

AGENDA LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

SPECIAL COMMISSION MEETING
Wednesday, January 5, 2022

11:00 a.m.

The Commission will hold this meeting virtually only, without a physical location for public participation. The meeting is accessible by phone or video conference and livestreaming, in order to avoid public gatherings and until further notice.

Public Participation Instructions

1. **To View this Meeting:** Please click on the following link to the LAFCO of Monterey County YouTube site: <https://www.youtube.com/channel/UCIF6pPx2hn3Ek94Wg0UI7QA>

Then click on the Live Stream of the scheduled meeting.

2. **To Participate in the Meeting:** Use the Zoom app on your smart phone, laptop, tablet or desktop and click on this link: <https://montereycty.zoom.us/j/92940203363>.

The meeting ID is: [929 4020 3363](#). There is no password. To make a public comment, please “Raise your Hand.”

3. **To Participate by Phone:** Please call: +1 669 900 6833
Enter the meeting ID: [929 4020 3363](#) when prompted. There is no participant code – just enter the meeting ID and the pound sign # after the recording prompts you. To make a public comment by phone, please push *9 on your phone keypad.
4. **To Make Remote Public Comments Via Email:** Written comments can be emailed to the Interim Clerk to the Commission at: malukis@monterey.lafco.ca.gov Please include the following Subject Line: “Public Comment – Agenda Item #__”. Written comments must be received by 12:00 Noon, Tuesday, January 4, 2022. All submitted comments will be provided to the Commission for consideration, compiled as part of the record, and may be read into the record.

Call to Order

Roll Call

Pledge of Allegiance

Closed Session

1. Pursuant to Government Code Section 54956.9(d)(2), the Commission will confer with legal counsel regarding one matter of significant exposure to litigation.

Public Comments on Closed Session Items

The Commission Recesses for Closed Session Agenda Items

Closed Session may be held at the conclusion of the Commission's Regular Agenda, or at any other time during the course of the meeting, before or after the scheduled time, announced by the Chairperson of the Commission. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Reconvene on Public Agenda Items

Roll Call

Read Out from Closed Session by LAFCO General Counsel

Read out by General Counsel will only occur if there is reportable action (s).

General Public Comments

Anyone may address the Commission briefly about items not already on the Agenda.

Consent Agenda

All items on the Consent Agenda will be approved in one motion and there will be no discussion on individual items, unless a Commissioner or member of the public requests a specific item to be pulled from the Consent Agenda for separate discussion.

2. Approve finding, pursuant to AB 361 and in order for the Commission to continue to meet remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; that the Commission has reconsidered the circumstances of the state of emergency; and that the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies.
Recommended Action: Pursuant to AB 361 and in order for the Commission to continue to meet remotely, the Commission finds: that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; that the Commission has reconsidered the circumstances of the state of emergency; and that the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies of local agencies.
3. Approve Draft Minutes from the December 6, 2021 LAFCO Regular Meeting.
Recommended Action: Approve minutes.

4. Approve Warrant Register for November 2021.
Recommended Action: Approve warrant register.
5. Approve Report on Activities of the California Association of Local Agency Formation Commissions.
Recommended Action: Approve report for information only.

Old Business

6. Consider adoption of a resolution formalizing and effectuating the Commission's December 6, 2021 decision to deny the Monterey Peninsula Water Management District's proposed activation of latent powers to provide and maintain potable water production and distribution services for retail customers (LAFCO File #21-01).

Recommended Actions:

- (1) Receive a report from the Executive Officer;
- (2) Receive comments from District representatives;
- (3) Receive public comments;
- (4) Provide for questions or follow-up discussion by the Commission; and
- (5) Consider and adopt a resolution (Attachment 1) that formalizes and puts into effect the Commission's December 6, 2021 decision to deny the District's proposed activation of latent powers to provide and maintain potable water production and distribution services for retail customers.

Executive Officer's Communications

The Executive Officer may make brief announcements about LAFCO activities, for information only.

Commissioners Comments

Individual Commissioners may comment briefly on matters within the jurisdiction of LAFCO. No discussion or action is appropriate, other than referral to staff or setting a matter as a future agenda item.

Adjournment to the Next Meeting

The next LAFCO Regular Meeting is scheduled for Monday, January 24, 2022 at 4:00 p.m. and will be held virtually only by phone, video conferencing and livestreamed.

Alternative Formats and Facility Accommodations: If requested, the agenda packet will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC 12132) and the federal rules and regulations adopted in implementation thereof. Also, if requested, facility or other accommodations will be made for persons with disabilities. Please contact (831) 754-5838 for assistance.