

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

2023

Commissioners

Chair

Matt Gourley
Public Member

Vice Chair

Kimbley Craig
City Member

Mary Adams
County Member, Alternate

Wendy Root Askew
County Member

Mike Bikle
(Swear in - 9.25.2023)
Public Member, Alternate

Glenn Church
County Member

David Kong
Special District Member, Alternate

Mary Ann Leffel
Special District Member

Ian Oglesby
City Member

Warren Poiras
Special District Member

Anna Velazquez
City Member, Alternate

Counsel

Reed Gallogly
General Counsel

Executive Officer

Kate McKenna, AICP

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AGENDA LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Regular LAFCO Meeting
Monday, September 25, 2023
3:00 P.M.

Monterey Room – Second Floor
Monterey County Government Center
168 West Alisal Street,
Salinas, California

This meeting will be conducted in person at the Monterey County Government Center, Salinas. The Public may attend the meeting, participate by Zoom app, or view the meeting on LAFCO's YouTube channel.

Instructions for Remote Public Participation

1. **To Participate in the Meeting:** Use the Zoom app on your smart phone, laptop, tablet or desktop and click on this link: <https://montereycty.zoom.us/j/91560894570>

The meeting ID is: [915 6089 4570](https://montereycty.zoom.us/j/91560894570). There is no password. To make a public comment, please “Raise your Hand.”
2. **To View this Meeting:** 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 meeting.
3. **To Participate by Phone:** Please call: +1 669 900 6833
Enter the meeting ID: [915 6089 4570](https://montereycty.zoom.us/j/91560894570) when prompted. There is no participant code – just enter the meeting id 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 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 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.

PLEASE NOTE: If all Committee Members are present in person, public participation by Zoom is for convenience only and is not required by law. If the Zoom feed is lost for any reason, the meeting may be paused while a fix is attempted but the meeting may continue at the discretion of the Chairperson.

AGENDA
REGULAR COMMISSION MEETING
Monday, September 25, 2023

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. Administer the Oath of Office for Alternate Public Member Commissioner Mike Bikle for the remainder of a four-year term that expires on Monday, May 4, 2026.
Recommended Actions: LAFCO Chair Gourley will administer the Oath of Office followed by a group photograph of the Commission.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Public Comments on Closed Session Item

The Commission Recesses for Closed Session Agenda Item

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.

Closed Session

2. 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).
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

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).

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.

3. Approve Draft Minutes from the August 26, 2023 Regular LAFCO Commission Meeting.
Recommended Action: Approve minutes.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
4. Approve Draft Notes from the September 18, 2023 LAFCO Budget & Finance Committee Meeting.
Recommended Action: Approve notes.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
5. Accept the August 2023 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).
6. Approve and Authorize the Payoff of Unfunded Pension Liabilities.
Recommended Actions (By Budget & Finance Committee): Adopt a Resolution to authorize the lump sum payoff of LAFCO's unfunded pension liabilities, as follows:
 - a. Pay-off the Classic Miscellaneous Plan unfunded pension liability balance by October 16, 2023 in the amount of \$139, 857.48 from equity in the Unreserved Fund Balance, and
 - b. Pay-off the PEPRA Miscellaneous Plan unfunded pension liability balance by October 16, 2023 in the amount of \$12,641.43 from equity in the Unreserved Fund Balance.
7. 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).
8. 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).

Old Business

9. City of Soledad – Miramonte Annexation Condition Compliance Status Report and Consideration of a Time Extension.
Recommended Actions: Receive a report from the Executive Officer, receive public comments, provide input to staff on the City's proposed agricultural mitigation actions, and approve a one-year time extension (to December 19, 2023) of the Commission's approval of the Miramonte annexation.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Public Hearing

10. Consider City of Gonzales – "Gloria Road Ag Cooler" Annexation Proposal of Approximately 49 Acres East of U.S. Highway 101 and North of Gloria Road for future agricultural-industrial development (LAFCO File #23-01) and Adopt Resolution.
Recommended Actions:
 - 1.) Receive a report from the Executive Officer;
 - 2.) Open the public hearing and receive 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 mitigated negative declaration that the City prepared, pursuant to CEQA, to address the proposal's potential environmental effects;
 - b. Approve the City's proposed annexation and related special district detachments; and
 - c. Waive Conducting Authority ("protest") proceedings for this proposal, as authorized by State law.

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

Executive Officer's Communications

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

II. Communications

- a) In Memoriam: Louis R. Calcagno.
- b) California Chapter, American Planning Association Conference: Presentation
- c) Correspondence to the City of Salinas: Notice of Preparation – Environmental Impact Report for the General Plan Update and Climate Action Plan.
- d) Agricultural Preservation Policy Update
- e) San Benito LAFCO Update.
- f) Soledad Community Health Care District: 75th Anniversary.

(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 LAFCO Meeting is scheduled for **Monday, October 23, 2023 at 3:00 p.m. at the Monterey County Government Center.**

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 meeting.

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 must be made with LAFCO of Monterey County staff at (831) 754-5838 at least three business days prior to the respective meeting.