

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, October 15, 2002 at 9:30 a.m.****Recess to Lunch at 12:00 Noon****9:30 a.m.**

2050.000 S-1 **Resolution No. 02-325: Adopted and presented** Resolution congratulating University of California Cooperative Extension, 4-H, and Guide Dog Program. (Pennycook)
BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Armenta, and unanimously carried.

S-2 Additions and corrections to Agenda

Upon motion of Supervisor Pennycook, seconded by Supervisor Armenta, and unanimously carried, the Board approved the following additions and corrections to the Agenda:

Pursuant to Government Code section 54957, the Board added to closed session a public employment discussion regarding the position of County Counsel.

S-3 CONSENT CALENDAR - REGULAR [See [Supplementary Sheet](#) attached]

2050.000 S-4 **PUBLIC COMMENT PERIOD: Tony Anchundo, Registrar of Voters, addressed the Board concerning the November 5, 2002 Election. Brian Finegan, Attorney, addressed the Board concerning the Monterey Peninsula College's position on the East Garrison. Jesus Armenta addressed the Board regarding the Paradise Family Amusement Park. Suzanna Avalos, Lena Valdez, Barbara Espe, Rich Oksas, Sharon Barnett, Donna Staunton, and Wren Bradley addressed the Board in opposition to proposed health insurance cost increases. Judy Taylor stated the General Plan hearings issue should be about County's lack of water, and stated her opposition to the 40 acre minimum requirement. Douglas Fay addressed the Board regarding housing rezoning issues along the River Road corridor.**

APPOINTMENTS:

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

0402.775 1. **Reappointed** Carolyn Anderson, Brad Bennett, Chris Carrasco, Carl Chase, Melanie Mayer-Gideon, Karen Miller, Kirk Schmidt and Margaret Shirrel to an additional two-year term

on the Special Ad-hoc North Monterey County Water Issues Advisory Committee, and **approved** the Committee By-Laws as amended by the Committee and approved by County Counsel.

OTHER BOARD MATTERS:

- 6300.00 2. Board comments and referrals: **Supervisor Calcagno spoke in opposition to County employees who have not yet cleaned up trash dumped on Old Stage/Crazy Horse Roads. Supervisor Pennycook commended Supervisor Johnsen's work with the Association of Monterey Bay Area Governments (AMBAG) regarding the Housing and Community Development (HCD) designations. Supervisor Armenta asked the Board to receive a monthly Monterey-Salinas Transit (MS) update. Upon the request of Supervisor Armenta, the Board referred to the County Administrative Officer a request to schedule a presentation before the Board on the matter of a Cultivated Peace Leadership Committee, and on the adoption of prevention principles. Supervisor Armenta referred to the Board's Budget Committee the matter of a review of health insurance costs, and to look at ways of increasing flex dollars. He also requested the Board to hold town hall meetings once a year to discuss issues regarding benefits and County employee working conditions.**
- 0600.025 3. County Administrative Officer's Comments and Reports: **Sally R. Reed, County Administrative Officer, commented on remarks made during public comment regarding County employee health insurance.**
- 2050.000 4. **Resolution Nos. 02-349 Through 02-352: Adopted** resolutions commending Joseph Jefferson Burns, Richard James Perez, Bruce John Leininger, and Captain Luther Martin Hert, upon their retirement from the Monterey County Sheriff's Department. (Potter)
BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Pennycook, and unanimously carried.
- 2050.000 5. **Resolution No. 02-347: Adopted** resolution commending John Michael McMahon, Parks Area Manager - South County, Monterey County Parks Department, upon his retirement. (Calcagno)
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Pennycook, and unanimously carried.
- 2050.000 6. **Resolution No. 02-338: Adopted** Resolution proclaiming October 2002 as Domestic Violence Awareness Month in Monterey County. (Potter)
BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Armenta, and unanimously carried.
- 2050.000 7. **Resolution No. 02-348: Adopted** Resolution proclaiming the week of October 21 through 25, 2002 as "Winter Storm Preparedness Week in Monterey County," **directed** the Office

of Emergency Services to inform the public of potential storm related hazards, and of the appropriate protective measures needed to mitigate these hazards, and **directed** the Water Resources Agency to inform the public of flood related threats and of the appropriate protective actions necessary to reduce the potential impacts of flooding.

(Potter)

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

2050.000 8. **Resolution No. 02-355: Adopted** Resolution honoring Peter Coniglio for his many outstanding contributions to the Italian American community and the Monterey Peninsula as a whole. (Potter)

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

SCHEDULED MATTERS

9:45 a.m.

0802.500 S-5 **Monterey County Water Resources Agency:** Hold public hearing to approve the Salinas Reclamation Channel Widening Project, adopt the Mitigated negative Declaration, adopt Findings, and file a Notice of Determination, pursuant to the California Environmental Quality Act (CEQA).

BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Calcagno, and unanimously carried, the Board approved the staff's recommendations.

10:00 a.m.

0125.000 S-6 **Agreement No. A-09207: Discussion held** to consider authorizing the award of a Franchise Agreement commencing January 1, 2003 for collection of garbage and recycling in the northeastern portion of the unincorporated county to Nevada Waste Systems Inc., dba Central Coast Waste Systems; to authorize the Director of Health to execute Franchise Agreement; and to authorize the Health Department to perform a rate analysis and return to the Board in the 30 days for approval of customer rates.

BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Calcagno, and unanimously carried, the Board approved Option No. 2, to extend the current permit for three months with the agreement of Waste Management through March 31, 2003, to allow forty-five days for further negotiations with top ranked proposers, Waste Management, BFI and Nevada Waste Systems, and to resolve outstanding issues within the framework of the current RFP.

S-7 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. Architectural Heritage Association v. County of Monterey

BOARD ACTION: No reportable action taken.

0950.000

- b. Pursuant to Government Code Section 54957, the Board will confer with legal counsel regarding one matter of public employee discipline/dismissal/release.

BOARD ACTION: No reportable action taken. It is noted for the record that Supervisor Pennycook did not participate in the discussion of this item.

6200.000

- c. 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.

10:30 a.m.

- 1351.450 S-8 Resume continued public hearing (closed) on the Monterey County 21st 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 resumed their discussion of the Monterey County 21st Century General Plan Update.

12:00 p.m.

Recess to lunch

1:30 p.m.

- 1351.450 S-9 Resume continued public hearing (closed) on the Monterey County 21st 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 continued their discussion of the Monterey County 21st Century General Plan Update, and determined to resume the matter, closed, on October 17, 2002 at 9:30 a.m.

ORDER FOR ADJOURNMENT TO THURSDAY, OCTOBER 17, 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 Calcagno, 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-009208: Approved and authorized** the Director of Health to sign an Agreement with the State of California Department of Health Services for a payment in the amount of \$1.00 for each death that occurs on or after the effective date and is entered into the Automated Vital Statistics System (AVSS) 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.

CRIMINAL JUSTICE:

0602.500 10. **Resolution No. 02-361: Approved** reallocation of (2) Account Clerk to (1) Accounting Clerical Supervisor and (1) Accounting Technician at the Sheriff's Department and amend Sheriff's Budget Unit 230.

GENERAL GOVERNMENT:

0525.000 11. **Authorized** acceptance of work and file Notice of Completion for Roadway Overlay at Laguna Seca Recreation Area, Bid No. 9590.

0850.000 12. **Directed** the Auditor-Controller to increase revenue
0601.175 and appropriations in Budget Unit 182, Economic Development, by \$175,000 to complete a Project Study Report for River Road.

0950.000 13. **Agreement No. A-09202: Adopted** revised Monterey County Deferred Compensation Plan document and adoption agreement, incorporating various optional provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA) into the Monterey County Deferred Compensation (Section 457)

Program effective 01/01/02 and making other non-substantive language modifications; and **authorized** the Chair to sign.

- 0125.000 14. **Agreement No. A-09203: Approved** Insurance Broker Agreement with MARSH, Inc. for general insurance brokerage services in support of the County's workers' compensation and general liability programs, effective July 1, 2002, and **authorized** Chair to sign.
- 0950.000 15. **Resolution No. 02-359: Approved** Resolution accepting the Certification of Majority for Union Representation of Temporary Employees and recognizing Service Employees International Union Local 817 as the exclusive representative of temporary employees in related classifications.
BOARD ACTION: Upon motion of Supervisor Armenta, seconded by Supervisor Calcagno, and unanimously carried.
- 0125.000 16. **Agreement No. A-09204: Approved** Letter of Understanding between the County of Monterey and the Monterey County Probation Association regarding the payment of cost to implement Single Highest Year (SHY) CalPERS Retirement Benefit.
- 0125.000 17. **Agreement No. A-09031: Ratified** terms of Agreement No. A-09031, a previously approved Contract with Nova Partners Inc. for Capital Project Management Services for the Monterey County Government Center Project.
- 0601.175 18. **Resolution No. 02-360: Adopted** a Resolution to
0800.175 ratify ordinances adopting amendments to the Uniform
0800.200 Fire Code for the following fire districts in
0800.250 Monterey County: Cachagua, Carmel Highlands, Carmel
0800.310 Valley, Cypress, North Monterey County, Salinas Rural
0800.975 and South Monterey County Fire Protection Districts
0800.550 and the Pebble Beach Community Services District.
0804.410
0803.725

PUBLIC WORKS:

- 01225.000 19. **Agreement Nos. A-09205 and A-09206: Approved** two Easement Purchase Agreements in the amount of \$1,000 each for road right-of-way easements for the Fontes Land Storm Drain and Street Improvement Project, (Project No. 03-867265), Boronda Area, as follows:

Agr No.	Contractor	APN
A-09205	Arcadio Cabasag, Jr. and Elsie B. Abejo	261-072-001
A-09206	Ramona Melgoza	261-073-011

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