

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
Clerk of the Board	FAX: (831) 755-5888
P. O. Box 1728	Home Page: www.co.monterey.ca.us
Salinas, CA 93902	

ACTION MINUTES

MONTEREY COUNTY BOARD OF SUPERVISORS
 MONTEREY COUNTY WATER RESOURCES AGENCY
 TUESDAY, NOVEMBER 07, 2006
 9:30 AM

9:30 a.m.

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

- 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.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Lindley, and carried 4/0. Supervisor Potter was absent from this meeting. The Board approved the following additions and corrections to the Agenda:

Please add the following under Scheduled matters:

A/C-1 Approve amendment to Professional Services Agreement between Mark Fritz and the County of Monterey for services as Interim chief Financial Officer

Please remove under Other Board matters:

Continued to December 12, 2006.

8. Adopt resolution commending Commander David J. Allard, Monterey County Sheriff's Office, upon his retirement from public service. (Full Board)

3. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)

OTHER BOARD MATTERS:

- 6300.000 4. Board Comments and Referrals
 - a. Supervisor Armenta: The Supervisor reminded the Board of the Dedication of the POW Monument that will occur this Saturday at 11 a.m. – 855 E. Laurel Drive in Salinas. The Supervisor also provided an update for the permanent 45 ft. granite memorial. The dedication will probably be in February of 2007.

- b. Supervisor Smith: The Supervisor advised that he had attended the Award Ceremony of the 14 Veterans of the Year. The Supervisor also wished to recognize and congratulate Supervisor Calcagno and his wife on their 50th wedding anniversary.

6300.000 5. Update on Board Referrals
There were none.

0600.025 6. CAO Comments
County Administrative Officer Dr. Lew Bauman addressed the Board regarding the artwork that is now displayed on the first and second floor of the New Government Center Building. Dr. Bauman explained that this is a result of a partnership between Economic Development and the Arts Council. This partnership promotes the local artists in Monterey County by displaying their work. Dr. Bauman invited the Board and members of the public to the reception that will take place on Wednesday November 8, 2006 from 5 p.m. to 7 p.m.

2050.000 7. Public Comments (Limited to 3 minutes per speaker)
There were no members of the Public who came forward to speak.

Continued to December 12, 2006.

~~8. Adopt 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 ****, and seconded by Supervisor ******, and carried.**

2050.000 9. **Resolution No. 06-322: Adopted** a resolution to recognize 3rd District Supervisor W. B. "Butch" Lindley for over 30 years of volunteerism as the recipient of the Monterey County Farm Bureau 2006 award for Community Service. (Calcagno)

BOARD ACTION: Upon motion of Supervisor Calcagno and seconded by Supervisor Armenta, and carried 4/0. Supervisor Potter was absent from this meeting.

0602.800 10. Welcome Home Troops Ceremony.

The following members of the Military were welcomed back home by the Board:

Corporal Sarah Chambers	Staff Sergeant Jose M. Perez
Corporal David Estrada	Sergeant Andre Roberts
Staff Sergeant Mike Fritsche	Sergeant Carolyn Schapper
Sergeant Eric Gutierrez	Staff Sergeant Edward Wilkins
Staff Sergeant Derek LeBoeuf	Sergeant Greg Wise

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 two items of significant exposure to litigation.

BOARD ACTION: The Board gave direction on how to proceed on this matter,

- b. Pursuant to Government Code section 54957, the Board will confer with legal counsel regarding one matter of public employee discipline.

BOARD ACTION: This matter is ongoing and will return to the Board under closed session on November 21, 2006.

- c. Pursuant to Government Code section 54957.6, the Board will confer with real property negotiators regarding the following:
1. The Department of Social and Employment Services lease area of the Quadrangle facility (1000 South Main Street, Salinas, California); Negotiator: George Salcido for the County of Monterey.

BOARD ACTION: The Board gave direction to real property negotiator, George Salcido on how to proceed.

- d. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
1. County of Santa Clara, et al. vs. Atlantic Richfield Company, et al.
 2. Water World Resorts, Inc. vs. County of Monterey, et al.
 3. Lake San Antonio Resorts, Inc. vs. County of Monterey, et al

BOARD ACTION: The first matter; the Board authorized Counsel to join in on the lawsuit. Papers can be obtained through the County Counsel's office.

The second and third matter; the Board was given a status and provided direction on settlement discussions.

10:30 a.m.

- 0602.200 S-2 **Requested** Continuance to November 14, 2006 @ 10:30 a.m.
John and Sarah KRASZNEKEWICZ (PLN050193) Zoning Reclassification to remove the "B-6" Zoning District Overlay from the property's "LDR/B-6-D-S" (Low Density Residential, with Building Site District, Design District and Site Plan Review overlays) zoning designation. The property is located at 8025 Carmel Valley Road, Carmel Valley, north of Carmel Valley Road, Carmel Valley Master Plan area.

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

- 0400.250
0600.026 S-3 a. **Received and approved** the 2005 Annual Report of the Equal Opportunity Advisory Commission; and
b. **Approved and adopted** revisions to the Bylaws of Equal Opportunity Advisory Commission.

BOARD ACTION: Upon motion of Supervisor Lindley, and seconded by Supervisor Armenta, and carried 4/0 with Supervisor Potter absent from this meeting.

- 0602.500
0150.146 S-4 **Budget Unit No. 06/07-062**
a. **Received** report and accept the recommendations of the Monterey County Sheriff's Office Staffing Analysis prepared by Voorhis Associates, Inc.; and
b. **Approved** increased allocations to add 1.0 Deputy Sheriff-Operations, 1.0 Deputy Sheriff-Corrections, 1.0 Sheriff's Sergeant, 1.0 Correctional Sergeant, 2.0 Sheriff's Commander, 1.0 Personnel Technician-Confidential, and 1.0 Accounting Technician positions in Budget Unit 230-Sheriff's Office Administration and Enforcement; and
c. **Directed** the Auditor-Controller to increase allocated positions and transfer appropriations in the amount of \$559,037 from Budget Unit 990-Contingencies to Budget Unit 230-Sheriff's Office Administration and Enforcement Bureau, as detailed in the attached Board Order (4/5th vote required).

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Smith, and carried 4/0 with Supervisor Potter absent from this meeting.

12:00 p.m.

Recess to Lunch

1:30 p.m.

- 0602.200 S-5 **Requested** continuance to November 14, 2006 @ 10:30 a.m. DOUD (PD040368)
Consider a Resolution of Intent to approve a Land Use Plan Amendment and Amendment of zoning from Outdoor Recreation (OR) to Watershed & Scenic Conservation (WSC/40), located north of Garrapata Creek, south of Garrapata Park, and west of Highway One, Big Sur, Coastal Zone, and submit the proposed amendments to the California Coastal Commission for certification.

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

- 0125.000 S-6 a. **Agreement No. A-10722: Authorized** the Chief Executive Officer of Natividad Medical Center, (NMC) to execute a Professional Services Agreement with Anthony Galicia, M.D. in the amount not to exceed \$520,600 for the period March 1, 2004 through June 30, 2007 for rehabilitation and occupational medicine professional services, medical director services of the Acute Rehabilitation Unit (ARU) and call coverage at NMC; and
b. **Authorized** the Purchasing Manager to issue a Purchase Order in an amount not to exceed \$166,000 to Anthony Galicia, M.D. for services between July 1, 2006 and June 30, 2007.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Armenta, and carried 4/0 with Supervisor Potter absent from this meeting.

-

- 0601.525
0125.000 S-7 **Agreement No. A-10580: Approved** Amendment #2 to the Agreement (#A-10580) with Med Assets Net Revenue Systems, adding to the Scope of Services, (1) onsite consulting services, and (2) directing Charge Description Master modifications entered into the MediTech computer system at Natividad Medical Center.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Armenta, and carried 4/0 with Supervisor Potter absent from this meeting.

- 0125.000 S-8 a. **Agreement No. A-10448: Approved** Amendment No. 1 to the Agreement (#10448) with Total Repair Express, Inc. for repair and maintenance of flexible endoscopes and repair of other surgical instruments at Natividad Medical Center. Extending the term of the Agreement to June 30, 2007 in an amount not to exceed \$134,400; and
b. **Authorized** the Purchasing Manager to increase the current Purchase Order (#B960767475) in an amount not to exceed \$80,000.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Armenta, and carried 4/0 with Supervisor Potter absent from this meeting.

-

- 0601.525
0125.000 S-9 a. **Agreement No. A-10724: Authorized** the Purchasing Manager for the County of Monterey to execute an agreement with Dade Behring Inc. for reagent supplies for coagulation testing and the lease of a CA-1500 coagulation analyzer at Natividad Medical Center (NMC) in an amount not to exceed \$33,184.22 per year for the term of October 31, 2006 through October 31, 2011; and
b. **Authorized** the Purchasing Manager to issue a Purchase Order in the amount of \$22,123 for the term October 31, 2006 through June 30, 2007.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Armenta, and carried 4/0 with Supervisor Potter absent from this meeting.

0150.146
0125.000

S/A-2 Budget Unit No. 06/07-063; Agreement No. A-10723

- a. **Approved** agreement for professional services between the County of Monterey and Speltz and Weis LLC, a Huron Consulting Group Company; and
- b. **Appointed** Thomas Winston as Chief Executive Officer, Natividad Medical Center; and
- c. **Authorized** the purchasing manager for the Monterey County to issue a Purchase Order to Speltz and Weiss LLC, a Huron Consulting Group company for the period November 7, 2006 to June 30, 2007 in an amount not to exceed \$1,559,000.00

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Smith, and carried 4/0 with Supervisor Potter absent from this meeting. The Board requested Rosie Pando to speak to the \$4million coming from Salinas Valley Memorial and Community Hospital of the Monterey Peninsula. Assistant County Administrative Officer, Rosie Pando addressed the Board on this issue. This is an Intergovernmental Agreement between Salinas Valley Memorial, Community Hospital of Monterey and the County of Monterey in which the County of Monterey is to receive \$5,000,000 in funds (in scheduled payments). These funds have been held in a separate fund – separate from Natividad Medical Center.

Thomas Winston was introduced to the Board as the new Chief Executive Officer, Natividad Medical Center.

0601.525
0125.000

A/C-1 Agreement No. A-10610: Approved amendment to Professional Services Agreement between Mark Fritz and the County of Monterey for services as Interim chief Financial Officer.

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

HEALTH AND SOCIAL SERVICES:

0601.000

0125.000

11. a. **Agreement No. A-10725: Approved** an agreement regarding limitations on the use of a well for a single family residence at 370 Crazy Horse Canyon Road, Salinas, California (APN 125-491-007); and
b. **Authorized** the Chair of the Board to sign the agreement.

0601.150

0150.146

12. **Budget Unit No. 06/07-059; Resolution No. 06-323**
a. **Authorized** the Director of Health to receive \$1,641,824 in revenues from the State Department of Mental Health as part of the Mental Health Services Act Community Services and Supports Plan for one-time expenditures; and
b. **Directed** the Auditor-Controller to amend the FY 2006-07 Health Department Behavioral Health Division Approved Budget Unit 415 to increase estimated revenue and appropriations in the amount of \$1,641,824 (4/5th vote required)

0601.100

0125.000

13. **Agreement No. A-10726: Approved and authorized** the Director of Health to sign a new three (3) fiscal year Agreement with Community Hospital of the Monterey Peninsula in the annual amount of \$202,300 for a total of \$606,900 for inpatient Medi-Cal Services, and in the annual amount of \$19,149 for a total of \$57,447 for inpatient and day treatment Short Doyle Services for the period July 1, 2006 through June 30, 2009.

0601.150

0125.000

14. a. **Agreement No. A-10721: Approved and authorized** the Director of Health to sign a Professional Services Agreement with California Institute for Mental Health (CIMH) for \$77,090 for Fiscal Year 2006-07. CIMH will provide training, technical assistance, consultation, and research for La Familia Sana Grant and the Mental Health Services Act; and
b. **Authorized** the Purchasing Manager to issue a Purchase Order in the amount of \$77,090 for the period of July 1, 2006-June 30, 2007.

0403.825

0602.550

- S/A-1 **Authorized** the Chair of the Board to sign a submittal letter for the National Organization on Disability 2006 Accessible America Competition.

CRIMINAL JUSTICE:

0602.250

0150.146

15. **Budget Unit No. 06/07-064; Resolution No. 06-326:**
a. **Approved and authorized** the Chief Probation Officer to submit a grant application to the State of California, Corrections Standards Authority (CSA), for a juvenile Mentally Ill Offender Crime Reduction (MIOCR) Program for the period January 1, 2007 through June 30, 2008; and
b. **Authorized** the Chief Probation Officer to sign the application for funding, as well as related contracts, amendments, or extensions with the State of California; and
c. **Appointed** additional members of the Monterey County Mentally III Offender Crime Reduction Program (MIOCR) Strategy Committee, as indicated in the attached board order.

GENERAL GOVERNMENT:

- 2050.000 16. **Approved** Action Minutes for the meeting of Tuesday, October 17, 2006, copies having been previously distributed to each Board member.
- 0600.775
0150.146 17. **Budget Unit No. 06/07-065: Approved** a decrease in estimated revenues and appropriations in the FY2006-07 Office of Emergency Services Budget Unit 295 totaling \$826,988 due to a reduction in the Federal FY06 Homeland Security Grant Program (HSGP) for FY06/07.
- 0600.025
0600.775 18. **Received** report regarding the Office of Emergency Services' Quarterly Work Plan for the period of October - December 2006.
- 0600.775 19. a. **Resolution No. 06-325: Adopted** Resolution proclaiming the week of November 13 through November 17, 2006, as "Winter Storm Preparedness Week in Monterey County"; and
b. **Directed** the Office of Emergency Services to inform the public of potential storm related hazards and of the appropriate protective measures needed to mitigate these hazards; and
c. **Directed** the Water Resources Agency to inform the public of flood related threats and of the appropriate protective actions necessary to reduce the potential impacts of flooding.
- 0600.450
0602.450 20. a. **Budget Unit No. 06/07-060: Approved** the reallocation of an Office Assistant II to Management Analyst II; and
b. **Directed** the Auditor-Controller to amend the Recorder-County Clerk Budget Unit 291 Position Allocation to reflect the changes.
- 0601.175
0801.975
0801.850
0250.000 21. **Resolution No. 06-327: Approved** Property Tax Transfer for the proposed "Soledad Plaza Reorganization" involving annexation of 46.67 acres to the City of Soledad and detachments from the Monterey County Resource Conservation District and Mission Soledad Rural Fire Protection District.
- 0600.025
0602.500
0150.146 22. **Budget Unit No. 06/07-061; Resolution No. 06-324: Approved** the side letter between the County of Monterey and the Deputy Sheriff Association (DSA) agreeing to a Lateral Hire Pilot program for a period not to exceed 18-months.

RMA - PUBLIC WORKS:

- 0602.350
0125.000 23. a. **Agreement No. A-10727: Approved** a Professional Services Agreement with Cooperative Personnel Services in an amount not to exceed \$42,500 to provide recruitment services for an Architectural Services Manager and an Assistant Architectural Services Manager; and

- b. **Authorized** the Purchasing Manager to execute the Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

0602.350

- 24. a. **Resolution No. 06-320: Adopted** a resolution finding that the closure of the North Wing of the Monterey County Courthouse continues to pose an emergency requiring immediate action; and
- b. **Resolution No. 06-321: Adopted** a resolution ratifying the execution of emergency contracts and emergency actions taken by the Public Works Director of his designee to respond to the emergency (4/5th vote required).