

A C T I O N   M I N U T E S

## MONTEREY COUNTY BOARD OF SUPERVISORS

Tuesday, September 24, 2002 at 9:30 a.m.

Recess to Lunch at 12:00 Noon

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:

The Board added the existing litigation matter of Arreola et al. v. County of Monterey et al. to its 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: **None.**

OTHER BOARD MATTERS:

- 6300.000 1. Board comments and referrals: **Supervisor Johnsen distributed to each Supervisor a copy of the four-month progress report from the Central Coast Alliance for Health. Supervisor Pennycook introduced the featured dog of the week. Harry is a brown, 4-year old neutered male Airedale terrier and Irish wolf hound mix. He is a big dog, with a heart of gold and star potential. The featured cat of the week is Zeus. He is a 12 year old neutered domestic shorthair mix. He is buff in color, with light creamy markings. These pets, among others, are available for adoption from the Monterey County Animal Shelter.**
- 0600.025 2. County Administrative Officer's Comments and Reports: **None.**
- 2050.000 3. **Resolution No. 02-330: Adopted** Resolution commending John Peter Burke, Deputy Sheriff, upon his retirement from 31 years of dedicated public service with the Monterey County Sheriff's Department. (Potter)  
**BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Calcagno, and unanimously carried.**

SCHEDULED MATTERS10:00 a.m.

S-4 Closed Session relating to the following items:

6200.000

a. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding two matters of potential litigation.

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

**11:00 a.m.**

3150.000 S-5 **Held** public hearing on appeal from Helping Our Peninsula's Environment - David Dilworth, from the decision of the Planning Commission recommending adoption of a Mitigated Negative Declaration; adoption of a Mitigation Monitoring and Reporting Program; and approval of a Combined Development Permit (**Karl & Lisa Kleissner - PLN010280**) for development on Assessor's Parcel Numbers 417-021-035-000 and 417-021-038-000 consisting of: a Coastal Development Permit for development within 100 feet of an environmentally sensitive habitat, a Coastal Development Permit for development on slopes greater than 30%, and a Coastal Development Permit for placement of graded material, retaining structures, culverts, energy dissipaters, creek crossings, etc., and underground utility lines. The property is located east of Highway 1 at Garrapata Canyon (approx. Post Mile 63 of Highway 1) between Joshua Creek and the southern portion of the Doud Creek drainage, Big Sur area, Coastal Zone.

**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board adopted Resolution No. 02-336, approving the staff's recommendation.**

3150.000 S-6 **Held** public hearing on appeal from Eric Katzenberg, et al., from the decision of the Zoning Administrator approving an Application for Charles Gibilterra (PLN020019) for a Coastal Administrative Permit and Design Approval for demolition of more than 50% of an existing one-story single family dwelling and construction, including additional square footage, of a 3,919 square foot one-story single family dwelling with an attached two car garage. The property is located at 26123 Mesa Drive (Assessor's Parcel Number 009-282-012-000), west of Highway One in the Carmel Area of the Coastal Zone.

**BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Johnsen, and unanimously carried, the Board denied the appeal, and adopted Resolution No. 02-337, approving the staff's recommendations. The motion included an amendment to Condition No. 10, to allow weatherproofing activity to occur on the weekends.**

0600.600 S-7 **Held** public hearing to consider the Fiscal Year  
0602.500 2002-03 Citizens' Option for Public Safety (COPS) Program funding requests and related appropriations for Monterey County District Attorney and Sheriff.

**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried, the Board approved the staff's recommendation, and approved appropriation of Fiscal Year 2002-03 Citizens' Option for Public Safety (COPS) Program funding for the Monterey County District Attorney and Sheriff.

12:00 p.m.

Recess to lunch

1:30 p.m.

1351.450 S-8 Held continued public hearing (closed) on the Monterey County 21<sup>st</sup> Century General Plan Update including a review of the boundaries of the proposed community areas and rural centers, and review of property owner requests.

**BOARD ACTION:** The Board held further discussions of the Monterey County 21<sup>st</sup> Century General Plan Update, and continued the matter, closed, to October 1, 2002 at 9:45 a.m., in the Board Chambers.

**ORDER FOR ADJOURNMENT**

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:**

0525.000 4. **Accepted** bids, **awarded** contract in the amount of \$431,134 to San Jose Construction, **authorized** the CEO to execute an agreement for the construction of tenant improvements for Hartnell College Tenant Improvement Project - Phase II, **authorized** the CEO to execute Change Orders in an amount not to exceed 10% of the contract amount, and **authorized** CEO to file a Notice of Completion upon satisfactory completion of the work.

**HEALTH AND SOCIAL SERVICES:**

- 0125.000 5. **Agreement No. A-09190: Approved and authorized** the Director of Health to sign a contract with Healthtrac Corporation in the amount of \$100,000 for the provision of Healthtrac Services, Health Risk Questionnaire and Health Report for employees and retirees through the County Wellness Program for the period July 1, 2002 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.
- 0125.000 6. **Agreement No. A-09191: Approved and authorized** the Chair to sign contract with San Francisco State University in the amount of \$166,842 for the provision of Staff Training and procurement of training resources.

**CRIMINAL JUSTICE:**

- 0125.000 7. **Agreement No. A-08050: Authorized** the Chief Probation Officer to sign an amendment to Memorandum of Understanding with Soledad Unified School District for participation in the Campus Probation Officer Program.
- 0602.500 8. **Resolution No. 02-335: Approved and authorized** the Sheriff to submit a grant application with the Federal Bureau of Justice Assistance FY 2002 Local Law Enforcement Block Grant Program in the amount of \$39,735 with a \$4,415 local matching amount.

**GENERAL GOVERNMENT:**

- 6300.000 9. **Approved** Action Minutes for the meeting of Tuesday, September 3, 2002, copies having been distributed to each Board Member.
- 0804.450 10. **Approved** request from Spreckels Memorial District for Dry Period Loan of \$75,000.
- 0525.000 11. **Directed** the Capital Projects Manager to file Notice of Completion for the project, "Juvenile Hall - Repair Recreation Yard Fence in Salinas."
- 0525.000 12. **Directed** the Capital Project Manager to file Notice of Completion for the project, "Public Works Headquarters on East Alisal Street, Salinas - Demolish Structure."
- 0525.000 13. **Adopted** Plans and Specifications for the Project "Hazardous Material Abatement at Old County Jail," Salinas and **authorized** bids to be received no later than 2:00 p.m., Wednesday, October 16, 2002.
- 0125.000 14. **Agreement No. A-09192: Approved** the Professional Services Agreements with Kasavan Architects in the amounts of

\$17,240 and \$12,061, to provide architectural/engineering services for the project "Remodel of Revenue & Recovery East Wing Rooms 121 and 123."

- 0525.000 15. **Authorized** the purchase of modular office buildings and increase the contract amount to Mobile Modular Management Corporation in the amount of \$763,600, including change order contingencies for site improvements at the Salinas Courthouse Complex.
- 0525.000 16. **Adopted** the plans and specifications for the project "Median Improvement at 1322 Natividad Road," and **directed** the Clerk to advertise for bids to be received no later than 2:00 p.m., Wednesday, October 16, 2002.
- 0125.000 17. **Agreement No. A-09193: Authorized** the Assistant County Administrative Officer, Environmental Resource Policy Division, to enter into contracts with Freilich, Carlisle, and Litner, Attorneys, in an amount not to exceed \$200,000 for independent consulting and legal services in providing advice with respect to the County's update of its General Plan.
- 0125.000 18. **Agreement No. A-09194: Accepted** U. S. Department of Housing and Urban Development Economic Development Initiative Grant in the amount of \$138,750 for the construction of a Mobile Animal Processing Unit; **approved and authorized** the Assistant County Administrative Officer-ERP to sign a Memorandum of Understanding with the Monterey County Agricultural & Historical Land Conservancy, Inc. for the Design, Construction and operation of the Unit; and **directed** the Auditor-Controller to increase revenue and appropriations by \$138,750 in Budget Unit 182.
- 0125.000 19. **Agreement No. A-07852: Approved and authorized** the Contracts/Purchasing Manager to sign Amendment 1 to Lease Agreement A-07852 to extend the lease period through January 31, 2005 with Meyer Two, a General Partnership for 1,100 Square Feet of General Office Space at 522-C Broadway, King City, California for use by the Third District Supervisor.
- 0500.050 20. **Approved** amendments to Conflict of Interest Code of the Department of Social Services of Monterey County.
- 0500.050 21. **Approved** amendments to Conflict of Interest Code of the General Services Department of Monterey County.
- 0500.050 22. **Approved** amendments to Conflict of Interest Code of the Health Department of Monterey County.
- 0500.050 23. **Approved** amendments to Conflict of Interest Code of the Treasurer/Tax Collector of Monterey County.

- 0110.000 24. **Agreement No. A-09195: Approved and authorized** the Parks Director to sign a Standard Agreement with the Department of Boating and Waterways for a patrol boat and trailer for use at Lake San Antonio, increase estimated revenue and appropriations in Budget Unit 755 in the amount of \$55,000.
- 0125.000 25. **Agreement No. A-09196: Approved and authorized** the Director of Parks to sign an Agreement with Pathways Research for the use of electric vehicles for a one-year period at no charge.

**PLANNING AND BUILDING INSPECTION DEPARTMENT:**

- 6000.000 26. **Accepted** a Conservation and Scenic Easement Deed and **authorized** the Chair to sign the deed with Ron Whitehead and Hassan Babaei (MS87012) for property fronting on and northerly of Paradise Canyon Road at 362 Paradise Road (APN 129-101-008-000 and APN 129-101-040-000), Prunedale Area, North County, Coastal Zone. Staff recommendation: Approval.

**PUBLIC WORKS:**

- 0125.000 27. **Agreement No. A-09197: Accepted** assignment from the Moss Landing Chamber of Commerce of the Funding Agreement dated March 23, 2001 between the Moss Landing Chamber of Commerce and Duke Energy Moss Landing LLC.

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