

Monterey County

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



Action Minutes - Final

Tuesday, June 3, 2014

9:00 AM

**See separate agendas for Board of Supervisors governed agencies
and Special Joint Meeting of the Board of Supervisors of the
Monterey County Water Resources Agency and Water Resources
Agency Board of Directors**

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 Vice Chair Salinas.

Roll Call

Present: 3 - Supervisor Fernando Armenta, Supervisor Simón Salinas and Supervisor Jane Parker

Absent: 2 - Supervisor Louis R. Calcagno and Supervisor Dave Potter

Additions and Corrections for Closed Session

There were no additions and 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) County of Monterey v. La Paz Partners, et al. (Monterey County Superior Court Case no. M124457)
 - b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding ~~two matters~~ three matters of significant exposure to litigation. (REVISED VIA SUPPLEMENTAL)
 - c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators: (1) Property: 559 E. Alisal Street, Salinas
Agency Negotiator: Ray Bullick, Health Director and Elsa Jimenez, Assistant Health Director
Negotiating Party: Ramiro Alcala, 559 E. Alisal Street LLC, William Clayton, Esq.
Under negotiation: Price and terms
 - d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
(1) Designated representatives: James May and Brette Neal
Employee Organization(s): Units J, Q, V & X
 - e. ~~Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the Natividad Medical Center CEO.~~
(REMOVED VIA SUPPLEMENTAL)
 - f. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

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

10:30 AM Reconvene

Roll Call

Present: Charlie 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 Supervisor Parker.

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 corrections:

Adjourn in Memory of Alan Baldrige

Corrections Under Appointments. Item should read:

11. Reappoint Eric Lauritzen as Agricultural Commissioner for a four-year term of office effective July 27, 2014.

12. Reappoint Eric Lauritzen as Sealer of Weights & Measures for a four-year term of office effective June 30, 2014.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to approve additions and corrections. **ALL AYES**

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker pulled item 54 for questions and concerns regarding the lot line adjustment. Mike Novo responded regarding non-conforming parcels. Supervisor Potter pulled items 21-29. Supervisor Potter pulled items 21-27 and 29 for discussion and asked what the process is or will be in the future for ensuring contemporary RFP/ RFQ for contract amendments; he requested item 28 regarding Building 400/ capital improvements return to the Board with a full presentation.

Supervisor Calcagno pulled items 57 and 62 and questioned staff. Bob Murdoch responded.

Motion 1. A motion was made by Supervisor Potter, seconded by Supervisor Salinas to approve items 21 through 27, and 29 and directed staff to bring back item 28 with a full presentation; additionally directed NMC staff to bring back

for consideration contract amendments in the future with a statement of how they comply with RFQ/RFP process. ALL AYES

Motion 2. A motion was made by Supervisor Salinas, seconded by Supervisor Armenta to approve the Consent Calendar with the exception of items 21-29 and 54. ALL AYES

Motion 3. A motion was made by Supervisor Salinas, seconded by Supervisor Armenta to approve item 54. (4-1) (Supervisor Parker dissented)

Ceremonial Resolutions

3. Adopt Resolution honoring “Undisclosed Recipient” upon being selected as the 2014 AG Against Hunger Agricultural Woman of the Year. (Full Board)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 14-137 honoring Mikel Ann Miller upon being selected as the 2014 AG Against Hunger Agricultural Woman of the Year. ALL AYES
4. Adopt Resolution honoring “Undisclosed Recipient” as the recipient of the 2014 Agricultural Woman of the Year. (Supervisor Salinas)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to Adopt Resolution No. 14-138 honoring Mikel Ann Miller as the recipient of the 2014 Agricultural Woman of the Year. ALL AYES
5. Adopt Resolution honoring Carolyn Hinds on the occasion of her retirement from Interim, Inc. after 23 years of dedicated service improving the lives of adults with mental illness. (Supervisor Potter)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 14-139 honoring Carolyn Hinds on the occasion of her retirement from Interim, Inc. after 23 years of dedicated service improving the lives of adults with mental illness. ALL AYES
- 5.1 Adopt Resolution recognizing the 50th Anniversary of the Wilderness Act. (Supervisor Potter) (ADDED VIA ADDENDUM)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 14-140 recognizing the 50th Anniversary of the Wilderness Act. ALL AYES
- 5.2 Adopt Resolution Honoring John Mount upon his retirement from the County of Monterey after 18 ½ years of Public Service. (Full Board) (ADDED VIA ADDENDUM)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 14-141 Honoring John Mount upon his retirement from the County of Monterey after 18 ½ years of Public Service. ALL AYES

Appointments

6. Reappoint Gonzalo Coronado and Mark Lopez to the Mental Health Commission, terms ending May 31, 2017. (Supervisor Salinas)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to Reappoint Gonzalo Coronado and Mark Lopez to the Mental Health Commission, terms ending May 31, 2017. ALL AYES**
7. Reappoint Scott Violini to the Agricultural Advisory Committee, term ending June 30, 2016. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to Reappoint Scott Violini to the Agricultural Advisory Committee, term ending June 30, 2016. ALL AYES**
8. Reappoint Basil H. Smith to the Animal Control Program Advisory Board, term ending July 1, 2017. (Supervisor Salinas)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to Reappoint Basil H. Smith to the Animal Control Program Advisory Board, term ending July 1, 2017 ALL AYES**
9. Appoint Kimberly Guillian to the Monterey County Fish & Game Advisory Commission, term ending February 1, 2017. (Supervisor Salinas)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta Appoint Kimberly Guillian to the Monterey County Fish & Game Advisory Commission, term ending February 1, 2017. ALL AYES**
10. Appoint Maryellen Aisenberg to the Equal Opportunity Advisory Commission to fill an unscheduled vacancy, term ending December 31, 2015. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to appoint Maryellen Aisenberg to the Equal Opportunity Advisory Commission to fill an unscheduled vacancy, term ending December 31, 2015. ALL AYES**
11. Recommend reappointment of Eric Lauritzen as Agricultural Commissioner for a four-year term of office effective July 27, 2014.
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to recommend reappointment of Eric Lauritzen as Agricultural Commissioner for a four-year term of office effective July 27, 2014. (Revised via Additions and Corrections) ALL AYES**
12. Recommend reappointment of Eric Lauritzen as Sealer of Weights & Measures for a four-year term of office effective June 30, 2013.
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to recommend reappointment of Eric Lauritzen as Sealer of Weights & Measures for a four-year term of office effective June 30, 2014. (Revised via Additions & Corrections) ALL AYES**

Other Board Matters

13. Board Comments

Supervisor Parker thanked the public and Dewayne Woods for their participation in the Seaside community event and presentation on the Monterey County budget. It was a successful eventt.

14. CAO Comments and Referrals

There were no CAO comments or referrals.

15. General Public Comment

Paul Farmer; Jonathan Geller; Steve Ecklund; Amy White; Jay DeSerpa; Jessica Potts; Jose Martinez Saldana; Joe Vierra; Eric Peterson; Hans Jongens; Wiley Mitchell.

Andrea Rosenberg, NMC Assistant CEO, requested clarification regarding the item related to Building 400.

10:30 A.M. - Scheduled Matters**16.** Receive an oral report and presentation on Monterey County Gang Violence Prevention Initiative

Public Comment: Jose Arreola; Andres Casas; Meagan Rashid; Ruben Ayado; Juan Gomez; Vicky Meyers.

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Simón Salinas to receive the oral report and presentation on Monterey County Gang Violence Prevention Initiative. ALL AYES

17. Approve and adopt the County of Monterey Records Management Policy as presented.

The Chair announced this item would be continued to June 17, 2014.

18. Consider adoption of an ordinance amending Chapter 1.22 relating to the Administrative Remedies for Code Enforcement to further define "Hearing Officer" which would allow the County to use an alternative hearing officer program, in addition to the Administrative Law Judge provided by the State of California Office of Administrative Hearings, as well as adding and amending sections clarifying administrative procedures for Code Enforcement.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to adopt Ordinance 5239 amending Chapter 1.22 relating to the Administrative Remedies for Code Enforcement to further define "Hearing Officer" which would allow the County to use an alternative hearing officer program, in addition to the Administrative Law Judge provided by the State of California Office of Administrative Hearings, as well as adding and amending sections clarifying administrative procedures for Code Enforcement. 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 Jane Parker and Supervisor Dave Potter

1:30 P.M. - Scheduled Matters**Item 18 was heard immediately after lunch.**

19.

Request to continue Public Hearing to July 22, 2014 to consider:

- a. Appeal by Jeff Taylor from the Planning Commission's decision approving the application by Heritage Development LP for a Combined Development Permit;
- b. Addendum together with the previously certified EIR for the Santa Lucia Preserve;
- c. Approval of a Combined Development Permit consisting of: 1) a Minor Subdivision vesting tentative map to allow the subdivision of three lots of 20.69 acres, 20.78 acres and 62 acres (total 103.2 acres) into a 4 lot subdivision of 10.4, 11.9, 20.1 and 60.8 acres; 2) a Use Permit to allow the removal of 20 protected Coastal live oak trees; 3) a Use Permit for development on slopes greater than 30%; and 4) an Administrative Permit and Design Approval for development in a Design Control and Site Plan District for a 100,000 gallon water storage tank and grading (approximately 45,000 cubic yards cut and 45,000 cubic yards fill).

(Combined Development Permit - PLN060603/Heritage Development, 27050/25070/27080 Rancho San Carlos Road, Carmel, Carmel Valley Master Plan)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to continue the Public Hearing to July 22, 2014 to consider:

- a. Appeal by Jeff Taylor from the Planning Commission's decision approving the application by Heritage Development LP for a Combined Development Permit;**
- b. Addendum together with the previously certified EIR for the Santa Lucia Preserve;**
- c. Approval of a Combined Development Permit consisting of: 1) a Minor Subdivision vesting tentative map to allow the subdivision of three lots of 20.69 acres, 20.78 acres and 62 acres (total 103.2 acres) into a 4 lot subdivision of 10.4, 11.9, 20.1 and 60.8 acres; 2) a Use Permit to allow the removal of 20 protected Coastal live oak trees; 3) a Use Permit for development on slopes greater than 30%; and 4) an Administrative Permit and Design Approval for**

development in a Design Control and Site Plan District for a 100,000 gallon water storage tank and grading (approximately 45,000 cubic yards cut and 45,000 cubic yards fill).
(Combined Development Permit - PLN060603/Heritage Development, 27050/25070/27080 Rancho San Carlos Road, Carmel, Carmel Valley Master Plan). ALL AYES

- 20.
- a. Conduct a public hearing pursuant to California Government Code Section 6584 et seq to approve and authorize the Salinas Valley Solid Waste Authority (SVSWA) to enter into an Equipment Lease/Purchase Financing Agreement with Capital One Public Funding, to provide for the purchase of new/used landfill equipment in an amount not to exceed \$3,670,000;
 - b. Adopt a Resolution finding that the SVSWA's proposed Equipment Lease/Purchase Financing Agreement for the purchase of new/used landfill equipment will result in significant public benefits pursuant to California Government Code Section 6586.

Held a Public Hearing pursuant to California Government Code Section 6584 et seq;

A motion was made by Supervisor Fernando Armenta, seconded by Supervisor Simón Salinas to a. Approve and authorize the Salinas Valley Solid Waste Authority (SVSWA) to enter into an Equipment Lease/Purchase Financing Agreement with Capital One Public Funding, to provide for the purchase of new/used landfill equipment in an amount not to exceed \$3,670,000; and b. Adopt Resolution No. 14-142 finding that the SVSWA's proposed Equipment Lease/Purchase Financing Agreement for the purchase of new/used landfill equipment will result in significant public benefits pursuant to California Government Code Section 6586. (4-1) (Supervisor Calcagno dissented)

2:00 P.M. - Scheduled Matter

- 20.1
- Consider authorizing negotiations with the Monterey County Water Resources Agency for a funding agreement to fund preliminary activities necessary to commence environmental review for the Interlake Tunnel Project in an amount not to exceed \$2.5 million, said funds to be reimbursed to Monterey County if the Project is approved and financed. (ADDED VIA ADDENDUM)

Public Comment: Norm Groot; Ron Chesshire.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to authorize negotiations with the Monterey County Water Resources Agency for a funding agreement to fund preliminary activities necessary to commence environmental review for the Interlake Tunnel Project in an amount not to exceed \$500,000, said funds to be reimbursed to Monterey County if the Project is approved and financed. (4-0) (Supervisor Potter absent)

Adjournment

Adjourned in Memory of Alan Baldrige. (Added via Additions and Corrections)

APPROVED:

/s/ Louis R. Calcagno
LOUIS R. CALCAGNO, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: /s/ Gail T. Borkowski
GAIL T. BORKOWSKI
CLERK OF THE BOARD
APPROVED ON 08-26-14

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

21. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 8 to the Agreement (A-12557/MYA704) with Hydrex Pest Control for Pest Control Services at NMC, extending the Agreement to June 30, 2015 and adding \$14,000 for a revised total Agreement amount not to exceed \$123,000 in the aggregate.

Approved - Agreement No. A-12557

22. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 5 to the Agreement (A-12060/MYA653) with Certified Medical Testing for repair, maintenance and testing of medical gas system services at NMC, extending the Agreement to June 30, 2015 for a total Agreement amount not to exceed \$150,000 in the aggregate.

Approved - Agreement No. 12060

23. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 6 to the Agreement (A-11996/MYA497) with Quality Assurance Services Inc. for Radiation Physicist Services at NMC, extending the Agreement to June 30, 2015 for a total Agreement amount not to exceed \$150,000 (no change from previously approved amount) in the aggregate.

Approved - Agreement No. A-11996

24. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 8 to the Agreement (A-10296/MYA547) with RFI Enterprises Inc. for Inspection and Repair of Smoke Alarm and Fire Sprinkler Services at NMC, extending the Agreement to June 30, 2015 for a total Agreement amount not to exceed \$130,000 (no change from previously approved amount) in the aggregate.

Approved - Agreement No. A-12096

25. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 3 to the Agreement (A-12241/MYA449) with San Jose Boiler Works for preventative maintenance services for steam, domestic hot water, heating boilers and boiler parts at NMC, extending the Agreement to June 30, 2015 for a total Agreement amount not to exceed \$175,000 (no change from previously approved amount) in the aggregate.

Approved - Agreement No. A-12241

26. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 8 to the Agreement (A-10493/MYA589) with Quest Diagnostics Inc. for Reference Laboratory Testing Services at NMC, extending the Agreement to June 30, 2015 (no change to the previously approved amount) for a total Agreement amount not to exceed \$4,390,000 in the aggregate.
- Approved - Agreement No. A-10493**
27. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 3 to the Agreement No. (A-12242/MYA503) with Nixon Peabody LLP for Legal Services at NMC, extending the term of the Agreement to June 30, 2015 in an amount not to exceed \$300,000 (no increase from the previously approved amount) in the aggregate.
- Approved - Agreement No. A-12242**
28. a. Overrule and reject bid protest and award an agreement in the total amount of \$3,412,000 to Geney/ Gassiot Inc. the lowest responsible and responsive base bidder, for Natividad Medical Center Project #9600-18 - Building 400 Third Floor Tenant Improvement, Bid #NMC-1011; and
- b. Approve the Performance and Payment Bonds executed and provided by Geney/ Gassiot Inc.; and
- c. Authorize a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change order; and
- d. Authorize the Purchasing Manager at NMC to execute the contract and subject to the terms of the Public Contract Code, approve change order to the contract that do not exceed 10% of the original contract amount, and do not significantly change the scope of work.
- (ADDED VIA ADDENDUM)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas, that this item return to the Board with a full presentation regarding the capital improvements at the hospital. ALL AYES**
29. Authorize and direct the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 8 to the Agreement (A-11938) with Cynthia Harlowe for the Joint Commission and Quality Assurance Consulting Services at NMC, extending the Agreement to June 30, 2015 and adding \$157,000 for a revised total Agreement amount not to exceed \$422,000 in the aggregate (for the period July 1, 2009 to June 30, 2015).
- Approved - Agreement No. A-11938**

Health Department

30. Set a date for a public hearing on June 24, 2014, at 10:30 A.M., to consider approving the Fiscal Year (FY) 2014-15 assessments for CSA 74 for the Emergency Medical Services System Special Tax.

Approved

31. Approve and authorize the Director of Health to sign Amendment No. 2 to the mental health services Agreement A-12283 with Aspiranet to increase units of service and funding for Therapeutic Behavioral Services (TBS) for FY 2013-14 in the amount of \$26,282, FY 2014-15 in the amount of \$136,487, for a revised total Agreement amount not to exceed \$1,112,001 in the aggregate.

Approved - Agreement No. A-12283

32. a. Approve and authorize the Director of Health to sign a three fiscal year term (July 1, 2014 to June 30, 2017) Mental Health Services Agreement with Crestwood Behavioral Health, Inc. for the provision of mental health services to adults with severe psychiatric disabilities in the amount of \$932,747 for Fiscal Year 2014-15, \$932,747 for Fiscal Year 2015-16, and \$932,747 for Fiscal Year 2016-17 for a total maximum agreement amount of \$2,798,241; and
- b. Authorize the Director of Health to sign the Mental Health Services Agreement with Addendum #1; and
- c. Authorize the Director of Health to approve up to three future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original contract amount and do not significantly change the scope of work.

Approved - Agreement No. A-12686

33. a. Approve and authorize the Director of Health to sign a three fiscal year term Mental Health Services Agreement (July 1, 2014 to June 30, 2017) with Davis Guest Home, Inc. for the provision of mental health services for Monterey County adult residents with severe psychiatric disabilities in the amount of \$862,227 for Fiscal Year (FY) 2014-15, \$862,227 for FY 2015-16, and \$862,227 for FY 2016-17 for a total Agreement amount not to exceed \$2,586,681.
- b. Authorize the Director of Health to sign up to three future amendments to this Agreement where the amendments do not exceed 10% of the total contract amount and do not significantly change the scope of work.

Approved - Agreement No. A-12683

34. Approve and authorize the Director of Health to sign Amendment No. 5 to the Mental Health Services Agreement A-12268 with Door to Hope for the provision of mental health rehabilitation services. Amendment No. 5 revises the Scope of Services, Payment and Billing Provisions and Budget and Expenditure Reports, and increases Fiscal Year (FY) 2013-14 annual amount by \$25,028 and FY 2014-15 annual amount by \$126,344 for a revised total Agreement amount not to exceed \$9,017,321.

Approved - Agreement No. A-12268

35. a. Approve and authorize the Director of Health to sign a three fiscal year term Mental Health Services Agreement (July 1, 2014 - June 30, 2017) with Encompass Community Services for the provision of mental health services in the amount of \$179,900 for Fiscal Year (FY) 2014-15, \$179,900 for FY 2015-16, and \$179,900 for FY 2016-17 for a total Agreement amount not to exceed \$539,700; and
- b. Authorize the Director of Health to sign up to three future amendments to this Agreement where the amendments do not exceed 10% of the original Agreement amount and do not significantly change the scope of work.

Approved - Agreement No. A-12684

36. a. Approve and authorize the Director of Health or designee to sign a Memorandum of Agreement ("Agreement") with the United States Army Garrison-Presidio of Monterey ("PoM") for administrative and related services for the Sexual Assault Response Team, effective upon date of execution by County, for a five year term; and
- b. Authorize the Director of Health or designee to approve three future amendments up to ten percent (10%) of the annual amount, which does not significantly alter the scope of services.

Approved**Department of Social Services**

37. a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with United Way of Monterey County for \$128,000 to provide volunteer community service opportunities for CalWORKs customers 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 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-12685

38. a. Approve increased appropriations of \$900,000 and revenues of \$825,000 in the Department of Social Services (DSS) Appropriation Unit SOC001 for Entitlement Programs; and
- b. Approve decreased appropriations in the amount of \$75,000 in the Department of Social Services (DSS) Appropriations Unit SOC002 for General Assistance; and
- c. Approve increased appropriations and revenues in the amount of \$30,000 in the Department of Social Services (DSS) Appropriation Unit SOC003 for Military & Veterans Affairs Office; and
- d. Authorize the Auditor Controller's Office to incorporate approved

modifications in the FY 2013-14 Budget. (4/5th vote required)

Approved

Criminal Justice

39. Approve and adopt a Resolution amending Article VII of the Master Fee Resolution to set fees and authorize collection of fees by the Sheriff's Office effective July 1, 2014 as attached in Exhibit A. (RESOLUTION REVISED VIA SUPPLEMENTAL)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to approve and adopt Resolution No. 14-143 amending Article VII of the Master Fee Resolution to set fees and authorize collection of fees by the Sheriff's Office effective July 1, 2014 as attached in Exhibit A. ALL AYES

General Government

40. Approve and authorize the Library Director or Designee to enter into a Professional Services Agreement (PSA) with HughesNet, for public satellite internet services for the Big Sur Branch Library in the amount of \$4,477.56 for a two (2) year period, from July 1, 2014 through June 30, 2016.

Approved

41. a. Approve and authorize the transfer of General Fund Contingency funds and an increase in revenue and appropriations of \$1,415,875 to Enterprise Risk, Appropriation Code COU006 for the PTAF settlement.
b. Approve and authorize the Auditor-Controller to increase appropriations in Enterprise Risk, Appropriation Code COU006 and decrease appropriations in General Fund Contingencies, Appropriation Code CAO020 in the amount of \$1,415,875. (4/5th vote required)

Approved

42. a. Approve and authorize the Contracts/Purchasing Officer to sign Master Agreements with Firato Janitorial, ISS Facility Services, Inc., Universal Building Services and Supply Co., and US Metro Group, Inc., for the provision of Custodial and Maintenance Services and Supplies to the County of Monterey for the term from the date of signing through and including May 1, 2017, including the option to extend the Agreement for two (2) additional one (1) year periods, with a yearly aggregate value estimated not to exceed \$1,500,000 for all Agreements issued under RFP #10450 in accordance with the terms and conditions set within each Agreement; and,
b. Approve and authorize the Contracts/Purchasing Officer to sign additional Master Agreements for Custodial and Maintenance Services and Supplies with qualified contractors who meet the minimum requirements of the RFP.

Approved - Agreement No.'s: A-12692 (Firato Janitorial, ISS); A-12693 (Facility

Services, Inc.); A-12694 (Universal Building Services and Supply Co.); A-12695 (US Metro Group)

- 43.** a. Approve a decrease in reimbursements received from outside revenue for the Economic Development Department (001-1070-8221), Appropriation Unit DEO001 by \$265,119 and reduce General Fund Contingencies (001-1050-8034), Appropriation Unit CAO020 in the amount of \$265,119 to fund the decrease and;
- b. Authorize the Auditor Controller's Office to incorporate the approved appropriation changes to the FY 2013-14 Budget. (4/5th vote required).

Approved

- 44.** Approve the Relocation Plan for the Camphora Farm Labor Camp.

Approved

- 45.** Approve amending the County's Internal Revenue Code Section 125 Plan Document to incorporate a Flexible Spending Account (FSA); and implement the FSA using a short plan year of July 1 - December 31, 2014.

Approved

- 46.** a. Accept the recommendation of the Monterey County Fish and Game Commission to award ten (10) funding grants;
- b. Approve the distribution of Fish and Game grant funds in the amount of \$15,500 for the following specified grant projects for Fiscal Year 2013 - 2014:

Silicon Valley Monterey Bay Council, BSA \$2,000

California Department of Fish and Game \$500

Monterey Bay Youth Outdoor Day \$2,500

Monterey County Parks Department-Toro Pond Renovation \$2,000

Monterey Bay Salmon Trout Project \$5,000

Monterey Bay Veterans, Inc. \$2,500

CalTIP \$1,000; and

- c. Approve the distribution of Fish and Game grant funds in the amount of \$9,900 for the following specified grant projects for Fiscal year 2014-2015:

Ventana Wildlife Society \$5,000

Lazy Arrow \$2,500

Gates and Associates \$2,400

Approved

- 47.** a. Approve and authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Agreement No. 10244 with Armstrong Productions, Inc. to extend the term of the original April 1, 2011 Agreement through June 30, 2016, and increase the Agreement total from \$96,000 to \$156,000 to compensate the vendor for the programming and production services provided over the extended term; and

b. Authorize the Auditor-Controller to transfer restricted revenue funds upon request from the Information Technology Department as expended.

Approved - Agreement No. A-10244

- 48.** a. Approve and authorize the Director of Information Technology to sign an Agreement between the County of Monterey, San Benito County, and Santa Cruz County for the extension and upgrade of the existing Monterey Bay Area Microwave System into San Benito County and the continued operations and maintenance responsibilities of the system between the Counties of Monterey, Santa Cruz, and San Benito County retroactive to October 1, 2013 through September 30, 2018; and
- b. Approve and authorize the Director of Information Technology or her designee to serve as the County's representative on the Monterey Bay Area Microwave System Governance Committee and to assign staff to participate on the Monterey Bay Area Microwave System Technical Committee as needed.

Approved

- 49.** Approve the use of San Lorenzo Park on June 15, 2014 and August 17, 2014 for two functions held by Grace Lutheran Church in compliance with Monterey County Code 14.12.130.

Approved

- 50.** Approve and Authorize the Contract/Purchasing Officer to sign Amendment Number 6 to the Contractual Agreement No. A-07625 between the County of Monterey and the Megabyte Systems Inc. for implementation of an additional Assessor's Office Online Business Property Filing (OBPF) module and associated annual maintenance.

Approved - Agreement No. A-07625

- 51.** Approve a status report on the development of milestones to implement the 2014-2015 Monterey County Strategic Initiatives and Key Objectives.

Approved

- 52.** Receive a report on the Governor's FY 2014-15 Revised Budget.

Approved

- 53.** Adopt an ordinance to amend Chapter 2.40 of the Monterey County Code to modify procedures relating to the appointment and terms of members and alternate members of the Monterey County Assessment Appeals Board.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Ordinance No. 5240 to amend Chapter 2.40 of the Monterey County Code to modify procedures relating to the appointment and

terms of members and alternate members of the Monterey County Assessment Appeals Board. ALL AYES

RMA - Planning

54. Adopt a Resolution to:
- a. Approve a Lot Line Adjustment between three (3) legal lots of record under Farmland Security Zone Contract No. 12-010, established by County Resolution No. 11-379, with no net decrease in acreage under Williamson Act Contract; and
 - b. Authorize the Chair to execute new or amended Farmland Security Zone Contract in order to rescind a portion of the existing Contract as it applies to the reconfigured lots only and simultaneously execute a new or amended Contract or Contracts for the reconfigured lots between the County and Sea Mist Farms, LLC, reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Williamson Act Program Policies and Procedures; and
 - c. Direct the Clerk of the Board to record the new or amended Contract or Contracts.
- (Lot Line Adjustment - PLN110031/Sea Mist Farms, LLC, River Road, Chualar, Toro & Central Salinas Valley Area Plans)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Fernando Armenta to adopt Resolution No. 14-144 to:

- a. Approve a Lot Line Adjustment between three (3) legal lots of record under Farmland Security Zone Contract No. 12-010, established by County Resolution No. 11-379, with no net decrease in acreage under Williamson Act Contract; and
 - b. Authorize the Chair to execute new or amended Farmland Security Zone Contract in order to rescind a portion of the existing Contract as it applies to the reconfigured lots only and simultaneously execute a new or amended Contract or Contracts for the reconfigured lots between the County and Sea Mist Farms, LLC, reflecting the new legal descriptions, current ownership interests and to incorporate any legislative changes to State Williamson Act provisions and current County Williamson Act Program Policies and Procedures; and
 - c. Direct the Clerk of the Board to record the new or amended Contract or Contracts.
- (Lot Line Adjustment - PLN110031/Sea Mist Farms, LLC, River Road, Chualar, Toro & Central Salinas Valley Area Plans) 4-1 (Supervisor Parker dissented)

RMA - Public Works

55. a. Award a contract to The Don Chapin Company, Inc., the lowest responsible and responsive base bidder for the construction of Castroville Boulevard Overlay, Project No. 14-157165, with the base bid amount of \$1,091,329 and additive alternate amount of \$190,092 for a total contract amount of \$1,281,421;

- b. Approve the Performance and Payment Bonds executed and provided by The Don Chapin Company, Inc.;
- c. Authorize a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders;
- d. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount, and do not significantly change the scope of work; and
- e. 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 construction of Castroville Boulevard Overlay, Project No. 14-157165, performed by The Don Chapin Company, Inc.

Approved - Construction No. 2014-004; Agreement No. A-12687

- 56.
- a. Introduce, waive the reading, and set June 24, 2014 at 1:30 p.m., as the date and time to conduct a public hearing to consider adoption of an ordinance adding Article VII to section 12.44 of the Monterey County Code to make the California Vehicle Code, applicable to private roads in the East Garrison Phase One Subdivision, in the East Garrison area of the unincorporated area of the County of Monterey;
 - b. Direct RMA - Public Works to mail the Notice of Public Hearing to the affected landowners not less than ten (10) days prior to the date of hearing; and
 - c. Authorize the Clerk of the Board to publish the Notice of Public Hearing in the *Monterey County Weekly*.
- 57.
- Acting on behalf of County Service Area No. 75 Chualar:
- a. Ratify the use of J.G.P.G. dba Greenline Underground Plumbing Video to perform emergency repairs to the Chualar Sanitary Sewer Collection and Treatment System in the amount of \$166,329.
 - b. Approve a report on the financial condition of County Service Area 75 Chualar;
 - c. Authorize a transfer \$258,093 from the Capital Projects Fund 402-3000-8174-RMA014 to the Chualar County Service Area 75, Fund 093-3000-8198-RMA088, as a loan to be repaid with Interest (4/5 vote required);
 - d. Approve an increase the FY 2013-14 Capital Projects 402-3000-8174-7614 appropriations by \$258,093, Chualar CSA 75 093-3000-8198-6311 appropriations by \$298,850, and Chualar CSA 75 093-3000-8198-5940 revenues by \$258,093 (4/5 vote required); and
 - e. Authorize the Auditor-Controller to incorporate approved appropriations and estimated revenue modifications in the FY 2013-14 Budget.
 - f. Authorize the Director of Public Works to release a Request of Expressions of Interest (REI #PW01) for the possible sale of the Chualar Sanitary Sewer

Collection and Treatment System.

Approved

58. a. Adopt Plans and Special Provisions for the Roof Repairs and Renovations 1200 Aguajito Road-Courthouse Roof Replacement, Project No. 8543, Bid Package No. 10418; and
b. Authorize the Director of Public Works to advertise the "Notice to Contractors" in the *Monterey County Weekly*.

Approved - Construction No. 2014-012

59. Acting on behalf of County Service Area No. 17 Rancho Tierra Grande:
a. Approve increased appropriations in the amount of \$51,603 in the Resource Management Agency County Service Area 17 - Rancho Tierra Grande Appropriation Unit 057-3000-RMA053-8198 for the Via Mariquita Stormdrain Repair Project from Fund 057 Unassigned Fund Balance (4/5th vote required); and
b. Authorize the Auditor-Controller to incorporate the approved modification in the FY 2013-14 Budget.

Approved

60. a. Ratify awarding of an emergency construction contract to Monterey Peninsula Engineering, the lowest responsible bidder, for the Reservation Road Slipout, Project No. 14-156965, in the total amount of \$455,220;_
b. Ratify approval of the Performance and Payment Bonds executed and provided by Monterey Peninsula Engineering;
c. Ratify authorizing a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders;
d. Ratify the execution of the contract and the approval of change orders to the contract that did not exceed 10% of the original contract amount, and did not significantly change the scope of work, by the Director of Public Works; and
e. 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 construction of the Reservation Road Slipout, Project No. 14-156965, performed by Monterey Peninsula Engineering.

Approved - Agreement No. A-12692; Construction No. 2014-011

61. a. Award a contract to Central Striping Service, Inc. the lowest responsible and responsive bidder for the construction of Castroville Boulevard Pavement Delineation, Project No. 14-142765, State Project No. 0513000081L-N, Federal Aid Project No. HRRRL-5944(114) in the amount of \$142,294.60;
b. Approve the Performance and Payment Bonds executed and provided by Central Striping Service, Inc.;

- c. Authorize a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders;
- d. Authorize the Director of Public Works to execute the contract and subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount, and do not significantly change the scope of work; and
- e. 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 construction of Castroville Boulevard Pavement Delineation, Project No. 14-142765, State Project No. 0513000081L-N, Federal Aid Project No. HRRRL-5944(114), performed by Central Striping Service, Inc.

Approved - Agreement No. A-12690; Construction No. 2014-005

62.

- a. Approve and authorize the Director of Public Works to sign Electric Agreement No. 1167198 with PG&E in the amount of \$7,017.91 to convert five existing street lights from HPS to LED in the community of Las Lomas;
- b. Approve and authorize the Director of Public Works to sign Electric Agreement No. 1168827 with PG&E in the amount of \$9,814.51 for installation of thirty nine new streetlights in the community of Las Lomas (Phase 1 of three phases);
- c. Authorize payment to PG&E of the indicated amounts; and
- d. Authorize the Director of Public Works to approve and sign future Electric Agreements with PG&E of this nature for the second and third phases of the Las Lomas Street Light Project at an estimated cost not to exceed \$10,000 per phase.

Approved - Agreement No.'s: A-12688; A-12689