ROLL CALL
Present: Supervisors Parker (Chair), Armenta, Calcagno, Salinas, and Potter.

1. Additions and Corrections for Closed Session: None.

CLOSED SESSION

2. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
      (1) Guzman, et al. v. Pinch, et al. (Monterey County Superior Court case no. M71543)
      CLOSED SESSION REPORT: The Board took no reportable action.
      
      (2) LandWatch Monterey County v. County of Monterey (MCSC case no. M109434)
      CLOSED SESSION REPORT: The Board took no reportable action.
      
      (3) The Open Monterey Project v. Monterey County Board of Supervisors (MCSC case no. M109441)
      CLOSED SESSION REPORT: The Board took no reportable action.
(4) Carmel Valley Association, Inc. v. Board of Supervisors of the County of Monterey (MCSC case no. M109442)
CLOSED SESSION REPORT: The Board took no reportable action.

(5) Salinas Valley Water Coalition, et al. v. County of Monterey (MCSC case no. M109451)
CLOSED SESSION REPORT: The Board took no reportable action.

(6) Keep Fort Ord Wild v. County of Monterey, et al. (Monterey County Superior Court case no. M114961)
CLOSED SESSION REPORT: The Board took no reportable action.

(7) Johnny Stokes (Worker’s Compensation case no. WC608-510319)
CLOSED SESSION REPORT: The Board gave settlement parameter authority to counsel. If a settlement is approved by all parties, the agreement will be available in County Counsel’s office.

(8) James Halleck (Workers’ Compensation case nos. WC608-460760; WC608-333413; WC608-434152)
CLOSED SESSION REPORT: The Board gave settlement parameter authority to counsel. If a settlement is approved by all parties, the agreement will be available in County Counsel’s office.

(9) Stagecoach Territory, Inc. v. County of Monterey, et al. (Monterey County Superior Court case no. M104908) (Added via Addendum)
CLOSED SESSION REPORT: The Board took no reportable action.

b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
CLOSED SESSION REPORT: The Board took no reportable action.

c. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Natividad Medical Center CEO.
CLOSED SESSION REPORT: The Board conducted a performance evaluation for the Natividad Medical Center CEO and direction was given.

d. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the Equal Opportunity Officer.
CLOSED SESSION REPORT: The Board conducted a performance evaluation for the Equal Opportunity Officer and direction was given.

e. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the County Administrative Officer.
CLOSED SESSION REPORT: The Board conducted a performance evaluation for the County Administrative Officer and direction was given.
f. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
   (1) Designated representative: Lynn Diebold, Izetta Birch and Brette Neal
   Employee Organizations: D, F and J (Added via Addendum)

CLOSED SESSION REPORT: The Board conferred with negotiator Lynn Diebold and approved a tentative agreement with Unit D to extend minimum continuing, legal education payments or authorization to attend MCLE classes. The Board conferred with Ms. Diebold, Ms. Birch and Ms. Neal regarding Units F and J and provided direction as to how to proceed in negotiations.

Acting as the Board of Directors of the Monterey County Water Resources Agency:

CLOSED SESSION:

g. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
   (1) In the Matter of the Application of California-American Water Company (Application 04-09-019)
   CLOSED SESSION REPORT: The Board took no reportable action.

   (2) Ag Land Trust v. Monterey County Water Resources Agency, et al. (Monterey County Superior Court case no. M110691)
   CLOSED SESSION REPORT: The Board took no reportable action.

h. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
   CLOSED SESSION REPORT: The Board took no reportable action.

i. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.
   CLOSED SESSION REPORT: The Board took no reportable action.

AMENDED CLOSED SESSION REPORT FROM BOARD OF SUPERVISORS MEETING OF DECEMBER 6, 2011

2. d. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
   (1) Designated representatives: Izetta Birch and Brette Neal
   Employee Organizations: Units F, J, L, M, N, Q, and V

CLOSED SESSION REPORT: The Board conferred with labor negotiators and approved the amended tentative agreements with Units L, M, N, Q and V, that changed language from floating holidays to Winter Recess.

10:30 A.M. RECONVENED
ROLL CALL
Present: Supervisors Parker (Chair), Armenta, Calcagno, Salinas, and Potter.

3. The Pledge of Allegiance was led by Assistant County Counsel Leslie Girard.

4. Additions and Corrections
The Clerk of the Board announced Agenda corrections and proposed additions, which were acted on by the Board as provided in Section 54954.2 of the California Government Code.

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 additions and corrections:

Correction: Item 41.2 renumbered to 18.1 Under Other Board Matters.

41.2 a. Consider a recommendation from the Legislative Committee regarding proposed 2012 ballot measures intended to secure constitutional protection for Counties’ costs related to 2011 Public Safety Realignment; and
b. Provide direction to Supervisor Armenta as the designated Monterey County representative on the Board of Directors of the California State Association of Counties (CSAC).

41.1 At the Chair’s request:
This item deleted from the agenda and the associated material submitted is added to item S-6.

Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES

ROLL CALL
Present: Supervisors Parker (Chair), Armenta, Calcagno, Salinas, and Potter.

5. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet) Adjournment Reconvene as the Monterey County Board of Supervisors
Motion by Director Salinas, seconded by Director Armenta. ALL AYES

6. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
Supervisor Calcagno pulled items 45 and 50 and advised he will be voting no on item 50.
Hans Jongens pulled items 47, 48, 49, 50, & 51.
Supervisor Parker pulled items 31 34, and 49.
Motion by Supervisor Potter, seconded by Supervisor Armenta to approve the Consent Calendar - Regular, with the exception of items 31, 34, 45, 47, 48, 49, 50 and 51. ALL AYES
Item 31: Supervisor Parker commented her concerns with the binding arbitration clause.
Motion by Supervisor Potter, seconded by Supervisor Armenta to approve item 31. 4 - 1 (Supervisor Parker dissented)

Item 34: Supervisor Parker thanked staff for the board report.
Motion by Supervisor Parker, seconded by Supervisor Armenta to approve item 34. ALL AYES

Items 45 & 49: County Counsel McKee and Mike Novo responded to Supervisor Calcagno’s questions.
Motion by Supervisor Calcagno, seconded by Supervisor Armenta to approve items 45 and 49. ALL AYES

Items 47 and 51: Paul Greenway responded.
Motion by Supervisor Armenta, seconded by Supervisor Potter to approve items 47 and 51. ALL AYES

Item 48:
Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve item 48. ALL AYES

Item 50: Supervisor Calcagno advised he will vote no on this item.
Motion by Supervisor Potter, seconded by Supervisor Salinas to approve item 50. 4 - 1 (Supervisor Calcagno dissented)

RESOLUTIONS - Items 7 through 11 approved in one vote.

7. Adopted Resolution No. 11-381 honoring Felix Anongos upon his retirement from the Monterey County Treasurer-Tax Collector’s Revenue Division after 37 years of dedicated public service. (Full Board-Supervisor Parker)
Motion by Supervisor Armenta, seconded by Supervisor Potter. ALL AYES

8. Adopted Resolution No. 11-382 commending Stephen Sapiro, Monterey County Deputy Sheriff, upon his retirement from years of outstanding public service to the citizens of Monterey County. (Full Board-Supervisor Parker)
Motion by Supervisor Armenta, seconded by Supervisor Potter. ALL AYES

9. Adopted Resolution No. 11-383 commending Connie Parkison as a Senior Assessment Clerk to the Assessor’s Department, for her dedicated service of 36 years to the County of Monterey upon her retirement. (Full Board-Supervisor Parker)
Motion by Supervisor Armenta, seconded by Supervisor Potter. ALL AYES

10. Adopted Resolution No. 11-384 honoring Susan West on the occasion of her retirement from the Monterey County Department of Social and Employment
Services after 37 years of dedicated service. (Full Board-Supervisor Parker)

Motion by Supervisor Armenta, seconded by Supervisor Potter.  ALL AYES

11. Adopted Resolution No. 11-385 honoring Janet Johnson on the occasion of her retirement from the Monterey County Department of Social and Employment Services after 21 years of dedicated service. (Full Board-Supervisor Parker)

Motion by Supervisor Armenta, seconded by Supervisor Potter.  ALL AYES

APPOINTMENTS – Items 12 through 16.2 approved in one vote.

12. Reappointed Judy MacClelland to the Historic Resources Review Board term ending December 31, 2014. (Supervisor Potter)

Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES

13. Reappointed Sheila Lee Prader to the Monterey County Historic Resources Review Board, term ending December 31, 2014. (Supervisor Calcagno)

Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES

14. Corrected the term expiration date for Benjamin Aguirre of the San Lucas County Water District to be consistent with the Elections office term expiration date of December 1, 2013. (Supervisor Salinas)

Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES

15. Appointed Sheri Braden to the San Lucas County Water District, term ending December 1, 2013. (Supervisor Salinas)

Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES


Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES

16.1 Appointed Tom Tessier to the Area Agency on Aging Advisory Council, to fill an unexpired term ending January 1, 2014. (Supervisor Parker) (Added via Addendum)

Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES

16.2 Appointed Kit Elliott Carter to the Mental Health Commission, to fill an unexpired term ending May 31, 2012. (Supervisor Parker) (Added via Addendum)

Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES
OTHER BOARD MATTERS

17. Board Comments
   ◦ Supervisor Armenta wished everyone Happy Holidays.
   ◦ Supervisor Parker announced her Hot Drinks/Hot Topics meetings will continue in 2012 on Monday evenings and will rotate between the three cities in her district, Marina, Seaside and Salinas. A schedule will be prepared, so stay tuned.

18. CAO Comments and Referrals: None.

Renumbered 41.2 to 18.1:

18.1 a. Considered a recommendation from the Legislative Committee regarding proposed 2012 ballot measures intended to secure constitutional protection for Counties’ costs related to 2011 Public Safety Realignment; and
   b. Provided direction to Supervisor Armenta as the designated Monterey County representative on the Board of Directors of the California State Association of Counties (CSAC) to review the data that comes to the CSAC Executive Committee meeting and cast his vote on behalf of the County as he deems in the best interest of the County; and if decision is made to go forward with the CSAC only proposal, County dues would increase by $17,000.

Motion by Supervisor Salinas, seconded by Supervisor Potter. ALL AYES

19. Public Comment
   Mary Pantaley; Hans Jongens.

SCHEDULED MATTERS

S-1 a. Received and approved Lead Me Home - The Game Plan for Housing Homeless People in Monterey and San Benito Counties;
   b. Acknowledge the role of the Lead Me Home Leadership Council;
   c. Authorized the Department of Social and Employment Services to oversee implementation of this Plan and to help establish local planning committees; and
   d. Directed staff to return next year with information on the number of homeless persons taken off the streets and any demonstrated outcomes relative to the approved plan.

Motion by Supervisor Salinas, seconded by Supervisor Armenta. ALL AYES

S-2 a. Conducted a public hearing under the requirements of the Tax Equity and Financial Responsibility Act (TEFRA) and the Internal Revenue Code of 1986, as amended for the Society for the Prevention of Cruelty to Animals of Monterey County (SPCAMC), a non profit public benefit corporation, to finance a construction and renovation project; and
b. Adopted Resolution No. 11-391 approving the issuance of up to $1,000,000 in tax-exempt revenue bonds by the California Enterprise Development Authority (CEDA) for the benefit of the

Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES

S-3 a. Accepted an oral presentation from the Director of Health regarding the Health Department’s Strategic Plan;
b. Approved the Five Year Strategic Plan for the Health Department; and
c. Directed staff to begin implementation of the plan and provide annual updates.

Public comment: Maria Velasquez with interpreter (name unknown); Alana Miles; Norma Perez

Motion by Supervisor Calcagno, seconded by Supervisor Salinas. ALL AYES

RECESSED LUNCH – CONTINUED CLOSED SESSION
1:30 P.M. RECONVENED

ROLL CALL
Present: Supervisors Parker (Chair), Armenta, Calcagno, Salinas, and Potter.

SCHEDULED MATTERS

S-4 Approved staff request, on behalf of the appellant, to continue the Public Hearing to January 10, 2012 to consider:

a. Denying the appeal of the Zoning Administrator’s discretionary decision to approve a Coastal Administrative Permit and Design Approval for the construction on a single family dwelling; and

b. Approving the Coastal Administrative Permit and Design Approval to allow the construction of a 2,331 square foot two-story single family dwelling with a 354 square foot one-car garage and approximately 160 cubic yards of grading (150 cubic yards cut/10 cubic yards fill). [Appeal of Coastal Administrative Permit to construct a single family dwelling - PLN100636, Chopin Enterprises, L.P., 24479 San Juan Road, Carmel, Carmel Area Land Use Plan]

Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES

This item heard before item S-4

S-5 Adopted Resolution No. 11-392:

a. Approving the acceptance of State Transportation Improvement Program funds from Caltrans for five projects, the Highway 1 Climbing Lane between Carmel Valley Road and Rio Road Project, the Highway 68 at Corral De Tierra Intersection Improvements, the Davis Road Bridge #208 and Four Lane Project; the Castroville Railroad Crossing Bicycle/Pedestrian Path Project, and the Davis Road Class II Bicycle Lane Project; in the amount of $14,987,000; and
b. Authorizing the Director of Public Works, or his designee, to act as the agent for the County in processing and signing all documentation to secure these funds from Caltrans.

**Public comment:** Margaret Robbins; Dick Stowe; Michael Weaver; Hans Jongens.

**Motion No. 1:** by Supervisor Potter, seconded by Supervisor Armenta to bifurcate and approve the Highway 1 Climbing Lane between Carmel Valley Road and Rio Road Project, the Davis Road Bridge #208 and Four Lane project; the Castroville Railroad Crossing Bicycle/Pedestrian Path Project, and the Davis Road Class II Bicycle Lane Project; and b. authorized the Director of Public Works, or his designee, to act as the agent for the County in processing and signing all documentation to secure these funds from Caltrans. ALL AYES

**Motion No. 2:** by Supervisor Potter, seconded by Supervisor Armenta to approve the Highway 68 Corral de Tierra Intersection Improvements and the associated funding allocation, processing and documentation authorizations. 4 - 1 (Supervisor Parker dissented)

**S-6** Received an oral report from the Board of Supervisors Human Resources Committee staff regarding the Human Resources Centralization Plan and take any other actions deemed appropriate.

**Motion by Supervisor Armenta, seconded by Supervisor Salinas. 4 – 0 (Supervisor Potter Absent)**

This item heard before Item S-6

**S-7** Conducted a Public Hearing and:

a. Approved Amendment No. 1 to the Unified Franchise Agreement No. A-11631 between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County in order to amend Article 13.13ff of the Agreement to change the collection rate adjustment request timeline and to change the format of, and add new collection rate categories to, Exhibit 1 Approved Rates and Charges, including corrections submitted to the Board Order: Article 13.13ff, corrected to read: "Article 13, Sections 13.13 through 13.14.2, as submitted and read into the record today;

b. Approved collection rate adjustments and new collection rate categories as shown in Exhibit 1 Approved Rates and Charges of Amendment No. 1, effective January 1, 2012, for services provided by USA Waste of California, Inc., dba Carmel Marina Corporation; and

c. Approved and authorized the Director of Health to execute Amendment No. 1 to the Unified Franchise Agreement A-11631 between the County of Monterey and USA Waste of California, Inc., dba Carmel Marina Corporation, for the Exclusive Collection of Solid Waste and Recyclables in Unincorporated Monterey County.
Mary Perry, Deputy County Counsel advised of the following correction to the Board Order Article 13: Article 13.13 ff corrected to read: “Article 13, Sections 13.13 through 13.14.2” and a corrected Board Order has been distributed to the Board and submitted to the Clerk.

Public comment: Maria [no last name given]; Don Ask; Mr. Valdez; Felipe Melcher; Sandra Freeman; Harley Call (sp)

Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Potter Absent)

Report of Closed Session (See item 2.a. through i. & December 6, 2011 item 2.d)

ORDER FOR ADJOURNMENT

APPROVED:

/s/ Dave Potter
DAVE POTTER, CHAIR
BOARD OF SUPERVISORS

ATTEST: GAIL T. BORKOWSKI
Clerk of the Board

BY: /s/ Gail T. Borkowski
CONSENT CALENDAR

NATIVIDAD MEDICAL CENTER

20. a. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the Professional Medical Services Agreement No. A-12154 with Precision Orthopedics to provide Orthopedic Services at NMC in an amount not to exceed $1,200,000 for the period January 1, 2012 to December 31, 2012; and
   b. Authorized the Purchasing Manager for NMC to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

21. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the Acknowledgement and Consent to the Assignment and Assumption Agreement No. A-12155 between Mumtaz G. Tabbaa, MD and Advanced Gastroenterology of Monterey County, Inc. ("AGMC").

22. Authorized the one year extension of the Professional Services Agreement No. A-11514 between The Regents of the University of California, a California Constitution corporation, on behalf of the University of California, San Francisco, School of Medicine, Department of Pediatrics ("UCSF"), and Natividad Medical Center ("NMC") to Neonatology Services.

23. a. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the Professional Medical Services Agreement No. A-11901 with Ventana Faculty Medical Associates of Monterey County to provide Family Medicine Services at NMC in an amount not to exceed $2,055,000 for the period January 1, 2012 to December 31, 2013. The term of this agreement is twenty-four months (24) months with an option that either party may terminate with sixty (60) days written notice;
   b. Authorized the Purchasing Manager for NMC to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

24. a. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement No. A-12156 with Vista Staffing Solutions Inc. to provide referrals of locum tenens providers for multiple specialties at NMC in amount not to exceed $200,000 for the period January 1, 2012 to December 31, 2013. The term of this agreement is twenty-four months (24) months with an option that either party may terminate with sixty (60) days written notice; and
b. Authorized the Purchasing Manager for NMC to sign up to three (3) amendments to this agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

25. Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute the First Amendment No. A-12157 to Professional Medical Services Agreement with Jason Wasche D. O. to provide Hospitalist Services at NMC extending the Agreement to December 31, 2012 and adding $250,000 for the full term of the Agreement not to exceed $350,000 in the aggregate.

HEALTH AND SOCIAL SERVICES

26. a. Accepted a settlement in the amount of $273,305.12 as a result of litigation with Millennium Holdings, the successor in interest to former lead-based paint manufacturer Glidden;
   b. Authorized the Auditor-Controller to establish a deferred revenue liability account 2832-Deferred Revenue-Health for the lead settlement funds; and
   c. Directed the Director of Health to submit an annual financial report to the Board.

Authorized the Auditor-Controller to establish a special revenue fund for Mental Health, effective Fiscal Year 2012-13.

27. Adopted Resolution No. 11-393 to:
   a. Reclassify and reallocate two Patient Services Representative II to Patient Account Representative II in Health Department Budget 4000, HEA007-8098; and
   b. Authorize the County Administrative Office to incorporate the approved changes in the Fiscal Year 2011-12 Adopted Budget.

CRIMINAL JUSTICE

28. Adopted Resolution No. 11-394 to:
   a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Custody and Control Specialist;
   b. Amend the Fiscal Year 2011-12 Sheriff’s Budget to add twelve (12) FTE Custody and Control Specialists; and
   c. Authorize the County Administrative Office to incorporate the changes as detailed in the Resolution.

29. Adopted Resolution No. 11-394 to:
   a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Custody and Control Specialist;
   b. Amend the Fiscal Year 2011-12 Sheriff’s Budget to add twelve (12) FTE Custody and Control Specialists; and
   c. Authorize the County Administrative Office to incorporate the changes as detailed in the Resolution.

30. a. Authorized the Auditor-Controller to increase revenues and appropriations in Special Revenue Fund 022 by $4,406,336 for AB109 program reimbursements (4/5ths vote required); and
b. Authorized the Auditor-Controller to increase revenues and appropriations in Special Revenue Fund 022 by $3,647,486 for AB118 programs revenue. (4/5ths vote required)

31. Approved the Memorandum of Understanding Agreement No. A-12159 with El Sur Ranch to provide for the services of a Reserve Deputy Sheriff to respond to service calls in the Big Sur area for a term of one year.
   Motion by Supervisor Potter, seconded by Supervisor Armenta to approve item 31. 4 - 1 (Supervisor Parker dissented)

GENERAL GOVERNMENT

32. Accepted receipt of the 2010-2011 Annual Report for the Redevelopment Agency of the County of Monterey.

33. Approved release of a security interest held by the County of Monterey’s Small Business Revolving Loan Fund for a small business loan to Café Rustica.

34. Adopted the proposed Boards, Commissions, Committees, and Collaboratives Training and Annual Reporting Policy (Board Referral 2010.14).
   Item 34: Supervisor Parker thanked staff for the board report.
   Motion by Supervisor Parker, seconded by Supervisor Armenta to approve item 34. ALL AYES

35. Approved revisions to the County of Monterey’s First Time Homebuyer Program Manual.

36. a. Approved and authorized the addition of one (1) FTE Management Analyst III to the Intergovernmental and Legislative Affairs Budget Unit 8054 to implement and facilitate the County’s Performance Measurement Program;
   b. Approved and authorized the transfer of appropriations in the amount of $69,330 from Department 1050, Budget Unit 8038 to Department 1050, Budget Unit 8054; and
   c. Authorized the Auditor-Controller to amend appropriations and the County Administrative Office position count for the Fiscal Year 2011-2012 Adopted Budget.

37. a. Approved and authorized the Contracts/Purchasing Officer on behalf of the Information Technology Department to execute a Professional Services Agreement No. A-12160 with KIS for the provision of the McAfee product enhanced support and licensing for all County users in the amount of $60,300 for the term of January 23, 2012 through January 22, 2013, $60,300 for the term of January 23, 2013 through January 22, 2014, and $60,300 for the term of January 23, 2014 through January 22, 2015 in the total amount not to exceed $180,900 in the aggregate; and
b. Authorized the Contracts/Purchasing Officer to sign future renewals to the licensing, maintenance, and support services as needed.

38. Approved the Memorandum of Understanding Agreement No. A-12161 (MOU) for Monterey County Registered Nurses’ Association (MCRNA) Unit S for July 1, 2011 through June 30, 2012.

39. a. Approved and authorized the Director of Emergency Communications to sign the Agreement No. A-09038 for 9-1-1 Emergency Communications Dispatch Services for Miscellaneous Agencies between the County of Monterey and State of California Department of Corrections and Rehabilitation; and

b. Approved and authorized the Director of Emergency Communications to sign the Agreement for 9-1-1 Emergency Communications Dispatch Services for Miscellaneous Agencies (911 Service Agreement - Miscellaneous Agencies) or the Agreement for 9-1-1 Emergency Communications Dispatch Services (911 Service Agreement) as applicable between the County of Monterey and other agencies seeking to use the services of the Monterey County Department of Emergency Communications for Dispatch Services.

40. a. Approved and authorized the Contracts and Purchasing Officer to sign an Agreement No. A-12162 with Vision Services Plan (VSP), for Third Party Administrator (TPA) Services for the County’s self-insured Vision Program per Request for Proposal (RFP) No. 10264, with a retroactive start date of October 1, 2011 through December 31, 2015, including the option to extend the Agreement for up to two (2) additional one (1) year periods; and

b. Authorized the Contracts and Purchasing Officer to sign future Amendments to the Agreement where the Amendments do not significantly change the scope of work or cause an increase in the Agreement rates of more than ten percent (10%).

41. Approved reimbursement of funds for the installation of security cameras for the Assessor/County Clerk/Recorder’s Office to:

   a. Increased revenue and appropriations in the amount of $9,932 in Fund 001, Dept 1180, Unit 8004 Appropriation Unit ACR002 (4/5ths vote required); and

   b. Authorized the Auditor-Controller to approve the transfer of funds and increases in estimate revenues and appropriations.

41.1 Received an oral report from the Board of Supervisors Human Resources Committee staff regarding the Human Resources Centralization Plan and take any other actions deemed appropriate. (Added via Addendum) Removed via Additions and Corrections

41.2 a. Consider a recommendation from the Legislative Committee regarding proposed 2012 ballot measures intended to secure constitutional protection for Counties’ costs related to 2011 Public Safety Realignment; and
b. Provide direction to Supervisor Armenta as the designated Monterey County representative on the Board of Directors of the California State Association of Counties (CSAC). (Added via Addendum) Removed via Additions and Corrections; Renumbered as 18.1.

RMA - PLANNING DEPARTMENT

42. a. Approved the Parcel Map to allow the division (Resubdivision) of twelve parcels totaling approximately 14,085 acres, into twelve parcels with the same amount of acres
b. Accepted and authorized the Chair to execute Land Conservation Contract No. 69-7.7 between the County and Armas Clifford Markkula et al.; and
c. Directed the Clerk of the Board to submit Land Conservation Contract No. 69-7.7, the Parcel Map, Deed Restrictions (Condition Nos. 14, 15, 16 19 and 20) and Flood Notices (Condition No. 18) to the County Recorder for filing. (Parcel Map - PLN090117/Markkula Minor Subdivision, 35351 E. Carmel Valley Road, Carmel Valley)

43. a. Approved the Parcel Map to allow a subdivision of an existing 3.38 acre parcel into two (2) parcels: Parcel A (1.86 acres) and Parcel B (1.52 acres);
b. Accepted the Tax Clearance Letter and the Parcel Map Guarantee; and
c. Directed the Clerk of the Board to submit the Parcel Map and the Deed Notice (Driveway Reconfiguration) to the County Clerk for recording. (Parcel Map - PLN080038/Wheatley, 3429 Carmel Way, Pebble Beach, Del Monte Forest Land Use Plan)

44. a. Accepted and authorized the Chair to execute the Conservation Easement Deed; and
b. Directed the Clerk of the Board to submit the Conservation Easement Deed to the County Recorder for filing. (Conservation and Scenic Easement Deed - PLN070482/Villalobos, Richard and Elsa, 387 San Benancio Road, Salinas)

45. a. Approved a Professional Services Agreement No. A-12163 with EMC Planning Group, Inc. where the Base Budget is $1,002,022 and the Contingency Budget is $118,950, for a total amount not to exceed $1,120,972 to provide consulting services and technical support for the 2010 Monterey County General Plan implementation (RFP #10287) for a term through June 30, 2015; and
b. Authorized the Contracts/Purchasing Officer to execute the Professional Services Agreement and future amendments to this Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount. (Contract - REF110063/EMC Planning Group, Inc., County-wide)

Motion by Supervisor Calcagno, seconded by Supervisor Armenta to approve items 45 and 49. ALL AYES
46. Approved and authorized the Chair of the Board of Supervisors to execute a Historic Property Contract with Bella Designs, LLC, owners of the Louise G. Rose House located at 165 Spindrift Road, Carmel (Assessor’s Parcel Number: 241-251-011-000) (Mills Act Historic Property Contract Applications - Bella Designs, LLC/Rose House, PLN110360, Carmel)

RMA - PUBLIC WORKS

47. a. Approved Amendment No. 5 to Professional Services Agreement No. A-10864 with Wood Rodgers, Inc. to provide additional services associated with Phase 1 - Project Approval and Environmental Documentation for the State Highway 1 Climbing Lane between Carmel Valley Road and Rio Road, Project No. 869065, in the amount of $39,390 for a total amount not to exceed $495,325, for a term through March 1, 2014; and
b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 5 to Professional Services Agreement No. A-10864 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

Motion by Supervisor Armenta, seconded by Supervisor Potter to approve items 47 and 51. ALL AYES

48. a. Accepted the Fox Creek Ranch, Phase I Subdivision Improvements (PLN030456) as complete;
b. Approved the release of the Faithful Performance Bond issued by Insurance Company of the West (Bond No. 2187517) for Phase I infrastructure improvements in the amount of $631,367.00; and
c. Approved the release of the Labor and Materials Bond issued by Insurance Company of the West (Bond No. 2187517) in the amount of $315,683.50 in accordance with Government Code section 66499.7(h) after the passage of time for recording claims or liens.

Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve item 48. ALL AYES

49. a. Approved a Professional Services Agreement No. A-12164 with Kimley-Horn and Associates, Inc., to provide engineering services associated with the Countywide Fee Program Nexus Study; Agriculture and Winery Corridor Plan Impact Fee based on the recent adoption of the General Plan Update; Carmel Valley Transportation Improvement Program Traffic Analysis and Fee Calculation; and California Environmental Quality Act Environmental Review for the Carmel Valley Transportation Improvement Program, in an amount not to exceed $255,163 for the term of December 13, 2011 through June 30, 2013; and
b. Authorized the Contracts/Purchasing Officer to execute the Professional Services Agreement with Kimley-Horn and Associates, Inc., and future amendments to the Agreement where the amendments do not exceed ten
percent (10%) of the original Agreement amount and do not significantly alter the scope of work.

**Motion by Supervisor Calcagno, seconded by Supervisor Armenta to approve items 45 and 49. ALL AYES**

50. **Agreement No. A-12165; Construction no. 2011-017**
   a. Awarded a contract to Monterey Peninsula Engineering, Inc., the lowest responsible bidder, for the Blanco Road Class II Bikeway, Contract No. 11-869365, State Project No. EA 05-4A2794L, Federal Aid Project No. RPSTPLE-5944(106) project in the total amount of $184,832;
   b. Approved the Performance and Payment Bonds executed and provided by Monterey Peninsula Engineering, Inc.;
   c. Authorized a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders; and
   d. Authorized 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.

**Motion by Supervisor Calcagno, seconded by Supervisor Armenta to approve items 45 and 49. ALL AYES**

51. **Agreement No. A-11906; Construction No. 2011-014**
   a. Approved Amendment No. 1 to Professional Services Agreement No. A-11906 with TRC Engineers, Inc. to provide additional preliminary engineering and environmental services associated with the extension in the project limits for Phase 1 of the Castroville Railroad Crossing Bicycle/Pedestrian Path (RFQ/RFP#10197), Project No. 862265, Federal Aid Project No. STPLHSR-5944 (058), in the amount of $67,237 for a total amount not to exceed $396,747, and extend the term through December 28, 2012; and
   b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 1 to Professional Services Agreement No. A-11906 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

**Motion by Supervisor Armenta, seconded by Supervisor Potter to approve items 47 and 51. ALL AYES**

51. **Agreement No. A-12158; Construction No. 2011-014**
   a. Awarded a contract to R. Jensen Company, Inc., the lowest responsible and responsive bidder, for Modular Building #5 Relocation, from 168 West Alisal Street, Salinas, CA to Natividad Medical Center, Project No. 8841, Bid Package No. 10325, in the total amount of $84,900;
   b. Approved the Performance and Payment Bonds executed and provided by R. Jensen Company, Inc.;
   c. Authorized a contingency in the amount of $40,000 to ensure funding to complete the project as determined by the Director of Public Works; and
   d. Authorized the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve contract change orders
where each change order does not exceed (ten percent) 10% of the original contract amount, and do not significantly alter the project’s scope. (Added via Addendum)

**MONTEREY COUNTY REDEVELOPMENT AGENCY**

52. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
   a. Approved the 2010-2011 Annual Report for the Redevelopment Agency of the County of Monterey; and
   b. Authorized submittal of the Annual Report to the State of California.

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