

A C T I O N M I N U T E S

THE MONTEREY COUNTY BOARD OF SUPERVISORS TUESDAY, JUNE 03, 2003 at 9:30 AM

9:30 a.m.

S-1 Additions and Corrections to the Agenda.

Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, 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:

Under Other Board Matters:

- 2050.000 1. Upon request of Supervisor Potter, adjourn today's meeting in honor of Airman 1st class, Antonio Ira Martinez, deceased.
- 2050.000 2. Upon the request of Supervisor Lindley, adjourn in the memory of Tom Ryan, deceased.

Under Consent Calendar:

- 0602.150 &
0601.525 3. Approve and authorize execution of Severance Agreement and General Release with David R. Small.
- 0602.150 4. Change Item No. 21 to read:
"Amend Personnel Policies and Practices Resolution No. 98-394 to add classifications in the Personnel Analyst, Administrative Analyst and Employee Relations Representative series."

S-2 CONSENT CALENDAR – REGULAR (See Supplementary Sheet attached)

2050.000 S-3 PUBLIC COMMENT PERIOD (Limited to 3 minutes per speaker)

APPOINTMENTS:

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

- 0400.300 1. Appoint Bill Hammond, to fill a vacancy, on the Agricultural Advisory Committee, for a term to be determined. (Lindley)

OTHER BOARD MATTERS:

- 6300.000 2. **Board comments and referrals:**

- a. Supervisor Lindley reported that the Agriculture Advisory Committee is being reassembled and he will be putting names before the Board for approval of appointments to fill seats on that committee. He submitted Bill Hammond of Kendall Jackson Wineries in Soledad to be a member of the Committee. The motion for this appointment was carried under the “Appointments” portion of the Agenda.
- b. Supervisor Lindley requested that the meeting be adjourned in memory of Tom Ryan, deceased.
- c. Supervisor Potter explained that Airman Ira Martinez, in whose name today’s meeting was also being adjourned, was a best friend of his son. Supervisor Potter would like to draft the letter of condolence from the Board to his family.
- d. Supervisor Potter submitted to Jim Colangelo, Chief ACAO, a document containing suggested language for the draft General Plan Update.
- e. Supervisor Armenta requested that a way to honor the returning servicemen home to Monterey County be looked into by the CAO.

0600.025

3. **County Administrative Officer’s comments and reports:**

- a. Sally R. Reed noted that the FY 2003/2004 recommended budget books had been distributed before the meeting began. She reported that it does not contain a final budget plan from Natividad Medical Center but one is forthcoming.
- b. Ms. Reed reported that she and her staff have been working with Mr. Collins and Cecil Robbins, the Chief of Medical Disciplines, and managers at Natividad Medical Center. They reviewed recommendations from the Action Committee as well as those of the administration and management staff. They have developed a framework that will give a clear understanding of the plan the hospital is putting before the Board in preparation for the anticipated sales tax. Consensus is high towards making this plan work.
- c. Ms. Reed met with the custodians, auditors, SEIU representatives, and Supervisor Armenta. Information was presented to the custodians regarding the budget and three options for a solution to retaining employees. The original is the only one that will work with the proposed budget. If the Board directs, she will work with staff to find a way to make one of the other options work. The County has been working with some success at in-placement opportunities within the County.

1900.000

4. **Approved** the May 20, 2003 Report of the Legislative Subcommittee including an update of Monterey County’s Sponsor Measures.

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

5400.000

5. **Resolution No. 03-175: Adopted** a Resolution recognizing Steve Addington, U.S. Bureau of Land Management (BLM), for his contributions to habitat management at the former Fort Ord; Endorse designation by BLM of an existing vernal pool habitat area at the former Fort Ord as the “Steve Addington Glade.”

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

SCHEDULED MATTERS:

10:00 a.m.

0125.000 S-4 **Agreement No. A-09410: Authorized** the Chief Assistant County Administrative Officer to sign an Agreement not to exceed \$34,500 with the Prunedale Chamber of Commerce to develop and implement a business improvement plan; and Authorize the Chief Assistant County Administrative Officer to approve amendments up to 50% of the contract amount, which do not significantly alter the scope of work or result in an increase to net County cost.

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

2800.000 &

0601.525 S-5 a. **Introduced, waived reading, and set for public hearing** on June 24, 2003 at 11:00 a.m., adoption of an Ordinance adding Chapter 5.38 to the Monterey County Code to impose a Natividad Medical Center Transaction and Use Tax (2/3 vote required).

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

- b. Gave direction to County Counsel regarding date for conducting all-mailed ballot election. After discussion by the Board, this item was trailed until 1:30. At the 1:30 hearing, the Board took action as follows:

BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and unanimously carried, S-5b was continued to Tuesday, June 10, 2003, at 9:30 a.m.

11:00 a.m.

S-6 Closed Session relating to the following items:

0950.000 a. **Conferred** with labor negotiators (all represented units) pursuant to Government Code section 54957; Keith Honda, designated representative;

BOARD ACTION: No final decision was made and direction was given to staff.

6200.000 b. Pursuant to Government Code section 54956.9(b), the Board **conferred** with legal counsel regarding one matter of significant exposure to litigation;

BOARD ACTION: No final decision was made and direction was given to staff.

0950.000 c. Pursuant to Government Code section 54957, the Board **discussed** the following:

Public Employment: CEO – Natividad Medical Center

BOARD ACTION: No final decision was made and direction was given to staff.

At the conclusion of Closed Session, the Board of Supervisors may make any required disclosures regarding actions taken in Closed Session or adopt any appropriate resolutions concerning these matters.

12:00 p.m. Recess to lunch

1:30 p.m.

- 1351.475 S-7 a. **Received** report from the Director of Environmental Health regarding policy options for proof of water quality and quantity (long term water supply) for subdivisions and provide direction to staff to prepare appropriate amendments to the General Plan and Title 19 of the Monterey County Code (Subdivision Ordinance) to implement any proposed changes to these documents.

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried, the Board received the report and moved to continue the item to July, 2003.

- 1351.475 b. **Received report and provided direction** to staff on revised draft General Plan policies related to public services, water, concurrency requirements, and health and safety.

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried, the Board moved to receive the report and gave direction to staff to return with an outline of where the Planning Commission's direction has been couched into language and may be considered as a new item.

ORDER FOR ADJOURNMENT TO MONDAY, JUNE 9, 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 Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board approved the following actions, except as otherwise noted:

HEALTH AND SOCIAL SERVICES:

- 0601.100 &
0150.142 6. **Directed** the Auditor-Controller to transfer the amount of \$20,000 from Fund 80, Account 3410, Vital Records Certificate Surcharge, to Health Department Budget Unit 411 for the purchase of bond paper for use in the production of birth and death certificates; and the purchase of two computers and printers for upgrade purposes; and increase revenue and appropriations in Health Department Budget Unit 411 by \$20,000 for FY 2002-03. (4/5ths Vote Required)
- 0125.000 7. **Agreement No. A-09402: Approved and Authorized** the Director of Health to sign a contract in the amount of \$73,500 for Mary Sue Abernethy for the period July 1, 2003 through June 30, 2006 for outpatient mental health services for Monterey County Medi-Cal Beneficiaries and CalWORKS recipients; and Authorize the Director of Health to approve contract 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.

CRIMINAL JUSTICE:

- 0602.500 &
0150.142 8. **Approved** increase of appropriations and estimated revenues in the amount of \$82,859.30 to receive funding for the California Law Enforcement Equipment Program from the California State Controller in Sheriff's budget unit 251. (4/5ths Vote Required)
- 0602.500 &
0150.142 9. **Approved** increase of appropriations and estimated revenues in the amount of \$170,900 for various CAL-ID activities in Sheriff's Budget Unit 230. (4/5ths Vote Required)

GENERAL GOVERNMENT:

- 6300.000 10. **Approved** Action Minutes of the meeting of Tuesday, May 20, 2003, copies having been distributed to each Board member.
- 0600.700 11. **Resolution No. 03-217: Approved** resolution authorizing the issuance and sale of 2002 General Obligation Bonds of Spreckels Union School District in the aggregate principal amount not to exceed \$5,335,000.

- 0125.000 12. **Agreement No. A-09403: Approved** Consulting Agreement between the County of Monterey and Sandi D. Hollenbeck for implementation of the amended Inclusionary Housing Ordinance and related Affordable Housing Programs and projects.
- 0601.175 &
0125.000 13. **Agreement No. A-09403: Accepted** 2002 HOME Grant of \$800,000 for Housing Rehabilitation and First Time Homebuyer Assistance and **Approved** Consulting Agreement between the County of Monterey and Nilsen and Associates for Program Implementation.
- 0802.000,
5400.000 &
0150.142 14. **Adopted Resolution No. 03-218: Amended** Personnel Policies and Practices **Resolution No. 98-394** to realign/adjust salary of Deputy General Manager-Water Resources Agency.
- 0125.000 15. **Agreement No. A-09405: Approved** contract with Freshman Kast, Inc. for the provision of federal legislative advocacy services in the amount of \$102,500 from July 1, 2003 through June 30, 2004.
- 0403.825 &
0150.142 16. **Concurred** with the Monterey County Workforce Investment Board (WIB) to accept an additional \$37,800 from the State of California Governor's 25% Discretionary Funds awarded to the Regional Technology (RE-TEC) Consortium; Request Auditor-Controller to increase estimated revenue and appropriations totaling \$37,800; and **Authorized** the WIB Executive Director to execute and modify respective agreements as needed.
- 0403.825 &
0150.142 17. **Concurred** with the Monterey County Workforce Investment Board to accept \$286,409 from the State of California Governor's Discretionary Funds of Title I Workforce Investment Act Funds for Rapid Response activities; Request Auditor-Controller to increase estimated revenue and appropriations totaling \$286,409; and **Authorized** the WIB Executive Director to execute and modify the respective agreements as needed.
- 0601.600 &
5400.000 18. **Adopted Resolution No. 98-394: Amended** Personnel Policies and Practices Resolution No. 98-394 to Add Park Services Aide and Range Aide Classifications.
- 0601.160,
0125.000 &
0200.050 19. **Adopted Resolution No. 03-220 and adopted Agreements A-09406 and A-09407: Approved** Settlement Agreement and conditionally approve request of AT&T Broadband to transfer control of local cable franchise from AT&T Corporation to a new corporate entity known as Comcast Corporation.
- 0602.500 &

- 0150.142 20. **Approved** the transfer of \$1,821,891 from other Financing Uses, Budget Unit 850 to Sheriff Office budget units for prior approved salary and benefit increases.
- 0600.025 &
5400.000 21. **Adopted Resolution No. 03-221: Amended** Personnel Policies and Practices Resolution No. 98-394 to add classifications in the Personnel Analyst, Management Analyst and Employee Relations Representative series.

PLANNING AND BUILDING INSPECTION:

- 0125.000 22. **Agreement No. A-09408: Approved and Authorized the Chair to sign**, on behalf of the Board, the Professional Services Agreement with Michael Brandman Associates, in an amount not to exceed \$441,600.00, for preparation of an Environmental Impact Report for the East Garrison (Fort Ord) Specific Plan (PLN030204); Direct the County Purchasing Manager to issue a Purchase Order in that amount.
- 0125.000 23. **Agreement No. A-09409: Approved, and Authorized the Chair to sign** on behalf of the Board, the Professional Services Agreement with RBF Consulting, in an amount not to exceed \$650,896.00, for project facilitation and county assistance with the preparation, analysis and implementation of the East Garrison (Fort Ord) Specific Plan (PLN030204); Direct the County Purchasing Manager to issue a Purchase Order in that amount; and Approve and Authorize the Chair to sign a Reimbursement Agreement with East Garrison Partners I, LLC (maximum \$650,896.00) to provide reimbursement for the expenses of RBF Consulting.
- 0125.000 24. **Agreement No. A-09126: Approve and Authorize the Chair to Sign Contract Amendment No. 1 with Avery Associates, Inc. for Recruitment and Classification Services**

PUBLIC WORKS:

- 0602.350 25. **Introduced, waived the reading, and set** June 24, 2003 at 10 a.m., for a public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.24.020 to establish a stop intersection at Calle De Los Ositos, Punta Del Monte, Calle De Quien Sabe, and Piedras Blancas, Carmel Valley Village area.
- 0602.350 26. **Introduced, waived the reading, and set** June 24, 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 35 m.p.h. speed limit on a portion of Calle Del Adobe, Salinas area.
- 0602.350 27. **Introduced, waived the reading, and set** June 24, 2003 at 10a.m., for a public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.28.012 to establish no parking at any time for commercial vehicles on a portion of Castroville Boulevard, Castroville area.
- 0602.350 28. **Introduced, waived the reading, and set** June 24, 2003 at 10 a.m., for a public hearing to adopt an ordinance amending Monterey County Code Title 12, Section

- 12.24.020 to establish a stop intersection at Cross Road and Lockwood Jolon Road, Lockwood area.
- 0602.350 29. **Introduced, waived the reading, and set** June 24, 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 Rogge Road, northern Salinas area.
- 0602.350 30. **Introduced, waived the reading, and set** June 24, 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 a portion of Russell Road, northern Salinas area.
- 0602.350 31. **Approved** a finding that South County Fixed Route Sunday Service is potentially an Unmet Transit Need that is reasonable to meet in the County unincorporated areas and discontinue the North Monterey County Demonstration Program.
- 0525.000 32. **Approved** Contract Change Order No. 17 in the amount of \$85,800 and an increase in the amount of \$37,680 in contingency funding for construction of the Pajaro Storm Drain Phase 3A Project, Pajaro area.
- 0602.350 33. **Accepted** the Notice of Completion of infrastructure improvements for the Moro Cojo Subdivision; Authorize the release of Faithful Performance Security in the form of a Deed of Trust; and Authorize the Public Works Director to execute a Full Reconveyance (located off Castroville Boulevard, 175 lots and 90 multi-family units - private roads).

EMERGENCY ADDITIONS

- 0950.000 N/A 2. **Agreement No. A-09411: Approved and authorized** execution of Severance Agreement And General Release with David R. Small.