

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, March 12, 2002 at 9:30 a.m.****9:30 a.m.**

2050.000 S-1 **Resolution No. 02-080: Adopted and presented** Resolution congratulating Walter Wong, Director of Environmental Health, upon his retirement from the Monterey County Health Department after 46 years of public service. (Full Board)
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried.

(Reception followed in the East Wing Conference Room, No. 221)

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:

Amend Item S-4 to reflect action on behalf of Special Districts and the Monterey County Redevelopment Agency on consent items 51 and 52.

Under "Appointments," add the appointment of Roger Soell, to the Parks Commission, for a term to end on April 26, 2006. (Johnsen)

Under "Appointments," add the appointment of Diane Carillo, representing District No. 2, to the Older Americans Advisory Council, for a term to end on January 1, 2005. (Pennycook)

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

S-4 CONSENT CALENDAR - SPECIAL DISTRICTS AND MONTEREY COUNTY REDEVELOPMENT AGENCY

2050.000 S-5 PUBLIC COMMENT PERIOD: **Alma Almanza, representing the Commission on the Status of Women, thanks the Board for acknowledging the ten outstanding women of Monterey County for 2002 who have worked tirelessly for our communities and for the betterment of women, and invites the Board members and public to attend a reception honoring these women on Sunday, April 17th at 3:00 p.m., to be held at the Sherwood Community Center.**

APPOINTMENTS:

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

- 0400.250 1. **Appointed** Sergio Sanchez, representing Service Employees' International Union (SEIU) Local #818, to the Equal Opportunity Advisory Commission, for a term ending December 31, 2003. (Full Board)
- 0400.774 2. **Reappointed** Carlo Cortopassi and Irene Duran, to County Service Area No. 14 Citizens Advisory Committee, for terms to end on March 1, 2005, and **Reappointed** Jerome McCready for a term to end on March 1, 2004. (Pennycook)
- 0402.780 3. **Reappointed** Joy Rosales and Emily Tafoya, to the North Monterey County Trails Committee, for terms to end on March 15, 2005. (Pennycook)
- 0804.250 4. **Reappointed** Howard Tugel, to the Soledad Cemetery District, for a term to end on February 1, 2006. (Calcagno)
- 0401.500 5. **Appointed** Mary X. Verduco, to the Commission on the Status of Women for a term to end on February 1, 2005. (Armenta)
- 0402.900 NA/1 **Appointed** Roger Soell, replacing Gilbert "Pete" Bibber, to the Parks Commission for a term to end on April 26, 2006. (Johnsen)
- 0402.435 NA/2 **Appointed** Diane Carillo, representing District No. 2, to the Older Americans Advisory Council for a term ending January 1, 2005. (Pennycook)

OTHER BOARD MATTERS:

- 6300.000 6. Board comments and referrals: **Supervisor Pennycook introduces Lynn Leach as her newly appointed Board Aide. She expresses her appreciation to Irma Bough in the County Administrative Office for her assistance in filling this position. Upon the request of Supervisor Pennycook, the Board directs the County Administrative Officer to report back at the meeting of Tuesday, March 19th on the Request for Proposal (RFP) process for the Courthouse construction project. Supervisor Potter announced that Jody Parsons, who has worked as the Supervisors' Aide for District No. 5 for many years, is moving to Michigan. The position will be filled by Kathleen Lee, former Aide to Supervisor Pennycook, who was born and raised in the Fifth District.**
- 0600.025 7. County Administrative Officer's Comments and Reports: **None.**
- 2050.000 8. **Resolution No's 02-068 through 02-077: Adopted** Resolutions honoring the Monterey County Commission on the Status of Women's Ten Outstanding Women of Monterey County for 2002, as follows:

Esperanza Sanchez	Dist. #1	02-068	Gail Root	Dist. #5	02-074
Kim Smith	Dist. #1	02-069	Mezola Benton	Dist. #5	02-075
Lois Lesser	Dist. #1	02-070	Shary Farr	Dist. #5	02-076
Elsa Quezada	Dist. #2	02-072	Shirley Prussin	Dist. #5	02-077
Margaret Osborne	Dist. #4	02-073	Anne Sanchez	Dist. #5	02-071

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

2050.000 9. **Resolution No. 02-078: Adopted** Resolution commending Commander Robert D. Baehr, Monterey County Sheriff's Department, upon his retirement from public service. (Full Board)

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

2050.000 10. **Resolution No. 02-079: Adopted** Resolution honoring John Narigi as the recipient of the Monterey County Hospitality Association's 2001 "Hospitality Professional of the Year" Award. (Potter)

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

SCHEDULED MATTERS

10:00 a.m.

2800.000 S-6 **Ordinance No. 04137 and Resolution No. 02-092: Conducted** public hearing and **approved** an Ordinance amending existing Section 15.40.030 of the Monterey County Code relating to the Emergency Medical Services (EMS) Agency; **approved** bylaws for the Emergency Medical Services Council to be established under amended Ordinance.

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board adopted Ordinance No. 04137 amending the Monterey County Code relating to the Emergency Medical Services (EMS) Agency; and adopted Resolution No. 02-092, amending the EMS Council bylaws as established under the amended Ordinance.

Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board directed the County Administrative Officer to review the contract with the ambulance service provider in the South County area to determine the criteria applicable to that service and how well the provider is meeting the criteria. Staff will prepare an evaluation for report back to the Board.

0125.000 S-7 **Accepted** the Monterey County Senate Bill 163 Wraparound Services Plan; **approved and authorized** the Chair to sign an agreement with Unity Care Group, Inc. in the amount of \$1,451,746 for the provision of intensive wraparound services for the period of March 1, 2002 through June 30, 2004; **approved and authorized** the Chair to sign an

agreement with Hartnell College for wraparound training in the amount of \$693,333 for the period of March 1, 2002 through June 30, 2004; **authorized** the Director of Social Services to make amendments to the contracts as necessary up to 30% of the contract totals; **authorized** the Director of Social Services to sign the Memorandum of Understanding with the California Department of Social Services; and increase appropriations and estimated revenues of \$71,110. **BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried, the Board approved the staff's recommendations, as presented, and approved Agreement Nos. A-08907 and A-08908.**

- 3150.000 S-8 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 (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 Seventeen Mile Drive (APN 008-012-007-000), northeasterly of the intersection of Seventeen Mile Drive and Spyglass Hill Drive, Del Monte Forest Land Use Plan.
- BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried, the Board continued this public hearing, open, to Tuesday, April 30, 2002 at 10:00 a.m.**

11:15 a.m.

- 0601.250 S-9 **Approved** recommended response to the 2001 Monterey County Grand Jury final report (Filed January 2, 2002) and authorize staff of the County Administrative Office to file approved final response with the Presiding Judge of the Superior Court on or before April 2, 2002.
- BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried, the Board approved the recommended response, as presented.**

S-10 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. County of Monterey v. Banc of America Securities

BOARD ACTION: The Board authorized dismissal of the County's lawsuit against Banc of America Securities LLC based on the County's receipt of the full amount of its

original investment in now defaulted PG&E commercial paper (\$4,906,833.33) plus receipt of interest due (\$48,501.05).

2. HYH Corp. 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 William D. Curtis, Jr.

BOARD ACTION: Claim denied.

2. Claim of Robert S. Mosley

BOARD ACTION: Claim denied.

3. Claim of Victor Tuchman

BOARD ACTION: No reportable action taken.

12:00 p.m.

Recessed to lunch meeting of the Monterey County Water Resources Agency Leadership Group held in the East Wing Conference Room, No. 221. (Supervisors Johnsen and Calcagno)

ORDER FOR ADJOURNMENT TO TUESDAY, MARCH 19, 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:

HEALTH AND SOCIAL SERVICES:

- 0601.100 11. **Resolution No. 02-081: Proclaimed** State of Local Emergency relating to the spread of HIV among injection drug users in Monterey County.
- 0125.000 12. **Agreement No. A-08713: Approved and authorized** the Director of Health to sign amendment A-1 to the AIDS Master Grant Agreement No. 01-15086 and the Subordinate Memoranda of Understanding #E&P 01-27 with the State Department of Health Services, in the total amount of \$1,630,281 for FY 2001-04; and **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.
- 0125.000 13. **Agreement Nos. A-08892 and A-08893: Approved and authorized** the Director of Health to sign two (2) agreements with the Salinas Union High School District for the Safe Schools/Healthy Students Program in the total amount of \$574,615 for the period of June 1, 2001 through May 31, 2003.
- 0125.000 14. **Agreement No. A-08894: Approved and authorized** the Director of Health to sign an agreement with the City of Gonzales for the provision of Animal Control Services for FY 2001-03; and **approved** the Director of Health to sign future amendments up to 50% of the annual amount, which do not alter the scope of work or result in an increase to net county cost.
- 0601.100 15. **Resolution No. 02-082: Reallocated** 1.0 Administrative
0150.141 Services Assistant Position to 1.0 Senior Accountant Auditor; and Direct the Auditor-Controller to amend the FY 2001-2002 Health Department Budget Unit 417 to reflect the change in position count.
- 0125.000 16. **Agreement No. A-08895: Approved and authorized** the Director of Health to sign an agreement with the County of Santa Cruz, for the provision of Specimen Testing for the period of July 1, 2001 until terminated by either party; and **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.
- 0403.425 17. **Accepted and approved** the Social Services Commission Annual Report to the Board of Supervisors, FY 2000-2001.

GENERAL GOVERNMENT:

- 6300.00 18. **Approved** Action Minutes for the meetings of Tuesday, February 19, 2002 and Tuesday, February 26, 2002, copies having been distributed to each Board Member.
- 0600.030 19. **Resolution No. 02-083: Approved** the addition of one

- 0150.141 Appraiser II full time temporary position for Budget Unit 118.
- 0125.000 20. **Agreement No. A-08896: Approved** Memorandum of Understanding with King City regarding the Meyer/Mills Annexation.
- 0125.000 21. **Agreement No. A-08897: Approved** contract with William M. Mercer, Inc. to provide consultant services relative to a Retiree Health Insurance Savings Account Program and **authorized** the Chair to sign same.
- 0125.000 22. **Agreement No. A-07783: Approved** an Amendment to Agreement with Pacific Health Actuaries to provide Claims Administration Services for the County's Self-Funded Dental Plan and the Monterey County Employee Health Plan Run-Out claims and **authorized** staff to sign same.
- 0125.000 23. **Agreement No. A-08898: Approved** contract with Public Pension Professionals, Inc. to provide consultant and Actuarial Services relative to the County's PERS Local Safety Member Group; **authorized** Chair to sign same; **authorized** transfer of funds from Budget Unit 850, other financing uses, totaling \$25,000 to Budget Unit 195 to cover the costs.
- 0950.000 24. **Resolution No. 02-084: Approved** amendment to the
5400.000 Professional Organization Membership and Employee Job Enhancement as authorized in the benefits package for management and Elected Department Heads (Units X, Y, D and E) for FY 2001-2002; **amended** the Personnel Policies & Practices Resolution No. 98-394, Section A.23 to reflect the Professional Expense Stipend; and **received** notice of change of benefits of the members of the Board of Supervisors as provided in Section 2.04.380.B. of the Monterey County Code.
- 5500.000 25. **Approved** the 2002 Salinas Valley Fair Association, Inc. budget as required by State Law.
- 0525.000 26. **Adopted** the Plans and Specifications for "Juvenile Hall-Construct Vehicle Sally Port", and authorize bids to be received no later than 2:00 p.m., Friday, April 12, 2002.
- 0525.000 27. **Adopted** the Plans and Specifications for "Phone and Data Cabling for Modular Offices" and authorize bids to be received no later than 2:00 p.m., Wednesday, March 27, 2002.
- 0525.000 28. **Adopted** the Plans and Specifications for "Casework for Modular Offices" and authorize bids to be received no later than 2:00 p.m., Wednesday, March 27, 2002.

- 0525.000 29. **Directed** the Auditor/Controller to increase the contract encumbrance to William A. Thayer Construction for the project "Tenant Improvements at the Coastal Offices" in the amount of \$20,015.18, for a total contract amount of \$695,715.76.
- 6300.000 30. **Approved** a budget adjustment between 6469 -
0150.141 Professional Services to 6710 - Monterey Courthouse by \$50,000 to fund remodeling of two Supervisors' offices.
- 0125.000 31. **Agreement No. A-08899: Approved** Pacific Municipal Consultants Contract for preparation of environmental initial studies for affordable housing projects.
- 0600.850 32. **Approved** transfer of \$30,000 to Account 6890, Fixed
150.141 Assets, from Equipment & Furnishings, Account 6225, in General Services Budget Unit 106.
- 0601.350 33. **Named** new Castroville Library for Andy Ausonio.
- 0601.350 34. **Accepted** \$67,515 in donations to the County Library
150.141 Fund, recognize those donations as revenue for Fiscal Year 2001-02, and direct the Auditor-Controller to appropriate that revenue for expenditure in the 2001-02 County Library Budget.
- 0600.775 35. **Resolution No. 02-085: Extended** the proclamation of a Local Emergency within Monterey County, California as a result of severe erosion to the earthen embankment near the intersection of Garin Road, Pajaro area.
- 0601.600 36. **Resolution No. 02-086: Approved** a resolution authorizing the Parks Department to apply for grant funds for the Roberti-Z'berg-Harris Urban Open Space and Recreation Program (RZH) under the Safe Neighborhood, Clean Water, Clean Air and Coastal Protection Bond of 2000 (Prop. 12.).
- 0602.100 37. **Authorized** the Parks Director to negotiate and enter into a Special Event Concession agreement at Toro Park with the Monterey Scottish Games and Celtic Festival.
- 0125.000 38. **Agreement No. A-08900: Approved** the California Highway Patrol agreement for the Lake San Antonio Wildflower Triathlon Festival; and **authorized** Director of Parks to sign the agreement.
- 0525.000 39. **Awarded** construction contract to Don Chapin Company, Inc., low bidder, in the amount of \$23,860 for paving at Lake San Antonio - North Shore, Bid No. 9573.
- 0601.175 40. **Reallocated** Assistant Planner Position to Associate
4000.000 Administrative Analyst in Budget Unit 294 to assist
0150.141 with the preparation of the Monterey County General Plan Update and implementation.

- 0600.025 41. **Approved** the Implementation of a Policy Controlled Records Retention Schedule for the County Administrative Office and the County Administrative Office - Fiscal and Organization Policy Division.

PLANNING AND BUILDING INSPECTION:

- 0127.000 42. **Resolution No. 02-087: Adopted** Resolution approving the application for grant funds from the California Department of Conservation's Farmland Conservation Program for the Friedrich, Botta and H & P Ranches (APN 223-011-006, 008 and 011) Farm Easement.
- 0125.000 43. **Agreement No. A-08901: Approved and authorized** the County Administrative Officer to sign Amendment No. 1 to extend the Professional Services Agreement with Zucker Systems for the provision of consultant services to review the Planning and Building Inspection Department functions and to develop an implementation plan in an amount not to exceed \$175,000 for one year effective February 12, 2002. (Continued from February 26, 2002)
- 0125.000 44. **Agreement Nos. A-08902 and A-08906: Approved and authorized** the Chair to sign on behalf of the Board, (1) a Professional Services Agreement with Resource Design Technology, Inc. in the amount of \$392,783 for the preparation of an Environmental Impact Report (EIR) for the Handley Ranch Quarry Operations and Reclamation Plan (PLN010290), and provision of project management support; (2) a Reimbursement Agreement No. A-08906 between the County of Monterey and Granite Construction Company, Inc.; and **directed** the County Purchasing Manager and Director of Planning and Building Inspection to execute the contracts. (Continued from February 26, 2002)
- 3150.000 45. **Resolution No. 02-088: Adopted** a Resolution approving an Administrative Permit and Design Approval (Lorenz Bohn/PLN990114) to construct a two-story, single-family dwelling, attached garage, carport, and pool. This project was continued from the July 10, 2001, public hearing. The property is located at the terminus of Phelps Way and located adjacent to and north of 3 Phelps Way (APN 187-141-017-000), in Carmel Valley, approximately one half mile east of Los Laureles Grade.
- 0700.000 46. **Accepted** a Conservation and Scenic Easement Deed and **authorized** the Chair to sign the Deed with Te Chiang Hu and Jane P. Hu (PLN990490) for property located west of Highway 1, at 30860 Aurora Del Mar and Highway 1, in the Big Sur area of the Coastal Zone. (APN 243-351-002-000). Staff recommendation: Approval.

PUBLIC WORKS:

- 0125.000 47. **Agreement No. A-08903: Approved** a Reimbursement Agreement between the County of Monterey and Duke Energy Moss Landing LLC for Road Improvements on Castroville Boulevard, Moss Landing area.
- 5900.000 48. **Approved** a reduction of Faithful Performance Surety for Infrastructure Improvements - Santa Lucia Preserve Subdivision Phase C, Greater Monterey Peninsula area.
- 0525.000 49. **Approved** plans and Special Provisions and advertise for bids for Construction of a Water Well at the Public Works Department San Miguel Maintenance Yard, North County area.
- 0125.000 50. **Agreement No. A-08904: Approved** a Memorandum of Understanding with Monterey-Salinas Transit for South Monterey County Demonstration Fixed Route Transit Service and related ADA Paratransit Service.

SPECIAL DISTRICTS:

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

- 0650.000 51. **Approved** Increases in Appropriations for Certain County
0650.023 Service Areas for Fiscal Year 2001-02 funded by
0650.045 transfers from designated reserve accounts.
0650.051
0650.052
0650.055
0650.067
0650.068

REDEVELOPMENT AGENCY:

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

- 0125.000 52. **Agreement No. A-08905: Approved** Rail Funds Cooperation agreement for conceptual Engineering for passenger rail stations in Castroville and Pajaro between the Redevelopment Agency, the Transportation Agency of Monterey County (TAMC), and the City of Salinas, and withdrawal of Congestion Mitigation and Air Quality (CMAQ) funds in the amount of \$285,000.

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