Monterey County

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

Action Minutes - Final

Tuesday, July 30, 2013
9:00 AM

See separate agendas for all Board of Supervisors governed Agencies and Special Districts
Special Joint Meeting of the Board of Supervisors of the Monterey County Water Resources Agency and the Water Resources Agency Board of Directors

Board of Supervisors

Chair Fernando Armenta - District 1
Vice Chair Louis R. Calcagno - District 2
Supervisor Simón Salinas - District 3
Supervisor Jane Parker - District 4
Supervisor Dave Potter - District 5
9:00 AM Call to Order

The meeting was called to order by Chair Armenta.

Roll Call

Present: 5 - Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

Additions and Corrections for Closed Session

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:

1.c. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two three matters of potential initiation of litigation.


A motion was made by Supervisors Dave Potter, seconded by Supervisor Jane Parker to approve the additions to Closed Session. 4-0 (Supervisor Calcagno Absent)

Closed Session

Closed Session under Government Code section 54950, relating to the following items:

a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
(1) Rogelio Serrato, et al. v. Monterey County, et al. (United States District Court, Northern District of California, case no. C11-03642-RMW
(2) Rita Serrato, et al. v. Monterey County, et al. (United States District Court, Northern District of California, case no. C11-4106-RMW)
(3) Dennis Hollingsworth, et al. v. Patrick O'Connell, et al. (California Supreme Court case no. S211990)
(4) In the Matter of the Application of California-American Water Company (Application 13-05-017)
(5) Stagecoach Territory, Inc. v. County of Monterey, et al.; County of Monterey v. Stagecoach Territory, et al. (Monterey County Superior Court case no. M104908)
(6) People of the State of California v. Stagecoach Territory, et al. (Monterey County Superior Court case no. M117503)
(7) People of the State of California, et al. v. Atlantic Richfield Company, et al. (Santa Clara County Superior Court case no. 1-00-CV-788657)
b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

c. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two matters of potential initiation of litigation. (One Item Added via Additions & Corrections)

d. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.

e. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.

(1) City of Carmel-by-the-Sea
(2) City of Del Rey Oaks
(3) City of Gonzales
(4) City of King City
(5) City of Marina
(6) City of Monterey
(7) City of Pacific Grove
(8) City of Salinas
(9) City of Sand City
(10) City of Seaside
(11) City of Soledad
(12) Azucena & Severino Covarrubias
(13) Margarita Covarrubis (ADDED VIA ADDENDUM)

f. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

(1) Property: 559 East Alisal, Salinas, California
Negotiators: Ray Bullick and Elsa Jimenez
Negotiating Parties: Ramiro Alcala and 559 E. Alisal Street LLC
Under negotiation: Price and terms

g. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the following positions:

(1) Natividad Medical Center CEO.
(2) County Administrative Officer

h. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:

(1) Designated representatives: James May and Brette Neal
Employee Organizations: All Units

REPORT OF CLOSED SESSION:
Closed Session under Government Code section 54950, relating to the
following items:

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

(1) Rogelio Serrato, et al. v. Monterey County, et al. (United States District Court, Northern District of California, case no. C11-03642-RMW
(2) Rita Serrato, et al. v. Monterey County, et al. (United States District Court, Northern District of California, case no. C11-4106-RMW)
(3) Dennis Hollingsworth, et al. v. Patrick O’Connell, et al. (California Supreme Court case no. S211990)
CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a. (1) through (3).

(4) In the Matter of the Application of California-American Water Company (Application 13-05-017)
CLOSED SESSION REPORT: The Board conferred with counsel and approved a large settlement agreement in the Matter of Application No. 12-04-019 associated with the Monterey Peninsula Water Supply Project.

(5) Stagecoach Territory, Inc. v. County of Monterey, et al.; County of Monterey v. Stagecoach Territory, et al. (Monterey County Superior Court case no. M104908) -
ITEM 1.a.(5) REMOVED FROM AGENDA.

(6) People of the State of California v. Stagecoach Territory, et al. (Monterey County Superior Court case no. M117503)-
ITEM 1.a. (6) REMOVED FROM AGENDA.

(7) People of the State of California, et al. v. Atlantic Richfield Company, et al. (Santa Clara County Superior Court case no. 1-00-CV-788657)
CLOSED SESSION REPORT: the board took no reportable actions on item 1.a. (7).

CLOSED SESSION REPORT: The Board took no reportable actions on item 1.a. (8).

b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation. CLOSED SESSION REPORT: The board took no reportable actions on item 1.b.

c. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding three matters of potential initiation of litigation. (One Item Added via Additions & Corrections)
CLOSED SESSION REPORT: The board took no reportable actions on item 1.c.

d. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.
CLOSED SESSION REPORT: The board took no reportable action on item 1.d.

e. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the County of Monterey.
(1) City of Carmel-by-the-Sea  
(2) City of Del Rey Oaks  
(3) City of Gonzales  
(4) City of King City  
(5) City of Marina  
(6) City of Monterey  
(7) City of Pacific Grove  
(8) City of Salinas  
(9) City of Sand City  
(10) City of Seaside  
(11) City of Soledad  
(12) Azucena & Severino Covarrubias  
(13) Margarita Covarrubis (ADDED VIA ADDENDUM)  
CLOSED SESSION REPORT: The Board took no reportable actions on items 1.e. (1) through (13).

f. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:
   (1) Property: 559 East Alisal, Salinas, California  
   Negotiators: Ray Bullick and Elsa Jimenez  
   Negotiating Parties: Ramiro Alcala and 559 E. Alisal Street LLC  
   Under negotiation: Price and terms  
   CLOSED SESSION REPORT: The Board took no reportable actions on item 1.f. (1).

g. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the following positions:
   (1) Natividad Medical Center CEO.  
   (2) County Administrative Officer  
   CLOSED SESSION REPORT: The Board took no reportable actions on item 1.g. (1) and (2).

h. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators:
   (1) Designated representatives: James May and Brette Neal  
   Employee Organizations: All Units  
   CLOSED SESSION REPORT: The Board approved a side letter with SEIU for Natividad Medical Center Pharmacists working the night shift and approved a tentative agreement (TA) with the Probation Managers Association. Details of each of these agreements will be available to any member of the public who desires a copy.

10:30 AM Reconvene

Roll Call

Present: Marisela Quezada, Interpreter

Present: 5 - Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

Pledge of Allegiance

The Pledge of Allegiance was led by Chair Armenta.
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 additions and corrections:

Add Under Closed Session
1. Closed Session under Government Code section 54950, relating to the following items:
   a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
      (8) Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project- Application 12-04-019

Revision Under Closed Session
1. Closed Session under Government Code section 54950, relating to the following items:
   c. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two matters three matters of potential initiation of litigation.

Revision Under Consent Calendar – Health & Social Services
32. Revised Attachment A Submitted
Adopt a Resolution to:
   a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Assistant Bureau Chief with the recommended broad salary range and delete the classifications of Assistant Director of Behavioral Health and Deputy Health Officer;
   b. Amend Health Department Budget 4000, HEA003 8124 to add 1.0 FTE Assistant Bureau Chief and delete 1.0 FTE Deputy Health Officer; and
   c. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2013 14 Adopted Budget.

Remove From Consent Calendar – Natividad Medical Center
24. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 4 to the Agreement (A 11065) with Kronos Incorporated for Software Installation, Licensing, Renewal, Updating, Upgrading, Training, Interfacing and Professional Services at NMC, extending the Agreement to June 30, 2014 and adding $584,126.24 for a revised total Agreement amount not to exceed $2,214,864.14 in the aggregate.

Revision Under Consent Calendar – RMA General
66.1 Revised Resolution Submitted
Adopt a resolution:
   a. Authorizing the Director of Resource Management Agency, in consultation with the Director of Parks, to prepare documents for conserving 10 acres of Toro Park as habitat mitigation for the Blackie Road Safety project as required by the California Department of Fish and Wildlife; and
   b. Directing the Resource Management Agency Director to work with the CAO’s Budget and Analysis office and the Parks Department to identify appropriate staffing and fiscal resources for ongoing habitat management, and to return to the Board with recommended budget actions when the easement is completed.
(Blackie Road Safety Improvements Project, North County)
A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave
Potter to approve Additions and Corrections. ALL AYES

Consent Calendar- (See Supplemental Sheet)

2. Approval of Consent Calendar (See Supplemental Sheet)

Supervisor Parker pulled items 31, 51, and 66 for comments and questions. Benny Young and Ray Bullick responded to questions on item 66. Supervisor Calcagno pulled item 66.1 and asked questions of staff. Benny Young responded. County Counsel Charles McKee recommended the language "and is proportionally appropriate" be added to the resolution. A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to approve the Consent Calendar. ALL AYES

Ceremonial Resolutions

3. Adopt Resolution Honoring U.S. Army Specialist Javier Sanchez, Jr. (Supervisor Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 13-255 Honoring U.S. Army Specialist Javier Sanchez, Jr. (Supervisor Armenta) ALL AYES

4. Adopt Resolution Honoring U.S. Army Specialist Matthew Alan Pfeiffer. (Supervisor Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 13-256 Honoring U.S. Army Specialist Matthew Alan Pfeiffer. (Supervisor Armenta) ALL AYES

5. Adopt Resolution Commending Sergeant Fredrick DeLasantos, Monterey County Sheriff’s Office upon his retirement from 26 Years of Public Service. (Supervisor Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 13-258 Commending Sergeant Fredrick DeLasantos, Monterey County Sheriff’s Office upon his retirement from 26 Years of Public Service. (Supervisor Armenta) ALL AYES

6. Adopt Resolution Commending Sergeant Robert Rodriguez, Monterey County Sheriff’s Office upon his retirement from 26 Years of Public Service. (Supervisor Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 13-259 Commending Sergeant Robert Rodriguez, Monterey County Sheriff’s Office upon his retirement from 26 Years of Public Service. (Supervisor Armenta) ALL AYES

7. Adopt Resolution Commending Sergeant Denis Greathead, Monterey County Sheriff’s Office upon his retirement from 30 Years of Public Service. (Supervisor Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave
8. Adopt Resolution Recognizing The Central Coast Builders Association’s 60th Anniversary. (Supervisor Armenta)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 13-261 Recognizing The Central Coast Builders Association’s 60th Anniversary. (Supervisor Armenta) ALL AYES

9. Adopt Resolution Proclaiming the Month of August 2013 as “Breastfeeding Awareness Month” in Monterey County. (Supervisor Armenta)

Supervisor Parker commented on the Breastfeeding Awareness Month resolution and commended the Health Department for its efforts in promoting breast feeding awareness in Monterey County. She advised of two events in August: 1) the Big Latch On on August 3rd at 10 AM in Pacific Grove, and the Seventh Avenue breast-feeding walk and Health Faire on August 6th.

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 13-262 Proclaiming the Month of August 2013 as “Breastfeeding Awareness Month” in Monterey County. (Supervisor Armenta) ALL AYES

9.1 Adopt Resolution proclaiming August 6, 2013 as “National Night Out” in North Monterey County. (Supervisor Calcagno) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 13-265 proclaiming August 6, 2013 as “National Night Out” in North Monterey County. (Supervisor Calcagno). ALL AYES

9.2 Adopt Resolution in Commemoration of “Bob Bondurant Day” at Mazda Raceway Laguna Seca on August 17, 2013. (Supervisor Armenta) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 13-264 in Commemoration of “Bob Bondurant Day” at Mazda Raceway Laguna Seca on August 17, 2013. (Supervisor Armenta) ALL AYES

9.3 Adopt Resolution in Commemoration of the 50 Year Anniversary of Temple Beth El, Salinas in the Month of August 2013. (Supervisor Armenta) (ADDED VIA ADDENDUM)

A motion was made by Supervisor Jane Parker, seconded by Supervisor Dave Potter to adopt Resolution No. 13-263 in Commemoration of the 50 Year Anniversary of Temple Beth El, Salinas in the Month of August 2013. (Supervisor Armenta) ALL AYES

**Appointments**

10. Reappoint Ronald Holder to the Community Action Commission, term ending July 1, 2016. (Supervisor Calcagno)
A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Reappoint Ronald Holder to the Community Action Commission, term ending July 1, 2016. (Supervisor Calcagno) ALL AYES

11. Reappoint Linda Payne to the Mental Health Commission, term ending May 31, 2016. (Supervisor Armenta)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Reappoint Linda Payne to the Mental Health Commission, term ending May 31, 2016. (Supervisor Armenta) ALL AYES

12. Appoint Tracey Love to the In-Home Supportive Services Advisory Committee, term ending June 30, 2016. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Appoint Tracey Love to the In-Home Supportive Services Advisory Committee, term ending June 30, 2016. (Full Board). ALL AYES

12.1 Appoint Diana McKibben to the Community Restorative Justice Commission, term ending July 30, 2016. (Full Board)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Jane Parker to Appoint Diana McKibben to the Community Restorative Justice Commission, term ending July 30, 2016. (Full Board) ALL AYES

Other Board Matters

13. Board Comments

Supervisor Armenta thanked all involved in the Open House at the Behavioral Health clinic. He commended staff on the successful integration of services and their efforts to work together. He noted that the Mental Health Commission members include many high powered professionals.

14. CAO Comments and Referrals

There were no CAO comment or referrals.

15. General Public Comment

Hans Jongens; Ben Franklin; Gail Smith.

10:30 A.M. - Scheduled Matters

16. Conduct a public hearing to consider the traffic volumes on Carmel Valley Road for Segments 6 and 7, pursuant to the 2010 Carmel Valley Master Plan, Carmel Valley Area.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas: Conducted a public hearing to consider the traffic volumes on Carmel Valley Road for Segments 6 and 7, pursuant to the 2010 Carmel Valley Master Plan, Carmel Valley Area. ALL AYES
17. Receive an annual report presentation from the United Way Monterey County about the Health and Human Service information and referral service (2-1-1) offered throughout the County of Monterey

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker to receive an annual report presentation from the United Way Monterey County about the Health and Human Service information and referral service (2-1-1) offered throughout the County of Monterey. ALL AYES

12:00 PM Recess to Lunch - and

Special Joint Meeting of the Monterey County Board of Supervisors of the Water Resources Agency and the Water Resources Agency Board of Directors - See Board of Supervisors of the Monterey County Water Resources Agency Agenda

See separate agenda and minutes for Joint meeting.

1:30 PM Reconvene

Roll Call

Present: 5 - Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas, Supervisor Jane Parker and Supervisor Dave Potter

1:30 P.M. - Scheduled Matters

18. Public hearing to consider:

a. Appeal by Nina Beety from the Planning Commission’s decision adopting a Negative Declaration and approving the application for a Use Permit (Meyer/PLN120471) to allow the installation of two 396.5 foot tall wind turbines and the construction of a gravel access road;

b. Negative Declaration prepared for PLN120471;

c. Use Permit to allow the installation of two 396.5 foot tall wind turbines and the construction of a gravel access road; and

d. Ordinance amending Section 21.64.120.C.3.b of Title 21 (Non-Coastal Zoning) of the Monterey County Code to allow commercial wind energy conversion systems, commonly known as wind turbines, to exceed 200 feet in height in the non-coastal unincorporated area of the County of Monterey if certain standards are met.

(Use Permit and Ordinance - PLN120471/Herbert G. Meyer Trust, Katherine Street and Puente del Monte Avenue, Gonzales, Central Salinas Area Plan)

Nina Beety, Appellant addressed the Board.
Public comment: Mark Lopez; Eric Peterson; Tom Truscowski; Hans Jongens.
A motion was made by Supervisor Louis R. Calcagno, seconded by Supervisor Simón Salinas: Held a public hearing:

a. Adopted Resolution No. 13-281 to:

1. Adopt the Negative Declaration prepared for PLN120471, which includes a Use Permit for two wind turbines and an Ordinance amending Section
21.64.120.C.3.b of Title 21 of Monterey County Code.

2. Deny an appeal by Nina Beety from the Planning Commission’s decision to approve PLN120471; and

3. Approve a Use Permit (Meyer/PLN120471) to allow the installation of two 396.5 foot tall wind turbines and the construction of a gravel access road.

b. Adopted an Ordinance 5219 amending Section 21.64.120.C.3.b of Title 21 (Non-Coastal Zoning) of Monterey County Code to allow commercial wind energy conversion systems, commonly known as wind turbines, to exceed 200 feet in height in the non-coastal unincorporated area of the County of Monterey if certain standards are met.

4-1 (Supervisor Parker Dissented)

19.

a. Receive the Joint Land Use Study (JLUS) for Camp Roberts; and

b. Direct staff to incorporate the JLUS recommendations, as applicable, into the RMA-Planning work program for future consideration by the Board.

(Feasibility Study - REF100035/Joint Land Use Study for Camp Roberts, South County Area Plan) (REVISED VIA SUPPLEMENTAL)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno

a. Received the Joint Land Use Study (JLUS) for Camp Roberts; and

b. Directed staff to incorporate the JLUS recommendations, as applicable, into the RMA-Planning work program for future consideration by the Board.

(Feasibility Study - REF100035/Joint Land Use Study for Camp Roberts, South County Area Plan) ALL AYES

20.

Consider the California Coastal Commission staff’s proposed modifications to the County’s proposed Coastal Housing Ordinance and provide direction to staff.

(Coastal Housing Ordinance - REF100044/County-wide, Coastal zone)

A motion was made by Supervisor Dave Potter, seconded by Supervisor Simón Salinas to continue consideration the California Coastal Commission staff’s proposed modifications to the County’s proposed Coastal Housing Ordinance and provide direction to staff to no date certain.

(Coastal Housing Ordinance - REF100044/County-wide, Coastal zone) ALL AYES

21.

a. Conduct a public hearing to consider formation of the Carmel Valley Area Rule 20A Underground Utility District No. 15;

b. Adopt a Resolution to create the Carmel Valley Area Rule 20A Underground Utility District No. 15; and

c. Direct the Clerk of the Board to notify by mail all affected property owners and utilities in the Carmel Valley Area Rule 20A Underground Utility District No. 15 within ten (10) days of the effective date of said Resolution with said Notice to include a copy of said Resolution and Chapter 14.08 of Title 14 of the Monterey County Code (MCC).

Public comment: Peter Cokley.

Staff advised they will work with the Assessor’s office to update mailing lists where necessary.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker: a. Conducted a public hearing to consider formation of the Carmel
Valley Area Rule 20A Underground Utility District No. 15;
b. Adopted Resolution No. 13-273 to create the Carmel Valley Area Rule 20A Underground Utility District No. 15; and
c. Directed the Clerk of the Board to notify by mail all affected property owners and utilities in the Carmel Valley Area Rule 20A Underground Utility District No. 15 within ten (10) days of the effective date of said Resolution with said Notice to include a copy of said Resolution and Chapter 14.08 of Title 14 of the Monterey County Code (MCC). ALL AYES

21.1

a. Provide direction to staff regarding alternatives to develop a draft ordinance restricting the use of single-use carry-out plastic bags; and
b. Consider the recommendations made by the Board of Supervisors’ Alternative Energy and Environment Committee regarding collaboration with local cities on a potential ordinance. (ADDED VIA ADDENDUM)

Public comment: Peggy Svetch; Matthew Spiegel; Ellen Gannon; Robert Goetze; Jessica Grisby; Laura Kasa; Brad Hunt; Gary Peterson; Bob Perkins; Margie Kay; Eric Peterson; Javiera Sevilla.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Jane Parker: a. Provided direction to staff to proceed with programmatic CEQA review regarding development of an Ordinance restricting single-use plastic bags; directed staff to return with discussion and options regarding associated fees and supporting data on the success or failure of a fee versus no fee charge and continuing of litter of plastic bags; and further directed staff to proceed with the other components in regards to the development of the program; and
b. Approved the recommendations made by the Board of Supervisors’ Alternative Energy and Environment Committee regarding collaboration with local cities on a potential ordinance. ALL AYES

Adjournment

APPROVED:

___________________________
LOUIS R. CALCAGNO, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: ______________________
GAIL T. BORKOWSKI
CLERK OF THE BOARD
Supplemental Sheet, Consent Calendar

Natividad Medical Center

22. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with McKesson Inc. for Horizon Cardiology Picture Archiving and Communication System (CPACS) Services at NMC in an amount not to exceed $694,461 for the period August 1, 2013 to June 30, 2019.
   b. Authorize the NMC Purchasing Manager to execute up to three (3) amendments to this Agreement where the total amendments do not exceed 10% of the original contract amount ($69,446.00) and do not significantly change the scope of work.
   Approved - Agreement No. A-12525

23. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Stericycle Inc. for Medical Waste Removal and Processing Services at NMC, for the period July 1, 2013 through June 30, 2016 in an amount not to exceed $593,309; and
   b. Authorize the Purchasing Manager for NMC to approve up to two (2) future amendments to extend the term of the Agreement for two (2) additional one (1) year periods and to increase the Agreement by no more than 5% of the original Agreement amount per subsequent fiscal year.
   Approved - Agreement No. A-12526

24. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 4 to the Agreement (A-11065) with Kronos Incorporated for Software Installation, Licensing, Renewal, Upgrading, Training, Interfacing and Professional Services at NMC, extending the Agreement to June 30, 2014 and adding $584,126.24 for a revised total Agreement amount not to exceed $2,214,864.14 in the aggregate.
   REMOVED VIA ADDITIONS AND CORRECTIONS

25. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 5 to the Agreement (A-11720/MYA581) with Schipper Design for Marketing and Graphic Design Services at NMC, extending the Agreement to December 31, 2013 and adding $75,000 for a revised total Agreement amount not to exceed $765,000 in the aggregate.
   Approved - Agreement No. A-11720

26. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 7 to the Agreement (A-12060) with
27. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 4 to the Agreement (A-11719/MYA632) with UHS Surgical Services Inc., formally PRI Medical Technologies Inc. for Laser, Guided Imagery, Lithotripsy and Cryotherapy Services at NMC, extending the Agreement to June 30, 2015 for a total Agreement amount not to exceed $205,000 (no change from the previously approved amount) in the aggregate.

Approved - Agreement No. A-11719

28. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute the Lease Agreements with Modular Devices Inc. for Mobile Computerized Tomography (CT) Laboratory and; Mobile Angiography/Interventional Radiology (IR) Laboratory services at NMC, for the term August 1, 2013 through July 31, 2016 in an amount not to exceed $2,157,000 in the aggregate.

Approved - Agreement No.A-12530

29. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Amerisource Bergen Technology Group for 340B Pharmacy Software and 340B Pharmacy Program Services at NMC, for the term August 1, 2013 through July 31, 2016 for a total Agreement amount not to exceed $210,496 in the aggregate.
b. Authorize a contingency not to exceed 10% of the contract amount (or $21,050), to provide funding for additional training and/or services that may become available after the Agreement is approved.

Approved - Agreement No. A-12527

30. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute Renewal and Amendment No. 7 to the Agreement (A-10493) with Quest Diagnostics Inc. for Reference Laboratory Testing Services at NMC, extending the Agreement to June 30, 2014 (no change to the previously approved amount) for a total Agreement amount not to exceed $4,390,000 in the aggregate.

Approved - Agreement No. A-10493

31. a. Authorize the Purchasing Manager for Natividad Medical Center (NMC) to execute an Agreement with Novia Strategies, Inc. for the preparation of job classification studies for executive and management positions at NMC, for the
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period August 1, 2013 through July 31, 2014 for a total Agreement amount not to exceed $582,000.00 in the aggregate; and
b. Authorize the Purchasing Manager for NMC to approve up to three (3) future amendments to extend the term of the Agreement for three (3) additional one (1) year periods and to increase the Agreement by no more than 5% of the original Agreement amount per subsequent fiscal year.

Approved-Agreement No. A-12528

31.1

Authorize the Purchasing Manager for Natividad Medical Center (NMC) to enter into an Agreement pursuant to the Request for Qualifications (RFQ #9600-48) with Gallun Snow Interior Design for Interior Design Services at NMC in an amount not to exceed $750,000 for the period August 1, 2013 to June 30, 2018. (ADDED VIA ADDENDUM)

Approved-Agreement No. A-12529

Health and Social Services

32.

Adopt a Resolution to:
a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Assistant Bureau Chief with the recommended broad salary range and delete the classifications of Assistant Director of Behavioral Health and Deputy Health Officer;
b. Amend Health Department Budget 4000, HEA003-8124 to add 1.0 FTE Assistant Bureau Chief and delete 1.0 FTE Deputy Health Officer; and
c. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2013-14 Adopted Budget.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-268 to:
a. Amend Personnel Policies and Practices Resolution No. 98-394 to add the classification of Assistant Bureau Chief with the recommended broad salary range and delete the classifications of Assistant Director of Behavioral Health and Deputy Health Officer;
b. Amend Health Department Budget 4000, HEA003-8124 to add 1.0 FTE Assistant Bureau Chief and delete 1.0 FTE Deputy Health Officer; and
c. Authorize the County Administrative Office to incorporate the approved position changes in the FY 2013-14 Adopted Budget. ALL AYES

33.

a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign contracts with the Alliance on Aging, Legal Services for Seniors, Meals on Wheels of the Salinas Valley, and Meals on Wheels of the Monterey Peninsula for a total of $1,187,529 to provide services to Monterey County seniors for the period July 1, 2013 through June 30, 2014; and
b. Authorize the Director of the Department of Social Services, or his designee, to sign up to three (3) amendments to these agreements, where the total amendments do not exceed 10% of the original contract amounts, and do
34. Approved - Agreement Nos. A-12531 (Alliance on Aging); A-12532 (Legal Services for Seniors); A-12533 (Meals on Wheels of the Salinas Valley); A-12534 (Meals on Wheels of the Monterey Peninsula)

a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign an agreement with Moss Beach Homes/dba Aspiranet for $170,739 for the operation of the CHERISH Receiving Center for the period July 1, 2013 through June 30, 2014; and
b. Authorize the Director of the Department of Social Services, or his designee, to sign up to (3) amendments to the agreement where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

Approved - Agreement No. A-12536

35. Adopt a Resolution to:

Amend Personnel Policies and Practices Resolution No. 98-394 (PPPR) to revise Section A.12.7 On Call Pay for Physicians as shown in Attachment A. A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-282 to:

Amend Personnel Policies and Practices Resolution No. 98-394 (PPPR) to revise Section A.12.7 On Call Pay for Physicians as shown in Attachment A.

ALL AYES

36. Approved - Agreement No. A-12272

a. Approve and authorize the Director of the Department of Social Services, or his designee, to sign Amendment #2 to Agreement #A-12272 with Hartnell College adding $104,320 to extend foster and relative caregiver training provided by the Seneca Family of Agencies, and to provide enhanced training for Independent Living Program (ILP) participants for the period July 1, 2013 to June 30, 2014, increasing the total contract amount to $884,162; and
b. Authorize the Director of the Department of Social Services, or his designee, to sign up to three (3) amendments to this agreement, where the total amendments do not exceed 10% of the original contract amount, and do not significantly change the scope of work.

37. a. Approve and authorize the Contracts/Purchasing Officer to sign Amendment No. 1 to the Mental Health Services Agreement A-12262 to renew and amend Agreement 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. Amendment No. 1 extends the term by three fiscal years to June 30, 2016, and adds $277,212 ($88,850 for FY 2012-13, $92,404 for FY 2013-14, $92,404 for FY 2014-15, $92,404 for FY 2015-16) for a revised total amount not to exceed $366,062; and
b. Authorize the Director of Health to approve up to three future amendments
to this Agreement where the amendments do not exceed ten percent (10%) of the original amount and do not significantly change the scope of work.

Approved - Agreement No. A-12262

38.

a. Approve and authorize the Contracts/Purchasing Officer to sign an Agreement with Seneca Family of Agencies for the purpose of establishing a means of claiming Federal Financial Participation for Targeted Case Management Services through their Family Ties Program, in an amount not to exceed $450,000, for the term of July 1, 2013 through June 30, 2018; and
b. Authorize the Contracts/Purchasing Officer to approve three future amendments up to ten percent (10%) of the annual amount, which does not significantly alter the scope of services or result in an increase to net county costs.

Approved-Agreement No. A-12535

39.

Authorize the Emergency Medical Services Director to sign a revised contract with the State of California, Office of Administrative Hearings, and Department of General Services for the services of Administrative Law Judges (ALJ) to hear appeal cases involving Emergency Medical Technician certification.

Approved-Agreement No. A-12537

40.

a. Approve and authorize the Contracts/Purchasing Officer to execute a five year Lease Agreement, effective July 1, 2013, with Interim, Inc., a non-profit 501 (c) (3) public benefit corporation, for approximately 2,881 rentable square feet of space located at 299 12th Street, in Marina, California, aka County of Monterey Integrated Health Care Services for the provision of homeless and mental health support services; and
b. Authorize the extension of the Lease Agreement for one additional five (5) year period under the same terms and conditions, and make minor revisions to the Lease Agreement if deemed by the Contracts/Purchasing Officer to be in the best interests of the County.

Approved

41.

a. Approve and authorize the Contracts/Purchasing Officer to sign the First Amendment to the Professional Services Agreement with 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 Medicine at San Francisco General Hospital, Division of Endocrinology, for physician services, extending the term from September 21, 2013 to September 20, 2015 and increasing the amount by $94,800 for a revised total not to exceed $178,800.
b. Authorize the Contracts/Purchasing Officer to approve up to three (3) future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original amount, and do not significantly change the
42. Approve and authorize the Contracts/Purchasing Officer to execute a ten year Lease Agreement, effective on or around August 1, 2013, with LIFE Foundation Monterey, LLC., a California limited liability company for approximately 9,490 rentable square feet of space located at 1000 South Main Street, Suites 105, 210, and 311, Salinas, California, for use by the Health Department’s Behavioral Health Bureau; authorize the Auditor-Controller to make lease payments of $16,133.00 per month and in accordance with the terms of the agreement; and authorize the extension of the Lease Agreement for three additional two-year periods under the same terms and conditions, and make minor revisions to the Lease Agreement if deemed by the Contracts/Purchasing Officer to be in the best interests of the County.

43. Approve and authorize the Director of Health to sign a three fiscal year term (FY 2013-14, 2014-15 and 2015-16) Alcohol and Drug Treatment Services Agreement with Valley Health Associates for the provision of alcohol and drug recovery services in the amount of $223,849 for FY 2013-14; $223,849 for FY 2014-15; and $223,849 for FY 2015-16, for a total Agreement amount of $671,547 for the period July 1, 2013 through June 30, 2016; and authorize the Director of Health to approve up to three future amendments to this Agreement where the amendments do not exceed ten percent (10%) of the original amount and do not significantly change the scope of work.

44. Approve and authorize the Director of Health to sign a Memorandum of Agreement with the Family Service Agency of San Francisco for the implementation of the Prevention and Recovery of Early Psychosis (PREP) program in Monterey County, funded by a grant from the federal Centers for Medicare & Medicaid Services.

44.1 Approve and authorize the Contracts/Purchasing Officer to execute an Agreement with Southern Monterey County Memorial Hospital Inc., dba George L. Mee Memorial Hospital, for the use of clinic space to provide Tuberculosis (TB) management services in Southern Monterey County for the period August 1, 2013 through July 31, 2014; and authorize the Contracts/Purchasing Officer to approve up to three (3) future amendments to this Agreement where the amendments do not significantly change the scope of work. (ADDED VIA ADDENDUM)
Criminal Justice

45. Authorize the Contracts/Purchasing Officer to sign Renewal Agreement & Amendment No. 9 to extend the term of the Agreement (RFP#10001) until December 31, 2013 with Aramark Correctional Services for inmate commissary items and food service operations at the County Jail.

Approved-Agreement No. A-11005

46. Approve and authorize the Memorandum of Understanding for Court Security Services between the Monterey County Sheriff’s Office and the Monterey County Superior Court pursuant to California Government Code section 69921.5, and the Superior Court Security Act of 2012 for the Fiscal Years 2011 - 2014.

Approved

47. Approve and adopt a resolution to authorize the County Recorder to collect and record a $9 fee for each recording of a real estate instrument, paper, or notice required by law to be recorded, as authorized in Section 27388 of the Government Code, effective October 1, 2013 (4/5ths vote required).

(REVISED VIA SUPPLEMENTAL)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to approve and adopt Resolution No. 13-276 to authorize the County Recorder to collect and record a $9 fee for each recording of a real estate instrument, paper, or notice required by law to be recorded, as authorized in Section 27388 of the Government Code, effective October 1, 2013 (4/5ths vote required). ALL AYES

48. a. Approve and authorize the Contracts/Purchasing Officer to sign the Service Agreement with Turning Point of Central California, Incorporated to provide employment training and job placement services for clients eligible for the AB 109 Public Safety Realignment plan in an amount not to exceed $321,683 for the period July 1, 2013 to June 30, 2014; 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 (10%) of the original contract amount and do not significantly change the scope of work.

Approved-Agreement No. A-12540

General Government

49. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Greenfield Union School District with the modifications outlined in the
attached memorandum from County Counsel.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-271 to approve the amendments to the Conflict of Interest Code of the Greenfield Union School District with the modifications outlined in the attached memorandum from County Counsel. ALL AYES

50.

a. Approve and authorize an Amendment and Extension of the Records Retention, Storage, Display Agreement between the County of Monterey (Clerk/Recorder) and the Monterey County Historical Society (A-3659).

b. Substitute in the Clerk/Recorder for the Parks Department as the County Administrator of the Agreement.

c. Authorize the Chair of the Board to sign the Agreement and Extension on behalf of the County.

Approved

51.

a. Approve and authorize the Contracts/Purchasing Officer to sign an internet based reservation software solution agreement between Monterey County Parks Department and Active Network, Inc., for a three (3) year term beginning July 31, 2013, with 1 additional three (3) year extension;

b. Approve and adopt the reservation fees proposed in Section 4 of the Agreement as set forth in the attached Resolution to be incorporated in Article V of the County Master Fee Resolution

c. Accept Non-Standard County Indemnification Provisions as recommended by the Chief Ranger/Parks Director.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to: a. Approve and authorize the Contracts/Purchasing Officer to sign an internet based reservation software solution agreement (Agreement No. A-12546) between Monterey County Parks Department and Active Network, Inc., for a 3 year term beginning July 31, 2013, with 1 additional 3 year extension;

b. Approve and adopt the reservation fees proposed in Section 4 of the Agreement as set forth in Resolution No. 13-277 to be incorporated in Article V of the County Master Fee Resolution

c. c. Accepted Non-Standard County Indemnification Provisions as recommended by the Chief Ranger/Parks Director. ALL AYES

52.

a. Approve the FY 2013-14 Development Set-Aside (DSA) Agencies Standard Agreements for the Monterey County Convention and Visitors Bureau (MCCVB), Arts Council for Monterey County (ACMC), and Monterey County Film Commission (MCFC);

b. Authorize the Economic Development Director to execute an Agreement with the MCCVB for the period of one (1) year, for the term July 1, 2013 through June 30, 2014, in an amount not to exceed $998,728;

c. Authorize the Economic Development Director to execute an Agreement with the ACMC for the period of one (1) year, for the term July 1, 2013 through June 30, 2014, in an amount not to exceed $329,580; and

d. Authorize the Economic Development Director to execute an Agreement
with the MCFC for the period of one (1) year, for the term July 1, 2013 through June 30, 2014, in an amount not to exceed $158,132.

Approved-Agreement No. A-12524

53. Adopt Resolution to:
Approve a Resolution (a) approving the Office of Emergency Services to submit an application in the amount of $441,357 for the Homeland Security Fiscal Year (FY) 2013 Grant Program; and (b) designating and authorizing as Monterey County representatives, the appropriate Auditor-Controller staff, Emergency Services Manager and Planner to execute grant documents.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-269 to: (a) approving the Office of Emergency Services to submit an application in the amount of $441,357 for the Homeland Security Fiscal Year (FY) 2013 Grant Program; and (b) designating and authorizing as Monterey County representatives, the appropriate Auditor-Controller staff, Emergency Services Manager and Planner to execute grant documents. ALL AYES

54. Adopt Resolution to designating County staff positions to authorize and execute documents and applications for the purpose of obtaining financial assistance with the California Office of Emergency Services Fiscal Year 2013 Emergency Management Performance Grant Program.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-270 designating County staff positions to authorize and execute documents and applications for the purpose of obtaining financial assistance with the California Office of Emergency Services Fiscal Year 2013 Emergency Management Performance Grant Program. ALL AYES

55. Adopt a Resolution to Approve a Zero Property Tax Transfer for the Proposed Sphere of Influence Amendment and Highlands Point Sanitary Association Annexation to the Carmel Area Wastewater District

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-278 to: Approve a Zero Property Tax Transfer for the Proposed Sphere of Influence Amendment and Highlands Point Sanitary Association Annexation to the Carmel Area Wastewater District. ALL AYES

56.

a. Approve and authorize the Contracts / Purchasing Officer to sign a “County of Monterey Wireless Communication Site Lease Agreement” between the County of Monterey and GTE Mobilnet of California Limited Partnership, d/b/a Verizon Wireless (Verizon) subject to minor non-substantive changes agreeable to the County and approved by County Counsel for a five (5) year term beginning August 1, 2013 with 3 additional five (5) year renewals and an auto renewal clause after that for the use of a Monterey County communications tower and ground space for an equipment shelter and other equipment at Laguna Seca Park;

b. Authorize the deposit of the lease prepayment into the NGEN Project Fund
405-1520-8426-EME002 to offset the costs of site development; and
c. Accept Non-Standard County Indemnification Provisions as recommended
by the Director of Emergency Communications.

Approved - Agreement No. A-12544

57. 

a. Approve and authorize the Contracts / Purchasing Officer to sign a
“Memorandum of Agreement and Sub-License Agreement” between the
County of Monterey and the Santa Lucia Community Services District subject
to minor non-substantive changes agreeable to the County and approved by
County Counsel for a term beginning on the date of signature and ending on
December 31, 2022 and annual renewals thereafter for the use of the Penon
Peak property to construct, maintain and operate a public safety
communications tower for the NGEN Radio Systems Project (NGEN);
b. Authorize a prepayment in the amount of $30,500 for the first five years of
use and $6,000 per year beginning in Year Six with annual increases not to
exceed 5% beginning in Year Six; and
c. Accept Non-Standard County Indemnification Provisions as recommended
by the Director of Emergency Communications.

Approved - Agreement No. A-12547

58. 

Approve and authorize the Contracts/Purchasing Officer to execute an
agreement not to exceed $90,000 with AECOM Technical Services Inc. on
behalf of the County of Monterey for the provision of professional consultant
services to update the Monterey County Multi-Jurisdictional Hazard
Mitigation Plan. (4/5ths vote required).

Approved

59. 

Approve the use of Toro Park on August 4, 2013 for a function held by House

Approved

60. 

Amend the Term of Contract by and between the County of Monterey and
Conley General Engineering, Inc., for Track Drainage Improvements, Bid
#10416 for the Parks Department at Laguna Seca Recreation Area.

Approved - Agreement No. A-12441; Construction No. 2013-006

61. 

a. Receive and Accept the Treasurer’s Report of Investments for the quarter
ending June 30, 2013;
b. Receive and Approve the Treasurer’s investment policy for FY 2013-14;
and
c. Renew the Delegation of Investment Authority to the Treasurer-Tax
Collector pursuant to California Government Code 53607.

Approved
62. Approve and authorize the Contracts/Purchasing Officer or designee to sign a Renewal and Amendment No. 1 to professional services agreement with Witzig, Hannah, Sanders & Reagan, LLP to provide workers’ compensation defense, California Labor Code 4850 and work fitness evaluations, extending the term for three years to June 30, 2016 and increasing the contract from $100,000 to an estimated total of up to $100,000 per year over three years ($300,000) for a total sum not to exceed $400,000.

Approved - Agreement No. A-12538

63. Approve and authorize the Contracts/Purchasing Officer to sign Renewal and Amendment No. 1 to professional services agreement with Marsh Risk and Insurance Services, effective July 1, 2013 through June 30, 2014, for workers’ compensation and casualty insurance brokerage service, in an amount not to exceed $120,000 for a total compensation amount not to exceed $240,000.

Approved - Agreement No. A-12240

64. Adopt Resolution to approve the amendments to the Conflict of Interest Code of the Information Technology Department.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-272 to approve the amendments to the Conflict of Interest Code of the Information Technology Department. ALL AYES

65. Adopt Resolution:

a. Authorizing the issuance and sale of King City Union School District 2013-2014 Tax and Revenue Anticipation Notes on behalf of the King City Union School District in the aggregate principal amount of not to exceed $3,000,000.00;
b. Authorizing the execution and delivery of a note purchase contract; and
c. Approving other matters relating thereto.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution:

a. Authorizing the issuance and sale of King City Union School District 2013-2014 Tax and Revenue Anticipation Notes on behalf of the King City Union School District in the aggregate principal amount of not to exceed $3,000,000.00;
b. Authorizing the execution and delivery of a note purchase contract; and
c. Approving other matters relating thereto. ALL AYES

RMA - General

66. a. Approve an Agreement with the City of Salinas for implementation of the Government Center Vibrancy Plan
b. Authorize the Chair of Board of Supervisors to sign the Vibrancy Plan Agreement with the City of Salinas
c. Add the Vibrancy Plan to the list of projects included in the FY2013-14
Adopted Budget for Fund 404.

**Approved - Agreement No. A-12545**

66.1

Adopt a resolution:

a. Authorizing the Director of Resource Management Agency, in consultation with the Director of Parks, to prepare documents for conserving 10 acres of Toro Park as habitat mitigation for the Blackie Road Safety project as required by the California Department of Fish and Wildlife; and

b. Directing the Resource Management Agency Director to work with the CAO’s Budget and Analysis office and the Parks Department to identify appropriate staffing and fiscal resources for ongoing habitat management, and to return to the Board with recommended budget actions when the easement is completed.

(Blackie Road Safety Improvements Project, North County)

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt a Resolution No. 13-275:

a. Authorizing the Director of Resource Management Agency, in consultation with the Director of Parks, to prepare documents for conserving 10 acres of Toro Park as habitat mitigation for the Blackie Road Safety project as required by the California Department of Fish and Wildlife; and

b. Directing the Resource Management Agency Director to work with the CAO’s Budget and Analysis office and the Parks Department to identify appropriate staffing and fiscal resources for ongoing habitat management, and to return to the Board with recommended budget actions when the easement is completed.

(Blackie Road Safety Improvements Project, North County). ALL AYES

**RMA - Planning**

67.

a. Approve an Agreement with Rincon Consultants, Inc. to provide permit application review services for the County of Monterey, Resource Management Agency - Planning (RFQ #10382), in the amount not to exceed $100,000 per fiscal year, for a period of three (3) years from execution of the Agreement with the option to extend the Agreement for two (2) additional one (1) year periods, in accordance with the terms and conditions of the Agreement; and

b. Authorize the Contracts/Purchasing Officer to execute the Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

(Agreement - PD060202/Rincon Consultants, Inc., County-wide)

Approved - Agreement No. A-12548

**RMA - Public Works**

68.

a. Adopt the Monterey County Construction Task Catalog, Roads & Bridges and Facilities Project Manuals, and Monterey County Technical Specifications...
for the Job Order Contract Projects, Project No. JOC, Bid No. Roads & Bridges 2013-01, Bid No. Roads & Bridges 2013-02, and Project No. JOC, Bid No. Facilities 2013-01, Bid No. Facilities 2013-02; and
b. Authorize the Director of Public Works to advertise the “Notice to Contractors” in the Monterey County Weekly. (REVISED VIA SUPPLEMENTAL)

Approved-Construction No. 2013-016

69.

a. Award a contract to Telfer Oil Company, the lowest responsible and responsive bidder for the Procurement (Delivery and Application) of Asphalt Emulsion and Pavement Delineation for the Seal Coat 2013 Project, Project No. 14-551428, in the total amount of $503,399.31;
b. Approve the Performance and Payment Bonds executed and provided by Telfer Oil Company;
c. Authorize a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders;
d. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount and do not significantly change the scope of work; and
e. Authorize the Director of Public Works to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when he determines that the contract is complete in all respects in accordance with Plans and Special Provisions for the construction of Procurement (Delivery and Application) of Asphalt Emulsion and Pavement Delineation for the Seal Coat 2013 Project, Project No. 14-551428, performed by Telfer Oil Company.

Approved - Agreement No. A-12542; Construction No. 2013-008

70.

a. Award a contract to The Don Chapin Company, Inc. the lowest responsible and responsive bidder for the construction of CSA 25 Street Improvements, Project No. 13-812527, in the amount of $114,305.50;
b. Approve the Performance and Payment Bonds executed and provided by The Don Chapin Company, Inc.;
c. Authorize a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders;
d. Authorize the Director of Public Works to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount, and do not significantly change the scope of work; and
e. Authorize the Director of Public Works to execute a Certificate of Completion and record a Notice of Completion with the County Recorder when he determines that the contract is complete in all respects in accordance with the Plans and Special Provisions for the construction of CSA 25 Street Improvements, Project No. 13-812527, performed by The Don Chapin Company, Inc.
71. a. Approve and authorize the Director of Public Works and/or his designee to execute an Option Agreement for Purchase of Excess Land from the State of California, Department of Transportation and to execute the Certificate of Acceptance of the Director’s Deed for property located parallel to State Route 156 and Salinas Street in the community of Castroville in support of the Castroville Railroad Crossing Bicycle/Pedestrian Path Project for a total amount of $67,800; and
b. Authorize the Director of Public Works and/or his designee to submit the Director’s Deed and Certificate of Acceptance for Recordation on behalf of the County.

A motion was made by Supervisor Simón Salinas, seconded by Supervisor Louis R. Calcagno to adopt Resolution No. 13-279: a. Approve and authorize the Director of Public Works and/or his designee to execute an Option Agreement for Purchase of Excess Land from the State of California, Department of Transportation and to execute the Certificate of Acceptance of the Director’s Deed for property located parallel to State Route 156 and Salinas Street in the community of Castroville in support of the Castroville Railroad Crossing Bicycle/Pedestrian Path Project for a total amount of $67,800; and
b. Authorize the Director of Public Works and/or his designee to submit the Director’s Deed and Certificate of Acceptance for Recordation on behalf of the County. ALL AYES

72. Acting on behalf of County Service Area 50 - Lower Carmel River:

a. Approve an Agreement for Professional Services with Surveyors, Architects, Engineers & Design Professionals with Balance Hydrologics, Inc. to provide an Updated Flood Control Project Report for County Service Area 50 - Lower Carmel River in a total amount not to exceed $328,232, from July 30, 2013 to July 30, 2014, with the option to extend the Agreement for one (1) additional one (1) year period; and
b. Authorize the Contracts/Purchasing Officer to execute the Agreement for Professional Services with Balance Hydrologics, Inc. and future amendments to the Agreement that do not significantly alter the scope of work or change the approved Agreement amount; and

c. Authorize the Auditor-Controller to amend the FY 2013-14 Approved Budget for County Service Area 50 - Lower Carmel River, Fund 077, Unit Code 8198, Appropriation Code RMA073, Account 6613 by increasing appropriations by $328,232 from Unappropriated Fund Balance (4/5th vote required).

(ADDED VIA ADDENDUM)

Approved