

# BOARD OF SUPERVISORS

Fernando Armenta  
Louis R. Calcagno  
Simón Salinas  
Vacant  
Dave Potter

1<sup>st</sup> District (Vice Chair)  
2<sup>nd</sup> District  
3<sup>rd</sup> District  
4<sup>th</sup> District  
5<sup>th</sup> District (Chair)

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## ACTION MINUTES MONTEREY COUNTY BOARD OF SUPERVISORS MONTEREY COUNTY REDEVELOPMENT AGENCY TUESDAY, DECEMBER 4, 2007

9:00 AM

### 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
  - b. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding the following existing litigation:
    1. Bridgette Lyons vs. County of Monterey
    2. H-Y-H Corporation vs. County of Monterey
    3. Helping Our Peninsula's Environment vs. County of Monterey
    4. LandWatch Monterey County, et al. vs. County of Monterey, et al.
    5. Save Our Peninsula Committee vs. County of Monterey, et al.

**BOARD ACTION: The Board conducted a performance evaluation and reviewed issues, goals and projections on how to move forward in the future.**

**BOARD ACTION: The Board conferred with Counsel. On item 1 the Board approved a tentative settlement.**

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**On items 2, 3, 4, and 5 the Board gave direction on how to resolve those cases.**

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

1. Claim of Jesse James Hernandez
2. Claim of Standard Pacific Homes

**BOARD ACTION: The Board conferred with Counsel. Item 1 was denied. The Board agreed to a tentative settlement on item 2, which was rejected previously by the Board.**

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

**BOARD ACTION: The Board gave direction to Counsel on how to try and avoid litigation.**

e. Pursuant to Government Code section 54957.6, the Board will confer with labor negotiators (Units A, B, and C); Keith Honda for the County of Monterey.

**BOARD ACTION: The Board gave direction to Mr. Honda, labor negotiator for Units A, B, and C.**

**10:30 a.m.**

1. Pledge of Allegiance was led by Supervisor Salinas.

6300.000 2. Additions and Corrections

The Clerk to 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.

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, the Board is asked to make the following additions and corrections:

A/C-1 Add Adjourn meeting in the memory of Richard C. Kauffman, M.D.

**BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Calcagno, and carried 4/0.**

3. CONSENT CALENDAR - REGULAR (See Supplemental Sheet)  
**BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Calcagno, and carried 4/0.**

4. CONSENT CALENDAR – MONTEREY COUNTY REDEVELOPMENT AGENCY (See Supplemental Sheet)  
**BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 4/0.**

**OTHER BOARD MATTERS:**

- 6300.000 5. Board Comments and Referrals – No Board member comments. County Counsel informed Supervisors of the need to notify Governor Schwarzenegger regarding the District 4 vacancy on the Board.
- 6300.000 6. **Received** Board Referrals Update
- 0600.025 7. CAO Comments – None
- 2050.000 8. Public Comment (Limited to 3 minutes per speaker)  
a. Joe Vierra expressed concern on a newspaper article regarding the Board vacancy.  
b. Hanz Jongens expressed concern regarding traffic jams around the Red Barn area on Hwy 101.
- 2050.000 9. **Adopted Resolution 07-407** to honor The Honorable Marla Osborne-Anderson upon being recognized by the Seaside Business and Professional Women as 2007 Woman of Achievement. (Full Board)  
**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas, and carried 4/0.**

**SCHEDULED MATTERS:**

- 0602.500 S-2 **Approved** the Area Agency on Aging 2006-2007 Year-End Report and authorize the Chair to sign the Year-End Report Transmittal Letter.  
**BOARD ACTION: Upon motion of Supervisor Calcagno, and seconded by Supervisor Salinas and carried 4/0**

**12:00 p.m.**

Recess to Lunch – Returned to Closed Session

**1:30 p.m.**

- S-3 **Considered** and **continued** the hearing to ~~April 22, 2008~~ February 12, 2008 for an appeal of Zoning Administrator determination regarding approval of a Coastal Administrative Permit for the construction of a 1, 934 square foot two-story single family residence with an attached garage, well and septic system; and Design Approval.

(Appeal – PLN050447/Reynolds, 74 Corona Road, Carmel, Carmel Highlands Area, Coastal Zone)

- a. John Bridges, attorney for applicant, expressed he would like to return on January 15, 2008, but February 12, 2008 would also be acceptable.

**BOARD ACTION: Upon motion of Supervisor Potter, and seconded by Supervisor Salinas and carried 4/0 the Board continued to February 12, 2008.**

0602.200  
3000.000

- S-4 **Held** Public hearing to:

- a. **Considered** the Mitigated Negative Declaration adopted April 11, 2007 for the Country Lake Estates project and the Addendum;
- b. **Approved Resolution 07-405**; to amend to the 1982 General Plan to change the land use designation from Rural Density Residential to Low Density Residential on approximately 40 acres of the subject property (70970 New Pleyto Road; APN: 423-071-059-000);
- c. **Adopted Ordinance 5094**; to amend Title 21 (Zoning Ordinance of the Monterey County Code) to change the zoning from RDR/5.1 (Rural Density Residential, 5.1 acres per unit) to LDR/1 (Low Density Residential, 1 acre per unit) on approximately 40 acres of the subject property (70970 New Pleyto Road; APN: 423-071-059-000); and
- d. **Approved Resolution 07-406**; to Approve a Vesting Tentative Map for Lot Pattern 1 (Phase 2) of the Country Lake Estates Subdivision to resubdivide three lots numbered 43, 44, and 45 into ten lots numbered 43, 44, 45, 46, 47, 48, 49, 50, 51, and 52 subject to the conditions set forth in the Condition Compliance and Mitigation Monitoring Reporting Plan.

(Amendments and Tentative Map – GPZ060006 and PLN040103/ Country Lake Estates, 70850 and 70970 New Pleyto Road, Bradley, South County)

- a. John Bridges, representing applicant, stated he has no opposition on the matter.

**BOARD ACTION: Upon motion of Supervisor Salinas and seconded by Supervisor Calcagno and carried 4/0 to include amended language in Condition 82.**

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0600.600 S/A-1 **Considered and adopted Ordinance 5095**; adding Section 1.12.040 to the Monterey County Code relating to prohibited communications and contacts with prisoners.

**BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 4/0**

## **ORDER FOR ADJOURNMENT**

**IN MEMORY OF  
RICHARD C. KAUFMAN, M.D.**

(Supplemental Sheet)

**CONSENT CALENDAR:**

**BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta, and carried 4/0**

**HEALTH AND SOCIAL SERVICES:**

0602.800      10.      **Agreement No. A-11066; A-11067 Approved and authorized** the Military & Veterans Affairs Officer to sign the annual Certificate of Compliance (subvention) and Certificate of Participation (Medical Cost Avoidance) agreements.

**CRIMINAL JUSTICE:**

0602.500      11.      a.      **Board Budget No. 07/08-007 Approved and authorized** the Sheriff to accept California Multi-jurisdictional Methamphetamine Enforcement Team (Cal-MMET) grant for the Fiscal Year (FY) 2007-08, in the amount of \$265,121 and to amend FY 2006-07 grant period end date from June 30, 2007 to December 31, 2007 with the State Governor's Office of Emergency Services (OES); and  
0150.147      b.      **Directed** the Auditor-Controller to increase appropriations and estimated revenue by \$46,229 in the Sheriff's Budget Unit 230-Administration and Enforcement Operations Bureau, as the result of the grant extension as detailed in the Board Order. (4/5<sup>th</sup> vote required)

**GENERAL GOVERNMENT:**

0601.600      12.      **Approved** the application from Dennis Levett to add the Chimney Cottage to the County's Local Official Register of Historic Resources, as recommended by the County's Historic Resources Review Board.

0602.025      13.      **Received** an update on the status of the Enterprise Resource Planning (ERP) Project.

0602.150      14.      **Agreement No. A-10469 Approved and authorized** the Contracts/Purchasing Manager to sign Amendment No. 3 to Professional Services Agreement (PSA) #10469 with Renne Sloan Holtzman Sakai LLP to increase the amount from \$80,000 to \$160,000, to provide general labor relations services and employment advice and representation to the County.

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- 5100.000 S/A-2 a. **Appointed** Members of the Board of Supervisors and Selected Staff as County Representatives and Alternates to the Board of the Fort Ord Reuse Authority for Calendar Year 2008; and
- b. **Directed** the Chair of the Board to Transmit a Letter to the Executive Director of FORA informing him of the Board's Action.

**RMA - PLANNING:**

- 0602.200 15. **Resolution No. 07-414 Authorized** County staff to request Official State Scenic Highway status from the California Department of Transportation for Highway One in the County of Monterey in conjunction with the cities of Monterey, Sand City, Seaside, the County of Monterey and the Fort Ord Reuse Authority.  
(PD070113/Scenic Highways, Monterey County Non-Coastal Area)

- 0602.200 16. a. **Accepted** the Minor Subdivision Parcel Map to divide one parcel of 388.46 acres into three lots of 147.2 acres, 124.99 acres and 116.27 acres, the Property Tax Clearance Certification from the Tax Collector and the Subdivision Guarantee; and
- b. **Accepted** recordation of the Floodplain Notice concurrent with the Parcel Map; and
- c. **Directed** the Clerk to Board to submit the Parcel Map and Floodplain Notice to the County Recorder for filing.  
(Parcel Map - PLN060057/Smith - Monterey LLC Minor Subdivision, Bitterwater Road, King City, Central Salinas Valley Area Plan)

**RMA - PUBLIC WORKS:**

- 0602.200 17. a. **2007CONST0017 Approved** Plans and Special Provisions for the Youth Center Educational Facility Site Work and Infrastructure project located at 970 Circle Drive, Salinas, Bid No. 9989; and
- b. **Authorized** the Clerk to the Board to advertise the "Notice to Contractors" in The Californian on December 7 and December 14, 2007.

- 0602.350 18. a. **Resolution No. 07-408; 2007CONST0001 Accepted** the Certificate of Completion for the Blanco Road Safety Improvement Corridor Project, Federal Aid Project No. DEM 115L-5944 (074), Project No. 07-140565; and





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**RMA - MONTEREY COUNTY REDEVELOPMENT AGENCY:**

**BOARD ACTION: Upon motion of Supervisor Salinas, and seconded by Supervisor Armenta and carried 4/0**

- 5100.000      23.      **Agreement No. A-11073** Acting as the Board of Directors of the Redevelopment Agency of the County of Monterey **approved** and **authorized** the Chair of the Board to sign a Memorandum of Understanding with the Salinas Rural Fire Protection District regarding Interim Fire Protection and Emergency Medical Services for unincorporated lands within the former Fort Ord.

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