

# BOARD OF SUPERVISORS

Fernando Armenta	1 <sup>st</sup> District	Lew C. Bauman
Louis R. Calcagno	2 <sup>nd</sup> District	County Administrative Officer
W. B. "Butch" Lindley	3 <sup>rd</sup> District	
Jerry Smith	4 <sup>th</sup> District (Chair)	Charles J. McKee
Dave Potter	5 <sup>th</sup> District (Vice Chair)	County Counsel

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Salinas, CA 93902	

**ACTION MINUTES**  
**MONTEREY COUNTY BOARD OF SUPERVISORS**  
**TUESDAY, NOVEMBER 21, 2006**  
**9:30 A.M.**

**9:30 a.m.:**

1. Pledge of Allegiance  
The Pledge of Allegiance was led by Supervisor Armenta.

- 6300.000      2. Additions and Corrections to the Agenda.

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

There were no additions or corrections to the Agenda.

3. CONSENT CALENDAR – REGULAR (See Supplemental Sheet)

**OTHER BOARD MATTERS:**

- 6300.000      4. Board Comments and Referrals
- a. Supervisor Smith made a referral on behalf of Supervisor Calcagno (who was not able to be present for this portion of the meeting): The referral is to have an Ad Hoc Committee of The Board created. This Ad Hoc Committee should work in concert with the following County departments: Environmental Health; Water Resources; RMA and the CAO Budget department. Further, it is requested that this Ad Hoc Committee look into the North Monterey County Granite Ridge Water shortage issues in addition to water quality and quantity. Supervisor Smith advised that Supervisor Calcagno would like this matter brought back before the Board on February 20, 2007.

**BOARD ACTION: The Board reviewed this referral at the end of the day. Supervisor Smith nominated Supervisor Calcagno and Supervisor Armenta to this committee. Upon Motion of Supervisor Calcagno and seconded by Supervisor Potter and carried, Supervisors Calcagno and Armenta were nominated to this Ad Hoc Committee.**

- b. Supervisor Potter: The Supervisor received a request from a constituent for a Tree Mitigation Fund- that is for tree loss on property without any potential for replacement – that the number to be replaced be banked and thus an available resource for other locations.

6300.000 5. Update on Board Referrals  
None

0600.025 6. CAO Comments  
None

2050.000 7. Public Comments (Limited to 3 minutes per speaker)  
None

2050.000 8. **Resolution No. 06-335: Adopted** a Resolution honoring the Honorable Mayor Anna Caballero from the City of Salinas for her 8 years of service as Mayor of Salinas and for her 7 years as City Council member for a total of 15 years as a Public Servant.

**BOARD ACTION: Upon motion by Supervisor Armenta, and seconded by Supervisor Lindley, and carried 5/0.**

**SCHEDULED MATTERS:**

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**County Counsel Charles McKee read out into closed session. Chair Smith announced the changes to today's schedule, advising that the Board will re-convene at 1:30. The full Board will be attending the Funeral Services of Frederick William Johnsen, husband of former Supervisor Edith Johnsen.**

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6300.000 S-1 Closed Session under Government Code 54950, relating to the following items:

- a. Pursuant to Government Code section 54957, the Board will confer with legal counsel regarding one item of public employee discipline.

**BOARD ACTION: The Board made a decision and because this is a personal matter it will remain confidential at this time.**

- 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 received an update and gave direction to staff and to counsel.**

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**1:30 p.m.:**

1350.000 S-2 Continued the Consideration of 2006 General Plan Update.

- a. Review of August 2006 Draft General Plan; and
- b. Consider Monterey County Planning Commission recommendations; and
- c. Consider August 18, 2006 Draft Environmental Impact Report; and
- d. Consider staff presentation regarding key issues in each element; and
- e. Provide direction to staff

STAFF: Presenting were; Alana Knaster, Mike Novo and Carl Holm.

**BOARD ACTION:**

- a. Supervisor Calcagno requested that LU-2.12 be brought back before the Board to discuss the Affordable Housing formula.
- b. Supervisor Calcagno took issue with the Boiler plate like language in AG-1.12 and provided new / proposed language to staff as follows:

AG-1.12: The county shall prepare, adopt and implement a program that requires projects involving a change of land use designations or land to be annexed to an incorporated area that will result in the loss of Important Farmland or Grazing Land (as mapped by the California Department of Conservation of Conservation Farmland Mapping and Monitoring Program) to mitigate the loss of that acreage. The program shall include ratios, payment of fees, or other mechanisms. Until such time as the program has been established, projects shall mitigate the loss of Important Farmland or Grazing Land on an individual basis as determined by the Board of Supervisors. The acreage in a project or annexation that is to be utilized for affordable housing shall not be subject to this mitigation policy. A Community Plan of Rural Center Plan that includes a mitigation program shall not be subject to this mitigation policy.

- c. Supervisor Potter: noted the Board of Supervisors vs. Agricultural Commissioner authority and further advised that he was curious of the lack of mitigation efforts.
- d. Supervisor Calcagno requested that the above language be reviewed as the proposed language.
- e. Supervisor Calcagno requested that the language in PS-3.5 and PS-3.6 Be reviewed and brought back –
- f. Supervisor Lindley was in agreement with Supervisor Calcagno's request on PS-3.5 and PS-3.6 and also had questions on the mitigation measures identified in the EIR in addition to the flood areas.
- g. Supervisor Calcagno and Supervisor Smith took issue with OS-10.10 specifically with the 50% requirement. Both Supervisors would like this brought back to the board for further review and discussion.
- h. Supervisor Lindley would like AG 1.3 and AG 9.3 brought back to address the issues raised by Mr. Bridges during public comment. He further requested that the issue raised by Mr. Finnegan on the "Status Species" also be addressed and brought back.
- i. Supervisor Armenta requested that all of the requests that have been made by the public received a clear answer.

#### Staff:

Staff advised that they would like to have all comments addressed by the next meeting inclusive of the ones made today.

1. Each element with significant critical path issues will be reviewed. The Board has responded to some and these will be brought back.
2. They will respond to the comments made by the public and the Board during the meeting of November 14, 2006.
3. They will address the issues that were raised during the meeting of November 14, 2006 and this meeting today.
4. If they received additional correspondence this week from the public (there is the single working day left this week – Wednesday November 22, 2006 – due to the Thanksgiving holiday.) that they will try to add these concerns in as well for the December 5, 2006 Board meeting.

#### Public Comment:

- a. Christine Kemp: Addressed the Board for her client's- the Agostini's. Ms. Kemp argues that the request for their property is a fair one as there would be no significant impact to the EIR.
- b. Stuart Gildred: Property owner – Miller's Lodge – requesting approval to change the zoning.
- c. Lynn Mounday: Read a letter into the record that was authored by Anthony Lombardo who could not be present for today's meeting.
- d. John Bridges: Addressed the Board regarding issue with AG 1.3 and advised that he had forwarded suggested language for this in his letter dated 11/13/06. Special Treatment area: His client's the Gardners property is not affordable housing. Property owners, the Delfino's had submitted their request to the Planning Commission who had simply run out of time and

- thus this property should still be considered. Mr. Bridges also addressed the Board with regard to the Hatton property and language of rural to special interest.
- e. Brian Finnegan: Addressed the Board regarding the language for Status Species – that the General Plan should follow the definition as set in the Endangered Species Act, Federal Act and State Act. Mr. Finnegan also addressed the Board regarding Mitigation Measures urging AG 1.12 to be left as the Planning Commission had recommended. Lastly, Mr. Finnegan would like Trails addressed and not post-phoned.
  - f. Bob Perkins: Addressed the Board to urge that the larger picture of Monterey County be kept in view especially in light of Agriculture. To protect the viability of Agriculture and not just preservation of land – thus, AG1 and 1.2 were not acceptable. Lastly to address the Water Rights and the Food Safety issues that should to be addressed in Trails.
  - g. Bob Richieliu: Planning Commissioner for the City of Salinas – requesting that the County and City work together.
  - h. Chris Fitz: Addressed the Board advising that the General Plan prioritizes too much land for subdivisions.....this is a sprawl now and pay later plan and that the taxpayers will pay later.
  - i. Juan Calzetta: Addressed the Board to advise that C1.6 in the circulation element has been put in a passive voice.

**ORDER FOR ADJOURNMENT  
IN MEMORY OF  
MR. FREDERICK WILLIAM JOHNSEN  
HUSBAND OF FORMER SUPERVISOR  
EDITH JOHNSEN**

APPROVED:

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Chair

ATTEST:

LEW C. BAUMAN, Clerk of the Board

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

(Supplemental Sheet)

**CONSENT CALENDAR**

**BOARD ACTION: Upon motion of Supervisor Armenta, and seconded by Supervisor Lindley and carried 5/0, the Board approved the following action.**

**RMA - PUBLIC WORKS:**

- 0602.350      9.
- a. **Resolution No. 06-347: Adopted** a resolution finding that the closure of the North Wing of the Monterey County Courthouse continues to pose an emergency requiring immediate action; and
  - b. **Adopted** a resolution ratifying the execution of emergency contracts and emergency actions taken by the Public Works Director or his designee to respond to the emergency (4/5<sup>th</sup> vote required).