

A C T I O N M I N U T E S**MONTEREY COUNTY BOARD OF SUPERVISORS
AND THE MONTEREY COUNTY REDEVELOPMENT AGENCY****Tuesday, February 12, 2002 at 9:30 a.m.****Lunch Break from 12:00 Noon to 2:30 p.m.****9:30 a.m.**

2050.000 S-1 Presentation on the "Relay for Life," including a short video highlighting the event to raise funds to assist in finding a cure for cancer. (Pennycook)

BOARD ACTION: The Board received the presentation.

S-2 Additions and corrections to Agenda

Upon motion of Supervisor Pennycook, seconded by Supervisor Armenta, and unanimously carried, the Board approved the following additions and corrections to the Agenda:

Upon the request of Supervisor Calcagno, add adoption of a Resolution commending Ralph "Bud" and Paula Sarmiento as the 2001 Soledad-Mission Chamber of Commerce Citizens of the Year under "Other Board Matters."

S-3 CONSENT CALENDAR - REGULAR [See [Supplementary Sheet](#) attached]

2050.000 S-4 PUBLIC COMMENT PERIOD: **Julie Engell, resident of North County, asked that any committee established on the issue of incorporating the vintners' concerns into the Monterey County General Plan include a member of the general public. She expressed her concerns with lack of receipt of adequate notice of the time and location of up-coming committee meetings, or of minutes from the previous committee meetings. She states her concern that the vintners' vision for profitability might conflict with the quality of life of other County residents. She states she cannot support exclusivity, inconsistency, and secrecy. Jan Mitchell, representing the Prunedale Neighbors' Group, spoke in support of Ms. Engell's comments. She alleges that there is the perception of favoritism exhibited to the vintners and the wine industry.**

APPOINTMENTS:

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

0400.410 1. **Appointed** Merryl Carr as the City of Salinas' representative to the Americans with Disabilities Act Advisory Committee, for a term ending December 31,

- 0401.750 2. **Reappointed** John Pack for a term expiring 2/1/04; and appoint John Sargenti, replacing Eugene Boggiatto, for a term expiring 2/1/05; to the Fish and Game Advisory Commission.

OTHER BOARD MATTERS:

- 6300.000 3. Board comments and referrals: **None.**
- 0600.025 4. County Administrative Officer's Comments and Reports: **None.**

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

- 2050.000 5. **Resolution No. 02-031: Adopted** Resolution in observance of "California Eligibility Professionals Recognition Week." (Potter)
- 2050.000 6. **Resolution No. 02-029: Adopted** Resolution honoring E. Valerie Barnes, M.D., as the recipient of the Monterey County Medical Society's 2001-2002 Physician of the Year Award. (Potter)
- 2050.000 7. **Resolution No. 02-025: Adopted** Resolution commending Mike Mallory as Monterey County Cattlemen's Association "Cattlemán of the Year 2002. (Calcagno)
- 2050.000 8. **Resolution No. 02-026: Adopted** Resolution commending Mary Hansen as Monterey County Cattlewomen's Association "Cattlewoman of the Year 2002." (Calcagno)
- 2050.000 9. **Resolution No. 02-022: Adopted** Resolution commending Vince and Tina Lopez, recipients of the 2001 King City Chamber of Commerce Citizens of the Year Award. (Calcagno)
- 2050.000 10. **Resolution No. 02-036: Adopted** Resolution commending Pete Rocha as the recipient of the 2001 Greenfield Chamber of Commerce Citizen of the Year Award. (Calcagno)
- 2050.000 NA/1 **Resolution No. 02-038: Adopted** Resolution commending Ralph "Bud" and Paula Sarmiento as the 2001 Soledad-Mission Chamber of Commerce Citizens of the Year. (Calcagno)

SCHEDULED MATTERS

10:15 a.m.

- 0800.325 S-5 a. **Agreement Nos. A-08875 & A-08876: Approved** Letter
0125.000 of Intent to Sell and Interim Operations Agreement for the Carmel Valley County Sanitation District Zone 1 (Carmel Valley Ranch) Wastewater Reclamation System, Zone 2 (Village Greens) Community Septic System, and

Zones 3 (White Oaks) Community Septic System; **authorized** Cal-Am, through the Interim Operations Agreement, to complete pump station improvements for Zone 1; and **directed** Public Works to negotiate acquisition agreement for sale of the wastewater systems with Cal-Am.

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried, the Board approved the staff's recommendations, to approve a Letter of Intent (Agreement No. A-08875) to sell various wastewater facilities, an Interim Operations Agreement No. 08876 with Cal-Am that provides for operation of the facilities through the close of sale, an Interim Operations Agreement to complete Capital Improvements, and to direct Public Works to negotiate final acquisition agreement with Cal-Am for the sale of the Zone 1, Zone 2, and Zone 3 sanitation facilities.

0650.010
0125.000

- b. **Agreement Nos. A-08877 & A-08878:** **Approved** Letter of Intent to sell the County Service Area No. 10 Laguna Seca Wastewater Reclamation system and County Service Area No. 72 Las Palmas Ranch Wastewater Reclamation System; **approved** Interim Operations Agreement for the County Service Area No. 10 Wastewater Reclamation system, County Service Area No. 69 Ralph Lane Water System, County Service Area No. 72 Wastewater Reclamation System, and County Service Area No. 75 Chualar Water System; direct Public Works to negotiate Acquisition Agreement with Cal-Am for sale of the Laguna Seca and Las Palmas Reclamation systems.

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried, the Board approved the staff's recommendations, to approve a Letter of Intent (Agreement No. A-08877) to sell the CSA 10 Laguna Seca Wastewater Reclamation System and the CSA 72 Las Palmas Ranch Wastewater Reclamation System to Cal-Am, to approve an Interim Operations Agreement No. 08878 for CSA 10, CSA 69, CSA 72 and CSA 75 with Cal-Am that provides for operation of the facilities through the close of sale, and to direct Public Works to negotiate final acquisition agreement with Cal-Am for sale of the Laguna Seca and Las Palmas Wastewater Reclamation Systems.

10:30 a.m.

- 1590.000 S-6 **Accepted** oral report concerning Employee Health Insurance; **authorized** transfer of \$25,000 from Contingencies to BU 195 to fund a consultant study of the CalPERS Preferred Provider Organization (PPO) health insurance program.
- BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and carried, with Supervisor

Pennycook voting "No," the Board accepted the oral report, and authorized the transfer of funds, as recommended by staff.

The Board directed that the Health Insurance Review Committee be given the first report that results from the consultant's study, prior to coming back to the Board, as the first line of referral in terms of getting information.

- 0602.550 S-7 Accept Monterey County's Community-Based Homeless Services Plan 2002.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board accepted the Community-Based Homeless Services Plan 2002, as recommended by staff.

S-8 Closed Session relating to the following items:

- a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:

(No Scheduled Items; no action taken)

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

(No Scheduled Items; no action taken)

12:00 p.m.

Recess to lunch

2:30 p.m.

- 5100.000 S-9 Continued public hearing (closed) to approve the following actions:

- 5100.000 a. **Received and approved** written responses to comments on the Fort Ord Redevelopment Plan and project area formation.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board approved the staff's recommendation.

- 5100.000 b. **Resolution No. 02-049:** Acting as the Board of Directors of the Monterey County Redevelopment Agency, adopt a Resolution certifying the Final Environmental Impact Report for the Fort Ord Base Reuse Plan for use in the proposed adoption of the Fort Ord Redevelopment Plan, including the making of certain findings regarding the environmental impacts of the proposed adoption of the Fort Ord Redevelopment Plan, adopting a Development and Resource

Management Plan, and adopting a Statement of Overriding Considerations.

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried, the Board adopted Resolution No. 02-049 as recommended by staff, including the addition of further overriding considerations relating to affordable housing.

5100.000 c. **Resolution No. 02-050:** Acting as the Board of Supervisors, adopt a Resolution certifying the Final Environmental Impact Report for the Fort Ord Base Reuse Plan for use in the proposed adoption of the Fort Ord Redevelopment Plan, including the making of certain findings regarding the environmental impacts of the proposed adoption of the Fort Ord Redevelopment Plan, adopting a Development and Resource Management Plan, and adopting a Statement of Overriding Considerations.

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board adopted Resolution No. 02-050 as recommended by staff, including the addition of further overriding considerations relating to affordable housing.

2800.000 d. **Introduced, waived the reading, and set** for adoption on Tuesday, February 19, 2002, an Ordinance of the Board of Supervisors of the County of Monterey adopting the amended Redevelopment Plan for the Fort Ord Redevelopment Project for the County of Monterey.

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board introduced, waived the reading, and set this Ordinance for adoption on February 19, 2002, the public hearing having been conducted on February 5, 2002.

ORDER FOR ADJOURNMENT TO TUESDAY, FEBRUARY 19, 2002 AT 9:30 A.M. IN MEMORY OF JOHN CHADWELL, PRESIDENT AND CHIEF OPERATING OFFICER OF PEBBLE BEACH CO., JUDITH GOLDMAN, AND WILLIAM PENTONY, 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:

0125.000 11. **Approved agreements and authorized** Chair to sign agreements totaling \$425,000 with community agencies for the provision of services to low-income people in calendar year 2002; authorize the Director of the Department of Social Services to sign future amendments; and increase appropriations and estimated revenues of \$35,000, as follows:

Agr #	Agency	Service	Amount	Type of Funding
A-08849	Alisal Community Healthy Start	Family Services	\$ 20,000	CSBG
	" " "	Children/Youth	8,500	CSBG
A-08850	Children's Services Int'l	Family Services	38,000	CSBG
	" " "	Homeless/Housing	10,000	HTF
A-08855	The Citizenship Project	Family Services	20,000	DV
A-08856	Coalition of Homeless Service Providers	Homeless/Housing	25,000	HTF
A-08857	Community Human Services	Children/Youth	11,500	CSBG
A-08858	Conflict Resolution & Mediation Center	Conflict Resolution	32,000	Dispute Resolution
A-08859	Deaf & Hard of Hearing Services Center	Family Services	7,000	CSBG
A-08860	Food Bank of MC	Food Access	20,000	CSBG
A-08861	John XXIII AIDS Ministry	Homeless/Housing	25,000	HTF
A-08862	Housing Advocacy Council	Homeless/Housing	15,000	HTF
A-08863	Salvation Army, Monterey Peninsula	Homeless/Housing	25,000	CSBG
A-08864	Salvation Army, Pajaro	Homeless/Housing	15,000	HTF
A-08865	Shelter Outreach Plus	Homeless/Housing	18,000	CSBG
	" " "	Family Services	40,000	DV
A-08866	Veterans Transition Center	Homeless/Housing	15,000	HTF
A-08867	Women's Crisis Center	Family Services	25,000	DV
A-08868	YWCA of Monterey County	Family Services	40,000	DV
	" " " "	Homeless/Housing	15,000	HTF
		TOTAL	\$425,000	

0110.000 12. **Agreement No. A-08869 and Resolution No. 02-045: Approved** Agreement 02F-4225 in the amount of \$104,836 with the California Department of Community Services and **adopted** a Resolution with the California Department of Community Services and Development (CSD) for 2002 Community Services Block Grant (CSBG) funds.

CRIMINAL JUSTICE:

0602.250 13. **Approved** transfer of funds in the amount of \$9,952 from Services and Supplies to fixed assets in Probation Budget

Unit 255 for the purchase of a computer server system.

- 0602.250 14. **Resolution No. 02-046: Amended** Probation Budget Unit 255 to add new position allocation of Senior Departmental Information Systems Coordinator.
- 0125.000 15. **Agreement Nos. A-08870 and A-08871: Approved and authorized** the Chief Probation Officer to sign agreements with the Salinas Union High School District in the amount of \$272,500 for the Salinas Safe Schools/Healthy Student Initiative and \$90,000 for the School Community Policing Partnership Program; amend Probation Budget Unit 255 to increase revenues and appropriations and include addition of new position in Fiscal Year 2001-02.

GENERAL GOVERNMENT:

- 0601.600 16. **Approved** the reallocation of one (1) Typist Clerk II to one (1) Accounting Technician and amend Parks Budget Unit 750.
- 0600.150 17. **Concurred** with the Monterey County Workforce Investment Board (WIB) to approve the allocation of \$300,000 in current Workforce Investment Act (WIA) Adult Title IA funds into the subcontracts of Arbor, Turning Point and the Private Industry Training Center; **authorized** the WIB Executive Director to modify and extend all current Title IA subcontracts through June 30, 2003.
- 0525.000 18. **Awarded** the contract for the "Animal Services Center" to the apparent low bidder, Dilbeck and Sons, Inc., in the amount of \$2,466,000, with a change order contingency of \$246,600; and **rejected** the other seven bids.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Pennycook, and carried with Supervisor Johnsen voting "No," the Board determined Dilbeck & Sons, Inc. to be the lowest responsive bidder and awarded the contract to Dilbeck & Sons, Inc. The Board awarded the contract based on the finding that the lack of the bidder's signature on the bid bond submitted did not constitute a material irregularity because the surety was nonetheless bound under the bond, and further based on a waiver of that irregularity.
- 0525.000 19. **Awarded** contract to Graniterock Company (dba Pavex Construction Division) for the project "Site Improvements at 101 W. Alisal, Salinas" in the amount of \$121,550, including change order contingencies.
- 0525.000 20. **Directed** the Capital Projects Manager to file Notice of Completion for the project "Salinas Courthouse Complex Parking Lot Improvements" in Salinas.
- 0125.000 21. **Agreement No. A-08872: Approved and authorized** the Contracts/Purchasing Manager to sign Amendment No. 1 to

lease agreement, effective February 12, 2002, with Portales de La Paz Partners, A California Limited Partnership for 10,964 square feet of space for health care services and general office use at 559 East Alisal Street, Salinas, CA 93901 for use by the Health Department's Primary Care Clinics Division, Alisal Health Center.

- 0600.150 22. **Concurred** with the Monterey County Workforce Investment Board (WIB) to accept \$75,000 from the State of California Employment Development Department (EDD) to conduct a regional California Cooperative Occupational Information System (CCOIS) labor market study; **authorized** the WIB Executive Director to execute and modify the agreement with the State of California in the amount of \$75,000.
- 5400.000 23. **Resolution No. 02-040: Amended** Personnel Policies and Practices Resolution No. 98-394 to adjust salary of Library Page to reflect current minimum wage.
- 0600.027 24. **Approved** an application for order authorizing destruction of records for the Agricultural Commissioner's Office.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried, the Board continued this item indefinitely, and directed staff to continue discussions with CRLA representatives regarding the destruction of Restricted Material Permits and Pesticide Use Reports.
- 0125.000 25. **Agreement No. A-08873: Approved** Professional Service Agreement with the Law Offices of Martha E. Romero & Associates to provide tax related bankruptcy legal services for a sum not to exceed \$60,000 over a three-year period.

PUBLIC WORKS:

- 5200.000 26. **Resolution Nos. 02-041 through 02-044: Adopted** four Resolutions to determine the summary abandonment of a portion of public right-of-way on Lincoln Street in the community of Chualar and the subsequent transfer of ownership to County Service Area 75 is exempt from CEQA and **directed** the Public Works Director to file a Notice of Exemption with the County Clerk; summarily abandon the public right-of-way over a portion of Lincoln Street; convey ownership of said property to County Service Area 75; and acting on behalf of County Service Area 75, accepting ownership of said property and authorizing the Public Works Director to sign a Certificate of Acceptance.

MONTEREY COUNTY REDEVELOPMENT AGENCY:

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

- 0125.000 27. **Agreement No. A-08874: Accepted** grant from the David and Lucile Packard Foundation and **approved** contract in the

amount of \$50,000 with Marie Glavin for professional services in connection with development of Castroville Community Facility.

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