

# 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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## ACTION MINUTES

**MONTEREY COUNTY BOARD OF SUPERVISORS**  
**MONTEREY COUNTY REDEVELOPMENT AGENCY**  
**MONTEREY COUNTY WATER RESOURCES AGENCY**  
**TUESDAY, SEPTEMBER 19, 2006**  
**9:30 AM**

### 9:30 a.m.

1. Pledge of Allegiance  
The Pledge of Allegiance was led by Supervisor Lindley
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- 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.  
**There were no additions or corrections to the Agenda.**
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3. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

### OTHER BOARD MATTERS:

- 6300.000 4. Board Comments and Referrals
  - a. Supervisor Armenta: The Supervisor made a formal referral of Mr. Estrada's request made during the public comment portion of last weeks Board meeting.
  - b. Supervisor Calcagno: The Supervisor raised the concerns over the number of catering trucks and their infringement upon the local business/restaurants. The Supervisor requested that an Ordinance prohibiting these catering trucks from being within 300 feet of a local restaurant be looked into.  
Supervisor Calcagno also advised of his concern regarding the recent Spinach/E-Coli break out. The Supervisor requested that the Ag Commissioners office and Environmental Health be given all of the necessary resources available to assist them in this matter.
  - c. Supervisor Lindley: The Supervisor made a request to meet the newly appointed Ombudsperson and discuss many of the issues that his constituents have.
  - d. Supervisor Smith: Echoed the concerns raised by Supervisor Calcagno.
- 6300.000 5. Update on Board Referrals  
There were none.

- 0600.025 6. CAO Comments  
The County Administrative Officer, Dr. Lew Bauman briefs the Board on the relocation of the Superior Courts this past week. Dr. Bauman also thanked all of the employees of Public Works for their efforts in addition to thanking everyone for their cooperation and efforts.
- 2050.000 7. Public Comments (Limited to 3 minutes per speaker)
- a. Hans Jungens: Spoke to the Board regarding a letter from a Doctor that he had received in the mail. This letter that he received addressed concerns over the many hospitals being lost. Approximately 50 hospitals in California have been lost. Mr. Jungens advises that the letter explains that the loss is due to the number of illegal immigrants that seek hospital care but are not collected from. He advises that the letter further advises that rather than collect from the illegal immigrants the Health Care industry simply raises the insurance premiums instead. Mr. Jungens advises that the border needs to be secured.
- 1:30 p.m.
- b. Bob Yeager (Spelling ? – no speaker card) wanted to address the Board and was granted permission by the Chair. Mr. Yeager wanted to speak to regarding the Oaks Subdivision and water transfer issues.
- 2050.000 8. **Resolution No.: 06-270; Adopted** a Resolution recognizing Presidente Municipal Javier Giron Arzate, Regidores, and Citizens of the Municipio De Alpaseo El Alto, GTO Mexico for their contributions to the Kiosko and Fountain of Castro Plaza in Castroville.  
**BOARD ACTION: Upon motion by Supervisor Lindley, and seconded by Supervisor Calcagno, and carried 4/0, Supervisor Potter was absent from this vote.**
- 2050.000 9. **Resolution No.: 06-269; Adopted** a Resolution recognizing Presidente Municipal Jose Aguilera Avila, Regidores, and Citizens of the Municipio De Jerecuaro, GTO, Mexico for their contribution of a Fountain to Castro Plaza in Castroville.  
**BOARD ACTION: Upon motion by Supervisor Lindley, and seconded by Supervisor Calcagno, and carried 4/0, Supervisor Potter was absent from this vote.**
- 2050.000 10. **Resolution No.: 06-267; Adopted** a Resolution Recognizing the Salinas Women’s Club 100<sup>th</sup> anniversary and service to the County of Monterey.  
**BOARD ACTION: Upon motion by Supervisor Calcagno, and seconded by Supervisor Lindley, and carried 4/0, Supervisor Potter was absent from this vote.**
- 2050.000 11. **Resolution No.: 06-268; Adopted** a Proclamation of the County of Monterey expressing appreciation to Anna A. Vega at the 17<sup>th</sup> annual Latino Network luncheon celebrating Hispanic Heritage Month.  
**BOARD ACTION: Upon motion by Supervisor Armenta, and seconded by Supervisor Lindley, and carried 4/0, Supervisor Potter was absent from this vote.**

### 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 existing litigation:
1. Stott Outdoor Advertising vs. County of Monterey
  2. Omni Resources, LLC. vs. Monterey County, et al.
  3. Water World Resorts, Inc. vs. County of Monterey, et al.

4. Lake San Antonio Resorts, Inc. vs. County of Monterey, et al.
5. California Department of Transportation vs. County of Monterey, et al. (Rancho San Juan)
6. LandWatch Monterey County, et al. vs. County of Monterey, et al. (Rancho San Juan)
7. Save Our Peninsula Committee vs. county of Monterey, et al. (Rancho San Juan)
8. H-Y-H Corporation vs. County of Monterey (Rancho San Juan)

**BOARD ACTION: The Board received status reports and provided direction.**

- b. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following public employment positions:
  1. Equal Opportunity Officer
  2. County Counsel

**BOARD ACTION: Each evaluation was performed with positive results which should be reported.**

- c. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators; property: Fort Ord Landfill and adjacent parcels; negotiators: Supervisor Jerry Smith, Supervisor Dave Potter and Jim Cook for the County of Monterey.

**BOARD ACTION: This matter was pulled and no action taken.**

**10:30 a.m.**

0125.000  
0601.525

- S-2
- a. **Agreement No.: A-10663; Authorized** the Chief Executive Officer of Natividad Medical Center, (NMC) to execute a Professional Services Agreement with Joel Weinstein, M.D. in an amount not to exceed \$90,000 for the term of July 1, 2006 through June 30, 2007 for general surgery call and surgical services at NMC; and
  - b. **Authorized** the Purchasing Manager to issue a Purchase Order in an amount not to exceed \$90,000 to Joel Weinstein, M.D. for general surgery call and surgical services between July 1, 2006 and June 30, 2007.

**BOARD ACTION: Upon motion by Supervisor Calcagno, and seconded by Supervisor Armenta, and carried 5/0.**

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0601.525

- S-3
- a. **Agreement No.: A-10669; Authorized** the Purchasing Manager for Monterey County to execute an Agreement with ThyssenKrupp Elevator Corporation for maintenance and repair services on elevators throughout Natividad Medical Center in an amount not to exceed \$33,000 for the period of July 1, 2006 through June 30, 2007; and
  - b. **Authorized** the Purchasing Manager for Monterey County to issue a Purchase order to ThyssenKrupp Elevator Corporation in an amount not to exceed \$33,000.

**BOARD ACTION: Upon motion by Supervisor Calcagno, and seconded by Supervisor Armenta, and carried 5/0.**

**12:00 p.m.**

Recess to Lunch

**1:30 p.m.**

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0602.200 S-4 **Agreement No.: A-10664**; PD050276/Hydrostratigraphic Analysis of El Toro Planning Area (Evaluation Overlay)

- a. **Approved** the Scope of Work for the Toro B-8 Watershed Hydrologic Study; and
- b. **Authorized** the General Manager of the Water Resources Agency to execute a contract with GeoSyntech Consultants Inc. of Oakland, California to analyze and evaluate the aquifer systems of the El Toro Watershed to determine their relative connectivity, including analysis of the total amounts of water available to support current and future water demands; and
- c. **Directed** County Counsel to prepare an amendment to Monterey County Code Chapter 18.54 concerning Water Impact Fees for the El Toro Water Basin; and
- d. **Directed** RMA staff to develop a reimbursement agreement between Cal-American Water Company and the County and to evaluate options for reimbursement of costs related to performance of the Hydrologic Study benefiting properties within the B-8 Watershed area pursuant to applicable law.

**BOARD ACTION: Upon motion by Supervisor Potter, and seconded by Supervisor Lindley, and carried 5/0.**

**ORDER FOR ADJOURNMENT**

APPROVED:

\_\_\_\_\_  
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 4/0 with Supervisor Potter absent from the vote, the Board approved the following actions unless otherwise noted:**

**HEALTH AND SOCIAL SERVICES:**

- 0601.100 12. **Proclaimed** state of local emergency relating to the spread of HIV among injection drug users in Monterey County.
- 0125.000  
0601.100 13. **Agreement No.: A-10670; Approved and authorized** the Director of Health to sign a Memorandum of Understanding with the Monterey County Office of Education in the amount of \$67,425 to provide services that improve the ability of families, schools and communities to prepare children to enter school ready to succeed, for the period of July 1, 2006 through June 30, 2007.
- 0125.000  
0601.100 14. **Agreement No.: A-10345; Approved and authorized** the Director of Health to sign Amendment No. 1 to Professional Services Agreement A-10345 with The Action Council of Monterey County, Inc for program implementation, community education, and training services. This amendment will increase the annual amount for FY 2006-07 to \$78,500 for a revised total Agreement maximum amount of \$141,500 for the period December 15, 2005 through June 30, 2007.
- 0125.000  
0601.100 15. **Agreement No.: A-10671; Approved and authorized** the Director of Health to sign a Mental Health Services Agreement with Unity Care Group, Inc. effective July 1, 2006 through June 30, 2007 for the provision of youth mental health services for \$3,433,586.52.
- 0125.000 16. **Agreement No.: A-10666; Approved and authorized** the Purchasing Manager to sign a Professional Services Agreement with The Action Council of Monterey County, Inc., in the amount of \$50,000 for the period of July 1, 2006, through June 30, 2007, to provide community and staff training, education, and outreach services for the Hazardous Materials Management Services section of Environmental Health.
- 0125.000  
0602.550 17. a. **Agreement No.: A-10263; Approved and authorized** the Director of the Department of Social and Employment Services, or his designee, to sign Amendment #2 to Agreement #A-10263 with Kinship Center, Inc., adding \$179,820, increasing the contract to \$1,078,920, and extending the term through December 31, 2006, for the provision of intensive Wraparound Services to eligible adopted Monterey County children and their families; and  
b. **Authorized** the Director of the Department of Social and Employment Services, or his designee, to sign all future amendments to the Agreement not exceeding 5% of the original contract amount, and a three (3) month extension.
18. — a. ~~Approve and authorize the Director of the Department of Social and Employment Services, or his designee, to sign Amendment #2 to Agreement #A-10330 with Unity Care Group, Inc., adding \$305,694 for the period October 1, 2006 – December 31, 2006, increasing the contract amount to \$1,834,164, and extending the term through December 31, 2006, to provide intensive SB-163 Wraparound Services to eligible Monterey County foster, probation and at-risk youth and their families; and~~  
b. ~~Authorize the Director of the Department of Social and Employment Services, or his designee, to sign all future amendments to the agreement not exceeding 5% of the original contract amount, and a three (3) month extension.~~

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- 0602.550 19. a. **Agreement No.: A-10672; Approved and authorized** the Director of the Department of Social & Employment Services, or his designee, to sign an agreement for \$140,000 with Ferron & Associates to perform outreach services for the C.A.R.E.S. (Comprehensive Approaches to Raise Educational Standards) Program for the period of July 1, 2006 through June 30, 2007; and
- b. **Authorized** the Director of the Department of Social & Employment Services, or his designee, to sign all future amendments to this agreement not exceeding 5% of the contract amount, and a three (3) month extension.

**GENERAL GOVERNMENT:**

- 0125.000 20. **Agreement No.: A-10667; Approved and authorized** the Chair to sign an Operational Memorandum of Understanding for the Castro Plaza Family Resource Center in Castroville.

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0150.146

- 0601.160 21. a. **B.U. 06/07-036; A-10673; Approved and authorized** the Chair of the Board of Supervisors to sign the "Agreement for the Engineering of a Monterey County Operational Area Emergency Communications System (NGEN)", which adopts and allocates share of costs for securing a consultant to prepare a functional design specification and Request for Proposal for the Design Build Phase of the Monterey County Operational Area Emergency Communications System; and
- b. **Directed** the Auditor - Controller to establish a restricted revenue account for the purpose of receiving, holding, and tracking project funds deposited by the participating agencies.

- 0602.050 22. **Approved** the Monterey County Travel Policy, effective October 1, 2006.

**RMA - PLANNING:**

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0602.200

23. a. **Agreement No.: A-10286; Approved** Amendment No. 2 in the amount of \$110,112.50 for a total amount not to exceed \$95,750 plus a \$14,362.50 contingency fee, for a total of \$150,362.50 of the Professional Services Agreement with Downey Brand LLP for preparation of the Revised Final Environmental Impact Report (FEIR) for the September Ranch Subdivision (PLN050001) east of Highway 1 on the north side of Carmel Valley Road; and
- b. **Approved** Amendment No. 2 in the amount of \$110,112.50 for a total amount not to exceed \$95,750 for the contractor's budget plus a \$14,362.50 contingency fee, for a total of \$150,362.50 of the Reimbursement Agreement with September Ranch Partners to reimburse Downey Brand LLP for preparation of the September Ranch Subdivision Revised FEIR; and
- c. **Authorized** the Interim Director of Planning to execute Amendment No. 2 to the Professional Services Agreement, Amendment No. 2 to the Reimbursement Agreement, and future amendments that do not significantly alter the scope of work or change the approved agreement amounts.

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