

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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ADOPTED MINUTES LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Adopted on May 23, 2022

Monday, April 25, 2022

All Commissioners and public participated in the meeting on Monday, April 25, 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 Alejo
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)

None

Staff Present

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

Also Present

Kelly L. Donlon, General Counsel

Pledge of Allegiance

Commissioner Leffel led the Pledge of Allegiance.

General Public Comments

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

There were no public comments.

Special Business

1. Administer the Oath of Office for Regular Public Member Commissioner Matt Gourley and Alternate Public Member Commissioner Steve Snodgrass for Terms Ending on the First Monday in May 2026.

Recommended Action: LAFCO Chair Lopez will administer the Oath of Office.

Commission Action:

Chair Lopez administered the Oath of Office for the Reappointment of Public Member (Regular) Commissioner Matt Gourley for a four year Term Ending on the First Monday in May 2026; and

Chair Lopez administered the Oath of Office for the Reappointment of Public Member (Alternate) Commissioner Steve Snodgrass for a four year Term Ending on the First Monday in May 2026.

Commissioners Gourley and Snodgrass took their seats and made a brief comment of thanks.

2. Consider a Resolution Declaring the 2022 Selection Results of the Independent Special District Selection Committee for a LAFCO Regular Member Representative.

Recommended Action: Adopt a Resolution Declaring the Results of a Process to Select a Regular Special District Member Representative on LAFCO.

There was one public comment from Melodie Chrislock.

Commission Action:

Upon motion by Commissioner Poitras, seconded by Commissioner Craig, the Commission adopted Resolution 22-05 Declaring the Election Results for a Regular Special District Member Representative on LAFCO Commission for a four year Term on the First Monday in May 2026 the following Roll Call Vote.

Motion Carried:

AYES: Commissioners: Alejo, Craig, Gourley, Oglesby, Poitras, Leffel, Lopez
NOES: Commissioners: None
ALTERNATES: Commissioners: Root Askew, Snodgrass, Stephens, Velazquez (Non-Voting)
ABSENT: Commissioners: None
ABSTAIN: Commissioners: None

3. Administer the Oath of Office for Regular Special District Member Commissioner Mary Ann Leffel for a Term Ending on the First Monday in May 2026.
Recommended Action: LAFCO Chair Lopez will administer the Oath of Office.

Commission Actions:

Chair Lopez administered the Oath of Office for the Reappointment of Independent Special District Member (Regular) Commissioner Mary Ann Leffel for a Term Ending on the First Monday in May 2026.

Commissioner Leffel took her seat and made a brief statement of thanks.

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.

4. 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.
5. Approve Draft Minutes from the March 28, 2022 LAFCO Regular Meeting.
Recommended Action: Approve minutes.
6. Approve Bank Warrant Register for March 2022.
Recommended Action: Approve warrant register.
7. Accept Report on Anticipated Agenda Items and Progress Report on LAFCO Special Studies.
Recommended Action: Accept report.

Commissioner Action:

Upon motion by Commissioner Leffel, seconded by Commissioner Oglesby, the Commission approved Consent Agenda Items #4 -#7 by a Roll Call Vote.

Motion Carried:

AYES: Commissioners: Alejo, Craig, Gourley, Oglesby, Poitras, Leffel, Lopez
NOES: Commissioners: None
ALTERNATES: Commissioners: Root Askew, Snodgrass, Stephens, Velazquez (Non-Voting)
ABSENT: Commissioners: None
ABSTAIN: Commissioners: None

Public Hearing

8. Conduct a Public Hearing to Consider the Draft Final Annual Budget for Fiscal Year 2022 – 2023 (Second Hearing).

Recommended Actions:

- (1) Receive a report from the Executive Officer;
- (2) Open the second public hearing and receive any public comments;
- (3) Provide for questions or follow-up discussion by the Commission;
- (4) Close the second public hearing;
- (5) Discuss and adopt a Resolution (attached) to Adopt the Final Budget for Fiscal Year 2022 – 2023, and
- (6) Direct the Executive Officer to transmit the Adopted Final Budget to the County, Cities and Independent Special Districts for apportionment of the net operating expenses pursuant to the requirements of Government Code Section 56381 (b)(1).

Executive Officer McKenna provided a report.

There were no public comments.

Commissioner Leffel reiterated the Budget and Finance Committee's support for the budget.

Commissioner Action:

Upon motion by Commissioner Alejo, seconded by Commissioner Leffel, the Commission adopted Resolution #22-XX to Adopt the Final Budget for Fiscal Year 2022-2023 and Directed the Executive Officer to transmit the Adopted Final Budget to the County, Cities and Independent Special Districts for apportionment of the net operating expenses pursuant to the requirements of Government Code Section 56381 (b)(1) by a Roll Call Vote.

Motion Carried:

AYES: Commissioners: Alejo, Craig, Gourley, Oglesby, Poitras, Leffel, Lopez
NOES: Commissioners: None
ALTERNATES: Commissioners: Root Askew, Snodgrass, Stephens, Velazquez (Non-Voting)
ABSENT: Commissioners: None
ABSTAIN: Commissioners: None

Executive Officer's Communications

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

9. Executive Officer's Communications
 - (a) Pajaro Valley Health Care District

Executive Officer, Kate McKenna provided a written report. Ms. McKenna also advised the Commission that she and Jonathan Brinkmann would be attending the Greenfield Memorial District Board Meeting on April 26th to provide training.

There were comments from Commissioners Alejo, Velazquez and Lopez regarding Legislation SB 418.

Closed Session

10. (a) The Commission will conduct a review of the Public Employee Annual Performance Appraisal Program in closed session, pursuant to Code Section 54957.
Position: LAFCO Executive Officer
- (b) Pursuant to Government Code Section 54956.9(d)(1), the Commission will confer with legal counsel regarding existing litigation: Monterey Peninsula Water Management District v. Local Agency Formation Commission of Monterey County; Commissioners of the Local Agency Formation Commission of Monterey County; and DOES 1 through 20, (Monterey County Superior Court Case No. 22CV000925).

Public Comments on Closed Session Items

There were no public comments.

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 4:18 p.m.

Reconvene on Public Agenda Items

The Commission RECONVENED to Open Session at 4:58 p.m.

Roll Call

Commissioner Alejo* Commissioner Alejo was present during item #10 (a) of the closed session and recused from item #10 (b) of the closed session.

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

Read Out from Closed Session by LAFCO General Counsel

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

General Consul, Kelly Donlon reported that Commissioner Alejo was present during item #10 (a) of the closed session and recused from item #10 (b) of the closed session. Counsel Donlon also stated that there were no reportable actions for the closed session items.

Commissioner 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 meeting was adjourned at 5:00 p.m. The next Regular LAFCO Meeting is scheduled for Monday, May 23, 2022 at 4:00 p.m.

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