

# Monterey County

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



## Action Minutes - Draft

**Tuesday, August 26, 2014**

**9:00 AM**

**See separate agendas for Board of Supervisors of the Monterey County Water Resources Agency, Pajaro County Sanitation District, East Garrison Community Services District and Successor Agency to the Redevelopment Agency of the County of Monterey**

## **Board of Supervisors**

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

**9:00 A.M. Call to Order**

The meeting was called to order by Chair Calcagno.

**Roll Call**

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

**Additions and Corrections for Closed Session**

There were no additions or corrections to Closed Session.

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) William Hannah v. County of Monterey (Monterey County Superior Court case no. M124553)
  - b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
    - (1) Property: 1441 & 1448 Schilling Place, Salinas  
Agency Negotiator(s): Benny Young, Director of the Resource Management Agency  
Negotiating Parties: Scott J. Prosser, CBRE  
Under Negotiation: Price and Terms
    - (2) Property: Manzanita Park  
Agency Negotiator(s) Nick Chiulos  
Negotiating Parties: Steve Tansey, North County Youth Recreation Association  
Under Negotiation: Terms
  - c. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claim against the County of Monterey (1) Jared Z. Gida.
  - d. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matters of potential initiation of litigation.
  - e. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~four matters~~ six matters of significant exposure to litigation. (REVISED VIA SUPPLEMENTAL)

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

(1) Designated representatives: Dr. Kelly O'Keefe, NMC Interim CEO and Charles McKee, County Counsel

**CLOSED SESSION REPORT:**

**Closed Session under Government Code section 54950, relating to the following items:**

a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

(1) William Hannah v. County of Monterey (Monterey County Superior Court case no. M124553)

**CLOSED SESSION REPORT:** The Board took no reportable actions on item 1.a. (1).

b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators: (1) Property: 1441 & 1448 Schilling Place, Salinas Agency Negotiator(s): Benny Young, Director of the Resource Management Agency

Negotiating Parties: Scott J. Prosser, CBRE

Under Negotiation: Price and Terms

(2) Property: Manzanita Park

Agency Negotiator(s) Nick Chiulos

Negotiating Parties: Steve Tansey, North County Youth Recreation Association

Under Negotiation: Terms

**CLOSED SESSION REPORT:** The Board took no reportable actions on items. 1.b. (1) & (2).

c. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claim against the County of Monterey (1) Jared Z. Gida.

**CLOSED SESSION REPORT:** The Board unanimously rejected the claim of Jared Z. Gida.

d. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matters of potential initiation of litigation.

**CLOSED SESSION REPORT:** The Board took no reportable actions on item 1.d.

e. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding four matters six matters of significant exposure to litigation. (REVISED VIA SUPPLEMENTAL)

**CLOSED SESSION REPORT:** The Board took no reportable actions on item 1.e.

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

(1) Designated representatives: Dr. Kelly O'Keefe, NMC Interim CEO and Charles McKee, County Counsel

**CLOSED SESSION REPORT:** The Board took no reportable actions on item 1.f.

**10:30 AM Reconvene**

## Roll Call

*Present: Charlies Steves, Interpreter*

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

## Pledge of Allegiance

The Pledge of Allegiance was led by 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 addition:

Adjourn in Memory of Guido Antone Pezzini

A motion was made by Supervisor Simon Salinas, seconded by Supervisor Fernando Armenta to approve the addition to the agenda. **ALL AYES**

## Consent Calendar- (See Supplemental Sheet)

### 2. Approval of Consent Calendar (See Supplemental Sheet)

Craig Hoffman pulled item 49.

Nausia Hayward and Matthew Speigle pulled item 31.

Barbara Raynor pulled item 60.

Hans Jongens pulled items 36 and 40.

Supervisor Fernando Armenta also requested item 49 be pulled for discussion.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to approve the Consent Calendar, with the exception of items 31, 36, 40, 49, & 60. **ALL AYES**

Item 31: Supervisor Simón Salinas addressed the concern of the 4.0 millimeter vs. the 2.25 millimeter thickness of plastic bags.

Public comment on item 31: Nausia Hayward; Matthew Speigle; Eric Peterson; Sara De Villa; Hans Jongens; Kent Okasaki; Laura Casa.

Motion No. 2 substitute motion to 31: A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to adopt Resolution No. 14-255 finding the proposed ordinance adding Chapter 10.43 to the Monterey County Code categorically exempt under the California Environmental Quality Act (CEQA); and b. Adopt Ordinance No. 5244 adding Chapter 10.43 to the Monterey County Code relating to the use of single use carry out bags, recycled paper bags and reusable bags by retail establishments. 3-2 (Supervisors Armenta and Salinas Dissented)

Item 36: Public comment: Hans Jongens commented on this item. Elliott Robinson responded.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to approve staff recommendation for item 36. **ALL AYES**

(See item 36)

**Item 40: Public comment:** Hans Jongens commented on this item. Dianah Neff responded.

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to approve staff recommendationf for item 40. ALL AYES (See item 40)**

**Item 49: Public comment:** Ray Kauffman commented on this item. Supervisor Jane Parker questioned staff on this item. Dave Spaur responded. See item for vote.

**Item 60: Public comment:** Barbara Raynor commented on this item. Supervisor Jane Parker questioned staff on this item. Paul Greenway responded. See item for vote.

### **Ceremonial Resolutions**

3. Adopt Resolution proclaiming August 28, 2014 “Senior Day Resource Fair” at the Monterey County Fair. (Supervisor Potter)  
**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-219 proclaiming August 28, 2014 “Senior Day Resource Fair” at the Monterey County Fair. (Supervisor Potter) ALL AYES**
4. Adopt Resolution proclaiming the month of September 2014, as “National Food Safety Education Month” in Monterey County and call upon public and private organizations to celebrate with the Monterey County Health Department, Environmental Health Bureau, and the Monterey County Food Safety Advisory Council by participating in learning opportunities and activities that promote food safety. (Full Board)  
**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-222 proclaiming the month of September 2014, as “National Food Safety Education Month” in Monterey County and call upon public and private organizations to celebrate with the Monterey County Health Department, Environmental Health Bureau, and the Monterey County Food Safety Advisory Council by participating in learning opportunities and activities that promote food safety. (Full Board) ALL AYES**
5. Adopt Resolution commending Kenneth Peake, Engineering Technician of the Department of Public Works, for his dedicated service of more than twenty-four years to the County of Monterey upon his retirement. (Full Board)  
**A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-234 Proclaiming the month of September 2014, as “National Food Safety Education Month” in Monterey County and call upon public and private organizations to celebrate with the Monterey County Health Department, Environmental Health Bureau, and the Monterey County Food Safety Advisory Council by participating in learning opportunities and activities that promote food safety. (Full Board) ALL AYES**

6. Adopt Resolution proclaiming September 2014 as Childhood Cancer Awareness Month in Monterey County. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-237 proclaiming September 2014 as Childhood Cancer Awareness Month in Monterey County. (Full Board) ALL AYES**
7. Adopt Resolution commending Richard C. Wilkerson for his dedicated service of over twenty years to the County of Monterey Historical Advisory Commission. (Supervisor Potter)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-238 commending Richard C. Wilkerson for his dedicated service of over twenty years to the County of Monterey Historical Advisory Commission. (Supervisor Potter) ALL AYES**

### **Appointments**

8. Appoint to the Carmel Valley Recreation & Park District Alan E. Sokolow, filling an unscheduled vacancy for a term ending December 31, 2017. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to Appoint to the Carmel Valley Recreation & Park District Alan E. Sokolow, filling an unscheduled vacancy for a term ending December 31, 2017. (Full Board) ALL AYES**
9. Appoint to the Monterey County Resource Conservation District Emily Paddock to fill an unscheduled vacancy for a term ending November 30, 2014. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to Appoint to the Monterey County Resource Conservation District Emily Paddock to fill an unscheduled vacancy for a term ending November 30, 2014. (Full Board) ALL AYES**
10. Appoint to the Economic Opportunity Committee Kenneth S. Johnson for a term ending at the pleasure of the Board. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to Appoint to the Economic Opportunity Committee Kenneth S. Johnson for a term ending at the pleasure of the Board. (Full Board) ALL AYES**
11. Reappoint to the Housing Authority of Monterey County Viviana Gama for a term ending August 26, 2016. (Full Board)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to Reappoint to the Housing Authority of Monterey County Viviana Gama for a term ending August 26, 2016. (Full Board). ALL AYES**
12. Reappoint to the King City Cemetery District Brent Conatser for a term ending July 1, 2018. (Supervisor Salinas)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to Reappoint to the King City Cemetery District Brent Conaster with a term ending July 1, 2018. (Supervisor Salinas) ALL AYES

### **Other Board Matters**

13. Board Comments

Supervisor Parker invited the public to participate in the County website survey as part of the County website design project.

Supervisor Parker announced that the United Way is conducting a survey regarding quality of life in this Monterey County and wants to know what is important to you. She is hosting a conversation tomorrow evening from 4:00 -5:30 pm at the Oldemeyer Center in Seaside. A United Way survey is available on the web at [www.impactmontereycounty.org](http://www.impactmontereycounty.org).

Supervisor Calcagno requested a report on where the County is legally on Dolan Road Industrial Park and the Red Barn.

14. CAO Comments and Referrals

There were no CAO comments or referrals.

15. General Public Comment

Hans Jongens.

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

16. a. Consider approval of the response to the 2013 Monterey County Civil Grand Jury Interim Final Report No. 5; and  
b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 12, 2014.

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to: a. Approve the response to the 2013 Monterey County Civil Grand Jury Interim Final Report No. 5; and  
b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 12, 2014. ALL AYES**

17. a. Consider approval of the response to the 2013 Monterey County Civil Grand Jury Interim Final Report No. 6; and  
b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 12, 2014.

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to: Approve the response to the 2013 Monterey County Civil Grand**

**Jury Interim Final Report No. 6; and**  
**b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 12, 2014. ALL AYES**

18. Receive informational copy of the response provided by the Sheriff-Coroner to the 2013 Monterey County Grand Jury Interim Final Report No. 9.

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to receive informational copy of the response provided by the Sheriff-Coroner to the 2013 Monterey County Grand Jury Interim Final Report No. 9. ALL AYES**

19. a. Consider approval of the response to the 2013 Monterey County Civil Grand Jury Interim Final Report No. 9; and  
b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 17, 2014.

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to: a. Approve the response to the 2013 Monterey County Civil Grand Jury Interim Final Report No. 9; and**  
**b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 17, 2014. ALL AYES**

20. a. Consider approval of the response to the 2013 Monterey County Civil Grand Jury Interim Final Report No. 11; and  
b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 12, 2014.

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to: a. Approve the response to the 2013 Monterey County Civil Grand Jury Interim Final Report No. 11; and b. Direct the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 12, 2014. ALL AYES**

### **12:00 PM Recess to Lunch - Continued Closed Session**

### **1:30 PM Reconvene**

### **Roll Call**

*Present: Charlie Steves, Interpreter*

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

### **1:30 P.M. - Scheduled Matters**

21. Public hearing, continued from May 13, 2014, to consider:



- a. Request received from Harper Canyon Realty LLC for continuance of the hearing to a later date in order to perform well testing and analysis; and
- b. A resolution with findings as directed by the Board of Supervisors to:
  1. Deny the appeal by Harper Canyon Realty LLC from the Planning Commission's denial of their application for a Combined Development Permit; and
  2. Deny the project consisting of a Combined Development Permit consisting of a Vesting Tentative Map for the subdivision of 344 acres into 17 lots and associated Use Permits.

(Appeal of Combined Development Permit - PLN000696/Harper Canyon Realty LLC, San Benancio Road and Meyer Road, Salinas, Toro Area Plan area)

**Public hearing, continued from May 13, 2014, held to consider request for continuance of the hearing for Harper Canyon Realty LLC regarding well testing and analysis.**

**Public comment: Michael Cling; Amy White; Mike Weaver; Susan Baccialupi.**

**Motion 1: A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas: Directed staff to return on October 28, 2014 with status report regarding well testing and continued public hearing to November 25, 2014. ALL AYES**

**Motion 2: A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reconsider motion to continue. ALL AYES**

**Motion 3: A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to return with a status report regarding well testing on October 28, 2014 and continued the public hearing to December 2, 2014. ALL AYES**

**22.**

Public hearing to consider:

Adoption of an ordinance adding Chapter 21.91 to Title 21 (non-coastal zoning) of the Monterey County Code to establish procedures to amend the 2010 Monterey County General Plan and including findings that the ordinance is not a project under CEQA.

(REF130066/General Plan Amendment Ordinance)

**Held a public hearing; and**

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to: Adopt Ordinance 5242 adding Chapter 21.91 to Title 21 (non coastal zoning) of the Monterey County Code to establish procedures to amend the 2010 Monterey County General Plan and including findings that the ordinance is not a project under CEQA. (REF130066/General Plan Amendment Ordinance) ALL AYES**

**23.**

Public hearing to consider:

a. Adoption of an ordinance amending Chapter 21.64 of Title 21 (non-coastal zoning) of the Monterey County Code to establish special regulations for the issuance of land use permits and entitlements for development utilizing private streets, roads, and other travelled ways in the non-coastal unincorporated area of Monterey County and including findings that the

ordinance is not a project under CEQA; and  
b. Adoption of a Resolution of Intent to adopt an ordinance amending Chapter 20.64 of Title 20 (Part 1 of the Monterey County Coastal Implementation Plan) of the Monterey County Code to establish special regulations for the issuance of land use permits and entitlements for development utilizing private streets, roads, and other travelled ways in the coastal unincorporated area of Monterey County and including findings that the ordinance is not a project under CEQA, with direction to staff to submit the ordinance to the Coastal Commission for certification.  
(Proof of Access Ordinance - PLN060127/Inland and REF130084/Coastal)

**Public hearing held.**

**Public comment: Michael Waxwer; Gary Patton; Lloyd Jones; Kevin Stillwell; Eric Coburn; Dale Aron; C.W. Freeman; Mibs McCarthy; Katy Coburn; Margaret Robbins; David Peartree.**

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to: a. Adopted Ordinance 5243 amending Chapter 21.64 of Title 21 (non coastal zoning) of the Monterey County Code to establish special regulations for the issuance of land use permits and entitlements for development utilizing private streets, roads, and other travelled ways in the non coastal unincorporated area of Monterey County and including findings that the ordinance is not a project under CEQA; and b. Adopted Resolution of Intent No. 14-250 to adopt an ordinance amending Chapter 20.64 of Title 20 (Part 1 of the Monterey County Coastal Implementation Plan) of the Monterey County Code to establish special regulations for the issuance of land use permits and entitlements for development utilizing private streets, roads, and other travelled ways in the coastal unincorporated area of Monterey County and including findings that the ordinance is not a project under CEQA, with direction to staff to submit the ordinance to the Coastal Commission for certification. (Proof of Access Ordinance PLN060127/Inland and REF130084/Coastal) ALL AYES**

- 24.
- a. Consider approving the recommendation of the Ad Hoc Committee on Parks Operations regarding revenue enhancements identified by the County Administrative Office to avert Parks Department reduction in force for FY 2014-15;
  - b. Consider approving increased appropriations in the amount of \$900,000 in the Parks Enterprise Fund Appropriation Unit 452-7500-PAR004-8391-6111 (4/5th vote required);
  - c. Consider approving increased revenue in the amount of \$578,500 in the Parks Enterprise Fund Appropriation Unit 452-7500-PAR004-8391-5730 (4/5th vote required);
  - d. Consider approving a one-time Operating Transfer In for the amount of \$300,000 from the Laguna Seca Track Designation Fund 001 Balance Sheet Account 3129 to the Parks Enterprise Fund Appropriation Unit 452-7500-PAR004-8391-5940 (4/5th vote required);
  - e. Consider approving a one-time Operating Transfer In for the amount of \$21,500 from the Laguna Seca Rifle Range Appropriation Unit 001-7500-PAR001-8145 to the Parks Enterprise Fund Appropriation Unit 452-7500-PAR004-8391-5940 (4/5th vote required);

- f. Consider authorizing the Auditor Controller to amend the Lakes Enterprise Fund 452 budget for FY 2014-15 to incorporate approved modifications;
- g. Consider restoring Parks Department positions as listed in Attachment "B";
- h. Consider authorizing rescission of layoff notices to impacted Parks Department Employees;
- i. Consider directing the County Administrative Officer to implement the actions as authorized by the Board of Supervisors; and
- j. Authorize the Auditor Controller to modify the FY 2014-15 budget based on the indicated actions.

**Public comment: Julie Felice; Linda Tucker.**

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to: a. Approved the recommendation of the Ad Hoc Committee on Parks Operations regarding revenue enhancements identified by the County Administrative Office to avert Parks Department reduction in force for FY 2014 15; b. Approved increased appropriations in the amount of \$900,000 in the Parks Enterprise Fund Appropriation Unit 452 7500 PAR004 8391 6111 (4/5th vote required); c. Approved increased revenue in the amount of \$578,500 in the Parks Enterprise Fund Appropriation Unit 452 7500 PAR004 8391 5730 (4/5th vote required); d. Approved a one time Operating Transfer In for the amount of \$300,000 from the Laguna Seca Track Designation Fund 001 Balance Sheet Account 3129 to the Parks Enterprise Fund Appropriation Unit 452 7500 PAR004 8391 5940 (4/5th vote required); e. Approved a one time Operating Transfer In for the amount of \$21,500 from the Laguna Seca Rifle Range Appropriation Unit 001 7500 PAR001 8145 to the Parks Enterprise Fund Appropriation Unit 452 7500 PAR004 8391 5940 (4/5th vote required); f. Authorized the Auditor Controller to amend the Lakes Enterprise Fund 452 budget for FY 2014 15 to incorporate approved modifications; g. Restored Parks Department positions as listed in Attachment "B"; h. Authorized rescission of layoff notices to impacted Parks Department Employees; i. Directed the County Administrative Officer to implement the actions as authorized by the Board of Supervisors; and j. Authorized the Auditor Controller to modify the FY 2014 15 budget based on the indicated actions.**  
**ALL AYES**

**25.**

Receive and consider:

- a. Schilling Facility Acquisition Due Diligence Report;
- b. Adoption of a Resolution approving the Purchase and Sale Agreement, and Lease Termination and Release for acquiring 1441, 1488, and 1494 Schilling Place, and authorizing their execution;
- c. Adoption of a Resolution approving one of three financing options for funding the PSA to acquire 1441, 1488 and 1494 Schilling Place; and
- d. Authorization for the Auditor-Controller to execute the Board approved financing option, including any Loan Agreements, and transfer approved funds to an Escrow account for the purchase of 1441, 1488, and 1494 Schilling Place. (REVISED RESOLUTION SUBMITTED VIA SUPPLEMENTAL)

**Public comment: Mayor Gunter; Tony Barrera; Paul Farmer; Arlene J. Samrick; John McPherson; Cesar Lara; Joel Panzer; Patricia Fredericks; Peter Kasavan.**  
**A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to: a. Receive Schilling Facility Acquisition Due Diligence Report;**  
**b. Adopted Resolution No. 14-248 approving the Purchase and Sale Agreement**

(A-12793), and Lease Termination and Release for acquiring 1441, 1488, and 1494 Schilling Place, and authorizing their execution, subject to conditions;

c. Adopted Resolution No. 14-249 approving an Internal Loan Agreement in the amount of \$13,000,000 between the Worker’s Compensation Internal Service Fund (ISF) and the Resource Management Agency Facilities Master Plan Implementation Projects, Fund 404, to provide funding for the Purchase and Sale Agreement for acquiring 1441, 1488, and 1494 Schilling Place; and

d. Authorized the Auditor Controller to implement the Board approved financing option, including any Loan Agreements, and transfer approved funds to an Escrow account for the purchase of 1441, 1488, and 1494 Schilling Place.

3-2 (Supervisors Armenta and Salinas Dissented)

**Adjournment**

**APPROVED:**

\_\_\_\_\_

**SIMÓN SALINAS, CHAIR**  
**BOARD OF SUPERVISORS**

**ATTEST:**

**BY:** \_\_\_\_\_

**GAIL T. BORKOWSKI**  
**CLERK OF THE BOARD**  
**APPROVED ON** \_\_\_\_\_

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

26. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 2 to the Agreement with Corepoint Health LLC for Software Licensing and Support Services at NMC, extending the Agreement to March 3, 2016 and adding \$154,543 for a revised total Agreement amount not to exceed \$229,666.

**Approved - Agreement No. A-12798**

27. Approve and direct the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 1 to the Agreement (A-12530 / MYA983) with Modular Devices Inc. for Exchange of Equipment and Installation Services at NMC, adding \$295,500 for a revised total Agreement amount not to exceed \$2,452,500 in the aggregate.

**Approved - Agreement No. A-12530**

28. a. Authorize and direct the Purchasing Manager for Natividad Medical Center (NMC) to execute the Professional Services Agreement with DanSin, Inc. to provide neurosurgery services at NMC for an amount not to exceed \$500,000 for the period September 1, 2014 to August 31, 2015; and  
b. Authorize the Purchasing Manager for NMC to sign up to three (3) amendments to this Agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

**Approved - Agreement No. A-12797**

**Health Department**

29. a. Receive a report from the Monterey County Health Department on the Monterey County Health Department Strategic Plan: 2014 Accomplishments Report; and  
b. Authorize the distribution of final report to County departments, the public, and community partner organizations.

**Approved**

30. Adopt Resolution to:  
a. Authorize the Director of the Monterey County Health Department to accept an Investment in Mental Health Wellness Grant of \$193,615.80 from the California Health Facilities Financing Authority ("CHFFA Grant") for the provision of financial support for the Mobile Crisis Support Program of the

Monterey County Health Department, Behavioral Health Bureau (Grant Period June 26, 2014 to June 30, 2015); and

b. Designate the Director of the Monterey County Health Department with the right, power, and authority to enter into Grant Agreement Number MONT-01; and

c. Designate the Director of the Behavioral Health Bureau of the Monterey County Health Department to act on behalf of the County of Monterey in the implementation of the Bureau's Mobile Crisis Support Program during the useful life of the CHFFA Grant project, including designating the Director of the Behavioral Health Bureau with the right, power, and authority to enter into other CHFFA Grant-related documents.

**A motion was made by Supervisor Simón Salinas, seconded by Jane Parker to adopt Resolution No. 14-253 to: a. Authorize the Director of the Monterey County Health Department to accept an Investment in Mental Health Wellness Grant of \$193,615.80 from the California Health Facilities Financing Authority ("CHFFA Grant") for the provision of financial support for the Mobile Crisis Support Program of the Monterey County Health Department, Behavioral Health Bureau (Grant Period June 26, 2014 to June 30, 2015); and b. Designate the Director of the Monterey County Health Department with the right, power, and authority to enter into Grant Agreement Number MONT-01; and c. Designate the Director of the Behavioral Health Bureau of the Monterey County Health Department to act on behalf of the County of Monterey in the implementation of the Bureau's Mobile Crisis Support Program during the useful life of the CHFFA Grant project, including designating the Director of the Behavioral Health Bureau with the right, power, and authority to enter into other CHFFA Grant-related documents. ALL AYES**

31. a. Adopt a resolution finding the proposed ordinance adding Chapter 10.43 to the Monterey County Code categorically exempt under the California Environmental Quality Act (CEQA); and
- b. Adopt an ordinance adding Chapter 10.43 to the Monterey County Code relating to the use of single-use carry-out bags, recycled paper bags and reusable bags by retail establishments.

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to adopt Resolution No. 14-255 finding the proposed ordinance adding Chapter 10.43 to the Monterey County Code categorically exempt under the California Environmental Quality Act (CEQA); and**

**b. Adopted Ordinance No. 5244 adding Chapter 10.43 to the Monterey County Code relating to the use of single use carry out bags, recycled paper bags and reusable bags by retail establishments. 3-2 (Supervisors Armenta and Salinas Dissented)**

32. Adopt a Resolution confirming the appointment of Ms. Lorna Taluban as Interim Departmental Human Resources Manager for the Health Department.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 14-251 confirming the appointment of Ms. Lorna Taluban as Interim Departmental Human Resources Manager for the Health Department. ALL AYES**

**Department of Social Services**

33. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Meals on Wheels of the Salinas Valley for \$276,474 to provide home-delivered meals to seniors in Salinas, and North and South Monterey County regions for the period July 1, 2014 through June 30, 2015; and
- b. Authorize the Director of the Department of Social Services, or his designee, to sign up to three (3) amendments to the 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-12788**

34. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Social Solutions for \$67,600 to provide licenses, training and support for the Efforts to Outcomes (ETO) software for the period July 1, 2014 through June 30, 2015; and
- b. Accept the non-standard Agreement terms and conditions as recommended by the Director of the Department of Social Services; and
- c. Approve and authorize the Director of the Department of Social Services, or his designee, to sign up to three (3) amendments to the agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

**Approved**

35. Approve and authorize the Chair to sign an Agreement between the County of Monterey and San Mateo County and the Bay Area CAPI Consortium, including the acceptance of non-standard agreement terms and conditions as recommended by the Director of the Department of Social Services, for the period July 1, 2014 through June 30, 2018 to administer the Cash Assistance Program for Individuals (CAPI) in Monterey County.

**Approved - Agreement No. A-12798**

36. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Soledad Unified School District for \$247,170 to provide High School Equivalency (HSE) Exam Preparation classes for the period July 1, 2014 - June 30, 2016; and
- b. Authorize the Director of the Department of Social 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.

**Public comment: Hans Jongens.**

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to a. approve and authorize the Director of the Department**

of Social Services, or his designee, to sign an agreement with Soledad Unified School District for \$247,170 to provide High School Equivalency (HSE) Exam Preparation classes for the period July 1, 2014 - June 30, 2016; and b. authorize the Director of the Department of Social 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. **ALL AYES**

### **Criminal Justice**

- 37.**
- a. Ratify and approve the Memorandum of Understanding for Court Security Services between the Monterey County Sheriff's Office and Monterey County Superior Court pursuant to California Government Code section 69921.5, and the Superior Court Security Act of 2012 for the Fiscal Year (FY) 2014 -15;
  - b. Authorize amending the FY 2014-15 Sheriff's Budget to add one (1) FTE Deputy Sheriff-Corrections in the Court Security Unit, 001-2300-SHE003-8234 effective July 1, 2014 to meet the Court's staffing level requirement;
  - c. Authorize increasing appropriations and revenues in Fund 001 General Fund and Fund 022 Local Revenue Fund 2011 in the amount of \$200,000 (4/5th Vote Required); and
  - d. Authorize the Auditor-Controller to incorporate the changes in the Sheriff's FY 2014-15 Adopted Budget.
- Approved - Agreement No. A-12789**
- 37.1**
- a. Approve and authorize the Public Defender or designee to sign a Professional Services Agreement (PSA) with Frank W. Dice, Attorney-At-Law, in the amount of \$96,000 to provide case management and case supervision for the Alternate Defender Office (ADO) with an effective terms of July 1, 2014 through June 30th 2015; and
  - b. Authorize the Contracts/Purchasing Officer, or his designee, to sign up to three (3) future Amendments to this agreement in which there is no significant change to the scope of work or increase in cost that exceeds five percent (5%) of the original amount of the Agreement.
- Approved - Agreement No. A-12790**
- 37.2**
- a. Approve a Professional Services Agreement (Agreement) with Justice Works, L.L.C. (Contractor) to provide ongoing customer support for the case management system of the Office of the Public Defender in the amount of \$30,000 for the period beginning July 1, 2014 through June 30, 2015.
  - b. Authorize the Contracts/Purchasing Officer to execute the Professional Services Agreement and up to three (3) future amendments where the total amendments do not exceed 10% of the original contract amount, and do not significantly alter the scope of work or change the approved Agreement amounts. (ADDED VIA ADDENDUM)
- Approved - Agreement No. A-12791**



## General Government

38. Adopt Resolution to approve amendments to the Conflict of Interest Code of the County Administrative Office.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 14-246 to approve amendments to the Conflict of Interest Code of the County Administrative Office. ALL AYES**

39. Approve the Bingo Permit Application for San Antonio Community Betterment Association pursuant to Chapter 7.08 of the Monterey County Code effective August 29, 2014 through August 28, 2015.

**Approved**

40. a. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Agreement No. A-12700 with Granicus, Inc. in the amount of \$66,277 for the period of July 1, 2014 through June 30, 2015, \$68,411 yearly for the period of July 1, 2015 through June 30, 2019, and \$10,000 annually for consulting services on an “as-needed” basis for a cumulative total of \$349,921 for the provision of the Boards and Commissions module to the existing software subscription and hosting which is part of a comprehensive services package to include storage and archiving, and audio/video streaming of Board of Supervisor’s, Planning Commission, and LAFCO meetings which take place in Monterey County;
- b. Approve non-standard terms and conditions based on the recommendation of the Director of ITD and the Clerk of the Board;
- c. Authorize the Contracts/Purchasing Officer to sign two future amendments to this Agreement with the same Agreement terms; and
- d. Authorize the Auditor-Controller to transfer funds from Fund 020-2883 PEG Funds upon request from the Information Technology Department as expended.

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to: a. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Agreement No. A-12700 with Granicus, Inc. in the amount of \$66,277 for the period of July 1, 2014 through June 30, 2015, \$68,411 yearly for the period of July 1, 2015 through June 30, 2019, and \$10,000 annually for consulting services on an “as-needed” basis for a cumulative total of \$349,921 for the provision of the Boards and Commissions module to the existing software subscription and hosting which is part of a comprehensive services package to include storage and archiving, and audio/video streaming of Board of Supervisor’s, Planning Commission, and LAFCO meetings which take place in Monterey County; b. Approve non-standard terms and conditions based on the recommendation of the Director of ITD and the Clerk of the Board; c. Authorize the Contracts/Purchasing Officer to sign two future amendments to this Agreement with the same Agreement terms; and d. Authorize the Auditor-Controller to transfer funds from Fund 020-2883 PEG Funds upon request from the Information Technology Department as**

expended. **ALL AYES**

41. Approve the use of Toro Park, in compliance with Monterey County Code 14.12.130, for a function to be held by Lincoln Avenue Presbyterian Church on October 12, 2014.

**Approved**

42. Receive a report on the Governor's FY 2014-15 Enacted Budget.

**Approved**

43. a. Approve assignment of Monterey County's 2014 allocation from the California Debt Limit Allocation Committee (CDLAC) to CRHMFA (California Rural Homebuyers Fund Authority) Homebuyers Fund (CHF) for inclusion in their Mortgage Revenue Bond financing for the Mortgage Credit Certificate (MCC) program and authorizing and consenting to all CHF 2014 and 2015 Programs; and  
b. Authorize the Economic Development Director to send a letter to the California Debt Limit Allocation Committee requesting the assignment and certifying that the use is consistent with the County's adopted Housing Element.

**Approved**

44. a. Approve the Park Department's Amendment No. 1 to the Agreement between Monterey County and Active Network, Inc., adding to the current terms approved on July 30, 2013 for the internet based reservation software solution; and  
b. Authorize the Chair of the Monterey County Board of Supervisors to sign Amendment No. 1 to the Agreement.

**Approved**

45. Approve the use of Toro Park on September 28, 2014 for a function held by Korean Community of Monterey Peninsula in compliance with Monterey County Code 14.12.130.

**Approved**

46. Authorize the Registrar of Voters to consolidate and render specified election services to certain districts relating to the conduct of the November 4, 2014 General Election.

**Approved**

47. a. Retroactively Approve the County of Monterey's participation in the Statewide e-Forms Network Group Joint Powers Agreement (JPA) effective March 1, 2013.  
b. Affirm and ratify the Monterey County Assessor's execution of the JPA

effective March 1, 2013, and payment of Monterey County's share of the JPA agreement initial costs for phases I and II, in the amount to date of \$2,200, as indicated in the Agreement; and,

c. Authorize the Monterey County Assessor to continue to participate in the JPA and make annual maintenance payments pursuant to the terms of the JPA in annual amounts not to exceed \$1,000 per year through the termination of the Agreement on July 1, 2016.

**Approved**

48. Approve the Memorandum of Understanding (MOU) for Monterey County Public Defenders Association Unit D for the period July 1, 2014 through June 30, 2016.

**Approved**

49. Continued from July 29, 2014
- a. Approve the FY 2014-15 Development Set-Aside (DSA) Agencies Standard Agreements for the Monterey County Convention and Visitors Bureau (MCCVB), Arts Council for Monterey County (ACMC), and Monterey County Film Commission (MCFC);
- b. Authorize the Economic Development Director to execute an Agreement with the MCCVB for the period of one (1) year, for the term July 1, 2014 through June 30, 2015, in an amount not to exceed \$1,076,729;
- c. Authorize the Economic Development Director to execute an Agreement with the ACMC for the period of one (1) year, for the term July 1, 2014 through June 30, 2015, in an amount not to exceed \$355,320 ; and
- d. Authorize the Economic Development Director to execute an Agreement with the MCFC for the period of one (1) year, for the term July 1, 2014 through June 30, 2015, in an amount not to exceed \$170,482.

**Public comment: Ray Kauffman.**

**A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Dave Potter to:**

- a. Approve the FY 2014-15 Development Set-Aside (DSA) Agencies Standard Agreements for the Monterey County Convention and Visitors Bureau (MCCVB), Arts Council for Monterey County (ACMC), and Monterey County Film Commission (MCFC); additionally directed staff to provide a status report in September 2014 and if the \$70,000 funding for the California Welcome Center has not been found, that the Board consider allocating the funds from existing sources as proposed by staff;**
- b. Authorize the Economic Development Director to execute an Agreement with the MCCVB for the period of one (1) year, for the term July 1, 2014 through June 30, 2015, in an amount not to exceed \$1,076,729 (A-12794);**
- c. Authorize the Economic Development Director to execute an Agreement with the ACMC for the period of one (1) year, for the term July 1, 2014 through June 30, 2015, in an amount not to exceed \$355,320 (A-12795); and**
- d. Authorize the Economic Development Director to execute an Agreement with the MCFC for the period of one (1) year, for the term July 1, 2014 through June 30, 2015, in an amount not to exceed \$170,482 (A-12796).**

**ALL AYES**

50. a. Ratify and Authorize the Contracts/Purchasing Officer to execute an Agreement for \$72,000 with Dominion Voting Systems, Inc. to provide hardware maintenance and support services for the period June 26, 2014 to June 25, 2017; and  
b. Authorize the Contracts/Purchasing Officer to execute two future one-year Extensions which do not significantly impact the scope of work or exceed \$30,000 per additional year.

**Approved - Agreement No. A-12787**

51. Approve the Monterey County Board of Supervisor Action Minutes of Tuesday, May 13, 2014; Tuesday, May 20, 2014 and Tuesday June 3, 2014.

**Approved**

52. Adopt a Resolution accepting ownership by County of Monterey of all fixed structures, buildings and/or site improvements constructed by the Sports Car Racing Association of the Monterey Peninsula (SCRAMP) at Laguna Seca raceway.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 14-242 accepting ownership by County of Monterey of all fixed structures, buildings and/or site improvements constructed by the Sports Car Racing Association of the Monterey Peninsula (SCRAMP) at Laguna Seca raceway. ALL AYES**

- 52.1 a. Approve a transfer of \$1,303,373 from CAO-Other Financing Uses to CAO-Medical Care Services to fund increased Vehicle License Fee-Local Realignment for Public and Mental Health for FY 2013-14 revenue (4/5th vote required); and  
b. Approve and authorize the Auditor-Controller to decrease appropriations by \$1,303,373 in CAO-Other Financing 001-1050-8038-CAO017 and increase appropriations by \$1,303,373 in CAO-Medical Care Services 001-8037-CAO016 to fund FY 2013-14 VLF-Local Realignment revenue increases (4/5th vote required).

**Approved**

- 52.2 The Parks Lake & Resort Operations Fund 452 under-performed during FY 2013-14, rendering a fund deficit of approximately \$2,400,000 and an additional \$580,000 fund deficit for a FY 2012 Loan that needs to be reclassified, rendering a total FY 2013-14 deficit of \$2,980,000. To address the deficit, certain fiscal transactions are recommended;  
a. Approve and authorize the cancellation of \$1,542,275 from the Contingency Designation Account (Fund 001-3113) to General Fund Balance (Fund 001-3101) with a \$1,542,275 appropriation increase in the CAO (Fund 001-1050-8038-CAO017) for FY 2013-14, to use as a source to address the Parks Lake & Resort Operations Fund 452 FY 2013-14 shortfall (4/5th vote required); and

b. Approve and authorize the transfer of \$1,437,725 from the General Fund Contingencies (001-1050-8034-CAO020) and an appropriation increase of \$1,437,725 in CAO (Fund 001-1050-8038-CAO017) for FY 2014, to use as the remaining source to address the Parks Lake & Resort Operations Fund FY 2013-14 deficit (4/5th vote required). (ADDED VIA ADDENDUM)

**Approved**

### **RMA - General**

- 53.
- a. Approve an increase in appropriations in the amount of \$192,000 in the FY 2014-15 Resource Management Agency (RMA) Environmental Services Appropriation Unit 001-3000-8444-RMA099 for increased mandates and expanded permit requirements related to the Storm Water Program (4/5th vote required);
  - b. Approve an increase in appropriations and estimated revenue in the amount of \$150,000 in the FY 2014-15 Resource Management Agency (RMA) Road & Bridge Maintenance Appropriation Unit 002-3000-8443-RMA012 (4/5th vote required);
  - c. Approve an increase in appropriations and Operating Transfer Out of \$150,000 in the FY 2014-15 Other Financing Uses 001-1050-8038-7614-CAO017 (4/5th vote required);
  - d. Approve a decrease in appropriations of \$342,000 in FY 2014-15 General Fund Contingencies 001-1050-8034-CAO020 (4/5th vote required); and
  - e. Authorize the Auditor Controller's Office to incorporate approved modifications in the FY 2014-15 Budget.

**Approved**

- 54.
- a. Approve Amendment No. 1 to Agreement No. A-11957 with California Code Check, Inc., to Agreement No. A-12103 with CSG Consultants, Inc., and to Agreement No. A-12104 with West Coast Code Consultants, Inc. to provide on-call construction building inspection services to the County of Monterey Resource Management Agency - Building Services with no associated dollar amount increase for the current term through June 30, 2015; and
  - b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to each Agreement and up to three future Amendments to each Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

**Approved - Agreement Nos. A-11957 (California Code Check); A-12103 (CSG Consultants, Inc.); A-12104 (West Coast Code Consultants, Inc.)**

### **RMA - Planning**

- 55.
- Adopt a Resolution to:
- a. Approve the Records Retention Schedule for Resource Management

Agency (RMA) Planning for the storage and/or destruction of County records as set forth by federal and state laws, county codes, and policies; and  
b. Authorize the Director of RMA-Planning or his or her designee to destroy or cause the destruction of County records in accordance with the approved Records Retention Schedule for Resource Management Agency (RMA) Planning.  
(REF140036/RMA-Planning Records Retention Schedule)

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 14-256 to:**

- a. Approve the Records Retention Schedule for Resource Management Agency (RMA) Planning for the storage and/or destruction of County records as set forth by federal and state laws, county codes, and policies; and**
- b. Authorize the Director of RMA-Planning or his or her designee to destroy or cause the destruction of County records in accordance with the approved Records Retention Schedule for Resource Management Agency (RMA) Planning.**  
**(REF140036/RMA-Planning Records Retention Schedule) ALL AYES**

### **RMA - Public Works**

56.

Adoption of a Resolution to:

- a. Approve the Scope, Cost and Schedule for the New Juvenile Hall Project and submittal to the Board of State and Community Corrections for Project Establishment with the State; and
- b. Support authorizing and directing the County Administrative Officer Resource Management Agency Director, and Chief Probation Officer to take such other further actions as may be necessary or appropriate to move the Project forward to meet State milestone requirements for design submissions as defined under the SB 81 2007 Youthful Offender Rehabilitative Facility Construction Funding Program.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 14-244 to:**

- a. Approve the Scope, Cost, and Schedule for the New Juvenile Hall Project and submittal to the Board of State and Community Corrections for Project Establishment with the State; and**
- b. Authorize and direct the County Administrative Officer, Resource Management Agency Director, and Chief Probation Officer to take such other further actions as may be necessary or appropriate to move the Project forward to meet State milestone requirements for design submissions as defined under the SB 81 2007 Youthful Offender Rehabilitative Facility Construction Funding Program. ALL AYES**

57.

- a. Authorize and approve increased appropriations of \$13,323,813 in the FY 2014-15 Capital Projects Fund 404-3000-8174-7614-RMA015 (4/5th vote required);
- b. Authorize and approve increased appropriations of \$746,597 in the FY 2014-15 Capital Projects Fund 402-3000-8174-7614-RMA014 (4/5th vote required); and
- c. Authorize the Auditor-Controller and County Administrative Office to

increase General Fund Assignment 3127 by \$14,070,410 as the sole General Fund Assignment for the County's local match of the New Juvenile Hall Project, Project 8811.

**Approved**

58.

Adopt a resolution:

- a. Authorizing the expenditure of \$17,791,824 as matching funds for the conditional SB 81 2007 Youthful Offender Rehabilitative Facility Construction Funding Program award of \$35,000,000 from the State of California for the New Juvenile Hall Project; and
- b. Authorizing and directing the County Administrative Officer, Resource Management Agency Director, and the Chief Probation Officer to take such other further actions as may be necessary or appropriate to meet the State's requirements for the award of the SB 81 2007 Youthful Offender Rehabilitative Facility Construction Funding Program.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 14-245: a. Authorizing the expenditure of \$17,791,824 as matching funds for the conditional SB 81 2007 Youthful Offender Rehabilitative Facility Construction Funding Program award of \$35,000,000 from the State of California for the New Juvenile Hall Project; and b. Authorizing and directing the County Administrative Officer, Resource Management Agency Director, and the Chief Probation Officer to take such other further actions as may be necessary or appropriate to meet the State's requirements for the award of the SB 81 2007 Youthful Offender Rehabilitative Facility Construction Funding Program. ALL AYES**

59.

- a. Approve the addition of the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543, to the approved list of Capital Projects for Fiscal Year 2014-15 in the Capital Projects Fund 402; and
- b. Approve a fund transfer from Fund 402 Building Improvements for County Departments to the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543 for Fiscal Year 2014-15 including a project budget increase of \$169,239;
- c. Award a contract to Joseph Murphy Construction, Inc., the lowest responsible and responsive bidder for the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543, Bid Package No. 10418, in the total amount of \$291,100.00;
- d. Approve the Performance and Payment Bonds executed and provided by Joseph Murphy Construction, Inc.;
- e. Authorize a contingency (not to exceed ten percent of the contract amount) to provide funding for approved contract change orders;
- f. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve contract change orders that do not significantly change the scope of work; and
- g. Authorize the Director of Public Works to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when he determines that the contract is complete in all respects in accordance

with the Plans and Special Provisions for the Roof Repairs and Renovations 1200 Aguajito Rd-Courthouse Roof Replacement, Project No. 8543, performed by Joseph Murphy Construction, Inc.

**Approved - Agreement No. A-12797; Construction No. 2014-012**

**60.**

Adopt a Resolution to:

- a. Certify the Environmental Impact Report for the Nacimiento Lake Drive Bridge at San Antonio River Replacement Project, County Bridge Number 449;
- b. Adopt the California Environmental Quality Act findings and Statement of Overriding Considerations for said Project;
- c. Adopt the Mitigation Monitoring and Reporting Program; and
- d. Authorize the Resource Management Agency - Public Works to proceed with the Nacimiento Lake Drive Bridge at San Antonio River Replacement Project.

**Public comment: Barbara Raynor.**

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-247: a. Certifying the Environmental Impact Report for the Nacimiento Lake Drive Bridge at San Antonio River Replacement Project, County Bridge Number 449; b. Adopting the California Environmental Quality Act findings and Statement of Overriding Considerations for said Project; c. Adopting the Mitigation Monitoring and Reporting Program; and d. Authorizing the Resource Management Agency Public Works to proceed with the Nacimiento Lake Drive Bridge at San Antonio River Replacement Project. ALL AYES**