

## AGENDA LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

REGULAR COMMISSION MEETING  
Monday, February 28, 2022

4:00 p.m.

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*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.*

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### 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/99738391941>

The meeting ID is: [997 3839 1941](#). 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: [997 3839 1941](#) when prompted. There is no participant code – just enter the 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 Clerk to the Commission at: [malukis@monterey.lafco.ca.gov](mailto:malukis@monterey.lafco.ca.gov) Please include the following Subject Line: “Public Comment – Agenda Item #\_\_”. Written comments must be received by noon on the day of the meeting. 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.

## 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.*

## Public Comments on Closed Session Items

## 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 February 2, 2022 LAFCO Special Meeting.  
Recommended Action: Approve minutes.

4. Approve Draft Notes from the February 18, 2022 LAFCO Budget & Finance Committee Meeting.  
Recommended Action: Approve notes.

5. Approve Bank Warrant Register for January 2022.  
Recommended Action: Approve warrant register.
6. Accept Report on Anticipated Agenda Items and Progress Report on LAFCO Special Studies.  
Recommended Action: Accept report.
7. Accept Report on Activities of the California Association of Local Agency Formation Commissions.  
Recommended Action: Accept report.
8. Approve Draft Financial Statements for Period Ending December 31, 2021.  
Recommended Action (By Budget and Finance Committee): Approve the financial statements.

### New Business

9. City of Pacific Grove – Annexation of Approximately Three Acres for Future Development (former Mission Linen Supply site, LAFCO File No. 21-02).

Recommended Actions:

- (1) Receive a report from the Executive Officer;
- (2) Receive any public comments;
- (3) Provide for questions or follow-up discussion by the Commission; and
- (4) Move to approve a resolution (Attachment 1) to:
  - a. Consider the City’s finding that the proposal is categorically exempt from CEQA;
  - b. Approve the City’s proposed annexation and related detachment from the Resource Conservation District of Monterey County; and
  - c. Waive Conducting Authority (“protest”) proceedings for this proposal.

### Public Hearing

10. Monterey Peninsula Water Management District – Reconsideration of Resolution #22-01 Disapproving the District’s Proposed Activation of Latent Powers to Provide and Maintain Potable Water Production and Distribution Services for Retail Customers.

Recommended Actions:

- (1) Receive a report from the Executive Officer;
- (2) Open the public hearing and public comment period;
- (3) Receive comments from Monterey Peninsula Water Management District representatives, author of reconsideration request #1;
- (4) Receive comments from Margaret-Anne Coppennoll, Ph.D., author of reconsideration request #2;
- (5) Receive comments from California American Water Company (“Cal-Am”), affected owner of the subject water system;
- (6) Receive public comments;
- (7) Provide for questions or follow-up discussion by the Commission;
- (8) Close the public hearing; and
- (9) Disapprove the reconsideration requests.

## **Executive Officer's Communications**

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

### II. Communications

- a) Special Districts and Public Member Representation on LAFCO.
- b) Formation of Pajaro Valley Healthcare District.

## **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 Regular LAFCO Meeting is scheduled for Monday, March 28, 2022 at 4:00 pm

*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.*