

**2024**

**Commissioners**

**Chair**

Matt Gourley  
*Public Member*

**Vice Chair**

Kimbley Craig  
*City Member*

Mary Adams

*County Member, Alternate*

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*

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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## Regular Meeting *MINUTES* LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

Adopted on March 25, 2024

Monday, February 26, 2024

*All Commissioners and public participated in the meeting on Monday, February 26, 2024 in person or by Zoom video conference.*

### Call to Order

The Local Agency Formation Commission was called to order by Chair Gourley at 3:01 p.m.

### Roll Call

Commissioner Root Askew  
Commissioner Bikle  
Commissioner Kong  
Commissioner Leffel  
Commissioner Lopez  
Commissioner Oglesby  
Commissioner Poitras  
Commissioner Velazquez  
Vice Chair Craig  
Chair Gourley

### Members Absent (Excused Absence)

Commissioner Adams

### Staff Present

Kate McKenna, AICP, Executive Officer  
Darren McBain, Principal Analyst  
Jonathan Brinkmann, Senior Analyst  
Safarina Maluki, Clerk to the Commission/Office Administrator

### Also Present

Reed Gallogly, General Counsel

### Pledge of Allegiance

Commissioner Poitras 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

1. Oath of Office for City Member Commissioner (Alternate) Anna Velazquez. (pg. 6)  
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).

Executive Officer McKenna presented the report.

Chair Gourley administered the Oath of Office to Commissioner Anna Velazquez.

## 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 January 22, 2024 Regular LAFCO Commission Meeting (pg. 9)  
Recommended Action: Approve minutes.  
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378)
3. Approve Draft Minutes from the February 8, 2024 Special LAFCO Commission Meeting. (pg. 17)  
Recommended Action: Approve minutes.  
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378)
4. Accept Report on Anticipated Agenda Items and Progress Report on LAFCO Special Studies. (pg. 20)  
Recommended Action: Accept report for information only.  
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378)
5. Accept Report on Activities of the California Association of Local Agency Formation Commissions and Authorize the Executive Officer to convey support for SB 1209 (Cortese), which would add language to State law to explicitly allow LAFCOs to require indemnification by applicants. (pg. 24)  
Recommended Actions:
  1. Accept report, and
  2. Authorize the Executive Officer to convey support for SB 1209 (Cortese).  
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

There were no public or commissioner requests to pull items for separate discussion.

### Commissioner Action:

Upon motion by Commissioner Leffel, seconded by Commissioner Oglesby the Commission approved Consent Agenda Items #2 – #5 by a Voice Vote.

Motion Carried (Voice Vote):

AYES: Commissioners: Root Askew, Leffel, Lopez, 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 (Continued from the January 22, 2024 meeting)**

6. Adoption of a Resolution Amending 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 revised draft Policy Implementation Guidelines for Agricultural Mitigation, and related policy refinements; and
4. Adopt the Guidelines and policy refinements.

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

Executive Officer McKenna and Principal Analyst McBain made introductory comments.

There were comments of support from three members of the public.

Commissioner Root Askew expressed concerns about some provisions of the revised draft guidelines, including the appeal process for the executive officer’s decision, removal of the phrase “no less than” from the one-to-one agricultural mitigation ratio, and the possibility that the guidelines may allow too many exceptions from the mitigation requirements.

Commissioner Velazquez also expressed concern about the appeal provisions as currently written.

Commissioners Leffel and Craig made comments in support of the revised draft guidelines as presented.

Commissioner Action:

Upon motion by Commissioner Craig, seconded by Commissioner Leffel, the Commission unanimously adopted the resolution amending LAFCO’s policy for preservation of open space and agricultural lands by adding policy implementation guidelines regarding agricultural mitigation actions for city annexations of farmland, and related policy refinements by a Roll Call Vote.

Motion Carried (Roll Call Vote):

AYES: Commissioners: Root Askew, Leffel, Lopez, 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.*

7. Communications
  - a. Proposed Sale of 132 W. Gabilan Street, Salinas.
  - b. Independent Special Districts Representative nomination and selection process.

Executive Officer McKenna presented the report.

## 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.

## Public Comments on Closed Session Items

There were no public comments.

## Closed Session

◆ Commissioner Oglesby is recused 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.

## 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 3:22 p.m.

8. 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

The Commission RECONVENED to Open Session at 3:34 p.m.

## Roll Call

Commissioner Root Askew  
Commissioner Bikle  
Commissioner Kong  
Commissioner Leffel  
Commissioner Lopez  
Commissioner Oglesby  
Commissioner Poitras  
Commissioner Velazquez  
Vice Chair Craig  
Chair Gourley

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## Read Out from Closed Session by LAFCO General Counsel

Read out by General Counsel will only occur if there is reportable action (s).

General Counsel Reed Gallogly advised that there were no reportable items.

## Adjournment to the Next Meeting

Chair Gourley adjourned the meeting at 3:35 p.m.

The next Regular LAFCO Meeting scheduled for Monday, March 25, 2024 at 3:00 p.m. **at the Monterey County Government Center (168 W. Alisal Street, Salinas).**

*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](http://www.monterey.lafco.ca.gov).*

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