

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

SPECIAL MEETING MINUTES LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Adopted December 19, 2022

Monday, December 5, 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, December 5, 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 4:07 p.m.

Roll Call

Commissioner Alejo

Commissioner Root Askew

Commissioner Craig

Commissioner Kong

(Attended meeting via Zoom)

Commissioner Lopez

Commissioner Oglesby

(Attended meeting via Zoom)

Commissioner Poitras

Commissioner Snodgrass

Commissioner Velazquez

(Attended meeting via Zoom)

Vice Chair Gourley

Chair Leffel

Members Absent (Excused Absence)

None

Staff Present

Kate McKenna, Executive Officer

Mike Briley, CPA, CGMA, Regional Managing Principal, CliftonLarsonAllen, LLP

(Attended meeting via Zoom)

Karen Campbell, CPA and Senior Audit Manager, Bianchi Kasavan and Pope, LLP

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 Gourley 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.

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

Commissioner Action:

Upon motion by Commissioner Lopez, seconded by Commissioner Gourley, 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, Snodgrass, Kong, Velazquez (Non-Voting)

ABSENT: Commissioners: None

ABSTAIN: Commissioners: None

Adjournment to the Next Meeting

The special meeting was adjourned at 4:10 p.m. 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.

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

REGULAR MEETING MINUTES LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Adopted December 19, 2022

Monday, December 5, 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, December 5, 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 4:11 p.m.

Roll Call

Commissioner Alejo

Commissioner Root Askew

Commissioner Craig

Commissioner Kong

(Attended meeting via Zoom)

Commissioner Lopez

Commissioner Oglesby

(Attended meeting via Zoom)

Commissioner Poitras

Commissioner Snodgrass

Commissioner Velazquez

(Attended meeting via Zoom)

Vice Chair Gourley

Chair Leffel

Members Absent (Excused Absence)

None

Staff Present

Kate McKenna, Executive Officer

Mike Briley, CPA, CGMA, Regional Managing Principal, CliftonLarsonAllen, LLP
(Attended meeting via Zoom)

Karen Campbell, CPA and Senior Audit Manager, Bianchi Kasavan and Pope, LLP

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 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. Approve Draft Notes from the November 2, 2022 Budget & Finance Committee Meeting
Recommended Action: Approve 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).

Commissioner Action:

Upon motion by Commissioner Gourley seconded by Commissioner Craig, the Commission approved Consent Agenda Items #1 – #11 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, Snodgrass, Velazquez (Non-Voting)
 ABSENT: Commissioners: None
 ABSTAIN: Commissioners: None

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).

Karen Campbell, CPA presented the report.

There were no public comments.

Ms. Campbell answered questions from Commissioner Snodgrass.

Commission Actions:

Upon motion by Commissioner Alejo and seconded by Commissioner Lopez, the Commission adopted the final audit for the fiscal year ending June 30, 2022.

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

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)).

Executive Officer McKenna & Senior Analyst Brinkmann presented the report.

There were no comments from the public.

There were no comments from the Commissioners.

Commission Actions:

Upon motion by Commissioner Lopez and seconded by Commissioner Alejo, the Commission adopted the 2022 Municipal Service Review and Sphere of Influence Study for the City of Soledad.

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

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 McKenna and Principal Analyst McBain presented the report.

There were comments from the public.

There were comments and questions from the Commissioners.

Commission Actions:

Upon motion by Commissioner Gourley and seconded by Commissioner Lopez, the Commission adopted the resolution of statement of overriding considerations pursuant to the California Environmental Quality Act and approved the sphere of influence amendment of the City of Soledad to include the approximately 654-acre Miramonte specific plan area ((LAFCO File No. 20-01).

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

There were comments from the Commissioners.

Commission Actions:

Upon motion by Commissioner Lopez, and seconded by Commissioner Alejo, the motion was made to continue the public hearing to a date before the end of the calendar year on the annexation component of the City's proposal and to adopt a resolution of intent directing staff to prepare a new resolution approving the full annexation, as proposed by the City of Soledad, subject to revisions to the City's proposed agricultural mitigation actions and agricultural buffer, including consideration of potential conditions of approval relating to these items, to be determined in consultation among the applicant, the City representatives and LAFCO staff.

Motion Carried (Roll Call Vote):

AYES: Commissioners: Alejo, Craig, Lopez, Poitras, Vice Chair Gourley, Chair
Leffel
NOES: Commissioners: Oglesby
ALTERNATES: Commissioners: Root Askew, Kong, Snodgrass, 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.

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.

There were no Commissioner comments.

Adjournment to the Next Meeting

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

The meeting was adjourned by Chair Leffel at 8:00 p.m. The next special LAFCO Meeting (remotely by Zoom) is scheduled for Monday, December 19, 2022 at 4:00 pm.

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.