

2024

Commissioners

Chair

Matt Gourley
Public Member

Vice Chair

Kimbley Craig
City Member

Mary Adams

County Member
(pending swearing in)

Wendy Root Askew

County Member

Mike Bikle

Public Member, Alternate

David Kong

Special District Member, Alternate

Mary Ann Leffel

Special District Member

Chris Lopez

County Member, Alternate
(pending swearing in)

Ian Oglesby

City Member

Warren Poitras

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 Meeting
Monday, January 22, 2024
3:00 P.M.

Board of Supervisors Chambers
First 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/98228893780>

The meeting ID is: [982 2889 3780](https://montereycty.zoom.us/j/98228893780). There is no password. To make a public comment, please “Raise your Hand.” Please state your first and last name before addressing the Commission.
2. **To View this Meeting:** Please click on the following link to the LAFCO of Monterey County YouTube site: <https://www.youtube.com/channel/UCIF6pPx2hn3Ek94Wg0Ul7QA>.

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: [982 2889 3780](https://montereycty.zoom.us/j/98228893780) 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. Please state your first and last name before addressing the Commission.
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, January 22, 2024

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. Resolution of Appreciation for Outgoing County Member Commissioner (Regular) – Supervisor Glenn Church.
Recommended Action: Receive a presentation by Chair Gourley and adopt a Resolution of Appreciation to Commissioner Glenn Church for his service on LAFCO.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

2. Oath of Office for County Member Commissioners (Regular) Mary Adams and (Alternate) Chris Lopez.
Recommended Action: It is recommended that Chair Gourley administer the Oath of Office to Commissioners Mary Adams and Chris Lopez upon their appointments to LAFCO for terms ending on May 3, 2027.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

3. Oath of Office for City Member Commissioner (Alternate) Anna Velazquez.
Recommended Action: It is recommended that Chair Gourley administer the Oath of Office to Commissioner Anna Velazquez upon her re-appointment to LAFCO for a term ending on May 1, 2028.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378)

Public Comments on Closed Session Item

Closed Session

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.

4. 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.

5. Approve Draft Minutes from the November 27, 2023 Special LAFCO Commission Meeting.
Recommended Action: Approve minutes.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
6. Approve Draft Minutes from the December 4, 2023 Regular LAFCO Commission Meeting.
Recommended Action: Approve minutes.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
7. Approve Draft Minutes from the January 11, 2024 Special LAFCO Commission Meeting.
Recommended Action: Approve minutes.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
8. Accept the November 30, 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).
9. Accept the December 31, 2023 Draft Balance Sheet and Income Statement.
Recommended Action: Accept the statements for information only.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
10. 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).
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).

Old Business

12. Consider Adoption of a Resolution Adding Section III (Policy Implementation Guidelines for Agricultural Mitigation) to the Commission's Adopted Policy for Preservation of Open-Space and Agricultural Lands.

Recommended Actions:

1. Receive a report from staff and legal counsel;
2. Receive public comments;
3. Review and discuss draft Policy Implementation Guidelines for Agricultural Mitigation (Attachment 1, Exhibit A) prepared by staff and counsel following the November 27 and December 4, 2023 workshop sessions on LAFCO's policies and implementation practices for agricultural preservation and mitigation;
4. Provide any additional changes or refinements to the draft Guidelines; and

5. Adopt the Guidelines by authorizing the Commission Chair to sign a resolution (Attachment 1) amending the Commission's adopted 2010 Policy for Preservation of Open-Space and Agricultural Lands by adding a new Section III, Policy Implementation Guidelines for Agricultural Mitigation; or provide other direction to staff.

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

13. Receive a Training from General Counsel on Rosenberg's Rules of Order and Consider Proposed Amendments to the LAFCO Rules and Regulations "Bylaws" to: (1) Change the Commission's Parliamentary Procedures from Robert's Rules of Order to Rosenberg's Rules of Order, and (2) Add a Code of Conduct and Rules of Decorum (Continued from the December 4, 2023 Regular LAFCO Meeting).

Recommended Actions:

1. Receive a report from the Executive Officer;
2. Receive a training from LAFCO General Counsel on the use of Rosenberg's Rules of Order;
3. Receive any public comments (Attachment 1);
4. Provide for questions or follow-up discussion by the Commission; and
5. Consider adoption of a resolution (Attachment 3) updating the LAFCO Rules and Regulations ("Bylaws") for the Orderly and Fair Conduct of Hearings.

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

New Business

14. LAFCO Budget and Finance Committee Appointments

Recommended Action: It is recommended that the Commission confirm the Chair's 2024 nominations for the LAFCO Budget and Finance Committee: Commissioners Mary Ann Leffel, Ian Oglesby and Chris Lopez.

(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.

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, February 26, 2024 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.