

2023

Commissioners

Chair

Mary Ann Leffel
Special District Member

Vice Chair

Matt Gourley
Public Member

Mary Adams

County Member, Alternate

Wendy Root Askew
County Member

Glenn Church
County Member

Kimbley Craig
City Member

David Kong
Special District Member, Alternate

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

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Regular Meeting DRAFT MINUTES LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Adopted on June 26, 2023

Monday, May 22, 2023

All Commissioners and public participated in the meeting on Monday, May 22, 2023 in person or by Zoom video conference.

Call to Order

The Local Agency Formation Commission was called to order by Vice Chair Gourley at 3:00 p.m.

Roll Call

Commissioner Adams
Commissioner Church
Commissioner Craig
Commissioner Kong
Commissioner Oglesby
Commissioner Velazquez
Vice Chair Gourley

Voting in place of Root Askew (County)
Arrived at 3:07 p.m.

Voting in place of Leffel (Special District)

Members Absent (Excused Absence)

Commissioner Root Askew
Chair Leffel
Commissioner Poitras
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
Reed Gallogly, Deputy Counsel

Pledge of Allegiance

All Commissioners participated in 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.

Public Comments on Closed Session Items

There were no comments from members of the public.

♦Commissioner Oglesby recused himself from the Closed Session item for this meeting and all future meetings as a member of the Monterey Peninsula Water Management District Board of Directors.

♦Commissioner Adams recused herself from the Closed Session item for this meeting and all future meetings as Chair of the Monterey Peninsula Water Management District Board of Directors.

With no Closed Session quorum, Vice Chair Gourley exercised discretion to move to agenda item #2.

Special Business

2. Select the LAFCO Chair and Chair Pro Tempore for a Period Ending in May 2024.
Recommended Action: Conduct the Selection Process and select the Chair and Chair Pro Tempore for a one-year period ending on May 6, 2024.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Executive Officer McKenna presented the report, and thanked outgoing Chair Leffel (Special Districts) for her service.

There were no comments from the public.

Commission Action: Chair

Upon motion by Commissioner Craig, with a second from Commissioner Adams, the Commission unanimously selected Commissioner Gourley as Chair for a one-year period ending on Monday, May 6, 2024.

Commissioner Action: Pro Tempore

Upon motion from Commissioner Oglesby, seconded by Commissioner Adams, the Commission unanimously selected Commissioner Craig as Vice Chair.

With the arrival of Commissioner Church, a quorum for Closed Session was confirmed.

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 3:09 p.m.

7. Authorize the Executive Officer to Execute Professional Services Agreement with CliftonLarsonAllen, LLP for Accounting and Related Services.
Recommended Action (By Budget & Finance Committee): Authorize agreement with CliftonLarsonAllen, LLP for Accounting and Related Services for the fiscal years ending June 30, 2024, 2025 and 2026.
 (CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

8. Authorize the Executive Officer to execute Professional Services Agreement with Bianchi, Kasavan and Pope, LLP for Audit Services.
Recommended Action (By Budget & Finance Committee): Authorize agreement with Bianchi, Kasavan & Pope, LLP for Audit Services for the fiscal years ending June 30, 2024, 2025 and 2026.
 (CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

9. Accept Report on Anticipated Agenda Items and Progress Report on LAFCO Special Studies.
Recommended Action: Accept report for information only.
 (CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Commissioner Adams pulled item # 3 and requested that the Commissioners listed on the minutes for April 24 Commission meeting be updated to reflect the current LAFCO Commission.

Commissioner Action:

Upon motion by Commissioner Adams, seconded by Commissioner Church, Consent Agenda Items #4 – #8 were unanimously approved by those present.

Motion Carried.

Commissioner Action:

Upon motion by Commissioner Craig, seconded by Commissioner Oglesby, Consent Agenda Item #3 was unanimously approved by those present. Chair Gourley abstained from voting on Consent Agenda item #3 as he was not present at the April 24, 2023 Commission meeting.

Motion Carried

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

Commissioner Velazquez pulled item #9 for comments.

Commissioner Action:

Upon motion by Commissioner Craig, seconded by Commissioner Adams Consent Agenda Item #9 was unanimously approved by those present.

Motion Carried

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

New Business

10. Consider Business Items for the 2023 Annual Conference of the California Association of Local Agency Formation Commissions (CALAFCO).

Recommended Actions:

- 1.) Receive the Executive Officer's Report;
- 2.) Authorize attendance by four staff, one general counsel, and all Commissioners who express interest in attending the Annual CALAFCO Conference in Monterey on October 18-20;
- 3.) Designate Regular and Alternate Delegates to represent LAFCO of Monterey County at the Conference;
- 4.) Receive and take no action on election nomination information for City and Public Member Seats on the CALAFCO Board of Directors; and
- 5.) Receive and take no action on nomination information for the 2023 CALAFCO Achievement Awards.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Executive Officer McKenna and Senior Analyst Brinkmann presented the report.

There were questions from Commissioners Craig and Adams.

There were no comments from the public.

Commissioner Actions:

1. The Commission received the Executive Officer's Report;
2. Upon motion from Chair Gourley and seconded by Commissioner Adams, the Commission unanimously authorized and approved the attendance of LAFCO staff, general counsel and all Commissioners who were interested in attending the Annual CALAFCO Conference;
3. Upon motion from Commissioner Adams and seconded by Chair Gourley, the Commission unanimously approved and designated Chair Gourley as the Regular Delegate and Commissioner Craig as the Alternate Delegate to represent LAFCO of Monterey County at the 2023 Annual Conference;
4. The Commission received the election nomination information for City and Public Member Seats on the CALAFCO Board of Directors. For Information only, and;
5. The Commission received the nomination information for the 2023 CALAFCO Achievement Awards. For Information only.

Motions Carried:

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

Executive Officer's Communications

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

II. Communications

- a. County of Monterey – Draft Farmland Mitigation Ordinance.
- b. Work Program Update – (Existing) Greenfield-Area Municipal Service Review and (New) Soledad-Area Municipal Service Review.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Executive Officer McKenna provided the report and updates.

Executive Officer McKenna announced the departure of General Counsel Donlon as Counsel to LAFCO of Monterey County. General Counsel Donlon introduced her replacement, Reed W. Gallogly to the Commission.

There were Commissioner comments from Commissioner Craig regarding the draft Farmland Mitigation Ordinance and a request that LAFCO Staff stop participating in Meetings.

Chair Gourley suggested a workshop be agendized to provide the Commission with a better understanding of all the boundaries for the cities involved.

Commissioner Velazquez supported Chair Gourley's suggestion of a workshop.

Commissioner Oglesby supported a review of the standards that were put in effect twenty years ago, so that cities with objections would be on the record.

Commissioner Craig voiced concerns about LAFCO Staff recommendations on the matter without prior discussion or direction from the Commission.

Commissioner Velazquez and Chair Gourley provided additional comments.

Commissioner Craig made a motion that LAFCO Staff table discussions with Monterey County until the item has been agendized and discussed by the Commission. There was a second from Commissioner Oglesby.

General Counsel Donlon provided clarity on the motion. Commissioners had questions regarding LAFCO's role at the ad hoc sub committee to the County of Monterey's Agricultural Advisory Committee.

Commissioner Adams did not support the motion as it limits staff's ability to do their job and limits full participation disclosure.

Commissioner Oglesby would like Cities to have the ability to review issues prior to when the County moves forward.

Commissioner Craig voiced concerns and maintained the motion. Commissioner Oglesby withdrew his second, asked that Commissioner Craig's comments be noted for the record and the Commission move towards a workshop. With that assurance, Commissioner Craig withdrew the motion.

Executive Officer McKenna confirmed that Staff would bring the item back for discussion at the June Regular Meeting and an in depth meeting with the other Cities at the August Regular Meeting.

Chair Gourley requested that the guiding principles and mitigation information be forwarded to the Commissioners as soon as possible.

Commissioner Velazquez recommended and suggested a workshop to review the previous policies and perhaps revise them, if they no longer apply.

Commissioner Oglesby stated that LAFCO should be reviewing the core values established 30 years ago at the same time as the County.

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.

Commissioner Oglesby expressed his thanks and appreciation to outgoing Chair/Commissioner Leffel for her time as Vice Chair and Chair; welcomed Chair Gourley and Vice Chair Craig, and expressed thanks and appreciation to outgoing General Counsel Donlon.

Commissioner Velazquez expressed her thanks and appreciation to General Counsel Donlon.

Adjournment to the Next Meeting

A motion to adjourn was made by Chair Gourley and seconded by Commissioner Craig and unanimously approved by the Commission.

Chair Gourley adjourned the meeting at 4:15 p.m.

The next Regular LAFCO Meeting is scheduled for Monday, June 26, 2023 at 3:00 p.m. in the **Monterey Room at the Monterey County Government Center (Second Floor, 168 W. Alisal Street).**

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.