

A C T I O N M I N U T E STHE MONTEREY COUNTY BOARD OF SUPERVISORS,
AND THE MONTEREY COUNTY REDEVELOPMENT AGENCY

TUESDAY, JANUARY 7, 2003 9:30 a.m.

Recess to Lunch from 12:00 p.m. to 1:30 p.m.

9:30 a.m.

- 0600.750 S-1 **Adopted** Statement of Votes Cast at the November 5, 2002 General Election.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisor Pennycook absent.

9:35 a.m.

- 6300.000 S-2 **Held** Swearing-In Ceremony and Election of Officers for the 2003 Calendar Year.
- a. Judge Marla Anderson administered the Oath of Office to Supervisor Elect W. B. "Butch" Lindley.
 - b. Judge John Phillips administered the Oath of Office to Supervisor Louis R. Calcagno.
 - c. Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried, the Board elected Supervisor Fernando Armenta as Chair, and elected Supervisor Louis R. Calcagno as Vice Chair, for the 2003 Calendar Year.

(The public was invited to a Reception held honoring the newly sworn Supervisors, which was held in the East Wing Conference Room No. 218, Courthouse, 240 Church Street, Salinas, immediately following the Swearing In Ceremony.)

11:00 a.m.

- S-3 Additions and corrections to Agenda

Upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and unanimously carried, the Board approved the following additions and corrections to the Agenda:

Upon the request of Allen J. Stroh, Director of Environmental Health, the Board is asked to add under "Other Board Matters," approve and authorize the Chair to sign a letter to the State Water Resources Control Board concerning staffing of the Department of Defense Groundwater Cleanup at

the Monterey Peninsula Airport (former Naval Air Station Monterey).

Upon the request of Sally Reed, County Administrative Officer, the Board is asked to add under "Other Board Matters," approve and authorize the Chair to sign a condolence letter to Ms. Ronnie Caplane, wife of Joe Rencho, an outstanding Constitutional attorney, deceased.

S-4 CONSENT CALENDAR - REGULAR (See [Supplementary Sheet](#) attached)

S-5 CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY

2050.000 S-6 PUBLIC COMMENT PERIOD: **Joseph Vierra expressed his frustration with decisions made by the California Coastal Commission as they relate to the Carmel area.**

APPOINTMENTS:

Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board approved the following appointments:

- 0403.770 1. **Reappointed** Charlie Eskridge and James Coldwell, to the Military and Veterans Affairs Advisory Commission, for terms to end on January 1, 2006. (Full Board)
- 0401.560 2. **Appointed** Donovan Ventresca, to the Community Restorative Justice Commission, for a term to end on January 7, 2006. (Potter)
- 0402.950 3. **Appointed** Rudy Gonzalves to the Monterey County Planning Commission, replacing Robert Hernandez, for a term to expire January 23, 2007. (Armenta)
- 0803.625 4. **Reappointed** Anthony Gallino to the Pajaro Valley Water Management Agency for a term to end on November 30, 2004. (Full Board)
- 0802.000 5. **Reappointed** Stephen Collins to the Water Resources Agency representing the Grower-Shipper Association and Sig Christierson as an Alternate for a term to end on December 31, 2006. (Full Board)

OTHER BOARD MATTERS:

6300.000 5.1 Board comments and referrals:

- a. **Supervisor Armenta commented as the newly-elected Chair. He believes 2003 will be difficult in many ways. This Board has to work together in a positive manner, in order to succeed with the County's work plan. During this year, hopefully this Board will be able to formulate a consensus to lead this County into**

a better light. He thanked his colleagues for electing him as Chair.

- b. In keeping with Board tradition, Supervisor Johnsen suggested to the Chair that he consider scheduling a Board Retreat, to allow the Supervisors a chance to talk, to do some planning, to discuss approaches for the budget, and to discuss issues affecting this County from the Governor's budget.
- c. Supervisor Lindley offered comments in support of holding a Board Retreat.
- d. After discussion, Chair Armenta set Tuesday, February 11, 2003 for a Board Retreat, which will be a regularly scheduled, public, adjourned meeting of the Board. This meeting will also include a Closed Session to evaluate the County Administrative Officer's goals and objectives. The Retreat will be held at a location to be announced.

0600.025 5.2 County Administrative Officer's comments and reports: **None.**

2050.000 6. **Resolution No. 03-001: Adopted Resolution** commending Clinton Junior McCoy, Monterey County Deputy Sheriff, upon his retirement from public service. (Armenta)
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried.

0601.100 NA/1 **Approved and authorized** the Chair to sign a letter to the State Water Resources Control Board concerning staffing of the Department of Defense Groundwater Cleanup at the Monterey Peninsula Airport (former Naval Air Station Monterey).
BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and unanimously carried.

2050.000 NA/2 **Approved and authorized** the Chair to sign a condolence letter to Ms. Ronnie Caplane, wife of Joe Rencho, an outstanding Constitutional attorney, deceased.
BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and unanimously carried.

SCHEDULED MATTERS

11:30 a.m.

3150.000 S-7 Continued Public Hearing to approve an application for a Combined Development Permit for Paul & Marianne Hoffman, PLN010577, consisting of Coastal Administrative Permits, a Variance, and Design Approval, to construct a 7,824 sq. ft. split-level, single family dwelling, Pebble Beach, Del Monte Forest Area, Coastal Zone. **(Appeal withdrawn)** (Appeal filed by William Flaherty)

BOARD ACTION: The appeal is hereby withdrawn.

S-8 Closed Session relating to the following items:

- 6200.000 a. Pursuant to Government Code Section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
1. Lake San Antonio Resorts, Inc. v. County of Monterey, et al.
 2. Water World Resorts, Inc. v. County of Monterey, et al.

BOARD ACTION: The Board authorized retention of outside counsel.

3. Camacho v. County of Monterey, et al.
4. H-Y-H Corporation, Inc. v. County of Monterey, et al.

BOARD ACTION: No reportable action taken.

- 6200.000 b. Pursuant to Government Code Section 54956.9(b), the Board will confer with legal counsel regarding one matter of potential litigation.

BOARD ACTION: The Board accepted the demand of the owners of the Carmel Valley Airport to defend them in an administrative hearing before the State Department of Transportation in the matter of the accusation against Carmel Valley Airport respondent and Carmel Valley Historic Airpark Society, will parties in interest.

- 6200.000 c. Conference with real property negotiators pursuant to Government Code Section 54956.8. Property: East Garrison area of the former Fort Ord; Negotiating Parties: Monterey County Redevelopment Agency; County of Monterey; Woodman Development.

BOARD ACTION: No reportable action taken.

11:50 a.m.

- 2800.000 S-9 **Held** public hearing to adopt an ordinance amending Monterey County Code Title 12, Sections 12.28.020 and 12.28.021 to extend the hours of the existing no parking zone on Rio Road from 2 a.m. to 5 a.m., to 10 p.m. to 6 a.m., Carmel area.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board adopted Ordinance No. 04166.

- 2800.000 S-10 Public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.28.022 to amend an existing parking restriction for commercial vehicles between 10 p.m.

and 6 a.m.; and Section 12.28.010 to establish no parking at any time on portions of San Juan Grade Road, Salinas area.

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, this matter is tabled to allow staff an opportunity for continued review.

2800.000 S-11 **Held** public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.12.010 to establish a 45 mph speed limit on a portion of San Miguel Canyon Road, North Monterey County Area.

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board adopted Ordinance No. 04167.

2800.000 S-12 **Held** public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.12.010 to establish a 30 mph speed limit on a portion of Carpenter Street and on the entire length of High Meadow Drive (County Portion), Carmel Area.

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board adopted Ordinance No. 04168.

2800.000 S-13 **Held** public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.24.020 to establish a stop intersection at Seymour Street and Mead Street/Gambetta School driveway in Castroville.

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board adopted Ordinance No. 04169.

2800.000 S-14 **Held** public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.28.023 to establish no parking between 11 p.m. and 6 a.m. on portions of Haro Street in Castroville.

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board adopted Ordinance No. 04170.

2800.000 S-15 **Held** public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.24.020 to add a stop sign on the northeast approach to the intersection of Paso Cresta and Paso Hondo, Carmel Valley Village Area.

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board adopted Ordinance No. 04171.

12:00 p.m.

Recess to lunch

1:30 p.m.

6200.000 S-16 Closed Session (continued from the morning).

2:30 p.m.

0125.000 S-17 Continue public hearing to consider Woodman Development/County of Monterey option agreement for East Garrison, Fort Ord, to January 28, 2003 at 11:00 a.m.
BOARD ACTION: The Board continued this public hearing, open, to Tuesday, January 28, 2003 at 11:00 a.m.

0650.014 S-18 **Resolution No. 03-002: Adopted** a Negative Declaration, **directed** the filing of the Notice of Determination, and **approved** the Castroville Storm Drain Master Plan Project for County roads - Castroville area, Project #863165.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried by those members present with Supervisor Potter absent, the Board adopted Resolution No. 03-002, approving the staff's recommendations.

3:30 p.m.

4600.000 S-19 **Approved** the Public Works Department Five-Year Capital Improvement Program Update for FY 2002-03.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried by those members present with Supervisor Potter absent, the Board approved the staff's recommendations.

3150.000 S-20 **Held** public hearing to approve a Combined Development Permit (PLN010238/Kenny & McFarland) consisting of an Administrative Permit to allow the construction of a single-story, single-family dwelling (4,029.9 sq. ft. with an attached 732 sq. ft. garage) and grading (600 cu. yds. cut, 400 cu. yds. fill) in a site plan review zoning district; an Administrative Permit for the construction of a two-story, second single-family dwelling (6,907 sq. ft. with an attached 1,332 sq. ft. garage) not exceeding the zoning density of the parcel, an Administrative Permit for a guesthouse (600 sq. ft.); and access road improvements, including grading to install a culvert (500 cu. yds. cut, 440 cu. yds. fill), to slope improvements, and asphalt paving; a Use Permit to allow the removal of 35 oak trees (six or more inches in diameter); and Design Approval. The property is located at the terminus of Via Cazador (Assessor's Parcel Number 169-321-003-000), north of Carmel Valley Road, west of Tierra Grande Drive, Carmel Valley.
(To be Continued to Tuesday, January 28, 2003, at 11:00 a.m.)
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried by those members present with Supervisor Potter absent, the Board continued this public hearing, open, to Tuesday, January 28, 2003 at 11:00 a.m.

0900.000 NA/3 **Received** oral report from Harry Robins, Emergency Services Coordinator, on an earthquake which occurred this date at 2:29 p.m.

BOARD ACTION: Mr. Robins reported that the earthquake was 4.3 magnitude, and occurred 3 miles south of Hollister, in San Benito County. No reported damage has been received.

ORDER FOR ADJOURNMENT TO TUESDAY, JANUARY 7, 2003 AT 9:30 A.M. IN MEMORY OF HUGH BAYLESS, DECEASED.

APPROVED:

Chair

ATTEST:
SALLY R. REED,
Clerk of the Board

By: _____
Deputy

[\(Supplementary Sheet\)](#)

CONSENT CALENDAR

Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried, the Board approved the following actions, except as otherwise noted:

NATIVIDAD MEDICAL CENTER:

0125.000 7. **Agreement No. A-09275: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign a contract with Professional Hospital Supply, Inc. to provide prime vendor distribution.

0601.525 8. **Approved and authorized** the CEO of Natividad Medical Center (NMC) to increase the blanket purchase order from \$50,000 to \$250,000 for state required newborn screening because of policy change by the State of California.

0601.525 9. **Resolution No. 03-003: Approved and authorized** the CEO of Natividad Medical Center to add 1.0 FTE contracted Senior Laboratory Assistant Position and lease the office space at 903 Pacific Avenue, Santa Cruz, California, to meet the Central Coast Alliance for Health (CAAH) contracted access site requirements.

- 0601.525 10. **Approved and authorized** the CEO of Natividad Medical Center (MNC) to increase established purchase order by \$27,000 for cleaning the old hospital and miscellaneous cleaning projects as directed by the Facilities Department of NMC. Services are provided by J & J Enterprises for the FY 2002-2003.
- 0601.525 11. **Approved and authorized** the CEO of Natividad Medical Center (MNC) to increase established purchase order by \$20,000 for miscellaneous electrical work at NMC provided by JM Electric for the FY 2002-2003.
- 0601.525 12. **Approved and authorized** the CEO of Natividad Medical Center (MNC) to lease a mobile clinic in the form of a van outfitted with requisite equipment to service the grant for the homeless.
- 0125.000 13. **Agreement No. A-09183: Approved and authorized** the CEO of Natividad Medical Center to sign an amendment to the Agreement with Superior Consulting to provide interim management in Admitting and Patient Accounting. The amendment will increase the total of the Agreement to \$450,000.

HEALTH AND SOCIAL SERVICES:

- 0601.100 14. **Proclaimed** state of local emergency relating to the spread of HIV among injection drug users in Monterey County.
- 0125.000 15. **Agreement No. A-09276: Approved and authorized** the Director of Health to sign a Professional Services Agreement with the Salinas Union High School District for nutrition education to WIC participants in the amount of \$50,000 for the period of June 30, 2002 through July 1, 2003; and **authorized** the Director of Health to approve future amendments up to 50% of the annual amount, which do not significantly alter the scope of work or result in an increase to Net County Cost.
- 0125.000 16. **Agreement No. A-09277: Approved and authorized** the Director of Health to sign a contract with the Housing Authority of Monterey County for transitional housing and support services to homeless families that will pay the County the amounts of \$133,987 for FY 2002-2003 and \$122,813 for FY 2003-2004; and **authorized** the Director of Health to approve amendments up to 50% of the annual amount, which do not significantly alter the scope of work or result in an increase to net county cost.
- 0125.000 17. **Agreement No. A-09278: Approved and authorized** the Director of Health to sign an agreement between the Charitable Council of Monterey County, Inc. and the County of Monterey on behalf of the Monterey County Behavioral Health Division for management of charitable donations.

- 0125.000 18. **Agreement No. A-09279: Approved and authorized** the Director of Health to sign amendment No. 1 to Mental Health Managed Care Agreement No. 02-72030-000 with the State Department of Mental Health for FY 2002-03 for the provision of Medi-Cal managed care services to Monterey County residents.
- 0401.550 19. **Resolution No. 03-005: Approved** the revised Bylaws for the Community Action Commission; **approved** the revised Resolution creating the Community Action Commission; and **adopted** a Resolution changing the name and logo of the Monterey County Department of Social Services Community Action Agency to Monterey County Community Action Partnership.
- 0125.000 20. **Agreement Nos. A-09280 through A-09284: Approved and authorized** Chair to sign agreements for Promoting Safe and Stable Families (PSSF) services, totaling \$132,989, with community agencies for the provision of services to families and children/youth for Federal Fiscal Year (FFY) 2003; **increased** appropriations and estimated revenues of \$132,989; and **authorized** the Director of the Department of Social Services to sign future amendments and contract extensions.

Agr No.	Agency	Service	Amount
A-09280	Alisal Community Healthy Start	Children/Youth Services; Family Services	\$58,000
A-09281	Central Coast YMCA	Children/Youth Services	30,000
A-09282	Community Human Services	Children/Youth Services; Family Services	27,500
A-09283	Planned Parenthood Mar Monte	Children/Youth Services	10,000
A-09284	Women's Crisis Center	Children/Youth Services	7,489

- 0125.000 21. **Agreement No. A-09285: Approved and authorized** the Director to sign the contract with Kim Stemler to provide services to the Child Care Planning Council in the amount of \$35,600 for Fiscal Year 2002-03.
- 0125.000 22. **Agreement No. A-09286: Accepted** \$605,652 from the Monterey County Children and Families Commission to fund the Child Care Salary/Retention Incentive Program through the Child Care Planning Council; **authorized** Director to sign Agreement; and **increased** appropriations and estimated revenues.
- 0125.000 23. **Agreement No. A-09287: Approved** Grant Award from the California Department of Health Services for \$50,000 for Planning for the Integration of Long Term Care in Monterey County; **authorized** the Director of the Department of Social Services to sign the standard agreement; **authorized** the Director of the Department of Social Services to sign the contract with the consultant; and increase appropriations and estimates revenues of \$50,000.

GENERAL GOVERNMENT:

- 6300.000 24. **Approved** Action Minutes for the following meetings: Tuesday, November, 26, 2002; Tuesday, December 3, 2002; and Tuesday, December 10, 2002, copies having been distributed to each Board Member.
- 0600.030 25. **Approved** the Purchase of Servers and Related Software to Enhance the Megabyte Property Tax Processing System.
- 0600.025 26. **Resolution No. 03-004: Adopted** Order for Destruction of Records in the Clerk of the Board's Office.
- 0525.000 27. **Directed** the Capital Projects Manager to file a Notice of Completion for the Project "Animal Services Center Access Road Improvement", and **authorized** the Auditor-Controller to make final payment and release the construction retention upon approval of Capital Projects Management.
- 0525.000 28. **Approved** specifications for annual maintenance and repair of park roadways at Laguna Seca Recreation Area, for calendar year 2003 (January 1, 2003 through December 31, 2003), Bid No. 9671, and **authorized** solicitation of bids.
- 0125.000 29. **Agreement No. A-09291: Approved** a Five-Year Facility Use Agreement for the Spirit West Coast event at the Laguna Seca Recreation Area and Toro County Park.
- 0850.000 30. **Certified** that the Monterey County Small Business Revolving Loan Funds are consistent with, and support the objectives of, the County's economic development strategy; and **certified** that the programs are being operated in accordance with the Revolving Loan Fund Administrative Plan.
- 0402.800 31. **Approved** the Overall Economic Development Commission's Development Set-Aside Regranting recommendations for Fiscal Year 2002-2003.
- 0600.775 32. **Approved** an increase in estimated revenues and
0150.142 appropriations totaling \$8,465 to hire a planning contractor that would develop and submit the FY 2002 Supplemental Appropriations Act for further recovery from and response to Terrorist Attacks on the United States (Public Law 107-206) grant application.
- 0125.000 33. **Agreement No. A-08946: Approved and authorized** the Agricultural Commissioner to sign Standard State Agreement 01-0587, Amendment 1 with the Department of Food and Agriculture for enforcement of Oak Mortality Disease Regulation, increasing the total Agreement to \$42,997 and extending the termination date to June 30, 2003.
- 0125.000 34. **Agreement No. A-8945: Approved and authorized** the Agricultural Commissioner to sign an amendment to Cooperative Agreement 03-73-06-5243-RA with United States Department of Agriculture, Wildlife Services, for animal

damage control for FY 2002-2003 that increases the Agreement to \$85,750.

- 5400.000 35. **Resolution No. 03-010: Amended** Personnel Policies and
0602.200 Practices Resolution No. 98-394 to Add Section A.9.15 -
Assistant Director of Planning a Building Inspection
Department - pay premium for international code council
certification as a building official.
- 0600.500 36. **Approved** appointment of David Nawi as Interim County Counsel
effective January 6, 2003.

PLANNING AND BUILDING INSPECTION:

- 6000.500 37. **Accepted** Parcel Map for 2 residential lots, Tax Report,
Subdivision Title Guarantee and Recording Fee for Minor
Subdivision No. PLN 000174 for Richard and Charity Crane,
located at 17500 and 17467 Cachagua, Cachagua area, Cachagua
area plan.

PUBLIC WORKS:

- 0525.000 38. **Accepted** Certificate of Completion and **authorized** execution
and recording of Notice of Completion for construction of
intersection improvements on Carmel Valley Road Segments 6
and 7.

MONTEREY COUNTY REDEVELOPMENT AGENCY

**Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and
unanimously carried, the Board approved the following action:**

- 5100.000 39. **Authorized** changes for Monterey County Redevelopment Agency
funds to conform with State Controller requirements.

[\(Back\)](#)