

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

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ACTION MINUTES

MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
MONTEREY COUNTY WATER RESOURCES AGENCY
TUESDAY, DECEMBER 12, 2006
9:30 AM

9:30 a.m.

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

- 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 Potter and seconded by Supervisor Armenta, and carried, the Board approved the following additions and corrections to the agenda.

Please add:

A/C-1 Appoint Silvio Bernarndi to the Water Resources Agency for a term ending December 31, 2010. (Supervisor Calcagno)

Please remove under Consent:

General Government:

40. a. Approve and authorize the Director of Information Technology to sign a Frequency Reconfiguration Agreement with Nextel to recoup costs estimated at \$79,491.56 associated with changing frequencies to reduce interference to public safety radio systems; and
- b. Approve and authorize the Director of Information Technology to sign change orders that do not affect the other terms or scope of this agreement to recoup any additional costs identified after this project has started.

Please note the following title change:

S-14 Continued public hearing on 2006 General Plan Update (PLN050045)

- a. Receive staff responses to issues raised by the Board and public on the Draft 2006 General Plan update, including review of the Planning Commission

- recommendation and the Draft EIR; and
- b. Receive public comment regarding the Draft 2006 General Plan Update, and Draft EIR including Planning Commission recommendations, Property Owner Requests and Rural Center boundaries; and
- c. Provide direction to staff

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

APPOINTMENTS:

Upon motion of Supervisor Calcagno, and seconded by Supervisor Armenta, and carried 4/0 (Supervisor Lindley is absent for the morning portion of the session in order to attend a funeral), the Board approved the following appointments, except as noted:

- 0803.5000 5. **Re-appointed** Silvio Bernardi to the Northern Salinas Valley Mosquito Abatement District representing the County of Monterey for a term ending January 2, 2011. (Full Board)
- 0400.435 6. **Re-appointed** Nancy Dolton to the Area Agency on Aging Advisory Committee for a term ending January 1, 2010. (Full Board)
- 0400.435 7. **Re-appointed** Olivia Quezada to the Area Agency on Aging Advisory Council for a term ending January 1, 2010. (Full Board)
- 0801.975 8. **Re-appointed** Jeane Errea to the Resource Conservation District of Monterey County for a term ending November 30, 2010. (Full Board)
- 0400.250 9. **Appointed** Yolonda Ochoa, representing SEIU Local 535, to the Equal Opportunity Advisory Commission for a term ending December 31, 2010. (Full Board)
- 0802.000 10. **Appointed** David Hart to fill a vacancy, on the Monterey County Water Resources Agency Board of Directors for a term ending December 31, 2007. (Full Board)
- 0802.000 A/C-1 **Appointed** Silvio Bernardi to the Water Resources Agency Board of Directors for a term ending December 31, 2010. (Supervisor Calcagno)

OTHER BOARD MATTERS:

- 6300.000 11. Board Comments and Referrals
 - a. Supervisor Armenta: Discussed his participation in CSAC during the week of November 27, 2006. In addition, the Supervisor reserved the right to make a referral later after Public Comment.
 - b. Supervisor Calcagno: Requested a referral regarding the vendor problems his District is experiencing.
 - c. Supervisor Smith advised that Supervisor Lindley would be present for this afternoon's session. Supervisor Lindley was attending a funeral this morning of his friend, Floyd Griffin. The meeting today will also be adjourned in memory of Mr. Griffin.
- 6300.000 12. Update on Board Referrals
None.

- 0600.025 13. CAO Comments
The County Administrative Officer Lew Bauman addressed Supervisor Calcagno's referral advising that it was on the referral list as item number 7. Further, staff was bringing the ordinance before the Planning Commission sometime in February. Supervisor Calcagno requested the opportunity to review the ordinance prior to its presentation to the Planning Commission.
- 2050.000 14. Public Comments (Limited to 3 minutes per speaker)
- a. Helene Clark (Spelling ? – no speaker card completed): Addressed the Board in order to “Thank” them for their assistance with issues faced by the residents of Rippling River. She provided each of the Board members with a Rippling River – Construction T-shirt. Ms. Clark further addressed the Board regarding continuing issues the residents face. Ms. Clark read a letter authored by Carolyn Metcalf. The letter addressed an issue of an eviction notice given to Ms. Metcalf's who was a resident of Rippling River.
 - b. Barbara (Last name not audible): Representing the Citizens of Monterey, she addressed the Board regarding the General Plan and the General Plan initiative and the right to vote.
 - c. Richard Granau (Spelling?- no speaker card completed): Addressed the Board regarding various concerns he had as a citizen of Monterey County.
 - d. Susana Rocha: Addressed the Board to request that the General Plan initiative be translated into Spanish.
 - e. Unidentified speaker addressed the Board through a Spanish speaking translator to ask that the General Plan be translated into Spanish.
 - f. Elisa Santos: Addressed the Board through a Spanish speaking translator to ask the Board to have the General Plan translated into Spanish.
 - g. Raul (inaudible): Addressed the Board through a Spanish speaking translator to request that the General Plan be translated into Spanish.

BOARD ACTION: Chair Smith and County Counsel Charles McKee addressed the members of the Public to advise that discussions of the General Plan are not appropriate at this time because this is an agenda item. However, in the interest of those who have shown up to speak, the Chair will allow for the public comment to continue as it pertains to this request. Supervisor Armenta advised the Board that it is his intention to follow this up with a referral addressing 4 questions.

- h. Chris Fitz: Addressed the Board to request that not only the General Plan should be translated into Spanish but also the FEIR.
- i. Hans Jungens: Addressed the Board regarding issues with the ACLU and provided a Handout.

BOARD ACTION: Supervisor Armenta requested that S-14 be taken out of order to allow for all of the members of the Public who showed up this morning to be able to speak because they might not be able to come back in the afternoon. The Supervisor advised that he is making this request due to the large turnout this morning. He was concerned because it did not appear that S-14 would be heard until after 1:30 p.m. Supervisor Armenta made a referral at this time through the CAO requesting that (as clarified by County Counsel) this matter be agenda for the December 19, 2006 Board of Supervisors meeting and that staff come back and address the following: 1. The cost that would be involved to have the General Plan and the FEIR translated into Spanish; 2. The time that this task would take; 3. That staff provide a report be given regarding the extent of the public outreach; 4. What

type of translation services were provided at the public meetings inclusive of the Planning Commission meetings.

Public Comment (Regarding the referral pertaining to S-14):

- a. Chris Fitz: Addressed the Board to advise that he supports this referral.
- b. Richard Ortiz: Addressed the Board to advise that he supports this referral
- c. Hans Jungens: Addressed the Board to advise that he does not support this referral because the national language of this country is English.

This matter was continued to a date uncertain in January due to Sergeant Mendoza's unavailability.

15. Presentation of Monterey County Sheriff Deputy of the Year Award for 2006 to Sergeant Jose Mendoza.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter, and carried 4/0, this matter was continued to a date uncertain in January.

- 2050.000 16. **Resolution No. 06-313: Adopted** a 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 Potter, and seconded by Supervisor Armenta, and unanimously carried 4/0.

- 2050.000 17. **Resolution No. 06-345: Adopted** a Resolution commending Chief Deputy Michael P. Brassfield, Monterey County Sheriff's Office upon his retirement from public service. (Full Board)
BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Armenta, and unanimously carried 4/0.

- 2050.000 18. **Resolution No. 06-346: Adopted** a Resolution proclaiming the week of December 25, 2006 through January 1, 2007 as "Operation Cease Fire Week" in Monterey County. (Full Board)
BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Armenta, and unanimously carried 4/0.

- 2050.000 19. **Resolution No. 06-351: Adopted** a Resolution of Proclamation honoring Connie L. Martinez upon her retirement from the Monterey County Probation Department after 16 years of outstanding service. (Full Board)
BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Armenta, and unanimously carried 4/0.

- 2050.000 20. **Resolution No. 06-359: Adopted** a Resolution commending Richard Casey recipient of the 2006 King City Chamber of Commerce Citizen of the Year Award. (Supervisor Lindley)
BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Armenta, and unanimously carried 4/0

- 2050.000 21. **Resolution No. 06-350: Adopted** resolution commending Jerry Combs for his dedicated service as Chief of Surveys in the Public Works Department upon his retirement. (Full Board)
BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Armenta, and unanimously carried 4/0

~~22. Adopt a Resolution commending Dan Albert for 30 years of dedicated service to the City of Monterey.~~

- 2050.000 23. **Resolution No. 06-360: Adopted** a Resolution recognizing Elizabeth Cecchi-Ewing upon her retirement from 28 years of outstanding service to the Monterey County Libraries and their patrons. (Supervisor Lindley)
BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Calcagno, and unanimously carried 4/0
- 6300.000 24. **Adopted** the Board of Supervisors' meeting schedule for the calendar year 2007.
BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Armenta, and 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 54956.8, 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 Saleido for the County of Monterey.~~
- b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
1. In re Monterey County Initiative Matter (Melendez vs. Board of Supervisors, Madrigal vs. County of Monterey)
 2. Rangel and Buell vs. County of Monterey, et al.
 3. Rancho San Juan Opposition Coalition vs. Board of Supervisors
 - ~~4. Steve Karunos (WC)~~
 5. Water World Resorts, Inc. vs. County of Monterey, et al.
 6. Lake San Antonio Resorts, Inc. vs. County of Monterey, et al.
- BOARD ACTION: The Board gave direction to counsel on how to try and resolve either through litigation or through settlement**
- c. Pursuant to Government Code section 54956.8, the Board of Directors of the Redevelopment Agency will confer with real property negotiators regarding the following:
1. The East Garrison portion of the former Fort Ord; Negotiator: Jim Cook for the County of Monterey.
- BOARD ACTION: The Board provided direction to real property negotiator Jim Cook on how to proceed.**
- d. 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: In one matter, the Board gave tentative approval for settlement. This matter involves a 911 employee. Settlement documents will be made available through County Counsel's office after the settlement has been negotiated. On the other item, the Board gave direction to Counsel but no final action was taken.

10:30 a.m.

0125.000

- 0601.525 S-2 a. **Agreement No. A-09744: Approved** Amendment #1 to the Agreement (# A-09744) with Kenneth Ishizue, M.D. in an amount not to exceed \$115,500 for orthopedic clinic and emergency call coverage professional services at Natividad Medical Center for the term of July 1, 2006 through August 15, 2007; and
- b. **Authorized** the Purchasing Manager to issue a Purchase Order (for Agreement # A-09744) in an amount not to exceed \$101,063 to Kenneth Ishizue, M.D. for orthopedic clinical and emergency call coverage professional services between July 1, 2006 and June 30, 2007; and
- c. **Waived** current County insurance language requirements.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter, and carried 4/0.

0125.000

0601.525

- S-3 a. **Agreement No. A-10327: Approved** Amendment No. 4 to the Agreement (# A-10327) with Monterey Anesthesia Professionals, A Medical Corporation, in an amount not to exceed \$2,119,992 for the term of January 1, 2007 through December 31, 2007 for the provision of Anesthesia professional services at Natividad Medical Center (NMC); and
- b. **Authorized** the Purchasing Manager to issue a Purchase Order for services from January 1, 2007 through June 30, 2007 in an amount not to exceed \$1,011,999.96; and
- c. **Waived** County insurance and indemnification language requirements.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter, and carried 4/0.

0125.000

0601.525

- S-4 a. **Agreement No. A-09872: Authorized** the Chief Executive Officer of Natividad Medical Center, (NMC) to execute Amendment #1 to the Agreement (A-09872) with John Sinnhuber M.D. in an amount not to exceed \$211,000 for the term of September 1, 2004 through August 31, 2007 for Pediatric Professional services at NMC; and
- b. **Authorized** the Purchasing Manager to issue a Purchase Order in an amount not to exceed \$55,000 to John Sinnhuber, M.D. Pediatric Professional services between November 1, 2006 and June 30, 2007; and
- c. **Waived** County insurance and indemnification language requirements.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter, and carried 4/0.

0125.000

0601.525

- S-5 a. **Agreement No. A-10751: Approved and authorized** the Chief Executive Officer of Natividad Medical Center, (NMC) to execute a Professional Services Agreement with Juan Calzetta, M.D. for the amount not to exceed \$108,000 for the term July 1, 2006 through June 30, 2007 for vascular surgery professional services and call coverage at NMC; and
- b. **Authorized** the Purchasing Manager to issue a Purchase Order in an amount not to exceed \$108,000 to Juan Calzetta, M.D. for services between July 1, 2006 and June 30, 2007.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter, and carried 4/0.

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0125.000

0601.525

- S-6 a. **Agreement No. A-09734: Authorized** the Chief Executive Officer of Natividad Medical Center, (NMC) to execute Amendment #1 to the Professional Services

Agreement (#09734) with Ventana Faculty Medical Association (Ventana) extending the term to June 30, 2007 in an amount not to exceed \$1,009,609.90 for the period July 1, 2006 through June 30, 2007 for professional Family Practice services at NMC; and

- b. **Authorized** the Purchasing Manager to issue a Purchase Order in an amount not to exceed \$654,966.72 to Ventana Faculty Medical Association for services between November 1, 2006 and June 30, 2007; and
- c. **Authorized** the Purchasing Manager to make a one-time payment of \$34,760 for On-Call Internal Medicine Services from February 1, 2006 through October 31, 2006; and
- d. **Waived** current County insurance language requirements.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter, and carried 4/0.

0125.000

0601.525

- S-7
- a. **Agreement No. A-09745: Approved** Amendment #1 to the Agreement (# A-09745) with Donald Pompan, M.D. in an amount not to exceed \$123,300 for orthopedic clinic and emergency call coverage professional services at Natividad Medical Center for the term of July 1, 2006 through August 15, 2007; and
 - b. **Authorized** the Purchasing Manager to issue a Purchase Order (for Agreement # A-09745) in an amount not to exceed \$123,300 to Donald Pompan, M.D. for orthopedic clinical and emergency call coverage professional services between July 1, 2006 and June 30, 2007; and
 - c. **Waived** current County Insurance language requirements.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter, and carried 4/0.

0125.000

0601.525

- S-8
- a. **Agreement No. A-10748: Approved** Amendment #1 to the current Professional Services Agreement between Jennifer D'Attilio and Natividad Medical Center (NMC) increasing the Purchase Order from \$25,000 to an amount not to exceed \$66,500 for the term of December 12, 2006 through June 30, 2007 for speech language pathology services; and
 - b. **Authorized** the Purchasing Manager to increase the current Purchase Order (#B960767471) from \$25,000 to \$66,500 between Jennifer D'Attilio and Natividad Medical Center for speech language pathology services from December 12, 2006 through June 30, 2007.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter, and carried 4/0.

0125.000

0601.525

- S-9
- a. **Agreement No. A-10752: Authorized** the Chief Executive Officer of Natividad Medical Center, (NMC) to execute a Professional Services Agreement with Central Coast Head and Neck Surgeons, Inc. in an amount not to exceed \$280,000 for otolaryngology call and clinical services, audiology assessment services and outpatient clinical services at NMC for the term of July 1, 2006 through June 30, 2007; and
 - b. **Authorized** the Purchasing Manager to issue a Purchase Order in an amount not to exceed \$280,000 to Central Coast Head and Neck Surgeons, Inc. for services between July 1, 2006 and June 30, 2007.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter, and carried 4/0.

0125.000

- 0601.525 S-10 a. **Agreement No. A-10749: Approved** Amendment No. 1 to the Agreement with Katrin Elizabeth Emler in an amount not to exceed \$40,000 for the term October 1, 2006 through May 2, 2008 for Locum obstetrical and gynecological call and clinic services at Natividad Medical Center, (NMC); and
- b. **Authorized** the Purchasing Manager to increase the current Purchase Order in an amount not to exceed \$40,000.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter, and carried 4/0.

- 2800.000 S-11 **Ordinance No. 05049: Adopted** an ordinance of the County of Monterey amending Paragraph A of Section 2.04.030 of the Monterey County Code relating to the time for commencement of regular meetings of the Board of Supervisors.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Smith, and carried 3/0 (Supervisors Lindley and Calcagno absent from this vote).

2800.000

- 0601.160 S-12 **Ordinance No. 05048: Adopted** an ordinance adding Section 7.12.085 to the Monterey County Code relating to the Cable System Regulatory Code to establish fees to support Public, Educational, and Governmental (PEG) Access channels consistent with State and Federal laws.

BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Armenta, and carried 3/0 (Supervisors Lindley and Calcagno were absent from this vote).

- 5900.000 S-13 **Resolution No. 06-363: Continued** public hearing from December
0602.200 5, 2006 to consider adoption of a Resolution to:

- a. **Certified** the Final Revised Environmental Impact Report; and
- b. **Modified** the score of the Citizen's Subdivision Evaluation Committee to a passing score, based on Findings and Evidence; and
- c. **Approved** the Combined Development Permit for the September Ranch Project located on Carmel Valley Road in the Carmel Valley Master Plan Area consisting of the Reduced Forest Impact with High Inclusionary project alternative (73 market rate, 15 inclusionary units and 7 deed-restricted workforce housing units) based on the Findings and Evidence and subject to the recommended conditions of approval; and
- d. **Approved** the Mitigation Monitoring and Reporting Plan.
(PLN050001/September Ranch Partners)

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Calcagno, and carried 3/1 (Supervisor Potter was the dissenting vote) the Board approved staff recommendations in addition to the adding of the Errata for PLN050001 submitted this morning during the Board meeting.

Public comment:

- a. Anthony Lombardo for the applicant: They are in agreement with staff recommendations but for #41 on the Errata pertaining to the irrigation of pasture being prohibited. Mr. Lombardo advises that since he only received this document this morning he was not in a position at this time to argue the issue.

Staff:

Alana Knaster and Laura Lawrence presenting: Advised that they disagree with applicant pertaining to #41 on the Errata – Irrigation of pasture is prohibited.

- 1350.000 S-14 **Continued** public hearing on 2006 General Plan Update (PLN050045)
- a. **Received** staff responses to issues raised by the Board and public on the Draft 2006 General Plan update, including review of the Planning Commission recommendation and the Draft EIR; and

- b. **Received** public comment regarding the Draft 2006 General Plan Update, and Draft EIR including Planning Commission recommendations, Property Owner Requests and Rural Center boundaries; and
- c. **Provided** direction to staff

12:00 p.m.

Recess to Lunch- Joint Board Leadership Committee Meeting

1:30 p.m.

Continue with S-14

Public Comment:

- a. Christine Kemp: Addressed the Board on behalf of her client's the Jeffersons and submitted a handout proposing to add three APN's 229-011-016; 229-011-009; and 229-011-015.
- b. Margaret Robbins: Addressed the Board to request a "no" on designating the mouth of Carmel Valley as Rural Center & Special Districts. Ms. Robbins advised the Board that there should be no development in the floodplains.
- c. John Bridges: Addressed the Board regarding floodplain/Carmel Valley –urging the Board to avoid development in the floodplain. Mr. Bridges also wished to "thank" the Board for the spectacular public process.
- d. Tom Carvey: Executive Directory Common Ground: Addressed the Board also to "thank" the Board in addition to raising the following issues: AG viability; affordable housing for those who both live and work in the County of Monterey; OS-1.10 –Trails –there should be none on AG land; and lastly LU-9.3 the application process.
- e. Mike Caplin: Addressed the Board to note his opinion of a correction to a staff report wherein it is referenced as amended 12/5/06 it should be 12/6/06. Mr. Caplin also advised that there should not be a Trails map without a public review process.
- f. Brian Finnegan: Addressed the Board following up on Mr. Caplin's comments concerning the Trails map. Mr. Finnegan advised that he was supportive of the text in OS 1.10 but that the map should be deleted. Mr. Finnegan also wished to "thank" the Board on behalf of his client's the Zechentmayers.
- g. Bob Perkins: Addressed the Board regarding the Trails map. Mr. Perkins advised that he found the policy acceptable but not the map.
- h. Bill Carrothers: Addressed the Board concerning affordable housing in addition to well paying jobs.
- i. Kirk Golnick: Addressed the Board as a representative of the Vintners and Growers Association. Mr. Golnick stressed the importance of low volume and high quality. He advised that the Full Scale wineries were not the priority. Rather the priority was in the low volume high quality of the smaller wineries. Mr. Golnick also wished to "thank" the Board for the public process.

BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Calcagno, and carried 5/0, the Board approved the proposed changes to the Glossary section.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Potter and carried 5/0, the Board approved the proposed changes to the following Land Use Elements: LU-2.1, LU-2.27, and LU-9.3; C-5.3, and C-5.4; OS-1.10 (proposing to have no map in this Trails item); S-5.11, S-6.3, and S-7.8.

BOARD ACTION: Upon motion of Supervisor Lindley, and seconded by Supervisor Smith and carried 3/2 (Supervisors Calcagno and Potter dissenting) the Board approved the proposed changes to Jefferson – GS-1.12 and GMP 1.19 – 150 acres/6 units.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Lindley and carried 3/2 (Supervisors Potter and Calcagno dissenting) the Board approved the proposed changes to Rural Centers/River Road – to include 100 acres into Rural Centers on River Road.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Lindley and carried 5/0, the Board approved the proposed changes to the Wine Corridor to delete the Large Wineries to cover Artisan Wineries – Low volume / high quality.

**AREA PLANS PORTION OF THIS MEETING ON THE GENERAL PLAN 2006 IS
CONTINUED ORDER FOR
ADJOURNMENT TO TUESDAY DECEMBER 19, 2006
IN MEMORY OF FLOYD GRIFFIN**

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 Potter, and seconded by Supervisor Armenta, and unanimously carried 4/0, the Board approved the following actions, unless otherwise noted: Except #57 which was pulled by Ron Lundquist, Director of Public Works to address some alternative lease language issues.

HEALTH AND SOCIAL SERVICES:

0601.100

0150.145

- 25. a. **Budget Unit No. 05/06-094: Approved** the reallocation of a Contract Physician to a Physician Assistant/Nurse Practitioner; and
- b. **Directed** the Auditor-Controller to amend Mental Health Budget Unit 415 Position Allocation to reflect the change.

0601.150

0125.000

- 26. **Agreement No. A-10150: Approved and authorized** the Director of Health to sign Amendment No. 2 to the Professional Services Agreement A-10150 with Kim Stemler for Mental Health Services Act planning, training and implementation support services in the amount not to exceed \$89,000 for the term beginning March 15, 2005 through June 30, 2007.

- 0601.100
0125.000 27. a. **Agreement No. A-10559: Approved and authorized** the Director of Health to sign Amendment 1 to Agreement A-10559 with Ron Triplett, Master of Arts, and Marriage Family Therapist, increasing the agreement from \$90,000 to \$108,000 for July 1, 2006 through June 30, 2009; and
b. **Authorized** the Director of Health to sign up to three future amendments to this agreement where the amendments do not exceed an aggregate amount of \$5,400.00, and does not significantly change the scope of work.
- 0601.100 28. **Proclaimed** state of local emergency relating to the spread of HIV among injection drug users in Monterey County.
- 0601.000
0125.000 29. **Agreement No. A-10753: Approved and authorized** the County Purchasing Manager to sign a Professional Services Agreement on behalf of Behavioral Health with Nova Partners, Inc., in the amount of \$148,280 to provide project management services for tenant improvement of Building 400, on the Natividad Medical Center campus, for the period of January 1, 2007 through January 15, 2008.
- 0602.800 30. **Approved and authorized** the Military and Veteran's Affairs Officer to sign the FY 2006-07 annual agreements to participate in the California Department of Veteran's Affairs County Subvention Program and Medi-Cal Cost Avoidance Program.
- 0602.550 S/A-1 **Authorized** the Chair of the Board of Supervisors to sign an application submitting the Family Ties project to the Ash Institute for an Innovations in American Government Award.

CRIMINAL JUSTICE:

- 0602.500 31. **Approved and authorized** the Sheriff to accept a contribution from the Embassy Suites on Monterey Bay for meals and audio-visual equipment provided for the Sheriff's Team Building Workshop in the value of \$1,025.31.
- 0600.025
0602.500
0150.146 32. **Budget Unit No. 06/07-088; Resolution No. 06-361: Amended** Personnel Policies and Practices Resolution No. 98-394 to increase the salary range for the classification of Undersheriff by six (6%) percent retroactive to the first full pay period after July 1, 2006.
- 0602.250
0150.146 33. a. **Budget Unit No. 06/07-095: Approved** increased appropriations and estimated revenue of \$34,432 in Budget Unit 255-Probation for the Weed and Seed Initiative grant (4/5th vote required); and
b. **Directed** the Auditor-Controller to increase appropriations and estimated revenue by \$34,432 in Budget Unit 255-Probation, as detailed on the attached Board Order.
- 0602.250
0150.146 34. a. **Budget Unit No. 06/07-089: Approved** transfer of funds in the amount of \$40,450 from Fund 080 to Fund 001, Budget Unit 256-Institutions and Alternative Programs, Fixed Assets Account, for the purchase of two 8-passenger vans; and
b. **Amended** Budget Unit 256 to increase fiscal year 2006-07 estimated revenues and appropriations by \$193,483 for additional funding from the California Corrections

Standards Authority for programs funded by the Juvenile Justice Crime Prevention Act, and the transfer of earned interest (4/5th vote required); and

- c. **Directed** the Auditor-Controller to transfer funds and increase appropriations and estimated revenue by a total of \$193,483 in Budget Unit 256-Institutions and Alternative Programs, as detailed on the attached Board Order.

0602.500

0150.146

35. a. **Budget Unit No. 06/07-096: Approved and authorized** the Sheriff to accept a grant with the State Governor's Office of Emergency Services (OES) for California Multi-jurisdictional Methamphetamine Enforcement Team (Cal-MMET) Program for Fiscal Year (FY) 2006-07, in the amount of \$330,000; and
- b. **Increased** appropriations and estimated revenue by \$330,000 in Sheriff's Budget Unit 230 (4/5th vote required); and
- c. **Approved** FY 2006-07 amendment to Sheriff's Budget Unit 230 to add 1.0 FTE Deputy Sheriff-Operations allocation; and
- d. **Directed** the Auditor-Controller to amend FY 2006-07 Sheriff's Budget Unit 230 to change the position count and to increase appropriations and estimated revenues as detailed on the attached Board Order.

GENERAL GOVERNMENT:

0600.025

0125.000

36. **Agreement No. A-10750: Approved and authorized** the County Administrative Officer or his designee, to sign a Professional Services Agreement with Troutman Sanders Public Affairs Group LLC, for the purpose of providing federal legislative advocacy services in the amount of \$51,250 for the period of January 1 to June 30, 2007.

0600.050

0800.350

37. **Approved** a request from the Carmel Valley Fire Protection District for dry period loan of \$565,000.00 for the Fiscal Year ended June 30, 2007.

0601.600

38. a. **2006 CONST 0008: Authorized** Director of Parks to accept work and file Notice of Completion for walkway and drainage improvements at Laguna Seca Recreation Area, Bid No. 9937; and
- b. **Authorized** the Purchasing Manager to increase the contract with Graniterock Company for \$23,354.00 in Budget Unit 750, Account 001-750-7516- 6780 for an unanticipated Change Order.

0601.600

0525.000

39. **2006 CONST 0016; Resolution No. 06-364: Authorized** Director of Parks to accept work and file Notice of Completion for roadway erosion and culvert repair at Laguna Seca Recreation Area, Bid No. 9883.

- ~~40. a. Approve and authorize the Director of Information Technology to sign a Frequency Reconfiguration Agreement with Nextel to recoup costs estimated at \$79,491.56 associated with changing frequencies to reduce interference to public safety radio systems; and~~
- ~~b. Approve and authorize the Director of Information Technology to sign change orders that do not affect the other terms or scope of this agreement to recoup any additional costs identified after this project has started.~~

0601.160

0125.000

41. **Agreement No. A-10754: Approved and authorized** the Purchasing Manager to sign a Professional Services Agreement with MTG Management Consultants, LLC, for Program Management Services as described in RFP #9901 in an amount not to exceed \$230,780

for the period of December 1, 2006 to December 31, 2007 for the Integrated Justice System Project.

42. **Approved** Action Minutes for the meeting of Tuesday, November 7, 2006, copies having been previously distributed to each Board member.
43. **Approved** Action Minutes for the meeting of Tuesday, November 21, 2006, copies having been previously distributed to each Board member.

0601.160

0150.146

44. a. **Budget Unit No. 06/07-090: Approved** reallocation of a Software Programmer Analyst III to a Systems Programmer Analyst III; and
 b. **Directed** the Auditor-Controller to amend Information Technology Department Budget Unit 193 to reflect the revised position classification count, as detailed on the attached Board Order.

0601.600

0125.000

45. a. **Agreement No. A-10755: Approved** a Professional Services Agreement (PSA) with Wald, Ruhnke & Dost Architects, LLP in the amount of \$89,000, for the term of December 1, 2006 through May 1, 2008 for development of plans and specifications, bidding assistance, and construction administration services for the \$1,048,000 Lake Nacimiento Boat Launching Facility Improvement Project, Phase Two; and
 b. **Authorized** the Purchasing Manager to execute the PSA in the amount of \$89,000.

0600.025

0150.146

46. a. **Budget Unit No. 06/07-091: Amended** the Fiscal Year 2006-07 for Cooperative Extension Budget Unit 621 to delete one Senior Account Clerk and add one Accounting Technician; and
 b. **Directed** the Auditor-Controller to incorporate this change in the FY 2006-07 Cooperative Extension Budget Unit 621.

RMA - PLANNING:

0602.200

6000.500

47. a. **Accepted** the Parcel Map for the Minor Subdivision of an 11,500 square foot lot into two parcels of 5,500 and 6,000 square feet each, Indemnification Agreement, Tax Report from the Tax Collector, and Parcel Map Guarantee; and
 b. **Directed** the Clerk of the Board to submit the Parcel Map and Indemnification Agreement to the County Recorder for filing; and
 c. **Directed** the Parks Department to deposit the recreation in Lieu Fee of \$3,400.00 into the Recreation-In-Lieu Fee Trust Account No. 080-3473 to be used for financing parks and recreation programs and facilities in North County area.
 (PLN000061/Morrow) 11174 Crane Street, Castroville, North County Coastal Zone.

RMA - PUBLIC WORKS:

0602.350

48. **Accepted** report on the status of developer fees for the period ending June 30, 2006 and make findings regarding unexpended fees.

0602.350

2800.000

49. **Introduced**, waive the reading, and set January 9, 2007 at 10:30 a.m. to consider adoption of an ordinance amending Monterey County Code, Title 12, Section 12.12.010, to establish a 35 m.p.h. speed limit on Commercial Parkway in Castroville.

- 0602.350 50. **Introduced**, waive the reading, and set January 9, 2007 at 10:30 a.m. to consider adoption of an ordinance amending the Monterey County Code, Title 12, Section 12.28.010, to extend a 650-foot no parking at any time restriction on the east side of Castroville Boulevard 680 feet to the south. The proposed southern end is to be 3,849 feet north of the centerline of Cielo Azul, Castroville area.
- 0602.350
2800.000 51. **Introduced**, waive the reading, and set January 9, 2007 at 10:30 a.m. to consider adoption of an ordinance amending the Monterey County Code, Title 12, Section 12.28.010, to establish no parking at any time on the east side of Prunedale South Road from a point 435 feet north of the extension of the centerline of Olson Place (a private road), northerly for a distance of 253 feet, in Prunedale.
- 0602.350 52. **Introduced**, waive the reading, and set January 9, 2007 at 10:30 a.m. to consider adoption of an ordinance amending Monterey County Code, Title 12, Section 12.24.010, to establish Pine Canyon Road as a through highway, Salinas area.
- 0602.350
0150.146 53. a. **Budget Unit No. 06/07-097: Approved** submittal of two Safe Routes to School grant applications to Caltrans for a total amount not to exceed \$2 million; and
b. **Authorized** the Public Works Director or his designee to act as agent for the County in processing and signing all documentation to secure the funds.
- 0602.350
1350.350 54. a. **Accepted** annual evaluation report of traffic on Carmel Valley Road, Rio Road, and Carmel Rancho Boulevard, pursuant to Carmel Valley Master Plan Policy 39.3.2.1(b); and
b. **Set** January 9, 2007 at 10:30 a.m. for a public hearing on the traffic volumes on Carmel Valley Road in Segment 7 pursuant to the Carmel Valley Master Plan, Policy 39.3.2.1(c), Carmel Valley area.
- 0602.350
0150.146
0525.000 55. a. **2006 CONST 0019; Budget Unit No. 06/07-098: Awarded** a contract in the amount of \$125,290 to Petroluem Telcom, Inc., the lowest responsible bidder, for the installation of a communication tower and other improvements at the Agricultural Commissioner Office-King City Facility, located at 522 North 2nd Street, King City, California; and
b. **Approved** the performance and payment bonds executed and provided by Petroleum Telcom, Inc.; and
c. **Established** a contingency not to exceed 10% of the contract amount; and
d. **Authorized** the Public Works Director to execute the contract; and
e. **Directed** the Auditor-Controller to transfer appropriations within Fund 009, Budget Unit 166, from line item 6310 (Maintenance-Facilities & Construction) to fixed asset line item 6784 (Agricultural Commissioner Office - King City) in the amount of \$144,464 (4/5th vote required).
- 0602.350 56. a. **Approved** the request for pre-grading of the Commons at Rogge Road (PLN 030065), subject to Monterey County requirements, Bolsa Knolls area; and
b. **Approved** the pre-grading agreement and direct the Chair to sign the agreement; and
c. **Approved** the subdivision improvement plans and direct the Public Works Director to sign said plans.

This matter was pulled for a separate discussion. The matter was trailed to later in the day at which time the amended language of the lease could be reviewed and further discussed.

0602.350

0125.000

57. a. **Agreement No. A-10756: Approved and authorized** the Purchasing Manager to execute a five year Lease Agreement, effective on or around April 1, 2007, with Creekbridge Office Center II, LLC, for approximately 6,600 rentable square feet of space located at 1615 Bunker Hill Road, Suite 100, in Salinas, California, for use by the Health Department's Clinic Services Division and make minor revisions to the Lease Agreement if deemed by the Purchasing Manager and County Counsel to be in the best interest of the County; and
- b. **Directed** the Auditor-Controller to make lease payments of \$13,992 per month and in accordance with the terms of the agreement; and
- c. **Authorized** the extension of the Lease Agreement for an additional six years under the same terms and conditions if deemed by the Purchasing Manager to be in the best interest of the County.

BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Lindley, and carried 3/0 (Supervisor Calcagno recused himself due to a conflict and Supervisor Potter was absent from the vote). The Board approved the proposed amended language change as highlighted as well as the matter as a whole.

MONTEREY COUNTY WATER RESOURCES AGENCY

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

0802.950

0150.146

58. a. **Resolution No. 06-362; Budget Unit No. 06/07-092: Approved and amended** the FY 2006-07 Water Resources Agency, Fund 201, Budget Unit 930 to reallocate one (1) FTE WRA Associate Water Resources Engineer to one (1) FTE Hydrologist; and
- b. **Directed** the Auditor Controller to amend FY 2006-07, Fund 201, Budget Unit 930 to reflect this change effective December 12, 2006.