

A C T I O N M I N U T E S**MONTEREY COUNTY BOARD OF SUPERVISORS****Tuesday, January 15, 2002 at 9:30 a.m.****Lunch Break from 12:00 Noon to 1:40 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:

Upon the request of Supervisor Pennycook, the Board will add the following under Appointments:

Appoint Mayor Jerry Smith, representing the Mayors' Select Committee, replacing Anna Caballero, on the Community Restorative Justice Commission for a term to expire January 9, 2004.

Upon the request of Supervisor Johnsen, the Board will adjourn today's meeting in memory of Rev. Dr. Hannibal Williams, Sr., deceased.

Upon the request of Supervisor Potter, the Board will adjourn today's meeting in memory of Harold Seyferth, deceased.

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

2050.000 S-3 PUBLIC COMMENT PERIOD: **Jay Foss, Member of the National Alliance for Mental Health and the Monterey County Behavioral Health Commission, expressed his concern with the State of California's budget deficit, and urged the Board to provide funds in the FY 2002-03 Budget necessary to care for the County's mentally ill. Karen Hart, long-time member of the National Alliance for Mental Health and member of the Monterey County Mental Health Advisory Commission, also expressed her deep concern with the dire budget situation, and urged the Board to provide the necessary funds to support on-going services to children's programs which serve foster children and children receiving welfare benefits. Bill Monning, Attorney representing the NAACP and the Civil Rights Coalition, expressed support for Sheriff Gordon Sonn e's disciplinary actions taken, relating to the playing of a tape with racial epitaphs at the Monterey County Jail. Al Mortensen, President of the Salinas Valley Chamber of Commerce, thanked the Board, as**

well as the Monterey County Visitors and Convention Bureau for selecting them to design and construct Monterey County's exhibit for the Hall of Counties at the California State Fair in Sacramento. He presented the Board with a bronze award for their achievement. Nick Pasculli, Marketing Director for the Salinas Chamber of Commerce, stated they were proud to be able to representing Monterey County at the California State Fair. Dennis Kately, resident of Ballentree Estates Subdivision, commented on the auto auction located at the Red Barn, expressed his opinion that the storage of autos in connection with the auction operation affected the neighboring properties' value, and asked if an environmental impact study had been prepared for this activity.

APPOINTMENTS:

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

- 0400.410 1. **Appointed** John Villapando, of the City of Monterey, to the Americans with Disabilities Act Advisory Commission, for a term to end on December 31, 2005. (Full Board)
- 0401.560 2. **Appointed** Terry Spitz, Chief Assistant District Attorney, to the Community Restorative Justice Commission, for a term to end on January 8, 2005. (Pennycook)
- 0401.560 N/A **Appointed** Mayor Jerry Smith, representing the Mayors' Select Committee, replacing Anna Caballero, on the Community Restorative Justice Commission for a term to expire January 9, 2004.

OTHER BOARD MATTERS:

3. Board comments and referrals: **None.**
4. County Administrative Officer's Comments and Reports: **None.**
- 6300.000 5. **Adopted** Board of Supervisors' meeting schedule for the 2002 calendar year. (Potter)
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried.
- 6300.000 6. **Approved** recommended appointments of Supervisors to boards, committees and commissions for the calendar year 2002. (Potter)
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried.
- 2050.000 7. **Resolution No. 02-012: Adopted** Resolution recognizing Sheryl McKenzie and the Government Affairs Program of the

Monterey County Association of REALTORS on the occasion of their 20th Anniversary. (Potter)

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

SCHEDULED MATTERS

10:00 a.m.

- 0650.010 S-4 a. **Accepted** Public Works' report on evaluation of management alternatives, **received** report on bid proposals for acquisition and utility services; and **directed** Public Works to negotiate a Letter of Intent, Final Acquisition Agreement, and Interim Operations Agreement with California American Water Company (Cal Am) as responsive and qualified low bidder for privatization of the CSA 10 Laguna Seca and CSA 72 Las Palmas Ranch Wastewater Reclamation Systems.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried.
- 0800.325 b. **Accepted** Public Works' report on evaluation of management alternatives, **received** report on bid proposals for acquisition and wastewater utility services, and **directed** Public Works to negotiate a Letter of Intent, Final Acquisition Agreement, and Interim Operations Agreement with California American Water Company (Cal Am) as responsive and qualified low bidder for privatization of the Carmel Valley County Sanitation District (CVCS D) Zone 1 (Carmel Valley Ranch) Wastewater Reclamation System; CVCS D Zone 2 (White Oaks) Community Septic System; and CVCS D Zone 3 (Village Greens) Community Septic System.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried.
- 0803.550 c. **Accepted** Public Works report on alternative management strategies for County Service Areas and County Sanitation Districts, **adopted** resolution supporting application to Local Agency Formation Commission involving the consolidation of the Pajaro County Sanitation District with the Pajaro/Sunny Mesa Community Services District.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried.

11:00 a.m.

- 0401.870 S-5 **Accepted** oral Annual Report from the Monterey County HIV/AIDS Advisory Committee on their accomplishments during 2001.

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

1351.450 S-6 **Received** a report on the draft General Plan and the proposed schedule for public outreach.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried.

1:40 p.m.

S-7 Closed Session relating to the following items:

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

- 1. Claim of Sportsmobile West

BOARD ACTION: The Board denied the claim for indemnification.

- 2. Judy Smith (WC)

BOARD ACTION: No reportable action taken.

- 3. Demolition of the Old Jail Building

BOARD ACTION: No reportable action taken.

- 4. Matter of Dawn Arviso

BOARD ACTION: The Board authorized reimbursement in the amount of \$15,451.28 to Ms. Arviso, a former employee of the Sheriff's Department who had previously paid that amount under a Training Reimbursement Agreement.

0950.000 b. Pursuant to Government Code Section 54957, the Board will confer with legal counsel regarding one matter of public employee discipline/dismissal/release.

BOARD ACTION: No reportable action taken.

ORDER FOR ADJOURNMENT TO TUESDAY, JANUARY 22, 2002 AT 9:30 A.M. IN MEMORY OF REV. DR. HANNIBAL WILLIAMS, SR., AND HAROLD SEYFERTH, 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:

- 0110.000 8. **Agreement No. A-08473: Approved and authorized** the Director of Health to sign an amendment to Agreement #SV00015 with the State of California, Department of Corrections, for the provision of Infectious Disease Testing Services for the Salinas Valley State Prison in the amount of \$14,000 for the period of July 1, 2000 through June 30, 2002.
- 0601.100 9. **Reallocated** 1.0 vacant FTE Environmental Health Specialist II position to an Environmental Health Specialist III position; **directed** the Auditor-Controller to amend the Health Department Budget Unit 414 to reflect the change in position count.
- 0125.000 10. **Agreement No. A-08835: Approved and authorized** Director of Health to sign an Agreement with Southern Monterey County Memorial Hospital, DBA George L. Mee Memorial Hospital, for the provision of clinical services in South Monterey County in the amount of \$50,000 for the period October 1, 2001 through September 30, 2002.
- 0110.000 11. **Agreement No. A-08837: Approved and authorized** the Director of Health to sign the Mental Health Performance Contract #01-71175-000 with the State Department of Mental Health in the amount of \$912,131 for the provision of Medi-Cal Managed Care Services for Monterey County residents for FY 2001-02.
- 0110.000 12. **Agreement No. A-08838: Approved and authorized** the Chair to sign a contract with the State of California Department of Health Services, Office of AIDS, for the Early Intervention Program (EIP) for FY 01-02, FY 02-03, and FY 03-04; increase appropriations and estimated revenue by \$37,600 for FY 01-02.

GENERAL GOVERNMENT:

- 6300.000 13. **Approved** Action Minutes for the meetings of Tuesday, December 4, 2001 and Tuesday, December 11, 2001, copies

having been distributed to each Board Member.

- 0125.000 14. **Agreement No. A-08839: Approved** the terms of the Letter of Understanding between the County of Monterey and the Service Employees International Union, Local 817 representing the Supervisory Unit (Unit F) which amends the current Memorandum of Understanding (Unit F) and the Personnel Policies and Practices Resolution No. 98-394 Section A.8.5.2 Medical Center Overtime of Lower Class Assignment to provide overtime payment based on the highest salary step, rather than at the fifth salary step, for the performance of assigned overtime duties of specific lower classifications effective January 26, 2002.
- 0125.000 15. **Agreement No. A-08840: Approved** the terms of the Side Letter Agreement between the County of Monterey and the Service Employees International Union Local 817 representing the Health care Unit (Unit H), which amends the current Unit H Memorandum of Understanding to provide certain overtime and special pay practices to the classification of Senior Clinical Laboratory Assistant, effective January 26, 2002.
- 0525.000 16. **Awarded** annual construction contract to Graniterock dba Pavex Construction, low bidder, in the amount not to exceed \$100,000 for annual maintenance of park roadways at Laguna Seca Recreation Area for calendar year 2002 (January 1, 2002 through December 31, 2002, Bid No. 9551; authorize the Chair of the Board to sign the contract; and direct the Auditor-Controller to encumber up to \$100,000 in Account No. 1-750-7516-6780 for the bid.
- 0525.000 17. **Authorized** acceptance of work and filing of Notice of Completion for the fourth and final quarter of the annual maintenance of park roadways at Laguna Seca Recreation Area for calendar year 2001, Bid No. 9415.

PLANNING AND BUILDING INSPECTION:

- 6000.000 18. **Resolution Nos. 02-015 and 02-016: Approved** request by Village Ranch Investors, Carmel Valley Investors and the Sierra Club to modify conditions of approval by adding condition 69 (PLN010004) to the previously approved Village Ranch Minor Subdivision and condition 67 (PLN010005) to the previously approved Carmel Valley Investors Minor Subdivision, located north of Carmel Valley Road and ¼ mile east of Holman Road, (APN's 197-231-005-000 and 197-231-004), in the Carmel Valley Area. Staff Recommendation: Adopt the Findings and Evidence, modify conditions of approval by adding conditions to the previously approved projects.

PUBLIC WORKS:

- 0125.000 19. **Agreement No. A-08841: Approved** Professional Services Agreement with Whitson Engineers not to exceed \$124,173 for design engineering services for the Fontes Lane Storm Drain Improvement Project, Boronda Area.
- 7000.000 20. **Approved** purchase of a Public Utility Easement from Michael J. Assum and Associates, Inc. in the amount of \$1,625 for the Carmel Valley Road Rule 20A Underground Utility District.
- 0525.000 21. **Approved** Plans and Special Provisions and advertise for bids for construction of Pajaro Storm Drain Phase 3A, Pajaro area.
- 0525.000 22. **Approved** an actual cost contract with Pacific Gas and
4600.000 Electric Company in the estimated amount of \$29,000 for relocation of existing gas transmission facilities in conjunction with the State Highway 1 County Sponsored Widening Project, Carmel Area.

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