

A C T I O N M I N U T E S**MONTEREY COUNTY BOARD OF SUPERVISORS,
MONTEREY COUNTY WATER RESOURCES AGENCY,
AND THE MONTEREY COUNTY REDEVELOPMENT AGENCY****Tuesday, April 8, 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 Calcagno, 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:"

"Approve the Action Minutes of the meeting of Tuesday, March 11, 2003, copies having been distributed to each Supervisor."

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

Remove from the Agenda, and take no action on Closed Session Item No. S-13, a, 1, regarding the following existing litigation: TCI Cablevision v. County of Monterey.

Add to the Agenda as Closed Session Item No. S-13, f, the following:

"Confer with real property negotiators pursuant to Government Code Section 54946.8. Property: East Garrison areas of the former Fort Ord; Negotiating Parties: Monterey County Redevelopment Agency; County of Monterey; Monterey Peninsula College."

Upon the request of Supervisor Johnsen, adjourn today's meeting in memory of George "Bob" Faul, deceased.

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

CONSENT CALENDAR - SPECIAL DISTRICTS

2050.000 S-3 PUBLIC COMMENT PERIOD:

- a. **Tim Hastings and Barbara Sauret, residents of the Lake San Antonio Mobile Home Park, addressed the Board concerning the issues of water quality, street lighting, abandoned trailers, fire protection, and appropriate insurance.**

The Board referred these issues, through the County Administrative Officer, to the Environmental Health and Code Enforcement Division of the Health Department for evaluation and appropriate action, if warranted.

- b. **Fernando Vargas, Jesse Anaya, and Lena Valdez, Field Representative for Local 817, SEIU, addressed the Board concerning potential layoffs involving the entire custodial staff, and they requested the Board's support to keep their jobs from not being contracted out.**
- c. **Hans Jongens addressed the Board concerning an article from the *Silicon Valley Biz Ink* magazine which indicates that the state law requiring cities and counties to plan enough housing for their growing populations is failing to meeting each jurisdiction's "fair share" of state housing.**
- d. **Laura Plaskett, representing the Salinas River Channel Coalition, requested the Board encourage Lew Bauman, Public Works Director, to attend their annual membership bar-be-que and meeting on Wednesday, April 16th at the Swiss Rifle Club, to discuss their concerns about the conditions of the Salinas River channel near bridge crossings and abutments, including the locations in San Lucas, Soledad, Gonzales, and at Highway 68.**

APPOINTMENTS:

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

- 0401.850 1. **Reappointed** Mary Ann Worden, to the Historical Advisory Commission for a term to end on February 1, 2007. (Armenta)

OTHER BOARD MATTERS:

- 6300.000 2. Board comments and referrals:
- a. **Upon the request of Supervisor Johnsen, the Board referred the letter from the custodial staff to the County Administrative Officer for review and response back to the Board.**
 - b. **Supervisor Johnsen distributed a copy of an article from the *San Jose Mercury News* concerning California's budget crunch.**

c. **Supervisor Lindley reminded those present to keep America's fighting forces overseas and around the world in our thoughts.**

- 0600.025 3. County Administrative Officer's comments and reports: **None.**
- 2050.000 4. **Resolution No. 03-115: Proclaimed** the Month of May as "Teen Pregnancy Prevention Month" in Monterey County. (Full Board)
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried.
- 2050.000 5. **Resolution No. 03-069: Adopted** Resolution congratulating Mike Albrich, Treasury Manager, upon his retirement from the County of Monterey after 14 years of public service. (Full Board)
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried.
- 2050.000 6. **Resolution No. 03-116: Adopted** Resolution commending Jerry Westfall for his dedicated service in the Department of Public Works as Assistant Engineer. (Full Board)
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried.
- 2050.000 7. **Resolution No. 03-117: Adopted** Resolution commending Steve Karunos, Deputy Sheriff, upon his retirement from public service with the Monterey County Sheriff's Office. (Full Board)
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried.
- 2050.000 8. **Resolution No. 03-118: Approved and adopted** a Resolution proclaiming April 13 through April 19, 2003 as "Public Safety Dispatchers Week" in Monterey County. (Full Board)
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried.
- 2050.000 9. **Resolution No. 03-119: Approved and adopted** a Resolution congratulating Gary P. Prader on the occasion of his retirement after more than twenty-two years as a Communications Dispatcher. (Full Board)
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried.
- 1900.000 10. **Approved** the March 18, 2003 report of the Legislative Subcommittee including an update from Water Resources Agency; a report on the CSAC Realignment Principles for 2003-04; a recommendation to support SB 20 (Sher), SB 748 (McPherson), and SB 811 (McPherson) and a status update of Monterey County's Sponsor Measures.
BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and unanimously carried.

SCHEDULED MATTERS

10:00 a.m.

5200.000 S-4 **Resolution Nos. 03-120 and 03-121:** Public hearing to adopt Resolutions determining the abandonment of a portion of Lincoln Street between Scott and Jackson Streets, in the community of Chualar is exempt from CEQA: Abandoning said public Right-of-Way, and Direct the recording of a Quitclaim Deed.

BOARD ACTION: Upon motion of Supervisor Lindley, seconded by Supervisor Calcagno, and unanimously carried, the Board adopted the following:

| Res No. | Subject |
|---------|---|
| 03-120 | Resolution Determining the abandonment of a portion of Lincoln Street between Scott and Jackson Streets in the community of Chualar is exempt from the California Environmental Quality Act, and directing the filing of a Notice of Exemption. |
| 03-121 | Resolution abandoning the public right-of-way over a portion of Lincoln Street between Scott and Jackson Streets in the community of Chualar, and directing the recording of a Quitclaim Deed. |

0802.000 S-5 **Monterey County Water Resources Agency:** Report on the Salinas Valley Water Assessment Ballot (SVWP) results.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board received the report.

11:00 a.m.

0802.000 S-6 **Approved** response to Public Utilities Commission (PUC) regarding the Moss Landing desalinization proposal including request for lead agency status.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Lindley, and unanimously carried, the Board approved the response.

0525.000 S-7 **Authorized** the Purchasing Agent and the Public Works Director to solicit request for quotations and award contracts for rock screenings and asphalt emulsion for a 2003 Summer Chip Seal Project.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Lindley, and unanimously carried, the Board approved the staff's recommendations.

0601.525 S-8 **Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign Amendment #1, to transfer the balance of the Purchase Order #B96039814 from Cardinal Health to McKesson Pharmaceuticals in the amount of \$1,578,480.27 for the period of March 24, 2003 to June 30, 2003.
BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Lindley, and carried, the Board approved the

staff's recommendations:**AYES: Supervisors Armenta, Lindley and Potter.****NOES: Supervisors Calcagno and Johnsen.****ABSENT: None.****12:00 p.m.**

- 2050.000 S-10 **Resolution No. 03-122:** Recess to courtyard for Victims of Crime ceremony; **adopted and presented** Resolution to representatives of D.A.'s Office and Restorative Justice Committee for "Victims' of Crime Week."
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried.

1:00 p.m.

- 6300.000 S-9 **Held** Budget Committee Meeting - East Wing Conference
 0150.143 Room (Full Board)

2:30 p.m.

- 6300.000 S-11 Board of Supervisors' actions on Budget Committee recommendations.
BOARD ACTION: Oral report from the Board's Budget Committee received as presented; direction provided to staff to place a budget discussion on the Board's Agenda for Tuesday, April 22, 2003 at 10:30 a.m.
- 0150.143 S-12 Report on timeline for budget policy response to Board referral from April 1, 2003.
BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and unanimously carried, the Board received the report as noted with the suggestions by Board Members for modification.

3:00 p.m.

S-13 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 v. County of Monterey
- BOARD ACTION: No reportable action taken.**
- 0300.000 b. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding the following potential litigation:

- 1. Claim of Veronica Ramon, Thomas Nana, Gerald Nana, Andrew Nana, and Isabel Lyons, individually and as Successors in Interest of George Cruz Nana, Jr.

BOARD ACTION: The Board authorized and took action to deny these claims, as presented.

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

BOARD ACTION: No reportable action taken.

- 0950.000 d. Conference with labor negotiators pursuant to Government Code section 54957.6

BOARD ACTION: No reportable action taken.

- 0950.000 e. Pursuant to Government Code section 54957, the Board will confer with legal counsel regarding one matter of public employment:

- 1. Physician, Health Department

BOARD ACTION: The Board took action to modify the conditions of employment for the position: Physician, Health Department.

- 6200.000 f. Confer with real property negotiators pursuant to Government Code Section 54946.8. Property: East Garrison areas of the former Fort Ord; Negotiating Parties: Monterey County Redevelopment Agency; County of Monterey; Monterey Peninsula College.

BOARD ACTION: No reportable action taken.

ORDER FOR ADJOURNMENT TO APRIL 22, 2003 AT 9:30 A.M. IN MEMORY OF GEORGE "BOB" FAUL, DECEASED.

APPROVED:

_____ Chair

ATTEST:
SALLY R. REED,
Clerk of the Board

By: _____ Deputy

(Supplementary Sheet)CONSENT CALENDAR

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

HEALTH AND SOCIAL SERVICES:

0401.650 11. **Resolution No. 03-123: Approved** amended bylaws for the Monterey County Emergency Medical Services Council.

CRIMINAL JUSTICE:

0602.250 12. **Amended** Probation Department Budget Units 255 and 256;
0150.142 **approved** transfer of positions and funds in the amount of \$136,146 from Budget Unit 255 to Budget Unit 256 for fiscal year 2002-03.

0402.050 13. **Resolution No. 03-124: Approved** new appointments to the Juvenile Justice Coordinating Council; **Authorized** the Chief Probation Officer to submit the Monterey County Multiagency Juvenile Justice Plan modifications for Fiscal Year 2003-04 to the State of California Board of Corrections for programs funded by the Juvenile Justice Crime Prevention Act (JJCPA).

0125.000 14. **Agreement No. A-09360: Approved and authorized** the Chair of the Board of Supervisors to sign a Memorandum of Understanding with Rancho Natividad, Inc., a non-profit corporation for the utilization of Juvenile Justice Crime Prevention Act (JJCPA) funds in the amount of \$60,000 during Fiscal Year 2002-03.

2800.000 15. **Introduced, waived reading, and set** for public hearing on April 29, 2003, at 2:30 p.m., an Ordinance from the Sheriff's Department, to repeal fees set in Chapters 7.28 (Film Permits), 11.24 (Card Room Employee), and 11.25 (Massage Businesses); Amend Chapters 2.08 (Coroner Services), 7.28 (Public Dances) and 7.30 (Private Patrol), and Authorize collection of actual cost of service fees and place them in the Monterey County Fee Resolution.

GENERAL GOVERNMENT:

6300.000 NA/1 **Approved** the Action Minutes of the meeting of Tuesday, March 11, 2003, copies having been distributed to each Supervisor.

6300.000 16. **Approved** Action Minutes of the meeting of Tuesday, March 25, 2003, copies having been distributed to each Board member.

2800.000 17. **Introduced, waive reading and set** for public hearing on April 29, 2003, at 2:30 p.m., an Ordinance to repeal fees

set in Chapter 2.38 (Treasurer-Tax Collector) and Chapter 7.04 (Auction Services), and **authorized** collection of fees and placement in the Monterey County Fee Resolution.

- 1590.000 18. **Approved and adopted** the Monterey County Health Insurance Portability & Accountability Act (HIPAA) Notice of Privacy Practices. (Department of Information Technology)
- 0525.000 19. **Authorized** the Capital Projects Manager to file Notice of Completion for the project, "IT Building UPS Replacement"; and **authorized** the Auditor/Controller to make final payment and release construction retention upon approval of Capital Projects Management.
- 0525.000 20. **Adopted** the Plans and Specifications for the "Superior Court North Wing, Third Floor Remodel"; and **authorized** bids to be received no later than 2:00 p.m. on Wednesday April 30, 2003.
- 0600.175 21. **Increased** appropriations and estimated revenue in Child
0150.142 Support Services Budget Unit 225 by \$10,346 and **approved** purchase of one Line Interface Module (LIM).
- 0601.600 22. **Approved and authorized** an increase to appropriations and estimated revenues in Parks Department Budget Unit 755 for a Grant in the amount of \$15,000 from the 2002 California Historic Preservation Fund.
- 0601.850 23. **Agreement No. A-09363: Approved** a Five -Year Use Agreement for the Cherry's Jubilee event at the Laguna Seca Recreation area.
- 0602.050 24. **Approved** the use of San Lorenzo Park for a function in compliance with Monterey County Code 14.12.130.
- 0125.000 25. **Agreement No. A-09362: Approved and authorized** the Parks Director to sign an Agreement with the California Highway Patrol for the Lake San Antonio Wildflower Triathlon Festival.
- 0125.000 26. **Agreement Nos. A-09361: Approved and authorized** the Parks Director to sign Agreements for services with San Antonio School District and King City Joint Union High School District for rental of school buses for 2003 Wildflower Festival.
- 5400.000 27. **Resolution No. 03-126: Amended** Personnel Policies and
0150.142 Practices Resolution No. 98-394 to add, re-title, delete and align salaries for classifications; and **amended** Information Technology Budget Unit 193 and Budget Unit 151 to approve reclassifications, reallocations, and allocations of positions.

- 2800.000 28. **Introduced, waived reading, and set** for public hearing on April 29, 2003, at 2:30 p.m., an Ordinance to repeal fees set in Chapter 2.15 relating to County Clerk-Recorder fees, authorize collection of fees and place them in the Monterey County Fee Resolution.
- 5400.000 29. **Resolution No. 03-127: Amended** Personnel Policies and Procedures Resolution No. 98-394 to add classifications; and **amended** FY 2002/03 Office for Employment Training Budget Unit 565 to approve new allocations. (Legislation)
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried.
- 0125.000 30. **Agreement No. A-09359: Approved and authorized** Amendment #1 to Increase Contract with Hayashi & Wayland, Accounting and Consulting, and RSM McGladrey, Inc., National Health Care Consulting Group from \$25,000 to an amount not to exceed \$300,000 to continue professional consulting services regarding Natividad Medical Center's improvement process to stabilize NMC's Financial Condition; and, Authorize Assistant County Administrative Officer to sign Amendment.
BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Lindley, and unanimously carried.
- 0125.000 31. **Agreement No. A-09364: Approved** the agreement with Service Employees International Union, Local 817, representing Unit H (Healthcare) employees, extending the current Memorandum of Understanding for a period of 60 days from the expiration date, April 4, 2003.

PUBLIC WORKS:

- 0525.000 32. **Awarded** a contract in the amount of \$384,300 to Granite Rock Company dba Pavex Construction Division for construction of the Blanco Road Overlay Phase II Project.

SPECIAL DISTRICTS

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

- 0650.072 33. **Approved** increase in estimated revenues and
0800.325 appropriations for County Service Area 72 (Las Palmas) and County Sanitation District 388 (Carmel Valley Zone 1) for the period of July 1, 2002 through June 30, 2003 pursuant to the approval by the Public Utilities Commission (PUC) on February 27, 2003 of the Sale of Wastewater Systems to California-American Water Company.

GENERAL GOVERNMENT, CONTINUED:

- 2800.000 34. Sitting as the Board of Supervisors for the County of Monterey, the Board **introduced, waived Reading, and set** a public hearing on Tuesday, April 22, 2003 at 10:00 a.m. to

consider adoption of Inclusionary Housing Ordinance and Administrative Manual.

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

([Back](#))