

AGENDAS
LOCAL AGENCY FORMATION COMMISSION
OF MONTEREY COUNTY

SPECIAL COMMISSION MEETING

Monday, August 22, 2022

4:00 p.m.

Immediately Followed by the
REGULAR COMMISSION MEETING

Monday, August 22, 2022

The Commission will hold these meetings 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 Participate in the Meetings:** Use the Zoom app on your smart phone, laptop, tablet or desktop and click on this link: <https://montereycty.zoom.us/j/95989196460>

The meeting ID is: [959 8919 6460](https://montereycty.zoom.us/j/95989196460). There is no password. To make a public comment, please “Raise your Hand.”

***Please note that you shall only sign in once to attend both meetings.**

2. **To View these Meetings:** 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 meetings.

3. **To Participate by Phone:** Please call: +1 669 900 6833
Enter the meeting ID: [959 8919 6460](https://montereycty.zoom.us/j/95989196460) 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.

2022

Commissioners

Chair

Mary Ann Leffel
Special District Member

Vice Chair

Matt Gourley
Public Member

Luis Alejo

County Member

Wendy Root Askew

County Member, Alternate

Kimbley Craig

City Member

David Kong

*Special District Member,
Alternate*

Christopher Lopez

County Member

Ian Oglesby

City Member

Warren Poitras

Special District Member

Steve Snodgrass

Public Member, Alternate

Anna Velazquez

City Member, Alternate

Counsel

Kelly L. Donlon

General Counsel

Executive Officer

Kate McKenna, AICP

132 W. Gabilan Street, #102
Salinas, CA 93901

P. O. Box 1369
Salinas, CA 93902

Voice: 831-754-5838

www.monterey.lafco.ca.gov

AGENDA

Special Commission Meeting

This meeting will be conducted virtually by Zoom app and Livestreamed on the LAFCO of Monterey County YouTube channel

Monday, August 22, 2022

4:00 P.M.

AGENDA
SPECIAL COMMISSION MEETING
Monday, August 22, 2022

Call to Order

Roll Call

Pledge of Allegiance

General Public Comments

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

Special Business

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.

Adjournment to the Next Meeting

The next regular (remote) LAFCO Meeting on August 22, immediately follows this special meeting.

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.

2022

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AGENDA

Regular LAFCO Meeting

This meeting will be conducted virtually by Zoom app and Livestreamed on the LAFCO of Monterey County YouTube channel

Monday, August 22, 2022

AGENDA
REGULAR COMMISSION MEETING
Monday, August 22, 2022

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 Draft Minutes from the May 23, 2022 LAFCO Regular Meeting.
Recommended Action: Approve minutes.
2. Approve Bank Warrant Registers for May, June and July 2022.
Recommended Action: Approve warrant registers.
3. Accept Report on Anticipated Agenda Items and Progress Report on LAFCO Special Studies.
Recommended Action: Accept report.
4. Adopt Update to the LAFCO Rules and Regulations (“Bylaws”) for the Orderly and Fair Conduct of Hearings.
Recommended Action: Adopt Resolution finding that the proposed revisions are not a “project” for purposes of the California Environmental Quality Act, and adopting a proposed update to the LAFCO Rules and Regulations (“Bylaws”) for the Orderly and Fair Conduct of Hearings.
5. Accept FORA Dissolution Status Report.
Recommended Action: Accept status report.

New Business

6. Consider Business Items for the 2022 Annual Conference of the California Association of Local Agency Formation Commissions.

Recommended Actions:

- 1.) Authorize attendance of up to two staff, one general counsel and all seven Commissioners who expressed interest in attending the Annual CALAFCO Conference in Newport Beach on October 19 through October 21 (action item);
- 2.) Designate Regular and Alternate Delegates to represent LAFCO of Monterey County at the Conference (action item);
- 3.) Nominate Supervisor/Commissioner Chris Lopez for the CALAFCO Board County Representative seat (action item) Consider nominations for the County and Special District Member seats on the CALAFCO Board of Directors (action item);
- 4.) Receive information on the 2022 CALAFCO Achievement Awards (information item); and
- 5.) Receive information on CALAFCO activities (information item).

Public Hearings

7. Conduct a Public Hearing to Consider a Proposal from the Marina Coast Water District for a SOI Amendment and District Annexation totaling approximately 96 acres, in the City of Seaside's portion of the Ord Community.

Recommended Actions:

- 1.) Receive the Executive Officer's Report;
- 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.) Move to adopt a resolution (Attachment 1) to:
 - a. Consider the Final Environmental Impact Report (EIR) for the Campus Town Project and the categorical exemption for Parker Flats Apartments Project for which the City of Seaside certified and made findings in March 2020 and May 2022, respectively, pursuant to CEQA, to address the potential environmental effects of the proposed sphere amendment and annexation;
 - b. Approve the District's proposed sphere of influence amendment and annexation (see maps – Attachment 1, Exhibit A); and
 - c. Waive Conducting Authority ("protest") proceedings for this proposal.

8. Consider an Amendment to LAFCO's Schedule of Fees and Deposits.

Recommended Actions:

- 1.) Receive the Executive Officer's Report;
- 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.) Consider and adopt a resolution (Attachment 1) to amend LAFCO's Schedule of Fees and Deposits.

Executive Officer's Communications

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

9. Executive Officer's Communications:
 - a. LAFCO Response Letter regarding a Monterey County Civil Grand Jury Report – “Consolidation of Two North Monterey County Fire Districts”
 - b. Pajaro Valley Health Care District Update
 - c. Contract for Economic Analysis Services

 - d. City of Soledad Sphere Amendment and Annexation Proposal Thirty-Day Completeness Letter
 - e. County Agriculture Conservation Mitigation Program – Participation
 - f. Emergency Action Plan Training

Closed Session

10. 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).

The Commission Recesses for Closed Session Agenda Items

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

Public Comments on Closed Session Items

Reconvene on Public Agenda Items

Roll Call

Read Out from Closed Session by LAFCO General Counsel

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

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 next regular (remote) LAFCO Meeting is scheduled for Monday, September 26, 2022 at 4:00 pm. This meeting will be preceded by a special (remote) LAFCO Meeting on Monday, September 26, 2022 at 4:00 p.m. to consider AB 361 findings.

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