

Monterey County Board of Supervisors  
Re: January 7, 2020 Consent Calendar Agenda Item #34

34. a. Request the Board of Supervisors to approve and ratify the Agreement between, Citygate Associates, LLC and the County of Monterey to provide analysis and recommendations regarding the RMA, to include all land use and community development functions as well as a high-level review of Public Works, administration and other functions within the RMA and  
b. Consider and approve a request authorizing the Auditor-Controller to amend the Fiscal Year 2019-20 Adopted Budget by increasing appropriations by \$199,696.00 for the County Administrative Office (001-1050-8045-CAO001), financed by release from the Cannabis Tax assignment, BSA 001-3132 (4/5ths vote required). The term of the Agreement is January 6, 2020 to June 31, 2021 in the amount not to exceed \$199,696.00.

Dear Supervisors,

Because of a prior commitment, I am unable to attend the January 7, 2020 Board meeting to ask that this item #34 be pulled from the Consent Calendar for discussion. Therefore, I am instead sending this letter for your consideration. I am writing from the perspective of having paid close attention to Monterey County Planning, Building Inspection, Parks Department, and Public Works issues for the past 30+ years.

IF a contract with Citygate, LLC can help the current situation, it is a good thing. However, IF the recommendation is to further "streamline" processes, it will further complicate processes that are already strained and not working.

I have the following five areas of concern;

1. The Planning Department's Mitigation Monitoring Program

These RMA people need more help! Past projects that have been approved with Conditions to mitigate issues, and in some cases mitigation measures that caused the Project to be approved in the first place...were falling by the wayside. There have been efforts to improve this monitoring. There are some hard working people in RMA, but they need more help. There sadly has been languishing attention paid to these past mitigation measures, in some cases they were forgotten about. There are good people in RMA that want to see this Mitigation Monitoring Program work. They need encouragement and ongoing resources, including training.

As you know there has been an exodus of Planning talent, WITH historic memories, that have left Monterey County for other work locations.

Also, the ACCELA program needs to be made more available to the public, in that, most do not even know it exists or how to access it.

2) Code Enforcement

I have no complaints with the staff members personally other than their hands seem to be somewhat tied. The word is out on the street among the builder community that it's easier to ask forgiveness in Monterey County, AND, in the end, it can be less expensive too, that is to ignore getting a Permit. Grading is an issue, so are building additions. IF a project without permits is discovered in the more rural areas of Monterey County, which is unlikely, the downside for the developer is to be

“red tagged”, which means a trip to the second floor of Schilling, where the penalty is to double the fees, and complete the proper paperwork. Then, the “violation” may be lifted, and the project is completed. The potential for time savings and money savings (even with double the fees) motivates those who develop without permits. The further motivation is they often get to do more than they would have, or could have, had they visited RMA first and had their project reviewed, analyzed, and gone through established processes.

A Code Enforcement determination for “Restoration” can be interpreted to mean no restoration, but rather lifting the red tag in pieces. The enforcement issue is lifted by the development, that includes the payment of fees, to RMA. The emphasis seems to be on getting the fees.

### 3) Administrative Permits

This is an ongoing issue that has gotten worse. More and more projects get lumped into County approval with no hearing, little relative scrutiny, reviewed by little trained new staff who are not provided enough time or management direction, to do proper research. Projects begin and are under construction with neighbors asking, “How could this happen?” Is the project compatible with the neighborhood or established code standards? Maybe, maybe not, however, current County Planning and Building Department credibility has suffered. Changing their name and lumping them in, under the RMA umbrella, has not helped matters.

The recent RMA comeback on this is that the potential projects are published in the Weekly and no letter was received with a substantial issue that would trigger a referral to the Zoning Administrator. The Zoning Administrator, by the way, works part time and works on a Contract basis for RMA. Further, even if a “substantial” issue is brought up and a request for a public hearing is made by a member of the public, it has elicited resistance from RMA management, who argue, among others things, that it “costs money” to take a project to hearing.

### 4) Land Use Advisory Committees have been marginalized in Monterey County

It is rare for these volunteers on County LUAC’s to get a referral from RMA. Administrative Permits are the new “norm”. Many of the LUAC members have long histories in the areas they serve. They know the Area Plan, they know the zoning, they know the setbacks and height limits, they remember the subdivisions that have gone in, many having attended the hearings. They know a lot of the local details that the majority of new Planners do not. Yet, they are consistently sidetracked, although many LUAC’s can and do offer valuable advise to the Applicants, as well as to RMA.

5) The Parks Departments and County Parks are not supposed to be self-supporting. I believe it was former Parks Director John Pinio that came up with the self-supporting concept for Monterey County. The County took over the Lakes Concessions and the increased use of Laguna Seca based on making money for the County. The result has been headaches and lawsuits. Another result is the “all but elimination” of Parks staff, to be replaced by Public Works workers. Public Works has already been gutted of workers.

I have another suggestion for the County and Cityscape;  
Create a chart regarding the past thirty years that shows the yearly number of County employees, their departments, and the yearly budgeted amount for County payroll.

The motto Doing More with Less has become Getting Less for More.

Thank you for considering my comments and recommendations.  
Mike Weaver

