

# **Monterey County**

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



## **Action Minutes - Draft**

**Tuesday, August 23, 2016**

**9:00 AM**

**See separate agenda for 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*

**9:00 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): All Units except O, R, S and U
  - b. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:  
(1) Designated representatives: Dr. Gary Gray and Elsa Jimenez  
Employee Organization(s): Units F, H, X and Y
  - c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:  
(1) Designated representatives: Dr. Gary Gray  
Employee Organization(s): Unit U (Contract Physicians)
  - d. Pursuant to Health & Safety Code section 1462 and Government Code section 54954.5, the Board will receive a report and confer regarding health care facility/hospital trade secret. Discussion will concern a new service, program or facility. Estimated date of public disclosure: June 2018.

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

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

*Present: Sara Cervantes-Weber, 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 Chair 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 correction:

Correction to Appointments - Correct term date to end May 31, 2017. Item now reads:

8. Appoint Heather Deming to the Mental Health Commission to fill an unexpired term ending May 31, 2017. (Supervisor Potter)

Remove from Consent Calendar – RMA Public Works and Facilities  
48. Authorize the Resource Management Agency Director and/or Resource Management Agency Deputy Director of Public Works and Facilities, to execute any Federal and/or State Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements with the California Department of Transportation.

Add to Adjournment

Adjournment in Memory of Don Hubbard & Robert Chapman

A motion was made by Supervisor John M. Phillips, seconded by Simón Salinas to approve Additions and Corrections to the agenda. ALL AYES

### **Consent Calendar**

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Potter pulled items 41 and 43.1.

Re #41: Supervisor Potter requested amended language to the extension of local emergency Proclamation for the Soberanes Fire to include the Chimney Fire. He advised the Resources Management Agency and Counsel concur with this request.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to add an urgency amendment to the extension of the local emergency resolution language of item 41 to include the Chimney Fire. ALL AYES

Re #43.1: Supervisor Potter requested amended language to the resolution approving fire recovery guidelines to allows residents in the mid-coast brigade area to be issued official addresses.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to approve the Consent Calendar (See Supplemental Sheet), including

the amended language to items 41 and 43.1. **ALL AYES**

### **Ceremonial Resolutions**

3. Adopt Resolution Commending Tamera Martinez, Records Supervisor, Monterey County Sheriff's Office upon her Retirement from twenty-six years of Public Service. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-218 commending Tamera Martinez, Records Supervisor, Monterey County Sheriff's Office upon her Retirement from twenty-six years of Public Service. (Full Board) ALL AYES**
4. Adopt Resolution commending Detective Alfred Martinez, Monterey County Sheriff's Office upon his retirement from thirty-one years of Public Service. (Full Board)
- A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to adopt Resolution No. 16-219 commending Detective Alfred Martinez, Monterey County Sheriff's Office upon his retirement from thirty-one years of Public Service. (Full Board) ALL AYES**

### **Appointments**

5. Reappoint Kellie D. Morgantini to the Monterey County Historic Resources Review Board with a term ending December 31, 2018. (Supervisor Salinas)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Kellie D. Morgantini to the Monterey County Historic Resources Review Board with a term ending December 31, 2018. (Supervisor Salinas) ALL AYES**
6. Reappoint Ronald Holder to the Community Action Commission, representing Group A, with a term ending July 1, 2019. (Supervisor Phillips)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Ronald Holder to the Community Action Commission, representing Group A, with a term ending July 1, 2019. (Supervisor Phillips) ALL AYES**
7. Appoint Erika Trejo to the Commission on the Status of Women with a term ending February 1, 2019. (Supervisor Phillips)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Erika Trejo to the Commission on the Status of Women with a term ending February 1, 2019. (Supervisor Phillips) ALL AYES**
8. Appoint Heather Deming to the Mental Health Commission to fill an unexpired term ending May 3, 2017. (Supervisor Potter)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Heather Deming to the Mental Health Commission to fill an unexpired term ending May 31, 2017. (Supervisor Potter) (Revised via Additions & Corrections). ALL AYES**

9. Reappoint Mary Estrada to the Military and Veterans Affairs Advisory Commission with a term ending January 1, 2019. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to reappoint Mary Estrada to the Military and Veterans Affairs Advisory Commission with a term ending January 1, 2019. (Full Board). ALL AYES**
10. Appoint John Rose to the Children's Council of Monterey County, Category C - At Large, with a term ending July 1, 2019. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint John Rose to the Children's Council of Monterey County, Category C - At Large, with a term ending July 1, 2019. (Full Board) ALL AYES**
11. Appoint Roger Bruce Gayman to the Community Restorative Justice Commission, Student Representative, with a term ending August 23, 2019. (Full Board)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Roger Bruce Gayman to the Community Restorative Justice Commission, Student Representative, with a term ending August 23, 2019. (Full Board) ALL AYES**
12. Appoint Alex Rouch to the Community Service Area 45 Advisory Committee with a term ending January 1, 2018. (Supervisor Phillips)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Alex Rouch to the Community Service Area 45 Advisory Committee with a term ending January 1, 2018. (Supervisor Phillips) ALL AYES**
13. Correct the term of the reappointment for Russ Jeffries to the Assessment Appeals Board to end September 1, 2019, previously reappointed on July 26, 2016. (Supervisor Armenta)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to correct the term ending date for the reappointment of Russ Jeffries to the first Monday in September 2019, pursuant to Ordinance 5240. ALL AYES**
14. Appoint Susan Young to the Community Service Area 15 Advisory Committee to fill an unscheduled vacancy with a term ending January 1, 2019. (Supervisor Potter)
- A motion was made by Supervisor Simón Salinas, seconded by Supervisor John M. Phillips to appoint Susan Young to the Community Service Area 15 Advisory Committee to fill an unscheduled vacancy with a term ending January 1, 2019. (Supervisor Potter) ALL AYES**

**Other Board Matters****15. CAO Comments and Referrals**

County Administrative Officer Dr. Lew Bauman thanked CalFire, RMA, & Emergency Services for their phenomenal support during the local fires. He noted that Kathleen Lee, District 5 Chief of Staff, has been up every morning by 7:00 am, since the fire began, working with the fire teams. Chris Lopez, Chief of Staff for District 3 has also joined the support teams working with south county residents. He expressed gratitude to the County & State Fire staff for their continued and dedicated efforts in support of the Monterey County residents.

Dr. Lew Bauman advised he received a letter from the National Procurement Institute announcing the Monterey County Procurement team as the recipient of the Achievement of Excellence in Procurement award for a second year in a row. He congratulated Mike Derr and his team.

**16. Board Comments**

Supervisor Armenta advised he attended the Veterans' Homeless Standdown last Wednesday at Fort Ord. He noted the great work and extensive preparations that made this a successful event. He thanked County staff and all those involved for their efforts. He thanked the Board of Supervisors on behalf of all Veterans for their support and contributions. It was an amazing event.

Supervisor Salinas thanked Dr. Bauman, Sherrie Collins, Carl Holm and Fire and County staff supporting fire containment efforts. He advised that the American Red Cross has opened a shelter in Paso Robles, San Lorenzo Park for RV hook-ups and the fairgrounds for horses and other animals. He expressed the need for residents to get out of harms way and advised there will be ongoing efforts to address human needs during this crisis.

Supervisor Parker announced there was a follow-up meeting regarding traffic safety around city schools. A highlight of the meeting was that the Salinas City elementary Superintendent of Schools has identified funding for campus safety officers, who will also serve as crossing guards. This is a great example of the public, staff from various agencies and elected officials working together to address issues.

Supervisor Parker announced the City of Marina will be hosting a Labor Day Parade along Reservation Road starting at 11:00 am. this coming Saturday. The parade will feature bands, floats, cars, military color guard, and maybe zumba-on-a-float. There is also a free event at Vince DiMaggio Park until 4 pm following the parade.

**17. General Public Comment**

Jane Haines; Steve Eklund; Mae Green Smith; Lavonne Stone; Hans Jongens; Mimi; Eric Peterson.

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

18. Receive an oral presentation on implementation of the Monterey County Tobacco Retail License Program in the unincorporated areas of the County of Monterey and other local jurisdictions.

**Public comment: Lavonne Stone; Hans Jongens.**

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to receive an oral presentation on implementation of the Monterey County Tobacco Retail License Program in the unincorporated areas of the County of Monterey and other local jurisdictions; authorized the Chair to write a letter encouraging all cities in the County to join the program; and requested a report back in November or December on the progress with Salinas and Carmel. ALL AYES**

**12:00 P.M. - Recess to Lunch****1:30 P.M. - Reconvene Monterey County Board of Supervisors****Roll Call**

*Present: Sara Cervantes-Weber, Interpreter*

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

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

19. a. Conduct a public hearing under the requirements of Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended; and
- b. Adopt a resolution approving the issuance of up to \$18,000,000 in tax-exempt revenue bonds by the California Municipal Finance Authority (CMFA) for Goodwill Central Coast to finance the acquisition of a building to be owned by the Borrower and refinance previously issued revenue bonds.

**A motion was made by Supervisor John M. Phillips, seconded by Supervisor Dave Potter to: a. Conduct a public hearing under the requirements of Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended; and**

**b. Adopt Resolution No. 16-229 approving the issuance of up to \$18,000,000 in tax-exempt revenue bonds by the California Municipal Finance Authority (CMFA) for Goodwill Central Coast to finance the acquisition of a building to be owned by the Borrower and refinance previously issued revenue bonds. ALL AYES**

20. PLN130447 - Pebble Beach Company (Pebble Beach Inclusionary Housing Project)  
Public hearing to consider action on an appeal by Del Monte Neighbors

United from the June 8, 2016, decision of the Planning Commission to certify the Final Environmental Impact Report and approve a Combined Development Permit to allow the construction of 24 affordable housing units and manager's office, removal of 725 trees, and associated grading; Proposed CEQA Action: Certify an Environmental Impact Report for the Pebble Beach Company Inclusionary Housing Project. Easterly of SFB Morse Drive and south of Ortega Road, Pebble Beach, Greater Monterey Peninsula Area Plan.

**Mark Stillwell addressed the Board on behalf of the Pebble Beach Company. Pearl Kahn addressed the Board on behalf of the Appellant.**

**Public comment: Margaret Butterfield; Ana Schrader; Michelle Raines; Janet Brennan; Craig Coffin; Jeffrey Frouk; Alan Sanders; Maritza Somosa; Bart Bruno; Mo Amar; Charlie Kradick; Richard Stillwell; John Honeywell; Jack Herbig; Michelle Newburt; Deborah Kenwood; Micky McGuire; Mel Fortes; Paula McAlpine; Hy Rothstrum; Chris Silver; Eleanor Matiauani; Julie Honeywell; Heddy Eddy; June Malamant; Steve Eklund; Bill Carrothers; Russ Matesso; Dan Miller; Tom Housel; Marie Simone; Coso Bua; Carol McCarthy; Lynn Mason; Stormy Weatherbee; Fernando Mungia; Felipe Morales; Ava Gonzales; Maggie Hardy; Brian Turlington; Joyce Stevens; Blanca Mungia; Alfred Diaz Infante; Alica Hernandez Sanchez; Jay Walker; Chris Fitz; Leonard O'Neil; Jody Hansen; Bill Phillips; Cam Shure.**

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta adopting Resolution No.: 16-220 to:**

- a. Deny the appeal by Del Monte Neighbors United from the June 8, 2016, decision of the Planning Commission to certify the Final Environmental Impact Report and approve a Combined Development Permit to allow the construction of 24 affordable housing units and manager's office, removal of 725 trees, and associated grading;**
- b. Certify the Final Environmental Impact Report for the Pebble Beach Company Inclusionary Housing Project;**
- c. Adopt CEQA findings and a Statement of Overriding Considerations;**
- d. Approve the Combined Development Permit (Pebble Beach Company/PLN130447) for 24 affordable housing units and manager's office, removal of 725 trees, and associated grading, based on the findings and evidence, and subject to forty-seven (47) conditions of approval; and**
- e. Adopt the Mitigation Monitoring and Reporting Plan. ALL AYES**

## **Adjournment**

**In Memory of Robert Oliver Reagan III; Don Hubbard; & Bob Chapman.**



**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**

21. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Renewal and Amendment No. 5 to the Agreement with UHS Surgical Services (UHS) for the provision of Cryotherapy, Laser Guided Imagery and Lithotripsy services, retroactive to July 1, 2016, to extend the Agreement term for six (6) additional months, for a revised full term of April 15, 2009 through December 31, 2016 with no change to the total Agreement amount of \$205,000.

**Approved - Agreement No. A-11719**

22. a. Authorize the Deputy Purchasing Agent for Natividad Medical Center (NMC) or his designee to execute Amendment No. 1, including three Customer Orders, to the Master Agreement A-13080 with CareFusion Solutions, LLC (CareFusion) originally executed for Medmined software, to add a new software product, Alaris (IV pumps for patients), adding an additional \$1,245,525 for a revised total Agreement amount not to exceed \$1,534,429, and to extend the original of term of March 23, 2016 through March 22, 2021 by an additional four months for a revised Agreement term of March 23, 2016 through July 31, 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 (\$28,890) of the original cost of the Agreement per each Amendment.

**Approved - Agreement No. A-13080**

**Department of Social Services**

23. Approve and authorize the Director of the Department of Social Services to sign an agreement with Department of Health Care Services (DHCS) to ensure the privacy and security of the Medi-Cal Personally Identifiable Information (PII) from date of execution through September 1, 2019.

**Approved - Agreement No. A-13261**

24. a. Approve and authorize the Director of the Department of Social Services to sign an agreement with Hartnell College for \$719,766 to provide training and recruitment services to eligible Monterey County local agency employees and current and prospective caregivers for the period retroactive to July 1, 2016 through June 30, 2017; and
- b. Authorize the Director of the Department of Social Services to sign up to three (3) amendments to this agreement, where the total amendments do not

exceed 10% (\$71,976) of the original contract amount, and do not significantly change the scope of work.

**Approved - Agreement No. A-13273**

### **Criminal Justice**

25. a. Authorize the Auditor-Controller to modify the FY 2015-16 Adopted Budget to cover a deficiency in the Public Defender's appropriations to offset a settlement agreement (4/5ths vote required); and
- b. Increase appropriations by \$137,000 in the Public Defender Budget Unit, PUB001-001-2270-8169-6111, funded by the Termination Assignment Balance Sheet Account, 3115. (4/5ths vote required)

**Approved**

26. a. Approve and authorize the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to sign Amendment No. 3 to Agreement No. A-12738 with Dr. Venus Azar for provision of forensic pathology services and autopsy reports. Amendment No. 3 adds \$425,000 for one (1) additional year, bringing the not to exceed amount of the contract to \$1,250,000 for the time period of July 1, 2014 to June 30, 2017; and
- b. Authorize the Contracts/Purchasing officer or the Contracts/Purchasing Supervisor to sign one (1) amendment to the agreement that does not significantly change the scope of work and where the amendment does not exceed ten percent (10%) (\$125,000) of the total agreement for a maximum not to exceed amount of \$1,375,000.

**Approved - Agreement No. A-12738**

27. Authorize the Auditor-Controller to amend the FY 2015-16 Adopted Budget for the District Attorney, increasing appropriations by \$350,000 in DIS001-001-2240-8063-6111, financed by an increase in revenue of \$350,000 in DIS001-001-2240-8063-5290 (4/5ths vote required).

**Approved**

28. a. Approve and authorize the Chief Probation Officer to sign a Service Agreement with Rancho Cielo, Incorporated to provide a job readiness and placement program for AB 109 Public Safety Realignment eligible clients in an amount not to exceed \$217,463 retroactive to July 1, 2016 through June 30, 2017; and
- b. Authorize the Chief Probation Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (\$21,746) of the original contract amount and do not significantly change the scope of work.

**Approved - Agreement No. A-13274**

29. a. Approve and Authorize the County Administrative Officer to sign an Inter-Agency Memorandum of Understanding (MOU) between the South Bay Information Sharing System (SBISS) South Bay Regional Node and the County of Monterey, Sheriff's Office; and
- b. Authorize the County Administrative Officer to sign additional amendments to the SBISS Interagency MOU where the amendments do not significantly change the scope of work and do not exceed the current annual cost of the agreement (\$17,001.84) by more than ten percent (10%) or \$1700.18, for an annual cost of \$18,702.02 to the Sheriff's Office.

**Approved**

30. a. Approve and authorize the Chief Probation Officer to sign a Standard Agreement with Turning Point of Central California, Incorporated to provide employment training and job placement services in an amount not to exceed \$321,683 for adult offenders under AB 109 Public Safety Realignment plan for the period July 1, 2016 to June 30, 2017; and
- b. Authorize the Chief Probation Officer to sign up to three (3) future amendments to each Agreement where the amendments do not exceed ten percent (\$32,168) of the original contract amount and do not significantly change the scope of work.

**Approved - Agreement No. A-13275**

31. a. Approve and authorize the Contracts/ Purchasing Officer to sign a Facility User Agreement in the amount of \$85,000 with Rancho Cielo, Incorporated for utilization of facilities housing prevention and intervention programs for at-risk and adjudicated youth for the period retroactive to July 1, 2016 through June 30, 2017; and
- b. Authorize the Contracts/ Purchasing Officer to sign up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (\$8,500) of the original contract amount and do not significantly change the scope of work.

**Approved - Agreement No. A-13265**

32. Authorize advance step placement of John Mineau at Step 5 of the Chief Deputy Sheriff salary range effective 8/8/2016 in accordance with Personnel Policies and Practices Resolution (PPPR) #98-394, Sections A.1.11.1 and A.1.11.5.

**Approved**

### **General Government**

33. Authorize the Auditor-Controller to transfer \$485,618.00 for FY 2016-17 from the Library, Fund 003, Appropriation Unit LIB 001 to Fund 401, Appropriation Unit RMA 004, where the Library has sufficient appropriation

available in the adopted budget to cover the transfer (4/5ths vote required).

**Approved**

- 34.** Approve and Authorize the Auditor Controller to complete the following actions:
- a. Amend the FY 2015-16 Library adopted Budget, Appropriation Unit LIB 001, by increasing the total Expense appropriation by \$120,000.00 to cover remaining, unexpected expenses incurred (4/5ths vote required).
  - b. Make an operating transfer in the amount of \$120,000.00 out of the Library Fund Balance, as the funding source for the added appropriation (4/5ths vote required).

**Approved**

- 35.** Approve and authorize the Director of the Information Technology Department, or her designee, to sign a Non-Disclosure and Confidentiality Agreement with Kovarus Inc., regarding proprietary network design.

**Approved - Agreement No. A-13262**

- 36.** Approve and authorize the Contracts/Purchasing Officer, or Contracts/Purchasing Supervisor, to sign Amendment Number 8 to the non-standard Maintenance Service Supplement between the County of Monterey and Zetron, Inc., to extend the term one additional year, through June 30, 2017, in an amount not to exceed \$50,256.80, for the period of July 1, 2016 through June 30, 2017.

**Approved - Agreement No. A-10854**

- 37.** Approve and authorize the Director of the Information Technology Department, or her designee, to sign a Non-Disclosure and Confidentiality Agreement with Lumos Consulting Inc., regarding proprietary network design.

**Approved - Agreement No. A-13263**

- 38.**
- a. Approve and authorize the Director or Assistant Director of the Information Technology Department, to execute a standard Agreement with QPCS LLC., for installation, testing, optimizing and integrating the Netmotion Wireless VPN Solution Entrust 2-Factor authentication platform, and purchase of 350 licenses and support, at a cost of \$117,187.50; and
  - b. Authorize the Director or Assistant Director of Information Technology to sign up to two (2) amendments to this Agreement, subject to County Counsel review, extending the term by one (1) year each, where the additional costs per year do not exceed 10% of the original Premium Software maintenance cost, and where the amendments do not significantly alter the scope of work.

**Approved - Agreement No. A-13264**

39. a. Approve and authorize the Director, or Assistant Director, of the Information Technology Department to execute Amendment No. 1 to the standard Agreement with D & S Communications, Inc. to add CallXpress voice mail system, Telchemy monitoring and InGate session border controller to Agreement services; to increase the amount payable under the Agreement by \$73,373.44, from a maximum of \$912,701.54 to a maximum of \$986,074.98; and to extending the end date of the Agreement term from December 28, 2018 to December 31, 2018; and
- b. Authorize the Contracts Purchasing Officer, or his designee, to issue purchase orders on an as-needed basis.

**Approved - Agreement No. A-12687**

40. Receive the action minutes from the February 8 and March 14, 2016 meetings of the Legislative Committee.

**Approved**

41. Extend the Board of Supervisors Proclamation of Local Emergency due to wildfires causing conditions of extreme peril to the safety of persons and property nearby (4/5th vote required).

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to adopt Resolution No. 16-225 to extend the Board of Supervisors Proclamation of Local Emergency due to wildfires causing conditions of extreme peril to the safety of persons and property nearby; including the additional reference to the Chimney Fire.. (4/5th vote required)**

### **RMA - Land Use and Community Development**

42. PLN040529 - Vasquez  
Adopt a resolution rescinding the April 08, 2014 Board of Supervisors action on the appeal by Maria A. Vasquez Et Al (PLN040529) of the Planning Commission's denial of a three lot parcel map.  
Proposed CEQA Action: Statutorily exempt per Section 15270 of the CEQA Guidelines.  
34735 Metz Road, Soledad, Central Salinas Valley Area Plan  
**A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to adopt Resolution No. 16-228 rescinding the April 08, 2014 Board of Supervisors action on the appeal by Maria A. Vasquez Et Al (PLN040529) of the Planning Commission's denial of a three lot parcel map. Proposed CEQA Action: Statutorily exempt per Section 15270 of the CEQA Guidelines. 34735 Metz Road, Soledad, Central Salinas Valley Area Plan. PLN040529 - Vasquez ALL AYES**
43. a. Find the action to be categorically exempt from CEQA;  
b. Accept transfer of ownership from the Successor Agency to the Redevelopment Agency of the County of Monterey of properties on the former Fort Ord known as the "Landfill Border Parcels":

- Assessor's Parcel No. 031-101-040 (Parcel E8a.1.3);
- Assessor's Parcel No. 031-101-041 (Parcel E8a.1.4) and Assessor's Parcel No. 031-101-042 (Parcel E8a.1.5) (one deed);
- Assessor's Parcel No. 031-101-056 (Parcel E8a.1.1.2)
- c. Authorize the Chair of the Board to sign the certificate of acceptance and consent to record the Quitclaim Deeds; and
- d. Direct the Clerk of the Board to record the three deeds.

**Approved**

**43.1**

Adopt a Resolution:

- a. Approving Soberanes Fire Recovery Guidelines to support the processing of permits for the rebuilding of structures destroyed or damaged by the 2016 Soberanes Fire for a 5-year period (August 31, 2021); and
- b. Authorizing the Director of Resource Management Agency to extend the five-year timeframe for applying these Guidelines, not to exceed August 31, 2026.

CEQA Action: Statutory Exemption: CEQA Guidelines Section 15269 (Emergency Projects)

**A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to adopt Resolution No. 16-224:**

- a. Approving Soberanes Fire Recovery Guidelines to support the processing of permits for the rebuilding of structures destroyed or damaged by the 2016 Soberanes Fire for a 5-year period (August 31, 2021); and**
- b. Authorizing the Director of Resource Management Agency to extend the five-year timeframe for applying these Guidelines, not to exceed August 31, 2026; and allowing residents in the mid-coast brigade area to get official addresses. CEQA Action: Statutory Exemption: CEQA Guidelines Section 15269 (Emergency Projects) ALL AYES**

**43.2**

Adopt a Resolution:

- a. Authorizing the Chair of the Board to execute one or more Cooperative Agreements with the Natural Resources Conservation Service for the Emergency Watershed Protection Program treatments relating to the 2016 Soberanes Fire;
- b. Approving the form of and authorizing the Resource Management Agency Director to execute agreements with property owners for the implementation of the Emergency Watershed Protection treatments; and
- c. Authorizing and Directing the County Administrative Officer, Resource Management Agency Director, RMA Deputy Director of Public Works and Facilities, Chief of Planning, Building Official, and County Counsel to take such other and further actions necessary or appropriate, consistent with this action, to implement the Emergency Watershed Protection treatments, including the modification of the form contracts based upon particular circumstances, the execution of emergency professional services or construction contracts; and the identification of grant or other funding sources to supplement the Emergency Watershed Protection Program funding. (2016 Soberanes Fire, Carmel Highlands/Big Sur) (ADDED VIA

ADDENDA)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to adopt Resolution No. 16-223:

- a. Authorizing the Chair of the Board to execute one or more Cooperative Agreements with the Natural Resources Conservation Service for the Emergency Watershed Protection Program treatments relating to the 2016 Soberanes Fire;
- b. Approving the form of and authorizing the Resource Management Agency Director to execute agreements with property owners for the implementation of the Emergency Watershed Protection treatments; and
- c. Authorizing and Directing the County Administrative Officer, Resource Management Agency Director, RMA Deputy Director of Public Works and Facilities, Chief of Planning, Building Official, and County Counsel to take such other and further actions necessary or appropriate, consistent with this action, to implement the Emergency Watershed Protection treatments, including the modification of the form contracts based upon particular circumstances, the execution of emergency professional services or construction contracts; and the identification of grant or other funding sources to supplement the Emergency Watershed Protection Program funding. (2016 Soberanes Fire, Carmel Highlands/Big Sur) (ADDED VIA ADDENDA).

ALL AYES

#### **RMA - Public Works and Facilities**

44.
  - a. Accept a report identifying staff priorities for major road maintenance during the first ten (10) years of the Transportation Agency for Monterey County's program should the sales tax measure pass in November 2016.
  - b. Authorize the Resource Management Agency Director to adjust this list as required to meet urgent/emergency needs of the County.

**Approved**
45.
  - a. Award a contract to Telfer Pavement Technologies, LLC, the lowest responsible and responsive bidder, for the Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat FY17, Project No. 5517, in the total amount of \$142,986.25;
  - b. Approve the Performance and Payment Bonds executed and provided by Telfer Pavement Technologies, LLC and Western Surety Company;
  - c. Authorize a contingency not to exceed ten percent (10%) of the contract amount to provide funding for approved contract change orders;
  - d. Authorize the Interim RMA Deputy Director of Public Works and Facilities to execute the contract, subject to the terms of the Public Contract Code, and approve change orders to the contract that do not exceed ten percent (10%) of the original contract amount, and do not significantly change the scope of work; and
  - e. Authorize the Interim RMA Deputy Director of Public Works and Facilities to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when the Deputy Director determines that the contract is complete in all respects in accordance with the Plans and Special Provisions



for the construction of the Procurement (Delivery and Application) of Asphalt Emulsion for the Seal Coat FY17, Project No. 5517, performed by Telfer Pavement Technologies, LLC.

**Approved - Agreement No. A-13266; Construction No. 2016-006**

- 46.
- a. Approve Professional Service Agreements with the following seven (7) consultants: Harris & Associates, Inc.; Kimley-Horn and Associates, Inc.; MNS Engineers, Inc.; Omni-Means, Ltd.; Quincy Engineering, Inc.; TRC Engineers, Inc.; and Wood Rodgers, Inc. to provide civil engineering services on an “on-call” basis for transportation projects located in Monterey County, California under Request for Qualifications (RFQ) No. 1601, in an amount not to exceed \$300,000 each for a combined total of \$2,100,000, for a period of three (3) years beginning September 1, 2016 to August 31, 2019, with the option to extend each Agreement for two (2) additional one (1) year period(s); and
  - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute said Professional Service Agreements and future amendments to said Agreements where the amendments do not significantly alter the scope of work or change the approved amount of said Agreements.

**Approved - Agreement Nos. A-13276 (Harris & Associates); A-13277 (Kimley-Horn & Associates); A-13278 (MNS Engineers, Inc.); A-13279 (Omni-Means, Ltd); A-13280 (Quincy Engineering, Inc.); A-13281 (TRC Engineers, Inc.); A-13282 (Wood Rodgers, Inc.)**

- 47.
- a. Approve Amendment No. 2 to the Agreement (Multi-Year Agreement (MYA) No. 3000 \*1633) with The Labor Compliance Managers to continue to provide services associated with on-call labor compliance monitoring services under Request for Qualifications (RFQ) No. 10422, to increase the not to exceed amount of \$87,400 by \$145,000 for a total amount not to exceed \$232,400 and to extend the expiration date from December 31, 2016 for an additional year through December 31, 2017, for a revised term from December 1, 2013 to December 31, 2017, with the option to extend the Agreement for one (1) additional one (1) year increment at the County’s discretion;
  - b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to the Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved amount of the Agreement; and
  - c. Approve and authorize Auditor-Controller to amend the FY2016-17 Economic Development Departments adopted budget for East Garrison Development Reimbursement Fund 182, Department 1070, Unit 8431, Appropriation Unit DEO028 to increase appropriations and estimated revenues by \$50,000, funded by additional Developer Reimbursements in Fund 182, Revenue 5850. (4/5th Vote Required)

**Approved - Agreement No. A-13267**

- 48.** Authorize the Resource Management Agency Director and/or Resource Management Agency Deputy Director of Public Works and Facilities, to execute any Federal and/or State Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements and/or Fund Transfer Agreements with the California Department of Transportation.

**Item removed via Additions and Corrections.**