

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 was public comment from Megan Hunter, City Manager – City of Soledad.

General Counsel Comments on Closed Session Item

General Counsel Reed Gallogly advised, as a correction to the agenda, the Commission would not be recessing to closed session as there were no updates on the closed session matter.

Closed Session

1. 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).

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.

2. Approve Draft Minutes from the September 25, 2023 Regular LAFCO Commission Meeting.
Recommended Action: Approve minutes.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378)
3. Accept the September 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)
4. Approve Draft Schedule of Regular LAFCO Meetings for 2024.
Recommended Actions: Approve 2024 Meeting Schedule
5. 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 Leffel pulled item #3 for discussion. Chair Gourley pulled item #5 for separate discussion.

Commissioner Action:

Upon motion by Commissioner Leffel, seconded by Commissioner Craig the Commission approved Consent Agenda Items #2 & #4.

Motion Carried:

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

Pulled Item #3: Commissioner Leffel advised that the September Balance sheet is incomplete and as Chair of Budget & Finance Committee is awaiting the requested information on long-term obligations on unfunded liabilities from our accounting firm.

Executive Officer McKenna advised the Commission of the intent to discuss information provided to staff by the CalPERS Actuarial at the next Budget & Finance Committee Meeting on November 8, 2023.

Commissioner Action:

Upon motion by Commissioner Leffel and seconded for the purpose of discussion, by Commissioner Craig, the Commission approved the motion to pull Consent Agenda Item #3 (September 2023 Financials) and continue it to the next regular Commission Meeting on December 4.

Pulled Item #5: Executive Officer McKenna provided a report for information only. Senior Analyst Brinkmann provided the Commission with a current update and concerns on the City of Soledad - Hacienda Apartments project.

Commissioner Action:

Upon motion by Commissioner Leffel, seconded by Commissioner Root Askew, the Commission approved Consent Agenda Items #5 with a voice vote.

Motion Carried:

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

Old Business

6. Review of LAFCO's Policies and Implementation Practices for Agricultural Preservation and Mitigation.
Recommended Actions: Receive a report from the Executive Officer, receive public comments, and continue this agenda item to the January 22, 2024 regular meeting, or provide other direction.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Executive Officer McKenna presented the report.

General Counsel Gallogly provided the Commission with a review of the legal foundations of LAFCO's policy, statutory law and acceptable timing.

Executive Officer McKenna then reviewed key elements of LAFCO's practices and recommended that any action from the discussion be continued to the January 2024 Regular Commission Meeting, to allow the City working group to continue to develop its own set of recommendations before moving forward with the implementation practices.

There were public comments from:-

Taven Kinison Brown, Director of Community Development (City of Gonzales)

Megan Hunter, City Manager (City of Soledad)

Gabriel Sanders, Director, Housing & Community Development Policy (Monterey Bay Economic Partnership)

There were Commissioner comments and questions.

Chair Gourley proposed Monday, November 27 for Special Workshop from 2:00 p.m. to 5:00 p.m.

Commissioner Actions:

Commissioner Leffel made the motion to hold a full workshop on Monday, November 27th from 2:00 p.m. until 5:00 p.m. to discuss the agricultural mitigation and overall policies of LAFCO Monterey County. Motion was seconded by Commissioner Craig. Motion passed unanimously by voice vote.

Motion Carried: (Voice Vote)

AYES: Commissioners: Root Askew, Church, Leffel, Oglesby, Poitras, Vice Chair Craig, Chair Gourley

NOES: Commissioners: None

ALTERNATES: Commissioners: Bikle, Kong, Velazquez (Non-Voting)

ABSENT: Commissioners: Adams

ABSTAIN: Commissioners: None

New Business

7. Consideration of the 2023 Municipal Service Review and Sphere of Influence Study for Five Greenfield Area Public Agencies.

Recommended Actions:

- (1) Receive the Executive Officer's Report;
- (2) Provide for questions or follow-up discussion by the Commission;
- (3) Consider the Public Review Draft *2023 Municipal Service Review and Sphere of Influence Study* for the City of Greenfield, Greenfield Fire Protection District, Greenfield Memorial District, Greenfield Public Recreation District, and Greenfield Cemetery District ("Study," Attachment 1); and
- (4) Consider 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)
 - 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 562425(e);
 - c. Affirm the currently adopted spheres of influence of the City of Greenfield and four special districts, with no changes; and

- d. Authorize the Executive Officer to proceed with identified corrective measures to address the Greenfield Memorial, Public Recreation, and Cemetery Districts' non-compliance with state legal requirements and best practices.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Executive Officer McKenna and Senior Analyst Brinkmann presented the report.

There were public comments from:-

Saul Cardona

Haley Shingler – Community Water Center

Tony & Lydia Amezcua

Janaki Anagha – Director of Community Advocacy, Community Water Center

Raul Rodriguez – Board Member, Greenfield Public Recreation District & Greenfield Cemetery District

There were questions and comments from the Commissioners, answered by Staff.

Commissioner Actions:

Upon motion from Commissioner Root Askew, seconded by Commissioner Leffel, the Commission unanimously voted to continue Item #7 to the next regular meeting (December 3) to give LAFCO staff the opportunity to consult with Community Water Center and the individuals identified as disadvantaged unincorporated community members, to make sure that we are sufficiently including language in the MSR report to allow for structural solutions to ensure that all people have clean drinking water.

Motion Carried: (Roll Call Vote):

AYES: Commissioners: Root Askew, Church, Leffel, Oglesby, Poitras, Vice Chair Craig
Chair Gourley

NOES: Commissioners: None

ALTERNATES: Commissioners: Bikle, Kong, Velazquez (Non-Voting)

ABSENT: Commissioners: Adams

ABSTAIN: Commissioners: None

Executive Officer's Communications

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

8. Communications

a) CALAFCO Conference Wrap-Up

b) Community Project Funding in the Salinas Valley

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

Executive Officer McKenna provided the report to the Commission.

The Commissioners provided comments about the CALAFCO Annual Conference.

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

Chair Gourley adjourned the meeting at 5:35 p.m.

The next Regular LAFCO Meeting is scheduled for Monday, December 4, 2023 at 3:00 p.m. at the Monterey County Government Center (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.

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