

A C T I O N M I N U T E S**MONTEREY COUNTY BOARD OF SUPERVISORS
AND THE MONTEREY COUNTY WATER RESOURCES AGENCY****Tuesday, February 5, 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

The Clerk read the following clarification to the Agenda into the record:

It is noted that under Item S-6(c), the Board will be conducting the public hearing in its joint capacities as the Board of Supervisors of Monterey County and as the Governing Board of the Monterey County Redevelopment Agency.

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

2050.000 S-3 PUBLIC COMMENT PERIOD: **Douglas Fay, member of the Concerned Citizens of the River Road area, urged the Board to pursue scenic road status for River Road, before the wine corridor designation is considered, to ensure the quality of life for the residents of River Road, as well as promote the tourism industry. He also addressed the need for assessment rates to be submitted for landowner approval as soon as possible to increase water capacity, stressed the need for a South County candidate's forum, and the development of a family fun center at the Laguna Seca Recreation Area. Hans Jongens addressed the Board concerning the threat to the Salinas Valley water supply by nitrate contamination, addressed SB 221 which requires any development over 500 houses to provide proof of a sufficient potable water supply prior to approval, and special interests involved in the development of the Monterey County General Plan. Joseph Vierra addressed the Board regarding the transfer of funds from the Hatton Canyon Freeway to finance the Highway 101 Bypass.**

APPOINTMENTS:

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

0802.000 1. **Acting as the Board of Supervisors of the Monterey County Water Resources Agency, reappointed Paul E. Martin to the Monterey County Water Resources Agency for a term ending December 31, 2006. (Full Board)**

- 0402.950 2. **Reappointed** Sharon Parsons and Laurence R. Hawkins to the Monterey County Planning Commission for terms ending January 23, 2006. (Full Board)
- 0401.865 3. **Reappointed** John Skourkes to the Historic Resources Review Board (HRRB) for a term ending December 31, 2005. (Pennycook)
- 0400.410 4. **Appointed** Carol Ryan to the Americans with Disabilities Act Advisory Committee for a term ending December 31, 2004. (Potter)
- 0400.761 5. **Reappointed** Candy Nava and Richard Medley to the Boronda Redevelopment Project Citizens Advisory Committee for terms ending January 1, 2006. (Pennycook)
- 0401.500 6. **Reappointed** Peggy Shirrel and Kay Kirkland to the Commission on the Status of Women for terms ending February 1, 2005. (Pennycook/Potter respectively)

OTHER BOARD MATTERS:

- 6300.000 7. Board comments and referrals: **Supervisor Pennycook announced that she attended a Steering Committee meeting for the Relay for Life team for the County of Monterey, and that she is the team leader for the Board of Supervisors. Supervisor Armenta requests the County Administrative Officer to report back to the Board on the status of an apprenticeship program in the County of Monterey. Supervisor Potter requested the County Administrative Officer to report back to the Board on the status of benefits for temporary employees with the County of Monterey.**
- 0600.025 8. County Administrative Officer's Comments and Reports: **Sally R. Reed, County Administrative Officer, presented the Board with a draft of her summary notes from the Board's Strategic Planning Workshop held on Tuesday, January 29th. This draft incorporates the changes that the Board made to their goals and objectives, and the specific directions for next year, and puts them in the format of the Board's original goals document. The Board hereby received the report.**
- 2050.000 9. **Resolution No. 02-028: Adopted** Resolution commending Sgt. Scott Ragan as the Monterey County Peace Officer's Association Peace Officer of the year 2001 for his heroic actions and bravery resulting in a life-saving action. (Potter)
BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Pennycook, and unanimously carried.
- 2050.000 10. **Resolution No. 02-027: Adopted** Resolution commending Officer Brandon Hill as the Monterey County Peace Officer's

Association Peace Officer of the year 2001 for his heroic actions and bravery resulting in a life-saving action.

(Potter)

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

SCHEDULED MATTERS

10:00 a.m.

3150.000 S-4 Public hearing to adopt a mitigated Negative Declaration and mitigation monitoring plan and approve a Coastal Administrative Permit and Design Approval for Murray and Carol Smith, file number PLN 000239, to allow the demolition of an existing one-story single family dwelling and construction of a two-story single family dwelling with an attached three-car garage, new driveway (decomposed granite), addition and replacement of sections of the perimeter grape stake fence (4 to 6 feet in height), new 6 foot timber entry gate with stone columns, and associated grading. The property is located at 3105 17 Mile Drive, northeasterly of the intersection of 17 Mile Drive and Spyglass Hill Drive, Del Monte Forest Land Use Plan, Assessor's Parcel Number 008-012-007. (Appeal filed by Ken and Sharene Virnig from Planning Commission approval)

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried, the Board continued this matter, open, to Tuesday, March 12, 2002 at 10:00 a.m.

0125.000 S-5 **Agreement No. A-08150:** Accepted recommendation allowing the Sports Car Racing Association of the Monterey Peninsula (SCRAMP) to proceed with Phase 1-A of its improvement plans for the Mazda Raceway at Laguna Seca; **authorized** the execution of the amendment to the SCRAMP concession agreement (A-08150) to extend the term for 10 years; **authorized** the concession agreement to be used as partial collateral for SCRAMP's development financing.

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board approved the staff's recommendations, including approval and authorization for the execution of an amendment to Agreement No. A-08150 with SCRAMP to extend the term of the concession agreement for ten years.

11:00 a.m.

1225.000 S-6 a. **Received** oral presentation of Woodman Development concept plan for Parker Flats and East Garrison.

1225.000 b. **Held** workshop on the development and disposition agreement process (oral report)

1225.000 c. Acting as the Board of Supervisors of Monterey County and as the Governing Board of the Monterey County

Redevelopment Agency, a public hearing is conducted on the formation of the Fort Ord Redevelopment Project area; introduced ordinance to adopt redevelopment plan and waived first reading.

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board received public comment, directed staff to prepare responses, and continued the public hearing, closed, to Tuesday, February 12, 2002 at 2:30 p.m. for consideration of responses to comments and introduction of the Ordinance.

- 1225.000 d. Endorse proposed County of Monterey/Fort Ord Reuse Authority (FORA)/Monterey Peninsula College (MPC) points of agreement regarding public safety officer training facility at former Fort Ord.
- BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board endorsed the proposed County of Monterey/Monterey Peninsula College (MPC)/Fort Ord Reuse Authority (FORA) points of agreement regarding a public safety officer training facility at Fort Ord, and directed County Counsel to work with MPC and FORA legal counsel to conclude work on a final, binding agreement at the earliest possible date.

12:00 p.m.

Recess to lunch

1:40 p.m.

S-7 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 potential litigation:
1. County of San Bernardino v. State Department of Health Services; Barlow Respiratory Hospital v. State Department of Health Services (Medi-Cal outpatient rate litigation cases)
- BOARD ACTION:** The Board approved an amendment to an existing settlement agreement eliminating the need for receipt of federal matching funds before implementation of the remainder of the existing agreement.
- 6200.000 b. Pursuant to Government Code Section 54956.9(b), the Board will confer with legal counsel regarding the following potential litigation:
1. Claim of TCI Cablevision

BOARD ACTION: The Board denied the claim of TCI Cablevision for \$50,000 in contract damages.

- 0950.000 c. 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.

2:00 p.m.

- 0150.141 S-8 a. Accepted the Five Year Forecast and Financial Report Plan Workshop, including segments presented by industry representatives on the tourism and agricultural sectors of the local economy.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and carried by those members present, with Supervisor Pennycook absent.

- 0602.550 b. Received report on Department of Social Services funding processes for emergency food and homeless services.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and carried by those members present, with Supervisors Pennycook and Potter absent.

ORDER FOR ADJOURNMENT TO TUESDAY, FEBRUARY 12, 2002 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 Armenta, and unanimously carried, the Board approved the following actions, except as otherwise noted:

NATIVIDAD MEDICAL CENTER:

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0110.000 11. **Agreement No. A-08843: Approved and authorized** the CEO, Natividad Medical Center, to sign the standard agreement with the California Department of Health Services for California Healthcare for Indigents Program funding for fiscal year 2001-2002.

HEALTH AND SOCIAL SERVICES:

0125.000 12. **Agreement No. A-08844: Approved and authorized** the Director of Health to sign a Memorandum of Understanding (MOU) with S.G. Henderson Consulting for the "It's Up To Me" Teen Pregnancy Prevention Program in the total amount of \$10,000 for the period of July 1, 2001 to June 30, 2002; **directed** the Auditor-Controller to amend Health Department Budget Unit 411 to increase estimated revenue and appropriations by \$10,000 for fiscal year 2001-2002.

0125.000 13. **Agreement No. A-006994: Approved** the assignment of the Carmel Marina Corporation exclusive solid waste collection and disposal franchise agreement to U.S.A. Waste of California, Inc., dba Carmel Marina Corporation, as provided under Section 10.41.210 of the Monterey County Code.

5800.000 14. **Resolution No. 02-033: Approved** a 20-gallon weekly residential garbage service for Rural Dispos-All Services (Waste Management Inc.) in the unincorporated areas of North Monterey County, Boronda, Salinas, Gonzales, Soledad, and Greenfield and for Carmel Marina Corporation (Waste Management Inc.) in the unincorporated areas of King City and south to the San Luis Obispo County line, Big Sur, Carmel, Carmel Valley, Highway 68, Castroville, Moss Landing, and River Road, effective February 5, 2002.

0601.100 15. **Approved and authorized** the Director of Health to submit a revised renewal application to the State Department of Mental Health for the substance abuse and mental health services administration block grant to increase the current grant allocation by \$93,279 for fiscal year 2001-2002 to provide aftercare services for individuals who have serious mental illness and substance abuse problems.

0601.100 16. **Resolution No. 02-034: Proclaimed** the week of February 10-16, 2002, as Child Passenger Safety Awareness Week in Monterey County.

0601.100 17. **Approved and authorized** the Director of Health to submit a renewal application to the State Department of Mental Health for McKinney projects for assistance in transition from homelessness formula grant program to continue the existing supported employment program in the amount of \$37,464 for fiscal year 2001-2002.

0601.100 18. **Resolution No. 02-035: Reallocated** 1.0 FTE Administrative Services Assistant position to a Management Analyst I,

effective March 2, 2002; **directed** the Auditor-Controller to amend the fiscal year 2001-2002 Health Department Budget Unit 411 to reflect the change in position count.

- 0125.000 19. **Agreement No. A-08845: Approved and authorized** the Director of Health to sign an agreement with the State Department of Mental Health for mental health performance contract number 01-71237-000 in the amount of \$686,105 for the provision of State hospital services for Monterey County residents for fiscal year 2001-2002.
- 0110.000 20. **Agreement No. A-08029: Approved and authorized** the Director of Health to sign amendment No. A02 to Agreement 99-85622 (A-08029) with the State Department of Health Services, Office of Community Challenge Grants, in the total amount of \$630,000 for POSTPONE project for the period of July 1, 1999 through June 30, 2002; **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.
- 0110.000 21. **Agreement No. A-08846: Approved and authorized** the Director of Health to sign contract 01-15759 with the State Department of Health Services in the amount of \$100,000 to implement the California Project LEAN/Nutrition Network Program for the period October 1, 2001 through September 30, 2002; **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.
- 0110.000 22. **Agreement No. A-08468: Approved and authorized** the Director of Health to sign an amendment to agreement 00-91490 with the State Department of Health Services, Disease Prevention and Health Promotion Branch, for the California Project LEAN Bone Health Campaign to extend the contract for two additional months for the period of October 1, 2000 through November 30, 2001; **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.
- 0110.000 23. **Agreement No. A-08847: Approved and authorized** the Director of Health to sign grant agreement 01-16017 with the California Department of Health Services for the "Healthy Families/Medi-Cal for Children Outreach" project in the total amount of \$440,000 for the period July 1, 2001 through June 30, 2003; **Directed** the Auditor-Controller to amend Health Department Budget Unit 411 to increase estimated revenue and appropriations by \$220,000 for fiscal year 2001-2002; **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.

CRIMINAL JUSTICE:

- 0125.000 24. **Agreement No. A-08848: Approved and authorized** the Chief Probation Officer to sign a professional services agreement in the amount of \$82,758 with Justice Research Center for the evaluation of the Juvenile Drug Court Program.
- 0602.500 25. **Approved** an application and order for destruction of records for the Sheriff's Department.
- 0602.500 26. **Approved** an increase in appropriations and estimated revenues in Sheriff's Budget Unit 230 in the amount of \$23,100 for the purchase of two general service trained canines (K-9), handler courses and miscellaneous equipment.

GENERAL GOVERNMENT:

- 6300.000 27. **Approved** Action Minutes for the meeting of Tuesday, January 15, 2002, and Tuesday, January 22, 2002, copies having been distributed to each Board Member.
- 0601.350 28. **Increased** estimated revenues and appropriations totaling \$5,000 in Budget Unit 611, County Library, to continue and enhance bookmobile services for the Probation department's institutions during fiscal year 2001-2002.
- 3100.000 29. **Approved** issuance of a bingo license to Monte Del Lago Mobile Homeowner's Association for the period December 3, 2001 through December 2, 2002.
- 0125.000 30. **Agreement No. A-08851: Approved** an agreement with Agland Investment Services, Inc. to study the feasibility of establishing an Agricultural Technology Center in Monterey County and authorize the Assistant County Administrative Officer-Environmental Resources Policy (ERP)- to sign the agreement and any amendments.
- 5400.000 31. **Resolution No. 02-032: Amended** Personnel Policies and Practices Resolution No. 98-394 to add classifications of Business Technology Analyst I, II, III, and amend General Services Budget Unit 106 to approve reallocation.
- 2800.000 32. **Ordinance No. 04134: Adopted** ordinance extending the North County Development Limitation Ordinance No. 4083 for an additional six months.
- 4100.000 33. **Approved** adoption of the County of Monterey Vehicle Use
0600.850 Policy revision 02/02; **Authorized** General Services Department to implement policy, establish guidelines, procedures, and training for departments regarding the use of vehicles while on County business; **Delegated** authority to department heads

and/or designee(s) to authorize permanent/home retention authorization of County owned vehicles; and **authorized** departments to enter into the DMV "employer Pull Notice" Program.

- 0110.000 34. **Agreement No. A-08852: Approved** an agreement with the California Department of Justice for electronic access to Monterey County Criminal Justice database information.
- 0125.000 35. **Agreement No. A-08853: Approved and authorized** the Contracts/Purchasing Manager to sign a contractual agreement for the initial term of one year with Paige's Security Services Inc. for the County of Monterey.
- 0125.000 36. **Agreement No. A-08854: Approved and authorized** the Contracts/Purchasing Manager to sign a three year lease agreement, effective February 1, 2002, with Meyer Two, a General Partnership, for 1,000 square feet of general office space at 522-D Broadway, King City, for use by the Equal Opportunity Office.
- 0125.000 37. **Agreement No. A-02161: Approved** amendment #3 to commercial lease agreement A-02161 between County of Monterey and Water World Resorts, Inc. for Lake Nacimiento concession facilities.
- 0525.000 38. **Approved** the plans and specifications for paving at Lake San Antonio- North Shore and authorize solicitation of bids.

PLANNING AND BUILDING INSPECTION:

- 6000.500 39. **Accepted** two final parcel maps, tax report, inclusionary housing clearance memoranda, Subdivision Title Guarantee, and recording fees for the two Minor Subdivisions for Moro Holdings, Inc. (PLN 010198 and PLN 010199), consisting of three lots and two lots, respectively, located at west corner of Geil Street and Salinas Street, Castroville, North County Planning area, Assessor's Parcel Numbers 030-104-003 and 030-104-007.
- 0602.200 40. **Approved** the purchase of a computer network switch and the associated transfer of \$9,000 from fiscal year 2001-2002 services and supplies to fixed assets in Planning and Building Inspection, Budget Unit 293.

PUBLIC WORKS:

- 0525.000 41. **Approved** an increase in the amount of \$171,058 in contingency funding for construction of the seismic retrofit of the Monte Road and Davis Road bridges.

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