

2024

Commissioners

Chair

Matt Gourley
Public Member

Vice Chair

Kimbley Craig
City Member

Mary Adams

County Member

Wendy Root Askew

County Member

Mike Bikle

Public Member, Alternate

David Kong

Special District Member, INTERIM

Mary Ann Leffel

Special District Member

Chris Lopez

County Member, Alternate

Ian Oglesby

City Member

VACANT

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 April 22, 2024

Monday, March 25, 2024

All Commissioners and public participated in the meeting on Monday, March 25, 2024 in person or by Zoom video conference.

Call to Order

The Local Agency Formation Commission was called to order by Chair Gourley at 3:06 p.m.

Roll Call

Commissioner Adams
Commissioner Root Askew
Commissioner Bikle
Commissioner Kong
Commissioner Leffel
Commissioner Oglesby
Vice Chair Craig
Chair Gourley

Members Absent (Excused Absence)

Commissioner Lopez
Commissioner Velazquez

Staff Present

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

Also Present

Reed Gallogly, General Counsel (*Attending by Zoom*)

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.

Special Business

1. Resolution of Appreciation – Warren E. Poitras for Distinguished Service (pg. 6)
Recommended Action: It is recommended that the Commission receive a presentation by Chair Gourley and adopt a Resolution.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Chair Gourley read the Resolution of Appreciation.

Mr. Poitras made comments.

There were Commissioner comments of thanks from Commissioners Leffel, Kong, Craig and Oglesby.

Commissioner Action:

Upon motion by Chair Gourley, seconded by Commissioner Craig, the Commission adopted the Resolution of Appreciation for his service on LAFCO.

Motion Carried (Voice Vote);

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

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 Notes from the February 22, 2024 Budget & Finance Committee Meeting (pg. 8).
Recommended Action: Approve notes.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378)
3. Approve Draft Minutes from the February 26, 2024 Regular LAFCO Commission Meeting (pg. 14).
Recommended Action: Approve minutes.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378)
4. Accept the Draft Financial Statements for Period Ending December 31, 2023 (pg. 19).
Recommended Action (By Budget & Finance Committee): Accept the statements.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378)
5. Accept the January 31, 2024 Draft Balance Sheet and Income Statement (pg. 34).
Recommended Actions (By Budget & Finance Committee): Accept statements for information only.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

6. Accept the February 29, 2024 Draft Balance Sheet and Income Statement (pg. 39).
Recommended Action: Accept statements for information only.
 (CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
7. Adopt Resolution Approving Amendment No. 1 to the Current (Fiscal Year 2023-2024) Budget, Transferring a Total of \$25,000 with no Net Change to the Overall Budget (pg. 44).
Recommended Action (By Budget & Finance Committee): Adopt Resolution.
 (CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
8. Accept Report on Anticipated Agenda Items and Progress Report on LAFCO Special Studies (pg. 48).
 (CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
9. Accept Report on Legislative Activities of the California Association of Local Agency Formation Commissions (pg. 52).
Recommended Action: Accept report for information only.
 (CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Commissioner Leffel pulled item #8 for separate discussion and provided background for the Commissioners.

Commissioner Action:

Upon motion by Commissioner Leffel, seconded by Commissioner Oglesby, the Commission approved Consent Agenda Items #2 - #9 by a Voice Vote.

Motion Carried (Voice Vote):

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

New Business

10. Consider Authorizing a Comment Letter for the Draft Environmental Impact Report for the Proposed Vista Lucia Project (City of Gonzales) (pg. 57).
Recommended Action: Authorize a Comment Letter for the Draft Environmental Impact Report for the Proposed Vista Lucia Project (City of Gonzales).
 (CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Executive Officer McKenna and Senior Analyst Brinkmann presented the report.

There were no public comments.

Chair Gourley made comments. Staff responded to questions from Commissioners Root Askew, Leffel and Oglesby.

Commissioner Action:

Upon motion by Commissioner Leffel, seconded by Commissioner Root Askew, the Commission authorized a comment letter as long as we convey that we are understanding that this is a long term project.

Motion Carried (Voice Vote):

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

11. Consider the Draft Annual Work Program for Fiscal Year 2024-2025 (pg. 66).
Recommended Action (Budget & Finance Committee): Discuss and adopt a Resolution approving the annual Work Program for Fiscal Year 2024 – 2025.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Executive Officer McKenna and Principal Analyst McBain presented the report.

There were no comments from the public.

There were comments from Commissioner Leffel.

Commissioner Action:

Upon motion by Commissioner Leffel, seconded by Commissioner Root Askew, the Commission adopted a Resolution approving the annual Work Program for Fiscal Year 2024 – 2025 by Voice Vote.

Motion Carried (Voice Vote):

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

Public Hearing

12. Conduct a Public Hearing to Consider a Proposed Annual Budget for Fiscal Year 2024 – 2025 (First Hearing) (pg. 73).

Recommended Actions (By Budget & Finance Committee):

- (1) Receive a report from the Executive Officer;
- (2) Open the first public hearing and receive any public comments;
- (3) Provide for question or follow-up discussion by the Commission;
- (4) Close the first public hearing;
- (5) Discuss and adopt a motion to adopt a Proposed Budget for Fiscal Year 2024 – 2025;
- (6) Direct the Executive Officer to distribute the Adopted Proposed Budget to the County, Cities and Independent Special Districts for review and comments, and;

(7) Direct the Executive Officer to schedule a second Public Hearing on April 22, 2024 to consider adoption of a Final Budget for Fiscal Year 2024– 2025.

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

Executive Officer McKenna and Principal Analyst McBain presented the report.

There were no comments from the public.

There were Commissioner comments from Commissioner Leffel and Adams.

Commissioner Action:

Upon motion by Commissioner Leffel, seconded by Commissioner Adams, the Commission adopted the Proposed Budget for Fiscal Year 2024-2025 and directed the Executive Officer to distribute the Adopted Proposed Budget to the County, Cities and Independent Special Districts for review and comments for consideration at a second Public Hearing on April 22, 2024 to Adopt a Final Budget for Fiscal Year 2024 – 2025.

Motion Carried (Voice Vote):

AYES: Commissioners: Adams, Root Askew, Kong, Leffel, Oglesby, Vice Chair Craig,
Chair Gourley

NOES: Commissioners: None

ALTERNATES: Commissioners: Bikle (Non-Voting)

ABSENT: Commissioners: Lopez, Velazquez

ABSTAIN: Commissioners: None

Executive Officer’s Communications

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

13. Communications (pg. 80)

- a. Independent Special District Representation on LAFCO.
- b. Independent Special District Representation on Countywide Consolidated Oversight Board.
- c. Spreckels Community Services District

Executive Officer McKenna provided the report.

There were Commissioner comments from Commissioner Leffel.

Commissioner Comments

None.

Public Comments on Closed Session Items

Chair Gourley confirmed with Executive Officer McKenna that there were no items for closed session today.

Commissioner Adams noted incorrect wording on the Meeting Agenda under Closed Session. The wording states that Commissioner Adams is Chair of the Monterey Peninsula Water Management District (MPWMD) Board of Directors. This is no longer the case. Commissioner Adams is now currently serving as a Board Member of MPWMD.

Commissioner Oglesby also noted incorrect wording on the Meeting Agenda under Closed Session. The wording states that Commissioner Oglesby and Adams are recused from the Closed Session item as members of MPWMD. Commissioner Oglesby clarified that he reserves the right not to recuse himself from Closed Session and that he recuses himself because of the litigation between LAFCO and MPWMD, not because he is a Board Member of MPWMD. Commissioner Adams seconded Commissioner Oglesby's comments for her own self. These corrections will be addressed by removing the wording from future meeting agendas.

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.

There were no items for Closed Session.

Adjournment to the Next Meeting

A motion to adjourn was made by Commissioner Leffel, seconded by Commissioner Kong and unanimously approved by the Commission.

Chair Gourley adjourned the meeting at 3:56 p.m.

The next Regular LAFCO Meeting is scheduled for Monday, April 22, 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.

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.