

BOARD OF SUPERVISORS

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

Darlene Drain	Phone: (831) 755-5066
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ACTION MINUTES

MONTEREY COUNTY BOARD OF SUPERVISORS MONTEREY COUNTY REDEVELOPMENT AGENCY EAST GARRISON COMMUNITY SERVICES DISTRICT TUESDAY, MAY 16, 2006 9:30 AM

9:30 a.m.

1. The Pledge of Allegiance
The Pledge of Allegiance was led by Supervisor Smith.

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 sections 54954.2 of the California Government Code.

3. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
4. CONSENT CALENDAR – MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)
5. CONSENT CALENDAR – EAST GARRISON COMMUNITY SERVICES DISTRICT (See Supplemental Sheet)

APPOINTMENTS:

Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley, and carried 4/0 with Supervisor Potter absent from this meeting, the Board approved the following appointments, except as noted:

- | | | |
|----------|----|--|
| 0400.774 | 6. | Re-Appointed Irene Duran to the County Service Area 14 for a term to end March 1, 2008. (Supervisor Calcagno) |
| 0400.774 | 7. | Re-Appointed Jerome McCready to the County Service Area 14 for a term to end March 1, 2008. (Supervisor Calcagno) |
| 0400.774 | 8. | Re-Appointed Jose Rodriguez to the County Service Area 14 for a term to end March 1, 2009. (Supervisor Calcagno) |

- 0401.500 9. **Appointed** Kristen Aldrich to the Commission on the Status of Women, replacing Joyce Vandevere, for a term to end February 1, 2007. (Supervisor Potter)

OTHER BOARD MATTERS:

- 6300.000 10. Board Comments and Referrals
- a. Supervisor Calcagno: Referenced a letter from the Attorney General addressing a water supply issue by Bradshaw Construction. Supervisor Calcagno would like staff to review and report back on this matter.
 - b. County Counsel Charles McKee: / Responding to Supervisor Calcagno, advises: the letter requested Planning and Building, RMA, Water Resources, Environmental Health and County Counsel's involvement. They are presently coordinating their response and will be bringing this matter back.
 - c. Supervisor Lindley wished to advise everyone that the Salinas Valley Fair starts this Thursday May 18, 2006 and wanted to remind that all are invited. Supervisor Lindley further wished to advise that this was being held at a new facility in King City.
 - d. Supervisor Armenta: wished to advise that over the Memorial Day weekend there was to be a ceremony by the Vietnam Veterans Committee. There will be an update on the fund raising efforts for the Red/White & Blue Wall for dedication.
 - e. Supervisor Smith: advised that it is good to be back and further wished to Thank Mr. & Mrs. Castle for their support in bringing almost 300 kids to the Laguna Seca Raceway for a visit.
- 6300.000 11. Update on Board Referrals
There were none.
- 0600.025 12. CAO Comments
County Administrative Officer, Dr. Lew Bauman, advised that for the second year in a row now NATOA has honored the County's Pawsitive Focus. This is the County Shelter and Responsible Pet owners program sponsored by the Friends of the County Animal Services. Dr. Bauman wanted to congratulate Maia Carroll and all those that are involved in this award.
- 2050.000 13. Public Comment (Limited to 3 minutes per speaker)
- a. Chris Fitz: Requested that the latest GPU 4 be referred to LUAC for consideration.
 - b. Mary Ellen Dick: Rep. of the League of Women Voters: Discussed a perceived conflict of interest with one of the Board of Supervisors and read a letter but did not submit it for the record.
 - c. Hans Jongens: Discussed the City of Walnut Creeks General Plan. He further discussed NAFTA and the immigrant issues.
 - d. David Perez: Discussed a proposal to eliminate two positions within the Health Dept.
 - e. Rosalio Calderon: Spoke in Spanish. The statement was later translated. He discussed some issues that he was having with CHISPA.

This matter was discussed and further trailed to 1:30 to address a question regarding the 1% tax increase and who exactly would be affected by it.

- 1900.000 14. a. **Received** reports and consider recommendations from the Legislative Committee meeting of April 25, 2006; and

- b. **Considered** adoption of a Resolution in support of Proposition 82: Public Preschool Education; and
- c. **Introduced**, waive reading, and set for adoption on May 23, 2006, at 1:30 p.m., an Ordinance amending Chapter 1.10 of the Monterey County Code relating to Local Political Campaign Disclosure.

BOARD ACTION: Upon motion by Supervisor Calcagno, and seconded by Supervisor Armenta, and carried 3/1 with Supervisor Lindley the dissenting vote.

- 2050.000 15. **Resolution No. 06-117: Proclaimed** the Month of May as "Mental Health Awareness Month" in Monterey County.

BOARD ACTION: Upon motion by Supervisor Smith, and seconded by Supervisor Calcagno, and carried.

- 2050.000 S/A-1 **Resolution No. 06-118: Adopted** a resolution honoring Sue Shaw as the Recipient of the Chuck Haugen Conservation Fund Award as the Educator of the Year – 2006

BOARD ACTION: Upon motion by Supervisor Calcagno, and seconded by Supervisor Lindley, and carried.

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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(a), the Board will confer with legal counsel regarding the following items of existing litigation:
 1. California Department of Transportation vs. County of Monterey (Rancho San Juan)
 2. LandWatch Monterey County, et al. vs. County of Monterey, et al.
 3. John L. McDonnell, Jr., et al. vs. County of Monterey, et al. (Rancho San Juan)
 4. Save Our Peninsula Committee vs. County of Monterey, et al. (Rancho San Juan)
 5. City of Salinas vs. County of Monterey (Rancho San Juan)
 6. H-Y-H Corporation vs. County of Monterey (Rancho San Juan)

BOARD ACTION: The Board received an update on the settlement negotiations.

- b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding the following liability claims:
 1. Claim of Charles and Mona Swanston
 2. Claim of California Drywall

BOARD ACTION: The claim of Charles and Mona Swantson was denied by the Board. The Claim of California Drywall was also denied.

- c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiator(s) (All units); Keith Honda, designated representative.

BOARD ACTION: Labor Negotiator Keith Honda provided an update and status to the Board regarding the negotiations.

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10:30 a.m.

0601.525

- 0125.000 S-2 a. **Agreement No.: A-10458; Approved** the original Agreement (for maintenance of 6 anesthesiology machines) with Masterplan executed for the term of July 1, 2003 through

June 30, 2006 in an amount not to exceed \$37,135; and

- b. **Authorized** the Purchasing Manager to issue a Purchase Order (M960619138) in the amount of \$12,000 to Masterplan.

BOARD ACTION: Upon motion by Supervisor Lindley, and seconded by Supervisor Calcagno, and carried.

0601.525

0125.000

- S-3 a. **Agreement No.: A-10454: Approved** and authorized the Purchasing Manager for the County of Monterey to execute an Agreement with McKesson Medication Management, LLC for the provision of Interim Pharmacy Staffing effective July 1, 2005 through June 30, 2006 in an amount not to exceed \$100,000.00; and
- b. **Waived** the County's standard insurance requirements.

BOARD ACTION: Upon motion by Supervisor Lindley and seconded by Supervisor Calcagno, and carried the Board voted to approve the approximate \$47,000 that has already been spent with a reserve remaining not to exceed \$60,000. Further that with regard to (b), the exclusion only applies to 9.02 of the County Standard Contract and all the other requirements apply.

0601.525

- S-4 **Received** the recommendations from the Natividad Medical Center Stabilization Blue Ribbon Committee.

BOARD ACTION: Upon motion by Supervisor Smith, and seconded by Supervisor Armenta, and carried.

Public Comment:

- a. Dave Mora: Supports the board and further wished to Thank Supervisors Smith and Armenta and all involved for their assistance.

5200.000

0602.350

- S-5 a. **Conducted** a Public Hearing to consider the proposed abandonment of a portion of Reservation Road, at the East Garrison Gate; and
- b. **Considered** the East Garrison Specific Plan Final Subsequent Environment Impact Report and Addendum; and
- c. **Resolution No. 06-125: Adopted** a resolution abandoning that right of way portion of Reservation Road, at the East Garrison Gate; and
- d. **Resolution No. 06-126: Adopted** a resolution quitclaiming any interest that Monterey County has in said property to the Redevelopment Agency.

BOARD ACTION: Upon motion by Supervisor Smith, and seconded by Supervisor Lindley, and carried.

Public Comment:

The following spoke in opposition to this:

- a. Peter Cryer
b. Chris Villeneuve
c. Daney Cryer

The following spoke in favor to this:

- a. Robert Estrella.

12:00 p.m.

Recess to Lunch – Fort Ord Committee Meeting

1:30 p.m.

0401.175

- 0601.100 S-6 a. Accept an oral presentation by the Director of Health on the establishment of a Countywide First Responder Automatic Electronic Defibrillation (AED) Program; and
 b. Authorize the Director of Health to sign agreements with first responder agencies relating to the allocation of 148 Automatic Electronic Defibrillators (AEDs).

BOARD ACTION: Upon motion by Supervisor Calcagno, and seconded by Supervisor Lindley, and carried.

The following individuals were in attendance and spoke in support to the issue:

- a. Chief Fred Hardy – Police Chief for Cal State Monterey Bay.
- b. Mike Cline – who initiated this project.
- c. Chief Sydney Reid – Fire Department.
- d. John Pinio – Monterey County Parks Director.
- e. Deputy Chief Representing the Monterey County Sheriff
- f. Liz Lizarre – Salinas Valley Memorial Health Care – Heart Safe Program – further Ms. Lizarre provided a demonstration with the defibrillators.
- g. James Landy – Police officer on duty when an emergency call came in at the Del Monte shopping center. Using the defibrillator, he was able to save the life of the individual in distress.

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, seconded by Supervisor Lindley, and unanimously carried 4/0 with Supervisor Potter absent this day, the Board approved the following actions unless otherwise noted:

HEALTH AND SOCIAL SERVICES:

- 0602.550 16. **Agreement No.: 10449**
- 0125.000 a. **Approved and authorized** the Director of the Department of Social & Employment Services to sign an agreement with PHFE Management Solutions, fiscal agent for Ryan White CARE Act Title II funds, for receipt of \$7,455 to provide Home Health Care Services for clients in the AIDS Case Management/Medi-Cal Waiver Program for the period April 1, 2006 through March 31, 2007; and
- b. **Authorized** the Director of the Department of Social & Employment Services to sign all future amendments to this agreement not exceeding 5% of the original contract amount, and a three (3) month extension.
- 0602.500 17. **Agreement No.: 10187: Approved and authorized** the Director
- 0125.000 of the Department of Social & Employment Services to sign Amendment #3 to Agreement #A-10187 with Community Human Services adding \$46,000, and increasing

the total contract amount to \$144,000, to provide Outpatient Mental Health Services, Domestic Violence Intervention, Anger Management, and Parent Education to Family and Children's Services clients from July 1, 2005 to June 30, 2006.

- 0602.550 18. **BU No. 05/06-207; Agreement No's: A-10221; A-10224;**
 0150.145 **A-10225; A-10226; A10457**
 0125.000
- a. **Approved and authorized** the Director of the Department of Social and Employment Services to sign amendments to contracts with Health Projects Center (adding \$17,582 increasing to \$122,274), Meals on Wheels of the Monterey Peninsula (adding \$40,213 increasing to \$312,146), Meals on Wheels of the Salinas Valley (adding \$30,665 increasing to \$299,590), Alliance on Aging (adding \$35,234 increasing to \$477,698) and North County Recreation and Park District (adding \$45,000 increasing to \$69,757) for the provision of senior services funded by the Older Americans Act and Older Californians Act for the period July 1, 2005 - June 30, 2006; and
 - b. **Authorized** the Director of the Department of Social & Employment Services to sign all future amendments to these agreements not exceeding 5% of the contract amount and three (3) month extensions; and
 - c. **Directed** the Auditor-Controller to amend the FY 2005-06 Budget Unit 594 to increase estimated revenues and appropriations in the amount of \$64,507. (4/5ths vote required)
- 0403.825 19. **BU No. 05/06-205;** Concur with the Monterey County Workforce 0602.550
 investment Board (WIB) to:
 0150.145
- a. **Accepted** a contribution of \$50,000 in revenue to support the Pre-Apprenticeship Training Program from the Seaside Resort Development LLC; and
 - b. **Approved** the establishment of a separate account by the County of Monterey for the purpose of accounting for the contributed funds.
- 0125.000
 0601.100 20. **Agreement No.: A-10452; Approved and Authorized** the Director of Health to sign an Agreement not to exceed \$70,000 with Monterey Peninsula College to administer certain emergency medical services training programs for the period July 1, 2005 through June 30, 2006.
- 0125.000
 0602.500 21. **Agreement No.: A-10198; Approved and authorized** the Director of Health to sign Amendment No. #2 to Agreement A-10198 with Beverly Health and Rehabilitation Services, Inc. d.b.a. San Jose Care and Guidance for services to adults with severe psychiatric disabilities, adding \$185,000 and increasing the total contract amount to \$1,655,484 for the period July 1, 2005 through June 30, 2008.

CRIMINAL JUSTICE:

- 0150.145
 0602.500 22. a. **BU 05/06-206; Approved and authorized** the Sheriff, District Attorney, and Chief Probation Officer to accept a grant award in the amount of \$275,817 from the Governor's Office of Emergency Services for Fiscal Year (FY) 2005-06 funding of the Narcotics Enforcement Unit-County of Monterey (NEUCOM) Program; and
- b. **Approved** the Sheriff's request for one-time use of State Criminal Alien Assistance Program (SCAAP) funds of \$119,178 to offset the State's FY 2005-06 NEUCOM grant funding reduction; and
 - c. **Directed** the Auditor-Controller to reduce FY 2005-06 appropriations in Budget Unit 850-Other Financing Uses, and increase appropriations in Budget Unit 230-Sheriffs

Office Administration and Enforcement Operations Bureau, in the amount of \$119,178. (4/5ths Vote Required).

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0600.775
0602.250
0602.500

23. **BU 05/06-208; Agreement No.: A-10453; Approved and authorized** Sheriff, District Attorney, and Chief Probation Officer to apply for a grant in the amount of \$181,698 with the Governor's Office of Emergency Services to continue partial funding for a Narcotics Enforcement Unit County of Monterey (NEUCOM) Program for the period of July 1, 2006 to June 30, 2007.

GENERAL GOVERNMENT:

- 0601.175 24. **Resolution No.: 06-197; Adopted** Resolution approving the fair share distribution property tax transfer for the proposed "CHISPA Award Homes Reorganization" involving annexation of 77 + acres to the City of Greenfield and detachment from the Monterey County Resource Conservation District.
- 0600.775 25. **Resolution No. 06-116; Adopted** a Resolution designating County staff positions authorized to execute documents and applications for the purposes of obtaining financial assistance in accordance with the applicable provisions of Federal Emergency Management Agency's Directive - 44 CFR, Chapter I, Section 302.
- 2050.000 26. **Approved** Action Minutes for the meeting of Tuesday, February 28, 2006, copies having previously been distributed to each Board member.
- 2050.000 27. **Approved** Action Minutes for the meeting of Tuesday, March 14, 2006, copies having previously been distributed to each Board member.
- 2050.000 28. **Approved** Action Minutes for the meeting of Tuesday, March 21, 2006, copies having previously been distributed to each Board member.
- 2050.000 29. **Approved** Action Minutes for the meeting of Tuesday, March 28, 2006, copies having previously been distributed to each Board member.

RMA - PLANNING AND BUILDING INSPECTION:

- 0602.200 30. **Resolution No.: 06-206; Accepted** an amendment to the Conservation and Scenic Easement Deed and Final Map Dedications (PLN030068 – located at Via Malpaso & Tres Paraiso, Canada Wood North, Phase II) for Phase IV of the Monterra Ranch Subdivision recorded as Volume 22, Cities and Towns, at Page 38 and direct recordation of the amendments.
- 0600.500
0602.200 31. **Accepted** a Parcel Map (PLN020338 – Banks – located at 11100 Cooper Street, Castroville) for the Minor Subdivision of a 15,000 square foot property into three 5,000 square foot parcels, Tax Report, Subdivision Title Guarantee, and Recording Fee for the Banks Minor Subdivision, located at 11100 Cooper Street, Castroville, north corner of the Cooper and McDougall Street intersection, North County Area Plan (Assessor's Parcel Number 030-123-007-000).

RMA - PUBLIC WORKS:

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32. **BU 05/06-209; Increased** estimated revenue within Serra Village and Toro Park, County Service Area No. 15, Fund 115, Budget 910, and increase related appropriations in Fund 115, Budget 920, in the amount of \$8,902 for FY 2005-06 to pay for needed playground fencing installation services. (4/5ths vote required)

0525.000

33. a. **2006 CONST 0011; Approved** Plans and Special Provisions for the Raised Pavement Markers Project Various Roads - 2006 (Project No. 06-550613); and
b. **Authorized** the Clerk of the Board to advertise the "Notice to Contractors" in the Californian on May 19 and May 26, 2006.

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34. a. **Agreement No.: A-09380; Approved** Amendment No. 1 in the amount of \$25,000 for a total amount not to exceed \$49,000 and extend the term of the Professional Services Agreement with Daniel Hogan to June 30, 2007 for additional architectural projects and related administrative services for various capital projects; 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

35. a. **Approved** submittal of a grant application to the State of California, Department of Fish and Game, Fisheries Restoration Grant Program, in the amount of \$500,000 to implement the Coast Road Watershed Erosion and Restoration Project; and
b. **Authorized** the Public Works Director or his designee to act as the agent for the County in processing all documentation to secure these funds from the State of California department of Fish and Game.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried 4/0 with Supervisor Potter absent this day, the Board approved the following actions unless otherwise noted:

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36. **Agreement No.: A-0456; Approved and authorized** the Chair to sign an Infrastructure Agreement among the East Garrison Public Financing Authority, the Marina Coast Water District, and East Garrison Partners I, LLC for financing and construction of water, sewer, and recycled water improvements related to the East Garrison development project.

EAST GARRISON COMMUNITY SERVICES DISTRICT

BOARD ACTION: Upon motion of Supervisor Lindley, seconded by Supervisor Calcagno, and unanimously carried 4/0 with Supervisor Potter absent this day, the Board approved the following actions unless otherwise noted:

0801.025

37. a. **E/G 06-012; Adopted** a Resolution of Intention to establish a Community Facilities District and to authorize levy of a special tax - Community Facilities District No. 2006-1 (East Garrison Project); and
b. **E/G 06-013; Adopted** a resolution declaring intention to incur bonded indebtedness for Community Facilities District No. 2006-1 (East Garrison Project).

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