

BOARD OF SUPERVISORS

Fernando Armenta	1 st District (Vice Chair)	Lew C. Bauman
Louis R. Calcagno	2 nd District	County Administrative Officer
Simón Salinas	3 rd District	
Jerry Smith	4 th District	Charles J. McKee
Dave Potter	5 th District (Chair)	County Counsel

Darlene Drain	Phone: (831) 755-5066
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ACTION MINUTES
MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
TUESDAY, SEPTEMBER 18, 2007
9:00 AM

AGENDA

9:00 a.m.

- 6300.000 S-1 Closed Session under Government Code section 54950, relating to the following items:
- a. Pursuant to Government Code section 54957, the Board will provide a performance evaluation for the following public employment position:
 1. Natividad Medical Center CEO

S/A-2 2. County Administrative Officer
 - S/A-3 b. Pursuant to Government Code section 54957, the Board will consider appointment to the following public employment position:
 1. County Librarian

BOARD ACTION: The Board made the appointment of Jayanti Addleman to the position as County Librarian effective immediately.
 - c. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
 1. H-Y-H Corporation vs. County of Monterey
 - ~~S/A-1 2. Peter Reyersbaeh (WC)~~
 3. Marjorie Alford (WC)
 4. Stacie McGrady (WC)
 5. James Meckel (WC)
 6. Craig Pakish (WC)
 7. Anna Meacham (WC)
 8. Michael S. Williams (WC)
 9. LandWatch, et al. vs. County of Monterey
 10. Helping Our Peninsula's Environment vs. Monterey County Board of Supervisors.

S/A-4 11. Mark Damir vs. County of Monterey

BOARD ACTION: Pertaining to matters 1,8,9, and 10, the Board heard an update and provided direction to counsel. On matters 3,4,5,6, and 7, the Board approved settlements and all documents will be made available through County Counsel upon completion and receipt of the signed settlement documents. Pertaining to matter S/A-4, the Board approved a settlement and the documents will be made available through County Counsel.

- d. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one item of significant exposure to litigation.

BOARD ACTION: No final action was taken but the Board gave direction to bring this matter back next week.

- e. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding the following item of significant exposure to litigation/liability claim:

1. Claim of Pajaro/Sunny Mesa Community Services District

BOARD ACTION: The Board approved settlement and once properly executed, the documents will be made available through County Counsel.

- f. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding one item of potential initiation of litigation.

BOARD ACTION: The Board did not authorize any action at this time but will reconsider this matter next week.

10:30 a.m.

1. Pledge of Allegiance

The Pledge of Allegiance was led by County Counsel Charles McKee.

6300.000

2. Additions and Corrections

The Clerk of the Board will announce Agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

- S-4 a. Accept the Director of Building Services Code Enforcement Program Status Report; and
b. Direct staff to continue development of a business license program.
(Report - PD070094/FY06-07 Code Enforcement/NC, North County)

It is being continued to a date uncertain.

Under the Consent Calendar, please pull the following:

17. a. Approve a Professional Services Agreement with LSA Associates, Inc. in the amount of \$186,854 to the base budget and \$28,028 in contingency, for a total amount not to exceed \$214,882 for completion of a Final Environmental Impact Report (FEIR) for the Corral de Tierra Neighborhood Retail Village Subdivision for a term to July 31, 2008 (PLN020344) located in the Corral de Tierra/San Benancio area; and
b. Approve Funding Agreement No. 2 with Omni Resources, LLC in the amount of \$130,000 to the base budget and \$61,297 for County surcharge, for a total amount not to exceed \$191,297 to reimburse the County and LSA Associates, Inc. for completion of a FEIR for the Corral de Tierra Neighborhood Retail Village Subdivision for a term to July 31, 2008; and

- c. Approve Funding Agreement No. 2 in an additional amount of \$56,854 to the base budget, \$1,102 for County surcharge and \$28,028 in contingency, for a total amount not to exceed \$85,984 as the County portion of Funding Agreement No. 2 with Omni Resources, LLC for completion of a FEIR for the Corral de Tierra Neighborhood Retail Village Subdivision for a term to July 31, 2008; and
 - d. Authorize the Interim Director of Planning to execute the Professional Services Agreement and Funding Agreement No. 2 and future amendments that do not significantly alter the scope of work or change the approved agreement amount
- 3. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)
 - 4. CONSENT CALENDAR - MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)

OTHER BOARD MATTERS:

- 6300.000 5. Board Comments and Referrals
 - a. Supervisor Calcagno: The Supervisors made a referral for a resolution to be brought back in a couple of weeks for Tanimura and Antle.
 - b. Supervisor Armenta: The Supervisor advised that he would be attending the American Public Transportation Conference in Charlotte North Carolina on October 9, 2007 and would therefore not be in attendance for the Board of Supervisors meeting.
 - c. Supervisor Potter: The Supervisor made a referral to the Military & Veterans Affairs to hold a Holiday Goods Drive for the employees of Monterey County who are in the service. In addition, the Supervisor made a referral through the CAO requesting that either the County or an outside agency assume ownership of the Coastal Highway Management Plan.
- 6300.000 6. **Received** Board Referrals Update
- 0600.025 7. CAO Comments
None.
- 2050.000 8. Public Comment (Limited to 3 minutes per speaker)
None.
- 2050.000 9. **Resolution No.: 07-323; Adopted** a Resolution of Proclamation declaring the month of September, National Alcohol and Drug Addiction Recovery Month in the County of Monterey. (Supervisor Armenta)
BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 4/0 (Supervisor Smith was not at this meeting).
- 2050.000 10. **Resolution No.: 07-326; Adopted** a Resolution commending Victor Lewis for his 40 ½ years of dedicated service to the County of Monterey, in the Public Works Department upon his retirement. (Full Board)
BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 4/0 (Supervisor Smith was not at this meeting).
- 2050.000 11. **Resolution No.: 07-325; Adopted** a Resolution of Proclamation commending the employees of Natividad Medical Center on their commitment and dedication to the mission, vision, and values of Natividad Medical Center. (Full Board)

BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 4/0 (Supervisor Smith was not at this meeting).

SCHEDULED MATTERS:

0601.525 S-2 **Resolution No. 07-333; B.U. No.: 07/08-045 Approved and**
0150.147 **Amended** Personnel Policies and Practices
Resolution No. 98-394 to adjust the salary range for the Contract Physician Classification.
BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 4/0 (Supervisor Smith was not at this meeting).

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0601.100
0900.000 S-3 **Accepted** an oral presentation from the Monterey County Emergency Medical Services Director and the Chair of the EMS Council regarding the following issues: status of the system redesign being performed in advance of development of an ambulance paramedic RFP; and financing issues related to the ambulance paramedic franchise.
BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Potter, and carried 4/0 (Supervisor Smith was not at this meeting).

Public Comment:

- a. Harold Wolgamott: A member of the EMS Task Force. Mr. Wolgamott addressed the Board to advise that the voters voted for CSA 74 and now the money is gone. Mr. Wolgamott advised that South County needed to speak up just as Big Sur had done.

Continued to a date uncertain:

~~S-4 a. Accepted the Director of Building Services Code Enforcement Program Status Report; and
b. Directed staff to continue development of a business license program.
(Report - PD070094/FY06-07 Code Enforcement/NC, North County)~~

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12:00 p.m.

Recess to Lunch

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1:30 p.m.

1350.000 S-5 Received an update on the progress of the Planning Commission's discussions of the special committee's recommendations on GPU5.
BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Calcagno, and carried 4/0 (Supervisor Smith was not at this meeting).

Public Comment:

- a. Brian Clark: Mr. Clark submitted a handout to the Board which he then proceeded to comment upon.
- b. Tom Carvey: Mr. Carvey addressed the Board concerning a letter he had submitted.
- c. Kurt Gollnick: Mr. Gollnick addressed the Board on behalf of the Monterey County Vintners and Growers Association to applaud the efforts of the sub-committee and to urge putting 10 full scale wineries back in to the plan.
- d. Christina Trujillo: Ms. Trujillo addressed the Board regarding 3 property owner – Commercial Trucking Operations- clients. Ms. Trujillo referenced a letter she authored to the

Board dated September 6, 2000 that was part of the packet submitted.

- e. Alfred Diaz Infante: Mr. Infante addressed the Board on behalf of CHISPA, concerning matters pertaining to the Affordable Housing overlay.
- f. Juan Uranga: Mr. Uranga addressed the Board regarding concerns over affordable housing.
- g. Chris Fitz: Mr. Fitz addressed the Board on behalf of LandWatch of Monterey County and a letter that their organization had submitted with 14 recommendations for consideration.
- h. Carlos Ramos: Mr. Ramos addressed the Board on behalf of LULAC and on behalf of the Good Neighbors Coalition to acknowledge some areas of agreement in addition to highlighting some areas in which they had some further suggestions.

S-6 Continue with Closed Session.

ORDER FOR ADJOURNMENT

APPROVED:

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Chair

ATTEST:

LEW C. BAUMAN, Clerk of the Board

By: _____
Deputy

0602.200

0803.800

19. **Introduced**, and **waived the reading** and **set October 9, 2007 at 10:30 a.m.** as the date and time **for a public hearing** to consider adoption of an ordinance amending Chapter 10.80 of the Monterey County Code modifying fire facility mitigation fees applicable to new development within boundaries of the Salinas Rural Fire Protection District.
(Ordinance - PD070727/Salinas Rural Fire Protection District-Fire Mitigation Fees, County-wide)

RMA - PUBLIC WORKS:

0602.350

0525.000

20. a. **2006 CONST 0014; Resolution No.: 07-335 Accepted** the Certificate of Completion for the Hall Road Pavement Rehabilitation and Overlay Project, Project No. 07-142065; and
b. **Authorized** the Public Works Director to execute and record the Notice of Completion.

RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY

BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and unanimously carried, 4/0 (Supervisor Smith was absent from this meeting), the Board approved the following actions unless otherwise noted:

5100.000

21. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey, **authorized** the Housing and Redevelopment Office to submit an application to the State of California Department of Fish and Game for a §2081 Incidental Take Permit related to the sand gilia plant within the Landfill Planning Area at the former Fort Ord.

5100.000

0801.025

22. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
a. **Approved** creation of an Advisory Group to oversee facility planning efforts for facilities on public parcels at East Garrison I; and
b. **Directed** staff to initiate discussions with Marilyn Silva, Woodman Development, Inc., and the YMCA of the Monterey Peninsula with the goal of developing an Exclusive Negotiating Rights Agreement for the development of facilities within the "Recreation Zone" at East Garrison.

5100.000

23. Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey:
a. **Approved** guidelines for a new Commercial Improvement Program for the Castroville/Pajaro Redevelopment Project Area; and
b. **Directed** staff to begin implementing the program.

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