

Monterey County

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



Action Minutes - Draft

Tuesday, May 17, 2016

9:45 AM

See separate agendas for the Board of Supervisors of the Monterey County Water Resources Agency and the Successor Agency to the Redevelopment Agency of the County of Monterey.

Board of Supervisors

*Chair Jane Parker - District 4
Vice Chair Dave Potter - District 5
Supervisor Fernando Armenta - District 1
Supervisor Simón Salinas - District 3
Supervisor John M. Phillips - District 2*

9:45 A.M. - Call to Order

The meeting was called to order by Chair Parker.

Roll Call

Present: 5 - Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter, Supervisor John M. Phillips and Supervisor Simón Salinas

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 54957.6, the Board will confer with labor negotiators:
 - (1) Designated representatives: Manuel Gonzalez and Brette Neal
Employee Organization(s): Units J, F, Q and X
 - (2) Designated representatives: Manuel Gonzalez and Brette Neal
Employee Organization(s): Units A, B, C, D, E, M and N
 - b. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
 - (1) Property: 1000 S. Main Street, Salinas, CA
Negotiating Party: Life Foundation
Agency Negotiator: John Guertin, Deputy Resource Management Agency Director
Under negotiation: Price and Terms (ADDED VIA ADDENDUM)

CLOSED SESSION REPORT: The Board took no reportable actions on items 1. a. and b.

10:30 A.M. - Reconvene**Roll Call**

Present: Charlie Steves, Interpreter

Present: 5 - Supervisor Jane Parker, Supervisor Fernando Armenta, Supervisor Dave Potter, Supervisor John M. Phillips and Supervisor Simón Salinas

Pledge of Allegiance

The Pledge of Allegiance was led by Charles McKee, County Counsel.

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 correction:

Correction to Consent Calendar – Health Department- Revised Title

24. a. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 1 to the Agreement between the County of Monterey and Mercy Air Service, Inc. the Agreement is set to expire on May 16, 2016. The Director of Health seeks approval of a one year (1) extension to ensure the continuity of the critical EMS Aircraft services provided by Mercy Air Service, Inc, for the term of May 16, 2016 through May 16, 2017, for the provision of Emergency Medical Services Aircraft services for the County of Monterey; and

b. Authorize the Director of Health or Assistant Director of Health to sign up to three (3) amendments to the Agreement that do not significantly change the scope of work, to extend the term of the Agreement for a period up to five additional years.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve corrections to the agenda. ALL AYES

Consent Calendar

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker pulled # 21 and questioned staff regarding outreach and participation. Elsa Jiminez, Interim Director of Health Services responded. Supervisor Armenta requested quarterly updates be submitted to the Health and Human Services Committes.

#21: Public Comment: Hans Jongens; Jackie Fry.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve the Consent Calendar (See Supplemental Sheet). ALL AYES

Ceremonial Resolutions

3. Adopt Resolution designating May 15-21, 2016 as "Emergency Medical Services Week" in Monterey County. (Supervisor Parker)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 16-108 designating May 15-21, 2016 as "Emergency Medical Services Week" in Monterey County. (Supervisor Parker) ALL AYES

4. Adopt Resolution honoring Mary Chamberlin as 2016 Meals on Wheels of the Monterey Peninsula Woman of the Year. (Supervisor Potter)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No.16-109 honoring Mary Chamberlin as

**2016 Meals on Wheels of the Monterey Peninsula Woman of the Year.
(Supervisor Potter) ALL AYES**

5. Adopt Resolution proclaiming the month of May as Mental Health Awareness Month in Monterey County. (Supervisor Parker)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 16-110 proclaiming the month of May as Mental Health Awareness Month in Monterey County. (Supervisor Parker) ALL AYES

- 5.1 Adopt Resolution honoring Henry Dill upon the completion of his term as Chairman of the Board of the Grower-Shipper Association. (Full Board)
(ADDED VIA ADDENDUM)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to adopt Resolution No. 16-111 honoring Henry Dill upon the completion of his term as Chairman of the Board of the Grower-Shipper Association. (Full Board) (ADDED VIA ADDENDUM) ALL AYES

Appointments

6. Appoint Layne P. Long to the Emergency Medical Care Committee representing City Managers with a term ending June 30, 2017. (Full Board)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Layne P. Long to the Emergency Medical Care Committee representing City Managers with a term ending June 30, 2017. (Full Board) ALL AYES

7. Appoint Nick Chiulos to the Emergency Medical Care Committee representing Parks Department, with a term ending June 30, 2017. (Full Board)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Nick Chiulos to the Emergency Medical Care Committee representing Parks Department, with a term ending June 30, 2017. (Full Board) ALL AYES

8. Reappoint Sherrie L. Collins, CEM, OES Manager to the Emergency Medical Care Committee representing Disasters/Emergency Services with a term ending June 30, 2017. (Full Board)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint Sherrie L. Collins, CEM, OES Manager to the Emergency Medical Care Committee representing Disasters/Emergency Services with a term ending June 30, 2017. (Full Board). ALL AYES

9. Reappoint Harry B. Robins, Jr. to the Emergency Medical Care Committee representing Citizen's of Monterey County with a term ending June 30, 2017. (Full Board)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint Harry B. Robins, Jr. to the Emergency Medical

Care Committee representing Citizen's of Monterey County with a term ending June 30, 2017. (Full Board). ALL AYES

10. Reappoint Edmond Rodriguez to the Emergency Medical Care Committee, representing ALS - Fire Districts with a term ending June 30, 2017. (Full Board)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint Edmond Rodriguez to the Emergency Medical Care Committee, representing ALS - Fire Districts with a term ending June 30, 2017. (Full Board) ALL AYES

11. Reappoint Lisa Stewart to the Monterey County Mental Health Commission with a term ending May 31, 2019. (Supervisor Parker)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to reappoint Lisa Stewart to the Monterey County Mental Health Commission with a term ending May 31, 2019. (Supervisor Parker) ALL AYES

12. Appoint Maria Theresa Rodriguez to the Community Action Commission to fill an unscheduled vacancy with a term ending July 1, 2017. (Supervisor Armenta)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Maria Theresa Rodriguez to the Community Action Commission to fill an unscheduled vacancy with a term ending July 1, 2017. (Supervisor Armenta) ALL AYES

- 12.1 Appoint Ernest P. Brown to the Aromas Tri County Fire Protection District to fill an unexpired term ending November 30, 2016. (Supervisor Phillips)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to appoint Ernest P. Brown to the Aromas Tri County Fire Protection District to fill an unexpired term ending November 30, 2016. (Supervisor Phillips) ALL AYES

Other Board Matters

13. Board Comments

There were no Board comments.

14. CAO Comments and Referrals

County Administrative Officer Dr. Lew Bauman welcomed Mayor Jerry Edelen of Del Rey Oaks, Vice Mayor Libby Downey of Monterey, and Mayor Bill Kampe of Pacific Grove. Referral from Potter request to solicit an opinion from County Counsel and the Auditor-Controller on the issue whether individuals appointed by the Board to serve on Committees or Commissions are designated as employees and request that a policy and classification of Commissioners and Committee members be brought forward formally to the Board.

15. General Public Comment

Libby Downey, Vice Mayor of Monterey; Jerry Edelen, Mayor of Del Rey Oaks; Bill Kampe, Mayor of Pacific Grove; Josefina Rico with Interpreter Charlie Steves; Beatriz Ramos; Adam Nanda; John Pineda; David Johnson; Wes White; Hans Jongens; Bud Riewertz.

10:30 A.M. - Scheduled Matters

Supervisor Dave Potter left the meeting at approximately 11:25 a.m.

16. Receive an oral presentation from Monterey County Department of Parks on key performance measures.

By consensus, the Board received an oral presentation from Monterey County Department of Parks on key performance measures. 4-0 (Supervisor Potter Absent)

17. Agreement between Monterey County and Urban Park Concessionaires, doing business locally as “Monterey Lakes Recreation Company”, approving the Agreement retroactively to February 1, 2015 and extending the current term through October 31, 2017 for management services of resort business operations at Monterey County Parks lakes resort.

Public comment: John Koeberer; Jay Donato; Eric Peterson.
A motion was made by Supervisor Salinas, seconded by Supervisor Armenta to approve Agreement No. A-13136 between Monterey County and Urban Park Concessionaires, doing business locally as “Monterey Lakes Recreation Company”, approving the agreement retroactively to February 1, 2015 and extending the current term through July 26, 2016 for management services of resort business operations at Monterey County Parks lakes resort. 4-0 Supervisor Potter Absent)

Adjournment

APPROVED:

**JANE PARKER, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

BY: _____
**GAIL T. BORKOWSKI
CLERK OF THE BOARD
APPROVED ON** _____

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

18. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement with InfoImage of California, Inc. for medical bill mailing services for an amount not to exceed \$300,000 and with an Agreement term of July 1, 2016 through June 30, 2021; and
b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) of the original cost of the agreement for all amendments.

Approved - Agreement No.: A-13141

19. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute an Agreement with Johnson Controls for repair and maintenance services on building Automation for Heating, Ventilation, and Air Conditioning (HVAC) System as well as the Variable Frequency Drive (VFD) System for an amount not to exceed \$668,604 for the term July 1, 2016 through June 30, 2019; and
b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to two (2), one (1) year term future amendments to the agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (10%) (\$67,000) of the total cost across all amendments.

Approved - Agreement No.: A-13137

20. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) to execute the First Amendment to Agreement (A-12588) with Nuance Communications, Inc. for Dragon Medical 360 Edition network software/hardware, licensing, training and maintenance services at NMC, adding additional medical transcription services costing \$350,000 and extended maintenance for Dragon software costing \$212,700 (a combined total of 562,700) for a revised total Agreement amount not to exceed \$1,355,455 and extending the term an additional three (3) year period for a revised full term of October 15, 2013 to November 24, 2019.
b. Authorize the Deputy Purchasing Agent for NMC or his designee to execute up to three (3) future amendments to the Agreement which do not significantly alter the scope of work and do not cause an increase of more than ten percent (\$79,275) of the original cost of the Agreement for all amendments in total.

Approved - Agreement No. A-13137

Health Department

21. Receive a written report from the Monterey County Health Department's Clinic Services Director on the status of the Pilot Project for the Remaining Uninsured.
- Approved**
22. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a retroactive Mental Health Services Agreement for the term November 1, 2015 through June 30, 2018 with TLC Child & Family Services for the provision of mental health services to Monterey County foster youth that require a moderate level of residential care, in the amount of \$183,003 for Fiscal Year (FY) 2015-16, \$438,042 for FY 2016-17, and \$438,042 for FY 2017-18, for a total Agreement amount of \$1,059,087; and
- b. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future one year amendments that do not exceed (10%) (\$105,909) of the original Agreement amount and do not significantly alter the scope of services.
- Approved - Agreement No.: A-13144**
23. a. Approve and authorize the Director of Health or Assistant Director of Health to execute a Mental Health Services Agreement for the term of July 1, 2016 through June 30, 2019 with Central Coast Center for Independent Living for the provision of work incentive counseling, independent living skills, and outreach services for mental health clients and family members in the amount of \$133,103 for Fiscal Year (FY) 2016-17; \$133,103 for FY 2017-18; and \$133,103 for FY 2018-19; for a total Agreement amount not to exceed \$399,309; and
- b. Authorize the Director of Health or Assistant Director of Health to approve up to three (3) future one year amendments that do not exceed (10%) (\$39,930.90) of the original Agreement amount and do not significantly alter the scope of services.
- Approved - Agreement No.: A-13138**
24. a. Approve and authorize the Director of Health or Assistant Director of Health to execute Amendment No. 1 to the Agreement between the County of Monterey and Mercy Air Service, Inc. the Agreement is set to expire on May 16, 2016. The Director of Health seeks approval of a one-year (1) extension to ensure the continuity of the critical EMS Aircraft services provided by Mercy Air Service, Inc, for the term of May 16, 2016 through May 16, ~~2021~~ 2017, for the provision of Emergency Medical Services Aircraft services for the County of Monterey; and
- b. Authorize the Director of Health or Assistant Director of Health to sign up to three (3) amendments to the Agreement that do not significantly change the

scope of work, to extend the term of the Agreement for a period up to five additional years. (REVISED VIA ADDITIONS AND CORRECTIONS)

Approved - Agreement No.: A-13143

25. Approve and authorize the Director of Health or Assistant Director of Health to sign Amendment No. 3 to the Professional Services Agreement for the term of July 1, 2011 to June 30, 2018 with Stericycle, Inc. for medical waste retrieval and disposal, extending the term two (2) additional years to June 30, 2018, and increasing the amount by \$39,850.00, for a revised total contract amount not to exceed \$137,850.00.

Approved - Agreement No.: A-11900

26. a. Approve and authorize the Director of Health or Assistant Director of Health to sign Amendment No. 1 to a Memorandum of Understanding (MOU) for the term of September 1, 2015 to June 30, 2016 with the City of Salinas to increase funding for, and divide the cost of, the feasibility study of combining City of Salinas and County animal services programs; and
- b. Approve and authorize the Director of Health or Assistant Director of Health to sign Amendment No. 1 to the Agreement with Management Partners for the term of September 1, 2015 to June 30, 2016, to increase the original Agreement amount of \$44,900 by \$13,000.00, for an amended amount not to exceed \$57,900.00, to conduct additional analysis to complete a feasibility study of combining City of Salinas and County animal services programs.

Approved - Agreement No.: A-12916

27. Adopt a Resolution amending Article I.d. of the Monterey County Master Fee Resolution effective July 1, 2016, to adjust certain fees related to the Health Department's Clinic Services Bureau pursuant to the attached Fee Schedule.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta, to adopt Resolution No. 16-112 amending Article I.d. of the Monterey County Master Fee Resolution effective July 1, 2016, to adjust certain fees related to the Health Department's Clinic Services Bureau pursuant to the attached Fee Schedule. ALL AYES

28. Approve and authorize the Director of Health or Assistant Director of Health to execute an Agreement with the City of Monterey (City) for the provision of enforcement services by the County of Monterey (County) of the City's tobacco retail license ordinance, Ordinance No. 3508, commencing on June 1, 2016 terminable by either party pursuant to Section 7 of the Agreement.

Approved - Agreement No. A-13142

29. a. Approve and Authorize the Director of Health, or Assistant Director of Health to sign a County of Monterey Standard Agreement with Peninsula Business Interiors for new product, delivery and installation services of new furniture for the Laurel Pediatric Clinic expansion, for a total contract amount

not to exceed \$300,000, for the period of May 1, 2016 to June 30, 2017; and
b. Authorize the Director of Health or Assistant Director of Health to one (1) future amendment to this Agreement where the amendment does not exceed 10% of the annual amount (\$30,000) and do not significantly change the scope of work.

Approved - Agreement No. A-13135

Department of Social Services

30. a. Approve and authorize the Contract/Purchasing Officer to sign Amendment No. 2 to Agreement No.13027 with Franciscan Workers of Junipero Serra adding \$62,462, effective May 16, 2016, to extend operations of Dorothy's Place Drop-In Center, increasing the total contract amount to \$176,591, and extending the term through June 30, 2016; and
b. Authorize the Auditor-Controller to amend the FY 2015-16 Adopted Budget for the Department of Social Services by increasing appropriations for the Community Programs Unit 001-5010-SOC004-8258 by \$129,370 and decreasing appropriations for the General Assistance Unit 001-5010-SOC002-8253 by \$129,370 (4/5ths Vote).

Approved - Agreement No. 13027

Criminal Justice

31. Approve and Authorize the District Attorney to sign, submit and execute a Grant Application and Grant Acceptance for the Disability and Healthcare Insurance Fraud Grant, including any extensions or amendments thereof under similar terms and conditions, for continued programming and funding for FY 2016-17 from the California Department of Insurance, for the local Office of the District Attorney Disability and Healthcare Insurance Fraud Program.

Approved

32. Approve an application and order for destruction of records for the Sheriff's Office. (4/5th Vote Required).

Approved

General Government

33. Approve and authorize the renewal of an Agreement between Monterey County and American Telesource, Inc, for the Treasurer-Tax Collector's Interactive Voice Response System (IVR), for a term of one year, retroactive from August 31, 2015 to August 31, 2016, and approve Amendment No. 1 increasing the Agreement by \$5,000, revising the total not to exceed amount from \$58,500 to \$63,500 through the term of the Agreement.

Approved - Agreement No.: A-13139

- 34.
- a. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute Countywide Service Agreements based on the criteria set forth in RFP No. 10524. The Agreement is between the County of Monterey and EDX Information Systems, Inc. for the provision of Desktop Solution Services for the County of Monterey on an as-needed basis for the initial term of three (3) years from the date of execution through and including May 2, 2019. The aggregate amount over the term of all Agreements shall not exceed \$1,500,000 annually, in accordance with the terms and conditions set within each Agreement;
 - b. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute a Lease Agreement with IBM Credit LLC, which shall be a third-party lessor to the Countywide Service Agreement with EDX Information Systems, Inc. for Desktop Solution Services. The Lease Agreement shall be for the initial term of three (3) years from the date of execution through and including May 2, 2019;
 - c. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute, after one year, similar additional Agreements for Desktop Solution services with qualified contractors who meet the minimum requirements and comply with the County of Monterey standard terms and conditions, where each individual agreement does not affect the total aggregate amount authorized. Any additional Agreements shall terminate May 2 2019;
 - d. Authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to exercise the option to execute future Amendments and extend the Countywide Service Agreement(s) for two (2) additional one (1) year periods in accordance with the terms and conditions set within each Agreement, where there is no significant change to the Scopes of Work and no cost increase in excess of five percent (5%) of the agreed upon costs as per the original Countywide Service Agreement; and
 - e. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to continue the use of a previously Board approved (A-11704) Warranty Self-Maintainer Agreement with Lenovo, the computer manufacturer as selected per RFP #10524, in which the County will perform computer maintenance on purchased or leased computer equipment for the initial term of three (3) years from the date of execution through and including May 2, 2019.

Approved - Agreement Nos. A-13145 (EDX Information Systems); A-13146 (IBM Credit LLC); A-13147 (Desktop Solution); A-11704 (Warranty Self-Maintainer Agreement with Lenovo)

35. Augment, clarify, and correct a typographical error in the Board Order 16-301 dated March 15, 2016, based upon Board Report 16-301, increasing

appropriations of \$394,000 for Fiscal Year (FY) 2015-16 adopted budget (003), financed by a transfer from unassigned Library Fund Balance (BSA 3101), as follows:

- a. Authorize the Auditor-Controller to amend the FY 2015-16 Library adopted budget, Fund 003, Appropriation Unit LIB001, to increase appropriation by \$394,000, financed by Library Fund 003 Unassigned Fund Balance BSA 3101 (4/5th vote required).
- b. Authorize the Auditor-Controller to make an operating transfer out of \$258,000 for the FY 2015-16 from Library Fund 003, Appropriation LIB001, to Facilities Project Fund 401, Appropriation RMA004 for the San Lucas Library project (4/5th vote required).

Approved

- 36.**
- a. Approve and authorize the Agricultural Commissioner (AC) to sign Amendment No. 2 to Agreement with Resource Conservation District of Monterey County (RCD) for RCD to provide technical assistance and outreach for the AC to increase agreement amount by \$155,000 for a total not to exceed amount of \$340,000 and extend the term for one (1) year to June 30, 2017; and
 - b. Request that the Auditor-Controller make payments in accordance with the terms of the Agreement and Amendment No.2 to the August 13, 2013, Agreement.

Approved - Agreement No. A-13148

- 37.**
- Request the Auditor-Controller transfer \$23,080 from the Agricultural Commissioner's budget 2810, unit 8001, AGR001 to Monterey County Administrative Office's Vehicle Assessment Management Program, Fleet Department's budget 1050, unit 8453, CAO026 for the purchase of a Weights and Measures Straddle Weight Mover.

Approved

- 38.**
- a. Approve the Assignment and Assumption of a Redevelopment Housing Set-Aside loan made by the Housing Successor Agency of the Redevelopment Agency of Monterey County from South County Housing Corporation to Jardines LLC; and
 - b. Authorize the Director of Economic Development to sign the Assignment and Assumption Agreement and associated loan documents, as needed.

Approved

- 39.**
- Approve and adopt the County of Monterey Electronic Mail Deletion, Retention, Storage and Backup Policy, as presented.

Approved

40. a. Approve Amendment No. 1 to the Cooperative Agreement between the County of Monterey and the Chualar Union School District for improvement and operation of a community multi-use athletic field in order to add replacement of the existing track; and
- b. Authorize the Director of Economic Development to make minor revisions, as needed, and sign the Amendment.

Approved - Agreement No.: A-12972

41. a. Accept the recommendation of the Monterey County Fish and Game Advisory Commission to award ten (10) funding grants; and
- b. Approve the distribution of Fish and Game Propagation Fund grants in the amount of \$26,549.50 for specified projects for Fiscal Year 2015 - 2016.

Approved

42. Approve and authorize the Director of the Information Technology Department to sign a Non-Disclosure and Confidentiality Agreement with Efficient Technology Solutions, LLC.

Approved - Agreement No. A-13149

43. Set June 1, 2016 at 9:00 A.M. or thereafter for a public hearing to consider adoption of the Fiscal Year 2016-17 Appropriation Limits pursuant to Article XIII B of the California Constitution.

Approved

44. a. Approve Amendment No. 1 to the Declaration of Affordability Covenants governing the Shelter Cove Project to reduce the number of County-Assisted bedrooms from 36 to 32; and
- b. Authorize the Director of Economic Development to make minor revisions, as needed, and sign the Amendment.

Approved

45. a. Approve and authorize the Director of the Economic Development Department to execute a non-standard software license agreement with CoStar Realty Information, Inc. for access to on-line information and analytics on commercial real estate, for a 1-year term beginning May 15, 2016 and ending May 14, 2017, for a total contract amount not to exceed \$7,200.00;
- b. Approve non-standard contract terms as recommended by the Director of the Economic Development Department; and
- c. Authorize the Director of the Economic Development Department to execute two (2) renewals of one (1) year each, with the cost of each annual renewal not to increase more than 5%, with no significant changes to the non-standard terms of the software license agreement.

Approved - Agreement No. A-13140

- 45.1 Refer the “Initiative to Prohibit Fracking and Oil and Natural Gas Well Stimulation Treatments, Prohibit Oil and Natural Gas Wastewater Injection and Impoundment, and Limit New Oil and Natural Gas Operations in Unincorporated Monterey County” to County Counsel with direction to cause the preparation of appropriate impact studies on the initiative pursuant to Elections Code section 9111.

Approved

RMA - General

46. Adopt a Resolution:
- a. Approving the submittal of a request for Amendment No. 2 to Safe Drinking Water State Revolving Fund (SDWSRF) Funding Agreement No. SRF13P116 with the State Water Resources Control Board in the amount of \$60,000, for a total grant amount of \$500,000, for the Engineering Design of County of Monterey (San Lucas Water District) Project No. 2701676-007P to enhance the provision and protection of the municipal drinking water supplied to the consumers of the community of San Lucas; and
 - b. Affirming authorization for and direction to the Director of the County of Monterey Resource Management Agency to sign documents relating to the Agreement, including but not limited to amendments or changes thereto, certifications required by and for the Agreement, and claims for reimbursement.

A motion was made by Supervisor Potter, seconded by Supervisor Armenta to adopt Resolution No. 16-114 to: a. Approve the submittal of a request for Amendment No. 2 to Safe Drinking Water State Revolving Fund (SDWSRF) Funding Agreement No. SRF13P116 with the State Water Resources Control Board in the amount of \$60,000, for a total grant amount of \$500,000, for the Engineering Design of County of Monterey (San Lucas Water District) Project No. 2701676-007P to enhance the provision and protection of the municipal drinking water supplied to the consumers of the community of San Lucas; and b. Affirm authorization for and direction to the Director of the County of Monterey Resource Management Agency to sign documents relating to the Agreement, including but not limited to amendments or changes thereto, certifications required by and for the Agreement, and claims for reimbursement. ALL AYES

- 47.
- a. Accept transfer of ownership of Assessor’s Parcel No. 031-161-032 (L23.3.3.1 and L23.3.3.2) and Assessor’s Parcel No. 031-161-040 (L23.3.2.2) (the “East Garrison II non-HMA parcels”) located in the former Fort Ord to the County of Monterey;
 - b. Authorize the Chair of the Board to sign the certificate of acceptance and consent to record the Quitclaim Deed;
 - c. Find the action to be categorically exempt from CEQA; and

d. Direct the Clerk of the Board to record the deed.

Approved

- 48.**
- a. Approve an increase in appropriations and revenues in the amount of \$500,000 in the FY 2015-16 Adopted Budget for the Facilities Master Plan Projects Fund, Fund 404-3000-8174-RMA015, where the financing sources are: 1) A Reimbursement Agreement between Monterey County and the Big Sur Land Trust approved by the Board of Supervisors on April 12th, 2016; and 2) An existing Department of Water Resources Grant (SAP Contract No. 4600010665) approved by the BOS on July 9, 2013 (4/5th approval required); and
- b. Authorize the Auditor-Controller to amend the budget for the Facilities Master Plan Projects Fund, Fund 404-3000-8174-RMA015, for FY 2015-16 by increasing appropriations and revenues in the amount of \$500,000 where the financing sources to balance the appropriation increase are: 1) A Reimbursement Agreement between Monterey County and the Big Sur Land Trust approved by the Board of Supervisors on April 12th, 2016; and 2) An existing Department of Water Resources Grant (SAP Contract No. 4600010665) approved by the BOS on July 9, 2013 (4/5th approval required).

Approved

RMA - Public Works

- 49.**
- Acting on behalf of County Service Area No. 75 - Chualar:
- a. Approve an increase in appropriations in the amount of \$50,265 in the FY 2015-16 Adopted Budget for County Service Area 75 - Chualar Consolidated, Fund 093-3000-8198-RMA088, where the financing source is Unassigned Fund Balance, to fund increased costs associated with sewer operations, outside maintenance expenses and other services and department expenses (4/5 vote required); and
- b. Authorize the Auditor-Controller to amend the budget for County Service Area No. 75 - Chualar Consolidation, Fund 093-3000-8198-RMA088, for FY 2015-16 by increasing appropriations in the amount of \$50,265 where Fund 093 Unassigned Fund Balance is the financing source to balance the appropriation increase (4/5 vote required).

Approved

- 50.**
- Adopt a Resolution to:
- a. Accept the 2015 annual report of the Mileage of Maintained County Roads; and
- b. Authorize the RMA-Director of Public Works and Facilities to forward the Resolution and tabulations to the California Department of Transportation.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No 16-113 to a. Accept the 2015 annual report of the Mileage of Maintained County Roads; and b. Authorize the RMA

Director of Public Works and Facilities to forward the Resolution and tabulations to the California Department of Transportation. ALL AYES

- 51.** a. Adopt Plans and Special Provisions for the Peach Tree Road Bridge Replacement Project County Bridge No. 412, Project No. 2201, State Project No. 05-142284L, Federal Aid Project No. STPLZ-5944(041); and
b. Authorize the RMA Director of Public Works and Facilities to advertise the “Notice to Bidders” in the Monterey County Weekly.

Approved - Construction No. 2016-001

- 52.** Approve a Surety Rider to the Staples Construction Company, Inc.’s Payment and Performance Bond to change the bond amount from Two Million Dollars to Four Million Five Hundred Ninety Thousand Three Hundred Forty Dollars to allow the contractor to access the \$4,590,340 Job Order 2015 Contract Agreement A-219184 cap.

Approved