

**A C T I O N   M I N U T E S****THE MONTEREY COUNTY BOARD OF SUPERVISORS  
AND THE MONTEREY COUNTY WATER RESOURCES AGENCY****Tuesday, October 1, 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 Pennycook, and unanimously carried, the Board approved the following additions and corrections to the Agenda:**

Upon the request of Supervisor Pennycook, the Board is asked to approve and authorize the Chair to sign a letter to Arthur Baggett, Jr., Chairman, State Water Resources Control Board, regarding Proposition 13 Project Proposal to protect the water quality of Elkhorn Slough.

The Board is asked by County Counsel to add to the closed session agenda as Item S-6(b)(2) one matter of potential litigation pursuant to Government Code section 54956.9(b).

Remove from the Agenda, and take no action on Consent No. 21 under "General Government," to amend contractual agreements for the two optional one year periods with A & B Security, Inc. and Paige's Security Services, Inc. for the County of Monterey.

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

S-3        CONSENT CALENDAR - MONTEREY COUNTY WATER RESOURCES AGENCY

2050.000 S-4    PUBLIC COMMENT PERIOD: **Horacio Lara appeared before the Board and submitted a letter concerning the Monterey County AIDS Project. He addressed alleged discrimination against participants in MCAP who have been declared ineligible for federal funding because of failed recovery efforts from substance abuse.**

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

- 0402.500 1. **Nominated** Michael Leach to the Monterey Bay Unified Air Pollution Control Hearing Board, for a three-year term ending December 10, 2005. (Full Board)
- 9491.500 2. **Appointed** Marianne Ide, to the Commission on the Status of Women, for a term to end on February 1, 2005. (Johnsen)
- 0401.560 3. **Appointed** Connie White, to the Community Restorative Justice Commission, for a term to end on October 1, 2005. (Full Board)

**OTHER BOARD MATTERS:**

- 6300.000 4. Board comments and referrals: **Upon the request of Supervisor Johnsen, the Board referred the letter from Mr. Lara to the County Administrative Officer, working with the Director of Health, to investigate the allegations, and report back to the Board.**

Supervisor Pennycook introduced the featured pets of the week. The cats of the week are three black and white, domestic shorthair, male, 2-month old kittens, named Felix, Tom and Oreo. The dog today is Shady. She is a 1-year old, female, pit bull/boxer mix, and she is very sweet, lovable, and well mannered. These pets, among others, are available for adoption from the Monterey County Animal Shelter

Upon the request of Supervisor Potter, the Board referred a letter from John Vellardita requesting consideration of the 1 hour increase at the In Home Supportive Services, to the County Administrative Officer, working with the Board's Budget Subcommittee, for evaluation and report back to the Board.

- 0600.025 5. County Administrative Officer's Comments and Reports: **None.**

- 2050.000 6. **Resolution No. 02-317: Adopted** Resolution congratulating Ruthie Watts on being selected as the 2002 Recipient of the Stephen E. Ross Award given by the Monterey Peninsula Branch of the NAACP, for dedicated service to the people of her community. (Johnsen)  
**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried.**

- 0625.000 7. **Appointed** Edith Johnsen as Director, and Dave Potter  
 6300.000 as Alternate to the California State Association of Counties (CSAC) Board of Directors for the Calendar Year 2003. (Potter)

**BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Calcagno, and unanimously carried.**

8. **Received and approved** the following report and recommendations from the Board's Legislative Subcommittee:

- 1900.000 a. **Approved** the September 17, 2002 report of the Legislative Subcommittee;
- 1900.000 b. **Resolution No. 02-344: Adopted** a Resolution supporting Proposition 46 (Housing and Emergency Shelter Trust Fund Act) on the November 5, 2002 statewide ballot; and
- 0125.000 c. **Agreement No. A-08073: Approved** a contract with JEA and Associates for California legislative advocacy services for the period October 1, 2002, through September 30, 2003.

**BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Johnsen, and unanimously carried.**

**SCHEDULED MATTERS**

**9:45 a.m.**

- 1351.450 S-5 **Resumed** 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: A discussion is held on the North County area. Direction is given to staff concerning the community area boundaries for the Castroville and Pajaro areas.**

**12:00 p.m.**

Recess to lunch

**1:30 p.m.**

- S-6 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. Covarrubias v. County of Monterey, et al.
  2. California Dept. of Transportation v. Monterey County

**BOARD ACTION: No reportable action was taken in the case of Covarrubias v. County of Monterey. In the case of the California Department of Transportation v. Monterey County, the Board authorized counsel to enter into a stipulation providing for the dismissal without prejudice of Caltrans Aeronautics' Division's challenge to Ordinance No. 4115, relating to the amortization of legal non-conforming airport uses.**

- 6200.000 b. Pursuant to Government Code Section 54956.9(b), the Board will confer with legal counsel regarding the

following potential litigation:

1. Norma Agamao (WC)
2. One matter of potential litigation pursuant to Government Code section 54956.9(b).

**BOARD ACTION:** No reportable action was taken concerning the potential litigation of Norma Agamao. Concerning the matter of potential litigation matter, consistent with the applicable rules of professional conduct, the Board of Supervisors has received from its General Plan CEQA Counsel, Shute, Maholey and Weinberger, a list of the firms former clients in Monterey County land use matters. The Board has also consented to the firm's representation of the Monterey Peninsula Water Management District, and Allen and McIverson concurrently with its' work on the General Plan Update EIR.

6200.000 c. Pursuant to Health and Safety Code section 1461, provide instruction to Negotiators regarding negotiation with the California Medical Assistance Commission (CMAC) for the provision of health care services.

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

6200.000 d. Conference with real property negotiators pursuant to Government Code Section 54956.8. Property: East Garrison area of the former Fort Ord; Negotiating Parties: Monterey County Redevelopment Agency; County of Monterey; Woodman Development

**BOARD ACTION:** No reportable action taken. This item was trailed in the event that it was necessary to return to closed session before adjourning today's meeting.

2:00 p.m.

1351.450 S-7 Resume 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:** A continued discussion is held on the Pajaro community area boundary, including the Pajaro Golf Course, Moss Landing, Prunedale, Rancho San Juan area. Further discussion is held on the Greater Salinas and Central Salinas Valley area.

**ORDER FOR ADJOURNMENT TO TUESDAY, OCTOBER 8, 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 Pennycook, seconded by Supervisor Armenta, and unanimously carried, the Board approved the following actions, except as otherwise noted:

HEALTH AND SOCIAL SERVICES:

- 0125.000 9. **Agreement No. A-09198: Approved and authorized** the Director of Health to sign a Behavioral Health Services Agreement with Devereux Cleo Wallace for the provision of mental health services in the amount of \$43,235 for the period of July 1, 2002 through June 30, 2003 and authorize 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 10. **Agreement No. A-09199: Approved and authorized** the Director of Health to sign Behavioral Health Services Agreement with Edgewood Children's Center for the provision of Mental Health Services in the amount of \$268,440 for the period of July 1, 2002 through June 30, 2003 and authorize 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.

CRIMINAL JUSTICE:

- 0602.500 11. **Resolution No. 02-339: Approved** reallocations of (1) 0150.142 Supervising Department Information System Coordinator and (1) Department Information Systems Coordinator, to (2) Senior Department Information Systems Coordinator; (1) Secretary to (1) Administrative Secretary; **established** (3) Sheriff's Records Supervisors at the Sheriff's Department; and **amended** Sheriff's Budget Unit 251.
- 0602.500 12. **Approved** an Application and Order for Destruction of Records for the Sheriff's Department.

GENERAL GOVERNMENT:

- 0601.175 13. **Resolution No. 02-340: Approved** the Consolidated Revolving Loan Fund (RLF) Administrative Plan and **authorized** the Assistant County Administrative Officer-ERP to forward the Administrative Plan to the Economic Development Administration.
- 0600.030 14. **Resolution No. 02-341: Amended** Assessor Budget Unit  
0150.142 118 to approve reclassification of Senior Departmental Information Systems Coordinator to Business Technology Analyst II.
- 0500.050 15. **Approved** amendments to Conflict of Interest Code of the Public Works Department of Monterey County.
- 0500.050 16. **Approved** amendments to Conflict of Interest Code of the County Administrative Office of Monterey County.
- 0500.050 17. **Approved** amendments to Conflict of Interest Code of the Parks Department of Monterey County.
- 0500.050 8. **Approved** amendments to Conflict of Interest Code of the Planning and Building Inspection Department of Monterey County.
- 0200.050 19. **Transferred** \$50,000 from a restricted account (80-3490) to fund professional services needed for AT&T/Comcast Franchise transfer and Charter Franchise renewal.
- 0200.260 20. **Approved** a two month extension of the term of the cable TV franchise of Charter Communications pending completion of the negotiations for a franchise renewal.
21. **REMOVED FROM THE AGENDA; NO ACTION TAKEN** to approve and authorize the Contracts/Purchasing Manager to sign a five year lease agreement effective on or before March 1, 2003 with the Las Ventanas Surgery Center, Inc. for 4,800 square feet of general office and surgical space at 1441 Constitution Blvd., Bldg. 400, Salinas, California for use in the Natividad Medical Center's Professional Building.
- 0125.000 22. **Agreement No. A-08728 and A-08729: Approved and authorized** the Contracts/Purchasing Manager to amend contractual agreements for the two (2) optional one (1) year periods with A & B Security, Inc. and Paige's Security Services, Inc. for the County of Monterey.
- 5400.000 23. **Resolution No. 02-342: Amended** Personnel Policies  
0600.225 and Practices Resolution No. 98-394 to add  
0150.142 classification of Revenue Manager; and **amended** the Revenue Division Budget Unit 115 to approve the reclassification of Finance Manager II to Revenue Manager.
- 5400.000 24. **Resolution No. 02-343: Amended** Personnel Policies  
0602.750 and Practices Resolution No. 98-394 to align the

- 0150.142 salaries of the Assistant Treasurer-Tax Collector with Assistant Auditor-Controller, and Treasury Manager with Finance Manager III; and **amended** Treasurer-Tax Collector Budget Unit 117 to reflect the salary alignments.
- 1900.000 NA/1 **Approved and authorized** the Chair to sign a letter to Arthur Baggett, Jr., Chairman, State Water Resources Control Board, regarding Proposition 13 Project Proposal to protect the water quality of Elkhorn Slough.

**PUBLIC WORKS:**

- 2800.000 25. **Introduced, waived the reading, and set** October 22, 2002 at 10 a.m. for a public hearing to adopt an ordinance amending Monterey County Code Title 12 Section 12.24.020 to establish stop intersections at Axtell Street/Blevins Way and Blevins Way/Cooper Street in Castroville.
- 2800.000 26. **Introduced, waived the reading, and set** October 22, 2002 at 10 a.m. for a public hearing to adopt an ordinance amending Monterey County Code Title 12 Section 12.28.012 to establish no parking at any time for commercial vehicles on a portion of San Miguel Canyon Road in Prunedale.
- 2800.000 27. **Introduced, waived the reading, and set** October 22, 2002 at 10 a.m. for a public hearing to adopt an ordinance amending Monterey County Code Title 12 Section 12.24.020 to establish a stop intersection at Valley View Avenue and Sixteenth Avenue in the Carmel area.
- 2800.000 28. **Introduced, waived the reading, and set** October 22, 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 Robinson Canyon Road and Carmel Valley Road eastbound off-ramp, Carmel Valley.
- 4600.000 29. **Approved** submittal of seven grant applications in the total amount of \$434,065 to the California Department of Transportation Hazard Elimination Safety Program for traffic safety improvements on County roads.
- 0125.000 30. **Agreement No. A-09201: Approved** Actual Cost Agreement with Pacific Gas and Electric Company in the amount of \$100,000 for relocation of electrical distribution facilities for the Sandholdt Road Bridge No. 112 Replacement Project, Moss Landing area.

**MONTEREY COUNTY WATER RESOURCES AGENCY:**

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

- 0802.200 31. **Set for public hearing** on October 15, 2002, at 9:45 a.m., approval of the Salinas Reclamation Channel Widening Project, adoption of a Mitigated Negative Declaration, and adoption of findings, pursuant to the California Environmental Quality Act (CEQA).

[\(Back\)](#)