

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 14, 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 Johnsen, and unanimously carried, the Board approved the following additions and corrections to the Agenda:

Due to the need for immediate Board direction regarding an action taken by the Santa Cruz County Planning Commission after the posting of today's agenda on May 8, 2002, the Board is asked by County Counsel and the General Manager of the Monterey County Water Resources Agency to add authorization to pursue discussions with Santa Cruz County and, as necessary, to file a timely appeal of the Santa Cruz County Planning Commission's approval of the Santa Cruz County Pajaro River Maintenance and Restoration Plan.

For purposes of timely confirming and publicly reporting a settlement, the Board is asked by County Counsel to add the existing litigation matter of Susan Clark v. Monterey County to the closed session agenda pursuant to Government Code section 54956.9(a).

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

2050.000 S-3 PUBLIC COMMENT PERIOD: **Douglas Fay, representing Concerned Citizens of the River Road Area, submitted 62 more signatures on their petition opposing the widening of River Road into a 4-lanes, and maintaining it as a safe, scenic and rural road. He announced that on Monday, May 13th the Toro Area Land Use Advisory Committee was cancelled, and he did not have an opportunity to present the policies reflecting a reduction in the maximum speed limit and improving merge lanes, among others. He commented on the Monterey County General Plan Draft Environmental Impact Report, concerning Las Palmas wastewater services. Bob Perkins, Executive Director of the Monterey County Farm Bureau, presenting a formal position of opposition taken by the Farm Bureau Board of Directors concerning AB 2400 (Salinas). They recommend that the Board advise Assemblyman Salinas to withdraw the proposal for a 1¢ sales tax, and start the draft General Plan process over, creating a public, open process to update the 1982 General Plan. When this update answers the needs of agriculture, hospitality, business and rural residents, we can open discussions about**

appropriate funding mechanisms. Joseph Vierra addressed the Board concerning water transfers on the Monterey Peninsula. Elizabeth Jacobs, M.D., representing Family Practice Residents at the Natividad Medical Center, addresses the Board regarding current County negotiations with respect to the residents' SEIU contract.

OTHER BOARD MATTERS:

- 6300.000 1. Board comments and referrals: Supervisor Calcagno requested that the Board place on a future agenda the matter to formally pull AB 2400 (Salinas), which proposes a local sales tax increase. Supervisor Armenta requested that staff prepare a weekly or bi-weekly status report on Board's referrals. Supervisor Pennycook presented a brief description of Kannika, a 1 ½-year-old female Sheba Enu/German Shepard mix, and Frank Sinatra, a Siamese-mix male cat, both pets being adoptable from the County Animal Shelter. She presented a report as the Board's representative on the Monterey Regional Water Pollution Control Agency, on new property acquisitions into the Agency, and the Agency utilization of an urban water allocation from the Monterey County Water Resources Agency.
- 0600.025 2. County Administrative Officer's Comments and Reports: Sally R. Reed, County Administrative Officer, reported that the earthquake experienced on Monday night, May 13th, was a magnitude of just under 5.2 on the Richter Scale. She indicated that Monterey County sustained very little damage as a result of this temblor.
- 6300.000 3. Received and approved report on the April 26, 2002 meeting of the Board of Supervisors' Health Committee.
BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Potter, and unanimously carried.
- 0802.050 NA/1 **Monterey County Water Resources Agency: Authorized** the General Manager of the Monterey County Water Resources Agency to pursue discussions with Santa Cruz County and, as necessary, to file a timely appeal of the Santa Cruz County Planning Commission's approval of the Santa Cruz County Pajaro River Maintenance and Restoration Plan.
BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Calcagno, and unanimously carried, the Board approved the staff's recommendation.

SCHEDULED MATTERS

10:00 a.m.

- 0400.050 S-4 **Approved** comments on Association Monterey Bay Area Governments (AMBAG) Draft Regional Housing Needs Determination for 2000-2007.
BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Johnsen, and unanimously carried,

the Board received the report from Jim Colangelo, Assistant County Administrative Officer-Environmental Resource Policy, and approved the comments as presented by staff.

0601.175 S-5 **Agreement No. A-08980: Approved** \$500,000 Grant Agreement with the City of Salinas for County Inclusionary Housing Funds for 50 single-family, "self-help" ownership units located within the Williams Ranch Subdivision in the City of Salinas; and **directed** staff to prepare an amendment of the Housing Allocation Manual providing that future County Inclusionary Housing funding shall be provided to projects which provide priority for households that live or work anywhere within Monterey County.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried, the Board approved the staff's recommendations, and approved Agreement No. A-08980, as amended to provide that the County would receive its appropriate share of the credit for the units that would be created.

1352.025 S-6 Public hearing on the public outreach efforts and provide direction on expansion of the study area boundary for the Rancho San Juan Area of Development Concentration (ADC).
BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Calcagno, and unanimously carried, the Board directed staff to bring this matter back to the Board in two months, framed in the fashion that this specific plan stays the same, unless through the General Plan process, amendments are made. The nuances of the General Plan process that are on-going, and the process around this specific development should be brought into the framework. Staff is also directed within this 60 day time period, to have some lines drawn where the proposed modification of Highway 101 and where the proposed Highway 101 Bypass goes through this project, as that will impact any decisions on the proposal made by the Board.

11:00 a.m.

0601.350 S-7 **Accepted** report on plans for new Andy Ausonio Library in Castroville.
BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Calcagno, and unanimously carried, the Board accepted the report as presented.

S-8 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. H-Y-H Corp. v. County of Monterey

BOARD ACTION: No reportable action taken.

2. Susan Clark v. Monterey County

BOARD ACTION: The Board approved a settlement agreement in the amount of \$480,000 for personal injuries sustained in a 1999 accident with a Sheriff's patrol vehicle on Old Stage Road.

6200.000

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

1. Claim of Catherine, Louise, and David Truesdell

BOARD ACTION: Claim denied.

2. One matter not specified pursuant to Government Code Section 54956.9(b)

BOARD ACTION: No reportable action taken.

0950.000

c. Conference with labor negotiators pursuant to Government Code Section 54957.6 (Bargaining Units R, H, K).

BOARD ACTION: No reportable action taken.

ORDER FOR ADJOURNMENT TO TUESDAY, MAY 21, 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 Armenta, seconded by Supervisor Calcagno, and unanimously carried, the Board approved the following actions, except as otherwise noted:

HEALTH AND SOCIAL SERVICES:

- 0125.000 4. **Agreement No. A-08981: Approved and authorized** the
0150.141 Director of Health to sign an amendment to the Professional
Services Agreement with Monterey Bay Analytical Services to
extend the Agreement for an additional year to June 30, 2003
in the amount not to exceed \$40,000; and **increased** Fiscal
Year 2001-2002 in an amount not to exceed \$31,500.
- 0125.000 5. **Agreement No. A-08982: Approved and authorized** the Director
of Health to sign Behavioral Health Services Agreement with
Victor Treatment Centers for the provision of mental health
services in the amount of \$31,650 for the period of November
20, 2001 through June 30, 2002; **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 6. **Agreement No. A-08983: Approved and authorized** Chair to
sign an agreement with the Kinship Center for \$617,134 to
provide relative caregiver services under the Family Ties
Program for Monterey County; authorize the Director of the
Department of Social Services to sign any future amendments
to this Agreement not exceeding fifty percent (50%) of the
original contract amount.

CRIMINAL JUSTICE:

- 0600.600 7. **Resolution No. 02-188: Approved and authorized** the
0150.141 District Attorney to accept a grant previously applied for
from the Office of Criminal Justice Planning for the Child
Abuser Vertical Prosecution (CAVP) Program, and **increased**
appropriations and revenue in the District Attorney's
Budget Unit 224 in the amount of \$150,000.
- 0600.600 8. **Resolution No. 02-189: Approved and authorized** the
0150.141 District Attorney to accept a grant previously applied for
from the Consumer Protection Prosecution Trust Fund, and
increase appropriations and revenue in the District
Attorney's Budget Unit 224 Fiscal Year 2001/2002 Budget in
the amount of \$8,320.
- 0600.600 9. **Resolution No. 02-190: Amended** District Attorney Budget
Unit 224 to approve reclassification of Principal Clerk-
Confidential to Management Analyst I.
- 0602.250 10. **Approved** transfer of appropriations in the amount of
0150.141 \$31,500 from Professional Services to Fixed Assets in
Probation Budget Unit 255 for the purchase of unlimited
user licenses from Assessments.com for Risk/Resiliency
Assessment of Juvenile Crime Recidivism.
- 0125.000 11. **Agreement No. A-08977: Approved and authorized** the
Purchasing Manager to sign an amendment to increase
contract with consultant Kim Stemler to provide project

development and implementation support services for the Rancho Natividad Project during Fiscal Year 2001-2002.

- 0125.000 12. **Agreement No. A-08978: Approved and authorized** the Sheriff to sign Professional Services Agreement with 2nd Chance Youth Program for Gang Violence Reduction Program Services, Sheriff's Budget Unit 230 for the period of November 1, 2001 through February 28, 2003; **authorized** the Sheriff to approve successive one-year period renewals.

GENERAL GOVERNMENT:

- 6300.000 13. **Approved** Action Minutes of the meeting of Tuesday, April 30, 2002, copies having been distributed to each Supervisor.
- 0125.000 14. **Agreement No. A-08979: Approved** Professional Services Agreement with Milliman USA for consultant services relative to the PERS Health Insurance Program; and **authorized** Chair to sign.
- 0125.000 15. **Agreement No. A-07352: Approved and authorized** the Contracts/Purchasing Manager to sign Amendment No. 3 to Lease Agreement No. A-07352 to extend the lease period through July 31, 2006 with Prunedale Shopping Center, LP for 7,200 square feet of space at 17822 Moro Road, Prunedale, CA, for use by the Monterey County Free Libraries' Prunedale Branch.
- 0125.000 16. **Agreement No. A-05950: Approved and authorized** the Contracts/Purchasing Manager to sign Amendment No. 2 to Lease Agreement No. A-05950 to extend the lease period through April 30, 2004 with Sierra Pacific Properties, Inc. for 2,700 square feet of space at 266 Reservation Road, Suites K and L, Marina, CA, for use by the Monterey County Free Libraries' Marina Branch.
- 0525.000 17. **Approved** specifications for Roadway Overlay at Laguna Seca Recreation Area, Bid No. 9590, and **authorized** solicitation of bids.
- 0525.000 18. **Approved** the Plans and Specifications for lakebed drainage improvements at Laguna Seca Recreation Area, Bid No. 9600, and **authorized** solicitation of bids.
- 0602.800 19. **Approved** increased estimated revenue and appropriations
0150.141 totaling \$17,043 in Budget Unit 559, Military and Veterans Affairs Office.

PLANNING AND BUILDING INSPECTION:

- 3000.000 20. **Introduced an Ordinance, waived the reading and set a**
3150.000 public hearing for June 4, 2002 at 11:00 a.m. to consider a Combined Development Permit (Oak Tree Subdivision,

PLN980289) consisting of a Lot Line Adjustment to adjust 4 parcels and Minor Subdivision to subdivide the adjusted remainder parcel of 20.07 acres 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 and reclassification from "O-D-S" (Open Space, Design Control, Site Plan Review) to "RDR/10-UR-D-S-B-6" (Rural Density Residential, Urban Reserve, Design Control, Site Plan Review, Building Site) for Oak Tree Housing. (Assessor's Parcel Numbers 259-131-002-000 and 259-131-003-000), southwest of Via Malpaso, Jack's Peak area, Greater Monterey Peninsula Area Plan.

- 0125.000 21. **Agreement No. A-08984: Approved** agreement granting to the Carmel Riviera Mutual Water Company a right of entry upon County owned property in the Big Sur area (APN's 243-221-022 and -023) for the purpose of accessing and using water system facilities.

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