

Monterey County

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



Action Minutes - Final

Tuesday, July 11, 2017

9:00 AM

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

Board of Supervisors

*Chair Mary L. Adams - District 5
Vice Chair Luis Alejo - District 1
Supervisor John M. Phillips - District 2
Supervisor Simon Salinas - District 3
Supervisor Jane Parker - District 4*

9:00 A.M. - Call to Order

The meeting was called to order by Chair Adams.

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Additions and Corrections for Closed Session:

There were no additions or corrections to Closed Session.

Closed Session:

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
(1) Property: 1000 S. Main Street, Salinas, CA
Negotiating Party: Life Foundation
Agency Negotiator: John Guertin, Deputy Resource Management Agency Director
Under negotiation: Price and terms
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
 - c. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
 - d. Pursuant to Government Code section 54957(b)(1), the Board will confer regarding discipline, dismissal, or release of a public employee.
 - e. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
(1) Property: Concession Agreement regarding Mazda Raceway at Laguna Seca
Agency Negotiator(s): Dewayne Woods and Leslie J. Girard
Negotiating Parties: Friends of Laguna Seca
Under Negotiation: Price and Terms (ADDED VIA ADDENDUM)
 - f. Pursuant to Government Code section 54957.6 the Board will confer with Labor negotiators regarding Units S & H. County Negotiators Brette Neal and Irma Ramirez-Bough. (ADDED VIA ADDENDUM)

Public comment prior to Closed Session: Brenda Roncarati.

CLOSED SESSION REPORT: The Board took no reportable action on items 1.a. through 1.f.

10:30 A.M. - Reconvened

Roll Call

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

Pledge of Allegiance

The Pledge of Allegiance was led by Diego Celis.

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:

Correction to Consent Calendar – General Government

29.1 Adopt a resolution to extend the Proclamation of a Local Emergency dated February 15, 2017, ratified on February 22, 2017, and reviewed and extended on March 21, 2017, April 18, 2017, May 16, 2017 and June 13, 2017, in accordance with California Government Code 8630 for atmospheric river events which occurred between February 7, 2017 through February 20, 2017 that resulted in multiple significant rainfall events causing damage to public infrastructure and private property. (4/5ths vote required)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simon Salinas to approve the addition to the agenda as item 29.1. ALL AYES

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker pulled items 18 and 32.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to approve the Consent Calendar (See Supplemental Sheet), with the exception of items 18 and 32. ALL AYES

Supervisor Parker commented on Item 18, noting her appreciation for the item.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to approve item 18. See item

Supervisor Parker questioned staff regarding item 32. Carl Holm responded.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor

John M. Phillips to approved item 32. See item.

Appointments

3. Appoint Marc Jeffrey Del Piero to the Assessment Appeals Board as Alternate member 1 for a term ending June 1, 2018. (Supervisor Salinas)
A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to appoint Marc Jeffrey Del Piero to the Assessment Appeals Board as Alternate member 1 for a term ending June 1, 2018. (Supervisor Salinas) ALL AYES
4. Reappoint Joseph Hertlein to the Monterey County Parks Commission for a term ending April 26, 2021. (Supervisor Adams)
A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parke to reappoint Joseph Hertlein to the Monterey County Parks Commission for a term ending April 26, 2021. (Supervisor Adams). ALL AYES
5. Reappoint Cortland Young to the Mental Health Commission for a term ending May 31, 2020. (Supervisor Adams)
A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to reappoint Cortland Young to the Mental Health Commission for a term ending May 31, 2020. (Supervisor Adams) ALL AYES
6. Reappoint Ron Dillender to the Community Restorative Justice Commission representing Education for a term ending May 17, 2020. (Full Board)
A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to reappoint Ron Dillender to the Community Restorative Justice Commission representing Education for a term ending May 17, 2020. (Full Board). ALL AYES
7. Appoint Magaly Zagal to the Community Action Commission representing Group C for a term ending July 1, 2020. (Supervisor Alejo)
A motion was made by Supervisor Luis Alejo, seconded by Supervisor Jane Parker to appoint Magaly Zagal to the Community Action Commission representing Group C - Low Income for a term ending July 1, 2020. (Supervisor Alejo) ALL AYES

Other Board Matters

8. Board Comments

Supervisor Phillips advised he attended the United Castroville Neighborhood Block Party at Pastor Rich's church, on Saturday, July 1st. The event featured a car show and other events and it was well attended.

Supervisor Phillips attended the 2nd Annual Salinas Valley Hospital Employee/Family Thank-You event for employees on July 8th. There was music, food and fun. Over 3500 people attended the event. They purchased

over 1000 Rancho Cielo Healthy Eating produce bags which generated \$20,000. He bought a bag for each Supervisor and the CAO. There will be another 1500 bags for sale in the August at Family Fun Day. He noted that there was an interesting mix of people working on the produce bag assembly line.

Supervisor Phillips announced he and Mayor Gunter threw out the balls for the start of the Little League Championship. It was a nice function. They played the national anthem and noted their tenants of playing hard and being good winners and good losers.

Supervisor Phillips recognized the Rancho Cielo Leadership Group that was selected as one of 10 youth teams from across the country for the Good Start Young 2017 Rally held in Chicago in June. Allstate Foundation partnered with Peace First and teamed up to select the top 10 out of 280 applicants. Four members of the team and two supervisors were flown to Chicago, based upon their community project. The team project focused on peace-keeping, compassion, courage & collaboration. The students created a video taking on the issue of homelessness, drugs and alcohol. They presented to a panel of judges during the rally and earned a \$2000 grant from the CAO for Lady Gaga's Born this Way Foundation and were offered sponsorship for their first community event.

Supervisor Salinas thanked the personnel down in South County fighting the fire. He also thanked Supervisor Alejo for his young leadership program and letting them see local government at work.

Supervisor Parker advised she represented the Board at Tassajara Zen Mountain Center's 50th Anniversary in July. She relayed their profound gratitude and appreciation of the good, warm, supportive relationship between the county and the Zen center. It was established in 1967 as the first Zen training monastery outside of Japan. Food is great and it's worth the journey and they have a natural hot spring.

Supervisor Parker thanked the residents of East Garrison to learn about the Community services District. She thanked Melanie Beretti and Lynette Redman for their presentation to the community about the community services district. There is an election coming up in August. There are over 400 registered voters and they are looking to be informed and active in local government.

Supervisor Alejo introduced the first class of his Young Supervisors Program. There are 15 students this year from Alisal High, Everett Alvarez High, Watsonville High, Salinas High, Greenfield, Hartnell, and CSUMB. This is a continuation of his Young Assemblyman Program that in his six years in the legislature, over 160 students have participated in the program. This is really an opportunity to teach young people about the County legislative process, meet other elected officials, business leaders, members of the press, and to learn about local history, networking and about giving back to their community. They receive a certificate at the end of the program and continued mentoring and support from Supervisor Alejo and his staff. Past participants have gone on to attend prestigious universities such as Stanford, Berkeley, St. Marys and UC School of Law.

Supervisor Adams applauded Supervisor Alejo's Young Supervisors Program and hopes it can be brought to other districts.

Supervisor Adams attended the naturalization ceremony on July 3rd where over 150 people were sworn in as new United States citizens. Nineteen countries were represented. Claudio Valenzuela, Registrar of Voters was there and encouraged everyone to register to vote and fulfill their responsibility by voting. She also attended the motorcycle races at Laguna Seca. It is a fantastic event and a study showed that in 2015 brought \$11.5 million back into the community. She applauded the work done there. She presented on behalf of Senator Monning to honoring Nicky Hayden, who was killed in a cycling accident a few weeks ago. He was known as the Kentucky Kid. Supervisor Adams shared that she is a 7th generation Kentucky woman.

Supervisor Adams wished David LaGuerre, 5th District resident a Happy Birthday.

9. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman advised of a Board Referral from District 3 (Supervisor Salinas): County Administration to work with Dr. Gray (NMC) to make a recommendation regarding participation in the CSUMB Master of Science program for Physicians Assistants; and that Natividad Medical Center participate as a community hospital, which would include a requested \$250,000 contribution each year for three years to get the program up and running. This will help create a pool of highly educated Physician Assistants to help with the healthcare system.

10. General Public Comment

Thelma McIntosh; Steve Eklund; Hans Jongens; Gary Cursio; Bud Riewertz.

10:30 A.M. - Scheduled Matters

11. a. Receive a report on the Phase I development of the new website for the Monterey County boards, committees and commissions (BCCs); and
b. Authorize and direct the Clerk of the Board & Information Technology Department staff to implement the changes to the County website.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor Simón Salinas to:

- a. Receive a report on the Phase I development of the new website for the Monterey County boards, committees and commissions (BCCs); and
b. Authorize and direct the Clerk of the Board & Information Technology Department staff to implement the changes to the County website; additionally directed staff to take the draft application to the Board Aides for discussion and feedback. ALL AYES**

12. Receive the Monterey County Commission on the Status of Women Annual Report Fiscal Year 2016- 2017.

By consensus, the Board received the Monterey County Commission on the Status of Women Annual Report Fiscal Year 2016- 2017.

12:00 P.M. - Recessed to Lunch**1:30 P.M. - Reconvened****Roll Call**

Present: 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas and Supervisor Jane Parker

1:30 P.M. - Scheduled Matters

- 13.** Public hearing to consider an appeal filed by Tracy Alford from the Planning Commission's decision approving the application by Christopher and Sara Bardis for a Coastal Development Permit and Design Approval to construct driveway improvements, including construction of an approximate 12.5-foot-tall retaining wall (running 56 linear feet) and development on slopes exceeding 30 percent. (Coastal Development Permit - PLN140715-AMD1/Bardis, 1525 Riata Road, Pebble Beach, Del Monte Forest Land Use Plan, APN: 008-341-026-000)

Proposed CEQA Action: Categorically exempt per Section 15304 of the CEQA Guidelines

Anthony Lombardo addressed the Board on behalf of the Applicant.

John Bridges addressed the Board on behalf of the Appellant.

Public comment: Chris Bardis.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-222:

- a. Deny the Appeal filed by Tracy Alford from the Planning Commission's decision approving the application by Christopher & Sara Bardis for a Coastal Development Permit and Design Approval to construct driveway improvements, including construction of an approximate 12.5-foot-tall retaining wall (running 56 linear feet), for safety and to accommodate ADA and emergency vehicle access on slopes in excess of 30%;**
- b. Find the project Categorical Exempt per Section 15304 of the CEQA guidelines; and**
- c. Approve a Coastal Development Permit and Design Approval to construct driveway improvements, including construction of an approximate 12.5-foot-tall retaining wall (running 56 linear feet), if determined necessary, to accommodate ADA and emergency vehicle access on slopes in excess of 30%. 4-1 (Supervisor Parker voted No)**

1:30 P.M. - See separate minutes for Special Joint Meeting of the Monterey County Board of Supervisors, Board of Supervisors of the Monterey County Water Resources Agency and the Monterey County Water Resources Agency Board of Directors.

Adjournment

APPROVED:

/ s/ Luis A. Alejo

**LUIS A. ALEJO, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: / s/ Nicholas E. Chiulos _____

NICHOLAS E. CHIULOS

ACTING CLERK OF THE BOARD

APPROVED ON February 6, 2018

Supplemental Sheet, Consent Calendar

Natividad Medical Center

14. Approve revisions to the Natividad Medical Center (“NMC”) Bylaws, approved and submitted for Board of Supervisors’ consideration by the NMC Board of Trustees on May 5, 2017.
- Approved**
15. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an agreement with The CBORD Group, Inc., for food and nutrition software services at NMC for an amount not to exceed \$109,770.32 with an agreement term effective when signed by NMC for a one (1) year period (July 11, 2017 through July 10, 2018 ~~July 11, 2018 through July 12, 2018~~) and with the option to extend up to four (4) additional years via written amendment.
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to four (4) ~~three (3)~~ future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$10,977) of the original cost of the agreement per each amendment.
(REVISED VIA SUPPLEMENTAL)
- Approved - Agreement No. A-13620**
16. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute the Second Amendment to the Professional Services Agreement (A-12925) with Stephen J. Brabeck M.D. to provide cardiology services adding \$200,000 for a revised not to exceed amount of \$640,000 in the aggregate with no change to the agreement term of August 1, 2015 to June 30, 2018; and
- b. Authorize the Deputy Purchasing Agent for NMC or his designee to sign up to three (3) amendments to this Agreement where the total amendments do not extend the term by more than twelve (12) months, do not exceed 10% (\$40,000) of the original contract amount and do not significantly change the scope of work.
- Approved - Agreement No. A-12925**

Health Department

17. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a new three-year Mental Health Services Agreement with CF Merced Behavioral, LLC dba Merced Behavioral Center for the provision of mental health services to gravely disabled Monterey County adult residents with severe psychiatric disabilities in a secure Skilled Nursing Facility as an Institution for Mental Disease (IMD), for a maximum County obligation of \$4,642,654 for the term of

July 1, 2017 through June 30, 2020; and

b. Approve and authorize the Director of Health or Assistant Director of Health to approve up to three (3) future amendments that do not exceed ten percent (10%) (\$464,265) of the original Agreement amount and do not significantly alter the scope of services.

Approved - Agreement No. A-13621

18.

- a. Accept the \$31,080 Grant Award from the California Department of Public Health (CDPH) for implementing the project Naloxone Distribution to reduce the rate of fatal overdose for opioid drugs including heroin and prescription opioids Agreement for the grant period of June 1, 2017 to June 30, 2019; and
- b. Authorize the Director of Health or Assistant Director of Health to execute the Grant Agreement No. 16-110007 with California Department of Public Health in the amount of \$31,080 for implementing the Naloxone Distribution project for the grant period of June 1, 2017 to June 30, 2019.

Item pulled by Supervisor Parker for comment.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to: a. Accept the \$31,080 Grant Award from the California Department of Public Health (CDPH) for implementing the project Naloxone Distribution to reduce the rate of fatal overdose for opioid drugs including heroin and prescription opioids Agreement for the grant period of June 1, 2017 to June 30, 2019; and

b. Authorize the Director of Health or Assistant Director of Health to execute the Grant Agreement No. 16-110007 with California Department of Public Health in the amount of \$31,080 for implementing the Naloxone Distribution project for the grant period of June 1, 2017 to June 30, 2019. ALL AYES

19.

- a. Accept the \$85,580.25 Grant Award from the California Department of Public Health to ensure lab capacity and capability for Zika virus testing; and
- b. Authorize the Director of Health or Assistant Director of Health to execute the Grant Agreement No. 16-11074 with the California Department of Public Health for implementation of the Zika Preparedness and Response project for a total Grant amount of \$85,580.25 for the grant period from approval date to June 30, 2018.

Approved

20.

Adopt a Resolution to:

- a. Authorize and direct the County of Monterey (County) to apply for and submit to the State of California Department of Housing and Community Development (HCD) the 2017 NPLH Program Technical Assistance Grant Application released April 10, 2017 in the amount of \$100,000.00; and
- b. Authorize the Director of Health or Assistant Director of Health to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement) for the amount of \$100,000.00, and any and all other documents required or deemed necessary or appropriate to evidence and secure the NPLH Program Technical Assistance Grant, the County's obligations related thereto, and

all amendments thereto (collectively, the “NPLH Technical Assistance Grant Documents”); and

c. Subject County to the terms and conditions as specified in the Standard Agreement, the NPLH Program Technical Assistance Guidelines, the NPLH statute (Welfare and Institutions Code §5849.1 et. seq.), and any applicable NPLH Program guidelines published by HCD; and

d. Authorize the Director of Health or Assistant Director of Health to execute the County of Monterey NPLH Program Technical Assistance Grant Application, the NPLH Program Technical Assistance Grant Documents, and any amendments thereto, on behalf of the County as required by HCD for receipt of the NPLH Program Technical Assistance Grant, and to sign and execute any and all related invoices on behalf of the County.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resoluton No. 17-230 to:

- a. Authorize and direct the County of Monterey (County) to apply for and submit to the State of California Department of Housing and Community Development (HCD) the 2017 NPLH Program Technical Assistance Grant Application released April 10, 2017 in the amount of \$100,000.00; and**
- b. Authorize the Director of Health or Assistant Director of Health to enter into, execute, and deliver a State of California Standard Agreement (Standard Agreement) for the amount of \$100,000.00, and any and all other documents required or deemed necessary or appropriate to evidence and secure the NPLH Program Technical Assistance Grant, the County’s obligations related thereto, and all amendments thereto (collectively, the “NPLH Technical Assistance Grant Documents”); and**
- c. Subject County to the terms and conditions as specified in the Standard Agreement, the NPLH Program Technical Assistance Guidelines, the NPLH statute (Welfare and Institutions Code §5849.1 et. seq.), and any applicable NPLH Program guidelines published by HCD; and**
- d. Authorize the Director of Health or Assistant Director of Health to execute the County of Monterey NPLH Program Technical Assistance Grant Application, the NPLH Program Technical Assistance Grant Documents, and any amendments thereto, on behalf of the County as required by HCD for receipt of the NPLH Program Technical Assistance Grant, and to sign and execute any and all related invoices on behalf of the County. ALL AYES**

Department of Social Services

21. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Hartnell Community College for \$173,106 to lead an Independent Living Program for current and former foster youth ages 14 to 24, retroactive to July 1, 2017 through June 30, 2019; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this Agreement, where the total amendments do not exceed 10% (\$17,310) of the original contract amount, and do not significantly change the scope of work.

Approved - Agreement No. A-13622

22. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Hartnell College for \$1,446,574 to provide Foster care training and recruitment services to eligible Monterey County employees, local community partners and current and prospective caregivers retroactive to July 1, 2017 through June 30, 2019; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this Agreement, where the total amendments do not exceed 10% (\$144,657) of the original contract amount, and do not significantly change the scope of work.

Approved - Agreement No. A-13642

23. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Meals on Wheels of the Salinas Valley for \$282,675 to provide home-delivered meals to seniors in Salinas, North and South Monterey County regions retroactive to July 1, 2017 through June 30, 2018; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this Agreement, where the total amendments do not exceed 10% (\$28,267) of the original contract amount, and do not significantly change the scope of work.

Approved - Agreement No. A-13623

Criminal Justice

24. Approve and authorize the Chair to sign a reciprocal agreement between the Counties of Monterey and San Benito for the placement of youth at the other party's Juvenile Hall retroactive to July 1, 2017 through June 30, 2020.

Approved - Agreement No. A-13644

25. a. Approve and authorize the Contracts/Purchasing Officer to execute the Amendment No. 3 to the Standard Parking Lot Lease Agreement with the International Church of the Foursquare Gospel, dba Harvestlands Foursquare Church, for an additional fifteen (15) parking spaces located at 327 Pajaro Street, in Salinas, California, for use by the Probation Department;
- b. Authorize the Auditor-Controller to make lease payments of \$1,350 per month and in accordance with the terms of the Agreement; and
- c. Authorize the extension of the Lease Agreement for one additional one-year period under the same terms and conditions, including 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-13624

General Government

26. a. Approve Standard Agreements for the Monterey County Convention and Visitors Bureau (MCCVB), the Arts Council for Monterey County (ACMC), the Monterey County Film Commission (MCFC), and the Monterey County Business Council (MCBC), in the cumulative amount of \$1,875,396.32, retroactive to July 1, 2017;
- b. Authorize the Director of the Economic Development Department to execute an Agreement with the MCCVB for the period of one (1) year, retroactive to July 1, 2017 through June 30, 2018, in an amount not to exceed \$1,192,875.47;
- c. Authorize the Director of the Economic Development Department to execute an Agreement with the ACMC for the period of one (1) year, retroactive to July 1, 2017 through June 30, 2018, in an amount not to exceed \$393,648.90;
- d. Authorize the Director of the Economic Development Department to execute an Agreement with the MCFC for the period of one (1) year, retroactive to July 1, 2017 through June 30, 2018, in an amount not to exceed \$188,871.95; and
- e. Authorize the Director of the Economic Development Department to execute an Agreement with the MCBC for the period of one (1) year, retroactive to July 1, 2017 through June 30, 2018, in the amount not to exceed \$100,000.
- Approved - Agreement Nos. A-13638 Monterey County Convention and Visitors Bureau); A-13639 (Arts Council for Monterey County); A-13640 (Monterey County Film Commission); A-13641 (Monterey County Business Council)**
27. Approve a request from the Greenfield Fire Protection District for dry period loan of \$325,000 for the Fiscal Year ending June 30, 2018.
- Approved**
28. Approve a request from the Monterey County Regional Fire District for dry period loan of \$6,000,000 for the Fiscal Year ending June 30, 2018.
- Approved**
29. Approve a request from the North County Fire Protection District for dry period loan of \$3,500,000 for the Fiscal Year ending June 30, 2018.
- Approved**
- 29.1 Adopt a resolution to extend the Proclamation of a Local Emergency dated February 15, 2017, ratified on February 22, 2017, and reviewed and extended on March 21, 2017, April 18, 2017, May 16, 2017 and June 13, 2017, in accordance with California Government Code 8630 for atmospheric river events which occurred between February 7, 2017 through February 20, 2017 that resulted in multiple significant rainfall events causing damage to public infrastructure and private property. (4/5ths vote required)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-223 to extend the Proclamation of a Local Emergency dated February 15, 2017, ratified on February 22, 2017, and reviewed and extended on March 21, 2017, April 18, 2017, May 16, 2017 and June 13, 2017, in accordance with California Government Code 8630 for atmospheric river events which occurred between February 7, 2017 through February 20, 2017 that resulted in multiple significant rainfall events causing damage to public infrastructure and private property. (4/5ths vote required)
ALL AYES

RMA - Land Use and Community Development

- 30.
- a. Approve Amendment No. 3 to Agreement No. A-12490 with Michael Baker International, Inc. to increase the fiscal year (FY) 2017-2018 maximum amount by \$200,000 for a total amount not to exceed \$300,000 for FY 2017-18, for a total Agreement amount not to exceed \$1,100,000, to continue to provide permit application review services and extend the expiration date from July 16, 2017 for one (1) additional year through July 16, 2018, for a revised term from July 16, 2013 to July 16, 2018; and
 - b. Approve Amendment No. 2 to Agreement No. A-12548 with Rincon Consultants, Inc. to increase the not to exceed amount of \$800,000 by \$300,000 for Fiscal Year 2017-18, for a total Agreement amount not to exceed \$1,100,000 to continue to provide permit application review services and extend the expiration date from August 16, 2017 for one (1) additional year through August 16, 2018, for a revised term from August 16, 2013 to August 16, 2018; and
 - c. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute Amendment No. 3 to Agreement No. A-12490 and Amendment No. 2 to Agreement No. A-12548.

Approved - Agreement Nos. A-12490 (Michael Baker, Internationl, Inc.); A-12548 (Rincon Consultants)

- 31.
- a. Accept the Villanueva Subdivision Improvements (PLN060043) as complete;
 - b. Approve the release of the Performance Bond, No. 703697S (in the amount of \$54,050.00) for the Villanueva Subdivision Improvements; and
 - c. Approve the release of the Labor and Material Bond, No. 703697S (in the amount of \$24,568.00) for the Villanueva Subdivision Improvements in accordance with Government Code Section 66499.7 after the passage of time for recording claims or liens.

Approved

- 32.
- a. Approve the Professional Services Agreement with Denise Duffy & Associates, Inc. where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area

of North County, for a term of June 27, 2017 to June 27, 2019; and

b. Approve Funding Agreement No. 3 with Jeffrey and Monica LaTourette where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to allow funding to Monterey County for costs incurred by Denise Duffy & Associates, Inc. to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area of North County, for a term of June 27, 2017 to June 27, 2019; and

c. Authorize the Chief of Planning Services to execute the Professional Services Agreement with Denise Duffy & Associates, Inc. and Funding Agreement No. 3 with Jeffrey and Monica LaTourette and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved amount of the Agreements.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to:

- a. Approve the Professional Services Agreement with Denise Duffy & Associates, Inc. (A-13636) where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area of North County, for a term of June 27, 2017 to June 27, 2019; and**
- b. Approve Funding Agreement No. 3 with Jeffrey and Monica LaTourette (A-13654) where the Base Budget is \$140,265 and the Contingency Budget is \$21,040 for a total amount not to exceed \$161,305 to allow funding to Monterey County for costs incurred by Denise Duffy & Associates, Inc. to complete the Environmental Impact Report for the LaTourette Subdivision Project (PLN020090) in the Prunedale area of North County, for a term of June 27, 2017 to June 27, 2019; and**
- c. Authorize the Chief of Planning Services to execute the Professional Services Agreement with Denise Duffy & Associates, Inc. and Funding Agreement No. 3 with Jeffrey and Monica LaTourette and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved amount of the Agreements. ALL AYES**

RMA - Public Works Facilities

33.

Adopt a Resolution to:

- a. Approve a report on the status of development traffic impact fees for fiscal year ending June 30, 2016; and
- b. Adopt findings for retaining uncommitted funds in accordance with Government Code Section 66000 et. seq.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-225 to:

- a. Approve a report on the status of development traffic impact fees for fiscal year ending June 30, 2016; and**
- b. Adopt findings for retaining uncommitted funds in accordance with Government Code Section 66000 et. seq.. ALL AYES**

34.

Adopt a resolution to:

- a. Approve Professional Services Agreement with Harris and Associates, Inc. to provide professional engineering services for Phase 2 of the Palo Colorado Road Emergency Repair at Rocky Creek Crossing in a total amount not to exceed \$418,428 for a term of July 11, 2017 to July 10, 2020;
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Professional Services Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount; and
- c. Authorize the Auditor-Controller to amend the FY 2017-18 adopted budget by increasing operating transfers in and appropriations in the amount of \$1,615,460 in the Road Fund 002, Appropriation Unit RMA012, financed by an operating transfer out of \$1,615,460 from the General Fund 001, Appropriation Unit CAO017.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-236 to:

- a. Approve Professional Services Agreement with Harris and Associates, Inc. to provide professional engineering services for Phase 2 of the Palo Colorado Road Emergency Repair at Rocky Creek Crossing in a total amount not to exceed \$418,428 for a term of July 11, 2017 to July 10, 2020;**
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Professional Services Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount; and**
- c. Authorize the Auditor-Controller to amend the FY 2017-18 adopted budget by increasing operating transfers in and appropriations in the amount of \$1,615,460 in the Road Fund 002, Appropriation Unit RMA012, financed by an operating transfer out of \$1,615,460 from the General Fund 001, Appropriation Unit CAO017. ALL AYES**

35.

- a. Approve Professional Services Agreement with MNS Engineers, Inc. to provide construction management services for the State Route 1 Climbing Lane between Carmel Valley Road and Rio Road, Project No. 8690, under Request for Proposals (RFP) #8690, in a total amount not to exceed \$479,516, beginning June 15, 2017 for a period of three (3) years to June 15, 2020, with the option to extend the Agreement for two (2) additional one (1) year period(s); and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the Professional Services Agreement and 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-13625