

**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, April 2, 2002 at 9:30 a.m.  
Lunch Break from 12:00 p.m. to 1:40 p.m.**

**9:30 a.m.**

S-1 Additions and corrections to Agenda

**The Board approved the following additions and corrections to the Agenda:**

Agenda Item No. 8, listed under "Appointments," to select an appointee from nominees of the Mayors Select Committee to serve on the Monterey County Water Resources Agency Board of Directors, is continued one week, to Tuesday, April 9, 2002.

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

S-3 CONSENT CALENDAR - SPECIAL DISTRICTS

S-4 CONSENT CALENDAR - MONTEREY COUNTY WATER RESOURCES AGENCY

2050.000 S-5 PUBLIC COMMENT PERIOD: **Joseph Vierra addressed the Board concerning possible resurrection of the Hatton Canyon Freeway Project. Douglas Fay, rancher and member of the Concerned Citizens of the River Road area, states that the safe, rural and scenic qualities of River Road are being lost to the wine industry with very little public knowledge and input. He requests the Board reconsider the widening of River Road, until residents have received the draft EIR. Nancy Iverson also addressed the Board on the current status of River Road, and stated it is no longer a quiet, rural, scenic road. She submitted a petition with 89 signatures urging that a signal on River Road (G-17) at Las Palmas Road be installed. Rudy Rosales, Chair of Cultural Resources for the Ohlone Coastal Easalen Nation, addressed the Board regarding an archeological find of Native American remains in Pacific Grove.**

**APPOINTMENTS:**

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

0400.000 1. **Approved** appointment of members to various political party central committees with insufficient nominees to cause an election March 5, 2002. (Full Board)

- 0403.825 2. **Appointed** Ruben Garcia, as the Employment Development Department representative; and appoint Jon Pariser, to the Workforce Investment Board, for a term to be determined. (Full Board)
- 0402.780 3. **Appointed** Bob Enea, to the North Monterey County Trails Committee, for a term expiring March 15, 2005. (Pennycook)
- 0800.600 4. **Appointed** Joseph Islas, to the Board of Directors of the North County Public Recreation and Park District, for a term expiring September 30, 2002. (Pennycook)
- 0400.300 5. **Appointed** Ben Jefferson, to the Agricultural Advisory Committee, for a term to be determined. (Johnsen)
- 0401.750 6. **Appointed** Kent Fowler D.V.M., to the Fish and Game Advisory Commission, for a term expiring February 1, 2005. (Potter)
- 6300.000 7. **Established** Fort Ord Standing Sub-Committee of the Board to provide oversight of the on-going collaborative issues among the various communities relative to Fort Ord development issues, and appoint two Board members to serve. (Potter)  
**BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board established the Fort Ord Standing Sub-Committee, appointed Supervisors Johnsen and Potter to serve as regular members, and appointed Supervisor Calcagno as an alternate.**
- 0802.000 8. Select an appointee from nominees of the Mayors Select Committee to serve on the Monterey County Water Resources Agency Board of Directors. (Potter)  
**BOARD ACTION: The Board continued this matter one week, to Tuesday, April 9, 2002.**

**OTHER BOARD MATTERS:**

- 6300.000 9. Board comments and referrals: **Supervisor Pennycook suggested that the Board feature an adoptable pet from the Monterey County Animal Shelter at each Tuesday's Board Meeting, to heighten public awareness on the need to control pet populations through spaying and neutering.**
- 0600.025 10. County Administrative Officer's Comments and Reports: **Sally R. Reed, County Administrative Officer, reported on the Los Angeles County Board of Supervisors featured pet program. She indicated that staff would be working with the Chair and Supervisor Pennycook to explore possible options to implement a program in Monterey County.**
- 0401.150 11. Nomination of Supervisor Dave Potter to serve on the California Coastal Commission.  
**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board**

approved the nomination, and directed the Clerk to send a letter to Speaker of the Assembly Herb J. Wesson, Jr., notifying him of the Board's decision.

**SCHEDULED MATTERS**

**10:00 a.m.**

2800.000 S-6 **Received** a report on the options to address the expiration of the North County Development Limitation Ordinance No. 04134.  
**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried, the Board received the report and provided direction to staff.

0125.000 S-7 a. **Agreement Nos. A-08935 and A-08936: Approved** Asset Purchase Agreements for sale of County Service Area No. 10 (Laguna Seca) and County Service Area No. 72 (Las Palmas) Wastewater Collection and Reclamation Systems and County Service Area No. 69 (Ralph Lane) and County Service Area No. 75 (Chualar) Water Systems to California-American Water Company.  
**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board approved the staff's recommendations, as presented. Further authorization was provided to the Chair to execute an agreement, to be developed prior to closing, with the Carmel Valley County Sanitation District regarding distribution of sale proceeds to retire estimated obligations of the County and the District.

0125.000 b. **Agreement No. A-08937: Acting as the Board of Directors of the Carmel Valley County Sanitation District, the Board approved** Asset Purchase Agreement for sale of the Carmel Valley County Sanitation District Zone 1 (Carmel Valley Ranch) Wastewater Reclamation System; Zone 2 (Village Greens) Community Septic System; and Zone 3 (White Oaks) Community Septic System to California-American Water Company.  
**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board approved the staff's recommendations. Further authorization was provided to the Chair to execute an agreement, to be developed prior to closing, with the County of Monterey regarding distribution of sale proceeds to retire estimated obligations of the County and the District.

0601.175 S-8 Approve Annual Housing Report.  
**BOARD ACTION:** Upon motion of Supervisor Calcagno, seconded by Supervisor Pennycook, and unanimously carried.

**12:00 a.m.**

Recess to lunch

**1:40 p.m.**

S-9 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. Mudd v. County of Monterey

**BOARD ACTION: No reportable action taken.**

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.**

**2:30 p.m.**

3150.000 S-10 Continued Public Hearing for a Mitigated Negative Declaration and Mitigation Monitoring Plan and approval of a Combined Development Permit (Tanglewood Subdivision - Dorothy Gorman/PC96036) consisting of a Standard Subdivision Tentative Map to allow division of a 17.03-acre parcel into six parcels; Coastal Development Permit for grading and water system facilities; waiver of policy prohibiting development on slopes greater than 25 percent; removal of 28 coast live oaks; and rezone from "LDR-B-7(CZ)" to "LDR-B-6(CZ)." The property is located on the east side of Paradise Road near Lake View Drive, (Assessor's Parcel Number 129-096-029) in the North County Land Use Plan area (Coastal Zone). (Request for Continuance to Tuesday, June 4, 2002 at 10:00 a.m. received from John Bridges, Attorney representing Ms. Gorman)

**BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Johnsen, and unanimously carried, the Board granted the request for continuance to Tuesday, June 4, 2002 at 10:00 a.m.**

**ORDER FOR ADJOURNMENT TO TUESDAY, APRIL 9, 2002 AT 9:30 A.M. IN MEMORY OF JAMES R. HUGHES, DDS, AND MISS PATSY WESTER, DECEASED**

APPROVED:

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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:**

- 0125.000 12. **Agreement No. A-08928: Approved and authorized** the Director of Health to sign an Agreement with the City of Morgan Hill in the amount of \$110,000 for provision of potable water sampling and analysis by the Public Health Laboratory for the period of July 1, 2001 through June 30, 2003; 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.
- 0601.100 13. **Resolution No. 02-104: Reallocated** 1.0 FTE vacant  
0150.141 Senior Health Educator position to 1.0 FTE Chronic Disease Prevention Specialist II and **directed** the Auditor-Controller to amend FY 2001-02 Health Department Budget Unit 411 to reflect the change in position count.
- 0601.100 14. **Resolution No. 02-105: Reallocated** 1.0 FTE vacant  
0150.141 Community Service Aide III position to 1.0 FTE Medical Assistant position; direct the Auditor-Controller to amend the FY 2001-02 Health Department Budget Unit 413 to reflect the change in position count.
- 0601.100 15. **Accepted** a contribution of \$125,000 for Calendar Year 2002 from the Community Hospital of the Monterey Peninsula.
- 0602.550 16. **Resolution No. 02-106: Approved** grant request to California Department of Health Services for \$50,000 for planning for the integration of long term care in Monterey County.

**CRIMINAL JUSTICE:**

- 0602.250 17. **Received** report on Probation Services Task Force Interim Report; and **approved** recommended comments and actions.
- 0125.000 18. **Agreement No. A-08929: Approved** grant application and **authorized** the District Attorney to sign a contract for \$52,792 with the Victim Compensation and Government Claims

Board for the FY 2002/2003 Continuation of a "Restitution Case Disposition Unit."

- 0125.000 19. **Agreement No. A-08930: Approved and authorized** the Sheriff to sign Cooperative Law Enforcement Agreement No. 01-LE-11052000-090, between Sheriff's Department and United States Department of Agriculture, Forest Service, Los Padres National Forest, for the period October 1, 2002 through September 30, 2002.
- 0125.000 20. **Agreement No. A-08931: Increased** estimated revenues and  
0602.500 appropriations by \$6,600 per year in Sheriff's Budget  
0150.141 Unit 230 for Fiscal Years 2002-05; **approved and authorized** the Sheriff to enter into a three-year lease agreement for a vehicle for NEUCOM Investigator assigned as a task force agent to the U. S. Department of Justice Drug Enforcement Administration.

**GENERAL GOVERNMENT:**

- 6300.000 21. **Approved** the minutes of the meeting of Tuesday, March 12, 2002, and Tuesday, March 19, 2002, copies having been distributed to each Supervisor.
- 0125.000 22. **Agreement No. A-08932: (1) Approved and authorized**  
0150.141 the Auditor-Controller to sign an Agreement with  
0600.050 American Management Systems for improvements to the County's financial accounting system; and (2) **Approved** appropriation transfer request totaling \$85,000 to finance the recommended agreement.
- 0150.141 23. **Increased** Fiscal Year 2001-2002 estimated revenue and  
0600.030 appropriations totaling \$541,565 in Budget Unit 118,  
0602.750 Assessor; \$216,754 in Budget Unit 117, Tax Collector  
0600.050 and \$37,500 in Budget Unit 111, Auditor-Controller, for the purpose of reducing existing work backlogs.
- 0125.000 24. **Agreement No. A-08498: Directed** the Capital Projects  
0525.000 Manager to file Notice of Completion for the Project "Refurbish Existing Shower/Toilet Areas of Wings B, C, D, E and F at the Monterey County Men's Rehabilitation Facility."
- 0601.175 25. **Approved** amendment of County's First Time Homebuyer Program Guidelines.
- 0600.775 26. **Resolution No. 02-107: 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.
- 0500.100 27. **Resolution No. 02-108: Approval** of amendments to Conflict of Interest Code of the Monterey County Redevelopment Agency.

- 0600.775 28. **Resolution No. 02-109: Accepted** a Report on the ongoing Office of Emergency Services Counter-Terrorism and Weapons of Mass Destruction Mitigation, Preparedness, and Response Programs.
- 0125.000 29. **Agreement No. A-08933: Approved** the Agreement for Professional Services with Kasavan Architects to provide architectural services for the remodel and tenant improvement of the Superior Court's Offices on the 1<sup>st</sup> Floor East Wing and 3<sup>rd</sup> Floor North Wing.
- 0525.000 30. **Adopted** the Plans and Specifications for "King City Courthouse Remodel" and authorize bids to be received no later than 2:00 p.m., Thursday, May 9, 2002.
- 2800.000 31. **Agreement Nos. A-02017: Adopted** Resolution  
0125.000 of Intention to approve amendments to the contract between the County of Monterey and the Public Employees' Retirement System to provide Section 21023.5 (Public Service Credit for Peace Corps or AmeriCorps: VISTA Service), for local miscellaneous and local county peace officer members; and **introduced, waived first reading, and set** for public hearing on Tuesday, April 23, 2002 at 10:00 a.m., an Ordinance to authorize the contract amendments.
- 0601.600 32. **Approved and authorized** the Director of Parks Department to accept a donation of a pontoon boat from the Monterey County Parks Foundation to the Monterey County Parks Department and **terminated** the existing rental Agreement with the Foundation for the use of the vessel.
- 0150.141 33. **Authorized** transfer of appropriations totaling \$126,990  
0600.027 from Budget Unit 850, Other Financing Uses, to the  
0602.250 budgets of Agricultural Commissioner, Probation and  
0601.525 Natividad Medical Center for the enhancement of Human Resources functions; **increased** appropriations and estimated revenue in Natividad Medical Center Budget by \$100,000; and, **amended** Budget Units to add Personnel Technician-Confidential positions.
- 0600.850 34. **Approved** the implementation of records retention schedules for the General Services Department inclusive of General Services Administration, Fleet Management, Contracts/Purchasing, Records Retention Center, Facilities Operations, Facilities Projects, and Printing Services and Mail Operations Divisions.

**PLANNING AND BUILDING INSPECTION:**

- 0700.000 35. **Accepted** an Agricultural Buffer Easement Deed and **authorized** the Chair to sign the deed with the Nichols Family Trust UTA dated January 17, 1991, (SH94002) for a portion of the property commonly known as the Yankee Ranch/Yanks Air Museum, located fronting on and easterly of

State Highway 101, just north of the City of Greenfield (Assessor's Parcel Numbers 111-012-007 & 111-012-012-000), Greenfield area, Central Salinas Valley.

- 0700.000 36. **Accepted** a Conservation and Scenic Easement Deed and **authorized** the Chair to sign the deed with the Carmel Valley Tennis Camp Inc. (PLN970388), for property located at 20805 Cachagua Road (APN 418-191-020-000), Cachagua area, Carmel Valley. Staff recommendation: Approval.
- 0700.000 37. **Accepted** a Conservation and Scenic Easement Deed and **authorized** the Chair to sign the deed with David Langley (PLN000264), for property located fronting on and northerly of Sundance Lane, east of Los Laureles Grade Road (APN 416-322-030-000), Toro area. Staff recommendation: Approval.
- 0700.000 38. **Accepted** a Conservation and Scenic Easement Deed, **authorized** the Chair to sign, and **directed** the Clerk of the Board to record the deed for the Roger D. Lapham Trust (PLN980336) for property located fronting on and westerly of Porque Lane at 1123 Porque Lane, in the Del Monte Forest area of the Coastal Zone (APN 008-281-004-000).
- 0602.200 39. **Approved** the purchase of three (3) network servers and the associated transfer of \$18,230 from Fiscal Year 2001-02 services and supplies to fixed assets in Planning and Building Inspection Department Budget Unit 293.
- PUBLIC WORKS:**
- 0525.000 40. **Resolution No. 02-110: Accepted** Certificate of Completion for construction contract, and **authorized** execution and recordation of Notice of Completion for the Seismic Retrofit of Five Bridges at Various Locations in North Monterey County.
- 0125.000 41. **Agreement No. A-07394: Approved** Amendment No. 6 to the Professional Services Agreement with Dokken Engineering for design services for Bridge Seismic Replacement Projects to extend the completion date to November 30, 2003.
- 5900.000 42. **Accepted** completion of improvements and **authorized** release of Faithful Performance Security for Belmont Heights Subdivision (located off Pine Canyon Road, 18 Lots, Private Road).
- 0401.840 43. **Approved** the disbandment of the State Highway 68 Improvement Advisory Committee.
- 0602.350 44. **Amended** Public Works Budget Unit 300 to **authorize** the  
0150.141 purchase of fixed asset equipment in FY 2001-02.
- 4600.000 45. **Approved** 2001 update of the Monterey County General Bikeways Plan.



- 2800.000 46. **Introduced, waived the reading, and set** April 23, 2002 at 10 a.m. for a public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.24.030 to establish a yield intersection at the intersection of Fifteenth Avenue and Dolores Street, Carmel area.
- 2800.000 47. **Introduced, waived the reading, and set** April 23, 2002 at 10 a.m. for a public hearing to adopt an ordinance amending Monterey County Code Title 12, Section 12.28.010 to establish two No Parking Zones on Prunedale North Road, Community of Prunedale.
- 4600.000 48. **Endorsed** action of Public Works Director to temporarily close Railroad Avenue at Allison Road to through traffic on March 28 and 29, 2002 for construction purposes related to the Railroad Avenue Improvement Project, Pajaro area.

**SPECIAL DISTRICTS:**

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

- 0650.014 49. **Approved** increase in appropriations for County Service Area 14, Castroville, in an amount of \$140,000, to implement a Storm Water Drainage Master Plan, for the period of December 1, 2001 through June 30, 2002.

**MONTEREY COUNTY WATER RESOURCES AGENCY:**

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

- 2800.000 50. **Agreement No. A-02431: Adopted** Resolution of Intention  
0125.000 to approve amendments to the contract between the Monterey County Water Resources Agency and the Public Employees' Retirement System to provide Section 21023.5 (Public Service Credit for Peace Corps or AmeriCorps: VISTA Service) for local miscellaneous members; and **introduced, waived first reading, and set** for public hearing on Tuesday, April 23, 2002 at 10:00 a.m., an Ordinance to authorize the contract amendments.

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