

A C T I O N M I N U T E S**AGENDA OF THE MONTEREY COUNTY BOARD OF SUPERVISORS
AND THE MONTEREY COUNTY REDEVELOPMENT AGENCY****Tuesday, October 22, 2002 at 9:30 a.m.****Recess to Lunch at 12:00 Noon****9:30 a.m.**

2050.000 S-1 Additions and corrections to Agenda

Upon motion of Supervisor Calcagno, seconded by Supervisor Potter, and unanimously carried, the Board approved the following additions and correction to the Agenda:

It is noted for the record that regarding Scheduled Item No. 11, the Board will be acting as the Board of Directors of the Monterey County Redevelopment Agency.

Due to the need for Board action prior to the next meeting, add approval of the request from the Carmel Valley Fire Protection District for a dry period loan in the amount of \$500,000.

The Board is asked by County Counsel to add to the closed session agenda one matter of public employee discipline/dismissal/release pursuant to Government Code section 54957.

The Board is asked by Chair Potter to adjourn today's meeting in memory of Janie Fredrickson Figen, Deceased.

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

S-3 CONSENT CALENDAR - SPECIAL DISTRICTS

2050.000 S-4 PUBLIC COMMENT PERIOD: **Tom Scardina, representing 11 employees of the Rural Disposal Service Waste Management, and in his capacity as the Business Manager for Labor's Local 297, addressed the Board concerning a proposed franchise agreement.**

Danny Avalos, Mortgage Banker and resident in the City of Salinas, addressed his concern regarding the Monterey County employee's health care issue.

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

- 0600.750 1. **Appointments** of Directors to various Districts with insufficient nominees to cause an election on November 5, 2002. (Full Board)

OTHER BOARD MATTERS:

- 6300.000 2. Board comments and referrals: **Supervisor Pennycook introduced the featured pets of the week. The new dog is Cherokee, and he is a 5-year old male German Shepard. He has excellent manners, and is a real sweetheart. The new cat of the week is Pumpkin. He is a one-year old male domestic medium hair mix. He is mostly orange, with white on his chest and paws. He loves to be held, and purrs like a motorboat. October is "Adopt a Dog" Month. These pets, among others, are available for adoption from the Monterey County Animal Shelter. Upon the request of Supervisor Armenta, the Board requested the County Administrative Officer to prepare a study on the services provided to homeless single women, for report back to this Board. Chair Potter thanked County Administrative Officer Sally Reed for her efforts in meeting with the Mayors to work towards developing a resolution in and around sustainable development and affordable housing.**
- 0600.025 3. County Administrative Officer's Comments and Reports: **Ms. Reed stated that a foundation was laid in meeting with the Mayors, and there is a lot of work left to do in the area of sustainable development and affordable housing.**
- 2050.000 4. **Resolution No. 02-362: Adopted** Resolution commending David Steaffens, Monterey County Parks Department, upon his retirement from public service. (Full Board)
BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Armenta, and unanimously carried.
- 2050.000 5. **Resolution No. 02-363: Adopted** Resolution honoring Anton "Tony" Salameh, upon his induction into the Monterey County Restaurateur Hall of Fame. (Full Board)
BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Armenta, and unanimously carried.
- 2050.000 6. **Resolution No. 02-364: Adopted** Resolution honoring the 50th Anniversary of the Chinese American Citizens Alliance-Salinas Lodge and all of its past and present members for their commitment to the community of Salinas and the County of Monterey. (Armenta)
BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Armenta, and unanimously carried.
- 6300.000 7. **Accepted** report from Board of Supervisors' Budget Committee for August and September 2002.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the Board accepted the report.

SCHEDULED MATTERS**10:00 a.m.**

S-5 Public hearing to adopt Ordinances amending Title 12, Traffic, of the Monterey County Code, as follows:

- 2800.000 a. **Amended** Section 12.24.020 to establish stop intersections at Axtell Street/Blevins Way and Blevins Way/Cooper Street, Castroville.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board adopted Ordinance No. 04160.
- 2800.000 b. **Amended** Section 12.28.012 to establish "No Parking At Any Time" for commercial vehicles on a portion of San Miguel Canyon Road, Prunedale.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board adopted Ordinance No. 04161.
- 2800.000 c. **Amended** Section 12.24.020 to establish a stop intersection at Valley View Avenue and Sixteenth Avenue, Carmel area.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board adopted Ordinance No. 04162.
- 2800.000 d. **Amended** 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.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Board adopted Ordinance No. 04163.
- 0602.350 S-6 **Held** public hearing to receive comments on Unmet Transit needs in the unincorporated area of Monterey County in preparation for the County's request for FY 2003-04 Local Transportation Funds Allocation.
BOARD ACTION: After discussion, direction is given to the Public Works Department to submit their recommendation to the Board in February, 2003, for the "finding on unmet transit needs."
- 0401.560 S-7 **Received** presentation from the Restorative Justice Commission.
BOARD ACTION: The Board received the presentation, and a standing ovation was given to Supervisor Judy Pennycook for all of her efforts in the area of restorative justice in Monterey County.

11:00 a.m.

- 3150.000 S-8 Continued public hearing to approve a Combined Development Permit (**Hoffman/PLN010577**) consisting of a Coastal Administrative Permit and Design Approval for the demolition of an existing single-family dwelling and the construction of a new 7,824 sq. ft. split-level, single-family dwelling with an attached three-car garage and grading (1,095 cu. yds. cut, 832 cu. yds. fill); a Coastal Development Permit for development on slopes greater than 30%; and a Variance to exceed the 5,000 sq. ft. structural-coverage limit for the Pescadero Watershed. The property is located at 1488 Bonifacio Road, Pebble Beach (APN 008-341-027-000), Del Monte Forest area, Coastal Zone.
Continued to a date certain, Tuesday, November 5, 2002, at 10:00 a.m.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Pennycook, and unanimously carried, the Board approved continuation of this hearing to November 5th at 10:00 a.m.
- 3150.000 S-9 **Approved** Combined Development Permit (**PLN010562 Watson**) consisting of an amendment to the final map (PC94067) of the Santa Lucia Preserve Phase A (Portion of Tract No. 1308) to adjust the building envelope for Lot No. 17; and an Administrative Permit for the construction of an 8,290 sq. ft. two-story single family residence with 3 car garage, and a detached 1,200 sq. ft. "car barn"; the removal of a 36" landmark oak tree; grading of 23,310 cu. yds. (11,669 cu. yds. cut/11,641 cu. yds. fill {28 cu.yds}; export) and Design Approval. (This project description combines files PLN010491 and PLN010562, which had been submitted separately.)
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Pennycook, and unanimously carried, the Board adopted Resolution No. 02-374, thereby approving the staff's recommendation. The motion included modification of Condition No. 3, concerning submission and recordation of the amending map.
- 0601.100 S-10 **Received** briefing from the Director of Health regarding Flu season.
BOARD ACTION: The Board received the presentation.
- 0601.175 S-11 **Monterey County Redevelopment Agency: Held** public hearing to approve Home Investment Partnership Program application for submittal to the State of California Department of Housing and Community Development.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried, the Board adopted Resolution Nos. 02-378 and 02-379, thereby approving the staff's recommendations.
- 1351.450 S-12 **Resumed** 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: Discussion held; direction given to staff.

12:00 p.m.

Recess to lunch

1:30 p.m.

S-13 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. Bombela-Rome v. County of Monterey, et al.

BOARD ACTION: The Board authorized association of local counsel in Oklahoma to cover an out-of-state deposition.

2. Carmel Valley Fire Protection District v. County of Monterey

3. Christensen v. County of Monterey, et al.

4. Covarrubias v. County of Monterey

BOARD ACTION: No reportable action taken on Item Nos. 2, 3, and 4.

0300.000 b. Pursuant to Government Code Section 54956.9(b), the Board will confer with legal counsel regarding the following potential litigation:

1. Claim of Evangelina and Alice Valdez

BOARD ACTION: The Board denied the claim.

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.

0950.000 d. Pursuant to Government Code Section 54957, the Board will discuss one matter of public employment:
Position Title: County Counsel

BOARD ACTION: No reportable action taken.

0950.000 e. Pursuant to Government Code section 54957, the Board will discuss one matter of public employee discipline/dismissal/release.

BOARD ACTION: No reportable action taken.

2:00 p.m.

1351.450 S-14 **Resumed** 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: Discussion held; direction given to staff.

0125.000 S-15 **Agreement No. A-09217: Approved** agreement with Monterey Peninsula College and the Fort Ord Reuse Authority regarding the exchange of land between the East Garrison and Parker Flats on the former Fort Ord, for a Public Safety Training Center.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried, the Board approved Agreement No. A-09217.

ORDER FOR ADJOURNMENT IN MEMORY OF JANIE FREDRICKSON FIGEN, DECEASED.

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:

NATIVIDAD MEDICAL CENTER:

0601.525 8. **Approved** the request for a loan, in the amount of \$120,000, from Monterey County's Productivity Investment Fund (Fund 015, Budget Unit 845, Line Item 6990) to Natividad Medical Center (NMC) for leasehold improvements to designated space in the Natividad Professional Building (Bldg 400).

0125.000 9. **Agreement No. A-09063: Approved and authorized** the CEO of Natividad Medical Center (NMC) to increase the amount of the existing agreement with Leeson Consulting Services, from \$40,000 to \$140,000, effective September 1, 2002.

- 0125.000 10. **Agreement No. A-09209: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign an agreement with Healthcare Financial Solutions in the amount of \$177,000 for inpatient rounding card support, coding services and APC edit report corrections.
- 0125.000 11. **Agreement No. A-09210: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign an amendment to a professional service agreement with Healthcare Financial Solutions. The total amount of the agreement will be \$150,000.
- 0601.525 12. **Approved and authorized** the CEO of Natividad Medical Center (NMC) to purchase a mobile van outfitted with a dental chair, examination table and other equipment and supplies as needed, to establish a mobile clinic for the homeless of Monterey County.
- 0125.000 13. **Agreement No. A-09211: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign the application for the California Healthcare for Indigents program funding for fiscal year 2002-2003, the standard agreement for the California Healthcare for Indigents program funding, and the description of proposed expenditures for fiscal year 2002-2003.
- 0601.525 14. **Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign a roll-over purchase order (\$120,000) for reagents and consumables for the Bayer Centaur Immunochemistry that will replace the Abbott Axsym Immunochemistry Analyzer.
- 0125.000 15. **Agreement No. A-09212: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign an operating lease agreement with L.A. Barrington Leasing Association of Barrington, Inc. for a 60-month lease for one Bayer Centaur Immunochemistry Analyzer.
- 0125.000 16. **Agreement No. A-09213: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign an agreement with the California Department of Corrections for a period of July 1, 2002 through June 30, 2003.
- 0125.000 17. **Agreement No. A-09214: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign an agreement with Don Guiroy, M.D. to provide psychiatric physician services in the amount not to exceed \$180,000/year, effective October 28, 2002.

HEALTH AND SOCIAL SERVICES:

- 0125.000 18. **Agreement No. A-09215: Approved and authorized** the Chair to sign an agreement with Salinas Union High School District in

the amount of \$93,800 for fiscal year 2002-2003 for the provision of comprehensive parent education services; authorize the Director of Social Services to approve contract amendments as necessary up to a maximum of 50% of the annual amount.

- 5400.000 19. **Resolution No. 02-375:** Amended personnel policies
0602.550 and practices Resolution No.98-394 to add
0150.142 classification of Community Affiliation Manager and delete
classification of Program Manager I; and amend Department of
Social Services budget units 501, 594, and 510 to approve
reallocation of Program Manager I to Community Affiliation
Manager.
- 0125.000 20. **Agreement No. A-09216: Approved and authorized** the Director
of Health to sign Reimbursement Agreements and accept funds
on behalf of the County from applicants for subdivision
projects for the purpose of reimbursing the County for
Hydrogeologic Evaluations required by Section 19.03.015.L of
the Monterey County Code; and direct the Auditor-Controller
to increase estimated Revenue and appropriations totaling
\$50,000 in Budget Unit 414, Health.
- 0125.000 21. **Agreement No. A-09218: Approved and authorized** the Director
of Health to sign a purchase agreement for a LightCycler
System in the amount of \$58,000 for the Monterey County
Health Department, Public Health Laboratory, for the purpose
of testing for infectious disease agents; and direct the
Auditor-Controller to transfer appropriations.

CRIMINAL JUSTICE:

- 0602.500 22. **Approved** an increase in appropriations and estimated
0150.142 revenues by \$152,400 in Sheriff's budget unit 230 for the
purchase of three vehicles, three laptop computers, advanced
Taser M25 stun guns, an employee identification system,
training dog collars and digital camera equipment.

GENERAL GOVERNMENT:

- 6300.000 23. Approve Action Minutes for the following meetings:
Thursday, August 29, 2002; Friday, September 6, 2002;
Thursday, September 12, 2002; Monday, September 16, 2002;
and Friday, September 20, 2002, copies having been
distributed to each Board Member.
- 0602.750 24. **Resolution No. 02-376: Approved** a Zero Property Tax
0804.075 Transfer for the proposed "Rancho San Carlos Road Parcels
Annexation" to the Santa Lucia Community Services District.
- 0525.000 25. **Directed** the Capital Projects Manager to file a notice of
completion for the project "Site Improvements at 230 Church
Street, Salinas."

- 0525.000 26. **Adopted** the plans and specifications for "Tenant Improvements - Rooms 121-123 - East Wing" and authorize bids to be received no later than 2:00 p.m., Wednesday, November 12, 2002.
- 0601.175 27. **Approved** amendments of Housing Rehabilitation Program Guidelines.
- 5900.000 28. **Approved** request from Paul Miller to satisfy Inclusionary requirement by payment of an in-lieu fee for Royal Oaks Estates Subdivision.
- 0601.175 29. **Approved** amendment of Affordable Guidelines for refinancing and resale of Inclusionary Housing units.
- 0601.175 30. **Approved** Home Program Income Reuse Plan and an amendment of the First Time Homebuyer Program Guidelines.
31. **REMOVED FROM THE AGENDA; CONTINUED ONE WEEK** to approve the contract amendment with LFR Reimer for preparation and completion of Phase 2, and 3 of the 21st Century Monterey County General Plan Capital Improvement Plan (CIP) in the amount of \$92,000 for a total contract amount of \$142,320.

PLANNING AND BUILDING INSPECTION DEPARTMENT:

- 0602.200 32. **Amended** Planning and Building Inspection Department 0150.142 budget unit 293 to approve reallocations. **BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried, the Board approved the amended Planning and Building Inspection Department Budget Unit 293, as modified by dropping the recommendation to delete one (1) Planning Graphics Technician and add one (1) Courier position. The only recommendation before the Board today is approval of the Planning and Building Inspection Services Manager position and two (2) Land Use Technicians.**

PUBLIC WORKS:

- 0525.000 33. **Awarded** contract in the amount of \$27,832.20 to the Crisp Company for the placing of Raised Pavement Markers Project on various county roads - 2003.
- 0525.000 34. **Accepted** the Certificate of Completion and authorize execution and recordation of the notice of completion for construction of Slurry Seals on various roads in Monterey County.
- 0125.000 35. **Agreement No. A-09219: Approved** a Hold Harmless and Indemnification Agreement between the County of Monterey and Robert Kall in connection with a Community Cleanup Day in Pajaro on October 26, 2002; and authorize the Public Works Director to execute the agreement on behalf of the County.

SPECIAL DISTRICTS:

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

0400.774 36. **Terminated** Memorandum of Understanding between County
0602.500 Service Area No. 14 - Castroville and the Monterey County
Sheriff's Department.

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