

A C T I O N M I N U T E S**THE MONTEREY COUNTY BOARD OF SUPERVISORS  
AND THE MONTEREY COUNTY REDEVELOPMENT AGENCY****Tuesday, April 1, 2003 at 9:30 a.m.**9:30 a.m.

S-1 Additions and corrections to Agenda

**Upon motion of Supervisor Armenta, 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:**

Per Supervisor Calcagno, the Board added the following appointments to the agenda: Reappoint Paul Schiveley and Daniel Espinoza to the Boronda Citizen's Advisory Committee for terms ending January 1, 2007.

Per request by County Counsel, the Board added the following matters to the Closed Session agenda:

Pursuant to Government Code Section 54956.9(c), the Board will confer with legal counsel regarding litigation in one matter.

Revise Item S-8a, Carolina Smith to be listed under S-8b, existing litigation, pursuant to Government Code Section 54956.9(a), "Workers Compensation Claim of Carolina Smith."

Correct appointment #2 listed on the agenda to reflect the appointment is to the Fish and Game Advisory Commission.

Per request of County Administration, the Board added the following to the agenda: Conference with labor negotiators pursuant to Government Code Section 54957.6.

At the request of the Chair, the Board added the following matter to the Closed Session agenda: Public employee performance evaluation: Title: CEO, Natividad Medical Center.

Per request by Facilities Projects Division, the Board added to the Consent Calendar the following matter: Approve and authorize the Contracts/Purchasing Manager to sign a three-year lease agreement, effective April 1, 2003, with Children's Services International, a non-profit 501(c)(3)

public benefit corporation for 1,676 square feet of facility space located at 29A Bishop Road, Pajaro, aka Porter Vallejo Child Development Center for the purpose of offering quality child care and early childhood education.

Upon request by Natividad Medical Center, the Board added the following to the regular calendar (Item S-4A) at 10:00 a.m.: Approve and authorize the CEO, Natividad Medical Center, to reallocate funds for nurse registry vendors listed in Attachment A of the staff report according to the appointed schedule and approve associated amendments to the vendors' professional service agreements for fiscal year 2002-03.

Upon request of County Counsel and Water Resources Agency, as a clarification, the Board is also sitting as the Board of Directors of the Water Resources Agency.

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

2050.000 S-3 PUBLIC COMMENT PERIOD: **Public comments were received by Joe Vierra regarding his opposition to public murals which glorify death and violence; Nancy Iverson, resident of Las Palmas Ranch I Subdivision, presented a petition to the Board, asking for a traffic signal and road widening at the intersection at River Road and Las Palmas Roads; Hans Jongens spoke in opposition of the water additive fluoride; Jesse Anaya, custodian, asked the Board to not contract out the jobs in the Custodial Unit of the General Services Department.**

#### APPOINTMENTS:

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

- 0403.770 1. **Reappointed** Ralph Villar, to the Military and Veterans Affairs Advisory Commission, for a term to end on January 1, 2006. (Armenta)
- 0401.750 2. **Appointed** Victor Lanini, to fill the unexpired vacancy of John Sargenti, to the Fish and Game Advisory Commission, for a term to end on February 1, 2005. (Lindley)
- 0401.955 3. **Reappointed** Donna Johnston, to the Housing Advisory Committee, for a term to end on April 1, 2005. (Potter)
- 0401.870 4. **Appointed** Gary Shallcross, to fill the unexpired vacancy of Carol Erickson, on the HIV/AIDS Advisory Committee, for a term to end on March 1, 2005. (Potter)
- 0400.435 5. **Appointed** Kathleen Adamson, to fill the unexpired vacancy of Amy Jones, on the Older Americans Advisory Council, for a

term to end on January 1, 2004. (Full Board)

0400.761 NA/1 **Reappointed** Paul Schiveley and Daniel Espinoza to the Boronda Citizen's Advisory Committee for terms ending January 1, 2007. (Calcagno)

**OTHER BOARD MATTERS:**

6300.000 6. Board comments and referrals:

Supervisor Johnsen spoke on the budget, downsizing in General Services and stated the policy issues should be addressed now; not wait for approval of the budget.

Supervisor Lindley spoke on a future Board item to relinquish Pajaro River and asked that when it is calendared, to have a member of Water Resources available to address the Board.

Supervisor Potter thanked the Sheriff and Bill Freeman for the safety net in Big Sur. He gave several suggestions of how to cut the County budget and asked the following be placed on an agenda:

He stated the General Services Department needs a policy regarding the custodial staff. He believes the unit is being managed improperly with unnecessary work being performed. He raised the issues of cutting back on services in, the cost effectiveness of the Leadership Institute; early retirement options; cost savings for a voluntary 4 day or 4 ½ day work week; liquidation of abandoned County properties (sale of non-utilities property (e.g. Public Works yard); look into the issue of contracts at the Natividad Medical Center to ensure they are competitive; make sure there has been no price creeping regarding County contracts; hold additional discussions regarding public safety development fees; address accountability regarding leasing, as opposed to buying, and stated one should only get paid for amount of work performed.

Supervisor Armenta thanked local legislators regarding the position of the California Medical Association Commission on the health care tax initiative.

0600.025 7. County Administrative Officer's comments and reports: **Sally Reed, County Administrative Officer, suggested staff and the Board hold a discussion regarding approval of the budget at next week's budget committee meeting to address issue of custodian positions and Supervisors Potter's suggestions heard on item #6 above.**

Supervisor Johnsen suggested that the issue of raising revenues in various departments also be addressed. She suggested the concept of early retirement should be placed

on a future Board agenda for discussion, stating it is not always an advantage in the long-term. She also stated Supervisor Potter's suggestions should not be discussed during the budget committee meeting as there would not be enough time to address the matters. She suggested they be placed on a future Board agenda for discussion along with the matter of contracting-out, to address its benefits. Sally Reed, County Administrative Officer, stated staff would put these items on for next weeks Board agenda to include the listing and the schedule.

- 2050.000 8. **Resolution No. 03-103: Adopted** resolution commending Charles Merrifield for 25 years of dedicated public service in the Monterey County Department of Social Services. (Full Board)  
**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried.**
- 2050.000 9. **Resolution No. 03-110: Adopted** resolution commending Ruth Forsberg, recognizing her 30 years of service to the Library system of the County of Monterey. (Full Board)  
**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried.**
- 2050.000 10. **Resolution No. 03-109: Adopted** resolution honoring CASA (Court Appointed Special Advocates) for the tremendous work they do for Monterey County children, and Proclaim the month of April as Monterey County's "Child Abuse Prevention and Awareness Month." (Armenta)  
**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried.**
- 2050.000 11. **Resolution No. 03-112 : Adopted** resolution proclaiming April 13<sup>th</sup> through April 19<sup>th</sup> as "National Infant Immunization Week", and May 2003 as "Toddler Immunization Month" in Monterey County. (Full Board)  
**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried.**

#### SCHEDULED MATTERS

10:00 a.m.

- 0601.525 S-4a **Approved and authorized** the CEO, Natividad Medical Center, to reallocate funds for nurse registry vendors listed in Attachment A of the staff report according to the appointed schedule and approve associated amendments to the vendors' professional service agreements for fiscal year 2002-03.

Supervisor Johnsen asked that the board report include the number of nurses being used, what is happening with policy of freezing new hires, and what is the difference between the number of beds to be serviced-how has that been corrected?

**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, to add this item to the agenda for May 1, 2003. Sally Reed, CAO, stated staff will have a response in writing to Supervisor Johnsen's questions.

- 0150.14 S-4b **Received** status report regarding 5 year budget forecast.  
**BOARD ACTION:** Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried.
- 0602.550 S-5 **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:** Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried.
- 5800.000 S-6 **Held a** public hearing to consider and adopt the Ordinance 2800.000 repealing Chapter 10.41 of the Monterey County Code relating to Garbage and Refuse Collection, and adding Chapter 10.41 to the Monterey County Code relating to Solid Waste Collection and Disposal. Jon Jennings, Health Department, requested a continuance to May 20, 2003 to allow time for cities and special district to review fiscal impacts on the rates.  
**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, the Board continued this matter to May 20, 2003.

10:30 a.m.

- 0802.000 S-7 **Approved** letter to the Public Utilities Commission  
0802.400 concerning a proposed desalinization plant in Moss Landing, and received further information from staff.  
**BOARD ACTION:** Upon motion of Supervisor Calcagno, seconded by Supervisor Potter, and unanimously carried, the Board approved the letter and continued the matter to April 8, 2003 at 11:00 a.m. to address Monterey County applying to be lead agency and having an EIR include reimbursement language.
- 6200.000 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. H-Y-H Corporation, Inc. v. County of Monterey, et al.
  2. Carolina Smith (WC)
- BOARD ACTION:** No reportable action taken.
3. Pacific Gas & Electric Company

**BOARD ACTION: Board authorized the County to join in an amicus curiae brief with other Counties.**

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

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

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

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

- 0950.000 d. Public employee performance evaluation: Title: CEO, Natividad Medical Center.

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

**11:30 a.m.**

- 0550.050 S-9 **Visited** site of Old County Jail Facility.

**12:00 p.m.**

Recess to lunch

**1:30 p.m.**

- 0150.142 S-10 **Held** Special Budget Committee meeting to hear presentation by Local 817.

**2:30 p.m.**

- 0601.525 S-11 **Received** a report from Natividad Medical Center's (NMC) Patient Care and Billings and Collections Committees.

**Supervisor Johnsen suggested adding that the timeline can be as long as one year and suggested having a ballot issue in July or August for a mail ballot approach, not tied to anybody else's election.**

**Supervisor Lindley suggested looking into a sales tax for generating revenue or a Natividad District tax to generate revenues from the whole County (tax on land and property value) to get long-term funding.**

**Supervisor Armenta directed the CAO to ensure that at least one person represent the business office in the committee structure and that person give the Board their recommendations.**

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

0601.525 S-12 **Heard** public testimony, (Beilenson Act) involving changes (reduction/elimination certain programs and services) in medical services at Natividad Medical Center and in the Monterey County Medical Services Program. (continued from March 25, 2003.

**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, to continue this matter (closed) to April 22, 2003.**

**ORDER FOR ADJOURNMENT TO TUESDAY, APRIL 8, 2003, AT 9:30 A.M.**

APPROVED:

\_\_\_\_\_ Chair

ATTEST:  
SALLY R. REED,  
Clerk of the Board

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

[\(Supplementary Sheet\)](#)

CONSENT CALENDAR

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

HEALTH AND SOCIAL SERVICES:

0125.000 12. **Agreement No. A-09356: Approved and authorized** the Chair to sign an agreement with KION 46, in the amount of \$88,072 for the period of April 1, 2003 through December 31, 2004 for developing a marketing campaign for the Family to Family Program.

CRIMINAL JUSTICE:

0602.500 13. **Increased** appropriations and estimated revenues in  
0150.142 Sheriff's Budget Unit 230 in the amount of \$10,310 for the purchase of a vehicle to be used by Narcotic Enforcement Unit of the County of Monterey (NEUCOM).

GENERAL GOVERNMENT:

- 6300.000 14. **Approved** Action Minutes of the meeting of Tuesday, March 18, 2003, copies having been distributed to each Board member.
- 0525.000 15. **Declared** an emergency and **waived** normal bidding requirements for emergency construction in the Health Department laboratory; Authorize the Contracts/Purchasing Manager to issue purchase order contracts to accomplish the required work.
- 0525.000 16. **Adopted** plans and specifications for the San Miguel modular unit located in the Public Works yard at 1171 San Miguel Canyon Rd., Bid Number 9679; Direct the Clerk to advertise for bids to be received no later than 2:00 p.m. Wednesday, May 7, 2003.
- 1400.000 17. **Approved** recommended response to the 2002 Monterey County Grand Jury Final Report (filed January 2, 2003), and authorize 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. (Continued from March 18, 2003)
- 0601.300 18. **Accepted** the recommendations from Durrant Group, Inc., for the Juvenile Hall Facility as presented on March 25, 2003; Authorize staff to take steps necessary to implement the recommendations.
- 0125.000 NA/1 **Agreement No. A-09357: Approved and authorized** the Contracts/Purchasing Manager to sign a three-year lease agreement, effective April 1, 2003, with Children's Services International, a non-profit 501(c)(3) public benefit corporation for 1,676 square feet of facility space located at 29A Bishop Road, Pajaro, aka Porter Vallejo Child Development Center for the purpose of offering quality child care and early childhood education.

**PUBLIC WORKS:**

- 2800.000 19. **Introduced, waived the reading, and set** April 22, 2003 at 10 a.m. for a public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.28.010 to establish no parking at any time on portions of Dolan Road and State Highway One, Moss Landing area.
- 2800.000 20. **Introduced, waived the reading, and set** April 22, 2003 at 10 a.m. for a public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.28.070 to establish a 24-minute-limit parking restriction on a portion of Jonathan Street, Pajaro area.
- 2800.000 21. **Introduced, waived the reading, and set** April 22, 2003 at 10 a.m. for a public hearing to adopt an ordinance amending Monterey County Code Title 12 Section 12.28.010 to change



the limits of an existing parking restriction on a portion of Old Stage Road, North Monterey County area.

- 2800.000 22. **Introduced, waived the reading, and set** April 22, 2003 at 10 a.m. for a public hearing to adopt an ordinance amending Monterey County Code Title 12, Sections 12.28.010 and 12.28.021 modifying parking restrictions on portions of San Juan Road, Pajaro area.
- 2800.000 23. **Introduced, waived the reading, and set** April 22, 2003 at 10 a.m. for a 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 and Tarpey Road, North Monterey County area.
- 2800.000 24. **Introduced, waived the reading, and set** April 22, 2003 at 10 a.m. for a public hearing to adopt an ordinance amending Monterey County Code Title 12 Section 12.28.021 to establish no parking between 10 p.m. and 6 a.m. on Tembladera Street, Castroville area.
- 0602.350 25. **Resolution No.03-113 and 03-114: Summarily abandoned** a public utility easement and **accepted** Grant of Easement to affect the relocation of a wastewater lift station easement over Lot 73 in the Las Palmas Ranch Subdivision Phase II Unit XI.
- 0125.000 26. **Agreement No. A-09358: Approved** 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.

#### MONTEREY COUNTY REDEVELOPMENT AGENCY

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**BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board, sitting as the Board of Directors of the Monterey County Redevelopment Agency, approved the following consent matter:**

- 5100.000 27. **Approved Resolution No. 03-111:** Application to the California Housing Finance Agency Housing Enabled by Local Partnerships Program for a \$1,000,000 Loan for South County Housing Corporation planned development of Salinas Road/Kents Court Swing Housing.

[\(Back\)](#)