

BOARD OF SUPERVISORS

Fernando Armenta 1st District (Chair)
Louis R. Calcagno 2nd District (Vice Chair)
W. B. "Butch" Lindley 3rd District
Edith Johnsen 4th District
Dave Potter 5th District

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A C T I O N M I N U T E S

**THE MONTEREY COUNTY BOARD OF SUPERVISORS
AND THE MONTEREY COUNTY REDEVELOPMENT AGENCY
TUESDAY, MAY 20, 2003
9:30 AM**

9:30 a.m.

S-1 Additions and Corrections to the Agenda.

Upon motion of Supervisor Potter, seconded by Supervisor Lindley, and unanimously carried, the Board approved the following additions and corrections to the Agenda, due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda:

Upon the request of Supervisor Potter, adjourn today's meeting in memory of Peter Joyce, deceased.

Upon the request of Supervisor Potter, add under "Appointments" the reappointment of Jeff Norman and Kathleen Woods Novoa to fill seats on the Big Sur Multi-Agency Advisory Committee, for terms to end on May 20, 2003.

Upon the request of David Small, CEO Natividad Medical Center, remove from the agenda scheduled Item No. S-8(b) amending purchase order #B960349437 with Johnson Electrics from \$20,000 to \$35,000, an increase of \$15,000, for data and voice jack installation in various NMC departments.

Upon the request of County Counsel, remove from the agenda and take no action on Closed Session Item No. S-11(b) regarding two matters of significant exposure to litigation.

Upon the request of Michael Miller, Auditor-Controller, add to Consent Calendar under General Government: "Receive the 2003-2004 Appropriation Limits

Pursuant To Article XIII B Of The California Constitution And Set June 9, 2003 At 9:50 A.M. As The Date To Establish These Limits.”

Upon the request of Scott Hennessy, Director of Planning and Building Inspection remove from the Consent Calendar and take no action under Planning and Building Inspection Items No. 15, 16, and 17 regarding Agreements for Professional Services.

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

S-3 CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplementary Sheet attached)

2050.000 S-4 PUBLIC COMMENT PERIOD:

- a. Jyl Lutes, Mayor Pro-Tem, City of Salinas, introduced six 5th grade students who had recently completed the D.A.R.E. program at McKinnon Elementary School. The students read letters they had written to the Board concerning the discontinuance of the program due to budget restraints and requesting that the D.A.R.E. program be continued in schools in Monterey County.
- b. Nora Olsen, Public Health Nurse spoke concerning lack of adequate compensation of Public Health Nurses in Monterey County.
- c. Catherine Goodwin, Public Health Nurse, spoke on the high cost of medical insurance coverage that is currently being paid by members of the profession.
- d. Julia Nongas, Public Health Nurse, spoke on the difficulty in recruiting new nurses due to lower pay than in other areas.
- e. Kim Smith, Public Health Nurse, spoke on the high turnover of public health nurses in the County as well as the need for more respect for the profession.
- f. Sharon Barnett, Public Health Nurse, spoke on spoke on the high cost of medical insurance coverage that is currently being paid by members of the profession.

S-5 **Resolution No. 03-166:** Adopted and presented Resolution to Nancy Lukenbill, Clerk to the Board upon her retirement and in honor of her 34 years of dedicated service.

BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and unanimously carried, the Board adopted Resolution No. 03-166, as presented.

The Board recessed to the East Wing Conference for a reception given in Nancy Lukenbill's honor. The meeting was resumed following the reception.

APPOINTMENTS:

1. The Board approved the following appointment(s):

- 0401.622 a. Appointment of Ana Jimenez, to fill the seat formerly held by Josie Camacho, to the Domestic Violence Coordinating Council, for term to end on January 2, 2005.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Johnsen, and unanimously carried, the appointment was approved as presented.
- 0400.700 b. Reappointment of Jeff Norman and Kathleen Woods Novoa to fill seats on the Big Sur Multi-Agency Advisory Committee, for terms to end on May 20, 2003.
BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Lindley, and unanimously carried, the appointments were approved as presented.

OTHER BOARD MATTERS:

- 6300.000 2. Board comments and referrals.
- a. Supervisor Calcagno expressed concern regarding the badly damaged Union/Pacific railroad crossing on Highway 183 in Castroville. He asked that Lew Bauman, Director of Public Works, work with TAMC in getting those repairs made. Supervisor Potter stated that he would speak with Union/Pacific officials regarding the matter.
- 0600.025 3. County Administrative Officer's comments and reports.
- a. Sally R. Reed, County Administrative Officer, announced that Veronica Ferguson, Assistant County Administrative Officer, has accepted a job in another county and will be leaving soon.
- b. Regarding the Disproportionate Share Hospital Revenue, Federal/State negotiations have resulted in a change from the original figure of \$7,900,000, which was the gross amount, to \$2,900,000, which is the net amount of impact.
- c. The hospital has submitted a preliminary budget, but it is still a work in progress. There will be updated information at the budget hearings. Thanks to Rosie Pando and staff for the time they spent in order to completing this report.
- d. Department heads have been reluctant to talk to staff about the printed budget until the budget hearings. She feels that employees need to know what the proposed budget will say. She will work with department heads on this matter.
- 6300.000 4. Approved the May 6, 2003 report of the Legislative Subcommittee including an

update of Monterey County's Sponsor Measures. Supervisor Johnsen reported that the subcommittee is still working on certain bills pertaining to the off-highway vehicle track at Laguna Seca, the SB40, the public library construction project, as well as working with Social Services regarding the foster care program. Supervisor Potter also reported on Legislative Day in Sacramento which he attended along with several County staff.

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

- 0401.910 5. Appointments by Board Members to the Natividad Board of Trustees/Oversight Committee. Sally Reed, CAO, requested that this item be held off for at least another week. Supervisor Johnsen suggested a continuance to no time certain.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Armenta, and unanimously carried, the item was continued to no time certain.

SCHEDULED MATTERS

10:00 a.m.

- 0802.100 S-6 Upon the request of Curtis Weeks, Director, Water Resources Agency the item hold a public hearing and adopted Resolutions of the Monterey County Water Resources Agency approving Fiscal Year 2003-2004 Assessments for Zones 2A and 2B, and Fiscal Year 2003-2004 Water Delivery Charges for Zone 2B for the Castroville Seawater Intrusion Project and the Salinas Valley Reclamation Project, was continued to Tuesday, May 27, 2003, at 2:30. Mr. Weeks reported that the erosion noticing had been incorrectly referenced and that the corrected notice has been issued for Tuesday, May 27, 2003, at 2:30.
BOARD ACTION: Continued to Tuesday, May 27, 2003, at 2:30.
- 2800.000 S-7 **Ordinance No. 04190** The Board conducted a public hearing to consider and adopt the Ordinance repealing Chapter 10.41 of the Monterey County Code relating to Garbage and Refuse Collection and adding Chapter 10.41 to the Monterey County Code relating to Solid Waste Collection and Disposal. Jon Jennings, Environmental Health, reported on the services that would be covered by this Ordinance.
BOARD ACTION: Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno, and unanimously carried, the Ordinance was adopted. After further discussion, Supervisor Lindley requested that a map of where the various services will be provided, as well as by whom, be submitted at a future date.
- 0601.525 S-8 a. The Board discussed the approval and authorization the CEO of Natividad Medical Center (NMC) to sign an amendment to increase an existing 5-year Magnetic Resonance Imaging service lease agreement with General Electric Medical Systems, for Cryogen refills and Magnet servicing, by the amount of \$30,225 per year for the period of March 1, 2003 to December 31, 2004. The total amount of the increase will be \$52,893.75. Brian Machado,

Natividad Medical Center Administration Office, reported that the original Agreement did not include Cryogen refills and Magnet servicing. The Contractor has agreed to waive charges for previous services providing there is an amendment to the current Agreement that will cover future services. The savings resulting from this action would total approximately \$57,000.00. Supervisor Lindley requested that future amendment items be submitted previous to the start date of services. Supervisor Calcagno stated that he would not support Agreement requests from NMC until a financial statement from the hospital is submitted. Supervisor Johnsen concurred.

BOARD ACTION: Upon motion of Supervisor Lindley, seconded by Supervisor Armenta, the motion was carried by a vote of 3/2, with Supervisors Johnsen and Calcagno voting against.

- b. Upon the request of David Small, CEO, Natividad Medical Center The item to amend purchase order #B960349437, with Johnson Electrics, from \$20,000 to \$35,000, an increase of \$15,000, for data and voice jack installation in various NMC departments, was removed and no action was taken.

BOARD ACTION: Removed, no action taken.

10:30 a.m.

- 5900.000 S-9 The Board heard an Appeal of the Minor Subdivision Committee's action to deny the Minor Subdivision (Danbom: PLN000360) of a 14.8 acre parcel into four (4) 2.5 acre parcels and one (1) 4.8 acre remainder parcel with an existing house. The property is located at 1901 San Juan Road, Aromas. Assessor's Parcel Number: 267-041-003-000 North County Non-Coastal area. Continued from Tuesday, May 13, 2003. Tavin Brown, Planning and Building Inspection, reported to the Board. Derinda Messenger, Attorney for David Danbom, appellant, spoke to the Board during Public Comment. Per Mr. Brown's request, Laura Lawrence, Environmental Health, responded to the Board regarding Ms. Messenger's comments.

BOARD ACTION: Upon motion of Supervisor Lindley, seconded by Supervisor Johnsen, and unanimously carried, the Board approved the following motion regarding this item:

1. **Frame policy alternatives related to the treatment of project applications in North County that were submitted previous to the Moratorium.**
2. **Continue the Appeal of the Minor Subdivision Committee's action to deny the Minor Subdivision (Danbom: PLN000360) to no time certain.**

- 0600.025 S-10 Sally Reed, CAO, reported on the Governor's May revised budget. She announced that a written report is available.

11:00 a.m.

- 6200.000 S-11 Closed Session relating to the following items:

- a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
1. TCI Cablevision of California, Inc. v. County of Monterey.
BOARD ACTION: The Board voted 5/0 in favor of settlement.
 2. Architectural Heritage Association, et al. v. County of Monterey, et al.
BOARD ACTION: Status report received.
- b. Removed, no action taken, pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding two matters of significant exposure to litigation.
BOARD ACTION: Removed, no action taken.
- c. Removed, no action taken, conference with labor negotiators (all represented Units) pursuant to Government Code section 54957; Keith Honda, designated representative.
BOARD ACTION: Removed, no action taken.
- d. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following position:

Public Employment - Natividad Medical Center – CEO

BOARD ACTION: The evaluation occurred.

12:00 p.m.

Recess to lunch

1:30 p.m.

- 1350.775 S-12 The Board received a presentation on Fort Ord Reuse Authority (FORA) Work Force Housing Strategy and preliminary East Garrison Development Concept. Jim Cook, Principal Administration Analyst, Housing and Redevelopment made introductory remarks. Presentations were given by Michael Houlemard, Executive Officer, Fort Ord Reuse Authority and Keith McCoy, East Garrison Partners Development Team. Barry Long gave a presentation on the outcome of workshops held relating to the development of East Garrison.
BOARD ACTION: Upon motion of Supervisor Calcagno, seconded by Supervisor Potter, the motion was carried and the presentation was received.

2:15 p.m.

1351.475 S-13 The Board received a report and provided direction to staff on revised draft General Plan policies related to trails, parks and circulation. Jim Colangelo, Chief Assistant County Administration Officer, gave a presentation outlining the changes made to the draft General Plan as a result of direction from the Board of Supervisors in regard to trails, parks, and circulation.

BOARD ACTION: Upon motion of Supervisor Potter, seconded by Supervisor Johnsen, the motion was carried and direction was given to staff:

- 1. Identify trails in areas other than Salinas Valley and South County areas.**
- 2. In regard to the identification of lands for parks, make that direction general and assure it is not misread to say a specific property.**
- 3. Run three models for circulation using the following criteria:**
 - a. TAMC recommendations only;**
 - b. TAMC recommendations and include the 24 improvements identified in the draft General Plan; and**
 - c. A version that includes more than the TAMC recommendation, but less than the identified 24 improvements.**
- 4. Continue with the currently identified coastal areas.**

**ORDER FOR ADJOURNMENT IN MEMORY OF PETER JOYCE, DECEASED TO TUESDAY,
MAY 27, 2003 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 Johnsen, and unanimously carried, the Board approved the following actions, except as otherwise noted:

HEALTH AND SOCIAL SERVICES:

- 0125.000 6. **Agreement No. A-09019: Approved and Authorized** the Director of Health to sign Amendment 1 to Agreement A-09019 with Davis Guest Home in the annual amounts of \$191,505 for FY 2002-03, \$204,400 for FY 2003-04, and \$204,400 for FY 2004-05 for services to adults with severe psychiatric disabilities; and Authorize 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 7. **Agreement No. A-09395: Approved and Authorized** the Director of Health to sign an agreement in the amount of \$25,000 with Morehouse School of Medicine for the period November 15, 2002 to March 31, 2004 to participate in the Sentinel Centers Network Project to evaluate and build capacity in federally funded health centers.
- 0125.000 8. **Agreement No. A-09396: Approved and Authorized** the Director of Health to sign a cooperative contract with the State of California Department of Rehabilitation in the amount of \$108,236 for FY 2003-04 to provide vocational rehabilitation services to clients with mental health disabilities; and Authorize the Director of Health to approve contract amendments up to a maximum of 50% of the contract amount, which do not significantly alter the scope of work or result in an increase to Net County Cost.
- 0602.550 9. **Accepted** CalWORKs 60-month Time Limit Report for the period January through April 2003.
- 0600.150
0403.825 10. **Concurred** with the Monterey County Workforce Investment Board (WIB) to accept \$75,000 from the State of California Employment Development Department (EDD) to conduct a regional California Cooperative Occupational Information System (CCOIS) labor market study; Authorize the Auditor-Controller to increase estimated revenue and appropriations totaling \$75,000; and Authorize the Workforce Investment Board (WIB) Executive Director to execute and modify the agreement with the State of California in the amount of \$75,000.

CRIMINAL JUSTICE:

- 0600.600 11. **Resolution No. 03-167: Approved and Authorized** the District Attorney to sign and submit applications for continued funding for FY 2003/04 from state agencies for designated programs.

GENERAL GOVERNMENT:

- 6300.000 12. **Approved** Action Minutes of the meeting of Tuesday, May 6, 2003, copies having been distributed to each Board member.
- 0600.700 13. **Resolution No. 03-168: Approved** Resolution authorizing the issuance and sale of North Monterey County Unified School District General Obligation Bonds, Election of 2002, Series A, in the aggregate principal amount of not to exceed \$7,000,000.
- 0601.350 14. **Approved** the attached board order recognizing \$25,600 in contributions from the State of California and from the City of Soledad and appropriating that revenue for expenditure in the County Library's 2002-03 budget. (4/5ths Vote Required)
- 0250.000

PLANNING AND BUILDING INSPECTION:

- 0602.200 15. **Removed, no action taken:** Approved and Authorized the Chair to sign on behalf of the Board, an amendment to the Professional Services Agreement with Denise Duffy & Associates, Inc., which increases the agreement amount not to exceed \$59,473.00, for the preparation of an Environmental Impact Report (EIR) for the Amaral-Morisoli Subdivision (PLN020016); Direct the County Purchasing Manager to issue a revised Purchase Order in that amount; and approve and authorize the Chair to sign an amended Reimbursement Agreement with Albin Morisoli (maximum \$67,230.00) to provide reimbursement for the expenses of preparing the EIR.
- 0602.200 16. **Removed, no action taken:** Approved and Authorized the Chair to sign on behalf of the Board the Professional Services Agreement with Pacific Municipal Consultants, Inc., in an amount not to exceed \$29,791.00, to prepare an Expanded Initial Study for the Gallo Project: PLN010188; and a Reimbursement Agreement with Gallo Vineyards, Inc. in an amount to exceed \$34,791.00; and direct the County Purchasing Manager to issue a Purchase Order for the contract with Pacific Municipal Consultants.
- 0602.200 17. **Removed, no action taken:** Approved and Authorized the Chair to sign contract Amendment No. 1 with Avery Associates Inc. for recruitment and classification services.

PUBLIC WORKS:

- 0602.350 18. **Resolution No. 03-169: Adopted** Resolution amending the Mileage of Maintained County Roads.

MONTEREY COUNTY REDEVELOPMENT AGENCY

Upon motion of Supervisor Potter, seconded by Supervisor Johnsen, and unanimously carried, the Board approved the following actions, except as otherwise noted:

- 0125.000 19. **Agreement No. A-09397:** Approved contract with Keith B. Higgins and Associates for concept development and traffic infrastructure improvement consulting services in connection with Castroville community plan for \$49,631.