

# 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  
MONTEREY COUNTY WATER RESOURCES AGENCY  
TUESDAY, OCTOBER 31, 2006  
9:30 AM**

### 9:30 a.m.

1. 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.

**BOARD ACTION: Upon motion of Supervisor Potter and seconded by Supervisor Lindley, and carried, the Board approved the following additions and corrections to the Agenda.**

**The following items have been removed from the agenda.**

#### **Under Scheduled Matters**

- S-3 a. Approve an Agreement for professional services between the County of Monterey and Speltz and Weis LLC, a Huron Consulting Group Company; and
- b. Appoint Thomas Winston as Chief Executive Officer, Natividad Medical Center; and
- c. Authorize the purchasing manager for Monterey County to issue a purchase order to Speltz and Weis LLC, a Huron Consulting Group Company for the period of October 31, 2006 to June 30, 2007 in an amount not to exceed \$1,609,000.

4. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
5. CONSENT CALENDAR – MONTEREY COUNTY WATER RESOURCES AGENCY (See Supplemental Sheet)

### APPOINTMENTS:

**Upon motion of Supervisor Potter, and seconded by Supervisor Lindley, and carried, the Board approved the following appointments, except as otherwise noted:**

- 0400.410 6. **Appointed** Eric Heckman to the Commission on Disabilities representing the City of Salinas for a term ending December 30, 2009. (Full Board)

**OTHER BOARD MATTERS:**

- 6300.000 7. Board Comments and Referrals
- a. Supervisor Armenta: 1. The Supervisor made a referral request through the CAO's office. The Supervisor advised that the Board needs to have a briefing of the whole process that was involved in the selection of consulting firm for the Natividad item S-3 that as removed from today's agenda. He requested that the Board be provided with the details/specifics of how one was selected over another. 2. The Supervisor made a referral through the CAO's office concerning the 911 Communications Center issues that were brought before the Board during public comment a few weeks ago. The Supervisor requested to be provided with a copy of the Matrix Consulting Report and requested that there be a public hearing.
  - b. Supervisor Smith: Wanted to announce Doris Jones, the Aide for District 4 has announced her retirement effective December 31, 2006. Supervisor Smith wished to publicly "Thank Doris Jones" for all of her hard work in assisting him over this past year in addition to the work she has given to the County over the past 20 years. Supervisor Smith announced the new Supervisor's aide for District 4, Claudia Link and welcomed her to her new position.
- 6300.000 8. Update on Board Referrals  
There were none.
- 0600.025 9. CAO Comments  
The County Administrative Officer, Dr. Lew Bauman addressed the Board regarding two Supervisors that were recognized over the past weekend by the ACLU's North Monterey County Chapter. The two Supervisors, Jerry Smith and Fernando Armenta were awarded the Ralph B. Atkinson Award.  
The County Administrative Officer, Dr. Lew Bauman introduced Beth Shirk as the new Ombudsman. Dr. Bauman also wished to "Thank" all involved for their efforts in the Streamline Permitting of the Planning and Building. Dr. Bauman advised that there is quite a bit of involvement/cooperative effort with the private sector on this task force.
- 2050.000 10. Public Comments (Limited to 3 minutes per speaker)
- a. Ernie Mill: The President of Mills Construction. Mr. Mill's serves as the Chair on the new County Streamlining Task force and wanted to thank everyone for their support and is looking for to this challenging opportunity.
  - b. Joe Vierra: Addressed the Board regarding the headlines in one of today's paper. The feature story was on the stealing of Campaign signs in the County of Monterey.
  - c. Hans Jungens: Addressed the Board advising that today was trash day. He advised that all of the kids should take their candy and just throw it all away as it is bad for their teeth anyway. In addition, he addressed the Board regarding the Planning Commission's advisory that the Study of Common Ground has been completed. He advised that since it was already trash day this would be a good day to trash this report. Lastly, Mr. Jungens addressed the Board on an article for Welfare reduction solutions.
- 6300.000 11. **Appointed** one member of the Board of Supervisors to serve as Director and one member of the Board of Supervisors to serve as an Alternate on the 2007 Board of Directors of the California State Association of Counties (CSAC).

**BOARD ACTION: Upon motion of Supervisor Smith, and seconded by Supervisor Calcagno, and carried, Supervisor Armenta was appointed as the Director. Upon motion of**

**Supervisor Lindley and seconded by Supervisor Potter and carried, Supervisor Potter was appointed as the alternate.**

- 2050.000 12. **Adopted** Resolutions Honoring Fourteen Outstanding Veterans of Monterey County for the Year 2006. (Full Board)

Name	Res. No.	Name	Res. No.
Jasper N. Barnes	06-277	Sam McLeod	06-304
Ted Blocker	06-303	David Peelo	06-283
Richard E. Callahan	06-305	Herschel Pierce	06-282
Rita Dady	06-299	Thomas Rowley, Jr.	06-302
Richard Darvey	06-294	Cosme Padilla	06-296
Mack Jacobs	06-285	James Silva	06-311
Guadalupe Lopez	06-295	Michael Silver, Jr.	06-284

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

- 2050.000 13. **Resolution No. 06-313: Adopted** Resolution commending Commander David J. Allard, Monterey County Sheriff's Office, upon his retirement from public service. (Full Board)

**BOARD ACTION: Upon motion of Supervisor Lindley, and seconded by Supervisor Armenta and carried, this matter was continued to November 7, 2006.**

- 6300.000 14. **Considered and amended** the 2006 Board of Supervisor's meeting schedule adopted on February 14, 2006, to add one regular meeting, December 19, 2006.

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

Public Comment:

- a. Juan Calzetta inquired whether the meeting now scheduled for December 19, 2006 will be open to the public. He advised that it would be as was any Board of Supervisors meeting.

**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. ~~California Department of Transportation vs. County of Monterey, et al.~~
- 2. ~~Omni Resources, LLC vs. Monterey County, et al.~~
- 3. County of Santa Clara, et al. vs. Atlantic Richfield Company, et al.

**BOARD ACTION: No decision was made.**

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

**BOARD ACTION: Direction was provided by the Board to the real property negotiators Jerry Smith, Dave Potter and Jim Cook.**

- c. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators (Units A, B, and C); Sheriff Mike Kanalakis and Patricia Covert, designated representatives.

**BOARD ACTION: A tentative agreement was made of a lateral hire program and this matter will be brought back before the Board next week under the Consent Calendar.**

- d. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one item of significant exposure to litigation.

**BOARD ACTION: Direction was given to have this matter brought back next week.**

**10:30 a.m.**

- 5100.000 S-2 **Budget Unit No. 06/07-051: Held** a public hearing to:
- a. **Reviewed and approved** submittal of a General Allocation Community Development Block Grant (CDBG) application in the amount of \$1,000,000 to the California Department of Housing and Community Development for water system improvements at the San Jerardo Cooperative, 24500 Calle El Rosario, in the unincorporated area of Monterey County; and
  - b. **Authorized** County Administrative Officer to sign the Statement of Assurances for the Grant Application; and
  - c. **Authorized** the Director of the Housing and Redevelopment Office to sign the Grant Application and all grant related documents and amendments; and
  - d. **Authorized** Housing and Redevelopment Director to act as the Certifying Officer, under the National Environmental Policy Act of 1969 and related environmental regulations, for the State Community Development Block Grant Program and other State funding; and
  - e. **Approved** a local contribution of \$300,000 in Inclusionary funding, up to \$120,000 in local funds for the operation and maintenance of an interim treatment system, an Over-the-Counter Grant of \$25,000, and up to \$5,000 in waived planning, building, environmental health and related permit processing fees; and
  - f. **Agreement No.: A-10717; Approved** a Predevelopment Agreement between the County and the Court-appointed Receiver for San Jerardo.

**BOARD ACTION: Upon motion of Supervisor Lindley, and seconded by Supervisor Calcagno, and carried 4/0 with Supervisor Potter being absent from this vote.**

- ~~S-3 a. Approve an Agreement for professional services between the County of Monterey and Speltz and Weis LLC, a Huron Consulting Group Company; and~~
- ~~\_\_\_\_\_ b. Appoint Thomas Winston as Chief Executive Officer, Natividad Medical Center; and~~
- ~~\_\_\_\_\_ c. Authorize the purchasing manager for Monterey County to issue a purchase order to Speltz and Weis LLC, a Huron Consulting Group Company for the period of October 31, 2006 to June 30, 2007 in an amount not to exceed \$1,609,000.~~

**12:00 p.m.**

Recess to Lunch

**1:30 p.m.**

- 0601.175 S-4 **Received** a presentation from the Water Standard Company regarding the concept and technology of Water Standard Company's offshore, shipboard desalination process.
- BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley, and carried 4/0 with Supervisor Potter being absent from this vote.**

Public Comment:

Madeleine Clark: With the Elkhourn Slough Coalition. Ms. Clark submitted a handout to the Board regarding the Coastal Water Project – comments.

0600.025  
1900.000

S-5 Received a status report regarding Senate Bill 1448 Grant Application Process.  
**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley, and carried 4/0 with Supervisor Potter being absent from this vote.**

**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 Potter, and unanimously carried, the Board approved the following actions unless otherwise noted:**

**HEALTH AND SOCIAL SERVICES:**

0601.100  
0125.000

15. **Agreement No.: A-10718; Authorized** the Director of Health to sign an Agreement with the State Department of Health Services, Immunization Branch/Division of Communicable Disease Control in the amount of \$33,250 for continued funding for the Regional Immunization Registry for fiscal year 2006-07.

0601.100  
0125.000

16. **Agreement No.: A-10714; Approved and authorized** the Director of Health to sign a Memorandum of Agreement with Natividad Medical Center for the Family Practice Residency Program and Medical Student Education Program Extension Affiliation Agreement.

401.650

17. **Resolution No.: 06-317; Approved** amendment of the bylaws for the Monterey County Emergency Medical Services Medical Advisory Committee to add one representative from the County's primary ambulance provider and one representative from the County's air ambulance providers.

**CRIMINAL JUSTICE:**

0602.500  
0150.146

18. **Budget Unit No. 06/07-052: Approved** an increase in appropriations and estimated revenues by \$27,737 in Sheriff's Budget Unit 230 for the purchase of a latent print

workstation. (4/5th Vote Required)

0602.500  
0125.000

19. a. **Agreement No.: A-10719; Approved** and **authorized** the Sheriff to sign Professional Services Agreement with Michael D. Roberts, PH.D., dba Law Enforcement Psychological Services, for psychological testing of peace officer applicants for positions as law enforcement safety officers in the total amount of \$30,000 for the period July 1, 2006 through June 30, 2008; and
- b. **Authorized** the Sheriff to approve future agreements that do not significantly alter the scope of work or change the approved agreement amount.

0602.500  
0150.146

20. **Resolution No. 06-315; Budget Unit No. 06/07-053**
- a. **Amended** Personnel Policies and Practices Resolution No. 394 to delete the classifications of Civil Clerk and Senior Bailiff-Deputy Sheriff; and
- b. **Approved and amended** the Sheriff's Budget Unit 230 to reallocate 1.0 FTE Civil Clerk to 1.0 FTE account Clerk; and
- c. **Directed** the Auditor-Controller to incorporate this change in the Sheriff's Budget Unit 230 to reflect the change in position count as outlined in the attached Board Order.

0602.500  
0150.146

21. a. **B.U. 06/07-055; Resolution No.: 06-319; Approved** and **authorized** the Sheriff to submit a grant application to the State of California, Corrections Standards Authority (CSA), for an adult Mentally Ill Offender Crime Reduction (MIOCR) Program for the period January 1, 2007 through June 30, 2008; and
- b. **Authorized** the Sheriff to sign the application for funding, as well as related contracts, amendments, or extensions with the State of California; and
- c. **Approved** members of the Monterey County Mentally Ill Offender Crime Reduction Program (MIOCR) Strategy Committee, as indicated in the attached board order.

### **GENERAL GOVERNMENT:**

- 2050.000 22. **Approved** Action Minutes for the meeting of Tuesday, September 26, 2006, copies having been previously distributed to each Board member.
- 2050.000 23. **Approved** Action Minutes for the meeting of Tuesday, October 3, 2006, copies having been previously distributed to each Board member.
- 2050.000 24. **Approved** Action Minutes for the meeting of Tuesday October 10, 2006, copies having been previously distributed to each Board member.
- 0602.750 25. **Accepted** Treasurer's Report of Investments for the quarter ending September 30, 2006.
- 0125.000 26. **Agreement No.: A-10715;**
- a. **Approved** a Professional Services Agreement (PSA) with Denise Duffy and Associates, Inc., in the amount of \$55,650, for the term of October 1, 2006 through December 31, 2007, to complete the Tiger Salamander Survey at Laguna Seca Recreation Area; and
- b. **Authorized** the Purchasing Manager to execute the PSA in the amount of \$55,650.
- 0125.000 27. **Agreement No.: A-10720; Budget Unit No. 06/07-056: Approved** the Units A, B and C (Deputy Sheriffs' Association) tentative agreement covering the period July 1, 2006

through June 30, 2009.

- 0600.026  
0125.000
28. **Budget Unit No. 06/07-054; Resolution No. 06-316:**  
 a. **Approved** the reallocation of an Administrative Secretary to Administrative Secretary-Confidential; and  
 b. **Directed** the Auditor-Controller to amend the Equal Opportunity Office Budget Unit 108 Position Allocation to reflect the changes.
- 0600.030  
0150.146
29. a. **Budget Unit No. 06/07-057: Approved** the reallocation of a Property Transfer Clerk to Personnel Technician - Confidential; and  
 b. **Directed** the Auditor-Controller to amend Assessor's Office Budget Unit 118 Position Allocation to reflect the changes.
- 0125.000
30. a. **Agreement No.: A-10716; Approved and authorized** the Director of Information Technology to sign a License Agreement and Exhibit A to License Agreement with Mobius Management Systems, Inc. for the period of October 1, 2006 through September 30, 2009 to provide software used for managing mainframe print functions and archiving in an amount not to exceed \$91,249.44 for the license and \$12,718.69 for the first year of maintenance; and  
 b. **Approved and authorized** the Director of Information Technology to extend the maintenance portion of this agreement for 2 additional one year periods with price increases on the maintenance portion not to exceed 10%; and  
 c. **Accepted** Non-Standard County Liability and Indemnification Provisions as recommended by the Director of Information Technology; and  
 d. **Directed** the Auditor-Controller to make payments for services provided under the agreement upon approval of the Information Technology Department.

#### RMA - PLANNING:

- 0602.200
31. **Resolution No. 06-318: Approved** the request for a letter of Convenience and Necessity for the sale of beer and wine for off site consumption at Carmel Valley Grocery Store Inc., (PLN060443, BACH) located at 2 Chambers Lane on behalf of Georgia and Thomas Bach (PLN060443). Assessors Parcel Number 189-221-031-000 Carmel Valley Master Plan.
- 0602.200
32. **Set** a Public Hearing for November 14, 2006 at 10:30 A.M. to consider Agricultural Preserve and Farmland Security Zone contract applications for 2007 (Williamson Act Contracts, 2007; File no. PLN060546).

#### MONTEREY COUNTY WATER RESOURCES AGENCY:

**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley, and unanimously carried, the Board approved the following actions unless otherwise noted:**

- 0802.000  
0150.146
33. **Budget Unit No. 06/07-058: Approved and authorized** the transfer of funds in the amount of \$13,000 from Services and Supplies to Fixed Assets in the Water Resources Agency's Budget Unit 930, Fund 201, for the purchase of a tape backup system.