

# BOARD OF SUPERVISORS

Fernando Armenta	1 <sup>st</sup> District	Lew C. Bauman
Louis R. Calcagno	2 <sup>nd</sup> District	County Administrative Officer
W. B. "Butch" Lindley	3 <sup>rd</sup> District	
Jerry Smith	4 <sup>th</sup> District (Chair)	Charles J. McKee
Dave Potter	5 <sup>th</sup> District (Vice Chair)	County Counsel

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Salinas, CA 93902	

## ACTION MINUTES

**MONTEREY COUNTY BOARD OF SUPERVISORS  
MONTEREY COUNTY REDEVELOPMENT AGENCY  
TUESDAY, MAY 09, 2006  
9:30 AM**

### 9:30 a.m.

1. The Pledge of Allegiance  
The Pledge of Allegiance was led by Charles McKee

6300.000

2. Additions and Corrections to the Agenda

The Clerk of the Board will announce Agenda corrections and proposed additions, which may be acted on by the Board as provided in section 54954.2 of the California Government Code.

There were no additions or corrections.

3. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
4. CONSENT CALENDAR-MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)

### OTHER BOARD MATTERS:

5. Board Comments and Referrals  
There were no Board Comments or Referrals.
6. Update on Board Referrals  
There were no updates on Board Referrals.
7. CAO Comments  
There were no CAO comments.
8. Public Comment (Limited to 3 minutes per speaker)  
Hanz Jongens

Carlos Ramos

- 2050.000 9. **Resolution No. 06-106: Adopted** a Resolution Commending North Fremont Business District of Monterey for Special Recognition by the Friends of the Monterey County Fair for their efforts in bringing "Monterey on Ice" to the Monterey Peninsula.  
(Supervisor Lindley)  
**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley carried 4/0.**
- 2050.000 10. **Resolution No. 06-107: Adopted** a Resolution Commending the Roeseler family of Salinas for Special Recognition by the Friends of the Monterey County Fair for several years of Volunteer Service to the Monterey County Fair. (Supervisor Lindley)  
**BOARD ACTION: Upon motion of Supervisor Calcagno and seconded by Supervisor Lindley carried 4/0.**
- 0601.100 11. **Resolution No. 06-108: Adopted** a Resolution Congratulating Margaret "Peggy" Pruitt, Public Health Nurse III, Community Health Division, Upon Her Retirement From the Monterey County Health Department After 20 Years of Public Service.  
**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley carried 4/0.**
- 0600.850 12. **Resolution No. 06-109: Adopted** a Resolution Commending Michael K. Roebuck, Senior Service Station Attendant in the County Department of General Services Fleet Management Division, Upon His Retirement.  
**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley carried 4/0.**
- 0602.350 13 **Resolution No. 06-110: Adopted** a Resolution proclaiming the week of May 21-27, 2006 as National Public Works Week.  
**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley carried 4/0.**
- 2050.000 S/A-1 **Resolution No. 06-111: Adopted** a Resolution declaring the week of May 13 through May 21, 2006 as Bike Week.  
**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley carried 4/0.**
- 6300.000 14. **Considered** amending the 2006 Board of Supervisor's meeting Schedule adopted February 14, 2006, canceling the scheduled meeting of Tuesday May 30, 2006.  
**BOARD ACTION: Upon motion of Supervisor Lindley and seconded by Supervisor Calcagno carried 4/0.**
- 1900.000 15. **Authorized** the Board Chair to sign letters to the California Integrated Waste Management Board in support of the Salinas Valley Solid Waste Authority's application for a Household Waste Grant.  
**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Armenta carried 4/0.**
- 1900.000 S/A-2 **Authorized** the Board chair to sign a letter to the California Department of Transportation in support for the Monterey-Salinas Transit (MST), Section 5311(f), Grant Application, Cycle Thirteen.  
**BOARD ACTION: Upon motion of Supervisor Lindley and seconded by Supervisor Calcagno carried 4/0.**

**SCHEDULED MATTERS:**

- 6300.000 S-1 Closed Session under Government Code section 54950, relating to the following items:
- a. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding the following liability claims:
    1. Claim of William N. Tyquiengco  
**BOARD ACTION: The Board denied the claim of William N. Tyquiengco.**
  - b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
    1. County of Monterey vs. City of Salinas (Boronda Crossing litigation)  
**BOARD ACTION: Approved settlement contingent by approval of City of Salinas.**
    2. California Department of Transportation vs. County of Monterey (Rancho San Juan)  
**BOARD ACTION: The Board received updates and gave direction to staff.**
    3. LandWatch Monterey County, et al. vs. County of Monterey, et al. (Rancho San Juan)  
**BOARD ACTION: The Board received updates and gave direction to staff.**
    4. John L. McDonnell, Jr., et al. vs. County of Monterey, et al. (Rancho San Juan)  
**BOARD ACTION: The Board received updates and gave direction to staff.**
    5. Save Our Peninsula Committee vs. County of Monterey, et al. (Rancho San Juan)  
**BOARD ACTION: The Board received updates and gave direction to staff.**
    6. City of Salinas vs. County of Monterey (Rancho San Juan)  
**BOARD ACTION: The Board received updates and gave direction to staff.**
    7. H-Y-H Corporation vs. County of Monterey (Rancho San Juan)  
**BOARD ACTION: The Board received updates and gave direction to staff.**

**10:30 a.m.**

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- S-2 **Continued to June 6, 2006.** The appeal (Quail Lodge - PLN050685) by Quail Lodge Incorporated, from the determination of the Planning Commission and Director of Planning and Building Inspection that a Use Permit is required for a driving school operating on undeveloped properties owned by Quail Lodge Incorporated, in a Rural Grazing Zoning district, Carmel Valley area, south of Valley Greens Drive.  
**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley to continue to June 6, 2006 carried 4/0.**

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- 0601.525 S-3 **Received** update on the Natividad Medical Center Budget Action Plan.  
**BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Lindley and carried.**

**12:00 p.m.**

Recess to Lunch- Joint Board Water Resources Agency Leadership Meeting

**1:30 p.m.**

- S-4 Continue to Closed Session

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**Order for Adjournment**

APPROVED:

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Chair

ATTEST:

LEW C. BAUMAN, Clerk of the Board

By: \_\_\_\_\_  
Deputy**(Supplemental Sheet)****CONSENT CALENDAR****BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley, and unanimously carried, the Board approved the following actions, unless otherwise noted:****HEALTH AND SOCIAL SERVICES:**

- 0601.000      16.    **Proclaimed** state of local emergency relating to the spread of HIV among injection drug users in Monterey County.
- 0400.435      17.    a. **Approved** the Area Agency on Aging 2006-2007 Area Plan Update; and  
b. **Authorized** the Chair to sign the Area Plan Update Transmittal Letter.
- 0400.435      18.    **Approved** Revised Bylaws of the Area Agency on Aging Advisory Council.

**CRIMINAL JUSTICE:**

- 0602.250      19.    **Resolution No. 06-113**  
a. **Approved** a resolution authorizing the Chief Probation Officer to sign and submit a grant application to the State Corrections Standards Authority for the utilization of Juvenile Accountability Block Grant (JABG) funds in the amount of \$26,139 for the Probation Victim Restitution Program during Fiscal Year 2006-07; and  
b. **Signed** for related grant agreement, amendments or extensions with the State of California.
- 0602.500      20.    **BU No. 05/06-219: Approved and authorized** the Sheriff to  
0150.145      submit an application to the Governor's Office of Emergency Services for a \$300,000 grant to fund the Monterey County Agricultural Crime Task Force, with a Joint Powers Agreement between the Sheriff and the District Attorney for the period of July 1, 2006 to June 30, 2007.

**GENERAL GOVERNMENT:**

- 0600.850      21.    **Agreement No. A-10446: Approved and authorized** the  
0125.000      Purchasing Manager to sign an agreement and optional extensions to Central Maintenance Company to provide custodial maintenance services and supplies for the County of

Monterey for the term of two (2) years, July 1, 2006 through June 30, 2008, with the option to extend the Agreement for two (2) additional one (1) year terms, with an aggregate value of approximately \$800,000, per fiscal year, in accordance with the terms and conditions within the Agreement.

- 0600.775 22. **Received** Report on the Office of Emergency Services' Quarterly Work Plan. (Functional Goals and Objectives)
- 0600.750 23. **Approved** appointment of members to various Political Party Central Committees with insufficient nominees to cause an election on June 6, 2006.
- 0600.850 24. **BU No. 05/06-204: Increased** estimated revenue and  
0150.145 appropriations in the amount of \$500,000 in General Services Budget Unit 106, fund 001, to meet the unanticipated increase in fuel prices. (4/5th vote required)
- 0601.175 25. **BU No. 05/06-224**  
0600.025 a. **Approved** letter to John Richardson, court appointed receiver  
0150.145 for ALCO Water Company, requesting installation and operation at county expense of a water treatment facility for the ALCO – San Jerardo Water System; and  
b. **Authorized** CAO to enter into any necessary agreements and to expend appropriate funds not to exceed \$500,000.
- 0600.850 26. **Agreement No. A-10447**  
0125.000 a. **Approved and authorized** the Purchasing Manager to execute a nine month sublease agreement effective retroactively to October 1, 2005 with Interim, Inc., a non-profit 501 © (3) public benefit corporation, for approximately 258 square feet of space located at 220 Twelfth Street in Marina, California, for use by the Health Department's Behavioral Health Division for the purpose of providing outreach and counseling services; and  
a. **Directed** the Auditor-Controller to make lease payments of \$586 per month and in accordance with the terms of the agreement; and  
b. **Authorized** one extension of the Sublease Agreement for a term of up to three years under the terms and conditions of the Sublease Agreement, if deemed by the Purchasing Manager to be in the best interest of the County.
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#### **RMA - PLANNING AND BUILDING INSPECTION:**

- 0602.200 27. **Resolution No. 06-114**  
6000.500 a. Accept the Final Parcel Map for the minor subdivision [PLN990181, Ng] of 407.68 acres into four lots of 10.05 acres [Lot1], 10.20 acres [Lot 2], 192.24 acres [Lot 3], and 195.19 acres [Lot 4], Indemnification Agreement, Tax Clearance Letter, Subdivision Title Guarantee and Recording Fee; and  
b. **Authorized** the Clerk to sign the Final Parcel Map and Scenic Easement Deed; and  
c. **Authorized** the Chair of the Board to sign the Scenic Easement Deed; and  
d. **Directed** the Clerk of the Board to submit the Final Parcel Map, Indemnification Agreement, and Scenic Easement Deed to the County Recorder for filing.

- 0602.200 28. a. **Accepted** the Final Map for the standard subdivision [PLN040571, SAMMUT] of 1.5 acres into six lots between 10,000 and 11,000 square feet, Indemnification Agreement, Permit Approval Notice, Mitigation Monitoring and Reporting Program, Tax Clearance Letter, Subdivision Title Guarantee and Recording Fee; and
- b. **Authorized** the Clerk to sign the Final Parcel Map; and
- c. **Directed** the Clerk of the Board to submit the Final Parcel Map, Indemnification Agreement, Inclusionary Housing Agreement Permit and Permit Approval Notice, to the County Recorder for filing; and
- d. **Authorized** the Parks Department to deposit the recreation in lieu fee of \$7,223.00 in the Recreation-in-Lieu Fee Trust Account No. 080-3473.
- 0602.200 29. **Accepted** Conservation and Scenic Easement Deed for the  
6000.000 property (PLN 040742 - Rainey) located at 8255 Manjares in the Monterra Ranch Subdivision prepared pursuant to Condition #2 of Minor Subdivision Committee Resolution 05017 (APN 259-191-006-000), Greater Monterey Peninsula Area.

### RMA - PUBLIC WORKS:

- 0602.350 30. **Agreement No. A-09669**  
0125.000 a. **Approved** Amendment No. 1 in the amount of \$21,725 for a total amount not to exceed \$123,930 and extend the term of the Professional Services Agreement with Wood Rodgers, Inc. to December 31, 2006 for additional services associated with the preparation of the Project Study Report for intersection improvements at State Highway 68 and Corral de Tierra Road (Project No. 06-114065); and
- b. **Authorized** the Purchasing Manager to execute the Amendment and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.
- 0602.350 31. a. **Received** Written Reports for County Service Areas containing service charges; and  
b. **Set** for public hearing on June 6, 2006 at 10:30 a.m. to consider protests and objections to said Written Reports; and  
c. **Directed** the Clerk of the Board to publish a Notice of Public Hearing for said Written Reports once a week for two successive weeks beginning no later than May 15, 2006, in the Californian, Monterey County Herald, and The Rustler.
- 0602.350 32. **2006 CONST 0010**  
0525.000 a. **Approved** Plans and Special Provisions for construction of the Probation Department Modular Office Building Relocation and Remodel project; and  
b. **Authorized** the Public Works Department to advertise the "Notice to Contractors" in the Californian on May 15 and May 20, 2006.

### RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

**BOARD ACTION: Upon motion of Supervisor Lindley, and seconded by Supervisor Calcagno, and unanimously carried, the Board approved the following action.**

- 5100.000 33. **Agreement No. A-10450 & A-10451**  
0125.000 a. **Approved and authorized** the Chair to sign a Professional Services Agreement in an amount not to exceed \$150,000 with a term ending June 30, 2011 with Fieldman, Rolapp and Associates to provide technical and professional services related to the formation of the proposed East Garrison Community Facilities District No. 2006-1; and

- b. **Approved and authorized** Chair to sign a Professional Services Agreement in an amount not to exceed \$51,000 with a term ending June 30, 2007 with Goodwin Consulting Group, Inc. to provide special tax and financial strategy consulting services related to the formation of the proposed East Garrison Community Facilities District No. 2006-1.

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