

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, May 28, 2002 at 9:30 a.m.
Lunch Break from 12:00 Noon to 1:40 p.m.

9:30 a.m.

S-1 Additions and corrections to Agenda: **None.**

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

S-3 CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY

2050.000 S-4 PUBLIC COMMENT PERIOD: **Marit Evans, resident of Corral de Tierra and spokesperson for the Citizens to Save Mark's Ranch presented the Board with advisory petitions containing 3,624 signatures to preserve the Mark's Ranch, with its sensitive habitat, grand vistas and steep canyons located in the Tularcitos-Oak woodland in a "Public/Quasi Public" designation as part of the Monterey County General Plan. Joyce McBride, resident of the Toro Area, urged the Board to preserve and cherish the history of Monterey County, and to work towards establishing a Museum with nature walks through the ancient, established gardens located on the Mark's Ranch. Morgan Lucier, Ph.D., Social Worker for the Child Welfare Unit for the Department Social Services, Division of Family Reunification/ Maintenance, addressed the Board on behalf of her colleagues regarding wage parity and employee turn-over for Social Workers, Eligibility Workers, and Mental Health Workers. Benjamin C. Franklin, Jr., addressed the Board concerning wage disparity and the steady decline of Eligibility Workers in the Department of Social Services. Linda Sakata, Food Stamp Eligibility Worker for the Department for Social Services for 17 years, indicated that the average case load for Eligibility Workers is overwhelming, and is compounded by a high Eligibility Worker vacancy rate. She also addressed the wage disparities between Monterey County and comparable counties. Joseph Vierra addressed the issue of private property rights, and the need to keep elected officials in Monterey County from amassing too much political power. Hans Jongens addressed the Board concerning the gasoline additive MTBE, and stressed the importance of careful land use planning and the preservation of farmland. Nancy Iverson, resident of the Las Palmas I Subdivision, Toro Area, addressed the Board concerning the Las Palmas I, Las Palmas II, and Montebello/Marks Ranch in relation to the Monterey County General Plan Update.**

APPOINTMENTS:

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

- 0800.450 1. **Appointed** Mary Paredes to the Board of Directors of the Castroville Cemetery District, for a term to expire on March 30, 2005. (Pennycook)
- 0400.435 2. **Appointed** Dean Sims, to the Older Americans Advisory Council, for a term to expire on January 1, 2005. (Pennycook)
- 0400.250 3. **Appointed** Jeff Fortin, to the Equal Opportunity Advisory Commission, for a term to end concurrently with the appointing Supervisors' term, on January 7, 2003. (Pennycook)
4. **WITHDRAWN FROM THE AGENDA:** Appointment of Jeff Fortin, to the Animal Control Program Advisory Board, for a term to end on July 1, 2005. (Pennycook)

OTHER BOARD MATTERS:

- 6300.000 5. Board comments and referrals: **Supervisor Calcagno requested that the petition brought forward this morning under "public comment" containing 3,000 signatures opposing the Marks Ranch be filed in a secure place, and brought back to the Board at the time this issue is addressed during the Monterey County General Plan process. Supervisor Pennycook updated the Board on adoptions of previously featured pets from the County Animal Shelter, and presented a brief description of Murphy Jones, a neutered, 2-year-old, domestic, medium-haired mix cat who is looking for a loving home. Supervisor Potter compliments Len Foster, Director of Health, Lew Bauman, Public Works Director, and Lou Solton, Treasurer/Tax Collector on their department's responses to constituent requests.**
- 0600.025 6. County Administrative Officer's Comments and Reports: **None.**
- 2050.000 7. **Resolution No. 02-201: Adopted** Resolution commemorating dedication of the Codiga Center and Museum on the Santa Cruz County Fairgrounds. (Calcagno)
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried.

SCHEDULED MATTERS

10:00 a.m.

- 0650.000 S-5 a. Public hearing on Written Report of service charges to be levied on County Service Areas for Fiscal Year 2002-03; maintaining service charge levels for specified service charges that are collected on the

tax rolls for all service areas; adopt resolutions approving CSA Written Reports of service charges for Fiscal Year 2002-03 for all CSAs except CSA 10, CSA 17, CSA 25, CSA 34, CSA 55, CSA 57, CSA 67, CSA 69 and CSA 100.

BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried, the Board adopted Resolution Nos. 02-215 through 02-246, confirming Final Written Report on Service Charges to be levied in various CSA's:

- 0803.375 b. Public hearing on Written Report of sewer service charges to be levied on Moss Landing County Sanitation District for the Fiscal Year 2002-03; maintaining service charges at present level; adopt Written Report and resolution certifying compliance with State Law.
BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Johnsen, and carried 4-0, with Supervisor Calcagno recusing himself to avoid any appearance of conflict of interest, the Board adopted Resolution No. 02-247, certifying compliance with state law with respect to the levying of general and special taxes, assessments, and property-related fees and charges for the Moss Landing County Sanitation District.
- 0800.125 c. Public hearing on Written Report of sewer service charges to be levied on Boronda County Sanitation District for the Fiscal Year 2002-03, maintaining service charges at present level; adopt Written Report and resolution certifying compliance with State Law.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried, the Board adopted Resolution No. 02-248, certifying compliance with state law with respect to the levying of general and special taxes, assessments, and property-related fees and charges for the Boronda County Sanitation District.
- 0601.175 S-6 **Received** information regarding potential redevelopment opportunity in Prunedale, and initiate Prunedale Business Enhancement Program. (Continued from 5/21/02)
BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Armenta, and unanimously carried, the Board hereby:
1. **Received the report regarding redevelopment for Prunedale;**
 2. **Directed staff of the Environmental Resource Policy Office of Economic Development to work with the small businesses in Prunedale to promote existing business assistance programs and to identify business**

enhancement opportunities reflecting the findings of the attached Prunedale Business Retention Study; and

3. Referred to staff the matter of looking at the Prunedale situation to see if it is different from the rest of the County, and thus warrants special circumstances to expedite processing of Use Permits to allow commercial property owners to bring in new business opportunities in the Prunedale area.

3150.000 S-7 **Resolution No. 02-212: Adopted** 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 (Assessor's Parcel Number 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 Calcagno, and carried with Supervisor Potter voting "No," the Board denied the appeal filed by Ken and Sharene Virnig, and adopted Resolution No. 02-212, thereby approving the smaller configuration offered by the applicant, including a change in Condition No. 17 from 115' to 100' setback from the centerline of Seventeen Mile Drive.**

11:00 a.m.

- 0600.026 S-8 a. **Accepted** the recommendations of the Sensitivity/Diversity Training Group to implement sensitivity training countywide.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried.
- 0600.026 b. **Received** update on the dissemination of information regarding where and how to file complaints of unlawful discrimination.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried.
- 5100.000 S-9 a. 1. **Resolution No. 02-213:** Acting as the Board of Supervisors for the County of Monterey, hold a public hearing regarding the conveyance of property for the development, construction and

operation of the Japanese School Park
(Castroville/Pajaro Redevelopment Project).

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried, the Board adopted Resolution No. 02-213, providing for the conveyance of property.

5100.000

2. **Agreement No. A-09003 (Resolution No. 02-214):**

Acting as the Board of Directors of the Monterey County Redevelopment Agency, **reviewed** the Initial Study and **adopted** a Negative Declaration for the sale of the property to the District; and **adopted** the Resolution approving and authorizing execution of the proposed Japanese School Disposition and Development Agreement between the Redevelopment Agency and the North County Recreation and Park District.

BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried, the Board of Directors of the Monterey County Redevelopment Agency adopted Resolution No. 02-214, approving and authorizing execution of the proposed Japanese School Disposition and Development Agreement No. A-09003.

5100.000

- b. **Agreement Nos. A-09004 and A-09005:** Acting as the Board of Directors for the Monterey County Redevelopment Agency, **approved** purchase of Castro Field Property (APN 030-118-002) from the North County Recreation and Park District and **adopted** Mitigated Negative Declaration, **approved** the Purchase and Sale Agreement providing for the purchase of the Castro Field property from the District for \$1.00; **approved** the Lease Agreement for the Property between the Redevelopment Agency and the District, and **authorized** the County Administrative Officer and County Counsel to execute the documents necessary to process the transaction, including but not limited to escrow documents and purchase documents.
- BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried, the Board of Directors for the Monterey County Redevelopment Agency approved the staff's recommendations, thereby approving Agreement Nos. A-09004 and A-09005.

1351.450

- S-10 **Provided** direction to the Planning Commission regarding the process for reviewing the Draft General Plan Update.
- BOARD ACTION:** Upon motion of Supervisor Pennycook, seconded by Supervisor Johnsen, and unanimously carried, the Board approved the Planning Commission's request regarding the process for completing review of the General Plan, with the following modifications:

- a. Directed staff to provide the Board with policy recommendations for changes to the draft plan based on public comments.
- b. In July, the Board will provide direction to staff on any policy revisions to be incorporated into the plan based on the Planning Commission recommendations, staff recommendations, and all other public input.

12:00 p.m.

Recess for lunch

1:40 p.m.

S-11 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. Carmel Valley Fire Protection District v. All Persons Interested

BOARD ACTION: The Board authorized an appeal.

- 2. H-Y-H Corporation v. County of Monterey

BOARD ACTION: the Board authorized retention of the firm Frielig Lighner and Carlisle for assistance in trial preparation.

- 3. Arreola, et al. v. County of Monterey, et al.

BOARD ACTION: No reportable action taken.

- 6200.000
- b. Pursuant to Government Code Section 54956.9(b), the Board will confer with legal counsel regarding the following potential litigation:
 - 1. One matter not specified pursuant to Government Code Section 54956.9(b)

BOARD ACTION: No reportable action taken.

ORDER FOR ADJOURNMENT TO TUESDAY, JUNE 4, 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:

NATIVIDAD MEDICAL CENTER:

0601.525 8. **Approved** transfer of \$2,904,715 from the Natividad
0150.141 Medical Center Enterprise Fund to the County General Fund
Budget Unit 850, Other Finance Uses; and increase Budget
Unit 430, Medical Care Services, by the same amount to
provide payment for the intergovernmental transfer required
by the Disproportionate Share Hospital Program for FY 2001-
02. (4/5ths Vote Required)

NATIVIDAD MEDICAL CENTER AND INFORMATION TECHNOLOGY:

0601.525 9. **Resolution No. 02-207: Approved** Resolution to
0601.160 authorize Natividad Medical Center and Information Technology
Department access to summary criminal history information
for employment (including volunteers, and contract
employees) purposes.

HEALTH AND SOCIAL SERVICES:

0601.100 10. **Resolution No. 02-208: Proclaimed** state of local emergency
relating to the spread of HIV among injection drug users in
Monterey County.

0110.000 11. **Agreement No. A-08994: Approved and authorized** the Director
of Health to sign an Agreement with the State Department of
Health Services for funding of the Health Alert Network in
the amount of \$10,000; and **directed** the Auditor-Controller
to amend Health Department Budget Unit 411 to increase
estimated revenue and appropriations in Fiscal Year 2001-
2002.

CRIMINAL JUSTICE:

0602.250 12. **Approved** transfer of funds in the amount of \$24,215
0150.141 from Services and Supplies to Fixed Assets in Probation
Budget Unit 255 for the purchase of a truck for Juvenile
Justice Crime Prevention Act (JJCPA) (also known as AB1913)
Programs.

GENERAL GOVERNMENT:

- 0125.000 13. **Agreement No. A-08997: Approved** the recommendation of the Selection Committee for Hellmuth, Obata + Kassabaum, Inc. (HOK) to provide the executive architectural and engineering services for a new County Administrative Facility and the renovation and remodeling of the North, East and West Wings at the County of Monterey Civic Center Complex in Salinas; and **authorized** a professional services agreement in the amount of \$25,000.
- 0125.000 14. **Agreement No. A-08998: Authorized** the Assistant County Administrative Officer to enter into a limited-term agreement for professional services with Daniel T. Hogan for capital projects management in an amount not to exceed \$100,000.
- 4300.000 15. **Approved** increased estimated revenues and
0150.141 appropriations in Budget Unit 285, Proposition 172 Contributions by \$726,471; **approved** allocation of \$2,102,063 of FY 2001-02 Proposition 172 Public Safety Sales Tax Revenue; and **approved** increased estimated revenues and appropriations and approve allocations of \$222,590 of prior years' Proposition 172 revenue to Monterey County fire protection agencies.
- 5400.000 16. **Resolution No. 02-209: Amended** Personnel Policies
0601.160 and Practices Resolution No. 98-394 to add
0150.141 classification of Chief Security and Privacy Officer; **amended** Information Technology Department Budget Unit 193 to approve reallocations; **amended** Information Technology Department Budget Unit 151 to approve reallocation; and **directed** the County Administrative Office and the Auditor's Office to incorporate recommendations into the FY 2002/03 Final Budget.
- 1400.000 17. **Approved** revision to the recommended response to the 2001 Monterey County Grand Jury Final Report and **authorized** staff of the County Administrative Office to file approved revision to the Final Response with the Presiding Judge of the Superior Court of California, County of Monterey.
- 0525.000 18. **Adopted** Plans and Specifications for Information Technology Building Uninterruptible Power Supply (UPS) Replacement, Bid Number 9611, and **directed** the Clerk to advertise for bids to be received no later than 2:00 p.m., Wednesday, July 3, 2002.
- 0601.350 19. **Resolution No. 02-210: Authorized** County Librarian to sign Proposition 14 applications for the cities of Gonzales, Marina and Seaside, and **adopted** Board Resolution indicating the County Library's willingness to operate the new facilities once they are constructed.

- 0125.000 20. **Agreement No. A-08999: Approved and authorized** the Contracts/Purchasing Manager to sign a three-year lease agreement, effective March 1, 2002 with Samuel Kobrinsky, et al., A California General Partnership for 4,552 Square Feet of General Office Space at 19065 Portola Drive, Suites H, I, J, & L, Salinas, CA for use by the Health Department's Emergency Medical Services Division.

PLANNING AND BUILDING INSPECTION:

- 6000.500 21. **Accepted** final Parcel Map, Tax Report, Subdivision Improvement Agreement, four Deeds of Trust and Assignments of Rents in connection with the Subdivision Improvement Agreement, three Inclusionary Housing Deed Restrictions and Covenants, Conservation and Scenic Easement Deed, Indemnification Agreement, Permit Approval Notice, Subdivision Title Guarantee, and recording fees for a Minor Subdivision for Elliot Page and LaVielle LaMont (PLN980343), consisting of two lots and a remainder parcel, located west of Country Club Heights Lane, north of Middle Canyon Road and DaAmaral Road, Carmel Valley. (Assessor's Parcel Numbers 187-021-025.)
- 0127.000 22. **Resolution No. 02-211: Approved** "Conveyances and Deeds of Agricultural Conservation Easements;" **authorized** Chair to execute "Conveyances and Deeds of Agricultural Conservation Easements" to authorize the Monterey County Agricultural & Historic Land Conservancy, Inc. to hold the Agricultural Conservation Easements related to the Agricultural Conservation Easement Deeds between the County of Monterey and J.J. & H. Violini Company and between the County of Monterey and Herbert J. Meyer, Trustee; and, **authorized** the Clerk of the Board and the Assessor-Recorder's Office to record the Conveyances and Deeds of Agricultural Conservation Easements.

PUBLIC WORKS:

- 0125.000 23. **Agreement No. A-09000: Approved** an Easement Purchase Agreement with Karen E. Sandholdt, et al., in the amount of \$38,700 for the purchase of .25 acre of road easement and .03 acre of slope easement for the construction of the Sandholdt Road Bridge No. 112 Replacement Project, Moss Landing Area.
- 4600.000 24. **Approved** four grant applications to be submitted to the Monterey Bay Unified Air Pollution Control District in the amount of \$496,200 for bicycle projects.
- 0125.000 25. **Agreement No. A-09001: Approved** professional services agreement with Cascade Software Systems, Inc. in an amount not to exceed \$55,000 for maintenance and modification

programming services for the cost accounting management system for the period of July 1, 2002 through June 30, 2002.

- 0125.000 26. **Agreement No. A-09002: Approved** Letter of Agreement with S.E.I.U. Local 817 regarding impact of initiation of sale of specific water and wastewater systems on employees of the Department of Public Works.

MONTEREY COUNTY REDEVELOPMENT AGENCY:

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

- 5100.000 27. **Increased** revenue and appropriations in Fund 403,
0150.141 Budget Unit 940 to reflect the receipt of unanticipated revenues in the amount of \$4,650.

[\(Back\)](#)