

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

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Salinas, CA 93902

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SPECIAL MEETING MINUTES LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Adopted December 5, 2022

Monday, September 26, 2022

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

All Commissioners and public participated in the meeting on Monday, September 26, 2022 in person or by Zoom video conference or telephone.

Call to Order

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

Roll Call

Commissioner Alejo

Commissioner Root Askew (Joined meeting at 4:13 p.m.)

Commissioner Craig

Commissioner Kong

Commissioner Lopez

Commissioner Oglesby (Joined meeting at 4:03 p.m.)

Commissioner Poitras

Commissioner Velazquez

Vice Chair Gourley

Chair Leffel

Members Absent (Excused Absence)

Commissioner Snodgrass

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 Kong 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

- 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.

Commissioner Action:

Upon motion by Commissioner Alejo, seconded by Commissioner Lopez, the Commission approved the finding pursuant to AB 361 and in order for the Commission to continue to meet remotely; 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.

Motion Carried:

AYES: Commissioners: Alejo, Craig, Lopez, Oglesby, Poitras, Vice Chair Gourley, Chair Leffel

NOES: Commissioners: None

ALTERNATES: Commissioners: Root Askew, Kong, Velazquez (Non-Voting)

ABSENT: Commissioners: Snodgrass,

ABSTAIN: Commissioners: None

Adjournment to the Next Meeting

The special meeting was adjourned at 4:04 p.m. The next hybrid (in person and remote) Regular LAFCO Meeting scheduled for Monday, September 26, 2022, commenced immediately following the special meeting at 4:04 p.m.

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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REGULAR MEETING MINUTES LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Adopted December 5, 2022

Monday, September 26, 2022

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

All Commissioners and public participated in the meeting on Monday, September 26, 2022 in person or by Zoom video conference or telephone.

Call to Order

The Local Agency Formation Commission was called to order by Chair Leffel at 4:04 p.m.

Roll Call

Commissioner Alejo

Commissioner Root Askew

(Joined at 4:13 p.m.)

Commissioner Craig

Commissioner Kong

Commissioner Lopez

Commissioner Oglesby

Commissioner Poitras

Commissioner Velazquez

Vice Chair Gourley

Chair Leffel

Members Absent (Excused Absence)

Commissioner Snodgrass

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

Chair Leffel dispensed with the Pledge of Allegiance, following the Pledge of Allegiance at the Special Meeting held prior to the Regular Meeting.

General Public Comments

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

There were no public comments.

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 August 22, 2022 Special and Regular LAFCO Commission Meeting.
Recommended Action: Approve minutes.
2. Approve Draft Notes from the September 9, 2022 Budget & Finance Committee Meeting.
Recommended Action: Approve notes.
3. Approve Draft Notes from the September 9, 2022 Budget & Finance Committee Meeting.
Recommended Action (By Budget & Finance Committee): Receive for information only.
4. Approve Draft Balance Sheet as of May 31, 2022 and Draft Profit/Loss Statement for May 31, 2022.
Recommended Action (By Budget & Finance Committee): Receive for information only.
5. Approve Draft Balance Sheet as of June 30, 2022 and Draft Profit/Loss Statement through June 30, 2022.
Recommended Action (By Budget & Finance Committee): Receive for information only.
6. Approve Draft Balance Sheet as of July 31, 2022 and Draft Profit/Loss Statement for July 31, 2022.
Recommended Action (By Budget & Finance Committee): Receive for information only.
7. Approve Draft Balance Sheet as of August 31, 2022 and Draft Profit/Loss Statements through August 31, 2022.
Recommended Action (By Budget & Finance Committee): Receive for information only.
8. Approve the Update to the Procedure for Review of the Monthly LAFCO Bank Warrant Registers by the Commission.
Recommended Action (By Budget & Finance Committee): Approve the Update to discontinue the monthly review of LAFCO Bank Warrant Registers.
9. Adopt Resolution Updating the LAFCO Rules and Regulations (“Bylaws”) for the Orderly and Fair Conduct of Hearings.
Recommended Action (By Budget & Finance Committee): Adopt Resolution updating the LAFCO Rules and Regulation (“Bylaws”).
10. Approve Office Lease Agreement – Amendment No. 7.
Recommended Action (By Budget & Finance Committee): Approve Amendment No. 7 to the LAFCO office lease agreement for 132 W. Gabilan Street, Salinas.

11. Approve Draft Schedule of Regular LAFCO Meetings for 2023.
Recommended Action: Approve 2023 Meeting Schedule.
12. Accept Report on Anticipated Agenda Items and Progress Report on LAFCO Special Studies.
Recommended Action: Accept report.

Commissioner Action:

Upon motion by Commissioner Alejo, seconded by Commissioner Craig, the Commission approved Consent Agenda Items #1 – #12 by a Roll Call Vote.

Motion Carried (Roll Call Vote):

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

Public Hearings- Continued from August 22, 2022 Regular Meeting

13. Consider a Draft Resolution to amend LAFCO’s Schedule of Fees and Deposits – Continued Public Hearing from August 22, 2022.

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.

Senior Analyst Jonathan Brinkmann presented the report.

There were no public comments.

Commissioner Poitras asked a question of staff. Senior Analyst Brinkmann responded. There were no further questions from the Commission.

Commission Actions:

Upon motion by Commissioner Oglesby and seconded by Commissioner Lopez, the Commission adopted Resolution #22-12 to amend LAFCO’s Schedule of Fees and Deposits by a Roll Call Vote.

Motion Carried (Roll Call Vote):

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

Executive Officer's Communications

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

14. Executive Officer's Communications

- a. City of Gonzales – Out-of-Agency Service Extension to Alpine Camp Farmworker Housing (LAFCO File 22-03).

Executive Officer McKenna updated the Commission on the City of Gonzales item and an application completeness notice sent to the City of Soledad on September 22, 2022 (Miramonte Proposal).

There were comments from Commissioner Lopez.

Executive Officer McKenna answered a question from Commissioner Alejo.

There were comments from Commissioners Velazquez, Oglesby and Chair Leffel.

Closed Session

15. 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

There were no public comments.

The Commission ADJOURNED to Closed Session at 4:19 p.m.

Reconvene on Public Agenda Items

The Commission RECONVENED to Open Session at 4:34 p.m.

Roll Call

Commissioner Alejo
Commissioner Root Askew
Commissioner Craig
Commissioner Kong
Commissioner Lopez
Commissioner Oglesby
Commissioner Poitras
Commissioner Velazquez
Vice Chair Gourley
Chair Leffel

Read Out from Closed Session by LAFCO General Counsel

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

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

There were no Commissioner comments.

Adjournment to the Next Meeting

A motion to adjourn was made by Commissioner Lopez and seconded by Commissioner Craig.

The meeting was adjourned by Chair Leffel at 4:36 p.m. The next regular hybrid (in person & remotely) LAFCO Meeting is scheduled for Monday, October 24, 2022 at 4:00 pm.

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