

AGENDA LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

REGULAR COMMISSION MEETING
Monday, March 28, 2022

4:00 p.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/97126951370>

The meeting ID is: [971 2695 1370](https://montereycty.zoom.us/j/97126951370). 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: [971 2695 1370](https://montereycty.zoom.us/j/97126951370) 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. 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

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.

1. [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.
2. [Approve Draft Minutes from the February 28, 2022 LAFCO Regular Meeting.](#)
Recommended Action: Approve minutes.
3. [Approve Bank Warrant Register for February 2022.](#)
Recommended Action: Approve warrant register.
4. [Accept Report on Anticipated Agenda Items and Progress Report on LAFCO Special Studies.](#)
Recommended Action: Accept report.

New Business

5. [Consider Public Member Appointments to LAFCO](#)
 - (1) Receive the Executive Officer's report;
 - (2) Invite Public Member Candidates to make introductory statements;
 - (3) Invite public comments, and
 - (4) Consider and appoint one Public Member Commissioner and one Alternate Public Member Commissioner to represent the general public on LAFCO for four-year terms expiring in May 2026, or continue consideration of appointments to the next regular LAFCO meeting on April 25, 2022.

Public Hearings

6. [Conduct a Public Hearing to Consider the Draft Annual Work Program for Fiscal Year 2022 - 2023.](#)
Recommended Actions (by Budget and Finance Committee):
 - (1) Receive a report from the Executive Officer;

- (2) Open the public hearing and receive any public comments;
- (3) Provide for questions or follow-up discussion by the Commission;
- (4) Close the public hearing; and
- (5) Discuss a motion to adopt a Resolution approving the Draft Annual Work Program for Fiscal Year 2022 - 2023;

7. [Conduct a Public Hearing to Consider a Proposed Annual Budget for Fiscal Year 2022 – 2023 \(First Hearing\)](#).

Recommended Actions (by Budget and Finance Committee):

- (1) Receive a report from the Executive Officer;
- (2) Open the first public hearing and receive any public comments;
- (3) Provide for questions or follow-up discussion by the Commission;
- (4) Close the public hearing; and
- (5) Discuss and adopt a motion to adopt a Proposed Budget for Fiscal Year 2022 – 2023.
- (6) Direct the Executive Officer to distribute the Adopted Proposed Budget to the County, Cities and Independent Special Districts for review and comments, and
- (7) Direct the Executive Officer to schedule a second Public Hearing on April 25, 2022, to consider adoption of a Final Budget for Fiscal Year 2022-2023.

Executive Officer’s Communications

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

8. [Communications](#)

- (a) Personnel Announcement
- (b) Support of Legislation.
 - (1) Monterey LAFCO support letter for SB 938.
 - (2) Monterey LAFCO support letter for SB 2957.

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, April 25, 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.

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

LOCAL AGENCY FORMATION COMMISSION
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KATE McKENNA, AICP
Executive Officer

DATE: March 28, 2022

TO: Chair and Members of the Formation Commission

FROM: Kate McKenna, AICP, Executive Officer

BY: Kelly Donlon, General Counsel

SUBJECT: 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.

SUMMARY OF RECOMMENDATION:

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.

EXECUTIVE OFFICER'S REPORT:

On September 16, 2021, Governor Newsom signed AB 361. This legislation amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361 rather than under the Brown Act's more narrow standard rules for participation in a meeting by teleconference. AB 361 provides that if a state or local health official recommends social distancing, a "legislative body" – which is defined to include the Commission – may meet remote remotely after September 30, 2021, provided that within 30 days of the first meeting after September 30, and every 30 days thereafter, the legislative body finds 1) the Governor's proclaimed state of emergency is still in effect; 2) the legislative body has reconsidered the circumstances of the state of emergency, and 3) the Monterey County Health Officer continues to recommend social distancing measures for meetings of legislative bodies and/or the state of emergency continues to directly impact the ability of the members to meet safely in person.

The Monterey County Health Officer has recommended and continues to recommend social distancing measures for meetings of legislative bodies, so the Commission was able to meet remotely under AB 361

from October 2021 through March 2022.

The Commission must make the findings at least every 30 days in order to keep meeting remotely. If the Commission makes the findings on March 28, 2022, the Commission may continue to meet remotely for the next thirty days, including the next LAFCO meeting on April 25. If the Commission declines to make the findings on March 28, the April 25 meeting would be held under the standard Brown Act requirements. Under those requirements, the meeting must be held in a physical location accessible to the public, and if any Commissioner were to want to participate by teleconference, that teleconference location would need to be identified on the agenda, be accessible and open to the public in a manner that enables the public to participate from that location, and the agenda would need to be posted at that location.

LAFCO Counsel Kelly Donlon was consulted in the preparation of this report.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Kate McKenna". The signature is written in a cursive style with a large initial "K" and "M".

Kate McKenna, AICP
Executive Officer

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

2022

Commissioners

Chair

Christopher Lopez
County Member

Vice Chair

Mary Ann Leffel
Special District Member

Luis Alejo

County Member

Wendy Root Askew

County Member, Alternate

Kimbley Craig

City Member

Matt Gourley

Public Member

Ian Oglesby

City Member

Warren Poitras

Special District Member

Steve Snodgrass

Public Member, Alternate

Graig R. Stephens

Special District Member, Alternate

Anna Velazquez

City Member, Alternate

Counsel

Kelly L. Donlon

General Counsel

Executive Officer

Kate McKenna, AICP

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Salinas, CA 93901

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Salinas, CA 93902

Voice: 831-754-5838

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DRAFT MINUTES

LOCAL AGENCY FORMATION COMMISSION
OF MONTEREY COUNTY

Scheduled for Adoption March 28, 2022

Monday, February 28, 2022

All Commissioners and public participated in the meeting on Monday, February 28, 2022 by Zoom video conference or telephone, in order to avoid public gatherings and until further notice.

Call to Order

The Local Agency Formation Commission was called to order by Chair Lopez at 4:00 p.m.

Roll Call

Commissioner Root Askew
Commissioner Craig
Commissioner Gourley
Commissioner Oglesby
Commissioner Poitras
Commissioner Snodgrass
Commissioner Stephens
Commissioner Velazquez
Vice Chair Leffel
Chair Lopez

Members Absent (Excused Absence)

Commissioner Alejo

Staff Present

Kate McKenna, Executive Officer
Darren McBain, Principal Analyst
Jonathan Brinkmann, Senior Analyst
Safarina Maluki, Interim Clerk to the Commission/Office Administrator

Also Present

Kelly L. Donlon, General Counsel
Paula De Sousa, Special Counsel

Pledge of Allegiance

Commissioner Craig led the 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

There were no comments from the public.

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.

The Commission ADJOURNED to Closed Session at 4:03 p.m.

Reconvene on Public Agenda Items

The Commission RECONVENED to Open Session at 4:23 p.m.

Roll Call

Commissioner Root Askew
Commissioner Craig
Commissioner Gourley
Commissioner Leffel
Commissioner Lopez
Commissioner Oglesby
Commissioner Poitras
Commissioner Snodgrass
Commissioner Stephens
Commissioner Velazquez

Members Absent (Excused Absence)

Commissioner Alejo

Read Out from Closed Session by LAFCO General Counsel

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

Kelly Donlon, General Counsel, advised that there were no reportable items.

General Public Comments

There were no comments from the public.

Consent Agenda

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: Approve finding.

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.

Recommend 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: Approve the financial statements.

Commissioner Action:

Upon motion by Commissioner Leffel, seconded by Commissioner Poitras, Consent Items #2 -#8 were approved by a Roll Call Vote.

Motion Carried (Roll Call Vote)

AYES: Commissioner Root Askew (voting in the absence of Commissioner Alejo), Craig, Gourley, Oglesby, Poitras, Leffel and Lopez

NOES: None

ABSENT: Commissioner Alejo

ALTERNATES: Commissioners Snodgrass, Stephens, Velazquez (non-voting)

ABSTAIN: None

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 and Jonathan Brinkmann, Senior Analyst;
- (2) Receive any public comments;
- (3) Provided for any 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.

Executive Officer, Kate McKenna gave a report. Senior Analyst, Jonathan Brinkmann gave the staff report.

There was one comment from the public. Senior Analyst, Jonathan Brinkmann responded.

Commission Action:

Upon motion from Commissioner Craig, seconded by Commissioner Leffel, the Commission

- a) Received the report from the Executive Officer and Senior Analyst.
- b) Opened the Public Hearing to receive any public comments.
- c) Closed the Public Hearing.
- d) Provided for questions or follow-up discussion by the Commission.
- e) Authorized and approved the Resolution and Attachment 1 items (a) through (c) as listed.

Motion Carried. (Roll Call Vote).

AYES: Commissioner Root Askew (voting in the absence of Commissioner Alejo), Craig, Gourley, Oglesby, Poitras, Leffel and Lopez

NOES: None

ABSENT: Commissioner Alejo

ALTERNATES: Commissioners Snodgrass, Stephens, Velazquez (non-voting)

ABSTAIN: None

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 the Monterey Peninsula Water Management District representatives;
Author of reconsideration request #1;
- (4) Receive comments from Margaret-Anne Coppernoll, 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, Kate McKenna gave a report. Principal Analyst, Darren McBain gave the staff report and General Counsel, Kelly Donlon provided clarification.

David Stoldt, General Manager, Monterey Peninsula Water Management District and Karen Paull, District Board Chair addressed the Commission.

Margaret-Anne Coppernoll addressed the Commission.

George Soneff, General Counsel (Manatt) for California-American Water Company addressed the Commission.

There were comments from ten members of the public.

There were Commissioner comments from Commissioner Oglesby. Commissioner Root Askew requested clarification which was provided by General Counsel, Kelly Donlon and provided comments.

Commission Action

Upon motion by Commissioner Gourley, seconded by Commissioner Craig, the Commission

- (1) Received the report from the Executive Officer and Principal Analyst.
- (2) Opened the Public Hearing to receive public comments.
- (3) Received comments from Monterey Peninsula Water Management District representatives.
- (4) Received comments from Margaret-Anne Coppernoll, Ph.D.
- (5) Received comments from Cal-Am representative.
- (6) Received public member comments.
- (7) Provided for questions and follow-up discussion by the Commission.
- (8) Closed the public hearing, and.
- (9) Disapproved the reconsideration requests.

Motion Carried. (Roll Call Vote).

AYES: Commissioners Craig, Gourley, Poitras, Leffel and Lopez

NOES: Commissioner Oglesby

ABSENT: Commissioner Alejo

ALTERNATES: Commissioners Snodgrass, Stephens, Velazquez (non-voting)

ABSTAIN: Commissioner Root Askew (voting in the absence of Commissioner Alejo)

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.

Executive Officer, Kate McKenna provided reports for information only.

Commissioner Comments

There were no comments from the Commissioners.

Adjournment to the Next Meeting

Commissioner Craig provided an Adjournment Memory in Honor of J.D. Alvarado – Fallen Police Officer, City of Salinas.

The meeting was adjourned at 5:21 p.m. The next Regular LAFCO Meeting is scheduled for Monday, March 28, 2022 at 4:00 p.m.

DRAFT

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

LOCAL AGENCY FORMATION COMMISSION

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KATE McKENNA, AICP
Executive Officer

DATE: March 28, 2022

TO: Chair and Members of the Formation Commission

FROM: Kate McKenna, AICP, Executive Officer

PREPARED BY: Safarina Maluki, Clerk to the Commission/Office Administrator

SUBJECT: LAFCO Bank Warrant Register – February 2022

SUMMARY OF RECOMMENDATION:

It is recommended that the Commission approve the warrant register.

EXECUTIVE OFFICER'S REPORT:

Attached is the bank warrant register for February 2022 and the list of LAFCO checks issued by Hayashi & Wayland. Expenses and deposits are typical for the third quarter of this fiscal year.

Respectfully Submitted,



Kate McKenna, AICP
Executive Officer

Attachment: Bank Warrant Register for February 2022, Hayashi & Wayland Accounting & Consulting, LLP

LAFCO
LOCAL AGENCY FORMATION COMMISSION
OF MONTEREY COUNTY
WELLS FARGO BANK WARRANT REGISTER
FEBRUARY 2022

Attachment 3.1

DATE	CK#	NAME	DESCRIPTION	CHECK AMOUNT	DEPOSIT AMOUNT	ACCOUNT BALANCE
Beginning Balance 2/1/2022						\$ 220,663.45
02/02/2022	EFT	CalPERS Health	February 2022 Health Insurance	6,720.76		213,942.69
02/02/2022	DEP	Monterey Peninsula Water	Deposit: MPWMD Lafco Application		1,000.00	214,942.69
02/03/2022	EFT	QuickBooks Payroll Service	For Payroll Period Ending 1/28/22 Paid 2/4/22	10,065.01		204,877.68
02/04/2022	EFT	CalPERS Retirement	CalPers Retirement Contribution	2,853.74		202,023.94
02/04/2022	EFT	CalPERS 457 Program	CalPers 457 Deferred Compensation Contribution	2,422.79		199,601.15
02/04/2022	EFT	EDD	State Payroll Tax Deposit	986.28		198,614.87
02/04/2022	EFT	EFTPS	Federal Payroll Tax Deposit	2,236.44		196,378.43
02/04/2022	7251	VOID	VOID: Printer Error	-		196,378.43
02/04/2022	7252	VOID	VOID: Printer Error	-		196,378.43
02/04/2022	7253	VOID	VOID: Printer Error	-		196,378.43
02/04/2022	7254	Darren J McBain	For Payroll Period Ending 1/28/22 Paid 2/4/22	-		196,378.43
02/04/2022	7255	Jonathan Brinkmann	For Payroll Period Ending 1/28/22 Paid 2/4/22	-		196,378.43
02/04/2022	7256	Kathryn M. McKenna	For Payroll Period Ending 1/28/22 Paid 2/4/22	-		196,378.43
02/04/2022	7257	Hayashi Wayland	Accounting Services Client no. 72520	5,200.00		191,178.43
02/04/2022	7258	Monterey County Weekly Classifieds	Public Hearing Notice	262.50		190,915.93
02/04/2022	7259	Monterey Herald	52 Week Subscription-Customer #49013	686.08		190,229.85
02/04/2022	7260	Principal Life	February 2022 LTD, ADD, STD, Life	403.76		189,826.09
02/04/2022	7261	The Monterey County Herald	Public Hearing Notice	332.99		189,493.10
02/04/2022	7262	Universal Staffing Inc	Temporary Clerical Services for P/E 1/22/22 and 1/29/22	4,080.00		185,413.10
02/05/2022	EFT	Wells Fargo Visa Credit Card	Staples and Amazon-Office Supplies; Michaels-Custom Frames; Culligan-Bottled Water	1,174.37		184,238.73
02/07/2022	EFT	AT&T	Telephone Service	68.69		184,170.04
02/10/2022	DEP	Monterey Peninsula Water	Deposit: MPWMD Balance Due for Oct.-Dec. 2021 Services		68,151.49	252,321.53
02/17/2022	EFT	QuickBooks Payroll Service	For Payroll Period Ending 2/11/22 Paid 2/18/22	10,580.51		241,741.02
02/17/2022	EFT	Comcast	Business Internet Services from 1/27/22-2/26/22	123.75		241,617.27
02/18/2022	7263	Darren J McBain	For Payroll Period Ending 2/11/22 Paid 2/18/22	-		241,617.27
02/18/2022	7264	Jonathan Brinkmann	For Payroll Period Ending 2/11/22 Paid 2/18/22	-		241,617.27
02/18/2022	7265	Kathryn M. McKenna	For Payroll Period Ending 2/11/22 Paid 2/18/22	-		241,617.27
02/18/2022	EFT	CalPERS Retirement	CalPers Retirement Contribution	2,853.74		238,763.53
02/18/2022	EFT	CalPERS 457 Program	CalPers 457 Deferred Compensation Contribution	2,422.79		236,340.74
02/18/2022	EFT	EDD	State Payroll Tax Deposit	935.30		235,405.44
02/18/2022	EFT	EFTPS	Federal Payroll Tax Deposit	2,115.40		233,290.04
02/18/2022	7266	Hayashi Wayland	Accounting Services Client no. 72520	5,200.00		228,090.04
02/18/2022	7267	IBM Corporation	Leased Computers for Lafco Staff 2/1/22-2/28/22	43.69		228,046.35
02/18/2022	7268	MBS Business Systems	Copy Machine Rental and Usage	626.53		227,419.82
02/18/2022	7269	Monterey County Weekly Classifieds	Notice of Public Hearing and Vacancies	577.50		226,842.32
02/18/2022	7270	Universal Staffing Inc	Temporary Clerical Services for P/E 2/5/22 and 2/12/22	3,876.00		222,966.32
02/18/2022	7271	Bruce Lindsey	Monthly Building Rent	2,397.69		220,568.63
02/25/2022	EFT	Wolfpack Insurance Services, Inc.	Dental and Vision Insurance-March 2022	785.40		219,783.23
02/28/2022	INT	Wells Fargo Bank	Interest		1.76	219,784.99
				70,031.71	69,153.25	
Ending Balance 2/28/2022						\$ 219,784.99

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KATE McKENNA, AICP
Executive Officer

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DATE: March 28, 2022
TO: Chair and Members of the Formation Commission
FROM: Kate McKenna, AICP, Executive Officer
PREPARED BY: Jonathan Brinkmann, Senior Analyst
SUBJECT: Anticipated Future Agenda Items and Progress Report on Special Studies

SUMMARY OF RECOMMENDATION:

This report is for information only.

EXECUTIVE OFFICER’S REPORT:

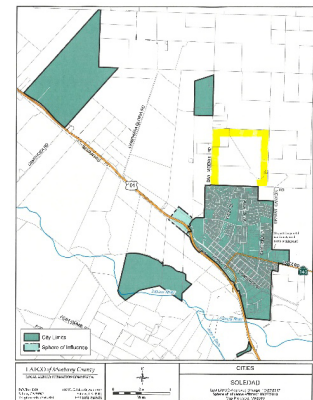
Following are current work priorities and a partial list of items that the Commission may consider in coming months or years. It is organized by applications on file, potential applications under discussion, and LAFCO-initiated studies.

Part I: Items Currently on File and In Progress, but Not Set for Hearing

- I. **City of Soledad:** Approximately 647-acre Miramonte (formerly Miravale III) sphere of influence (SOI) amendment and annexation. Application status is incomplete.

The City of Soledad submitted a LAFCO application in March 2020 that proposes an approximately 40% expansion to Soledad’s existing 1,525 acres of developed area (excluding non-contiguous areas such as the wastewater treatment plant). LAFCO’s March 2020 completeness letter listed items needed before the application can be deemed complete. On June 28, 2021, the Commission held a study session to receive information on the status of Soledad’s proposed SOI/annexation.

In July 2021, LAFCO received a revised application from the City of Soledad. Staff met with City staff and land-owner representatives in August to discuss application completeness items. Some of these items include a City-County property tax transfer agreement, an agricultural mitigation and buffering plan, and a detailed plan for services. LAFCO issued a second incompleteness letter on September 1. Coordination discussions are ongoing. The City is making progress in addressing remaining completeness items and intends to provide a third updated application submittal to LAFCO in 2022.



2. **Fort Ord Reuse Authority Dissolution:** Per State law, the Fort Ord Reuse Authority (FORA) ceased operations after June 30, 2020. LAFCO's statutory FORA dissolution oversight authority expired after December 31, 2020 with the repeal of the FORA Act, but litigation and monitoring of final administrative tasks continue. Final action on the LAFCO dissolution process is on hold until those items are resolved. LAFCO staff received a copy of FORA's final-year audit on January 11, 2022 and is coordinating with the County on this and other final administrative tasks.

3. **Mission Soledad Rural Fire Protection District:** Sphere amendment and annexation of Paraiso Springs Resort (portion). Application status is incomplete.

The County approved this substantial development project in November 2019. The project proponents are now moving forward with development of the site. The previously/historically developed portion of the resort is already within the fire district. Pursuant to conditions of approval in the County's development permitting, the developer is required to work with the fire district to annex the remainder of the new development site. LAFCO staff has been monitoring and engaged with this project since 2013. LAFCO received the District's application on January 6, 2022 and, on February 4, LAFCO issued a completeness review letter listing items needed before the application can be deemed complete.

Part 2: Potential Agenda Items under Discussion

1. **City of Gonzales:** Annexation of some or all of an approximately 1,350-acre area placed in the City's sphere in 2014, plus potentially an adjacent 50-acre parcel. Status is pre-application.

The City of Gonzales is currently completing an administrative draft Specific Plan and EIR for the Vista Lucia project (Fanoë-owned lands of approximately 770 acres). The City similarly is working on a specific plan and an EIR for the Puente del Monte project (Jackson and Rianda-owned lands comprising approximately 547 acres). In total, the two projects together would represent a large expansion of the City, approximately doubling the existing City size. The scope of such an expansion raises issues relevant to LAFCO's review. On June 28, 2021, the Commission held a study session to receive information on the status of the City's proposed annexations.

The City issued a Notice of Preparation for the Vista Lucia project in September 2021, and LAFCO staff provided a comment letter in October 2021. LAFCO will comment on the project's draft environmental impact report when it is available in 2022. The City anticipates submitting a LAFCO annexation application for the Vista Lucia project in 2022. Also this year, we anticipate commenting on a draft environmental impact report for the Puente del Monte project, and receiving an application for annexation of that project. Staff continues to coordinate with Gonzales staff, and with the County, as the City refines and develops these future expansion proposals.

In March 2022, City staff discussed other potential proposals with LAFCO staff. Still in concept status, those proposals may be further refined in coming months or years.

2. **Marina Coast Water District:**

a. **U.C. MBEST Center** – sphere of influence amendment and annexation of an approximately 75-acre portion of the site, located in the City of Marina. Status is pre-application. In June 2020, the City of Marina approved a master plan for future development of the site. LAFCO staff also held an initial meeting with MCWD and UC representatives in June 2020.

b. **Campus Town Project and Medical Officers Barracks site** – sphere of influence amendment and annexation of Seaside's Campus Town Project, an approximately 122-acre large infill project near the freeway interchange at Lightfighter Drive and Highway One, and Seaside's Medical Barracks

site, an approximately 5-acre site in the City of Seaside for future reuse as housing. Status is pre-application. The Campus Town Project's development plans include: up to 1,485 housing units; 250 hotel rooms; 75 youth hostel beds; 150,000 square feet of retail, dining, and entertainment uses; 50,000 square feet of office and light industrial uses; and 12 acres of parks and open space. LAFCO staff met with City of Seaside and Marina Coast Water District representatives in July 2021 and in December 2021. The Marina Coast Water District will be the agency that initiates the application to LAFCO, with support from the City of Seaside. The City's certified EIR for the Campus Town Project has been challenged in appellate court as of August 2021.

3. **City of Monterey:** Detachment from the City of parcels owned by the Monterey Peninsula Airport District. Status is pre-application.

Most Airport District-owned parcels are in the unincorporated County. Several outlying parcels along Highway 68 are in the City of Monterey. The District has expressed interest in detaching these parcels from the City to eliminate this split in underlying city-county jurisdictions as the airport develops new facilities according to its master plan. LAFCO staff met with Airport, City, and County representatives in March 2020. However, in September 2020, the City and the Airport entered into a legal dispute regarding potential future roadway access. Coordination will continue when the parties are ready to move forward.

4. **Technical Assistance to Local Agencies in Greenfield, Soledad, Spreckels and North County Areas:** LAFCO serves as an informal facilitator and information clearinghouse for small cities and special districts challenged by financial, governance and service delivery issues.

Upon request, LAFCO staff assists boards of directors/trustees, general managers and other community leaders in conversations about options for governance and increasing municipal service delivery efficiencies and effectiveness. LAFCO staff shares technical, financial and legal information to address challenges that are driven by limited resources, historical conditions and other factors, and will help to advance any options of interest. Our service helps small, rural communities understand their authority and some options available to improve, sustain or eventually reorganize their agencies. LAFCO staff presents a range of options tailored to specific challenges, some of which require no formal LAFCO actions, and suggests small steps forward as well as some longer-term possibilities. An example of positive change was LAFCO's role in the 2017 formation of a municipal fire department by the City of Greenfield and city detachment from the Greenfield Fire Protection District, and an agreement for the City to provide services in the rural area in exchange for the District's annual revenue. More recently, LAFCO staff has worked with or is working with special districts in Greenfield, Spreckels, Soledad and North Monterey County to provide assistance.

5. **Monterey County Mosquito Abatement District:** Potential annexation of areas in south Monterey County. Status is pre-application. The District's sphere was expanded in 2016 to cover the entire county. Initial discussions are in progress.
6. **County Service Area (CSA) 25 – Quail Lodge Golf and Country Club:** Potential expansion of the CSA's boundaries. Status is pre-application.

This CSA was formed in 1963 to provide street and sidewalk, storm drain, and road shoulder maintenance for the Valley Greens subdivision and golf course. The area consists of a golf course, 165 single-family residential lots, and 21 condominium lots, serving about 400 people. Services are provided by the County Public Works Department. Several CSA residents contacted the County and LAFCO to potentially add several adjacent parcels to the CSA. LAFCO staff participated in a CSA

advisory committee meeting in April 2021 to provide an overview of the annexation process. LAFCO and County met in August 2021 to coordinate on the project.

In addition, our staff met with the County and Carmel Area Wastewater District in March 2022 to discuss and coordinate sewer and road improvements in this area.

7. **Pájaro County Sanitation District (PCSD) (for wastewater collection) and/or Pájaro-Sunny Mesa Community Services District (for domestic water) for the “Parks Legacy” Project.** Status is pre-application.

This project, at the Pájaro Valley Golf Club on Salinas Road in Las Lomas, involves creation of an approximately 107-unit modular home community, a campground and recreational vehicle (RV) park, and complete refurbishment of the golf course. Initial discussions among County staff, developer representatives, and the service districts occurred in early 2020. The project will require a new environmental impact report and Coastal Commission approval.

Separately, the County is also considering annexing several nearby properties to PCSD as one coordinated effort. The County is also exploring transferring the entire PCSD system to Cal-Am.

8. **City of Salinas: Target Area “K” (Ferrasci Ranch) sphere amendment and annexation of approximately 100 acres at the northeast corner of Harrison Road and Russell Road.** Status is pre-application.

The site, just north of Salinas and designated as Target Area K in the City’s recently approved Economic Development General Plan Element, is planned for industrial and commercial development. In 2019, the County and City approved a site-specific amendment of the Greater Salinas Area Memorandum of Understanding to facilitate the City’s annexation and development of this site. Informal pre-application discussions have been underway with County staff, City staff and property owners since January 2020, most recently in February 2022.

9. **City of Marina:**

- a. **Former Fort Ord Landfill and Landfill Border Parcels** – Annexation of an approximately 341-acre former Army landfill and landfill border parcels area (south of Imjin Parkway, north of Intergarrison Road, east of 8th Street, and west of Abrams Drive), and detachment of this area from Monterey County Regional Fire District. Current status is pre-application. In November 2020, Monterey County and City of Marina entered into an agreement to convey its landfill border parcels (approximately 177 acres) to the City of Marina and designate the City of Marina as recipient of the former landfill parcels (approximately 164 acres) from the U.S. Army. The City of Marina and County of Monterey also agreed to seek prompt annexation of these properties to the City of Marina. The area is currently uninhabited and includes a five-acre commercial area known as the Ord Market. The area is within the City of Marina’s existing sphere of influence.
- b. **East Campus Housing Areas** – Annexation of California State University Monterey Bay (CSUMB) East Campus housing areas (Schoonover and Frederick Park neighborhoods between Reservation Road and Imjin Road), and detachment of this area from Monterey County Regional Fire District. Current status is pre-application. Both housing areas are in Marina’s sphere of influence and have a combined population of about 3,000.

Among other considerations, LAFCO’s review will include each proposal’s potential effect on fire and emergency medical service delivery models and related revenues to the affected agencies. Initial discussions with the parties occurred in 2019. There is currently no specific schedule for the City to submit an application or applications.

10. **City of Monterey** – Sphere amendment and annexation of a six-acre site in the former Fort Ord area. Status is pre-application.

The site is adjacent to the Monterey-Del Rey Oaks boundary. Del Rey Oaks has transferred ownership of this parcel to Monterey. Monterey city staff and LAFCO staff began annexation discussions in 2017.

11. **City of Greenfield** – Annexation proposal with two separately owned parcels (vacant Thorp parcel and an existing elementary school site) on Apple Avenue west of the existing city limits. The original application is incomplete, and a revised project is in pre-application status.

In 2017, the City submitted an annexation application for a proposed residential project on the Thorp parcel, but that application remains incomplete. Now the City is pursuing development of a community center – rather than housing – on the Thorp parcel. Staff met with the City in March 2022 to discuss annexation of the proposed community center parcel and existing school parcel.

12. **Rancho Los Robles residential subdivision (Las Lomas unincorporated community)**

The County approved this 34-acre project in 2009. In late 2017, the California Coastal Commission granted final approval for a revised version of the project, now reduced to 54 residential units. The LAFCO project status is pre-application. In November 2021, a State appeals court overturned the Coastal Commission’s approval of this development. The developer has not yet decided whether it will petition for a re-hearing of the case or if it will petition for the case to be heard by the State Supreme Court. If the project eventually moves forward, consultation will be needed to determine any necessary LAFCO approvals. The Coastal Commission’s 2017 approval was conditioned upon dedication of approximately 20 acres of the site to a public agency for recreation and open space uses. Potential receiving agencies may include Pajaro-Sunny Mesa Community Services District (PSMCS D) or a County Service Area, and LAFCO may have a role in implementing the action.

13. **Drinking Water Project North of Moss Landing**

LAFCO staff met with representatives from the Community Water Center (CWC), a non-profit for community-driven water solutions, in August 2021. Due to water quality issues in the unincorporated County area north of Moss Landing, the CWC prepared a report to identify potential solutions to provide safe potable water to approximately 90 households in this area. CWC is working with PSMCS D, the closest public water provider in the area. LAFCO staff provided relevant information to CWC representatives regarding potential LAFCO actions that could facilitate the extension of PSMCS D’s potable water services to this area. Current status is pre-application.

14. **Castroville Community Services District (CSD) – Potential sphere amendment and annexation of the Moss Landing Commercial Park**

This commercial and industrial site, designated as a future study area for the Castroville CSD in 2014, has ongoing problems with its septic system and will eventually need to connect to the Monterey One Water regional wastewater treatment plant by annexing to the CSD (a Monterey One Water member agency). Preliminary coordination with the CSD, the County, and property owner representatives is underway. LAFCO staff participated in a County development review meeting in October 2021. Current status is pre-application.

15. **Salinas Valley Healthcare System (SVMHS) – Potential annexation in North Monterey County to align with boundaries of the newly formed Pajaro Valley Health Care District.**

Part 3: LAFCO-Initiated Studies

In 2021, LAFCO completed Municipal Service Reviews and Sphere of Influence (MSR/SOI) studies for Carmel Area Wastewater District and Monterey Peninsula Water Management District.

In 2022, staff is preparing an MSR/SOI study for the City of Soledad to coincide with consideration of an SOI amendment/annexation application (see page 1 of this report) anticipated this year.

Also this year, staff will begin MSR/SOI studies for the City of Gonzales to coincide with that City's anticipated annexation application (see page 2 of this report), and for the City of Marina to focus on issues such as future growth and provision of services.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Kate McKenna". The signature is written in a cursive style.

Kate McKenna, AICP
Executive Officer

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

LOCAL AGENCY FORMATION COMMISSION

P.O. Box 1369

Salinas, CA 93902

Telephone (831) 754-5838

132 W. Gabilan Street, Suite 102

Salinas, CA 93901

www.monterey.lafco.ca.gov

KATE MCKENNA, AICP
Executive Officer

DATE: March 28, 2022

TO: Chair and Members of the Formation Commission

FROM: Kate McKenna, AICP, Executive Officer

PREPARED BY: Jonathan Brinkmann, Senior Analyst

SUBJECT: Public Member and Alternate Public Member Appointments

SUMMARY OF RECOMMENDATION:

1. Receive the Executive Officer's report;
2. Invite Public Member Candidates to make introductory statements;
3. Invite public comments, and
4. Consider and appoint one Public Member Commissioner and one Alternate Public Member Commissioner to represent the general public on LAFCO for four-year terms expiring in May 2026, or continue consideration of appointments to the next regular LAFCO meeting on April 25, 2022.

EXECUTIVE OFFICER'S REPORT:

Terms of seats held by LAFCO Public Member Commissioner Matt Gourley and Alternate Public Member Commissioner Steve Snodgrass will expire in May 2022. LAFCO is conducting a public member appointment process to fill both seats. Six candidates, including the two incumbents, have submitted applications to serve four-year terms as LAFCO representatives of the general public. Purposes of today's agenda item are to consider and make appointments.

Candidates and Qualifications

In accordance to Government Code Section 56325(d), LAFCO prepared and distributed a public notice and press release throughout Monterey County regarding the public member positions and soliciting resumes from interested persons. A notice was also published in the Monterey County Weekly. Six candidates responded to the outreach with applications, resumes and letters of interest. Candidate information is attached to this staff report. Public Member seats are open to Monterey County residents with an interest in the operation and organization of local governments. Public Members cannot be an officer or employee of Monterey County, or any city or special district within the County. Any conflicts must be resolved prior to taking the Oath of Office.

Appointment Process

The Commission is requested to consider the qualifications of all candidates. Candidates have been invited to attend the meeting to introduce themselves. Appointments to each Public Member seat requires the affirmative vote of at least one City Member, one Special District Member, and one County Member. Also, each appointment needs at least four votes of those Commissioners qualified to vote on the matter.

Terms of Office

In accordance to state law and the Commission's adopted bylaws, the terms of office of the regular and alternate public member seats are for four years, ending in May 2026. If a Commissioner leaves the Commission prior to the completion of his/her term, the appointment of his/her successor shall be for the remainder of the unexpired term of his/her predecessor.

The appointed Public Members will take the Oath of Office and be seated at the May 23, 2022 meeting of the Local Agency Formation Commission.

Respectfully Submitted,



Kate McKenna, AICP
Executive Officer

Attachment: Candidate Information

1. Matt Gourley
2. John T. Heyl
3. Gary D. Hoffmann, P.E.
4. Jerrold A. Malkin
5. Ronald J. Roland
6. Steve Snodgrass

Attachment 5.1

Candidate Information

1. Matt Gourley
2. John T. Heyl
3. Gary D. Hoffmann
4. Jerrold A. Malkin
5. Ronald J. Roland
6. Steve Snodgrass

Attachment 5.1

Candidate Information

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5. Ronald J. Roland
6. Steve Snodgrass

LAFCO**FEB 3 2022****LAFCO** of Monterey County**LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY**

**APPLICATION FORM
TO SERVE AS A PUBLIC MEMBER REPRESENTATIVE
ON THE
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY**

Due Date: February 24, 2022

Applications will be considered to fill the two Public Member seats on the Local Agency Formation Commission of Monterey County, for four-year terms of office that will expire in 2026. The Commission invites interested residents to apply for appointments to the Regular Public member seat and the Alternate Public Member seat. Appointments to represent the general public will be made by majority vote of the Commission.

Public Member representatives must be residents within Monterey County, and have an interest in the operation and organization of local governments. No officer or employee of Monterey County, or any City or district within this County, is eligible for appointment to the Public Member seats. The terms of office for both seats will begin in May 2022 and expire in May 2026.

Application Process and Deadline:

Applications must be received in the LAFCO Office by **February 24, 2022 at 5:00 p.m.** You may email this completed form to Executive Officer Kate McKenna at mckennak@monterey.lafco.ca.gov, OR mail it to P.O. Box 1369, Salinas, CA 93902 OR hand-deliver it to 132 W. Gabilan Street, Suite 102 in Salinas. Resumes are not required but may be submitted with this application form. Eligible applicants will be invited to continue in an open consideration and appointment process in March/April 2022. Appointed representatives will take the oath of office and be seated in May 2022.

Please visit www.monterey.lafco.ca.gov for general information about LAFCO. Please contact Senior Analyst Jonathan Brinkmann at brinkmannj@monterey.lafco.ca.gov or call (831) 754-5121 for questions or more information about the selection process or qualifications.

Applicant Information:

Name:	<u>Matt Gourley</u>
Address:	<u>32442 River Rd. Selednd 93965</u>
Phone and Email:	<u>(831) 594-9565 MGourley@SBC66hd.net</u>
Employer:	<u>Gourley Construction Inc.</u>
Occupation:	<u>Builder</u>
Work Address:	<u>SAME</u>
Work Phone:	

LAFCO

FEB - 2 2022

LAFCO Application

February 2, 2022

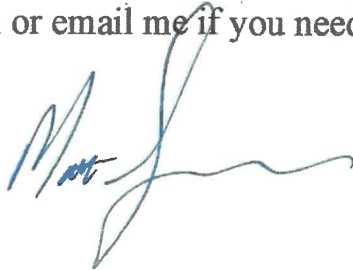
LAFCO of Monterey County
c/o Kate McKenna Executive Director
PO Box 1369
Salinas, Ca 93902

Matt Gourley
32447 River Rd
Soledad, Ca 93960
831-594-8565
Mgourley@sbcglobal.net

Dear Kate,

This letter and attached resume are showing my interest in our commissions' expiring term as the Public Member position. With my knowledge and understanding of the position, having been on this board for over twenty-one years, and in CAL LAFCO for over six. I would like to be reconsidered. Please don't hesitate to call or email me if you need any further information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Gourley", with a long horizontal flourish extending to the right.

Matt Gourley

LAFCO Application
February 2, 2022

Matt Gourley
32447 River Rd
Soledad, CA 93960
831-594-8565
Mgourley@sbcglobal.net

OBJECTIVE

Serve as the public member on the Monterey County Local Agency Formation Commission (LAFCO). I believe that I would be a strong representative for the general public which has been exhibited throughout my thirty-one year career in Public Service. For example, relevant experience to this position includes local involvement in the City of Gonzales as Mayor, City Councilmember and Planning Commissioner; Development of two Gonzales General Plans; and lead Councilmember on response to the County General Plan. Regional experience includes the Carmel Valley Annexation Hearings; Carmel Valley Fire Consolidation & Dissolution; State Regional Housing hearings; and Cal LAFCO Board and Legislation. In addition, ten years on LAFCO as the alternate appointed by the Mayors Select Committee has provided me the foundation and depth to effectively deal with all the issues that come before LAFCO, like the creation of the Independent Monterey County LAFCO.

COMMUNITY ACTIVISM & POLITICAL ORGANIZATION EXPERIENCE:

- Gonzales Mayor 2000-2006
- Gonzales City Council Member 1998-2011
- Gonzales Planning Commission 1991-1998
- Gonzales Planning Comm. Chair 1995-1998
- AMBAG Board 2001-2009
- AMBAG Board President 2008

LAFCO
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- Gonzales Rotary 2006-Present
- Gonzales Rotary President 2008-2009
- California LAFCO Board 2005-2010
- CA LAFCO Board Annual Conf. Chair 2007
- Monterey Co. LAFCO 2001-Present
- National Association Regional Councils 2008-2009
- Interregional Partnership AMBAG & ABAG
- City Center Growth Valley Cities 2000-2006
- Salinas Valley Water Project Committee
- Vice Chair, Monterey Co. Mayor Assoc. 2005-2006
- Housing Crisis Workshop Lead 2002-2003
- Gonzales Redevelopment Chair 2000-2006
- Oversight Committee to Gonzales Successor Agency 2012-2018

EMPLOYMENT HISTORY:

- Gourley Construction: Soledad, CA – Founder 2001-Present
Calabro Inc., Gonzales CA -Plumber 1995-2001

EDUCATION:

Cal Poly State University, San Luis Obispo
North Salinas High School Graduate, 1985

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

APPLICATION FORM
TO SERVE AS A PUBLIC MEMBER REPRESENTATIVE
ON THE
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Due Date: February 24, 2022

Applications will be considered to fill the two Public Member seats on the Local Agency Formation Commission of Monterey County, for four-year terms of office that will expire in 2026. The Commission invites interested residents to apply for appointments to the Regular Public member seat and the Alternate Public Member seat. Appointments to represent the general public will be made by majority vote of the Commission.

Public Member representatives must be residents within Monterey County, and have an interest in the operation and organization of local governments. No officer or employee of Monterey County, or any City or district within this County, is eligible for appointment to the Public Member seats. The terms of office for both seats will begin in May 2022 and expire in May 2026.

Application Process and Deadline:

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Applicant Information:

Name:	John T. Heyl
Address:	137 Laurel Dr., Carmel Valley, CA 93924
Phone and Email:	928-600-0812 johntheyl@gmail.com
Employer:	Retired
Occupation:	High School Teacher
Work Address:	n/a
Work Phone:	n/a

Please complete the following questions (attach additional pages if necessary):

1. Are you currently a resident within Monterey County? Yes No
2. Are you currently an officer or employee of the County of Monterey, or of a City or special district in Monterey County? Yes No
- a) If yes, are you willing to resign that position (if necessary) to assume the LAFCO Public Member appointment? Yes No

3. Please list any relevant education, training and experience:

BA Hamilton College , 1976.

M.Ed, Northern AZ University, 1993

Doctoral Program in Curriculum Design, Northern AZ University, 1993-95. 64 credits (ABD)

High school teacher (Certified in AZ & CA) for 17 years. Moved to Carmel Valley with wife of 23 years in 2010

4. Please list any community activities/interests that are relevant:

Have served on various local Boards, including Camerata Singers. Currently serve on the Board of Carmel Valley Association.

5. What is your general availability for meetings? (Regular meetings are generally the fourth Monday of the month at 4:00 pm in Salinas or held remotely):

Available for regular meetings monthly either in Salinas or remotely (preferred at this time).

6. Please summarize your qualifications and interest to serve as a Public Member of the Commission:

I have become familiar with several local county and civic governmental agencies and many employees and public elected officials through my work with the Carmel Valley Association and with COPA (Communities Organized for Relational Power in Action).

I care deeply that all American governance keeps the interests of the people and the utilitarian ideals of our forebears (greatest good for the greatest number of people) at the forefront of every decision made in the public forum.

Signed:

Name (Print): John T. Heyl

Date: February 17, 2022

Thank you for your interest in serving on LAFCO of Monterey County.

LAFCO of Monterey County

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

APPLICATION FORM TO SERVE AS A PUBLIC MEMBER REPRESENTATIVE ON THE LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

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Applicant Information:

Name:	Gary D. Hoffmann, P.E.
Address:	11651 Hidden Valley Road, Carmel Valley, CA 93924
Phone and Email:	(831) 659-1045; gqhwd1000@gmail.com
Employer:	Retired
Occupation:	Registered Professional Civil Engineer
Work Address:	
Work Phone:	

Please complete the following questions (attach additional pages if necessary):

1. Are you currently a resident within Monterey County? Yes No
2. Are you currently an officer or employee of the County of Monterey, or of a City or special district in Monterey County? Yes No
- a) If yes, are you willing to resign that position (if necessary) to assume the LAFCO Public Member appointment? Yes No

3. Please list any relevant education, training and experience:

See Attached Sheet

4. Please list any community activities/interests that are relevant:

At-Large Member on the Monterey Bay National Marine Sanctuary Advisory Council (Currently Serving)

Monterey County Civil Grand Jury Juror (2021-22 Term)

First Responder (Level 2) Whale Entanglement Team

Former Docent/Volunteer for the Elkhorn Slough National Estuarine Research Reserve

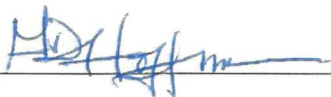
5. What is your general availability for meetings? (Regular meetings are generally the fourth Monday of the month at 4:00 pm in Salinas or held remotely):

I am available to attend any and all meetings.

6. Please summarize your qualifications and interest to serve as a Public Member of the Commission:

I spent my 30+ years of professional experience working with local governments and special districts providing expert guidance in helping them meet the challenges of providing reliable safe drinking water or preventing pollution of California's rivers, streams, and coastal waters. In the process, I gained a deep understanding of local government operations and administration. My experience as General Manager of a public utility district provides me with additional insights and knowledge of the administrative and management challenges of special districts. My service on the Sanctuary Advisory Council and the County Civil Grand Jury shows my dedication to environmental protection and improving the lives of county residents through better government. As a resident of Monterey County since 2006, my qualifications and dedication to public service would provide valuable perspectives for the LAFCO Board.

Signed:



Name (Print): Gary D. Hoffmann, P.E.

Date: February 14, 2022

Thank you for your interest in serving on LAFCO of Monterey County.

Gary D. Hoffmann, P.E

Professional Profile

Registered Professional Civil Engineer (No. C46665)

Professional Experience

**Georgetown Divide Public Utility District
July 2013 – April 2014
General Manager**

Duties and Responsibilities:

Overall management of a public utility district responsible for providing drinking water, irrigation water, wastewater collection and disposal, and hydroelectric power to a community of approximately 10,000 customers in the Sierra Nevada foothills.

The District's facilities include a dam and 20,000 acre-foot impoundment reservoir, 70 miles of raw water delivery and storage network, 200 miles of treated water distribution pipelines, pump stations, storage facilities, an onsite septic tank effluent collection and disposal system, and a hydroelectric turbine power generating and distribution system.

Managed a staff of approximately thirty (30) people that included engineers, treatment plant operators, maintenance workers, clerical, accounting and billing personnel.

Prepared short- and long-term multi-million dollar District budgets and expense tracking for maintaining fiscal discipline with available resources.

Regularly presented agenda items and reports to the District Board of Directors at meetings in compliance with the Brown Act.

Accomplishments:

Directed the redesign of the proposed new water treatment plant resulting in overall cost savings of approximately \$1.2 million.

Secured sufficient funding for the construction of the new water treatment plant through state and federal grants and loans and local funding from ratepayers through the Proposition 218 process.

Developed and implemented policies and procedures to resolve the District's inadequate strategic planning and short- and long-term budgeting issues, including a multi-million dollar Capital Improvement Plan with budgeted reserve funds established for long term, sequential implementation.

Developed and implemented water conservation measures that enabled the District to maintain potable water supply deliveries during the drought of 2013-14, and to plan for future drought conditions.

California Department of Public Health, Sacramento and Monterey, CA
June 1994 – April 2013
Senior Sanitary Engineer

Duties and Responsibilities:

Unit Chief, Drinking Water Program Policy Development and Program Support. Supervised a staff that included engineers, personnel and financial analysts responsible for (1) development of state drinking water regulations, (2) conducting all personnel and budgeting activities for the Division of Drinking Water and Environmental Management, (3) development of the Y2K Business Continuity Plan for the Division, (4) review and evaluation of proposed state legislation for impacts on Division programs.

Division liaison to the U.S. Environmental Protection Agency for negotiating the terms and conditions of the annual federal grant and for tracking compliance.

Department of Public Health representative for the 2001 and 2004 Rough and Ready Multi-National Emergency Response Exercises conducted in Kharkiv and L'viv, Ukraine.

Manager of the Drinking Water Treatment and Research Fund. Supervised a staff that included engineers, financial analysts, and clerical personnel responsible for the development of the policies, procedures, and implementation of a grant program for the construction of water treatment and water supply projects to mitigate contamination from MTBE; conducted research projects to develop methods to protect water supplies from MTBE contamination. (\$30 million in grants managed)

District Engineer, Monterey District Office. Supervising a staff of engineers, environmental scientists, engineering technicians, and clerical personnel responsible for regulating over 200 public water systems in Santa Cruz, San Benito, and Monterey Counties.

Specific duties included:

- (1) review of engineering reports and plans and specifications for water supply and treatment projects for compliance with the requirements of the Safe Drinking Water Act,
- (2) conducting field inspections of newly constructed water supply and treatment projects for issuing operating permits,
- (3) conducting routine field inspections of public water system facilities,
- (4) review of water quality data from public water systems for compliance with drinking water standards,
- (5) review of water supply and treatment project plans and specifications for approval of funding from the Proposition 50, 84, and State Revolving Fund Programs, and
- (6) conducting field inspections during construction for the purposes of approving grant and loan disbursements.

**State Water Resources Control Board, Sacramento, CA
December 1983 – May 1994
Associate Water Resources Control Engineer**

Duties and Responsibilities:

Review, Evaluate, and Approve Facilities Planning Reports for the Construction of Wastewater Treatment and Recycling Projects by the City of Los Angeles and the City of San Diego under the Clean Water Grant and State Revolving Fund Programs.

Review, Evaluate and Approve Construction Plans and Specifications for Wastewater Treatment and Recycling Projects by the City of Los Angeles and the City of San Diego under the Clean Water Grant and State Revolving Fund Programs. (Total project costs \$500 million+)
Conduct Value Engineering Reviews of Plans and Specifications to identify project cost savings (Total project cost savings \$50 Million+)

Conduct field inspections of construction projects for the purpose of approving grant and loan disbursements.

State Board representative on the Research Advisory Committee for the City of San Diego's Total Resource Recovery Project—a demonstration wastewater treatment plant for converting sewage into drinking water.

Develop pollution study protocols and conduct oversight of pollution study investigations

**Kiewit Pacific, Inc., Concord, CA
June 1982 – November 1983
Project Engineer, Bottlerock Geothermal Power Plant**

Design of forms and falsework for the construction of the concrete generator building and ancillary facilities

Supervise carpenter and laborer crews in the construction and placement of forms and falsework, and concrete placement.

Construction materials procurement and inventory maintenance of on-site construction materials.

**U. S. Army Corps of Engineers, Sacramento, CA
June 1980 – May 1983
Construction Contract Administrator**

Duties and Responsibilities:

Review, evaluate, and negotiate claims and change orders on construction projects at military bases throughout the West Coast, including the Space Shuttle Launch, Recovery, and Refueling Facilities at Vandenberg Air Force Base.

Education

California State University – Sacramento Campus, Sacramento, CA
Bachelor of Science in Civil Engineering
May 1982

Volunteer Experience

California Whale Rescue - Whale Entanglement Team

First Responder for rescuing whales in Monterey Bay which become entangled with fishing gear and other marine debris.

Marine Life Studies - Research Assistant and Boat Crew

Assist in the collection of whale and marine mammal data in Monterey Bay and operation of the research vessel.

Public education regarding Monterey Bay marine mammals and conservation at the City of Monterey's annual Whalefest at Cannery Row

Monterey Bay National Marine Sanctuary

At-Large Member of the Sanctuary Advisory Council, advising the Sanctuary Superintendent on Monterey Bay water quality and other preservation issues

A member of the Team Ocean kayak patrols of Elkhorn Slough and the Cannery Row area of Monterey Bay, protecting otters, seals and wildlife from human disturbance and educating the public on conservation.

Gathered water quality data in the Urban Watch, First Flush, and Snapshot Day water quality monitoring programs.

Sea Shepherd Conservation Society

Participated in the 2015 Operation Jairo campaign in Ft. Lauderdale Florida, rescuing sea turtle hatchlings from disorientation caused by artificial light sources from surrounding urban developments.

Marine Mammal Center, Sausalito, Ca

Participated in rescues of sick and injured sea lions, harbor seals and elephant seal pups.

Participated in animal care and rehabilitation of hospital patients.

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

APPLICATION FORM TO SERVE AS A PUBLIC MEMBER REPRESENTATIVE ON THE LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Due Date: February 24, 2022

Applications will be considered to fill the two Public Member seats on the Local Agency Formation Commission of Monterey County, for four-year terms of office that will expire in 2026. The Commission invites interested residents to apply for appointments to the Regular Public member seat and the Alternate Public Member seat. Appointments to represent the general public will be made by majority vote of the Commission.

Public Member representatives must be residents within Monterey County, and have an interest in the operation and organization of local governments. No officer or employee of Monterey County, or any City or district within this County, is eligible for appointment to the Public Member seats. The terms of office for both seats will begin in May 2022 and expire in May 2026.

Application Process and Deadline:

Applications must be received in the LAFCO Office by **February 24, 2022 at 5:00 p.m.** You may email this completed form to Executive Officer Kate McKenna at mckennak@monterey.lafco.ca.gov, OR mail it to P.O. Box 1369, Salinas, CA 93902 OR hand-deliver it to 132 W. Gabilan Street, Suite 102 in Salinas. Resumes are not required but may be submitted with this application form. Eligible applicants will be invited to continue in an open consideration and appointment process in March/April 2022. Appointed representatives will take the oath of office and be seated in May 2022.

Please visit www.monterey.lafco.ca.gov for general information about LAFCO. Please contact Senior Analyst Jonathan Brinkmann at brinkmannj@monterey.lafco.ca.gov or call (831) 754-5121 for questions or more information about the selection process or qualifications.

Applicant Information:

Name:	Jerrold A. Malkin
Address:	878 Carmelita Drive, Salinas, CA 93901
Phone and Email:	916-847-0917; ndanger831@gmail.com
Employer:	retired
Occupation:	attorney
Work Address:	retired
Work Phone:	retired

Please complete the following questions (attach additional pages if necessary):

1. Are you currently a resident within Monterey County? Yes No
2. Are you currently an officer or employee of the County of Monterey, or of a City or special district in Monterey County? Yes No
- a) If yes, are you willing to resign that position (if necessary) to assume the LAFCO Public Member appointment? Yes No

3. Please list any relevant education, training and experience:
Masters in City and Regional Planning, Rutgers University (1983); JD Rutgers University Camden (1984);
Deputy County Counsel, Imperial and Monterey Counties, General Law Section, including Planning
Department and LAFCO assigned counsel (1985-2020; Retired); I grew up in San Jose during the
period of greatest growth and became aware of the impact of uncontrolled growth on that community.

4. Please list any community activities/interests that are relevant:
1986-present have observed and discussed with co-workers, friends, and neighbors the intricacies
of urban and rural renewal projects, the impact of development projects on communities, and the
explanation of tax initiatives and development propositions for items outside of the involvement
of the County of Monterey as a participant in those matters.

5. What is your general availability for meetings? (Regular meetings are generally the fourth
Monday of the month at 4:00 pm in Salinas or held remotely):
I am currently retired and am available for those meetings

6. Please summarize your qualifications and interest to serve as a Public Member of the
Commission:
I am a retired county employee. I own a home in Salinas and in the rural area of South County.
I am aware and experienced regarding how LAFCO works, how spheres of influence can impact development
and the fiscal impact of developments on local governments and local populations. I believe my
knowledge and experience during my employment, my experience as a resident
of both rural and urban areas of Monterey County, as well as my formal
education would facilitate a positive representation of the general public as a Public Member
on the local LAFCO

Signed: 

Name (Print): Jerrold A. Malkin

Date: February 17, 2022

Thank you for your interest in serving on LAFCO of Monterey County.

LAFCO of Monterey County

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

**APPLICATION FORM
TO SERVE AS A PUBLIC MEMBER REPRESENTATIVE
ON THE
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY**

Due Date: February 24, 2022

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Public Member representatives must be residents within Monterey County, and have an interest in the operation and organization of local governments. No officer or employee of Monterey County, or any City or district within this County, is eligible for appointment to the Public Member seats. The terms of office for both seats will begin in May 2022 and expire in May 2026.

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Please visit www.monterey.lafco.ca.gov for general information about LAFCO. Please contact Senior Analyst Jonathan Brinkmann at brinkmannj@monterey.lafco.ca.gov or call (831) 754-5121 for questions or more information about the selection process or qualifications.

Applicant Information:

Name:	<u>Ronald J. Roland</u>
Address:	<u>33 Castro Road, Monterey, CA 93940</u>
Phone and Email:	<u>831.402.8607</u>
Employer:	<u>Retired; Subject Matter Expert Modeling & Simulation</u>
Occupation:	<u>Retired; Consulting SME</u>
Work Address:	<u>33 Castri Road, Monterey, CA 93940</u>
Work Phone:	<u>831.402.8607</u>

Please complete the following questions (attach additional pages if necessary):

1. Are you currently a resident within Monterey County? Yes No
2. Are you currently an officer or employee of the County of Monterey, or of a City or special district in Monterey County? Yes No
- a) If yes, are you willing to resign that position (if necessary) to assume the LAFCO Public Member appointment? Yes No

3. Please list any relevant education, training and experience:

BS Mathematics/Computer Science Colorado State Univ.

MS Information Systems, Univ. of HI

PH.D. Organizational Development, Univ. of Nebraska

25 years USAF; 32 years owned and managed a private business;

4. Please list any community activities/interests that are relevant:

Created California Leadershop Program; past president of Monterey Leadership Program; Pilot, Monterey County Sheriff's Office; Member of Del Rey Oaks Police Advisory Group.

5. What is your general availability for meetings? (Regular meetings are generally the fourth Monday of the month at 4:00 pm in Salinas or held remotely):

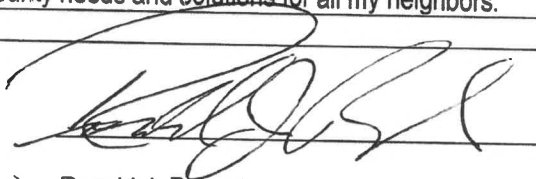
I recently retired from my position as President, ROLANDS & ASSOCIATES Corporation.

I am available to meet the proposed schedule of meetings anywhere in Monterey County.

6. Please summarize your qualifications and interest to serve as a Public Member of the Commission:

The previous 5 elements speak to my qualification so I won't repeat them here. My interest in serving as a Public Member of the Commission is to meet my responsibility to the community. I view some of the members c LAFCO as occupying a seat on the Commission to add to their resumes and satisfy their egos rather than support the County residents. I do not have any political baggage and do not report to any sponsor. My vitae show the national and international colleagues with which I have worked for over 30 years. In the coming years I want to focus on County needs and solutions for all my neighbors.

Signed:



Name (Print): Ronald J. Roland

Date: 17 February 2022

Thank you for your interest in serving on LAFCO of Monterey County.

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

APPLICATION FORM TO SERVE AS A PUBLIC MEMBER REPRESENTATIVE ON THE LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

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Application Process and Deadline:

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Please visit www.monterey.lafco.ca.gov for general information about LAFCO. Please contact Senior Analyst Jonathan Brinkmann at brinkmannj@monterey.lafco.ca.gov or call (831) 754-5121 for questions or more information about the selection process or qualifications.

Applicant Information:

Name:	Steve Snodgrass
Address:	1705 Covenant Lane, Royal Oaks, CA 95076
Phone and Email:	831.206.1049 sjsnodgrass@gmail.com
Employer:	Granite Rock Company
Occupation:	CFO
Work Address:	350 Technology Drive, Watsonville CA 95076
Work Phone:	831.768.2028

Please complete the following questions (attach additional pages if necessary):

1. Are you currently a resident within Monterey County? Yes No
2. Are you currently an officer or employee of the County of Monterey, or of a City or special district in Monterey County? Yes No
- a) If yes, are you willing to resign that position (if necessary) to assume the LAFCO Public Member appointment? Yes No

3. Please list any relevant education, training and experience:

I have 45 years of progressively increasing financial experience from CPA to CFO. I have been the CFO of Granite Rock Company for 17 years

I have served approximately 10 years on LAFCO as a Special Districts member as well as public member alternate and served one term as chair. I have extensive land use experience having led a CEQA lawsuit several years ago.

4. Please list any community activities/interests that are relevant:

Former KSBW Jefferson Award Finalist and United Way Volunteer of the year. These awards were received related to a park the Community Services District board I was on built in conjunction with Monterey County Redevelopment

5. What is your general availability for meetings? (Regular meetings are generally the fourth Monday of the month at 4:00 pm in Salinas or held remotely):

I am available almost always as my attendance record in my prior terms will validate

6. Please summarize your qualifications and interest to serve as a Public Member of the Commission:

LAFCO does not have representation in the rural communities of District 2. District 2 is approximately 90% rural unincorporated Monterey County and its needs are varied and served by the combination of Special Districts and Monterey County.

I believe I can best represent the unique needs of an area without city municipal services. Further, I have a good command of how special districts span both Santa Cruz and Monterey County. Additionally, I have extensive financial experience acquired over a 45 year career and bring this skill which is not well represented by the Commission.

Signed:



Name (Print):

Steve Snodgrass

Date:

2.3.22

Thank you for your interest in serving on LAFCO of Monterey County.

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

LOCAL AGENCY FORMATION COMMISSION
P.O. Box 1369
Salinas, CA 93902
Telephone (831) 754-5838

132 W. Gabilan Street, Suite 102
Salinas, CA 93901
www.monterey.lafco.ca.gov

KATE McKENNA, AICP
Executive Officer

DATE: March 28, 2022
TO: Chair and Members of the Formation Commission
FROM: Kate McKenna, AICP, Executive Officer
SUBJECT: Draft Annual Work Program for FY 2022-2023

SUMMARY OF RECOMMENDATIONS:

The Budget and Finance Committee recommends the following actions:

1. Receive a report from the Executive Officer;
2. Open the public hearing and receive any public comments;
3. Provide for questions or follow-up discussion by the Commission;
4. Close the public hearing, and
5. Discuss a motion to adopt the attached Resolution approving the annual work program for Fiscal Year 2022-2023.

EXECUTIVE OFFICER'S REPORT:

On February 18, 2022, the LAFCO Budget and Finance Committee recommended that the Commission adopt the proposed annual work program for Fiscal Year 2022-2023, attached as Exhibit A.

The proposed work program accomplishes the Commission's legislative purposes, mandates and local priorities. LAFCO provides essential services to our communities in building strong local economies. By keeping annexations, Sphere of Influence amendments, Municipal Service Reviews and other proposals and studies moving forward, LAFCO supports critical public needs for affordable housing, job growth, infrastructure improvements, fire protection and other municipal services, and maintaining food production for the nation. A skilled and dedicated staff remain flexible to adjust the work program to meet local agency needs that arise during the year, with an overall focus on economic growth and resiliency.

The work program is organized by six functions: (1) application processing; (2) special studies; (3) government and community relations; (4) Commission and Committee functions; (5) administrative and human resource management, and (6) financial management. The emphasis remains on the cost-efficient delivery of core LAFCO services in a responsive, professional and legally defensible manner.

Fiscal Impact

The proposed work program can reasonably be accomplished with the current staffing level (4.0 FTE), supplemented as may be needed with outside professional and administrative services. A draft budget has been prepared for Fiscal Year 2022-2023 (Agenda Item No. 7). It anticipates a continuity of resources to support the Commission's work program.

Public Notice

Notice of this public hearing was advertised in a local newspaper and posted on the LAFCO website. The agenda and a link to the posted agenda packet were distributed to local agencies, interested persons and organizations.

Alternative Actions

The Commission may modify the draft work program or provide other direction.

Respectfully Submitted,



Kate McKenna, AICP, Executive Officer

Attachments: Draft Resolution and Exhibit A (Annual Work Program for Fiscal Year 2022-2023)

THE LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

RESOLUTION NO. 22-xx

RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
ADOPTING THE FISCAL YEAR 2022-2023 WORK PROGRAM

WHEREAS, these proceedings are taken in conformance with the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the Government Code; and

WHEREAS, the Budget and Finance Committee of the Local Agency Formation Commission of Monterey County considered a proposed annual work program on February 18, 2022, and made its recommendations to the Commission; and

WHEREAS, the Local Agency Formation Commission of Monterey County considered these recommendations and conducted a duly noticed public hearing on March 28, 2022.

NOW, THEREFORE, the Local Agency Formation Commission of Monterey County does HEREBY RESOLVE, DETERMINE, AND ORDER the adoption of the Work Program for Fiscal Year 2022-2023 as shown in Exhibit A.

UPON MOTION of Commissioner _____, seconded by Commissioner _____, the foregoing resolution is adopted this 28th day of March 2022 by the following vote:

AYES:
NOES:
ALTERNATES
ABSENT:
ABSTAIN:

Christopher Lopez, Chair
Local Agency Formation Commission of Monterey County

ATTEST: I certify that this resolution is a true and complete record of said Commission's actions.

Witness my hand this 28th day of March, 2022.

By: _____
Kate McKenna, AICP, Executive Officer

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

DRAFT WORK PROGRAM

FISCAL YEAR 2022-2023

Proposal as of March 28, 2022

1. APPLICATION PROCESSING FUNCTIONS		
TASK	STATUS	COMMENTS
Process applications for boundary changes in a responsive, professional and efficient manner. For a current list, please see the monthly Executive Officer's Reports on Anticipated Agenda Items and Special Studies. Approximately 25 items are under active discussion or action.	ONGOING	Priority fast-tracking is given to applications for economic development, affordable housing, public health and safety, or other urgent needs.
Provide Commission with legally defensible recommendations and alternatives, and alert to litigation risks, liabilities and alternatives associated with potential actions.	ONGOING	

2. MUNICIPAL SERVICE REVIEWS AND SPHERE OF INFLUENCE STUDIES		
TASK	STATUS	COMMENTS
Prepare Municipal Service Reviews and Sphere of Influence Studies for: <ul style="list-style-type: none"> • City of Soledad <ul style="list-style-type: none"> ○ Major Sphere of Influence and annexation proposal on file • City of Gonzales <ul style="list-style-type: none"> ○ Major annexation proposals anticipated in 2022 and 2023. Also under discussion are an out-of-agency service request and/or Sphere of Influence amendments. • City of Marina <ul style="list-style-type: none"> ○ Discussion of various issues – future growth and services 	Current status varies by agency. See monthly Executive Officer's Reports on Anticipated Agenda Items and Special Studies (approx. 25 items).	State law requires periodic LAFCO review of all local agencies. Priorities and schedule are flexible to accommodate unanticipated needs and other work program tasks, including the priority processing of City, County or District applications.
As needed, update and publish LAFCO local agency and resource maps on the LAFCO web site. Also, respond to frequent agency requests for custom mapping of boundary/service information.	ONGOING	
As needed, develop and update local policies, procedures, applications, and flowcharts for Spheres of Influence, annexations, reorganizations, and other boundary changes for cities and districts.	ONGOING	

3. GOVERNMENT AND COMMUNITY RELATIONS

TASK	STATUS	COMMENTS
Engage in implementation of urgency legislation signed in February 2022 (SB 418), authorizing the formation of Pajaro Valley Healthcare District.	ONGOING	Monterey LAFCO hosted 25 stakeholders in a Jan. 2022 meeting. Continue to work with Santa Cruz County to coordinate potential changes to Salinas Valley Memorial Healthcare System boundaries, address needs for north Monterey County representation, and ensure financial sustainability.
Post public information on the LAFCO website. Review website layout, graphics, and content for an improved public experience. Also review and update brochures and fact sheets.	ONGOING	Website redesign is a priority.
Initiate informal meetings to discuss budget and policy issues with Cities, Special Districts and County, as appropriate.	ONGOING	
Attend meetings as requested by individual Special Districts. Attend quarterly Special Districts Association meetings. Attend quarterly Special Districts General Managers' Group meetings. Provide support for the nomination and election of Special District LAFCO Members.	ONGOING	
Attend meetings as requested by Cities, the City Managers Group and City Mayors Association. Provide support for the appointment of City Members to LAFCO.	ONGOING	
Provide support for appointment of Public Members to LAFCO.	ONGOING	
Attend meetings as requested by the County of Monterey. Provide support for appointment of County Members to LAFCO.	ONGOING	For example, LAFCO staff is a participant in the Monterey County Administrative Office's Property Tax discussions with Cities.
Provide early notice to County, Cities, and Special Districts of issues that may affect them, and opportunities to participate in the LAFCO process.	ONGOING	Examples are Pajaro Valley HCD item (above) and the MPWMD application.
Encourage and provide early LAFCO participation in Sphere of Influence updates, General Plan updates, City-County-District dialogues, and environmental review activities that affect government boundaries & services.	ONGOING	For example, the City of Salinas is preparing an update to its General Plan. LAFCO staff is participating in community meetings and will review draft documents.
Participate in regional activities for which LAFCO has indirect or direct responsibilities, as required by State law.	ONGOING	For example, LAFCO staff engages in AMBAG processes for regional housing, growth forecasts and transportation planning issues.

Participate in community educational opportunities to promote understanding and dialogue with various sectors of the Monterey County economy.	ONGOING	For example, the Monterey County Civil Grand Jury usually requests an annual LAFCO presentation.
Promote Monterey LAFCO's interests in statewide issues through active participation in the California Association of Local Agency Formation Commissions (CALAFCO).	ONGOING	The Commission receives a monthly CALAFCO activities report, and participates in policy, legislative and other issues. Commissioners and staff actively participate in CALAFCO conferences, workshops, and courses. LAFCO staff supports the work of Commissioner Lopez as an elected CALAFCO Board Member.
Facilitate constructive discussions with small cities & districts that request assistance to identify options for governance and the efficient, effective delivery of services. This supports LAFCO's mission to efficiently provide local government services. LAFCO provides facilitation services and is a clearinghouse for technical, financial and legal resources.	ONGOING	This task is evolving in importance. In recent years, we have assisted local agencies in Soledad area, Greenfield area, Spreckels and north Monterey County with their interests in reviewing options. We remain ready to help advance any options of interest.

4. COMMISSION AND COMMITTEE FUNCTIONS		
TASK	STATUS	COMMENTS
Provide support to ten regularly scheduled Commission meetings, special meetings to conduct the work of the Commission as needed, and Committee meetings, including the provision of public notices, agenda packets, web meeting broadcasts, and minutes.	ONGOING	Commission meetings are scheduled virtually through Zoom and are livestreamed on a new LAFCO YouTube Channel. In-person or hybrid meetings may resume in the future.
Hold monthly agenda review sessions with Chair.	ONGOING	
Conduct new Commissioner election, appointment, and orientation processes, as needed.	ONGOING	
Continue to participate in the CALAFCO legislative process to ensure that local interests are coordinated with policies and activities of the statewide organization. Continue to monitor state legislation. Continue to provide feedback to legislators and CALAFCO as needed. Continue to update local policies and procedures for consistency with approved legislation.	ONGOING	

Provide Commission with regular updates of laws, policies, and procedures.	ONGOING	
Support all required Commissioner needs for bi-annual ethics/harassment training and annual economic interests reporting.	ONGOING	Primary responsibility is for Public Members.

5. ADMINISTRATIVE AND HUMAN RESOURCES MANAGEMENT		
TASK	STATUS	COMMENTS
Maintain the LAFCO project tracking system.	ONGOING	
Maintain the staff time keeping, cost tracking, and invoicing systems for applications.	ONGOING	
Conduct annual review of Policies and Procedures for all LAFCO administrative and human resources functions.	ONGOING	
Identify and support staff training needs and opportunities, including professional certification, technical training, and ethics/harassment compliance.	ONGOING	
Conduct a periodic review of job classifications and salary ranges.	ONGOING	
Continue implementation of LAFCO's Records Management Policy, including conversion of paper records to searchable electronic format. This multi-year task is carried out by in-house staff.	ONGOING	

6. FINANCIAL MANAGEMENT		
TASK	STATUS	COMMENTS
Review and update the project fee schedule and hourly staffing rates, as needed.	ONGOING	
Compile existing financial policies into a chapter of the LAFCO administrative policies and procedures.	A review and update is underway.	
Continue to coordinate with the County Auditor, to obtain annual local agency contributions to LAFCO.	ONGOING	Current policies and procedures are satisfactory.
Complete annual audit for Fiscal Year 2021-2022.	Start Aug. 2022, complete by Dec. 2022	

<p>Conduct annual review of Benefits, Services and Supplies with the goal of continuing to control costs.</p>	<p>ONGOING</p>	
<p>Continue use of a three-year financial forecast to project upcoming needs and to provide the resources to meet these needs.</p>	<p>ONGOING</p>	<p>This tool is for informal use by the Budget & Finance Committee.</p>

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

KATE McKENNA, AICP
Executive Officer

LOCAL AGENCY FORMATION COMMISSION
P.O. Box 1369
Salinas, CA 93902
Telephone (831) 754-5838

132 W. Gabilan Street, Suite 102
Salinas, CA 93901
www.monterey.lafco.ca.gov

DATE: March 28, 2022

TO: Chair and Members of the Formation Commission

FROM: Kate McKenna, AICP, Executive Officer

SUBJECT: Proposed Annual Budget FY 2022-2023 (First Hearing)

SUMMARY OF RECOMMENDATIONS:

The Budget and Finance Committee recommends the following actions:

1. Receive a report from the Executive Officer;
2. Open the first public hearing and receive any public comments;
3. Provide for questions or follow-up discussion by the Commission;
4. Close the first public hearing;
5. Discuss and adopt a proposed budget for Fiscal Year 2022-2023;
6. Direct the Executive Officer to distribute the adopted proposed budget to the County, cities and independent special districts for review and comment, and
7. Direct the Executive Officer to schedule a second public hearing on April 25, 2022 at 4:00 p.m. to consider adoption of a final budget, continue to monitor economic conditions and adjust the budget as may be necessary during the year.

EXECUTIVE OFFICER'S REPORT:

This item was reviewed and recommended for approval by the Budget and Finance Committee on February 18.

Introduction and Accomplishing the Commission's Work Program

LAFCO works responsibly to control its costs. The Budget and Finance Committee provides oversight and recommendations, resulting in lean and timely budgets and prudent financial policies and practices. These practices consistently receive the highest ratings from an independent auditor, while maintaining the essential services provided by LAFCO. The emphasis remains on the cost-efficient delivery of core services in a responsive, professional and legally defensible manner. Core services, and the anticipated workload for FY 2022-2023, are described in the proposed work program (Agenda Item No. 6). The work program reflects a high demand for LAFCO services now and into the future. State law requires that the LAFCO budget be reasonable to accomplish the work program. By carefully managing service demands and available resources, the proposed budget (Attachment 7.1) will accomplish the Commission's work program for the new fiscal year.

LAFCO has operated with reduced COVID-19 budgets for two years. Expenditures were reduced by no COLAs, no merit step increases, and a reduction in funded staffing positions (from 4.5 ETE to 4.0 ETE). Cost shares from local agencies were reduced and budgets were balanced with supplements from the Unreserved Fund Balance (savings). These temporary practices were implemented in response to pandemic-related economic hardships faced by our local agencies. They are not sustainable financial practices.

The proposed budget is not a COVID-impact budget. It assumes a return to modest increases in expenditures for salaries, services and supplies. It assumes a return to full funding by the cities, districts and County. It assumes that no savings supplement will be used to balance the budget. It does NOT assume a return to higher staffing levels, but does provide for use of outside professional services as may be necessary.

Proposed Expenditures

Recommended total budget expenditures (\$1,079,655) are a four percent increase as compared to the current year budget (\$1,033,426).

Funded staffing levels will be maintained at 4.0 FTE positions, with 3 percent COLAs and merit steps based on performance. Outside professional services will be used as necessary to support the work of the Commission. Actions have been taken to bring some accounting tasks back in-house, resulting in lower line item costs for accounting/financial services. No benefit changes or new benefits are proposed, and some benefits will continue to not be offered.

Total expenditures for employee salaries and benefits (\$791,097) will increase by three percent as compared to the current year (\$764,627). Total expenditures for services and supplies (\$288,558) will increase by seven percent as compared to the current year (\$268,799).

Proposed Revenue

Proposed total revenues (\$1,079,655) are a four percent increase as compared to the current year adopted budget (\$1,033,426). Primary funding is from the County, cities and independent special districts, and minor funding is from project fees and interest.

In a significant change, the proposed budget includes NO supplemental revenue from the Unreserved Fund Balance. This compares to a supplement of \$122,353 in the current year budget and a supplement of \$258,414 in the prior year budget.

The other major change is the proposed cost share amount for each of the County, cities and districts groups. The proposed cost share is \$354,931 for each group. This is a 19 percent increase from the current year cost share for each group (\$298,814). A one-time adjustment is needed to bring cost shares back up to the level needed to fund LAFCO without relying on savings to balance the budget. Future cost share increases will be in modest increments.

Minor income is anticipated from project fees (\$10,000) and interest (\$4,862).

Process and Schedule

State law requires two public hearings for a LAFCO budget. Commission hearings were noticed for March 28 (to adopt a draft budget and distribute it to local agencies for review and comment) and April 25 (to adopt a final budget).

Cost share estimates for individual cities and special districts will be calculated by formula by the County Auditor-Controller's Office, based on the LAFCO's adopted budget for FY 2022-2023. The Monterey County Auditor-Controller will prepare and distribute invoices in June.

Alternative Action

The Local Agency Formation Commission may change the proposed budget or provide other direction.

Respectfully Submitted,



Kate McKenna, AICP
Executive Officer

Attachment: Proposed Annual Budget, FY 2022-2023 (First Hearing)

Local Agency Formation Commission of Monterey County			
Proposed Budget for Fiscal Year 2022-2023			
First Hearing - 3.28.2022			
	Adopted Budget FY 2021-22	Proposed Budget for FY 2022-23	Change (%)
REVENUE			
4000 - Project Fees - <i>See Note 1</i>	\$ 10,000	\$ 10,000	0%
4001 - Pass-through Fees	\$ -	\$ -	
4205 - County Contribution	\$ 298,814	\$ 354,931	19%
4210 - City Contributions	\$ 298,814	\$ 354,931	19%
4220 - Independent Special District Contributions	\$ 298,814	\$ 354,931	19%
4249 - Fort Ord Reuse Authority (FORA)- <i>See Note 3</i>	\$ -	\$ -	0%
3850 - Unreserved Fund Balance Supplement (as needed) - <i>See Note 2</i>	\$ 122,353	\$ -	-100%
4300 - Interest	\$ 4,631	\$ 4,862	5%
TOTAL REVENUES	\$ 1,033,426	\$ 1,079,655	4%
EXPENDITURES			
6000 - Employee Salaries	\$ 541,761	\$ 554,169	2%
6100 - Employee Benefits	\$ 222,866	\$ 236,928	6%
Total Salaries & Benefits	\$ 764,627	\$ 791,097	3%
7000 - Postage and Shipping	\$ 3,308	\$ 3,804	15%
7010 - Books and Periodicals	\$ 1,544	\$ 1,621	5%
7030 - Copy Machine Charges	\$ 11,025	\$ 11,576	5%
7040 - Outside Printers	\$ 6,300	\$ 6,300	0%
7060 - Office Supplies	\$ 6,615	\$ 6,946	5%
7070 - Office Equipment and Furnishings	\$ 6,615	\$ 6,946	5%
7080 - Computer/Hardware/Peripherals	\$ 5,513	\$ 5,789	5%
7085 - Computer Support Services (Fixed Costs)	\$ 11,576	\$ 12,155	5%
7090 - Computer Support Services (Variable Costs)	\$ 18,522	\$ 19,448	5%
7100 - Computer Software	\$ 1,158	\$ 1,216	5%
7105 - Meeting Broadcast Services	\$ 4,631	\$ 4,863	5%
7110 - Property and General Liability Insurance	\$ 12,882	\$ 8,700	-32%
7120 - Office Maintenance Services	\$ 441	\$ 463	5%
7140 - Travel	\$ 4,450	\$ 4,450	0%
7150 - Training, Conferences and Workshops	\$ 5,238	\$ 5,238	0%
7160 - Vehicle Mileage	\$ 1,575	\$ 1,575	0%
7170 - Rental of Buildings	\$ 28,772	\$ 28,772	0%
7200 - Telephone Communications	\$ 7,718	\$ 8,104	5%
7230 - Temporary Help Services (Clerical)	\$ -	\$ -	
7240 - Outside Professional Services	\$ 114,882	\$ 134,271	17%
Total for Line Items 7240-7249			
7240 - Outside Professional Services	\$ -	\$ 25,000	100%
7242 - Accounting and Financial Services	\$ 69,600	\$ 60,000	-14%
7242A - General Admin Services and HR Assistance	\$ 16,800	\$ 14,800	-12%
7245 - General Counsel and Special Counsel	\$ 8,269	\$ 8,682	5%
7247 - Human Resources-Other	\$ 5,513	\$ 5,789	5%
7248 - Annual Audit	\$ 14,700	\$ 20,000	36%
7249 - Temporary Professional Services-FORA Admin- <i>See Note 3</i>	\$ -	\$ -	0%
7250 - Miscellaneous Office Expenses	\$ 1,103	\$ 1,158	5%
7260 - Legal Notices	\$ 4,631	\$ 4,863	5%
7270 - Recruitment Expenses	\$ 1,000	\$ 1,000	0%
7280 - LAFCO Memberships	\$ 9,300	\$ 9,300	0%
7290 - Litigation Reserve	\$ -	\$ -	
7285 - Records Storage and Security	\$ -	\$ -	
7295 - Contingency Reserve	\$ -	\$ -	
Sub-total Services & Supplies	\$ 268,799	\$ 288,558	7%
TOTAL EXPENDITURES	\$ 1,033,426	\$ 1,079,655	4%

Please See Attachment 1 for Description of Budget Line Items.

Note 1: Commission policy is to show anticipated project fees as revenue in the year in which the fees are collected.

Note 2: Per adopted local LAFCO policy, the proposed revenue for FY 2022-2023 is projected to be fully funded by the Cities, Districts, and County. Fees have been frozen for 2 years even though costs have been rising. In FY 2020-2021, LAFCO reduced its fees by 10% to recognize the economic impacts of the virus on local governments. It continued to freeze fees at the reduced rate in 2021-2022. In order to get back to LAFCO's adopted policy, funds in the Unreserved Fund Balance will not be considered when balancing the 2022-2023 budget. The Unreserved Fund Balance is in healthy condition (\$1,043,300 as of June 30, 2021).

Note 3: These FORA income and expense items were for temporary professional assistance to perform FORA-related administrative tasks on an as-needed basis after FORA ceased operations on June 30, 2020.

Lafo is budgeting zero activity for FORA related items in 2022-2023.

DESCRIPTION OF FY 2022-2023 BUDGET LINE ITEMS

SALARIES & BENEFITS

Page 1 of 3

6000 EMPLOYEE SALARIES

This line item supports all work program activities of the Commission by 4 FTE positions. The part-time administrative position will remain vacant in 2022-2023. Lafco has budgeted the Clerk to the Commission Salary at Step 4 in order to fill the position with a more experienced individual. Assume merit and COLA increases in 2022-2023 as salaries have been frozen for the last 2 years due to the effects of the Covid-19 pandemic on our cities, districts and county. Includes overtime allowances for non-exempt employees (per law).

6100 EMPLOYEE BENEFITS

This line item assumes no new benefits and no benefit changes for 4 full time employees, and no change in benefit reductions that are already in place. Assumes minor increase in some benefit costs. Employee pays 100% of the employee share of retirement plan contributions. LAFCO is responsible for 100% of the employer share of retirement plan contributions as well as the employer's share of payroll taxes.

SERVICES & SUPPLIES

7000 Postage and Shipping

Includes postage for general correspondence and agenda packet delivery, express mail, courier service and certified mail. Also includes LAFCO election mailings to independent special districts, and distribution of budget and studies. Includes lease for mailing machine.

7010 Books & Periodicals

Includes newspaper subscriptions, publications and codes on LAFCO law, CEQA, employment law and other publications necessary to keep current on laws and trends.

7030 Copy Machine Charges

Includes copier machine leases, copies and maintenance. Assumes in-house production of studies for LAFCO's Municipal Service Reviews/Sphere of Influence studies, for cost and quality control purposes. Includes support of activities associated with pre-application and application processing functions. Includes production of resource maps, district election mailing materials, educational outreach materials, and other work program needs.

7040 Outside Printers

Includes copying of Commission/Committee agenda packets, some large volume publications, maps and other occasional needs. For 2022-2023, assume no increase in costs as Lafco continues to move toward electronic packets.

7060 Office Supplies

Includes annual consumable goods for office operations and work production.

7070 Office Equipment & Furnishings

Includes office furniture replacement, small tables and other miscellaneous items.

7080 Computer Hardware and Peripherals

Includes annual lease of work station computers and occasional purchase of laptops, audiovisual equipment and accessories. 5% increase estimated for increased costs for tech support from Monterey County as well as potential increase in annual leases.

7085 Computer Support Services (Fixed Costs)

Under contract with the County of Monterey or other vendor, this line item provides device support (e.g. computers and network printers). Services also include website housing, email, internet and network access, and high volume cloud storage. County IT is the primary vendor and fixes costs based on unit counts. Occasional device support service by other vendors is not fixed.

7090 Computer Support Services (Variable Costs)

Under contract with the County of Monterey, this line item provides micro systems (software) support, mapping and GIS support for LAFCO data layers that are stored in the County's centralized GIS system. Includes mapping/data analysis for LAFCO's busy Municipal Service Review/Sphere of Influence Update program. Includes County support for LAFCO website maintenance. Proposed budget reflects increases in data/mapping needs and increases in County rates. Charges are variable.

7100 Computer Software

Includes software updates and licenses to extend the security, compatibility and functions of computers.

7105 Meeting Broadcast Services	This account funds the live cable TV coverage of LAFCO meetings, and weekly TV re-broadcasts, under contract with the County of Monterey and its vendors. Costs are variable depending on number and length of meetings. Increase anticipates rise in rates for meeting broadcasts.
7110 Property and General Liability Insurance	Property and Errors & Omissions Insurance is obtained by contract with the Special Districts Risk Management Authority. Premiums reflect discounts for no claim history. Cost is fixed annually. The 2022-2023 budget reflects the current year gross package cost plus a 10% increase due to anticipated rising insurance costs. (\$7,909 plus a 10% increase of \$791)
7120 Office Maintenance Services	Includes general office cleaning, including blinds, cabinets and underneath furniture. (Basic janitorial service to empty trash and sweep floors is included in office lease.)
7140 Travel	Provides partial funding for employee, counsel and Commissioner travel for annual CALAFCO conference (October 2022), annual CALAFCO staff workshop (April 2023), and training classes. Includes some transportation, hotel and meal costs. For 2022-2023, the budget is staying the same as prior year as it has not been determined if conferences will be in person or virtual.
7150 Training, Conferences and Workshops	Provides partial funding for employee, counsel and Commissioner registrations at annual CALAFCO conference (October 2022), annual staff workshop (April 2023), and classes. For 2022-2023, the budget is staying the same as prior year as it has not been determined if conferences will be in person or virtual.
7160 Vehicle Mileage	Reimbursement for use of personal vehicles, at the government rate. For 2022-2023, the budget will remain the same as the prior year.
7170 Rental of Building	Includes minor increase in office rent, and includes utilities. The monthly building rent for 2022-2023 is set at \$2,397.69.
7200 Telephone Communications	Includes telephone, cell and fax charges, office wi-fi for laptop/visitor use, and system maintenance and repairs.
7230 Temporary Help Services (Clerical)	Not funded. All clerical work is generally done by in-house staff.
7240 Outside Professional Services	This line item includes: 7240: Outside Professional Services. Variable rate services on an as needed basis from Berkson and Associates who specializes in fiscal, financial and economic review. This line item may also include other minor contracts for professional services. 7242: Accounting and Financial Services. Reflects a proposed fixed rate contract with Hayashi Wayland for payroll, accounting, financial reporting services, GASB 68 Compliance and assistance to auditor (The agreed monthly fee is \$5,400. Of this amount, \$400/month is allocated to Account 7242A for Human Resource Assistance). The services that Hayashi Wayland provide enable the Clerk to focus more on her official role as Clerk to the Commission. 7242A: General Admin Services and HR Assistance. This line item includes a \$400/month retainer for human resource services provided by Hayashi Wayland (\$4,800/annually). In addition to Human Resources, the 2022-2023 budget includes \$10,000 for special projects that may arise during the fiscal year. The services that Hayashi Wayland provide enable the Clerk to focus more on her official role as Clerk to the Commission. 7245: General Counsel and Special Legal Counsel Services (Not Litigation). General Counsel costs are variable, with an annual cap of \$15,000 (per contract with County Counsel's Office). This line item fund is also intended for variable Special Legal Counsel costs, depending on need (per contract with Michael Colantuono). 7247: Human Resources Services-Other. Variable rate services from Liebert Cassidy Whitmore or other firm, on an as needed basis. 7248: Annual Audit. Fixed rate contract with Bianchi, Kasavan & Pope.

	7249: Temporary Professional Services-FORA Admin. This expense is for as-needed consulting services to mitigate the impact of post-FORA administrative tasks. LAFCO was placed in charge of dissolving FORA in June 2020, and Lafco's post-dissolution responsibilities may continue for several years. Lafco received \$100,000 in July 2020 from FORA to cover these costs. Since most of LAFCO's administrative tasks most likely occurred in the first year after FORA's dissolution, we are budgeting zero for this account in FY 2022-2023.
7250	Miscellaneous Office Expenses
	Minor expenses for office operations, Commission meetings and recording fees for LAFCO-initiated activities.
7260	Legal Notices
	Expenses for actions requiring public notices, such as annexations, Sphere of Influence updates, municipal service reviews and budgets. Some of these costs are reimbursable.
7270	Recruitment Expenses
	To fill any vacant position.
7280	LAFCO Memberships
	This line item includes the CALAFCO Membership, California Special Districts Association and Prime Membership. The CALAFCO membership provides access to legislative and educational activities. CSDA membership is required in order to get the Special District Authority's Workers Compensation Insurance and Property & Liability Insurance (Acct.# 7110). The Prime membership is used when ordering supplies. The cost savings is significant compared to buying from stores such as Office Max/Office Depot and Staples.
7290	Litigation Reserve
	Per Commission policy, the target funding for the litigation defense reserve is \$300,000. This target would be sufficient for one-year's estimated expenses. The balance sheet reserve is currently funded to target level for FY 2021-2022. LAFCO is indemnified in current litigation (PSMCSD) and will be indemnified for potential FORA-related litigation. Accordingly, no fund supplement is proposed for FY 2022-2023.
7285	Records Management
	Not funded for outside help. Records management is by in-house clerical staff.
7295	Contingency Reserve
	Per Commission policy, the target funding for the general contingency reserve is 25 percent of the annual budget. This balance sheet reserve is currently funded at \$258,357, which is about 100% of the target level for FY 2021-2022. No fund supplement is proposed for FY 2022-2023.

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

KATE McKENNA, AICP
Executive Officer

LOCAL AGENCY FORMATION COMMISSION
P.O. Box 1369
Salinas, CA 93902
Telephone (831) 754-5838

132 W. Gabilan Street, Suite 102
Salinas, CA 93901
www.monterey.lafco.ca.gov

DATE: March 28, 2022
TO: Chair and Members of the Formation Commission
FROM: Kate McKenna, AICP, Executive Officer
SUBJECT: **Personnel Announcement**

SUMMARY OF RECOMMENDATION:

This report is for information only.

EXECUTIVE OFFICER'S REPORT:

Safarina Maluki has joined the LAFCO staff on a regular, fulltime, at-will basis after working in our office in a temporary capacity since last October. She previously enjoyed a distinguished career in the Monterey County hospitality industry and with the City of Carmel-by-the-Sea.

Please extend a warm welcome and congratulations to Safarina in her appointment as Clerk to the Commission/Office Administrator.

Respectfully Submitted,



Kate McKenna, AICP
Executive Officer

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

LOCAL AGENCY FORMATION COMMISSION
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Salinas, CA 93902 Salinas, CA 93901
Telephone (831) 754-5838 www.monterey.lafco.ca.gov

KATE McKENNA, AICP
Executive Officer

DATE: February 28, 2022
TO: Chair and Members of the Formation Commission
FROM: Kate McKenna, AICP, Executive Officer
SUBJECT: **Support of CALAFCO-Sponsored Legislation**

SUMMARY OF RECOMMENDATION:

This report is for information only.

EXECUTIVE OFFICER'S REPORT:

This report provides an update on California Association of Local Agency Formation Commissions (CALAFCO)-sponsored legislation and local letters of support.

Monterey County LAFCO Chair Chris Lopez serves as a CALAFCO Board member and as a CALAFCO Legislative Committee member alternate. Your staff provides support to Chair Lopez in his CALAFCO capacities.

Recently, CALAFCO requested letters of support from its member LAFCOs for two sponsored bills, SB 938 (Hertzberg) Protest Provisions and AB 2957 Omnibus. These bills provide minor updates to sections of the Cortese-Knox-Hertzberg Act (CKH Act) to clean up, consolidate, and clarify existing statutory provisions. Both bills will improve LAFCO's ability to implement the CKH Act. Staff sent the attached letters in support of these legislative efforts. No Commission action is necessary.

Respectfully Submitted,



Kate McKenna, AICP
Executive Officer

Attachments:

1. Letter of support for SB 938 (Hertzberg) Protest Provisions, March 15, 2022
2. Letter of support for AB 2957 (Assembly Local Government Committee Omnibus), March 15, 2022

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

2022

Commissioners

Chair

Christopher Lopez
County Member

Vice Chair

Mary Ann Leffel
Special District Member

Luis Alejo

County Member

Wendy Root Askew
County Member, Alternate

Kimbley Craig
City Member

Matt Gourley
Public Member

Ian Oglesby
City Member

Warren Poitras
Special District Member

Steve Snodgrass
Public Member, Alternate

Graig R. Stephens
Special District Member, Alternate

Anna Velazquez
City Member, Alternate

Counsel

Kelly L. Donlon
General Counsel

Executive Officer

Kate McKenna, AICP

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March 15, 2022

Honorable Robert Hertzberg
California State Senate
1021 O Street, Room 8610
Sacramento, CA 95814

RE: SUPPORT of SB 938: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000: protest proceedings: procedural consolidation

Dear Senator Hertzberg:

I am writing on behalf of the Local Agency Formation Commission (LAFCO) of Monterey County to join the California Association of Local Agency Formation Commissions (CALAFCO) in support of your bill, SB 938, which makes changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act). SB 938 represents a collaborative three-year effort led by CALAFCO to clean up, consolidate, and clarify existing statutory provisions associated with consolidations and dissolutions, as well as codify the conditions under which LAFCO may initiate dissolution of a district at the 25% protest threshold (the latter of which are proposed and pending amendments).

The statutes related to protest provisions and the disparate protest thresholds established for LAFCO-initiated actions (10%) and all other initiated actions (25%) make addressing necessary and appropriate special district consolidations and dissolutions considerably more difficult when initiated by a LAFCO. Further, they serve as a deterrent for LAFCO to initiate action, even if meaningful efficiencies in the provision of public services could be achieved or if a district is failing to meet its statutory requirements.

As introduced, the bill represents the redraft of existing protest statutes with some minor technical clarifications added. The pending proposed amendments from CALAFCO allow LAFCOs to initiate dissolution of a district at the 25% protest threshold under specific circumstances. All of this work is in response to a recommendation made in the 2017 Little Hoover Commission report after a year-long study (*Special Districts: Improving Oversight and Transparency*) and the formation of a working group by CALAFCO of stakeholders in early 2019. The intent was to examine the protest process for consolidations and dissolutions of special districts, and after three years of work (delayed due to the pandemic), the working group came to consensus on the redraft of existing protest statutes (representative of SB 938 as introduced) and a new process that allows LAFCOs to initiate dissolution of a district at the 25% protest threshold under specific circumstances (pending amendment into SB 938).

The overarching goal of these changes is to ensure that LAFCOs have the tools we need to carry out our statutory obligations to ensure orderly and functioning local government services and to create greater consistency in the statute. The specific circumstances under which a dissolution may be initiated are more than reasonable and the subsequent process includes three noticed public hearings, a minimum 12-month remediation period, and a 60-day protest period, all of which are extremely practical. Additionally, the proposed process for LAFCO-initiated actions at the 25% protest threshold applies only to dissolutions, making the scope of use exceptionally narrow.

SB 938 makes much needed and long-awaited improvements to The Act through the restructure and clarification of existing protest provisions, and addition of a fair and appropriate process that offers LAFCOs additional tools necessary to effectively fulfill their statutory obligations.

We thank you for your authorship of this critical legislation and for continuing your long support of the work of LAFCOs. For all these reasons, we are pleased to support your bill SB 938.

Yours sincerely,

A handwritten signature in blue ink that reads "Kate McKenna". The signature is fluid and cursive, with a large initial "K" and "M".

Kate McKenna, AICP
Executive Officer

cc: Members, Senate Governance and Finance Committee
Anton Favorini-Csorba, Consultant, Senate Governance and Finance Committee
Ryan Eisberg, Consultant, Senate Republican Caucus
Rene LaRoche, Executive Director, California Association of Local Agency Formation Commissions

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY**2022****Commissioners****Chair**Christopher Lopez
*County Member***Vice Chair**Mary Ann Leffel
Special District Member

Luis Alejo

*County Member*Wendy Root Askew
*County Member, Alternate*Kimbley Craig
*City Member*Matt Gourley
*Public Member*Ian Oglesby
*City Member*Warren Poitras
*Special District Member*Steve Snodgrass
*Public Member, Alternate*Graig R. Stephens
*Special District Member, Alternate*Anna Velazquez
*City Member, Alternate***Counsel**Kelly L. Donlon
*General Counsel***Executive Officer**

Kate McKenna, AICP

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Salinas, CA 93902

Voice: 831-754-5838

www.monterey.lafco.ca.gov

March 15, 2022

Honorable Cecilia Aguiar-Curry, Chair
Assembly Local Government Committee
California State Assembly
1021 O Street, Room Suite 6350
Sacramento, CA 95814**RE: SUPPORT of AB 2957: Local Government Committee Omnibus Bill**

Dear Chair Aguiar-Curry:

I am writing on behalf of the Local Agency Formation Commission (LAFCO) of Monterey County to support the Assembly Local Government Committee Bill (AB) 2957, sponsored by the California Association of Local Agency Formation Commissions (CALAFCO), which makes technical, non-substantive changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act).

AB 1581 would make minor technical changes to the CKH Act which governs the work of LAFCOs. These changes are necessary as Commissions implement the Act and small inconsistencies are found or clarifications are needed to make the law as unambiguous as possible. AB 2957 includes technical corrections to language used in the CKH Act. LAFCO of Monterey County is appreciative of your Committee, staff and CALAFCO, all of whom worked meticulously on this language to ensure there are no substantive changes while increasing the clarity of the CKH Act for all stakeholders.

This legislation helps to strengthen the CKH Act and ensure that it remains a vital and practical law that is consistently applied throughout the state. We appreciate your Committee's authorship and support of this bill, and your support of the mission of LAFCOs.

Yours sincerely,

Kate McKenna, AICP
Executive Officer

CC:

Members, Assembly Local Government Committee
Jimmy MacDonald, Consultant, Assembly Local Government Committee
William Weber, Consultant, Assembly Republican Caucus
René LaRoche, Executive Director, CALAFCO