

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 19, 2002 at 9:30 a.m.****9:30 a.m.**

S-1 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:

In recognition of National Agriculture Week of March 17 to March 31, and National Ag Day of Wednesday, March 20th, add a presentation from Connie Quinlan of the Agricultural Education Center on the importance of agriculture to the County and the program she organizes that educates school children about the origins of their food. (Calcagno)

Add a Resolution proclaiming March 2002 as "Professional Social Worker Month:". (Potter)

In order to receive direction before April 2nd on a matter which arose on March 15th, add the existing litigation matter of Mudd v. County of Monterey to the closed session agenda pursuant to Government Code section 54956.9(a).

Add "Other Board Matters," authorization to the Chair to sign a letter of support for AB 2342, sponsored by Assemblyman Salinas, to authorize the creation of two new Enterprise Zones and direct the Trade and Commerce Agency to accept applications for the new Zones.

It is noted that a revised staff report has been distributed to each Supervisor concerning Consent Item No. 24, extension of the proclamation of a local emergency within Monterey County.

It is noted that the Board is in receipt of a request for continuance from the Pebble Beach Company concerning Consent Item No. 34.

2050.000 NA/1 Presentation by Connie Quinlan of the Agricultural Education Center, Jim Bogart representing the Grower-Shipper Association, and Brent Clements from American Ag Credit in recognition of National Agriculture Week of March 17 to March 31, 2002, and National Ag Day of Wednesday, March 20th.

BOARD ACTION: Ms. Quinlan presented each Board member with a topiary lavender plant from Schubert Nursery.

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

2050.000 S-3 PUBLIC COMMENT PERIOD: Douglas Fay, rancher and member of the Concerned Citizens of the River Road area, stated that a safe, rural and scenic road is what the residents of the River Road area would like to see in their future. He expressed his concern that the proposal to widen River Road to 4 lanes, as part of the Las Palmas development, is under design and will come before the Board for funding approval. River Road residents are concerned with a number of failures that have occurred relative to the Las Palmas Subdivision, including the smell of sewage, ridgeline development, the design of the water storage pond, the kinship center, and other disappointments. He requested the Board reconsider the widening of River Road, until residents have received the draft EIR, met with County staff, and completion of the Toro Area policies regarding circulation that will be included in the Monterey County General Plan.

APPOINTMENTS:

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

- 0400.410 1. **Appointed** John Pinio to the Americans with Disabilities Act Advisory Committee, for a term ending December 31, 2005. (Full Board)
- 0402.800 2. **Appointed** Robert DeVoe to the Overall Economic Development Commission, for a term ending June 30, 2005. (Potter)

OTHER BOARD MATTERS:

2050.000 3. Board comments and referrals: Supervisor Pennycook introduced Felicia Rodriguez, who has been participating in a Job Shadowing Program. Ms. Rodriguez is a Senior at Everett Alvarez High School, plans to attend CSUMB in the fall, and will study political science. She works at least 15 hours a week at the Employment Development Department, working with at-risk youth, to help them find jobs. Upon the request of Supervisor Calcagno, the Board requested staff to present the Board with an update on the status of the General Plan Update. Upon the request of Supervisor Pennycook, the Board referred the issue of recent Tuberculosis outbreaks in Monterey County and how we are responding to the outbreak to the Board of Supervisors for presentation in the near future. Upon the request of Supervisor Pennycook, the Board directed Lew Bauman, Director of Public Works, to organize a road tour for the Board during the month of May, to see the location and conditions of county roads that are in need of repair. Supervisor Pennycook reported that she received, dated March

7th, a cancellation of the Ad Hoc North Monterey County Water Issues Advisory Committee of their March 20th meeting. She expressed her concern with continual meeting cancellations. If this group with tremendous expertise is not meeting in a timely way, their input will not be coordinated with the General Plan Update. She requested that this Committee hold regularly scheduled meetings so that the County can move forward with regard to water. Supervisor Armenta announced that he attended the annual recognition event on Sunday, March 17th, at Sherwood Community Center, honoring the Commission on the Status of Women's ten outstanding women for 2002. He states it was an emotional, moving event highlighting these women's life experiences.

4. County Administrative Officer's Comments and Reports:
None.

6300.000 5. **Approved** report from Board of Supervisors
0150.141 Budget Committee for February 2002. (Johnsen; Calcagno)
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board approves the report as submitted. A discussion is held on the local emergency created by severe erosion occurring on the earthen embankment supporting Elkhorn Road near the intersection of Garin Road. The Board provides direction to consider using General Fund money to augment the Road Fund.

0601.175 NA/1 **Authorized** the Chair to sign a letter of support for
1900.000 AB 2342, sponsored by Assemblyman Simon Salinas, to authorize the creation of two new Enterprise Zones and direct the Trade and Commerce Agency to accept applications for the new Zones.
BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Johnsen, and unanimously carried.

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

2050.000 6. **Resolution No. 02-089: Adopted** a Resolution congratulating Gloria Carney upon her retirement from 26 years of dedicated public service with the Department of Social Services. (Potter)

0900.000 7. **Resolution No. 02-090: Adopted** a Resolution proclaiming the month of April 2002 as "Earthquake Preparedness Month: Ready to Ride It Out in Monterey County?" and directing the Office of Emergency Services to inform the public of earthquake related hazards and of appropriate measures to mitigate these hazards.

2050.000 NA/1 **Resolution No. 02-091: Adopted** a Resolution proclaiming March 2002 as "Professional Social Worker Month" in Monterey County. (Potter)

SCHEDULED MATTERS

10:00 a.m.

5100.000 S-4 **Monterey County Redevelopment Agency:** Approve Implementation Program for the Castroville Community Facilities Project.

BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Johnsen, and unanimously carried, the Board approved the staff's recommendation.

0550.025 S-5 Update on architectural selection process for the Master Plan Project.

BOARD ACTION: Status Report from Jim Colangelo, Assistant County Administrative Officer-Environmental Resource Policy, and consultant Dennis McCoy, representing NOVA Partners, received. Supervisor Pennycook stated she would like a representative from the AIA on the review panel that would be making the local consulting architect selection, as well as receiving any additional recommendations from the AIA on how to create a component committee.

S-6 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. Eberly v. County of Monterey

BOARD ACTION: The Board authorized payment of \$40,000 to settle this drainage-related property damage matter.

2. Mudd 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 Virma DeJesus Jovel, Vilma Jennifer Jovel, and Jose U. Callejas

BOARD ACTION: Claim denied.

2. Carmel Valley Airport

BOARD ACTION: The Board took no reportable action. It is noted for the record that Supervisor Calcagno recused himself from participating in this matter.

ORDER FOR ADJOURNMENT TO TUESDAY, APRIL 2, 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 Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board approved the following actions, except as otherwise noted:

NATIVIDAD MEDICAL CENTER:

0110.000 8. **Agreement No. A-08911: Approved and authorized** the Chief Executive Officer, Natividad Medical Center, to sign the Standard Agreement for California Healthcare for Indigents Program funding and the description of proposed expenditures for Fiscal Year 2001-2002.

HEALTH AND SOCIAL SERVICES:

0125.000 9. **Agreement Nos. A-08912 through A-08916: Approved and authorized** the Director of Health to sign agreements with Medical Manager Strategic Markets in the total amount of \$207,200 for the purchase and maintenance of Medical Manager software and hardware, as follows:

Agr #	Contractor	Service
A-08912	Medical Manager Strategic Markets	Hardware Maintenance Service Agreement
A-08913	" " "	Medical Manager® Software Annual Telephone and Software Maintenance Agreement
A-08914	" " "	Medical Manager® Software Installation, Implementation and Training Services Agreement
A-08915	" " "	Medical Manager® Software License Agreement

A-08916	"	"	"	Agreement for Purchase and Sale
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amended Primary Health Care Budget Unit 413 to increase estimated revenue and appropriations by \$14,000 for FY 2001-02; and **approved** the reallocation of \$108,200 in appropriations from Services and Supplies to Fixed Assets for the purchase of Medical Manager software and hardware.

- 0601.100 10. **Approved and authorized** the Director of Health to sign an application for funding with the State Department of Health Services in the amount of \$1,750,000 for the Teen Pregnancy Prevention Program for the period of July 1, 2002 through June 30, 2007.
- 0125.000 11. **Agreement Nos. A-08917, A-8918 and A-08923: Approved** Employment Agreement (Physician) with Arnaldo Moreno, M.D. and Dennis M. O'Connor, M.D. in the amount of \$181,257.44, and \$177,885.68, respectively, for the purpose of providing medical direction and psychiatric care for Inpatient, Outpatient and Managed Care Programs for Behavioral Health for the period of January 1, 2002 through December 31, 2002; approve Employment Agreement (Physician) with Kevin Park, M.D. in the amount of \$144,164.80 for the purpose of providing outpatient care to the Behavioral Health Children's Program for the period of March 4, 2002 through March 3, 2003.

CRIMINAL JUSTICE:

- 0600.175 12. **Resolution No. 02-102: Amended** Child Support Services
0150.141 Budget Unit 225 to approve reallocation of positions.
- 0602.500 13. **Increased** appropriations and estimated revenues in
0150.141 Sheriff's Budget Unit 230 in the amount of \$5,116 to purchase a generator and supplies for laboratory truck to be used by the Narcotic Enforcement Unit County of Monterey (NEUCOM).
- 0125.000 14. **Agreement No. A-08924: Approved and authorized** the Sheriff to sign Professional Medical Services Agreement with John R. Hain, M.D. for forensic pathology services for the period July 1, 2002 through June 30, 2005.

GENERAL GOVERNMENT:

- 5400.000 15. **Resolution No. 02-094: Amended** the Personnel Policies & Practices Resolution No. 98-394 to repeal Section A.19.3 - Approval for Out of State Travel.
- 0125.000 16. **Agreement No. A-08746 (Resolution No. 02-099):**
5400.000 **Approved** the Letter of Understanding between County of Monterey and Operating Engineers, Local 3 representing Deputy Sheriff's Association (Units A, B & C) to provide retirees the option of purchasing Dental and Vision

Insurance coverage for themselves and their eligible dependents; **amended** the Personnel Policies and Procedures Resolution No. 98-394 to add Section A.21.3 Retiree Dental & Vision Benefits to adopt a County Policy to allow retirees from Unrepresented Units (O, P, X, Y & Z) the same benefits; and **received** Notice of Change of Benefits of the members of the Board of Supervisors as provided in Section 2.04.370 of the Monterey County Code.

BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Johnsen, and unanimously carried, the Board approves Consent Item No. 16 as presented. The Board will address in a future closed session discussion with its labor negotiators the issues raised by Ms. Bradley concerning the provision of this benefit to SEIU Local 535 (Social Workers and Eligibility Workers).

- 0125.000 17. **Agreement Nos. A-01882, A-07204, A-08034 and A-08804**
5400.000 **(Resolution No. 02-095): Approved Letters of Understanding** with the Monterey County Deputy Sheriff's Association, S.E.I.U. Local 817, S.E.I.U. Local 535 and the Monterey County Probation Association regarding the amendment to CALPERS Contract - Service Credit for Peace Corps and VISTA; and **amended** the Personnel Policies & Practices Resolution No. 98-394, Section A.44 to reflect service credit for Peace Corps and VISTA.
- 5400.000 18. **Resolution No. 02-096: Amended** the Personnel Policies and Practices Resolution No. 98-394 to change Sections A.9.5 - Bilingual Skill Pay, A.10.3 - Expense Allowance, A.21.4.1 C - County Elective Contributions, A.30.2 - Accrual Rate Limit, A.30.9 - Disability Income Protection Plan and to add Section A.19.8 - Vehicle Allowance for Elected Department Heads, Unit Y; 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.
- 5400.000 19. **Agreement Nos. A-08034; A-08663; A-08101; A-08102; A-07828; A-07898 (Resolution No. 02-097): Amended** Personnel Policies and Practices Resolution No. 98-394 to replace Section A.48.2 - Tuition Assistance - Professional Development with A.48.2 - Educational Assistance Program; **approved** agreements with bargaining units regarding the Educational Assistance Policy; 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.
- 0525.000 20. **Adopted** Plans and Specifications for the Public Safety Building Access Control System.
- 0125.000 21. **Agreement No. A-08925: Approved** the recommendation of the Selection Committee and **authorized** Chair of the Board of Supervisors to sign the Agreement for Architectural

Services with Wald, Ruhnke & Dost Architects, LLP, to provide Architectural Services for the renovation and remodeling of the Health Headquarters, the Old Natividad Hospital, and the former Hospital Linen and Engineering Building, in the amount of \$1,022,624.

- 0525.000 22. **Rejected** all bids received by the Clerk on February 1, 2002; **directed** the Clerk to return Bidders' Securities; **adopted** Revised Plans and Specifications for "Public Works Headquarters - 312 East Alisal Street - Demolish Structure," Bid Number 9497, and **directed** the Clerk to advertise and receive and open bids no later than 2:00 p.m. on Friday, April 19, 2002.
- 0125.000 23. **Agreement Nos. A-08926 and A-08927: Approved** agreements with the San Antonio School District and King City Joint Union High School District for rental of school buses for 2002 Wildflower Festival and **authorized** Parks Director to sign agreements.
- 0900.000 24. **Resolution No. 02-098: 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 and Elkhorn Road, Pajaro area.
- 0602.750 25. **Resolution No. 02-093: Approved** the distribution of excess proceeds on three properties resulting from the sale of property at Tax Collector's public auction and sealed bid sale.
- 0601.175 26. **Approved** amendment of Housing Rehabilitation Guidelines and loan of \$341,000 to Housing Authority of Monterey County for Castroville Farmworker Housing Rehabilitation Project.
- 0601.175 27. **Accepted** U.S. Department of Commerce, Economic Development Administration Grant to prepare a Comprehensive Economic Development Strategy for South Monterey County and a Project Study Report for River Road and increase estimated revenue and appropriations in Budget Unit 182 (Economic Development) by \$275,000.
- 0600.050 28. **Approved** an increase in appropriations in the department's "Cost Applied" line item in Auditor-Controller's Budget Unit 111, Fiscal Year 2001-02, for expenses relating to contract services pertaining to the County's AFIN system.
- 0250.000 29. **Resolution No. 02-100: Approved** property tax transfer
0801.975 for the proposed "Meyer #1 Reorganization" involving
0801.250 annexation of approximately 81 acres to the City of Gonzales and detachment from the Monterey County Resource Conservation District and Gonzales Rural Fire Protection District.

- 0125.000 30. **Agreement No. A-08919: Approved** Contract with San Benito County for veterans' services and **authorized** Military and Veterans Affairs Officer to sign contract.
- 0500.050 30.1 **Approved** amendments to Conflict of Interest Code of the Emergency Communications Department of Monterey County.

PLANNING AND BUILDING INSPECTION:

- 0700.000 31. **Accepted** a Conservation and Scenic Easement Deed and **authorized** the Chair to sign the Deed with Vincent and Yashau MacShate (PLN010262) for property located at 76 Crazy Horse Canyon Road, east of U. S. Highway 101 (APN 125-243-004), Prunedale area, North County.
- 0700.000 32. **Approved and authorized** Chair to sign Quitclaim Deed amending a scenic easement at the Prunetree Shopping Center to provide driveway access to an adjoining property.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board authorizes the Chair to sign the Quitclaim Deed, subject to approval as to form by County Counsel.
- 0127.000 33. **Resolution No. 02-101: Adopted** Resolution approving the Application for Grant Funds from the California Department of Conservation's Farmland Conservation Program for the "Sommers Ranch." (Calcagno)
34. **Continued indefinitely** approval and authorization for the Chair to sign: (1) a Professional Services Agreement with Jones & Stokes in an amount not to exceed \$402,344 for the preparation of an environmental impact report (EIR) for the Pebble Beach Development Proposal (PLN010254 & PLN010341); and (2) a Reimbursement Agreement between Monterey County and the Pebble Beach Company for the amount of \$440,779.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried, the Board continued this matter indefinitely.
- 0125.000 35. **Agreement Nos. A-08920, A-08921 and A-08922: Approved and authorized** the Chair to sign Agreements for Plan Check Engineering, and other Building and Grading Inspection related services with Carl Mileff & Associates, Inc., NAFFA International, and Berryman and Henniger in the aggregate amount of \$1,020,000 and for the term January 1, 2002 through June 30, 2003.

[Back](#)