

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, November 12, 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 Pennycook, seconded by Supervisor Armenta, and unanimously carried, the Board approved the following additions and corrections to the Agenda:**

Upon the request of Supervisor Potter, add the following under "Other Board Matters:" Adopt Resolution honoring Sandra Koffman for her eight years of dedicated service as Mayor of Pacific Grove.

Pursuant to Government Code Section 54957, the Board will discuss one matter of public employment:

Position Title: County Counsel

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

2050.000 S-3 PUBLIC COMMENT PERIOD: **Sharon Parsons, Jeff Davi, Anna Caballero, Kurt Gollnick, Paul Johnston, Mike Johnston, Noelia Chappa, Alfred Diaz-Infante, Bob Antle, George Gasperini, Gary Patton, Douglas Faye, Carolyn Anderson, Chris Bunn and Crina Litter** addressed the Board concerning the Monterey County General Plan Update.

**OTHER BOARD MATTERS:**

6300.000 1. Board comments and referrals: **Supervisor Pennycook introduced the featured pets of the week. The cat, named May, and the dog, named Sophie, are showcased at this time. These pets, among others, are available for adoption from the Monterey County Animal Shelter.**

**Supervisor Armenta announced that he and Supervisor Johnsen attended the annual veterans' dinner, and the Jefferson award ceremony. Upon Supervisor Armenta's request, the Board referred a letter to the County Administrative Officer, from Gary Davis, Director of Parks and Recreation, City of Salinas, requesting more soccer fields be built in the park facility on Constitution Boulevard.**

- 0600.025 2. County Administrative Officer's Comments and Reports:  
**Sally R. Reed, County Administrative Officer, received the letter from Mr. Davis, Director of Parks and Recreation, City of Salinas, and stated that her staff will prepare an appropriate response.**
- 2050.000 3. **Resolution No. 02-384: Adopted** Resolution commending Theodore M. Cagalawan, Monterey County Sheriff's Department, upon his retirement from public service.  
**BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Armenta, and unanimously carried.**
- 2050.000 NA/1 **Resolution No. 02-390: Adopted** Resolution honoring Sandra Koffman for her eight years of dedicated service as Mayor of Pacific Grove.  
**BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Armenta, and unanimously carried.**
- 1351.450 4. Approved letter to the Salinas Valley Cities agreeing to meet and discuss issues related to growth and development. (Potter)  
**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried, the Board approved the letter, as revised, to include the requirement by the County to engage in meaningful discussion regarding the 50% sharing of the housing allocation. The Chair was authorized to sign the letter on behalf of the Board.**

**SCHEDULED MATTERS**

**10:00 a.m.**

- 1351.450 S-4 **Held** continued public hearing (closed) on the Monterey County General Plan Update and take the following actions:
- a. **Received** recommended distribution for the County's share of the regional housing allocation and select final distribution for Housing Element;
  - b. **Received** staff report on referred property owner requests and letters; approve Exhibit A as the proposed property owner requests that are to be included in the General Plan; and deny Exhibit C requests.
  - c. **Approved** Community Area and Rural Center boundaries to be used in preparation of the Environmental Impact Report; and
  - d. **Reviewed and approved** road improvement priority listing to be used in the traffic model analysis and the Capital Improvement Program.

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

- a. Reviewed and approved road improvement priority listing to be used in the traffic model analysis and the Capital Improvement Program (CIP);
- b. Accepted the public comment that will be received on the conceptual agricultural viability proposals at this afternoon's workshop;
- c. Where the staff determines that some or all of the proposals are inconsistent with the 12 objectives, the Board directed staff to suggest modifications and to ensure that these proposals and any modifications are analyzed as alternatives in the re-circulated draft EIR with a complete evaluation of their potential environmental impacts;
- d. Directed staff to reconsider the regional housing allocation, an implementation schedule and development constraints. In addition, the Board instructed staff to conduct a public workshop with HCD and, in concurrence with County cities, define criteria for allocation to better determine Monterey County's housing needs and objectives; and
- e. Directed staff to return to this Board, the final draft of the revised General Plan Update (GPU) and the final administrative draft of the re-circulated draft EIR for this Board's review prior to circulating these documents for public review and comment. After the members of the Board are satisfied that the revised GPU and re-circulated draft EIR are ready for public review and comments, this Board shall establish the public comment period and recommended hearing schedule for the Planning Commission and the Board of Supervisors.

Upon motion of Supervisor Pennycook, seconded by Supervisor Potter, and unanimously carried, the Board accepted staff's recommendation No. 4 on the staff report, including East Side Salinas in the Highway 68 bypass, creating a bypass from South County so that agricultural truck traffic does not go through the city of Salinas.

Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, with Supervisors Pennycook and Potter voting "No," the Board continued this hearing, closed, to Tuesday, November 26, 2002 at 1:30 p.m. Staff is directed to include one more column on Attachment B-Letter Dated 11/5/02-Staff Responses to Property Owner Requests, indicating what the Board discussions have been, what

**options are available, and staff responses to property owner request letters.**

**11:30 a.m.**

- 0150.142 S-5 a. **Accepted** Fiscal Year 2002-03 First Quarter Financial Status Report, **approved** County Budget modifications due to the State Budget and **approved** use of \$2,865,203 of General Fund Contingencies to backfill SB 90 local mandate revenue deferral.  
**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried, the Board approved the staff's recommendations.**
- 0150.142 b. **Received** presentation from John Arriaga on state budget issues.  
**BOARD ACTION: The Board acknowledged the report by John Arriaga on state budget issues.**
- 0150.142 c. **Approved** Fiscal Year 2002-03 Adjusted Final Work Program for Public Works (Fund 002, Budget Unit 300) and related adjustments to budgeted revenue and appropriations.  
**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried, the Board approved the staff's recommendations.**

**12:00 p.m.**

**Recessed** to lunch for joint Legislative Committee meeting and Monterey County Water Resources Agency leadership meeting.

**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. Bombela-Rome v. County of Monterey, et al.

**BOARD ACTION: The Board authorized the association of counsel.**

- 0300.000 b. Pursuant to Government Code Section 54956.9(c), the Board will confer with legal counsel regarding one matter of potential litigation.

**BOARD ACTION: The Board authorized participation by the County in an Amicus Petition in the case of Barden v. City of Sacramento.**

- 0950.000 c. 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 was 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 was taken.**

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

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

**2:00 p.m.**

- 0601.100 S-7 **Received** oral presentation of survey results of the Latino population.  
**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried, the Board received the survey results of Monterey County's Latino population.**

- 4600.000 S-8 a. **Received** report on collection of pro-rata traffic impact fees for the extension of Pesante Road from approved subdivisions in the Pesante Road vicinity, Prunedale area.  
**BOARD ACTION: Upon motion of Supervisor Pennycook, seconded by Supervisor Potter, with Supervisor Calcagno recusing himself to avoid the appearance of a potential conflict of interest, the Board approved staff's recommendations and directed that within one year of the adoption of the General Plan, the Public Works Department return to the Board with a status report on implementing the regional impact fees.**

- 4600.000 b. **Resolution No. 02-403: Approved** bonding a portion of Monterey County's projected Proposition 42 revenue to finance and accelerate pavement management work on County roads; **engaged** Morgan Stanley & Co., Inc. as Investment Banker and Underwriter; and **engaged** Hawkins, Delafield & Wood as Bond Counsel Services.  
**BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Pennycook, and unanimously carried, the Board adopted Resolution No. 02-403, approving the staff's recommendations.**

2:30 p.m.

1351.450 S-9 **Held** a workshop on the draft Agricultural Viability Recommendations and provide direction to staff on its inclusion in the General Plan and Environmental Impact Report.

**BOARD ACTION:** Held the workshop on the draft Agricultural Viability recommendations, provided direction to staff for further discussions regarding the Agricultural Viability element, the General Plan and Environmental Impact Report, and continued the matter to November 26, 2002, at 9:30 a.m.

**ORDER FOR ADJOURNMENT TO TUESDAY, NOVEMBER 26, 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 Armenta, seconded by Supervisor Calcagno, and unanimously carried, the Board approved the following actions, except as otherwise noted:

NATIVIDAD MEDICAL CENTER:

- 0125.000 5. **Agreement No. A-09062: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign an amendment to the agreement with Professional Research Consultants (PRC) to increase the agreement amount by \$30,000 for Community Image Study services, in the total amount of \$120,000.
- 0125.000 6. **Agreement No. A-09244: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign an amendment to an existing Professional Services Agreement with Agostini and Associates, Inc., a temporary nursing registry company, to increase NMC's agreement from \$45,000 to \$60,000.
- 0125.000 7. **Agreement No. A-09245: Approved and authorized** the CEO of Natividad Medical Center (NMC) to sign an amendment to an existing Professional Services Agreement with Health Care Services, a temporary nursing and technologist registry

company, to increase NMC's agreement from \$25,000 to \$125,000.

**HEALTH AND SOCIAL SERVICES:**

- 0125.000 8. **Agreement No. A-09246: Approved and authorized** the Director of Health to sign a Professional Services Agreement with the Monterey County AIDS Project in the amount of \$103,000 for the period of July 1, 2002 through June 30, 2003 for the provision of targeted HIV/AIDS Testing Outreach Services to people of color and women; 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 9. **Agreement No. A-09247: Approved and authorized** the Director of Health to sign a Professional Services Agreement with the Monterey County AIDS Project in the amount of \$73,619 for the period of July 1, 2002 through December 31, 2002 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 9.1 **Agreement No. A-09068: Approved and authorized** the Chair to sign amendment #1 to Agreement No. A-09068 with the Salinas Public Library, increasing the contract amount by \$10,753 for a total of \$74,253, to provide workforce literacy services to CalWORKs participants and other low-income adults.

**CRIMINAL JUSTICE:**

- 0600.175 10. **Resolution No. 02-402: Approved** the reallocation of  
0150.142 one vacant Supervising Child Support Officer position and one vacant Department Data Processing Coordinator position to two Accounting Technician positions; and **directed** the Auditor-Controller to amend the FY 2002-03 Department of Child Support Services (Budget Unit 225) to reflect the change in position allocations.
- 0125.000 11. **Agreement No. A-09248: Approved and authorized** the Purchasing Manager to sign an agreement in the amount of \$121,000 with Securicor EMS for the lease of electronic equipment and to provide electronic monitoring services for the Supervised Home Confinement Program during Fiscal Year 2002-03; **authorized** the Auditor-Controller to make quarterly payments to the contractor in advance.
- 0125.000 12. **Agreement No. A-09249: Authorized** the Chief Probation Officer to sign an agreement for \$200,819 with the Salinas Union High School District for services funded by the Safe Schools/Healthy Students Initiative Grant during Fiscal Year

2002-03; and **authorized** the Chief Probation Officer 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-09250: Approved and authorized** the Chief Probation Officer to sign a professional services agreement for \$68,000 with Renaissance Resources - West Coast to measure and analyze outcomes required for funds received from the Juvenile Justice Crime Prevention Act (AB-1913) from November 1, 2002 through October 31, 2003; and **authorized** the Chief Probation Officer 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.
- 0602.500 14. **Resolution No. 02-392: Approved and authorized** the Sheriff to accept Fiscal Year 2002-03 U. S. Department of Justice Local Law Enforcement Block Grant Program Award and approve a one-time increase in appropriations and estimated revenues by \$44,418 in the Sheriff's Budget Unit 230 for the purchase of computer equipment.

**GENERAL GOVERNMENT:**

- 6300.000 15. **Approved** Action Minutes for the following meetings: Monday, October 14, 2002; Tuesday, October 15, 2002; Thursday, October 17, 2002, and Tuesday, October 22, 2002, copies having been distributed to each Board Member.
- 0125.000 16. **Agreement No. A-08100: Approved** the contract amendment  
0525.000 with Kasavan Architects for hazardous material abatement requirements for the project "Old Jail Demolition" in the amount of \$32,264, for a total contract amount of \$283,264.
- 0600.030 17. **Approved** the implementation of a records retention schedule for the Assessor's Office.
- 0500.050 18. **Approved** amendments to the Conflict of Interest Code of the Office of the District Attorney of Monterey County.
- 0500.050 19. **Approved** amendments to Conflict of Interest Code of the Assessor-County Clerk-Recorder of Monterey County.
- 0601.350 20. **Accepted** Literacy Grant and **approved** appropriation of  
0150.142 \$20,545 in State Library grant funding for expenditure with the County Library Budget (BU 611 of the Library Fund - Fund 003), to continue a Families for Literacy Program.
- 1100.000 21. **Resolution No. 02-393: Adopted** Resolution amendment  
0601.350 Monterey County Fee Resolution relating to current user fees and fines and **approved** the branch hours schedule of operation for the Monterey Free Libraries effective January 1, 2003.



- 0525.000 22. **Awarded** the contract for the "Median Improvement at 1322 Natividad Road" to Monterey Peninsula Engineering, Inc., in the amount of \$19,700 with a change order contingency of \$1,970; **authorized** the Auditor-Controller to make payments on the approval of Capital Projects Management; and reject the other two bids.

**PLANNING AND BUILDING INSPECTION DEPARTMENT:**

- 0130.000 23. **Set** a public hearing for December 3, 2002 at 11:00 a.m. to consider the Agricultural Preserve and Farmland Security Zone contract applications for 2003.
- 6000.500 24. **Accepted** final Parcel Map; Tax Report; Subdivision Title Guarantee; and recording fees for a Minor Subdivision (Nunez, 970062MS and PLN990306), consisting of four parcels located on the north side of Pine Canyon Road, King City area, Assessor's Parcel Number 420-071-089).
- 0700.000 25. **Accepted and authorized** the Chair to sign a Botanical Conservation Easement Deed and a Scenic Easement Deed and the deed with Brian L. Hinman and Suzanne S. Skees (PLN010079), for property located at 907 Laureles Grade Road, south of Highway 68 southwest of Calera Canyon Road in the Toro area. Staff recommendation: Approval.

**PUBLIC WORKS:**

- 0125.000 26. **Agreement Nos. A-09240 and A-09241: Approved** Real Property Purchase Contracts and Grant Deeds to acquire two easements for additional road right-of-way to construct intersection improvements at Blanco Road and Davis Road.
- 0125.000 27. **Agreement No. A-09242: Approved** Amendment No. 3 in the amount of \$7,500 to the Professional Services Agreement with Hayashi and Wayland for accounting services provided in connection with the distribution of surplus funds for the Hidden Hills Area Assessment District.
- 0125.000 28. **Agreement No. A-09243: Approved** a Memorandum of Understanding with the Cities of Salinas, Marina, Pacific Grove, and Carmel-By-The-Sea to provide hardware and software to implement a Geographic Information System/Web-Based Automated Traffic Collision/Citation Analysis and Tracking System.
- 0525.000 29. **Accepted** the Certificate of Completion for Placing Raised Pavement Markers on various County roads in 2002 and authorize execution and recordation of the Notice of Completion.

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