

A C T I O N M I N U T E S**MONTEREY COUNTY BOARD OF SUPERVISORS
AND THE MONTEREY COUNTY WATER RESOURCES AGENCY****Tuesday, January 21, 2003 at 9:30 a.m.****9:30 a.m.**

S-1 Additions and corrections to Agenda

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

Upon the request of Supervisor Calcagno, add under "Appointments," approve the appointment of Warren Church to the Board of Directors of the Monterey County Water Resources Agency, replacing Don Rochester, for a four year term expiring December 31, 2006.

Upon the request of Supervisor Calcagno, add under "Appointments," approve the appointment of Don Rochester, to the Monterey County Planning Commission, replacing Maryn Pitt Derdivanis, for a term to end on January 23, 2007.

Upon the request of Virgil Schwab, Director of Information Technology, remove from the agenda, and take no action on Scheduled Matter S-4, public hearing on AT&T request for modification of the Cable TV Franchise Agreement, pursuant to FCC Section 625. This matter will be re-scheduled in February.

The Board is asked by County Counsel to add to the closed session agenda the following

- a. Pursuant to Government Code Section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
 1. Christensen v. County of Monterey
 2. Leeper, et al. v. County of Monterey, et al.
- b. Pursuant to Government Code Section 54957, the Board will confer with legal counsel regarding:
 1. Public Employment: Title: Interim County Counsel

S-2 CONSENT CALENDAR - REGULAR (See [Supplementary Sheet](#) attached)2050.000 S-3 PUBLIC COMMENT PERIOD: **Hans Jongens addressed the Board concerning housing construction requirements for Santa Cruz and Monterey Counties, imposed by Sacramento.**

APPOINTMENTS:

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

- 0400.975 1. **Appointed** Warren Finch, to the County Service Area No. 50 Advisory Committee, for a term to end on January 1, 2006. (Potter)
- 0802.000 2. **Reappointed** I.G. Leo Poppoff, to the Water Resources Agency Board of Directors, for a term to end December 31, 2006. (Potter)
- 0401.865 3. **Reappointed** Salvador Muñoz to the Historic Resources Review Board, for a term expiring December 31, 2006. (Armenta)
- 0802.000 NA/1 **Appointed** Warren Church to the Board of Directors of the Monterey County Water Resources Agency, replacing Don Rochester, for a four year term expiring December 31, 2006. (Calcagno)
- 0402.950 NA/2 **Appointed** Don Rochester, to the Monterey County Planning Commission, replacing Maryn Pitt Derdivanis, for a term to end on January 23, 2007. (Calcagno)

OTHER BOARD MATTERS:

- 6300.000 4. Board comments and referrals: **Upon the request of Supervisor Calcagno, the Board referred the possible creation of a Task Force, comprised of members of the County's business and medical community to assist the Natividad Medical Center in resolving some of its budget and funding problems, to the Board's Budget Planning Committee. This committee will be meeting today, at 12:00 Noon in the East Wing Conference Room.**
- 0600.025 5. County Administrative Officer's Comments and Reports: **Sally R. Reed, County Administrative Officer, announced that the employee performance evaluation for the Chief Executive Officer - Natividad Medical Center, will be removed from today's Closed Session, and rescheduled for Tuesday, February 4, 2003 at 1:30 p.m.**
- 2050.000 6. **Resolution No. 03-015: Adopted** Resolution commending Feliciano V. Yamat, Mechanic II, in the County Department of General Services, upon his retirement. (Armenta)
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Potter, and unanimously carried.
- 2050.000 7. **Resolution No. 03-016: Adopted** Resolution honoring Joel Panzer for his work on behalf of the Board of Directors of CHISPA, which will be presented at the Annual Meeting of the

CHISPA Board of Directors on Monday, January 27, 2003.
(Armenta)

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Potter, and unanimously carried.

SCHEDULED MATTERS

10:00 a.m.

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S-4 **REMOVE FROM THE AGENDA, AND TAKE NO ACTION** on a Public hearing on AT&T request for modification of the Cable TV Franchise Agreement, pursuant to FCC Section 625.

BOARD ACTION: No action taken. This matter will be re-scheduled for February, 2003.

0802.400 S-5 **Monterey County Water Resources Agency: Received** report regarding Aromas Water District replacement well emergency permit.

BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Calcagno, and unanimously carried, the Board accepted the report from the General Manager of the Monterey County Water Resources Agency, and directed the Director of Environmental Health to verify the validity of a shortage of water for report back to the Board.

10:30 a.m.

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S-6 Closed Session relating to the following items:

0950.000 a. Pursuant to Government Code Section 54957, the Board will provide a performance evaluation for the following position:

Chief Executive Officer, Natividad Medical Center

BOARD ACTION: No reportable action taken.

6200.000 b. Pursuant to Government Code Section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:

1. Camacho v. County of Monterey, et al.
2. Christensen v. County of Monterey
3. Leeper, et al. v. County of Monterey, et al.

BOARD ACTION: No reportable action taken.

6200.000 c. Conference with real property negotiators pursuant to Government Code section 54956.8.

Property: East Garrison area of former Fort Ord.
Negotiating Parties: Monterey County Redevelopment Agency; County of Monterey; Woodman Development.

BOARD ACTION: No reportable action taken.

- 0950.000 d. Pursuant to Government Code Section 54957, the Board will confer with legal counsel regarding:
 - 1. Public Employment: Title: Interim County Counsel

BOARD ACTION: No reportable action taken.

ORDER FOR ADJOURNMENT TO THE BOARD'S BUDGET PLANNING COMMITTEE MEETING, TO BE HELD TUESDAY, JANUARY 21, 2003 AT 12:00 P.M., IN THE EAST WING CONFERENCE ROOM, COURTHOUSE, 240 CHURCH STREET, SALINAS. THE BOARD ADJOURNED THE COMMITTEE MEETING TO TUESDAY, JANUARY 28, 2003, IN MEMORY OF JOHN A. CONIGLIO, 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 Calcagno, and unanimously carried, the Board approved the following actions, except as otherwise noted:

HEALTH AND SOCIAL SERVICES:

- 0125.000 8. **Agreement No. A-09297: Authorized** the Health Department to complete a rate analysis and return to the Board on March 11, 2003, for approval of customer rates in the northeastern portion of the unincorporated County; **authorized** the Director of Health to amend the new franchise agreement with Carmel Marina Corporation to commence services on July 1, 2003; and **authorized** an extension to the garbage collection permit for Rural Dispos-all Services, through June 30, 2003.

CRIMINAL JUSTICE:

- 0125.000 9. **Agreement No. A-09298: (Resolution No. 03-028): Approved and authorized** the Sheriff and District Attorney to sign Grant Application Award for funding Marijuana Suppression Program for Fiscal Year 2002-03.

- 0600.600 10. **Resolution No. 03-029: Amended** District Attorney Budget Unit 224 to approve reallocation of one Office Assistant II position to one Legal Secretary position.
- 0602.500 11. **Directed** Auditor to increase estimated CAL-ID Program revenues in fiscal year 2002-03 by \$81,248 in Sheriff's Budget Unit 230; **increased** appropriations by corresponding amount to purchase miscellaneous LiveScan computer equipment for Seaside and Soledad Police departments.
- 0125.000 12. **Agreement No. A-09299: Approved and authorized** Chief Probation Officer to sign a professional services agreement for \$54,000 with United Way of Monterey County for coordination of Children's Council services from January 1, 2003 through June 30, 2004; **authorized** Chief Probation Officer to approve future amendments up to 50% of annual amount, which do not significantly alter the scope of work or result in an increase to net County cost.
- 0125.000 13. **Agreement No. A-09300: (Resolution No. 03-032): Approved and authorized** the Sheriff/Coroner to accept a Grant Award in the amount of \$329,352 with the State Office of Criminal Justice Planning to continue funding for a Narcotics Enforcement Unit County of Monterey (NEUCOM) Program.

GENERAL GOVERNMENT:

- 6300.000 14. **Approved** Action Minutes for the meeting of Tuesday, January 7, 2003, copies having been distributed to each Board Member.
- 0600.125 15. **Recognized** an increase in revenues and increase
0600.760 appropriations in the amount of \$381,738 to account for
0150.142 grant funding reimbursement for the purchase of radio
consoles for the Department of Emergency Communications,
approved through a purchase agreement with Motorola Inc. on
January 2, 2001.
- 0602.750 16. **Accepted** Treasurer's report of investments for the quarter
ending December 31, 2002.
- 0600.775 17. **Approved** an increase in estimated revenues and
0150.142 appropriations totaling \$168,684 to participate in the
Federal fiscal year 2001 Office of Domestic Preparedness
State Domestic Preparedness Equipment Program.
- 0525.000 18. **Approved** amendment to contract with William A. Thayer
Construction and increase change order contingency by
\$45,000 for completion of the King City Courthouse remodel
project; **authorized** Facilities Projects Manager to sign
Change Order No. 1 to the contract.
- 0500.100 19. **Approved** amendments to Conflict of Interest Code of the
Salinas City Elementary School District.

- 0601.600 20. **Approved** the purchase of a garbage compactor truck in the amount of \$15,000 and **authorized** transfer funds from Services and Supplies into Fixed Assets in Parks Department, Budget Unit 750.
- 0525.000 21. **Authorized** acceptance of work and file a combined Notice of Completion for the third and fourth quarters of the annual maintenance of park roadways at Laguna Seca Recreation area for calendar year 2002, bid #9551.
- 0125.000 22. **Agreement No. A-09292: Approved and authorized** the Contracts/Purchasing Manager to sign a contractual agreement with Network Associates in the amount of \$30,000 for installation, customization and implementation services for Magic Total Service Desk.

PLANNING AND BUILDING INSPECTION:

- 6000.500 23. **Accepted** final parcel map, tax report, Access Easement and Declaration, Subdivision Title Guarantee, and recording fees in connection with the conditional Certificate of Compliance for Leonard Patchen (CC010013), for a 0.82 acre parcel located at 18891 Vierra Canyon Road, Prunedale, North County planning area, Assessor's Parcel Number (APN) 125-381-024.
- 4000.000 24. **Resolution No. 03-025: Adopted Resolution** opposing the nomination of the Old Monterey County Jail for listing on the National Register of Historic Places, located on West Alisal Street between Church Street and Capitol Street within the incorporated area of the City of Salinas Assessor's Parcel No. (APN) 002-253-027-000.

PUBLIC WORKS:

- 5900.000 25. **Resolution Nos. 03-026 and 03-027: Summarily Abandoned** a Public Utility Easement over a portion of Lot 12 in the Mesa Del Toro II Subdivision, Corral de Tierra area.
- 0525.000 26. **Accepted** the Certificate of Completion and authorize execution and recordation of the Notice of Completion for the Blanco Road Overlay Project.

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