

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 29, 2002 at 9:30 a.m.

Recess to Lunch at 12:00 Noon

9:30 a.m.

2050.000 S-1 **Resolution No. 02-377: Adopted and presented** Resolution commending Adrienne Grover, County Counsel, for her dedicated service to the County of Monterey. (Full Board)
BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Johnsen, and unanimously carried.

S-2 Additions and corrections to Agenda

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

Remove from the agenda, and take no action on Consent No. 21, regarding approval of a Professional Services Agreement with Michael Brandman Associates, Inc., for preparation of a Revised Environmental Impact Report (REIR) for the September Ranch Subdivision (PC95062); and approval of a Reimbursement Agreement with September Ranch Partners to provide reimbursement for the expenses in preparing the REIR.

Add under Scheduled Matter S-3, adoption of a Resolution honoring Richard P. Guthrie as one of the Monterey County Military and Veterans Services Advisory Commission's "Veterans of the Year" for the year 2002. (Potter)

Add under "Consent, General Government," adopt the plans and specifications for the project "Site Utilities for 111 West Alisal;" and authorize bids to be received no later than 2:00 p.m., Wednesday, November 20, 2002.

Add under "Consent, General Government," adopt the plans and specifications for the project "Landscape Improvements for 230 Church Street;" and authorize bids to be received no later than 2:00 p.m., Thursday, November 21, 2002.

2050.000 S-3 **Adopted and presented** Resolutions honoring the following seven Monterey County Military and Veterans Services Advisory Commission's "Veterans of the Year" for the year 2002:

Resolution No.	Name
02-368	John R. Viarengo

02-365	Gordon L. Ray
02-367	Henry Hosea
02-366	James "Jim" Coldwell
02-358	James E. Bland
02-357	Bonnie Leonard
02-356	Bruce Barber
02-381	Richard P. Guthrie

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

S-4 CONSENT CALENDAR - REGULAR [See [Supplementary Sheet](#) attached]

S-5 CONSENT CALENDAR - SPECIAL DISTRICTS

S-6 CONSENT CALENDAR - MONTEREY COUNTY WATER RESOURCES AGENCY

2050.000 S-7 PUBLIC COMMENT PERIOD: **None.**

APPOINTMENTS:

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

1550.000 1. **Reappointed** Carol Schneider and Michael Nichols, to the Monterey County Housing Authority, for terms to end on November 7, 2004. (Full Board)

0401.325 2. **Approved** the following appointments to the Child Care Planning Council:

Name of Appointee	Type of Appointment	Expiration of Term
Carmen Ireta	New Appointment	June 30, 2004
Joyce Brown	Reappointment	June 30, 2004
Dolores Gunia	Reappointment	June 30, 2004`
Yolanda LeNoble	Reappointment	June 30, 2004
Ricardo Tellez	Reappointment	June 30, 2004
Caroline Cooke Carney, Ph.D.	Reappointment	June 30, 2004
Jim Hopper	Reappointment	June 30, 2004
Jessie Miranda	Reappointment	June 30, 2004
Catherine Wyatt	Reappointment	June 30, 2004
Timothy O'Connell	Reappointment	June 30, 2004
Margarette Bonnie Hutcheon	Reappointment	June 30, 2004
Nancy K. O'Neal	Reappointment	June 30, 2004
Ann Edgerton, replacing Joya Chavarin	Filling open position	June 30, 2003
Vivian Brennand, Replacing Sandra Reeder	Filling open position	June 30, 2003

(Full Board)

OTHER BOARD MATTERS:

- 6300.000 3. Board comments and referrals:
1. Supervisor Pennycook introduced the featured pets of the week. The new cat is Mitzi, a 3-year-old female, domestic short-haired mix, with grey/tabby/white markings. The new dog is Ginny, a 2-year-old female Chihuahua mix, light tan in color. These pets, among others, are available for adoption from the Monterey County Animal Shelter.
 2. Supervisor Potter expressed his pleasure with having the opportunity to participate in the "Jeff Campen Transitional Classic" golf tournament, held at the Laguna Seca Golf Club. He thought it was an excellent opportunity for members of County government to do something recreationally, show their appreciation for Jeff's contributions for the many, many years he has been here, and contribute to a worth-while cause.
 3. Supervisor Potter stated that he is in receipt of a letter from the Salinas Valley Mayors and City Manager's Group, requesting an opportunity for their representatives to meet with representatives of the Board of Supervisors and County management, to have a chance to discuss regional transportation concerns on this Friday, November 1, 2002. The Chair appointed Supervisor Calcagno to attend this meeting, representing the Board.
 4. Upon the request of Supervisor Pennycook, the Board referred a letter from Sig Matt regarding the Alco Water System in North Monterey County, to the County Administrative Officer for appropriate action.
- 0600.025 4. County Administrative Officer's Comments and Reports:
Sally R. Reed, County Administrative Officer, congratulated Chair Potter and his foursome for winning the "Jeff Campen Transitional Classic" golf tournament, held at the Laguna Seca Golf Club on October 23rd. She recognized the contributions that Mr. Campen has made to Monterey County, and to the department head's scholarship fund.
- 2050.000 5. **Resolution No. 02-371: Adopted** Resolution commending Dennis Harper, Monterey County Parks Department, upon his retirement from public service. (Potter)
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried.
- 2050.000 6. **Resolution No. 02-369: Adopted** Resolution commending Gilbert R. Angkahan upon his retirement from the Monterey County Department of General Services. (Potter)

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

- 2050.000 7. **Resolution No. 02-372: Adopted** Resolution proclaiming November 6, 2002 as "Law Enforcement Records and Support Personnel Day" in Monterey County. (Potter)

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

- 2050.000 8. **Resolution No. 02-373: Adopted** Resolution recognizing and thanking Priscilla Jane McPherson for her many contributions during her twenty years of dedicated service, upon her retirement from the Department of Social Services. (Potter)

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

SCHEDULED MATTERS

10:00 a.m.

- 0403.735 S-8 **Accepted** Report on activities of the Monterey County Treasury Oversight Committee; receive and accept Independent Auditor's Report of Treasury Oversight Committee compliance for FY 2001-02; receive and accept Internal Auditor's Reports of Quarterly Treasury Audits for FY 2001-02; adopt Treasurer's Investment Policy for FY 2002-03; delegate investment authority to the Treasurer-Tax Collector for FY 2002-03; accept Treasurer's Report of Investments for the quarter ending September 30, 2002.
- BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Johnsen, and unanimously carried.**

- 0601.175 S-9 **Resolution No. 02-383: Held** public hearing to approve Community Development Block Grant Planning and Technical Assistance General Allocation Grant Application to the State Department of Housing and Community Development for the San Lucas Infrastructure Study.
- BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Armenta, and unanimously carried.**

10:30 a.m.

S-10 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. Arreola et al. v. County of Monterey et al.
 2. Cox, et al. v. County of Monterey

BOARD ACTION: No reportable action taken.

- 6200.000 b. Pursuant to Government Code Section 54956.9(c), the Board will confer with legal counsel regarding one matter of potential litigation:

1. Skip Barber Racing School

BOARD ACTION: No reportable action taken.

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

BOARD ACTION: The Board appointed Ren Nosky as the Interim County Counsel. The Chair announced that the Board has commenced an aggressive recruitment process, and has contracted with the firm of RJA Management Services, Inc. (Richard Garcia, Ph.D.) to develop the process and timeframe for this effort.

11:00 a.m.

- 0125.000 S-11 a. **Agreement No. A-09128: Approved** 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 in the amount of \$92,000 for a total contract amount of \$142,320.

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

- 1351.450 b. 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: A discussion is held on property owner requests. The Board continued the public hearing, closed, to the afternoon session.**

12:00 p.m.

Recess to lunch

1:30 p.m.

- 1351.450 S-12 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: A continued discussion is held on property owner requests. The Board continued the public hearing, closed, to Tuesday, November 12, 2002, at 10:00 a.m.

ORDER FOR ADJOURNMENT

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:

NATIVIDAD MEDICAL CENTER:

- 0125.000 9. **Agreement No. A-09229: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign an agreement with Data Systems Group in the amount of \$65,557, to provide electronic billing services for Medicare claims, and include all electronic billing for Medi-Cal, Medi-Cal Managed Care, and Blue Cross commercial remittance advice posting.
- 0125.000 10. **Agreement No. A-09230: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign a lease agreement with ACMI Financial Services to purchase an OM5-52001 Elite Urodynamic System in the amount of \$25,621.92.

HEALTH AND SOCIAL SERVICES:

- 0601.100 11. **Proclaimed** state of local emergency relating to the spread of HIV among injection drug users in Monterey County.
- 0125.000 12. **Agreement No. A-09231: Approved and authorized** the Director of Health to sign Professional Services Agreement with Planned Parenthood Mar Monte in the amount of \$63,909 for the period of July 1, 2002 through June 30, 2003 for the provision of HIV/AIDS Education and Prevention Services; 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 13. **Agreement No. A-09232: Approved and authorized** Chair to sign agreement for \$79,800 with Learning Time Inc. for learning disability evaluation services, and **authorized** the

Director of Social Services to make amendments up to 50% of this agreement.

CRIMINAL JUSTICE:

- 0125.000 14. **Agreement No. A-09233: Approved and authorized** the Purchasing Manager to sign an agreement with Aramark Correctional Services, Inc. to provide inmate commissary services for a three-year period commencing October 31, 2002 through June 30, 2005 with the option to extend for two additional one-year periods.
- 0602.500 15. **Approved and authorized** the Sheriff to accept
0150.142 donation of \$3,500 from Yellow Brick Road Benefit Shop for distribution to the Juvenile Impact Program; **increased** appropriations and estimated revenues by \$3,500 in the Sheriff's Budget Unit 230.

GENERAL GOVERNMENT:

- 6300.000 16. **Approved** Action Minutes for the following meetings: Tuesday, September 10, 2002, Tuesday, September 17, 2002, and Tuesday, October 8, 2002, copies having been distributed to each Board Member.
- 0400.550 17. **Directed** Auditor-Controller to deposit to County Counsel's Account the amount of \$500 for written findings of fact for Assessment Appeals Application No. 01-099-01 and 01-099-02, paid by Larry Scholink (County Receipt No. 343329) for Assessment Appeal of Larry Scholink; APNs 001-671-026 and 001-671-031.
- 0400.550 18. **Directed** Auditor-Controller to deposit to County Counsel's Account the amount of \$500 for written findings of fact for Assessment Appeals Application No. 01-055, paid by Patricia Little (County Receipt No. 343328) for Assessment Appeal of Patricia Little; APN 008-371-020.
- 0125.000 19. **Agreement No. A-09234: Approved** an Agreement with Schema Systems Inc., for the analysis of emergency communications systems and recommendations for back-up/redundancy plans, in the amount of \$34,560.
- 0601.175 20. **Directed** the Auditor-Controller to increase revenue and appropriations in Budget Unit 184, Fort Ord, by \$800,000 for the completion of the East Garrison Option Agreement and other related costs.
- 0525.000 NA/1 **Adopted** the plans and specifications for the project "Site Utilities for 111 West Alisal;" and **authorized** bids to be received no later than 2:00 p.m., Wednesday, November 20, 2002.

0525.000 NA/2 **Adopted** the plans and specifications for the project "Landscape Improvements for 230 Church Street;" and **authorized** bids to be received no later than 2:00 p.m., Thursday, November 21, 2002.

PLANNING AND BUILDING INSPECTION DEPARTMENT:

21. **REMOVE FROM THE AGENDA AND TAKE NO ACTION** on approval and authorization for the Chair to sign on behalf of the Board, the Professional Services Agreement with Michael Brandman Associates, Inc., in an amount not to exceed \$347,995, for preparation of a Revised Environmental Impact Report (REIR) for the September Ranch Subdivision (PC95062) (APN 015-171-10 and 12, and 015-381-13 and 14); to direct the County Purchasing Manager to issue a Purchase Order in that amount; and to approve and authorize the Chair to sign a Reimbursement Agreement with September Ranch Partners (Maximum \$453,907) to provide reimbursement for the expenses of preparing the REIR.

0125.000 22. **Agreement No. A-07894: Approved and authorized** the Chair to sign on behalf of the Board, Amendment No. 2 of the Professional Services Agreement with Berryman & Henigar, Inc., which increases the contract to \$554,000 for grading plans examination, grading inspection, building inspection, and County Building Official services. Staff recommendation: **Approved and authorized** the Chair to sign the contract amendment, and **directed** the County Purchasing Manager to issue a Change Order.

PUBLIC WORKS:

4600.000 23. **Approved** an annual goal of 9.3% for Disadvantaged Business Enterprise Participation in Construction Contracts funded by the Federal Highway Administration.

0125.000 24. **Agreement No. A-08327: Approved** Amendment Nos. 1, 2, and 3 in the total amount of \$49,651 to the Professional Services Agreement with LSA Associates, Inc., for the Schulte Road Bridge No. 501 Replacement Project, Carmel Valley area.

5900.000 25. **Authorized** acceptance of Grants of Easements from Keatara Investments and Norhand Land, Pasadera Associates II, and Pasadera Homeowners Association; **authorized** quitclaim of easements to Keatara Investments and Norhand Land, and Pasadera Associates II; and **authorized** Chair to sign Quitclaim Deeds.

0125.000 26. **Agreement No. A-09220: Approved** Reimbursement Agreement with Canada Woods, LLC for design and construction of road improvements on Carmel Valley Road between Valley Greens Drive and Meadows Lane for reimbursement of incremental project costs with Carmel Valley Road Traffic Impact Fees.

4600.000 27. **Authorized** Transfer of \$20,000 from General Fund to Public Works for monitoring and emergency breaching of the Carmel River Lagoon.

SPECIAL DISTRICTS:

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

0125.000 28. **Agreement No. A-09221: Approved** agreement for \$71,367 between County Service Area No. 14 - Castroville and the North County Recreation and Park District for continuation of extended recreation and park services for the Castroville area and **authorized** the Chair to execute the agreement

MONTEREY COUNTY WATER RESOURCES AGENCY:

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

0125.000 29. **Accepted** the following bids and agreements for grazing leases at Lakes San Antonio and Nacimiento, and authorize the Chair to sign:

Agreement No.	Lease Location	Bid Amount	Bidder
	San Antonio		
A-09222	Lease #1	\$11,000	Joe Botts (2 yr. Lease Extension)
A-09223	Lease #2	\$16,700	Del Sala
A-09224	Lease #3	\$12,200	Robert Juareguy
A-09225	Lease #4	\$ 2,400	Mark D. Siminon
	Nacimiento		
A-09226	Lease #1	\$ 3,700	Gary Hazard
A-09227	Lease #2	\$14,000	Jean Jauereguy
A-09228	Lease #3A & #3B	\$13,800	Bat Ranch

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