

2024

Commissioners

Chair

Kimbley Craig
City Member

Vice Chair

Wendy Root Askew
County Member

Mary Adams
County Member

Mike Bikle
Public Member, Alternate

Matt Gourley
Public Member

David Kong
Special District Member, Alternate

Mary Ann Leffel
Special District Member

Chad Lindley
Special District Member

Chris Lopez
County Member, Alternate

Ian Oglesby
City Member

Anna Velazquez
City Member, Alternate

Counsel

Reed Gallogly
General Counsel

Executive Officer

Kate McKenna, AICP

132 W. Gabilan Street, #102
Salinas, CA 93901

P. O. Box 1369
Salinas, CA 93902

Voice: 831-754-5838

www.monterey.lafco.ca.gov

AGENDA
LOCAL AGENCY FORMATION
COMMISSION
OF MONTEREY COUNTY

Regular Meeting
Monday, June 24, 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/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: [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, June 24, 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.

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.

1. Approve Draft Minutes from the May 20, 2024 Regular LAFCO Commission Meeting (pg. 6).
Recommended Action: Approve minutes.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
2. Accept the May 31, 2024 Draft Balance Sheet and Income Statement (pg. 14).
Recommended Action: Accept statements for information only.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
3. Consider proposed Employment Contract Amendment #9 to Compensation Terms for LAFCO Executive Officer Cost of Living Adjustment (pg. 19).
Recommended Action: Consider amendment of a 3.4 per cent cost of living adjustment.
(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. 28).
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 (pg. 32).
Recommended Action: Accept report for information only.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

New Business

6. Consider Potential Update to the Public Employee Annual Performance Appraisal Program Process (pg. 34).
Recommended Actions:
 - (1) Receive the Executive Officer's Report;
 - (2) Receive public comments;
 - (3) Provide for questions or follow-up discussion by the Commission; and
 - (4) Provide direction on future consideration of a potential update to the Public Employee Annual Performance Appraisal Program Process.
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Public Hearing

7. Consideration of the draft 2024 Municipal Service Review and Sphere of Influence Study for Three Soledad-Area Special Districts (pg. 35).

Recommended Actions:

1. Receive a report from the Executive Officer,
2. Provide for questions or follow-up discussion by the Commission;
3. Consider a Public Review Draft Municipal Service Review and Sphere of Influence Study for the Soledad Health Care, Recreation, and Cemetery Districts; and
4. Consider and adopt a resolution to:
 - a. Find adoption of the study and its recommended actions exempt from provisions of the California Environmental Quality Act (CEQA);
 - b. Adopt the study and its recommended determinations in accordance with Government Code sections 56430(a) and 56425(e);
 - c. Approve the Health Care District's proposed sphere of influence amendment and affirm the currently adopted spheres of influence of the Recreation District and the Cemetery District;
 - d. Authorize the Executive Officer to proceed with corrective measures to address the Cemetery District's noncompliance with state legal requirements and best practices, as identified in the study; and
 - e. Approve the study's additional recommended actions as summarized below.
 - Encourage the Health Care District and the Recreation District to explore the possibility of establishing development impact fees and participating in future City-led development agreements or citywide revenue-enhancement measures;
 - Encourage the Recreation District and the Cemetery District to explore integrating district services with the City of Soledad; and
 - Encourage the County Board of Supervisors to consider terminating the Cemetery District's board of trustees and appoint itself as the governing body if the Cemetery District has not substantially met State legal requirements and addressed community concerns regarding cemetery operations within approximately 12 months of this study's adoption.

Executive Officer's Communications

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

8. Communications (pg. 85).
- a. Update on Greenfield-Area Special Districts
(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.

Public Comments on Closed Session Items

Closed Session

9. 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) (pg. 86).
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

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.

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).

Adjournment to the Next Meeting

The next regular LAFCO Meeting is scheduled for Monday, August 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.