

**A C T I O N   M I N U T E S****AGENDA OF THE MONTEREY COUNTY BOARD OF SUPERVISORS,  
THE MONTEREY COUNTY WATER RESOURCES AGENCY,  
AND THE MONTEREY COUNTY REDEVELOPMENT AGENCY****Tuesday, March 18, 2003 At 9:30 a.m.****Lunch Break from 12:00 Noon to 1:30 p.m.****9:30 a.m.**

S-1 Additions and corrections to Agenda

**Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board approved the following additions and corrections to the Agenda, due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda:**

Add the following to today's Consent Agenda, under "General Government:"

"Sitting as the Board of Supervisors of the County of Monterey, approve Community Development Block Grant Loan and Regulatory Agreement with South County Housing Corporation for the Boronda Road Farmworker Housing Development and approve the Tenant Relocation Plan."

Upon the request of County Counsel, the Board is asked to add the following to the Closed Session Agenda:

"Pursuant to Government Code Section 54957, the Board will discuss one matter of public employment:

Position Title: County Counsel"

Upon the request of Supervisor Johnsen, the Board will adjourn today's meeting in memory of Charles "Chuck" Hopper, deceased.

S-2 CONSENT CALENDAR - REGULAR (See Yellow [Supplementary Sheet](#) attached)

S-3 CONSENT CALENDAR- SPECIAL DISTRICTS

S-4 CONSENT CALENDAR- REDEVELOPMENT AGENCY

2050.000 S-5 PUBLIC COMMENT PERIOD: **Phil Shapter addressed the Board concerning his access to information concerning the Parks Department budgets for FY 2002-03 and FY 2003-04.****APPOINTMENTS:****Upon motion of Supervisor Lindley, seconded by Supervisor Calcagno, and unanimously carried, the Board approved the following appointments:**

- 0401.750 1. **Appointed** John Sargenti to the Fish and Game Advisory Commission for term ending February 1, 2006. (Calcagno)
- 0400.430 2. **Appointed** Patricia Wirries to the Animal Control Advisory Committee for term ending July 1, 2005. (Full Board)

**OTHER BOARD MATTERS:**

- 6300.000 3. Board comments and referrals: **The Chair announced that he will reserve a minute a week at each Tuesday's Board meeting for an individual from the community to volunteer their thoughts about the armed forces serving in the Middle East. Supervisor Lindley volunteered to speak on Tuesday, March 25<sup>th</sup>.**
- Upon the request of Supervisor Potter, the County Administrative Officer is directed to evaluate and report back to the Board concerning the issuance of a building permit to Earthbound Farms.**
- Supervisor Johnsen announced that she has been nominated and elected to the Board of the Local Government Commission. Her service on this body will afford her a greater opportunity to look at land use issues with a different perspective.**
- 0600.025 4. County Administrative Officer's Comments and Reports: **None.**
- 2050.000 5. **Resolution No. 03-093: Adopted** resolution commending Carla Diane Wright for being recognized as "Educator of the Year 2003" by the California Foundation for Ag in the Classroom. (Lindley)  
**BOARD ACTION: Upon motion of Supervisor Lindley, seconded by Supervisor Calcagno, and unanimously carried.**
- 2050.000 6. **Resolution No. 03-094: Adopted** a resolution honoring William Sambraillo as Santa Cruz County Farm Bureau's 2003 Al Smith Friend of Agriculture award recipient. (Full Board)  
**BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried.**
- 2050.000 7. **Resolution No. 03-095: Adopted** a resolution recognizing Monterey County Agricultural Education, Inc. in honor of its dedication to and advocacy for agriculture.  
**BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Lindley, and unanimously carried.**
- 2050.000 8. **Resolution No. 03-096: Adopted** resolution honoring Ricardo "Ric" Tongol on his retirement from the Social Services Department. (Full Board)  
**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Lindley, and unanimously carried.**
- 2050.000 9. **Resolution No. 03-097: Adopted** resolution honoring Salinas LULAC Council #2055 for the tremendous work they do for all Salinas area in the improvement of the overall quality of life for everyone, especially Latinos. (Armenta)  
**BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Johnsen, and unanimously carried.**
- 1900.000 10. **Received** Report on Budget Committee meeting from March 11, 2003 meeting and **approved** implementation of hiring freeze in the

General Fund, effective immediately.

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

- a. Approved and authorized the County Administrative Officer to implement a hiring freeze in all General Fund budget units effective March 18, 2003, and will continue until rescinded by Board action.
- b. The County Administrative Officer shall use the following guidelines to implement the hiring freeze:
  1. The hiring freeze applies to all General Fund budget units, including the Natividad Medical Center, for permanent, seasonal and temporary employees.
  2. Positions needed to protect the health, welfare and safety of the public, 100% grant funded positions and/or positions considered essential for operations/cost effectiveness would be exempt as determined by the County Administrative Officer or designee.
  3. Promotions that meet all of the following criteria are also exempted from the freeze:
    - The promotion will not result in a new hire;
    - The appointing authority does not require a budgetary augmentation;
    - The promoting department already employs the incumbent.
  4. Departments who want to fill a position would have to submit a hiring freeze exemption request to the County Administrative Officer or designee.
  5. The County Administrative Office will provide a decision to Departments on hiring freeze exemption requests within five working days.
  6. Elected Department Heads may appeal denial of hiring freeze exemptions requests to the Board of Supervisors.
  7. The firing freeze would be effective upon Board of Supervisors approval and will continue until rescinded by Board action.
  8. Ratified the roster of the Action Committee for the Natividad Medical Center Improvement Process, as follows:

<b>Membership</b>	<b>Affiliation</b>
David Small	Natividad Medical Center - CEO
Lou Solton	County Treasurer/Tax Collector
Mike Miller	County Auditor-Controller
Rosie Pando	Assistant County Administrative Officer
Steve Collins, Chair	Agriculture/Business, Chair
John Vellardita	Labor, SEIU Executive Director
Maria Giuriato	City/Community Representative
Mary Ann Leffel	Natividad Medical Center Finance Committee
Nick Lombardo	Hospitality/Business
Warren Wayland	Finance
Dr. Max Cuevas	Clinica De Salud
Dr. John Clark	Natividad Medical Center Chief of Staff
Don Chapin	Business
Bud Antle	Agricultural Business
Bill Slesak	
Dr. Melissa Larson	Medical Society Member
Blanca Zarazua	Honorary Mexican Consul
John Fano	
Dr. Steve Packer	

2050.000 11. **Received** presentation from Connie Quinlan representing Monterey County Agriculture in recognition of National Agriculture Week.

**BOARD ACTION: Presentation received.**

**SCHEDULED MATTERS**

**10:00 a.m.**

0125.000 S-6 **Approved** County of Monterey response to Salinas Valley Cities proposal for City/County growth agreements; **Approved** County of Monterey proposal for continued City/County discussions.  
**BOARD ACTION: After discussion, upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and carried, the Board approved the County of Monterey response to Salinas Valley Cities proposal for City/County growth agreements; and approved the County of Monterey proposal for continued City/County discussion. The motion included the scheduling of at least two formal meetings by the Board's subcommittee to include dialogs among the elected policymakers, as well as direction to staff to arrange their own meetings to meet continuously within a 45-day window, to Tuesday, April 29, 2003 at 10:00 a.m. The Board members acknowledged that if a resolution is achieved with the Salinas Valley Cities, then the Board will amend in the changes regarding city centered growth, rather than waiting for the development of an agreement and then the inclusion in the GPU EIR process. All nine proposals put forth by the Salinas Valley Cities will be on the table for discussion.**

0802.000 S-7 **Monterey County Water Resources Agency: Received** report on the proposed desalination plant in Moss Landing at the request of Supervisor Calcagno.  
**BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and unanimously carried, Board directed staff to draft a letter to the Public Utilities Commission (PUC) outlining the Board's concerns and requesting that the County of Monterey be involved in the process. The motion included direction to staff to extend outreach to Cal-Am Water Co. so the Board can attain a better understanding of what they are proposing, and authority to hold public forums on this topic. The motion also includes direction to County Counsel and the General Manager of the Water Resources Agency to work directly with the PUC to determine how they will receive and use the County's input in terms of this process, if the County is not designated as lead agency. Staff is directed to report back to the Board on Tuesday, April 1, 2003 at the hour of 11:00 a.m. to approve and authorize the Chair to sign the letter to the PUC.**

**11:00 a.m.**

1400.000 S-8 **Approved** recommended response to the 2002 Monterey County Grand Jury final report filed January 2, 2003; **authorized** staff of the County Administrative Office to file approved final response with the presiding Judge of the Superior Court of California on or before April 2, 2003.  
**BOARD ACTION: After discussion, and upon motion of Supervisor Potter, seconded by Supervisor Calcagno, and carried, the Board approved the proposed response to the 2002 Monterey County Grand Jury Final Report, as amended to disagree with the Findings No. 1 and 2, found on page 10 of the response, concerning fluoridation**

of drinking water in Monterey County, because of conflicting scientific data and lack of financial impacts. Recommendation No. 1 under this section is changed to delete the phrase "The County of Monterey become a principal advocate," and add "By jurisdiction basis, or by water purveyor." Staff is directed to incorporate these changes in the recommended response, and bring back the final document for approval on the Consent Calendar on Tuesday, April 1, 2003.

Upon the request of Supervisor Armenta, the Board directed the County Administrative Officer to schedule a meeting with representatives of the Mayors, the Chief Probation Officer, and one or two Board members to develop a more collaborative working relationship with the Office of Employment Training and the Workforce Investment Board.

- 1100.000 S-9 Study Session to consider a concept plan for reducing General Fund subsidy of cost through fee increase to review, process and monitor land use development applications and permits.  
**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried, the Board approved the staff's recommendation, thereby approving the concept plan and providing direction to staff regarding a program to reduce the General Fund subsidy of costs related to reviewing and processing land use development applications and permits. The motion included direction to the County Administrative Officer to report back to the Board on this issue.

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12:00 Noon

Recess to lunch

1:30 p.m.

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 S-10 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. Shimabukuro v. County of Monterey, et al.

**BOARD ACTION: No reportable action taken.**

- 0950.000 b. Conference with labor negotiators pursuant to Government Code Section 54957.6.

**BOARD ACTION: No reportable action taken.**

- 0950.000 c. Pursuant to Government Code Section 54957, the Board will discuss one matter of public employment:

Position Title: County Counsel

**BOARD ACTION: No reportable action taken.**

1:45 p.m.

0550.325 S-11 Consider modification to the Facilities Master Plan to exclude the Water Resources Agency from the new Administration Building.  
**BOARD ACTION:** After discussion, Supervisor Potter moved to modify the Facilities Master Plan to exclude the Water Resources Agency from the new Monterey County Government Center.  
 Supervisor Lindley seconded the motion, and it failed to carry by the following vote, to-wit:

**AYES:** Supervisors Lindley and Potter.  
**NOES:** Supervisors Armenta, Calcagno and Johnsen.  
**ABSENT:** None.

**The Facilities Master Plan remains unmodified.**

2:30 p.m.

0602.550 S-12 **Accepted** a report from the Department of Social Services on electronic benefit Transfer for delivery of benefits for the Food Stamp and California Work Opportunity and Responsibility to Kids (CalWORKs) Programs.

**BOARD ACTION:** The Board continued this report to Tuesday, April 1, 2003 at the hour of 10:00 a.m.

0125.000 S-13 **Held discussion** on approval a Professional Services Agreement with Creegan & D'Angelo Consulting Engineers in an amount not to exceed \$130,799 for preparation of a project feasibility report and associated environmental review for Phase I of the proposed Carmel Valley Bicycle Path project.

**BOARD ACTION:** Upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and unanimously carried, the Board endorsed this action in concept, directed staff to hold a public outreach meeting within the community, and bring the matter back to the Board on Tuesday, April 1, 2003 on the Consent Calendar, for final approval.

0601.325 S-14 **Received** presentation on the County's In Placement/Transition Assistance Program and Career Development Centers.

**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried.

**ORDER FOR ADJOURNMENT TO MARCH 25, 2003 AT 9:30 A.M. IN MEMORY OF CHARLES "CHUCK" HOPPER, DECEASED.**

APPROVED:

\_\_\_\_\_  
 Chair

ATTEST:  
 SALLY R. REED,  
 Clerk of the Board

By: \_\_\_\_\_  
 Deputy

(Supplementary Sheet)

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

CONSENT CALENDARNATIVIDAD MEDICAL CENTER:

- 0125.000 12. **Agreement No. A-09343: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign an Agreement with Healthcare Financial Solutions for Medical Records Coding and Scanning Services for \$392,540.00, effective July 1, 2002 through June 30, 2004.
13. **REMOVED FROM THE AGENDA; NO ACTION TAKEN** to approve and authorize the CEO of Natividad Medical Center (NMC) to sign Amendment #1, to increase the Professional Service Agreement with UCSF for Perinatal/Neonatal Services from \$25,000.00 to \$29,880.00 (an increase of \$4,880.00) for the period from July 1, 2001 through June 30, 2003.
14. **REMOVED FROM THE AGENDA; NO ACTION TAKEN** to approve and authorize the CEO of Natividad Medical Center (NMC) to increase an established purchase order (B960349437), with Johnson Electrics, from \$20,000 to \$50,000 (an increase of \$30,000) for data and voice jack installation for various NMC department moves and /or new installations for fiscal year 2002-2003.
15. **PULLED FROM THE AGENDA; NO ACTION TAKEN** to approve and authorize the CEO of Natividad Medical Center (NMC) to sign Amendment #3, to increase the Professional Service Agreement with Aureus, a temporary nursing registry company supplying NMC with Radiology Technologists and Sonographers, from \$730,000 to \$1,300,000, a total increase of \$570,000. This increase will cover the time period from February 1, 2003 through June 2003.
16. **PULLED FROM THE AGENDA; NO ACTION TAKEN** to approve and authorize the CEO of Natividad Medical Center (NMC) to reallocate funds, for nurse registry vendors, listed in Attachment "A" according to the appointed schedule, and approve the associated amendments to the vendors' Professional Service Agreements for fiscal year 2002-2003.
17. **PULLED FROM THE AGENDA; NO ACTION TAKEN** to approve and authorize the CEO of Natividad Medical Center (NMC) to sign an amendment (Amendment #7) to the professional service agreement with Agostini and Associates, to increase the existing purchase order (P.O. # B960340679) by \$50,000 for nurse registry personnel for the Discharge Planning Department of the hospital. The agreement will increase from \$5,800,000 to \$5,850,000.
18. **PULLED FROM THE AGENDA; NO ACTION TAKEN** to approve and authorize the CEO of Natividad Medical Center (NMC) to sign an agreement

with Healthcare Financial Solutions (HFS) to provide services related to cost reporting, OSHPD report review, and other reimbursement related services; the amount of the agreement shall not exceed \$90,000 and shall cover the period from April 1, 2003 through June 30, 2003.

19. **PULLED FROM THE AGENDA; NO ACTION TAKEN** to approve and authorize Natividad Medical Center's (NMC's) capital equipment expenditures for the 3rd quarter in of the fiscal year 2002-2003 in the amount of \$160,000 for the purchase of a new dictation/transcription system and \$18,000 for County IT installation and lease cost of computers.
20. **PULLED FROM THE AGENDA; NO ACTION TAKEN** to approve and authorize the CEO of Natividad Medical Center (NMC) to sign an agreement with Bret Dougherty, M.D. to fill the position of Family Medicine Physician at an annual amount not to exceed \$150,000.00, effective March 1, 2003.
21. **PULLED FROM THE AGENDA; NO ACTION TAKEN** to approve and authorize the CEO of Natividad Medical Center (NMC) to contract with a total of up to six (6) Anesthesiologists for 24-hour/day in-house coverage at \$300,000/year each Anesthesiologist, for a total of \$1,800,000.
22. **PULLED FROM THE AGENDA; NO ACTION TAKEN** to approve and authorize the addition of 1.0 Supervising Medical Transcriptionist position and deletion of 1.0 Medical Transcriptionist II position of in the Medical Records Department of Natividad Medical Center (NMC).

#### HEALTH AND SOCIAL SERVICES:

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- 0601.100 23. **Resolution No. 03-098: Proclaimed** State of Local Emergency Relating to the Spread of HIV Among Injection Drug Users in Monterey County.
- 0402.250 24. **Accepted** the Monterey County Mental Health Commission Annual Report assessing the needs and performance of the County's mental health system during FY 2000-01.
- 0125.000 25. **Agreement No. A-08601: Approved and authorized** the Director of Health to sign Amendment 1 to Agreement A-08601 with VNA Community Services to change the scope of services to include the provision of medication support services by Registered Nurses at the rate of \$65 per hour from September 1, 2002 to June 30, 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.

#### GENERAL GOVERNMENT:

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- 0601.350 26. **Resolution No. 03-099: Approved** re-submittal of State Library Bond Act application of \$3,160,710, Joint Use Cooperation Agreement with North Monterey County Unified School District, Resolution Certifying Project Budget, Local Funding Commitment,



Supplemental Funds and Public Library Operation for the Castroville Library.

- 0125.000 27. **Agreement No. A-09344: Accepted** a State Community Development Block Grant of \$400,000 for the San Lucas Water System Improvement Project and Approve an Agreement with the San Lucas Water District for project implementation.
- 0125.000 28. **Agreement No. A-09342: Approved** the Assessor's request to participate in the State-County property tax administration program agreement to participate for the State-County Property Tax Administration Program.
- 0601.160 29. **Approved and adopted** the Monterey County Information Technology Strategic Plan.
- 0900.000 30. **Resolution No. 03-100: Adopted** resolution proclaiming the month of April 2003 as "Earthquake Preparedness Month: Ready to Ride It Out in Monterey County," and **directed** the Office of Emergency Services to inform the public of earthquake related hazards and of appropriate measures to mitigate these hazards.
- 0601.525 31. **Established** Action Committee for Natividad Medical  
0400.000 Center Improvement process.
- 0125.000 NA/1 **Agreement No. A-09345: Sitting as the Board of Supervisors of the County of Monterey, approved** Community Development Block Grant Loan and Regulatory Agreement with South County Housing Corporation for the Boronda Road Farmworker Housing Development and approve the Tenant

#### SPECIAL DISTRICTS:

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Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried with all members present, the Board approved the following actions:

- 0650.000 32. **Resolution No. 03-101: Approved** initial listing of extended services for County Service Areas for Fiscal Year 2003-04.
- 0125.000 33. **Agreement No. A-08878: Approved** Amendment No. 1 to Agreement No. A-08878 between the County of Monterey and the California-American Water Company for additional water and wastewater system operating services for County Service Areas 10 - Laguna Seca; 72 - Las Palmas; 75- Chualar; and 69- Ralph Lane.
- 0125.000 34. **Agreement No. A-08876: Approved** Amendment No. 1 to Agreement No. A-08876 between Carmel Valley County Sanitation District and the California-American Water Company for additional wastewater system operating services.

#### MONTEREY COUNTY REDEVELOPMENT AGENCY

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Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried with all members present, the Board approved the following actions:

- 0125.000 35. **Agreement No. A-09345: Sitting as the Board of Directors of the Monterey County Redevelopment Agency, approved** Community Development Block Grant Loan and Regulatory Agreement with South County Housing Corporation for the Boronda Road Farmworker Housing Development and Approve the Tenant Relocation Plan.

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