ACTION MINUTES
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY WATER RESOURCES AGENCY

TUESDAY, DECEMBER 6, 2011
9:00 A.M.

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) Fernando Ramirez v. County of Monterey (Monterey County Superior Court case no. M109647)
      CLOSED SESSION REPORT: The Board provided direction to staff on how to proceed.

      (2) Juliet Atkins (WC608-607129)
      CLOSED SESSION REPORT: The Board authorized settlement parameters and no final action was taken.

      (3) Carol Reed (WC608-595259)
      CLOSED SESSION REPORT: The Board authorized settlement parameters and no final action was taken.
(4) Esmeralda Rivera (WC608-608779)
CLOSED SESSION REPORT: The Board authorized settlement parameters and no final action was taken.

b. 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: There was no reportable action taken.

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 the evaluation for the Natividad Medical Center CEO and there was no reportable action taken.

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 L, M, N, Q, and V (F, J Removed via Supplemental)
CLOSED SESSION REPORT: The Board provided direction to staff as to how to proceed on items related to payroll and PERS.

e. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding a liability claim against the County.
   (1) Claim of John Klopfenstein
CLOSED SESSION REPORT: The Board provided direction to staff on how to proceed and no final action was taken.

f. 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 no reportable action was taken.

10:30 A.M. RECONVENED

3. The Pledge of Allegiance led by County Administrative Officer Lew Bauman.

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 Sections 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:
Remove from Regular Consent – General Government

Additional materials submitted to Regular Consent – General Government
42. a. Approve the termination of the Premium Contribution Plan for (Voluntary) Optional Benefits, effective January 1, 2012: and b. Amend original Section 125 Plan to remove all references to Optional Benefits effective January 1, 2012. (Revised via Supplemental) (Attachments 1 & 2)

Correction to Regular Consent – General Government
30. Approve the amended conflict of interest code of the Salinas Valley Memorial Healthcare System. Chief of Biomedical Engineer listed on page 2 of the Appendix has a typo The correct title should be: Chief Biomedical Engineer

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

5. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve Consent Calendar – Regular, with the exception of items 26, 38 and 39. 4 – 0 (Supervisor Potter Absent)

Item 26: Jim Colangelo responded to questions about item 26.
Item 39: Supervisor Calcagno questioned staff regarding the overpayment. Eric Lauritzen and John Pinio clarified the correction of overpayment.

Motion by Supervisor Salinas, seconded by Supervisor Armenta to approve items 26, 38 and 39. 4 – 0 (Supervisor Potter Absent)

CEREMONIAL RESOLUTIONS
6. Adopted Resolution No. 11-376 honoring Deputy Probation Officer III Glenn Leon-Guerrero upon his retirement from the Monterey County Probation Department after 27 years of outstanding county service. (Full Board- Supervisor Parker)

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

7. Adopted Resolution No. 11-375 honoring Judy Karas as recipient of the 32nd Baha’i Human Rights Award. (Full Board-Supervisor Potter)

Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Potter Absent)
8. Adopted Resolution No. 11-374 honoring Alan Styles for over 25 years of community service upon his retirement from the Salinas Valley Solid Waste Authority. (Full Board - Supervisor Salinas)
   **Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Potter Absent)**

**APPOINTMENTS** 9 through 13 heard concurrently

9. Appointed Ray Bullick, Max Cuevas and Elsa Quezada to the Santa Cruz-Monterey-Merced managed Medical Care Commission dba Central California Alliance on Health with terms ending December 31, 2015. (Full Board)
   **Motion by Supervisor Calcagno, seconded by Supervisor Salinas. 4 - 0 (Supervisor Potter Absent)**

10. Appointed Ralph Sirtak to the Fort Ord Veterans Cemetery Advisory Committee to fill an unexpired term ending December 31, 2012. (Full Board)
    **Motion by Supervisor Calcagno, seconded by Supervisor Salinas. 4 - 0 (Supervisor Potter Absent)**

11. Appointed Debra Bayard to the Commission on the Status of Women to fill an unexpired term ending February, 1, 2013. (Supervisor Armenta)
    **Motion by Supervisor Calcagno, seconded by Supervisor Salinas. 4 - 0 (Supervisor Potter Absent)**

12. Reappointed John Scourkes to the Historical Resource Review Board term ending December 31, 2014. (Supervisor Parker)
    **Motion by Supervisor Calcagno, seconded by Supervisor Salinas. 4 - 0 (Supervisor Potter Absent)**

13. Reappointed Don Cranford to the Northern Salinas Valley Mosquito Abatement District, term ending January 2, 2016. (Full Board)
    **Motion by Supervisor Calcagno, seconded by Supervisor Salinas. 4 - 0 (Supervisor Potter Absent)**

**OTHER BOARD MATTERS**

14. Board Comments
    - Supervisor Armenta announced he and Supervisor Salinas attended the California State Association of Counties (CSAC) Conference last week in San Francisco. Gov. Gerry Brown also attended. There was a lot of discussion on realignment and pension reform. CSAC will make final recommendations regarding their initiative related to election terms and placement on the ballot. CSAC Board of Directors met, but took no action on CSAC initiative. CSAC Board of Directors will have special meeting in Sacramento to decide on how to move forward.
Supervisor Salinas commented on the CSAC Conference discussions regarding realignment, pension reform and statewide redistricting and his hope that Governor Brown recognizes the impacts of unfunded mandates and the resources necessary for local governments to be successful in realignment.

Supervisor Parker thanked Community Corrections Partnership for their attendance on November 28th in the Seaside community. She thanked the Sheriff, Chief of Probation, Police Chiefs of Marina and Seaside, District Attorney, Public Defender, Director of Social and Employment Services, the Director of Behavioral Health and Mel Mason as facilitator for the evening. She appreciates that the public safety realignment issue is of interest to many in the community and she expects ongoing conversation. League of Women Voters held a Future of FORA event about the authority itself and the development/redevelopment of former Fort Ord. The public can engage by staying tuned to meeting schedule.

Supervisor Armenta announced Monterey County Counsel Charles McKee was named as County Counsel to CSAC Board of Directors. He will provide to the Board and the Clerk of the Board information regarding the CSAC subsidies for county dues by the CSAC finance corporation.

15. CAO Comments and Referrals
County Administrative Officer Lew Bauman introduced and welcomed Benny Young, Resource Management Agency Director; David Chardavoyne, Interim General Manager for Water Resources Agency; and Izetta Birch, Interim Human Resources/Risk Director.

16. Public Comment
Nina Beety; Hans Jongens.

17. Approved the Board of Supervisors Regular Meeting Schedule for 2012.
Motion by Supervisor Salinas, seconded by Supervisor Armenta. 4 – 0 (Supervisor Potter Absent)

SCHEDULED MATTERS

S-1 Adopted Resolution No. 11-377:
a. Authorizing Sheriff Scott K. Miller to sign and submit an application for a local adult detention facility AB 900 construction grant in the amount of $80 million, and making other necessary and appropriate findings and declarations supporting the AB 900 construction grant application;
b. Authorizing the expenditure of $684,207 from Capital Projects Fund 404, Budget Unit 8174, Appropriation Code RMA015, to cover grant preparation costs and other grant related expenses; and
c. Authorizing the Auditor-Controller, CAO, Resource Management Agency Director, Public Works Director, and County Counsel to take such other and
further actions necessary or appropriate, consistent with this action, to apply for the AB 900 construction grant.

Motion by Supervisor Salinas, seconded by Supervisor Armenta, including revisions to the resolution to reflect a not-to-exceed amount of $200,000. ALL AYES

S-2  a. Approved Amendment No. 3 to the Professional Services Agreement with HMC Architects to provide architectural and technical support services for the submittal of an $80 million grant application under Assembly Bill (AB) 900 to the Corrections Standards Authority (CSA) for expansion of the County’s detention facilities including the Criminal Justice Complex located at Natividad Road and Laurel Drive in Salinas, CA in the amount of $200,000 for a total amount not to exceed $294,544, for a term through September 15, 2013; and

b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 3 to the Professional Services Agreement 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. ALL AYES

S-3  Public hearing held and Adopted Interim Ordinance 5193 as an urgency measure to extend Interim Urgency Ordinance No. 5171, as previously modified and extended by Interim Ordinance No. 5172, for one year, until and through December 14, 2012, establishing a process to determine 2010 General Plan consistency for specified discretionary and ministerial permits, pending the adoption of applicable programs and ordinances to implement the 2010 Monterey County General Plan. (General Plan Interim Ordinance - REF100050/County of Monterey - 4/5ths vote required)

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

RECESSED TO LUNCH

1:30 P.M. RECONVENE - MONTEREY COUNTY BOARD OF SUPERVISORS

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

SCHEDULED MATTERS

S-4  Public hearing held and adopted Resolution No. 11-378 to:

a. Grant the appeal from the Planning Commission’s denial of the Extension Request (PLN100494) to allow continued temporary cellular broadcasting from a portable Cell on Wheels (COW) structure; and

b. Grant the Extension of a previously approved Use Permit and Design Approval (PLN100206) to allow continued temporary cellular
broadcasting from a portable Cell on Wheels (COW) structure, for a period not to exceed 9 months (September 30, 2012)

Supervisor Potter advised his son worked on this project. He advised he has no conflict in this matter per County Counsel’s opinion.

The following persons addressed the Board on behalf of AT&T: Bettye Saxon and Toni Polletti.

**Public comment:** Frank Hennessey; Rich Farlinger; Nina Beety; and Linda Cope.

**Motion by Supervisor Potter, seconded by Supervisor Salinas. 4 – 1 (Supervisor Parker dissented)**

S-5 **Conducted a Public Hearing and Adopted Resolution No. 11-379 to:**

a. Take action on five (5) Applications to establish Agricultural Preserves and Land Conservation Contracts and twenty (20) Applications to establish Farmland Security Zones and Contracts effective January 1, 2012 and one request to continue Farmland Security Zone Application (No. 2011-007) to the 2013 application period;

b. Approve three (3) Applications to establish Agricultural Preserves and Land Conservation Contracts; Partially Approve one (1) Application (No. 2012-025) to establish Agricultural Preserve and Land Conservation Contract (for Parcel II - APN 139-101-029 only) and Partially Deny Application No. 2012-025 (for Parcel IV – APN 139-101-028); Approve twenty (20) Applications to establish Farmland Security Zones and Contracts; and, rescind Agricultural Preserves and Land Conservation Contract Nos. 73-12, 73-34, 71-51, 72-31 and 89-003 and simultaneously place the property in new Farmland Security Zones and Contracts as applicable to the real property described in Exhibit A “Legal Description” to proposed new Farmland Security Zone Contract Nos. 2012-010, 2012-015, 2012-017, 2012-018 and 2012-019, respectively.

c. Authorize the Chair to execute Farmland Security Zone Contracts and Land Conservation Contracts.

d. Direct the Clerk of the Board to record the Farmland Security Zone Contracts and Land Conservation Contracts prior to the January 1, 2012 property tax lien date (PLN110505/Williamson Act Contract Applications, County-wide); and

**Conducted a Public Hearing and Adopted Resolution No. 11-380 to:**

a. Take action on requests to continue one (1) Application to Establish Agricultural Preserve and Land Conservation Contract (AgP) Application (No. 2012-009) and one (1) Application to Establish Farmland Security Zone and Contract (FSZ) Application (No. 2011-007) to the 2013 application period.

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

S-6 Received information on the Whispering Oaks project within the former Ford Ord and directed staff to schedule a public hearing on January 24, 2012 to rescind one or more approvals relating to the project. (PLN110231/Monterey Salinas Transit [Whispering Oaks], 10601 Inter-Garrison Road, Marina)

Public comment: Chandler Rowland; Richard Fedick; Steve Eklun; Amy White; Ed Mitchell; Eric Peterson; Safwat Malek; Jan Mitchell; Margaret Davis; Susie Wooster; Jan Shriner; Gail Morton; Chris (no last name given); and Pat McNeil.

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

S-7 Reconsidered and provided direction for the Blanco Road Class II Bikeway Project, Contract No. 11-869365, State Project No. EA 05-4 A2794L, Federal Aid Project No. RPSTPLE-5944(106) to either: 1) continue with the bid process or; 2) based on public comments regarding safety concerns associated with the project stop the bid process and evaluate other potential regional bikeways.

Public comment: Eric Peterson; Matthew Sun; Vera Nagiro; Scott Hennessey; Susie Wooster; Jan Shriner; John Morrison; Michael Burney; Chris Bunn; Phil Yanovkin; Male no name given; Karen Salviano; Elaine Yanovkin; Chris White; Bill Sullivan; Sara Sterns; John Green; Tony Green; Terry Fuller; Christopher Bunn, Jr.; Bob Kelly; Jose Guisseppe.

Motion by Supervisor Potter, seconded by Supervisor Calcagno. with direction to continue with the bid process and place signage to advise cyclist of agricultural operations in the area. 4 - 1 (Supervisor Calcagno dissented)

S-8 Public hearing continued to January 24, 2012 to consider:

a. The appeal by Angela Naskar from the decision of Planning Commission upholding the Zoning Administrator’s approval of a Design Review application (Kehring - PLN110098) and exempting the project from environmental review under the California Environmental Quality Act, and

b. The Design Review application (Kehring - PLN110098) to allow demolition of an existing 1,740 square foot single family dwelling and attached garage, and the construction of a new 2,895 square foot two-story single family dwelling with an attached 495 square foot garage, a 1,802 square foot main level, a 49 square foot entry porch, a 1,093 square foot second level with 588 square feet of second story decks, perimeter fencing maximum six feet in height, and relocation of existing driveway on Cormorant Road to Customs Road. Materials and colors consist of: grey wood shingle, stone siding, white trim, white windows/doors, and natural wood shingle roofing. (Appeal - PLN110098/Kehring, 2993 Cormorant Road, Pebble Beach, Greater Monterey Peninsula Area Plan)

Anthony Lombardo addressed the Board on behalf of the applicant.

Public comment: Anne Beiswanger

Motion by Supervisor Potter, seconded by Supervisor Armenta. ALL AYES
CLOSED SESSION REPORT (See 2 a- f)

ORDER FOR ADJOURNMENT

/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

18. **Agreement No. A-11102** Authorized the Purchasing Manager of Natividad Medical Center (NMC) to execute Renewal Amendment No. 5 to the agreement with the Natividad Medical Foundation (NMF) for philanthropic services, defined as "capital campaign development fundraising; community outreach in connection with fundraising; preparing and submitting foundation grant applications; administering current/future foundation grants; providing administrative and fiscal oversight expertise of secured federal grant awards and support and coordinate NMC/NMF joint community relations" in support of NMC’s strategic vision which includes $6 million to be raised through philanthropy to support capital needs at NMC; adding $1,014,428 (a decrease of $117,042 from the previous year) for the period January 1, 2012 to December 31, 2012, for a total contract amount not to exceed $4,138,398 in the aggregate.

19. **Agreement No. A-11938** Authorized the Purchasing Manager for Natividad Medical Center (NMC) to execute Amendment No. 5 to the Agreement (A-11938) with Cynthia Harlowe for Professional Consulting Services at NMC in an amount not to exceed $215,000 in the aggregate and $65,000 for the period July 1, 2011 to June 30, 2012.

20. Authorized the Purchasing Manager to execute Agreements with MedWest Healthcare Recruiting LLC, (Agreement No. A-12149) and Kaye Bassman International Corp. (Agreement No. A-12150) for Contingency Recruitment Services per RFP No. 9600-4 at NMC in an amount not to exceed the total of $200,000 for all Agreements, for the period November 15, 2011 to June 30, 2012.

HEALTH AND SOCIAL SERVICES

21. Approved and authorized the Director of Health to sign Amendment No. 1 to **Agreement No. A-11449** with Door to Hope to increase the existing Agreement amount by $238,572 for a new total amount not to exceed $5,337,978.

22. Approved and authorized the Director of Health to sign Amendment No. 1 to **Agreement No. A-11968** with Provo Canyon School to increase the existing Agreement by $105,552 for a new total amount not to exceed $184,896.

23. a. Approved and authorized the Director of Health to accept State Award No. 11-10702 from the California Department of Public Health, California Obesity Prevention Program, in the amount of $50,000.00 to increase field workers’ access to healthy foods and beverages at work, for the period of October 1, 2011 through June 30, 2013; and
b. Authorized 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 Agreement amount and do not significantly alter the scope of services or result in an increase in County General Fund Contribution.

24. a. Set a Public Hearing for December 13, 2011, at 1:30 p.m. regarding a proposed rate increase for the United Franchise Agreement for solid waste and recyclables collection as set forth in the proposed Board Order (Exhibit A); and

b. Directed the Clerk of the Board to publish Notice of Public Hearing in newspapers of general circulation to provide for County-wide Notice of Public Hearing (Exhibit A).

25. Approved and authorized the Contracts/Purchasing Officer to sign Amendment No. 5 to Agreement No. A-11565 with Medical Doctor Associates to increase the Agreement by $150,000 for Fiscal Year 2011-12, for the referral of Locum Tenens Physicians/Psychiatric Service Providers, for a revised total not to exceed $1,189,000 for the period of December 1, 2009 to June 30, 2012.

**CRIMINAL JUSTICE**


27. Approved and authorized the Contracts/Purchasing Officer to sign Amendment No. 2 to the Professional Services Agreement A-11556 with Behavioral Interventions, Incorporated DBA The GEO Group, Incorporated to extend its term to September 30, 2012, and increase its amount by $711,451 for Fiscal Year (FY) 2011-12 for a revised total not to exceed $2,017,051 in the aggregate to continue services to adult offenders participating in the Day Reporting Center.

**GENERAL GOVERNMENT**

28. Approved the Action Minutes of Board of Supervisors meetings of Tuesday, September 13, 2011; Tuesday, September 20, 2011; and Tuesday, October 4, 2011.

29. Approved the four Memoranda of Understanding (MOU) for Service Employee International Union (SEIU) Local 521 Unit F (Supervisory Employees), Unit H (Health Care Employees), Unit J (General Employees) and Unit K (Social Services) for July 1, 2011 through June 30, 2013.

30. Approved the amended conflict of interest code of the Salinas Valley Memorial Healthcare System.
31. a. Approved and authorized the Contracts/Purchasing Officer to sign Amendment No. 1 to the Participating Agreement No. A-11988 between the Treasurer-Tax Collector and Gila Corporation, dba Municipal Services Bureau (MSB) in which additional collection services, pursuant to AB1358, are being added at no additional cost to the County; and  
b. Authorized the Contracts/Purchasing Officer to sign future Amendments to the Participating Agreement where it is mandated by State legislation or the amendments do not significantly change the scope of services or cause an increase in the total Agreement amount of more than ten percent (10%).


33. Approved and amended the County Counsel’s budget unit 121 for Fiscal Year (FY) 2011-12 making the following changes: 1. Add two Senior Deputy County Counsel; 2. Add one Senior Legal Secretary-Confidential; 3. Re-title 1 Assistant County Counsel to Chief Assistant County Counsel. Reallocate 1 Assistant County Counsel to Chief Assistant County Counsel. (Revised via Supplemental)

34. Approved and authorized the Auditor-Controller to amend the Fiscal Year (FY) 2011-12 budget to increase appropriations in DEO002 (Inclusionary Housing Fund 9 Unit 8208) by $336,347 due to a variance between projected and actual fund balance at the end of FY 2010-11 in the amount of $336,347. (4/5ths vote required)

35. a. Approved a Subrecipient Agreement in the amount of $25,000 between the County of Monterey and the Housing Resource Center of Monterey County for providing income qualification and homebuyer education services related to the County’s Neighborhood Stabilization Program (NSP-1); and  
b. Authorized the Economic Development/Workforce Investment Board Director, or designee, to execute the Subrecipient Agreement and make minor revisions to the Subrecipient Agreement provided the overall feasibility of the objectives of this Agreement is not in jeopardy, no additional funds are required from the County, and no material term of this Agreement is altered.

36. a. Approved Amendment No. 1 to the Professional Services Agreement A-11875 with Shoreline Workforce Development Services related to the National Emergency Grant, On-the-Job Training (NEG-OJT) to reflect a term extension and an increase in the number of individuals being served with no increase in the amount of the Agreement; and  
b. Authorized the Economic Development/Workforce Investment Board Director to execute the Amendment No. 1.
37. Approved amended Monterey County Workforce Investment Board Bylaws to align with statewide initiatives, maintain engaged membership, and to be consistent with existing Monterey County policy and practice.

38. Approved and authorized the reversal of the transfer of funds, associated with the Quagga Mussel Inspection Program at Lake San Antonio, in the amount of $436,262 from the Agricultural Commissioner’s Office to the Parks Department.

39. a. Approved the Bingo Permit Application for the American Legion Post No. 593 pursuant to Chapter 7.08 of the Monterey County Code; and
b. Authorized the Clerk of the Board to issue the Bingo License.

40. Resolution No. 11-388
   a. Ratified the Administrative Proclamation of Local Emergency due to the conditions of high surf and rising river levels at the Carmel Lagoon causing conditions of extreme peril to the safety of persons and property along Scenic Drive and adjoining neighborhoods signed by the Administrative Officer on November 16, 2011; and
   b. Extended this proclamation of local emergency for an additional thirty days in accordance with Californian Government Code Section 8630 (4/5ths vote required).

41. Received the Action Minutes of the Budget Committee for July 11, 2011, August 31, 2011 and September 28, 2011.

42. Resolution No. 11-399
   a. Approved the termination of the Premium Contribution Plan for (Voluntary) Optional Benefits, effective January 1, 2012; and
   b. Amended original Section 125 Plan to remove all references to Optional Benefits effective January 1, 2012. (Revised via Supplemental)

RMA - PUBLIC WORKS

43. Adopted Resolution No. 11-400:
   a. Finding that the Agreement was properly awarded in full compliance with the County’s procurement policies, and this Addendum is being approved in full compliance with the County’s procurement policies;
   b. Approving Addendum No. 1 to the Agreement with Honeywell International, Inc. in the amount of $885,755 for a total amount not to exceed $954,995 for the Investment Grade Audit and Energy Efficiency Measures Project as set forth in RFP #10218, pursuant to Energy Efficiency and Conservation Block Grant Program Notice 10-014 and 10 Code of Federal Regulations 600.236;
   c. Approving the Performance and Payment Bonds executed and provided by Honeywell International, Inc.;
   d. Authorizing the Contracts/Purchasing Officer to execute Addendum No. 1 to the Agreement;
e. Authorizing a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders or the additive alternate energy efficiency measures included in Addendum No 1. to the Agreement;

f. Authorizing the Director of Public Works to execute change orders to the contract that are within Public Contract Code 20142 limits and do not significantly change the scope of work;

g. Authorizing the Director of Public Works to approve implementation of additive alternate energy efficiency measures included in Addendum No 1. to the Agreement through an additional addendum if project contingency is not used for unforeseen change orders; and

h. Authorizing the Director of Public Works to apply for available rebates under Pacific Gas & Electric and to execute an Agreement with Pacific Gas & Electric to receive Performance Based Incentive payments, following approval by County Counsel as to form and legality.

44. a. Approved and authorized the Contracts/Purchasing Officer, or his designee, to sign Amendment No. 2 to the Renewed Professional Services Agreement (Renewal No. A-11889) with AMEC Geomatrix, Inc. to continue to provide tasks associated with inspection, monitoring and reporting for the closed County landfills located in Bradley, San Ardo, and Lake San Antonio North Shore in the amount of $63,100 for a total amount not to exceed $254,400 and extend the term through December 31, 2012; and

b. Authorized the Contracts/Purchasing Office, or his designee to execute future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

45. a. Approved Amendment No. 3 to Professional Services Agreement No. A-11433 with Biggs Cardosa Associates, Inc. to provide additional design services to allow for supplemental analysis and documentation, including preparation of a Site Assessment Report and processing an Incidental Take Permit as required by the California Department of Fish and Game for the Peach Tree Road Bridge Replacement, County No. 412, at Pancho Rico Creek, Project No. 220165, Federal Aid Project No. STPLZ-5944 (041), in the amount of $41,345 for a total amount not to exceed $292,684 and extend the term through September 30, 2013; and

b. Authorized the Contracts/Purchasing Officer to execute Amendment No. 3 to Professional Services Agreement No. A-11433 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

46. a. Approved a Real Property Purchase Agreement to purchase real property located at 54692 Teresa Street, San Lucas, California, APN 231-036-005-000, for the amount of $1 for the construction of a new branch library facility;
b. Authorized the Director of Public Works or his Designee to execute the Real Property Purchase **Agreement No. A-12152** to purchase the real property and any other necessary transfer documents to complete the purchase; and

c. Found that the project is Categorically Exempt per section 15302 of CEQA Guidelines.

47. a. Approved Renewal and Restatement to the Fuel Service Agreement with Monterey County Office of Education for the Reimbursement from January 1, 2011 through June 30, 2012 of County’s actual cost of fuel purchased, determined by calculating the average monthly cost paid for fuel, and Reimbursement from July 1, 2011 through June 30, 2012 of County’s overhead and handling costs at the rate of $0.25 cents per gallon; and

b. Authorized the Director of Public Works to execute Renewal and Restatement to the Fuel Service Agreement and future annual renewals that do not significantly alter or change the terms and conditions of the approved Renewal and Restatement.


a. Awarded a contract in the total amount of $25,500 to Monterey Peninsula Engineering, the lowest responsible and responsive base bidder, for the County of Monterey, Project 8810 Bid 10301 Agricultural Commissioner’s Addition and Renovation, 1428 Abbott Street, Salinas CA, Earthwork Component;

b. Approved the Performance and Payment Bonds executed and provided by Monterey Peninsula Engineering;

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.

49. Construction No. 2011-021

a. Approved Plans and Special Provisions for the Schulte Road Bridge at Carmel River Replacement Project, County Bridge No. 501; State Bridge No. 44C-0115, Project No. 382065, State Project No. EA 05-141004l, Federal Aid Project No. BRLO-5944 (010); and

b. Authorized the Director of Public Works to advertise the "Notice to Bidders" in The Californian for ten consecutive times prior to January 5, 2012.

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