

BOARD OF SUPERVISORS

Fernando Armenta
Louis R. Calcagno
Simón Salinas
Jerry Smith
Dave Potter

1st District (Vice Chair)
2nd District
3rd District
4th District
5th District (Chair)

Lew C. Bauman
County Administrative Officer

Charles J. McKee
County Counsel

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ACTION MINUTES SPECIAL MEETING

MONTEREY COUNTY BOARD OF SUPERVISORS
MONTEREY COUNTY REDEVELOPMENT AGENCY
TUESDAY, NOVEMBER 13, 2007
9:00 AM

9:00 a.m.

1. Pledge of Allegiance was led by Chair Potter
2. CONSENT CALENDAR – REGULAR (See Supplemental Sheet)
BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta and carried 4/0. (Supervisor Smith was absent from this meeting)

SCHEDULED MATTERS:

- 0601.100 S-1 a. **Ordinance No. 5093; Adopted** an ordinance to modify and extend Interim Ordinance No. 5086 for an additional 10 months and 15 days, until and through October 1, 2008, pending the County's completion of an Onsite Wastewater Management Plan. (4/5ths vote required);
- b. **Approved** staff recommendation to use State Small Water Systems account funds as the funding mechanism for development of the Onsite Wastewater Management Plan and associated activities; and
- c. **Recommend** staff return to the Board with a proposed action to establish a fair share fee for the purpose of reimbursement to the State Small Water Systems account.
- (Ordinance – PLN070521/Carmel Area Land Use Plan, Carmel Highlands)
- Public Comment:
- a. Burton Ward requested clarification of the Ordinance and intent of Board.
 - b. Karen Heisler requested clarification on the time frame and if her project is in the record.

- c. Gwen DeAmaral expressed concern of the possibility of granting permits for development to property owners to negligently develop their legal lots of record.
- d. Pam Davis requested her project to be added to the pending project list. Representative of the Carmel Highlands Association requested a public process on a periodic basis for updates. Ms. Davis further requested that the County consider new wastewater technologies, allow gray water systems, look into shared septic treatment systems, and setback requirement easements
- e. Brian Finegan spoke on behalf of Carmel Capital Resources regarding the Turner parcel application with a request to add to the pending project list.
- f. Frank Hennessey, property owner requested adding his property to pending project list.
- g. Joy Clark spoke in support of Frank Hennessey's comments.

BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, to approve language "on or before October 2, 2007" and carried 4/0 (Supervisor Smith was absent from this meeting).

6300.000 S-2 Closed Session under Government Code section 54950, 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. H-Y-H Corporation vs. County of Monterey
 - 2. Helping Our Peninsula's Environment vs. Monterey County
 - 3. LandWatch Monterey County, et al. vs. County of Monterey, et al.
 - 4. Save Our Peninsula Committee vs. County of Monterey, et al.

BOARD ACTION: The Board gave direction to County Counsel on how to try and resolve those cases.

- S/A-1 b. 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: The Board gave direction to County Counsel on how to avoid exposure to litigation. No final action was taken.

ORDER FOR ADJOURNMENT

ATTEST:
LEW C. BAUMAN, Clerk of the Board

APPROVED:

Chair

By: _____
Deputy

(Supplemental Sheet)

CONSENT CALENDAR:

BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta and carried 4/0. (Supervisor Smith was absent from this meeting)

- 0602.200 3. a. **Authorized** the Chairman of the Board to sign the registration
0200.950 Form for the 2010 Decennial Census "Local Update of Census Addresses
Program (LUCA)" on behalf of the County;
b. **Designated** Alana Knaster of the Resource Management Agency as the
LUCA Program liaison contact person to serve as the coordinator for the
County's participation; and
c. **Authorized** each of the reviewer's with access to the Title 13 materials to
sign a confidentiality agreement regarding the handling of the Census
Bureau materials that will be provided to the County.
(PD071072/2010 Decennial Census, Countywide)

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