

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, May 7, 2002 at 9:30 a.m.****9:30 a.m.**

S-1 Additions and Corrections to Agenda

Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried by those members present with Supervisor Johnsen absent, the Board approved the following additions and corrections to the Agenda:

Upon the request of Bill Phillips, Legislative Coordinator, under "Other Board Matters," add the adoption of a Resolution declaring May 2002 as "Clean Air Month" in the Monterey Bay Region.

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

2050.000 S-3 PUBLIC COMMENT PERIOD: **Sam Samples, Vice-President of the North County Youth Recreation Association, requested a status report on their permit for construction of an indoor sports complex on land leased from the County at Manzanita Park. Mr. Samples also expressed his concern over lack of security at the Manzanita Park facility. Joseph Vierra addressed the Board concerning the proposed Highway 1 Widening Project in the Carmel area. Douglas Fay, representing Concerned Citizens of the River Road Area, submits a copy of an amended petition opposing the widening of River Road into a 4-lane road.**

APPOINTMENTS:

Upon motion of Supervisor Calcagno, seconded by Supervisor Pennycook, and unanimously carried by those members present with Supervisor Johnsen absent, the Board approved the following appointments:

- 0402.900 1. **Reappointed** Edward Fischer to the Parks Commission, for a term to expire on April 26, 2006. (Calcagno)
- 0402.800 2. **Reappointed** Jose Rios, Linda English and Donna Oliveira to the Overall Economic Development Commission, for terms to expire on June 30, 2005. (Calcagno)
- 0800.200 3. **Reappointed** James Rossen and Tracy Piazza Leaton to the Carmel Highlands Fire Protection District, for terms to expire on June 30, 2006. (Potter)

Upon motion of Supervisor Pennycook, seconded by Supervisor Calcagno, and unanimously carried by those members present with Supervisor Johnsen absent, the Board approved the following appointment:

0402.950 4. **Appointed** Howard Classen, to the Planning Commission, to fill an unexpired vacancy, for a term to expire on January 23, 2003. (Pennycook)

OTHER BOARD MATTERS:

6300.000 5. Board comments and referrals: **Supervisor Pennycook presented a brief description of Kimmy, a 3 ½-year-old female Australian Shepard mix, and Angel, an 8-month-old male cat, domestic, medium hair, grey/black smoke in color, both pets being adoptable from the County Animal Shelter. Supervisor Armenta complimented Supervisor Calcagno, Monterey-Salinas Transit officials, all of the transportation agencies, the Air Pollution Control Board, designated staff members and the community for bringing bus transit services to South Monterey County. Supervisor Calcagno concurred with Supervisor Armenta in praising transit officials and others for developing this link in transportation services for Monterey County. Upon the request of Supervisor Potter, the Board concurred to adjourn today's meeting in memory of William K. Johnsen, father-in-law of Supervisor Johnsen, deceased.**

6. County Administrative Officer's Comments and Reports: **None.**

2050.000 7. **Resolution No. 02-173: Adopted** Resolution proclaiming May as Foster Care Appreciation Month and recognizing the Fred and Jean Twyman Family as Foster Family of the Year 2002. (Full Board)
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisor Johnsen absent.

2050.000 8. **Resolution No. 02-174: Adopted** Resolution Commending Sergeant Nelson B. DeRoy, on his retirement from 30 years of dedicated public service with the Monterey County Sheriff's Department. (Full Board)
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisor Johnsen absent.

2050.000 NA/1 **Resolution No. 02-184: Adopted** a Resolution declaring May 2002 as "Clean Air Month" in the Monterey Bay Region.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisor Johnsen absent.

SCHEDULED MATTERS

10:00 a.m.

- 0601.100 S-4 **Resolution No. 02-185: Endorsed** establishment of the
0601.525 Monterey County Health Consortium.
BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Pennycook, and unanimously carried by those members present, with Supervisor Johnsen absent, the Board adopted Resolution No. 02-185, and approved the staff's recommendations.
- 3150.000 S-5 Public hearing on a Combined Development Permit for Oak Tree Housing in the Monterra Ranch Subdivision, PLN980289, consisting of a Lot Line Adjustment to adjust 4 parcels including a remainder parcel of 22.06 acres to 20.07 acres, Parcel R from 5.07 to 7.90 acres, Parcel 93 from 5.43 to 4.45 acres, Parcel 94 from 11.50 to 11.64 acres, Minor Subdivision to subdivide the adjusted remainder Parcel of 20.07 to two Parcels of 10.01 and 10.06 acres each and a well lot of 0.07 acres and "conservation" lot of 1.45 acres; reclassification from "O-D-S" (Open Space, Design Control, Site Plan) to "RDR/10" (Rural Density Residential). The property is located in Monterra Ranch Subdivision (Assessor's Parcel Numbers 259-131-002 and 259-131-003), south of Hwy 68, Southwest of Via Malpaso, Jack's Peak area.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Pennycook, and unanimously carried by those members present, with Supervisor Johnsen absent, the Board continued this public hearing, open, to Tuesday, June 4, 2002 at 11:00 a.m.
- 2800.000 S-6 Public hearing for consideration of an Ordinance deleting the debt incurrence deadline for the Pajaro/Castroville and Boronda Project Areas.
BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Calcagno, and unanimously carried by those members present, with Supervisor Johnsen absent, the Board adopted Ordinance No. 04141, deleting the debt incurrence deadline for these redevelopment areas.
- 3150.000 S-7 **Approved** an amendment to a Combined Development Permit (PLN010261 - Monterey County Public Works Department), consisting of development on Highway 1 from 500 feet north of Carmel Valley Road to Morse Drive including one northbound climbing lane, tree removal, and associated improvements. The amendments consist of the replacement of an approved metal beam guard rail with a concrete barrier with aesthetic treatment (rock fascia). The property is located on Highway 1 between Morse Drive and Carmel Valley Road, in the Carmel area, Coastal Zone.
BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisor Johnsen absent, the Board approved the staff's recommendation.

2050.000 S-8 **Resolution No. 02-175: Adopted** Resolution proclaiming May 2002 as Community Action Month, in recognition of the hard work and dedication of the programs providing community action services in Monterey County, and accept the 2001 Community Action Agency Annual Report.
BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Pennycook, and unanimously carried by those members present, with Supervisor Johnsen absent.

11:00 a.m.

0125.000 S-9 **Agreement No. A-08976: Approved and authorized** Chair to sign agreement for \$48,000 with Trilogy Integrated Resources to develop and maintain the "Network of Care" Internet-based Community Resource for the Elderly and Persons with Disabilities in Monterey County.
BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Pennycook, and unanimously carried by those members present, with Supervisor Johnsen absent.

0601.175 S-10 **Received** a report on the Association of Monterey Bay Area Governments (AMBAG) Draft Regional Housing Needs Determination, 2000 to 2007 for the unincorporated county area.
BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisor Johnsen absent.

1590.000 S-11 a. **Received** oral staff report concerning the County's Workers' Compensation Program for FY 02/03; **Approved** a resolution authorizing application to the Director of Industrial Relations, State of California for a Certificate of Consent to Self Insure Workers' Compensation Liabilities beginning July 1, 2002; **Authorized** staff to enter into an Administrative Services Contract and Performance Agreement with Helmsman/Liberty Mutual for Lifetime Claims Management Services for FY 02/03 claims and for the County's former Self-Insured Program claims; and **authorized** staff to bind excess Workers' Compensation coverage for FY 02/03 for the County of Monterey.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisor Johnsen absent, the Board adopted Resolution No. 02-186, thereby approving the staff's recommendations, and approving Agreement No. A-08974 with Helmsman/Liberty Mutual.

1590.000 b. **Acting as the Board of Supervisors of the Monterey County Water Resources Agency, Received** oral staff report concerning the County's Workers' Compensation Program for FY02/03; **Approved** a resolution authorizing application to the Director of Industrial Relations,

State of California for a Certificate of Consent to Self Insure Workers' Compensation Liabilities beginning July 1, 2002; **Authorized** staff to enter into an Administrative Services Contract and Performance Agreement with Helmsman/Liberty Mutual for Lifetime Claims Management Services for FY 02/03 claims and for the County's former Self-Insured Program claims; and **authorized** staff to bind excess Workers' Compensation coverage for FY 02/03 for the Monterey County Water Resources Agency.

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisor Johnsen absent, the Board adopted Resolution No. 02-187, thereby approving the staff's recommendations, and approving Agreement No. A-08975 with Helmsman/Liberty Mutual.

12:00 p.m.

Recess to lunch.

1:40 p.m.

S-12 Closed Session relating to the following items:

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

- 1. H-Y-H Corp. v. County of Monterey

BOARD ACTION: No reportable action taken.

ORDER FOR ADJOURNMENT TO TUESDAY, MAY 14, 2002 AT 9:30 A.M. IN MEMORY OF WILLIAM JOHNSEN, FATHER-IN-LAW OF SUPERVISOR EDITH JOHNSEN, 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 Armenta, and unanimously carried by those members present with Supervisor Johnsen absent, the Board approved the following actions, except as otherwise noted:

HEALTH AND SOCIAL SERVICES:

- 0601.100 9. **Resolution No. 02-181: Proclaimed** State of Local Emergency relating to the spread of HIV among injection drug users in Monterey County.
- 2800.000 10. **Introduced, waived reading, and set** for public hearing on May 21, 2002, at 11:00 a.m., an ordinance amending Section 8.08.020 of the Monterey County Code Relating to the provision of copies of rabies certificates to the Director of Health.
- 2800.000 11. **Introduced, waived reading, and set** for public hearing on May 21, 2002, at 11:00 a.m., an ordinance amending Section 8.04.010 of the Monterey County Code relating to general provisions and definitions, repealing Chapter 8.24 of the Monterey County Code relating to Vicious or Unsafe Animals, and adding Chapter 8.24 to the Monterey County Code relating to Potentially Dangerous and Vicious Dogs.
- 0601.100 12. **Reallocated** 1.0 FTE vacant Management Analyst II position to 1.0 FTE Finance Manager I position; **directed** the Auditor-Controller to amend FY 2001-02 Environmental Health Budget Unit #414 to reflect the change in position count; and **directed** the County Administrative Office and Auditor Controller to include the change in position count in the Fiscal Year 2002-2003 final budget.
- 0110.000 13. **Agreement Nos. A-08627 and A-08657: Increased** estimated revenues and appropriations of \$82,332; **approved** Amendment No. 1 to Standard Agreement FF-0102-32 and all future amendments with California Department of Aging for Older Americans Act funds; and Amendment No. 1 to Standard Agreement CB-0102-32 and all future amendments with California Department of Aging for Older Californians Act funds.
- 5400.000 14. **Resolution No. 02-182: Amended** Personnel Policies and Practices Resolution No. 98-394 to realign salary of Deputy Director Social Services; and **amended** Department of Social Services Budget Unit 501 to approve reallocation of positions.

CRIMINAL JUSTICE:

- 0602.500 15. **Resolution No. 02-183: Amended** Sheriff's Budget Unit

- 0150.141 230 for the addition of a Public Works Investigator I Position.
- 0125.000 16. **Agreement No. A-08972: Approved and authorized** the Sheriff to sign Professional Jail Chaplaincy Services Agreement for Religious Programs at the Monterey County Jail and Rehabilitation Facility for the period July 1, 2002 through June 30, 2003; **authorized** the Sheriff to approve successive one-year period renewals.

GENERAL GOVERNMENT:

- 6300.000 17. **Approved** Action Minutes for the meetings of Tuesday, April 9, 2002 and Tuesday, April 23, 2002, copies having been distributed to each Board Member.
- 0125.000 18. **Agreement No. A-08973: Approved and authorized** the Agricultural Commissioner to sign agreement with Central Coast Cooling, Inc. for the purpose of certifying temperature of lots of fruits, nuts or vegetables, in the amount of \$28,000.
- 0525.000 19. **Awarded** contract to Norment Security Group in the base bid amount of \$197,000, alternate #1 for \$10,500, alternate #2 for \$8,500, plus construction contingencies of \$21,600, for a not-to-exceed total amount of \$237,600 to construct the project "Public Safety Building Access Control System."
- 0900.000 20. **Resolution No. 02-177: Extended** the proclamation of 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.
- 0125.000 21. **Agreement Nos. A-08968, A-08969, A-08970 & A-08971: Approved** Side Letter Agreements, with Bargaining Units A, B, C, F, H, J, K, M, N, and R regarding voluntary compensated training programs.
- 0800.350 22. **Resolution No. 02-178: Approved** property tax transfer for the proposed "Carmel Valley Properties Annexation" to Carmel Valley Fire Protection District. (Continued from April 23, 2002)
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried by those members present with Supervisor Johnsen absent, noting that LAFCO may and should consider the impact of the proposed annexation on the issue of rights under Health & Safety Code section 1797.201.

PLANNING AND BUILDING INSPECTION:

- 4000.000 23. **Resolution No. 02-179: Approved** the request by Adrienne Noggle for a Letter of Public Convenience for the sale of beer and wine for off site consumption. County File

Number: PLN020091. The property is located at 46404 Arroyo Seco Road, Greenfield area, (APN: 419-371-014) central Salinas Valley Planning area.

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried by those members present with Supervisor Johnsen absent.

PUBLIC WORKS:

4600.000 24. **Resolution No. 02-180: Approved** the use of County Roads and the temporary closure of State Highway 183 for the Annual Castroville Artichoke Festival and Parade May 16-20, 2002, Castroville area.

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