

**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, December 3, 2002 at 9:30 a.m.****9:30 a.m.**

2050.000 S-1 **Adopted and presented** Resolutions of commendation to the following retiring County Supervisor, and retiring or promoted department heads:

<b>Res No.</b>	<b>Department</b>	<b>Name</b>
<b>02-396</b>	Board of Supervisors	Judy Pennycook
<b>02-397</b>	Administrative Office	Jeff Campen, Chief Assistant CAO
<b>02-398</b>	Assessor/Clerk/Recorder	Joe Pitta
<b>02-399</b>	Auditor-Controller	Jack Skillicorn
<b>02-377</b>	County Counsel	Adrienne Grover
<b>02-400</b>	Military & Veteran's Affairs	Jack Stewart
<b>02-401</b>	Sheriff	Gordon Sonn�

**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisor Calcagno absent.

(Reception to follow in the East Wing Conference Room,  
Room No. 221))

**10:30 a.m.**

S-2 Additions and corrections to Agenda:

**Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried, the Board approved the following addition to the Closed Session Agenda:**

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

Position Title: County Counsel

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

2050.000 S-4 PUBLIC COMMENT PERIOD:

- 1. Joe Salisbury, Home Health Care Worker and a member of SEIU Local 817, requested the Board to investigate recent cut-backs in number of hours allowed to home health care workers by the Monterey County Department of Social Services.**

2. Darlene Dinsmore addressed the Board concerning the lack of public parking in proximity to the County Courthouse, and suggested the County negotiate an agreement with the City of Salinas to allow affected people to purchase a day, week, or monthly parking pass.

#### APPOINTMENTS:

Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried by those members present with Supervisor Calcagno absent, the Board approved the following appointments:

- 0803.500 1. **Reappointed** Silvio Bernardi to the Board of Directors of the Northern Salinas Valley Mosquito Abatement District, for a four year term expiring January 2, 2007. (Full Board)
- 0804.000 2. **Reappointed** Estella Ramirez and Hethe Barbree to the Board of Directors of the San Lucas Cemetery District, for terms expiring in November, 2006. (Calcagno)

#### OTHER BOARD MATTERS:

- 6300.000 3. Board comments and referrals:
1. Supervisor Pennycook introduced the featured pets of the week. She announced that the Animal Shelter is in great need of blankets and towels. The new cat is Ginger, 9-month old spayed female, spayed domestic short-haired mix, and is grey and brown tabby. The new dog is Lexi, a 3-year old female American Staffordshire mix. These pets, among others, are available for adoption from the Monterey County Animal Shelter.
  2. Supervisors Armenta and Johnsen addressed the Board concerning salaries and benefits for In-Home Supportive Services workers. Upon their request, the Board referred, through the County Administrative Office, to the Department of Social Services, the matter of the IHSS coverage in the following areas: 1) the cost of potential raises; 2) cost of health insurance; 3) the governance issue; and 4) the issue regarding policy on hourly assignments. Staff is directed to report back to this Board as an agenda item, by the end of January, 2003. The Board requested that the report also include the cost of realignment dollars that are used and to trace the cash flow of those dollars and reimbursement of those sub-dollars in later budget cycles, as well as the impact of potential raises in salaries over a three-year period of time, and to include a cash flow analysis of said policy. The report back will also include the implication of the current governance model

and possible realignment of that model based on the dollars, cost, and accountability of the current governance structure.

- 0600.025 4. County Administrative Officer's Comments and Reports:  
 Sally R. Reed, County Administrative Officer, reported on a previous referral from Supervisor Armenta on the soccer field issue associated with the City of Salinas. Recent meetings have been constructive, and city representatives now feel that they can work with the area that falls within the Flood Control jurisdiction. Staff will be bringing a contract to the Board for approval, in the near future, authorizing the City's use of additional land to expand the soccer field operation.
- 1900.000 5. **Approved** the November 12, 2002, report of the Legislative Subcommittee including a request from Marin County to adopt a resolution supporting organization of a California Sudden Oak Death Coastal Counties Council. (Johnsen; Potter)  
**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Potter, and unanimously carried, the Board adopted the staff's recommendations, and adopted Resolution No. 02-436, supporting organization of a California Sudden Oak Death Coastal Counties Council.
- 2050.000 6. **Resolution Nos. 02-409 and 02-410: Adopted** Resolutions commending Chief Deputy James L. "Jim" Smith, and Undersheriff Terry R. Pfau, Monterey County Sheriff's Department, upon their retirement from public service. (Potter)  
**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisors Pennycook and Calcagno absent.
- 2050.000 7. **Resolution Nos. 02-407 and 02-408: Adopted** Resolutions commending outgoing Council Members Fabian Barrera and Patricia Stephens for their public service to the residents of the City of Soledad. (Calcagno)  
**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisors Pennycook and Calcagno absent.

#### SCHEDULED MATTERS

#### 11:00 a.m.

- 0130.000 S-5 **Held** public hearing to take action on year 2003 Agricultural Preserve and Farmland Security Zone applications; (1) approve applications for 6 standard Agricultural Preserves (2 of which are updated contracts); (2) approve 22 Farmland Security Zones; (3) deny 1 standard Agricultural Preserve application; (4) approve 1

application retroactively for 2002; and (5) accept the withdrawal of 3 applications that have been publicly noticed.

**BOARD ACTION:** Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried by those members present, with Supervisors Pennycook and Calcagno absent, the Board approved the following actions:

- a. **Approved a request for continuance** from David Morisoli of his application for a Farm Land Security Zone #2003-10, to the Board meeting of Tuesday, December 10, 2002 at 10:00 a.m.
- b. **Resolution No. 02-428: Approved** the year 2003 standard Agricultural Preserve contract applications:
  - #2003-04 (Nielsen)
  - #2003-05 (Varian Family Trust, amend Contract #1971-11)
  - #2003-12 (Leavens Trust)
  - #2003-19 (Caraccioli)
  - #2003-23 (Harper)
  - #1969-31.d (Konieczny, amend existing Contract #1969-31 by adding current compatible uses)
- c. **Resolution No. 02-427: Approved** year 2003 Farmland Security Zone applications:
  - #2003-01 (Stoller Family Trust)
  - #2003-02 (Stoller Family Trust)
  - #2003-08 (Rancho Hooker, LLC)
  - #2003-11 (Bianchi Family Trust)
  - #2003-13 (Long Valley Partnership)
  - #2003-14 (Manzoni Family Partnership)
  - #2003-15 (Sarmiento Family Partnership)
  - #2003-16 (Botta Investment)
  - #2003-17 (Botta Investment)
  - #2003-18 (Nielsen Ranch Partnership)
  - #2003-20 (Caraccioli)
  - #2003-22 (Ryan Land)
  - #2003-25 (Duflock)
  - #2003-26 (Duflock)
  - #2003-27 (Duflock)
  - #2003-28 (Duflock)
  - #2003-29 (Duflock)
  - #2003-30 (Jacob)
  - #2003-31 (Fisher)
- d. **Resolution No. 02-430: Denied** year 2003 standard Agricultural Preserve application #2003-09 (Henry) by adopting the findings and evidence in Attachment "D" to the staff report dated December 3, 2002.
- e. **Resolution No. 02-438: Approved** the Agricultural Preserve application #2003-06 (Fisher Trust) retroactively for the year 2002 only by adopting the

findings and evidence in Attachment "E" to the staff report dated December 3, 2002.

- f. **Resolution No. 02-437: Accepted** the withdrawal of applications #2003-07 (Head); #2003-21 (Ryan Land); and #2003-24 (Wood) by adopting the findings and evidence contained in Attachment "F" to the staff report dated December 3, 2002.

0803.250 S-6 **Received** annual report from Joe Donofrio of the Monterey Peninsula Regional Park District.  
**BOARD ACTION: The Board received the annual report, presented by Joe Donofrio, General Manager of the Monterey Peninsula Regional Park District.**

0802.000 S-7 Monterey County Water Resources Agency:

- a. **Received** assessment on flood control measures and needs in Monterey County.

**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried by those members present with Supervisors Pennycook and Calcagno absent, the Board received the assessment on flood control measures and needs in Monterey county.**

- b. **Adopted** the final Monterey County Floodplain Management Plan.

**BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried by those members present with Supervisors Pennycook and Calcagno absent, the Board adopted the final Monterey County Floodplain Management Plan.**

S-8 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. Cleaver v. County of Monterey, et al.
2. Nelson-Christensen v. County of Monterey, et al.

**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.**

0950.000 c. 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.**

**ORDER FOR ADJOURNMENT TO TUESDAY, DECEMBER 10, 2002.**

APPROVED:

\_\_\_\_\_  
Chair

ATTEST:  
SALLY R. REED,  
Clerk of the Board

By: \_\_\_\_\_  
Deputy

[\(Supplementary Sheet\)](#)

**CONSENT CALENDAR**

Upon motion of Supervisor Johnsen, seconded by Supervisor Pennycook, and unanimously carried by those members present with Supervisor Calcagno absent, the Board approved the following actions, except as otherwise noted:

**HEALTH AND SOCIAL SERVICES:**

0125.000 8. **Agreement No. A-09260: Approved and authorized** the Director of Health to sign an Agreement with the City of Gonzales in the amount of \$40,000 for the provision of shelter services for animals surrendered by the City to the County for the period of July 1, 2002 through June 30, 2003; **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; and **extended** this agreement on a month-to-month basis if desired by both parties after the term of the agreement has expired.

0125.000 9. **Agreement No. A-09261: Approved and authorized** the Chair to sign an agreement with Community Human Services in the amount of \$70,000 to provide counseling services to Family and Children's Services clients from November 1, 2002 to June 30, 2003 and **authorized** the Director of Social Services to sign amendments to the agreement in an amount not to exceed fifty percent (50%) of the contract amount.

**CRIMINAL JUSTICE:**

- 0125.000 10. **Agreement No. A-09262: Approved and authorized** the Purchasing Manager to sign an agreement with Aramark Correctional Services, Inc. to provide food services for a three-year period commencing December 8, 2002 through June 30, 2005 with the option to extend for two additional one-year periods.
- 0602.250 11. **Approved** an application and order for the implementation of a records retention schedule for the Probation Department.

**GENERAL GOVERNMENT:**

- 0125.000 12. **Agreement No. A-09264: Authorized** the Assistant County Administrative Officer to enter into a Limited-Term Agreement for Professional Services with Roger Miller for Capital Projects Management in an amount not to exceed \$100,000.
- 0525.000 13. **Adopted** Plans and Specifications for the Project "Combined Emergency Service Facility" (Office of Emergency Services and Emergency Communications Department) in Salinas, and **authorized** bids to be received no later than 2:00 p.m., Tuesday, January 14, 2003.
- 0500.050 14. **Approved** amendments to Conflict of Interest Code of the County Administrative Office of Monterey County.
- 0125.000 15. **Agreement No. A-08738: Approved and authorized** the Purchasing Manager to amend the existing Hall Kinion Professional Services Agreement to increase the expenditures allocated from \$24,999 to \$55,000.
- 0125.000 16. **Agreement No. A-09256: Approved** amendment to Contract with MetLife (Met) renewing the contract for two years and reducing the premium charges.
- 0700.000 17. **Accepted** Agricultural Buffer Easement Deeds (Meyer No. 1 - E.W. Herold Trust; 1977 Meyer Revocable Trust; and, Mills et al) and Deeds of Agricultural Conservation Easements (1977 Meyer Revocable Trust; and Mills et al) and **authorized** the Chair to sign the deeds with the E. W. Herold trust, the 1977 Meyer Revocable Trust and Mills et al in accordance with LAFCO Resolution No. 02-06 (Meyer No. 1 Reorganization) and LAFCO Resolution No. 02-05 (Meyer and Mills Ranch Reorganization).
- 0600.850 18. **Resolution No. 02-417: Amended** General Services  
0150.142 Budget Unit 106 to approve reallocations of two Custodian(s) to Building Maintenance Worker(s), one Mechanic II to Sr. Building Maintenance Worker, and one Mailroom Clerk to Courier.
- 0600.150 19. **Concurred** with the Monterey County Workforce  
0403.825 Investment Board (WIB) to accept \$168,000 granted to

0150.142 the Office for Employment Training (OET) from the State of California as part of the California Groundfish Disaster Stipend Project; **authorized** the Auditor-Controller to increase estimated revenue and appropriations totaling \$168,000; **authorized** the WIB Executive Director to execute and modify respective agreements.

**PUBLIC WORKS:**

1250.000 20. **Resolution No. 02-418: Approved** transfer and assignment of franchise from Kaiser Aluminum and Chemical Corporation to National Refractories and Minerals; **extended** the term of the franchise to December 5, 2012; and **amended** Section 8 of the franchise to increase the amount of bonding.

5200.000 21. **Resolution No. 02-419: Summarily abandoned** a portion of El Rancho Way and **accepted** dedication of the Post Drive Extension in conjunction with construction of the Marriott Hotel Project, Boronda Area.

[\(Back\)](#)