items 16, 31 and 35.**  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to approve the Consent Calendar - Regular, with the exception of items 16, 31 and 35. ALL AYES**

**Ceremonial Resolutions**

- 3. Adopt Resolution congratulating Janet Smith upon her retirement from the Monterey County District Attorney’s office after 35 years of service. (Supervisor Potter)  
**A motion was made by Supervisor Armenta, seconded by Supervisor Salinas, that Resolution No. 12-127 be adopted. ALL AYES**
- 4. Adopt Resolution honoring John Pisturino as the Santa Cruz County Farm Bureau Farmer of the Year 2012. (Supervisor Calcagno)  
**A motion was made by Supervisor Armenta, seconded by Supervisor Salinas, that Resolution No. 12-128 be adopted. ALL AYES**
- 4.1 Adopt Resolution honoring Tony Costa upon his selection as the 2012 Grower-Shipper Association’s E.E. “Gene” Harden Award recipient for Lifetime Achievement in Central Coast Agriculture. (Supervisor Salinas) (ADDED VIA ADDENDUM)  
**A motion was made by Supervisor Armenta, seconded by Supervisor Salinas, that Resolution No. 12-142 be adopted. ALL AYES**

**Appointments**

5. Reappoint Steve DeLorimier to the Agricultural Advisory Committee term ending June 30, 2015. (Supervisor Calcagno)
- A motion was made by Supervisor Salinas, seconded by Supervisor Calcagno, that this Appointment be approved. ALL AYES**

**Other Board Matters**

6. Board Comments
- Supervisor Armenta advised of his attendance at the first Veteran's Stand-down at the Rodeo Grounds and the services and activities at the event over the next three days.**
7. CAO Comments and Referrals
- There were no CAO comments or referrals.**
8. General Public Comments
- Wes Morrill, Steve Eklund; Hans Jongens; Gary Richard Arnold; Hazel Thompkins; Margaret Serna Bonetti; Jose Anaya; Nicholas Chavez; Martha Gonzales; Abel Moran**

**10:30 A.M. - Scheduled Matter**

- 8.1 Public hearing to:
- a. Consider an Addendum to a previously approved Negative Declaration;
  - b. Approve the Combined Development Permit consisting of:
    - (1) a Lot Line Adjustment of Williamson Act Lands consisting of the removal of 0.68 acres from two (2) existing parcels under Williamson Act Farmland Security Zone (FSZ) and FSZ Contract No. 2007-005 (APN 216-013-025-000 and APN 216-013-022-000 owned by Leavens Ranches General Partnership) to add to an existing 79.32 acre parcel (APN 216-013-019-000 owned by Charles E. Martin and Judy A. Martin, Trustees of the Martin Living Trust U/D/T July 25, 2005) to create one (1) 80-acre parcel;
    - (2) a Lot Line Adjustment consisting of an equal exchange of approximately 0.86 acres between APN 216-013-024-000, owned by Amaral Ranches General Partnership, and APN 216-013-019-000, owned by Charles E. Martin and Judy A. Martin, Trustees of the Martin Living Trust U/D/T July 25, 2005; and
    - (3) a Minor Subdivision to divide the 80-acre parcel resulting from the adjustment into two (2) 40-acre parcels; and
    - (4) an amendment to Williamson Act Farmland Security Zone (FSZ) and FSZ Contract No. 2007-005;

- c. Authorize the Chair to execute a new or amended FSZ Contract or Contracts in order to rescind a portion of the existing FSZ Contract as it applies to the reconfigured lots only and simultaneously execute a new or amended FSZ Contract or Contracts for the reconfigured lots between the County and Property Owners of Record, reflecting the new legal descriptions, and to incorporate any legislative changes to State Williamson Act provisions and current County FSZ Policies or Procedures;
- d. Direct the Clerk of the Board to record the new or amended FSZ Contract or Contracts concurrently with the filing of the parcel map and/or the recordation of the Certificates of Compliance for the reconfigured Williamson Act parcels; and
- e. Adopt the resolution attached as Attachment "B" with the recommended findings and evidence and subject to the conditions of approval.  
(Combined Development Permit: Two (2) Lot Line Adjustments and Minor Subdivision PLN070197/ Charles E. Martin and Judy A. Martin, Trustees of the Martin Living Trust U/D/T July 25, 2005; Leavens Ranches General Partnership; Amaral Ranches General Partnership; 31300 River Road, Soledad, Central Salinas Valley)

**Public hearing held; and**

- a. Considered an Addendum to a previously approved Negative Declaration;
- b. Approved the Combined Development Permit consisting of:
  - (1) a Lot Line Adjustment of Williamson Act Lands consisting of the removal of 0.68 acres from two (2) existing parcels under Williamson Act Farmland Security Zone (FSZ) and FSZ Contract No. 2007-005 (APN 216-013-025-000 and APN 216-013-022-000 owned by Leavens Ranches General Partnership) to add to an existing 79.32 acre parcel (APN 216-013-019-000 owned by Charles E. Martin and Judy A. Martin, Trustees of the Martin Living Trust U/D/T July 25, 2005) to create one (1) 80-acre parcel;
  - (2) a Lot Line Adjustment consisting of an equal exchange of approximately 0.86 acres between APN 216-013-024-000, owned by Amaral Ranches General Partnership, and APN 216-013-019-000, owned by Charles E. Martin and Judy A. Martin, Trustees of the Martin Living Trust U/D/T July 25, 2005; and
  - (3) a Minor Subdivision to divide the 80-acre parcel resulting from the adjustment into two (2) 40-acre parcels; and
  - (4) an amendment to Williamson Act Farmland Security Zone (FSZ) and FSZ Contract No. 2007-005;
- c. Authorized the Chair to execute a new or amended FSZ Contract or Contracts in order to rescind a portion of the existing FSZ Contract as it applies to the reconfigured lots only and simultaneously execute a new or amended FSZ Contract or Contracts for the reconfigured lots between the County and Property Owners of Record, reflecting the new legal descriptions, and to incorporate any legislative changes to State Williamson Act provisions and current County FSZ Policies or Procedures;
- d. Directed the Clerk of the Board to record the new or amended FSZ Contract or Contracts concurrently with the filing of the parcel map and/or the recordation of the Certificates of Compliance for the reconfigured Williamson Act parcels; and
- e. Adopted Resolution No. 12-146 (attached as Attachment "B" ) with the recommended findings and evidence and subject to the conditions of approval.

(Combined Development Permit: Two (2) Lot Line Adjustments and Minor Subdivision PLN070197/ Charles E. Martin and Judy A. Martin, Trustees of the Martin Living Trust U/D/T July 25, 2005; Leavens Ranches General Partnership; Amaral Ranches General Partnership; 31300 River Road, Soledad, Central Salinas Valley)

Motion by Supervisor Salinas, seconded by Supervisor Calcagno. The motion carried by the following vote:

**Aye:** 4 - Supervisor Potter, Supervisor Armenta, Supervisor Calcagno and Supervisor Salinas

**Nay:** 1 - Supervisor Parker

### **12:00 PM Recess to Lunch**

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

#### **Roll Call**

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

#### **Scheduled Matters**

9.

Acting on behalf of County Service Area 75 - Chualar:

- a. Conduct a Public Hearing to hear the report of delinquent fees and consider any protests or objections to the report by landowners liable to be assessed for delinquent fees for County Service Area 75 - Chualar;
- b. Consider adopting a Resolution confirming the report of delinquent fees for County Service Area 75 - Chualar, as identified in Exhibit A, and authorizing the delinquent fees as set forth in the confirmed report to constitute special assessments against the respective parcels of land to be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected; and
- c. Consider authorizing the Clerk of the Board to file a certified copy of the confirmed report with the Auditor-Controller.

**Acting on behalf of County Service Area 75 - Chualar:**

- a. Conducted a Public Hearing to hear the report of delinquent fees and consider any protests or objections to the report by landowners liable to be assessed for delinquent fees for County Service Area 75 - Chualar;
- b. Adopted Resolution No. 12-147 confirming the report of delinquent fees for County Service Area 75 - Chualar, as identified in Exhibit A, and authorizing the delinquent fees as set forth in the confirmed report to constitute special assessments against the respective parcels of land to be collected at the same time and in the same manner as ordinary county ad valorem property taxes are collected; and
- c. Authorized the Clerk of the Board to file a certified copy of the confirmed report with the Auditor-Controller.

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

10. Public hearing to consider:
- a. Certification of the Final Environmental Impact Report for the Pebble Beach Company Project;
  - b. Adoption of the Statement of Overriding Considerations;
  - c. Approval of Combined Development Permits for the Pebble Beach Company Project, including twelve vesting tentative maps and multiple Coastal Development Permits, Coastal Administrative Permits, and Design Approvals; and
  - d. Adoption of the Mitigation Monitoring and Reporting Plan.  
(Pebble Beach Company Project/PLN100138)

**Mark Stillwell addressed the Board on behalf of the Applicant, Pebble Beach Company**

**Public comment: Dan Carl; Ken Rudisill; Jeffrey Frick; Bruce Cowen; Ken Cuneo; Moe Amar; Amy White; Ken Talmadge; Jason Burnett; Alfred Diaz Fuente; Leonard O'Neil; Maggie Hardy; Ava Nero; Brett Sylvestri; Mik Nickam; MaryAnn Leffel**

**Adopted Resolution No. 12-148:**

- a. **Certifying the Final Environmental Impact Report for the Pebble Beach Company Project;**
- b. **Adopting the Statement of Overriding Considerations; and**

**Adopted Resolution No. 12-149 to:**

- c. **Approve Combined Development Permits for the Pebble Beach Company Project, including twelve vesting tentative maps and multiple Coastal Development Permits, Coastal Administrative Permits, and Design Approvals, based on the findings and evidence and subject to the conditions of approval; and**
- d. **Adopt the Mitigation Monitoring and Reporting Plan.**

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

## **Adjournment**

## **Supplemental Sheet, Consent Calendar**

### **Natividad Medical Center**

11.

Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement with Ronald Garren MD to provide Internal Medicine services at NMC, extending the Agreement to June 30, 2013, for an amount not to exceed \$200,000 in the aggregate.

**Approved - Agreement No. A-11736**

12. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement with California Emergency Physicians Medical Group to provide Emergency Medicine Services at NMC, extending the Agreement to June 30, 2014 and adding \$2,664,270 (\$1,332,135 for fiscal year 2013), for a revised total Agreement amount not to exceed \$3,996,405 in the aggregate.
- Approved - Agreement No. A-10277**
13. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement with Allen Radner MD to provide internal medicine and infectious disease services at NMC, extending the Agreement to June 30, 2013 and adding \$90,000 for Fiscal Year 2012/2013 for a revised total Agreement amount not to exceed \$180,000 in the aggregate.
- Approved - Agreement No. A-12232**
14. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement with Sweet, Renfer & Milanese MD to provide urology services at NMC, extending the Agreement to June 30, 2013 and adding \$270,000 for Fiscal Year 2012/2013 for a revised total Agreement amount not to exceed \$540,000 in the aggregate.
- Approved - Agreement No. A-11828**
15. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement with Joel Weinstein MD to provide general surgery services at NMC, extending the Agreement to June 30, 2013 and adding \$296,400 for Fiscal Year 2012/2013 for a revised total Agreement amount not to exceed \$592,800 in the aggregate.
- Approved - Agreement No. A-11740**
16. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement with Monterey County Eye Associates to provide ophthalmology services at NMC, extending the Agreement to June 30, 2013 and adding \$176,400 for Fiscal Year 2012/2013 for a revised total Agreement amount not to exceed \$352,800 in the aggregate.
- Motion by Supervisor Parker, seconded by Supervisor Armenta, that Agreement No. A-11827 be approved. The motion carried by the following vote:**
- Aye:** 4 - Supervisor Potter, Supervisor Armenta, Supervisor Salinas and Supervisor Parker
- Recused:** 1 - Supervisor Calcagno
17. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to

execute the First Amendment to the Professional Services Agreement with Juan Calzetta MD to provide vascular surgery services at NMC, extending the Agreement to June 30, 2013 and adding \$213,000 for Fiscal Year 2013 for a revised total Agreement amount not to exceed \$411,000 in the aggregate.

**Approved - Agreement No. A-11735**

18. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment to the Professional Services Agreement with Central Coast Head and Neck Surgeons, a Medical Group, Inc. to provide Otolaryngology and Audiology Services at NMC, extending the Agreement to June 30, 2013 and adding \$400,000 for Fiscal Year 2013 for a revised total Agreement amount not to exceed \$800,000 in the aggregate.

**Approved - Agreement No. A-11826**

19. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement (A-12141) with Avila Construction Inc. for the NMC Outpatient Expansion Tenant Improvement Project No. 8842, Bid No. 10317, Construction Services at NMC, extending the Agreement to June 30, 2013 for a total Agreement amount not to exceed \$1,628,220 (no change to the previously approved amount). (REMOVED VIA SUPPLEMENTAL)

**Removed via Supplemental**

20. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement (DO2210) with Med Assets Net Revenue Systems LLC for Charge Description Master (CDM) Manager, KnowledgeSource, and Revenue Dashboard Annual Software Services for the MediTech System at NMC, extending the Agreement to June 30, 2013 and adding \$56,000 for Fiscal Year (FY) 2012-13 for a revised total Agreement amount not to exceed \$112,000 in the aggregate.

**Approved - Agreement No. A-12233**

21. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Second Amendment to the Professional Services Agreement with Danny Tan DDS to provide dental services to NMC patients, extending the Agreement to June 30, 2013 and adding \$75,000 for Fiscal Year 2013 for a revised total Agreement amount not to exceed \$150,000 in the aggregate.

**Approved - Agreement No. A-12234**

### **Health and Social Services**

22. Approve and Authorize the Contracts/Purchasing Officer to sign a Professional Services Agreement with Common Cents Systems, Inc. in the



amount of \$315,000, for the provision of Laboratory Information Management System software and services, for the period of June 13, 2012 through June 30, 2017, in accordance with Request for Proposal #10347.

**Approved - Agreement No. A-12263**

- 23.**
- a. Approve and authorize the Director of Health to sign a three fiscal year term (FY 2012-13, 2013-14 and 2014-15) Alcohol and Drug Treatment Services Agreement with Sunrise House for the provision of alcohol and drug recovery services in the annual amount of \$341,862 for a total of \$1,025,586 for the period July 1, 2012 through June 30, 2015; 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-12235**

- 23.1**
- a. Approve and authorize the Director of Health to sign a three fiscal year term (FY 2012-13, 2013-14 and 2014-15) Alcohol and Drug Treatment Services Agreement with Sun Street Centers for the provision of alcohol and drug recovery services in the annual amount of \$1,118,843 for a total of \$3,356,529 for the period July 1, 2012 through June 30, 2015; 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-12236**

- 24.**
- a. Approve and authorize the Director of Health to sign a three fiscal year term (FY 2012-13, 2013-14 and 2014-15) Alcohol and Drug Treatment Services Agreement with Community Human Services for the provision of alcohol and drug recovery services in the annual amount of \$1,570,083, for a total of \$4,710,249 for the period July 1, 2012 through June 30, 2015; 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-12237**

- 25.**
- Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 2 to the Professional Services Agreement with TR and Associates, Inc. to extend the term of the Agreement to June 30, 2014, and increase the Agreement by \$60,000 for credentialing and re-credentialing of health care provider and facility applications, for a revised total not to exceed \$138,000.

**Approved - Agreement No. A-12238**

26. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 6 to the Professional Services Agreement A-11565 with Medical Doctor Associates, LLC to provide Locum Tenens Physician services to extend the term from June 30, 2012 to June 30, 2015 and to increase the amount by \$945,000 for a revised total not to exceed \$2,134,000;
- Approved - Agreement No. A-11565**
27. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign an agreement with Industrial Employers Distribution Association for \$22,588 for the provision of employer-employee labor relations services for the Monterey County Public Authority for In-Home Supportive Services for the period July 1, 2012 to June 30, 2013, including non-standard Mutual Indemnification provisions in Exhibit E; 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**
28. a. Approve and authorize the Director of the Department of Social & Employment Services, or his designee, to sign the agreement with CareAccess Silicon Valley, Inc. for \$5,460 for website maintenance to access third-party software, including non-standard Mutual Indemnification, Warranty and Liability provisions, 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 these agreements, where the total amendments do not exceed 10% of the original contract amounts, and do not significantly change the scopes of work.
- Approved**

### **Criminal Justice**

29. Adopt a resolution to:
- a. Authorize the Chief Probation Officer to sign and submit a grant application to the State Corrections Standards Authority for Juvenile Accountability Block Grant (JABG) funds in the amount of \$33,411 for the Probation Department's Victim Restitution Program during Fiscal Year 2012-13; and
- b. Authorize the Chief Probation Officer to sign the Grant Agreement with the Corrections Standards Authority, and related amendments.

**Adopted Resolution No. 12-156 to:**

- a. Authorize the Chief Probation Officer to sign and submit a grant application to the State Corrections Standards Authority for Juvenile Accountability Block Grant (JABG) funds in the amount of \$33,411 for the Probation Department's**

**Victim Restitution Program during Fiscal Year 2012-13; and  
b. Authorize the Chief Probation Officer to sign the Grant Agreement with the  
Corrections Standards Authority, and related amendments.  
Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES**

30. Approve an Application for Authorization for Destruction of Records for the Sheriff's Office.

**Approved**

31. a. Direct staff to prepare a plan for an independent Medical Examiner's Office to include the creation of new positions and an analysis of the fiscal implications of the plan; and  
b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 3 to Professional Services Agreement A11139 with Dr. John Hain for conducting postmortem examinations through the Coroner's Office in an amount not to exceed \$320,000 annually, extending the agreement on a month to month basis.

**Approved - Agreement No. A-11139**

32. Approve an increase of estimated revenues and appropriations for Fiscal Year 2011-12 of \$5,110,539 in Sheriff's Appropriation Unit SHE006 in Fund 022 to be in compliance with Assembly Bill No. 118 requirements (4/5th Vote Required).

**Approved**

### **General Government**

33. a. Approve and authorize the Contracts/Purchasing Officer or designee to sign a Professional Services Agreement (PSA) with Carl Warren & Company for general liability claims administration services for a three (3) year term, estimated to cost \$86,000 per year for an estimated total of \$258,000 over three years;  
b. Authorize the Contracts/Purchasing Officer or designee to execute up to three (3) one-year extensions of the PSA at the request of the Risk Manager, provided the compensation terms do not increase by more than five percent (5%) and all other terms remain unchanged; and  
c. Approve and authorize County Counsel Risk Management Division to implement the attached Agreement with Carl Warren & Company for general liability claims administration services.

**Approved - Agreement No. A-12239**

34. Approve and authorize the Contracts/Purchasing Officer to sign a professional services agreement with Marsh Risk and Insurance Services, effective July 1, 2012 through June 30, 2013, for workers' compensation and casualty

insurance brokerage service, in an amount not to exceed \$120,000.

**Approved - Agreement No. A-12240**

35. a. Approve and authorize the Contracts/Purchasing Officer on behalf of the Information Technology Department to execute an Agreement with Iron Mountain Information Management, Inc. in the yearly amount of \$60,000 for Fiscal Year (FY) 2012-13, FY 2013-14, and FY 2014-15 for a total amount not to exceed \$180,000;
- b. Accept non-standard language in the Agreement provided by the vendor as recommended by the Director of Information Technology; and
- c. Authorize the Contracts/Purchasing Officer to sign future renewal Agreements with this vendor with the same scope or services and non-standard language provisions as recommended by the Director of Information Technology.

**This item was trailed to the afternoon. Staff submitted additional information to the report.**

**A motion was made by Supervisor Salinas, seconded by Supervisor Calcagno, that Agreement No. A-12250 be approved. ALL AYES**

36. Approve the Side Letter Agreement between the County of Monterey and SEIU Local 521, Unit F regarding Shift Differential.

**Approved**

37. Approve loan documents for the County of Monterey's First Time Homebuyer Program.

**Approved**

38. a. Approve Participation Agreements with the cities of Del Rey Oaks and Gonzales that formalize the jurisdictions commitment to participate in submitting an application to the Federal Department of Housing and Urban Development (HUD) for direct funding as an Urban County in the Community Development Block Grant (CDBG) program;
- b. Approve a Resolution to enter into a Joint Exercise of Powers Agreement and Cooperation Agreement with the cities of Del Rey Oaks and Gonzales to participate in the CDBG program for the period of October 1, 2013 to September 30, 2016;
- c. Authorize the County Administrative Officer to sign the Participation Agreements and Joint Exercise of Powers Agreement and Cooperation Agreement;
- d. Authorize the County Administrative Officer to make minor modifications to the Agreements as necessary to comply with federal requirements; and
- e. Authorize the Economic Development Director to submit an application to HUD to apply for and receive direct entitlement funds as an Urban County which includes the Participation Agreements and the Joint Exercise of Powers Agreement and Cooperation Agreement.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to:

- a. Approve Participation Agreements with the cities of Del Rey Oaks and Gonzales that formalize the jurisdictions commitment to participate in submitting an application to the Federal Department of Housing and Urban Development (HUD) for direct funding as an Urban County in the Community Development Block Grant (CDBG) program;
- b. Adopt Resolution No. 12-157 to enter into a Joint Exercise of Powers Agreement and Cooperation Agreement with the cities of Del Rey Oaks and Gonzales to participate in the CDBG program for the period of October 1, 2013 to September 30, 2016;
- c. Authorize the County Administrative Officer to sign the Participation Agreements and Joint Exercise of Powers Agreement and Cooperation Agreement;
- d. Authorize the County Administrative Officer to make minor modifications to the Agreements as necessary to comply with federal requirements; and
- e. Authorize the Economic Development Director to submit an application to HUD to apply for and receive direct entitlement funds as an Urban County which includes the Participation Agreements and the Joint Exercise of Powers Agreement and Cooperation Agreement.

**ALL AYES**

39. Exercise the Board of Supervisors option under California Government Code 53853 to notify certain school districts that it will not authorize the issuance of tax and revenue anticipation notes (“TRANS”) of the Districts and to provide such notification by June 22, 2012.

**Approved**

40. Approve an increase in appropriations for FY 2011-12 totaling \$185,000 in the Office of the Auditor Controller, AUD001 and estimated revenue by the same amount to offset Agreed-Upon Procedures costs and administrative costs related to ABX1 26 - Redevelopment Dissolution. (4/5th Vote Required)

**Approved**

41. a. Authorize the Auditor-Controller to amend the Fiscal Year (FY) 2011-12 County Administrative Office - Office of Emergency Services, CAO005 Budget to increase appropriations in the amount of \$22,486  
b. Authorize the Auditor-Controller to transfer \$22,486 from general fund contingencies (CAO020) to Office of Emergency Services (CAO005-8056-6111) (4/5th vote required).

**Approved**

42. Approve the Board of Supervisors Action Minutes of Friday, March 2, 2012; Tuesday, March 13, 2012; and Tuesday, March 27, 2012.

**Approved**

- 42.1** Approve an increase in appropriations totaling \$100,000 in the Enterprise Resource Planning (ERP) Fund (403-1110-8006), Appropriation Unit AUD006, to implement the Performance Measurement component of CGI Advantage Systems. (4/5th Vote Required)

**Approved**

### **Public Works**

- 43.**
- a. Award a contract to William A. Thayer Construction, Inc., the lowest responsible and responsive bidder, for the Refurbish Youth Center Kitchen, 970 Circle Drive, Salinas, CA, Project No. 8538, Bid Package No. 10310, in the total amount of \$159,139;
  - b. Approve the Performance and Payment Bonds executed and provided by William A. Thayer Construction, Inc.;
  - c. Authorize a contingency in the amount of \$15,913 to ensure funding to complete the project as determined by the Director of Public Works; and
  - d. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve contract change orders where each change order does not exceed 10% of the original contract amount, and do not significantly alter the scope of work.

**Approved - Agreement No. A-12264; Construction No. 2012-009**

- 44.**
- a. Authorize the Auditor-Controller to increase appropriations in the amount of \$327,452 and estimated revenues in the amount of \$327,400 in the Resource Management Agency Special Appropriation Unit 001-3000-RMA006-8182 Utilities (4/5th vote required); and
  - b. Authorize the Auditor Controller's Office to incorporate approved appropriation modifications to the FY 2011-12 Budget (4/5th vote required).

**Approved**

- 45.**
- a. Adopt Plans and Special Provisions 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); and
  - b. Authorize the Director of Public Works to advertise the "Notice to Bidders" in *The Californian*.

**Approved - Construction No. 2012-014**

- 46.**
- a. Approve the Advance/Refund Agreement between the County of Monterey and the Monterey County Water Resources Agency for the Pajaro River Bench Excavation Project Phase I authorizing an amount not to exceed \$1,550,000 from Capital Projects Fund 404; and
  - b. Authorize the County Administrative Officer to execute the Advance/Refund Agreement between the County of Monterey and the

Monterey County Water Resources Agency for the Pajaro River Bench  
Excavation Project Phase I.

**Approved - Agreement No. A-12262**

**County Service Area 75 Chualar**

47. Acting on behalf of County Service Area 75- Chualar:
- a. Accept a report on the financial condition of County Service Area (CSA) 75 - Chualar;
  - b. Authorize the Auditor-Controller to amend the budget for CSA 75 - Chualar, Fund 093, Appropriation Unit RMA088, for FY 2011-12 by increasing appropriations by \$131,855 and estimated revenues in the amount of \$183,468 for emergency repairs and rate study consulting costs (4/5th vote required);
  - c. Authorize the Auditor-Controller to permit an Operating Transfer out up to the amount of \$183,468 from Capital Projects Fund 402, 3101 Unreserved Fund Balance to Fund 093, CSA75 - Chualar, as a loan to be repaid with Interest; and
  - d. Authorize the Auditor-Controller's Office to incorporate approved appropriation and estimated revenue modifications to the FY 2011-12 Budget (4/5th vote required).

**Approved**