

**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

Christopher Lopez
County Member

Ian Oglesby
City Member

Warren Poitras
Special District Member

Steve Snodgrass
Public Member, Alternate

David Kong
Special District 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

**AGENDAS
LOCAL AGENCY FORMATION
COMMISSION
OF MONTEREY COUNTY**

**SPECIAL COMMISSION MEETING
Monday, December 5, 2022
4:00 p.m.**

**Immediately Followed by the
REGULAR COMMISSION MEETING
Monday, December 5, 2022**

**Board of Supervisors Chambers
Monterey County Government Center
168 West Alisal Street, First Floor
Salinas, California**

IMPORTANT COVID-19 NOTICE ON PAGE 2

IMPORTANT NOTICE REGARDING COVID-19

In order to minimize the spread of the COVID-19 virus, please do the following:

1. While the meeting room is open, you are strongly encouraged to observe the live stream of the Commission meetings at the following link:

<https://www.youtube.com/channel/UCIF6pPx2hn3Ek94Wg0UI7QA>

If you attend the Commission meeting in person, you will be required to maintain appropriate social distancing, i.e., maintain a 6-foot distance between yourself and other individuals.

2. If you choose not to attend the Commission meeting but wish to make general public comments, or comment on a specific agenda item, you may do so in two ways:

- a. Submit your comment via email by 5:00 p.m. on the Friday before the meeting. Please submit your comment to the Clerk of the Commission at: malukis@monterey.lafco.ca.gov. Please include the following Subject Line: "Public Comment – Agenda Item # __". All submitted comments will be provided to the Commission for consideration, compiled as part of the record, and may be read into the record.

- b. You may participate through Zoom. For Zoom participation, please join by computer audio at:

<https://montereycty.zoom.us/j/98674877100>

The meeting ID is: [986 7487 7100](https://montereycty.zoom.us/j/98674877100). There is no password. To make a public comment, please "Raise your Hand."

Please note that you will only sign in once to attend the Special and Regular Commission Meetings.

To Participate by Phone: Please call: +1 669 900 6833

Enter the meeting ID: [986 7487 7100](https://montereycty.zoom.us/j/98674877100) when prompted. There is no participant code – just enter the pound sign # after the recording prompts you. To make a public comment by phone, please push *9 on your phone keypad.

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AGENDA

Special Commission Meeting

These meetings will be conducted in person at the Board of Supervisors Chambers located in the Monterey County Government Center, 168 W. Alisal Street – Salinas. This meeting will also be conducted remotely by Zoom App and Livestreamed on the LAFCO of Monterey County YouTube channel.

Monday, December 5, 2022

4:00 P.M.

AGENDA
SPECIAL COMMISSION MEETING
Monday, December 5, 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

- 0.1 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.

(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Adjournment to the Next Meeting

The next regular hybrid (in person and remote) LAFCO Meeting on December 5, immediately follows this special meeting.

The Political Reform Act requires that a participant in a LAFCO of Monterey County proceeding who has a financial interest in a change of organization or reorganization proposal and who has made a campaign contribution of more than \$250 to any commissioner in the past year must disclose the contribution. If you are affected, please notify the Commission's staff before the hearing.

Pursuant to Government Code Section 54957.5, public records that relate to open session agenda items that are distributed to a majority of the Commission less than seventy-two (72) hours prior to the meeting will be made available to the public on the LAFCO of Monterey County website at www.monterey.lafco.ca.gov.

AMERICANS WITH DISABILITIES ACT (ADA): All regular and special meeting agendas and associated reports are available at www.monterey.lafco.ca.gov. Any person with a disability under the ADA may receive a copy of the agenda or associated reports upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, to participate in a public meeting. Requests for copies of meeting documents and accommodations shall be made with LAFCO of Monterey County staff at (831) 754-5838 at least three business days prior to the respective meeting.

LAFCO *of Monterey County*

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AGENDA

Regular LAFCO Meeting

This meeting will be conducted in person at the Board of Supervisors Chambers located in the Monterey County Government Center, 168 W. Alisal Street – Salinas. This meeting will also be conducted remotely by Zoom app and Livestreamed on the LAFCO of Monterey County YouTube channel.

Monday, December 5, 2022

AGENDA
REGULAR COMMISSION MEETING
Monday, December 5, 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 September 26, 2022 Special and Regular LAFCO Commission Meetings.
Recommended Action: Approve minutes.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
2. Accept Draft Notes from the November 2, 2022 Budget & Finance Committee Meeting.
Recommended Actions: Accept notes.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
3. Accept Actuarial Report of Other Post-Employment Benefits (GASB 75) for Fiscal Year Ending June 30, 2022.
Recommended Action (By Budget & Finance Committee): Accept report for information only.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
4. Adopt the Year-End Financial Statements for Fiscal Year Ending June 30, 2022.
Recommended Action (By Budget & Finance Committee): Adopt the official year-end financial statements for the period ending June 30, 2022.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
5. Adopt the Quarterly Financial Statements for Period Ending September 30, 2022.
Recommended Action (By Budget & Finance Committee): Adopt the financial statements for the period that ended on September 30, 2022.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
6. Accept the October 31, 2022 Draft Balance Sheet and Income Statement.
Recommended Action: Accept statements for information only.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

7. Accept CalPERS Retirement Plan Actuarial Valuation Reports for Fiscal Year Ending June 30, 2021, Dated July 2022.
Recommended Action (By Budget & Finance Committee): Accept reports for information only.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
8. Adopt a Resolution Approving an Amendment to the Executive Officer's Spending Authority Policy.
Recommended Action (By Budget & Finance Committee): Adopt the resolution.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
9. Accept Correspondence Regarding the Merger of Hayashi & Wayland, LLP with CliftonLarsonAllen, LLP, effective November 1, 2022.
Recommended Action (By Budget & Finance Committee): Accept correspondence for information only.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
10. Approve Report on Anticipated Agenda Items and Progress Report on LAFCO Special Studies.
Recommended Action: Approve report for information only.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
11. Accept Report on Activities of the California Association of Local Agency Formation Commissions.
Recommended Action: Accept report for information only.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

New Business

12. Consider the Final Annual Audit Report for Fiscal Year Ending June 30, 2022.
Recommended Actions (by Budget and Finance Committee):
 - 1.) Receive the Executive Officer's Report;
 - 2.) Receive a presentation from Ms. Karen Campbell, CPA and Senior Audit Manager, Bianchi Kasavan and Pope, LLP;
 - 3.) Receive any public comments;
 - 4.) Provide for any questions or follow-up discussion by the Commission; and
 - 5.) Adopt the final audit for the fiscal year ending June 30, 2022.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Public Hearings

13. Consideration of 2022 Municipal Service Review and Sphere of Influence Study for the City of Soledad
Recommended Actions:
 - 1.) Receive a report from the Executive Officer;
 - 2.) Open the public hearing and public comment period, receive any public comments, and close the public hearing;
 - 3.) Provide for questions or follow-up discussion by the Commission;
 - 4.) Consider the Public Review Draft 2022 *Municipal Service Review and Sphere of Influence Study for the City of Soledad* ("Study," Attachment 1); and
 - 5.) Consider and adopt a resolution (Attachment 2) to:
 - a. Find the action exempt from provisions of the California Environmental Quality Act (CEQA) under Sections 15306 and 15061(b)(3) of the CEQA Guidelines; and

- b. Adopt the Study and make the recommended Municipal Service Review and Sphere of Influence determinations in accordance with Government Code sections 56430(a) and 56425(e), respectively, as set forth in the Study.

(CEQA: Categorical Exemption, California Environmental Quality Act Guidelines Sections 15306 and 15061(b)(3)).

14. Consider the City of Soledad's Miramonte proposal, involving an increase in the city's sphere of influence by approximately 654 acres and concurrent annexation of this area to the city. The proposal would also involve detachment of this area from the Mission Soledad Rural Fire Protection District and the Resource Conservation District of Monterey County. The annexation area would accommodate future development of up to approximately 2,392 residential dwellings, 100,000 square feet of commercial/retail space, and related public uses. (LAFCO file 20-01)

Recommended Actions:

1. Receive a report and presentation by the Executive Officer, including input from economic consultant Richard Berkson;
2. Receive a presentation by the City of Soledad;
3. Open the public hearing, receive any public comments, and close the public comment period;
4. Provide for questions or follow-up discussion by the Commission;
5. Adopt a resolution to consider the 2010 Final Environmental Impact Report and 2018 Addendum that the City prepared to address the Miramonte proposal's potential environmental effects, adopt findings of fact and a statement of overriding considerations pursuant to the California Environmental Quality Act, and approve the sphere of influence amendment component of the City's proposal (Attachment 1); and
6. Continue the public hearing for the annexation and detachments components of the proposal to the regular January 23, 2023 LAFCO meeting, for the purpose of requiring revisions to the proposal to achieve consistency with LAFCO policies.

Executive Officer's Communications

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

15. Executive Officer's Communications:
 - a. Presentation to County Counsels' Association of California;
 - b. Assistance to San Benito LAFCO, and
 - c. Clerk to the Commission/Office Administrator Training.

(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

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 hybrid (in person & remote) LAFCO Meeting is scheduled for Monday, January 23, 2023 at 4:00 pm.

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