

# Monterey County

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



## Action Minutes - Final

Tuesday, March 19, 2013

9:00 AM

See separate agendas for Monterey County Water Resources Agency, Pajaro County Sanitation District, Carmel Valley County Sanitation District, Boronda County Sanitation District, and East Garrison Community Services District.

## Board of Supervisors

*Chair Fernando Armenta - District 1  
Vice Chair Louis R. Calcagno - District 2  
Supervisor Simón Salinas - District 3  
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 Armenta.

**Roll Call**

**Present:** 4 - Supervisor Fernando Armenta, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

**Absent:** 1 - Supervisor Louis R. Calcagno

**Additions and Corrections for Closed Session**

Due 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 to Closed Session:

**Add:**

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

**(1) The County of Monterey v. Nova Partners, Inc., et al. (Monterey County Superior court case no. M96829)**

**Closed Session**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
  - b. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the following public employee positions:
    - (1) County Administrative Officer
    - (2) County Counsel
  - c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
    - (1) Designated representatives: James May and Brette NealEmployee Organizations: F, H, J, S, U, X, and Y
  - d. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    - (1) The County of Monterey v. Nova Partners, Inc., et al. (Monterey County Superior Court case no. M96829 (Added via Addendum)

**CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a. through d.**

**10:30 AM Reconvene****Roll Call**

*Present: Lucila Sanchez, Interpreter*

**Pledge of Allegiance**

The Pledge of Allegiance was led by Chair Armenta.

**Additions and Corrections**

There were no additions or corrections.

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

2. Approval of Consent Calendar-Regular (See Supplemental Sheet)  
  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to approve Consent Calendar-Regular (See Supplemental Sheet). 4-0 (Supervisor Calcagno Absent)**

**Ceremonial Resolutions**

3. Adopt Resolution proclaiming the month of March 2013 as “Tsunami Awareness and Preparedness Month” in Monterey County. (Supervisor Armenta)  
  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker, to adopt Resolution No. 13-071. 4-0 (Supervisor Calcagno Absent)**
4. Adopt Resolution commending Josephine Morris as the recipient of the National Association for the Advancement of Colored People 2013 President’s Award. (Supervisor Parker)  
  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 13-072. 4-0 (Supervisor Calcagno Absent)**
5. Adopt Resolution commending Red’s Donuts as the recipient of the National Association for the Advancement of Colored People 2013 Tolly and Cleo Martin Spirit Partnership Award. (Supervisor Parker)  
  
**Public comment: Joe Vierra.**  
**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 13-073. 4-0 (Supervisor Calcagno Absent)**
6. Adopt Resolution commending Leon E. Panetta for his contribution to the County of Monterey. (Full Board)  
  
**Public comment: Joe Vierra.**

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 13-074. 4-0 (Supervisor Calcagno Absent)

### **Appointments**

7. Reappoint Darlene Acosta to the Domestic Violence Coordinating Council, term ending January 2, 2015. (Supervisor Salinas)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, that this Reappointment be approved. 4-0 (Supervisor Calcagno Absent)**
8. Appoint Hazel Tompkins to the Military & Veterans Affairs Advisory Commission, to fill an unscheduled vacancy, term ending January 1, 2014. (Supervisor Parker)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, that this Appointment be approved. 4-0 (Supervisor Calcagno Absent)**
9. Appoint Jennifer Barrett to the Mental Health Commission, term ending May 31, 2015. (Supervisor Calcagno)
- A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas, that this Appointment be approved. 4-0 (Supervisor Calcagno Absent)**

### **Other Board Matters**

10. Board Comments
- Supervisor Parker congratulated Natividad Medical Center which recently earned international recognition as a baby friendly birth facility. She thanked staff for bringing that standard of care in earning this status. The primary focus of this award is not only initiating breast-feeding, but also having mothers continue breast-feeding in support the health of children. Commended Carol Swain, Lactation Services Coordinator, for her efforts in earning this recognition.**
- Supervisor Armenta advised of the immigration reform march this Sunday, March 24th starting at Cesar Chavez Park at approximately 11:00 a.m. For further information contact any of the Board of Supervisors or Cesar Lara.**
11. CAO Comments and Referrals
- There were no CAO comments or referrals.**
12. Public Comment
- Charlie Rider; Hans Jongens; Steve Ecklund; Richard Garza; Jack Stewart; James Bogen; Jim Panetta; Hazel Thompkins; Joe Vierra; Gail Smith.**

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

13. Receive a report and recommendation from the Legislative Committee in response to a Board Referral related to possible adoption of a resolution in support of comprehensive immigration reform.
- Public comment: Tom Diggins; Elliot Rochowitz-Roberts; Serio Rangel; Terry Sandoval; Cesar Lara, Joe Vierra; Steve Ecklund; Hans Jongens; Linda Gonzales for Luis Alejo; Eric Peterson; Sergio Sanchez; Jose Castaneda. A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter to receive a report and recommendation from the Legislative Committee in response to a Board Referral related to possible adoption of a resolution in support of comprehensive immigration reform; adopted Resolution No. 13-089, with additional language: "WHEREAS, Understanding the importance agriculture plays in the economy of Monterey County, securing, a reliable, competent, and legal workforce for Monterey County's farms and ranches is essential and needs to be addressed through legislative reform that specifically includes an Agricultural Visa Program component that will meet the needs of both agricultural employers and agricultural workers". 4-0 (Supervisor Calcagno Absent)**
- 13.1 Open and continue a Public Hearing on Monterey County's Community Development Block Grant (CDBG) Program Income Reuse Plan with Jurisdictional Certifications.
- Opened the public hearing.  
A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter continued the public hearing to April 9, 2013. 4-0 (Supervisor Calcagno Absent)**

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

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

### **Roll Call**

*Present: Charlie Steves, Interpreter*

**Present:** 4 - Supervisor Fernando Armenta, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

**Absent:** 1 - Supervisor Louis R. Calcagno

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

14. Public hearing to consider:
- Denying an appeal by Constance Murray from the decision of the Director of Resource Management Agency - Planning approving of a Design Approval to correct a code violation (11CE00134) and to allow the placement of a 20 foot high communication antenna within a water tank easement to serve a California-American Water Company water tank; and
  - Finding the project categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301; and

- c. Approving the Design Approval to correct a code violation (11CE00134) and to allow the placement of a 20 foot high communication antenna within a water tank easement to serve a California-American Water Company water tank; and
  - d. Granting Appellant's request to waive the appeal fee and authorizing the RMA-Planning Director to refund the appeal fee.
- (Appeal of a Design Approval - PLN120817 California-American Water Company, 10 Oak Meadow Lane, Carmel Valley, Carmel Valley Master Plan)

**Anthony Lombardo addressed the Board on behalf of the Applicant and requested a continuance.**

**Mark Blum addressed the Board on behalf of the Appellant.**

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to continue the Public hearing to April 9, 2013 to consider:**

- a. Denying an appeal by Constance Murray from the decision of the Director of Resource Management Agency - Planning approving of a Design Approval to correct a code violation (11CE00134) and to allow the placement of a 20 foot high communication antenna within a water tank easement to serve a California-American Water Company water tank; and
  - b. Finding the project categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301; and
  - c. Approving the Design Approval to correct a code violation (11CE00134) and to allow the placement of a 20 foot high communication antenna within a water tank easement to serve a California-American Water Company water tank; and
  - d. Granting Appellant's request to waive the appeal fee and authorizing the RMA-Planning Director to refund the appeal fee.
- (Appeal of a Design Approval - PLN120817 California-American Water Company, 10 Oak Meadow Lane, Carmel Valley, Carmel Valley Master Plan) 4-0 (Supervisor Calcagno Absent)

- 15.** Consider the Appeal of the Pebble Beach Company's Request for Refund of \$130,287.67 in Assessed Penalties for Delinquent Transient Occupancy Tax Remittances.

**Mark Stell addressed the Board on behalf of the Appellant.**

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to uphold the Appeal of the Pebble Beach Company's Request for Refund of \$130,287.67 in Assessed Penalties for Delinquent Transient Occupancy Tax Remittances 3-1 (Supervisor Parker Dissented; Supervisor Calcagno Absent)**

- 16.**
- a. Receive a report on the draft *Monterey County Gang Violence Prevention: Strategic Plan*;
  - b. Consider authorization of community meetings to receive community input on the draft strategic plan;
  - c. Consider approval of funding in the amount of \$95,998 from General Fund Contingencies for the Social Policy Research Associates (SPR) proposal to provide facilitation services to develop an integrated gang violence prevention action plan; and
  - d. Consider direction to staff to develop a budget and staffing plan for implementation and coordination of the Gang Violence Prevention Strategic

Plan program.

**Public comment: Georgina Mendoza; Steve Ecklund.**

**A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas to:**

- a. Receive a report on the draft Monterey County Gang Violence Prevention: Strategic Plan;**
- b. Authorized community meetings to receive community input on the draft strategic plan;**
- c. Approved funding in the amount of \$95,998 from General Fund Contingencies for the Social Policy Research Associates (SPR) proposal to provide facilitation services to develop an integrated gang violence prevention action plan; and**
- d. Provided direction to staff to develop a budget and staffing plan for implementation and coordination of the Gang Violence Prevention Strategic Plan program; and add to the scope of work: 1) lay out elements of the public health campaign and assessment steps already in place and next steps; 2) work closely with CASP and Communities for Peace; 3) determine how we maximize communication with those at the table; and further directed staff to return in May with a proposal regarding financing, job description for the coordinator; and advise the school districts of our efforts to work with them.**

**4-0 (Supervisor Calcagno Absent)**

- 17.
- a. Receive a report from the Resource Management Agency-Planning regarding the three possible appropriate authority processing options for lot line adjustment and minor subdivision applications related to the proposed elimination of the County's Minor and Standard Subdivision Committees; and
  - b. Consider staff's recommendation to implement *Option 1* which establishes the Planning Commission as the appropriate authority for lot line adjustment and minor subdivision applications; and
  - c. Provide direction to staff on the preparation of the ordinances to be considered at a future date.
- [REF100014 (Inland) and REF120004 (Coastal), Options for Application Processes with the Elimination of the Minor and Standard Subdivision Committees.]

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to continue to Tuesday, April 16, 2013 consideration to:**

- a. Receive a report from the Resource Management Agency-Planning regarding the three possible appropriate authority processing options for lot line adjustment and minor subdivision applications related to the proposed elimination of the County's Minor and Standard Subdivision Committees; and**
- b. Consider staff's recommendation to implement Option 1 which establishes the Planning Commission as the appropriate authority for lot line adjustment and minor subdivision applications; and**
- c. Provide direction to staff on the preparation of the ordinances to be considered at a future date.**

**[REF100014 (Inland) and REF120004 (Coastal), Options for Application Processes with the Elimination of the Minor and Standard Subdivision Committees.] 4-0 (Supervisor Calcagno Absent)**

- 18.
- a. Conduct a continued public hearing from March 12, 2013 to consider the funding allocation recommendations of the Community Development Block Grant (CDBG) Ad Hoc Committee for FY 2013/14.

b. Authorize the Director of Economic Development to execute agreements with the grantees.

**Public comment: Kelly Morgantini.**

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Dave Potter: a. Conducted a continued public hearing from March 12, 2013 to consider the funding allocation recommendations of the Community Development Block Grant (CDBG) Ad Hoc Committee for FY 2013/14.**

**b. Authorized the Director of Economic Development to execute agreements with the grantees. 4-0 (Supervisor Calcagno Absent)**

**Adjournment**

**APPROVED:**

/s/ Louis R. Calcagno

**LOIUS R. CALCAGNO, CHAIR  
BOARD OF SUPERVISORS**

**ATTEST:**

**BY: /s/ Gail T. Borkowski**

**GAIL T. BORKOWSKI**

**CLERK OF THE BOARD**

Approved on January 14, 2014



## Supplemental Sheet, Consent Calendar

### Natividad Medical Center

19. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 1 to the Agreement (A-12169) with eCare Manage Inc. for Strategic and Information Technology Services at NMC, extending the Agreement to December 31, 2013 and adding \$1,140,000 for a revised total Agreement amount not to exceed \$2,490,000 in the aggregate.

**Approved - Agreement No. A-12169**

20. a. Approve the Intergovernmental Transfer of Public Funds (“IGT”) between the County of Monterey (“County”) and the California Department of Health Care Services (“State DHCS”), the source of which shall be funds from Natividad Medical Center (“NMC”) and not the County’s General Fund, pursuant to Sections 14164 and 14168.7 of the Welfare & Institutions Code, from NMC to State DHCS to be used as the nonfederal share of supplemental Medi-Cal managed care capitation rate payments to the Monterey-Santa Cruz-Merced Managed Medical Care Commission d/b/a Central California Alliance for Health, for a total amount not to exceed \$3,500,000 for healthcare services rendered in Fiscal Year 2011-2012 and transfer to occur in Fiscal Year 2012-2013 or 2013-2014 and;
- b. Authorize Chief Executive Officer (“CEO”) of NMC to execute the following agreements, in substantially the same form as that which has been presented to the Board, without material change to the amounts at issue, committing for a total amount not to exceed \$3,500,000 for healthcare services rendered in Fiscal Year 2011-2012 and for the transfer to occur in Fiscal Year 2012-2013 or 2013-2014:
- i. Intergovernmental Agreement Regarding the Transfer of Public Funds, between County and State DHCS.
  - ii. Intergovernmental Transfer Assessment Fee Agreement, between County and State DHCS.
  - iii. Amendment No. 13 to Health Plan - Provider Agreement, Primary Hospital and Outpatient Laboratory Services Agreement, between County and the Santa Cruz-Monterey-Merced Managed Medical Care Commission, a public entity organized under the laws of California, doing business as the Central California Alliance for Health (CCAH).

**Approved - Agreement No. A-12418**

### Health and Social Services

21. a. Approve the establishment of a Monterey County Financial Abuse Specialist Team (FAST); and,

b. Authorize the Department of Social Services to oversee implementation of the Monterey County Financial Abuse Specialist Team (FAST) Memorandum of Understanding that incorporates additional members that are not part of the County governance structure.

**Approved**

### **Criminal Justice**

- 22.** Revise the January 29, 2013 Board Order (File # 13-015) to correct the grantor agency, administering agency, and grant program as requested by the Board of State and Community Corrections for the County of Monterey Marijuana Eradication Team (COMMET).

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to revise the January 29, 2013 Board Order (File # 13-015) to correct the grantor agency, administering agency, and grant program as requested by the Board of State and Community Corrections; and adopted Resolution No. 13-015 to approve and authorize the Sheriff to apply for a grant application in the amount of \$186,494 with the Board of State and Community Corrections (BSCC) to continue funding for the County of Monterey Marijuana Eradication Team (COMMET) Program for the period of October 1, 2012 through September 30, 2013. 4-0 (Supervisor Calcagno Absent)**

- 23.** Revise the January 29, 2013 Board Order (File #13-0019) to correct the grantor agency, administering agency, and grant program as requested by the Board of State and Community Corrections for the County of Monterey Narcotics Enforcement Unit (NEUCOM).

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Revise the January 29, 2013 Board Order (File #13-0019) to correct the grantor agency, administering agency, and grant program as requested by the Board of State and Community Corrections; and adopted Resolution No. 13-098 to: approve and authorize the Sheriff to apply for a grant application in the amount of \$185,682 with the Board of State and Community Corrections (BSCC) to continue funding for the Narcotics Enforcement Unit County of Monterey (NEUCOM) Program for the period of October 1, 2012 through September 30, 2013. 4-0 (Supervisor Calcagno Absent)**

### **General Government**

- 24.** Approve and authorize the Contracts/Purchasing Officer to sign Amendment #3 to the contract with Liebert Cassidy Whitmore for labor relations consulting and negotiations from July 1, 2012 - September 30, 2013, increasing the amount from \$100,000.00 to \$250,000.00.

**Approved - Agreement No. A-12419**

- 25.** a. Approve and authorize the Auditor-Controller to write off a \$83,972.48 Small Business Revolving Loan Fund loan fund to Emmanuel C. Marchica doing business as (dba) Diesel Fitness, Inc. as bad debt;

- b. Approve and authorize the Auditor-Controller to write off a \$72,303.44 Small Business Revolving Loan Fund loan fund to Ernest and Candace Samudio, dba as Italica as bad debt; and
- c. Approve and authorize the Auditor-Controller to write off a \$45,178.30 Small Business Revolving Loan Fund loan fund to Alex Ortiz dba Zitro Elevator Company, Inc. as bad debt.

**Approved**

26. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Monterey Peninsula College.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 13-095 to approve the amendments to the Conflict of Interest Code of the Monterey Peninsula College. 4-0 (Supervisor Calcagno Absent)**

27. Adopt resolutions approving property tax transfers for the proposed annexation of property to the Cypress Fire Protection District and the Carmel Highlands Fire Protection District respectively.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 13-091 approving property tax transfer for the proposed annexation of property to the Cypress Fire Protection District and adopt Resolution No. 13-092 approving property tax transfer for the proposed annexation of property to the Carmel Highlands Fire Protection District. 4-0 (Supervisor Calcagno Absent)**

28. Adopt a Resolution to approve a Zero Property Tax Transfer for the Proposed Annexation of one parcel (Doyle/APN 015-042-023) to the Carmel Area Wastewater District.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 13-096 to approve a Zero Property Tax Transfer for the Proposed Annexation of one parcel (Doyle/APN 015-042-023) to the Carmel Area Wastewater District. 4-0 (Supervisor Calcagno Absent)**

29. Adopt Resolution to:

- a. Amend Personnel Policies and Practices Resolution No. 98-394 to create, add, re-title, and align salaries for classifications as indicated in the attached Resolution;
- b. Amend the Information Technology Budget Unit 1930-INF002, to delete one (1) Data Entry Operator II, one (1) Network Systems Engineer III, one (1) Security Analyst III, two (2) Systems Programmer Analyst III, and one (1) Information Technology Manager; and add two (2) Division Managers, three (3) Information Technology Supervisors, and one (1) Information Technology Project Management Analyst III;
- c. Amend the Information Technology Budget Unit 1930-INF001, to delete one (1) Telecommunications Technician III, and one (1) Assistant Director of Information Technology; and add one (1) Telecommunications Specialist IV, and one (1) Division Manager;

- d. Authorize the County Administrative Office to incorporate these changes into the FY 2012-13 Adopted Budget to reflect the change in position counts as described in Attachment A; and
- e. Authorize the County Administrative Office and the Human Resources Department to take necessary action to program the Advantage system to implement these actions.

**A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Resolution No. 13-090 to:**

- a. Amend Personnel Policies and Practices Resolution No. 98-394 to create, add, re-title, and align salaries for classifications as indicated in the attached Resolution;**
- b. Amend the Information Technology Budget Unit 1930-INF002, to delete one (1) Data Entry Operator II, one (1) Network Systems Engineer III, one (1) Security Analyst III, two (2) Systems Programmer Analyst III, and one (1) Information Technology Manager; and add two (2) Division Managers, three (3) Information Technology Supervisors, and one (1) Information Technology Project Management Analyst III;**
- c. Amend the Information Technology Budget Unit 1930-INF001, to delete one (1) Telecommunications Technician III, and one (1) Assistant Director of Information Technology; and add one (1) Telecommunications Specialist IV, and one (1) Division Manager;**
- d. Authorize the County Administrative Office to incorporate these changes into the FY 2012-13 Adopted Budget to reflect the change in position counts as described in Attachment A; and**
- e. Authorize the County Administrative Office and the Human Resources Department to take necessary action to program the Advantage system to implement these actions. 4-0 (Supervisor Calcagno Absent)**

- 30.** Approve the Board of Supervisor Action Minutes of Wednesday, June 6, 2012; Tuesday, June 12, 2012 and Tuesday June 26, 2012.

**Approved**

- 31.**
- a. Approve staff recommendation to amend Section 5.4.130 of the Code to establish "Abuse of Discretion" as the Standard for the Board of Supervisors to Consider Appeals of Taxes, Penalties and Interest for Delinquent Transient Occupancy Tax Remittances;
- b. Direct Staff to Return Within Four Weeks with Proposed Amendments to the Transient Occupancy Tax Ordinance that Establishes "Abuse of Discretion" as the Standard of Review by the Board of Supervisors for Taxes, Penalties and Interest, and Additional Amendments as May be Recommended by the Treasurer-Tax Collector; and
- c. Approve recommended interim "De Novo" Standard of Appeal for the procedure set forth in Article 5.40.130 of the County Code related to appeals by operators of transient occupancy taxes, penalties and interest for two current appeals.

**Approved**

- 32.** Authorize advance step placement of Mr. Dewayne Woods at Step 4 of the Assistant County Administrative Officer (ACAO) salary range in accordance

with Personnel Policies and Practices Resolution (PPPR) No. 98-394, Sections A.1.11.1, A.1.11.5 and A.5.1.

**Approved**

### **RMA - Planning**

33. a. Approve Amendment No. 2 to Funding Agreement No. A-12185 with California-American Water Company where the Base Budget of \$58,409.00 is increased by \$23,006.00 to \$81,415.00, and the Contingency budget of \$8,761.35 is increased by \$3,450.90 to \$12,212.25 with no change to the County fee of \$3,170.00, for a total amount not to exceed \$96,797.25 to allow funding to Monterey County for costs incurred by Rincon Consultants, Inc. to internally transfer budget funds and include new additional tasks associated with providing support to the Planning Department for the processing of the San Clemente Dam Diversion Project Application (PLN110373) in Carmel Valley and extend the term to December 31, 2013; and
- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 2 to Funding Agreement No. A-12185 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.
- (PD060202/Rincon Consultants, Inc. and PLN110373/San Clemente Dam Diversion Project Application in Carmel Valley)

**Approved - Agreement No. A-12185**

### **RMA - Public Works**

34. a. Adopt Plans and Special Provisions for the Harris Road Overlay, Project No. 13-142365; and
- b. Authorize the Director of Public Works to advertise the "Notice to Bidders" in the *Monterey County Weekly*.
- Approved - Construction No. 2013-003**
35. a. Adopt Plans and Special Provisions for the Castroville Drainage and Road Improvements between Union Street and Poole Street, Project No. 13-142465; and
- b. Authorize the Director of Public Works to advertise the "Notice to Bidders" in the *Monterey County Weekly*.
- Approved - Construction No. 2013-004**
36. a. Approve and authorize the Chair to execute a First Amendment to the Agreement Concerning Maintenance, Repair, and Operation of Drainage and Flood Control Systems and Required Provisions of CC&Rs by and among the County of Monterey, the Monterey County Water Resources Agency, and

UCP East Garrison, LLC, for the East Garrison development on the former Fort Ord; and

b. Direct the Director of Public Works to submit the executed First Amendment to the County Recorder for recordation.

**REMOVED VIA SUPPLEMENTAL**

- 37.** Approve and authorize the Chair to sign a First Amendment to the Urban Services Agreement by and between the County of Monterey and the East Garrison Community Services District Relating to East Garrison for operation and maintenance of infrastructure at the East Garrison development.

**REMOVED VIA SUPPLEMENTAL**

- 38.**
- a. Approve and authorize the Chair to sign an Advance Funding Agreement between BMC EG GARDEN, LLC and the County of Monterey for Prevailing Wage Compliance at the East Garrison Project at Fort Ord relating to the provision of funds to cover County costs for monitoring and reporting on prevailing wages obligations;
  - b. Approve and authorize the Chair to sign an Advance Funding Agreement between BMC EG BUNGALOW, LLC and the County of Monterey for Prevailing Wage Compliance at the East Garrison Project at Fort Ord relating to the provision of funds to cover County costs for monitoring and reporting on prevailing wages obligations; and
  - c. Approve and authorize the Chair to sign an Advance Funding Agreement between BMC EG VILLAGE, LLC and the County of Monterey for Prevailing Wage Compliance at the East Garrison Project at Fort Ord relating to the provision of funds to cover County costs for monitoring and reporting on prevailing wages obligations.

**REMOVED VIA SUPPLEMENTAL**

- 39.**
- a. Accept as complete a portion of the East Garrison Subdivision Phase 1 Infrastructure Improvements, including off-site road improvements, off-site and on-site drainage improvements, and on-site grading, erosion control, and infrastructure;
  - b. Accept the completed road improvements on Intergarrison Road, Intergarrison Connector Road, and West Camp Street into the County's maintained road system; and
  - c. Approve the release or reduction of Grading, Faithful Performance, and Labor and Material Bonds related to said improvements in accordance with Government Code section 66499.7 after the passage of time for recording claims or liens.

**REMOVED VIA SUPPLEMENTAL**