

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

**AGENDA**  
**LOCAL AGENCY FORMATION**  
**COMMISSION**  
**OF MONTEREY COUNTY**

**Regular Meeting**  
**Monday, September 23, 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/93049187062>  
  
The meeting ID is: [930 4918 7062](https://montereycty.zoom.us/j/93049187062). 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: [930 4918 7062](https://montereycty.zoom.us/j/93049187062) 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](mailto: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 Commissioners 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, September 23, 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 June 24, 2024 Regular LAFCO Commission Meeting \(pg. 6\)](#).  
Recommended Action: Approve minutes.  
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
2. [Receive Draft Balance Sheets and Income Statements for June, July and August 2024 \(pg. 12\)](#).  
Recommended Action: Accept statements for information only.  
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
3. [Confirm the Chair's nominations for the Public Employee Annual Performance Appraisal Program Process Review Ad Hoc Committee \(pg. 24\)](#).  
Recommended Action: Confirm the Chair's nominations for the Ad Hoc Committee.  
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).
4. [Accept Report on Activities of the California Association of Local Agency Formation Commissions \(pg. 25\)](#).  
Recommended Action: Accept report for information only.  
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

### Old Business

5. [Consider LAFCO Annual Work Program Implementation Status Report \(pg. 29\)](#).  
Recommended Action: Receive a report from the Executive Officer for information only or provide general direction.  
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

### Public Hearing

6. [Consider City of Greenfield's Apple Avenue Annexation of approximately 18.7 acres \(pg. 37\)](#).  
Recommended Actions:
  - a) Receive a report from the Executive Officer,
  - b) Open the public hearing and receive any public comments,
  - c) Provide for questions or follow-up discussion by the Commission, and

- d) Move to approve a resolution to consider the mitigated negative declaration and subsequent addendum that the City prepared, pursuant to CEQA, to address the proposal's potential environmental effects; approve the City's proposed annexation and related special district detachments; and waive Conducting Authority ("protest") proceedings for this proposal, as authorized by State law

### **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.*

### **Public Comments on Closed Session Items**

#### **Closed Session**

7. 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. 57).

(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, October 28, 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](http://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](http://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.

**2024**

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

*Scheduled for Adoption September 23, 2024*

Monday, June 24, 2024

All Commissioners and public participated in the meeting on Monday, May 20, 2024 in person or by Zoom video conference.

### Call to Order

The Local Agency Formation Commission was called to order by Chair Craig at 3:00 p.m.

### Roll Call

Commissioner Adams	<i>arrived at 3:07 p.m.</i>
Commissioner Bikle	
Commissioner Gourley	
Commissioner Kong	
Commissioner Leffel	
Commissioner Oglesby	<i>arrived at 3:12 p.m.</i>
Commissioner Velazquez	<i>arrived at 3:10 p.m.</i>
Vice Chair Root Askew	<i>arrived at 3:07 p.m.</i>
Chair Craig	

### Members Absent (Excused Absence)

Commissioner Lindley  
Commissioner Lopez

### 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

### Pledge of Allegiance

Commissioner Gourley led the Commission 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.

## 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.  
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.  
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.  
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.  
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.  
Recommended Action: Accept report for information only.  
(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 Gourley, the Commission approved and adopted Consent Agenda Items #1 – 5 by a roll call vote:

Motion Carried (Roll Call Vote/Voice):

### Roll Call

Commissioner Gourley  
Commissioner Kong  
Commissioner Leffel  
Chair Craig

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

## New Business

### 6. Consider Potential Update to the Public Employee Annual Performance Appraisal Program Process 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).

Senior Analyst Brinkmann presented the report.

There were comments from Commissioner Gourley.

Commissioner Leffel supported the recommendation to establish an ad hoc committee to review the existing procedures.

There were no comments from the public.

### Commissioner Action:

Upon motion by Commissioner Leffel, seconded by Commissioner Gourley, the Commission unanimously approved establishing an ad hoc committee to review the existing procedures to consider option and present their findings and recommendations to the Commission at a future meeting.

Motion Carried (Roll Call Vote/Voice):

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

## Public Hearing

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

Principal Analyst Darren McBain presented the staff report and answered Commissioner questions.

There were comments from Commissioners Leffel, Root Askew, Oglesby and Velazquez.

There were public comments from Ida Lopez Chan, CEO, Soledad Community Health Care District.

Commissioner Actions:

Commissioner Leffel made a motion, seconded by Commissioner Oglesby, that the Commission adopt a resolution, per the staff recommendation, with the following change: that the recommended action, under section 7 (d) of the resolution for the Soledad Cemetery District, be changed to adjust the timeframe from 12 months to six months.

After further Commission discussion, Commissioner Adams made a substitute motion to adopt the resolution as presented by staff with no changes to the existing timeline. The substitute motion was seconded by Commissioner Gourley.

Executive Officer McKenna clarified that staff's recommended timeline would be within six to twelve months instead of approximately twelve months under section 7 (d) of the resolution

Commissioner Adams amended her substitute motion to change section 7 (d) of the resolution to adjust the timeframe from approximately twelve months to between six to twelve months.

Commissioner Gourley to the amended substitute motion. as recommended staff for the Commission.

The substitute motion passed with the added clarification that the County Board of Supervisors may change the termination timeline between 6 to 12 months of the study's adoption.

The Substitute Motion Carried (Roll Call Vote):

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

## Executive Officer's Communications

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

### 8. Communications.

- a. Update on Greenfield-Area Special Districts  
(CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378).

Executive Officer McKenna presented the report.

There were no public comments.

## 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.*

None.

## Public Comments on Closed Session Item

There were no public comments on closed session item.

Commissioner Oglesby recused from the Closed Session Item #9.

Commissioner Adams recused from the Closed Session Item #9.

## 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.*

The Commission ADJOURNED to Closed Session at 3:50 p.m.

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

## Reconvene on Public Agenda Items

The Commission RECONVENED to Open Session at 4:10 p.m.

## 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 Craig adjourned the meeting at 4:15 p.m.

The next Regular LAFCO Meeting scheduled for Monday, August 26, 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.*

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# LAFCO *of Monterey County*

## LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

KATE McKENNA, AICP  
Executive Officer

LOCAL AGENCY FORMATION COMMISSION  
P.O. Box 1369  
Salinas, CA 93902  
Telephone (831) 754-5838

132 W. Gabilan Street, Suite 102  
Salinas, CA 93901  
[www.monterey.lafco.ca.gov](http://www.monterey.lafco.ca.gov)

DATE: September 23, 2024

TO: Chair and Members of the Formation Commission

FROM: Kate McKenna, AICP, Executive Officer

SUBJECT: June, July and August 2024 Draft Balance Sheets and Draft Income Statements

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

### SUMMARY OF RECOMMENDATION:

Accept the June, July and August draft balance sheets and income statements for information only.

### EXECUTIVE OFFICER'S REPORT:

Attached are the draft Balance Sheets and draft Income Statements for June, July and August 2024. These reports were prepared by CliftonLarsonAllen, LLP. Income and expenses are normal for each of the months.

Respectfully Submitted,



Kate McKenna, AICP  
Executive Officer

### Attachments:

- 2.1 Draft Balance Sheet for June 2024, prepared by CliftonLarsonAllen, LLP.
- 2.2 Draft Income Statement for June 2024 prepared by CliftonLarsonAllen, LLP.
- 2.3 Draft Balance Sheet for July 2024 prepared by CliftonLarsonAllen, LLP.
- 2.4 Draft Income Statement for July 2024 prepared by CliftonLarsonAllen, LLP.
- 2.5 Draft Balance Sheet for August 2024 prepared by CliftonLarsonAllen, LLP.
- 2.6 Draft Income Statement for August 2024 prepared by CliftonLarsonAllen, LLP.

**LAFCO of Monterey County**  
**Balance Sheet**  
As of June 30, 2024

Attachment 2.1

08/28/24  
Accrual Basis

	Jun 30, 24
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
1007 · Wells Fargo Checking	185,781.10
1010 · Cash Co. Treasury	
1012 · Designated Cash Litigation Resv	271,821.40
1013 · Designated Cash - Accrued Leave	83,565.91
1014 · Designated Cash-Post Retirement	102,716.00
1015 · Designated Cash-Contingency	276,614.00
1010 · Cash Co. Treasury - Other	60,092.78
<b>Total 1010 · Cash Co. Treasury</b>	<b>794,810.09</b>
<b>Total Checking/Savings</b>	<b>980,591.19</b>
<b>Other Current Assets</b>	
1400 · Prepaid Insurance	12,096.85
1405 · Prepaid Expenses	9,629.86
<b>Total Other Current Assets</b>	<b>21,726.71</b>
<b>Total Current Assets</b>	<b>1,002,317.90</b>
<b>Fixed Assets</b>	
1500 · Equipment	2,185.00
1525 · Computer Equipment	15,099.37
1530 · Office Furniture	40,517.62
1550 · Accumulated Depreciation	-56,958.07
<b>Total Fixed Assets</b>	<b>843.92</b>
<b>Other Assets</b>	
1800 · Deferred Outflows-PERS Contrib	219,515.31
1805 · Deferred Outflows-Actuarial	180,786.40
1810 · Deferred Outflows-OPEB Contrib	1,848.00
1815 · Deferred Outflow-OPEB Actuarial	24,393.00
1900 · Operating Right of Use Asset	125,589.73
<b>Total Other Assets</b>	<b>552,132.44</b>
<b>TOTAL ASSETS</b>	<b>1,555,294.26</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
2000 · Accounts Payable	7,220.70
<b>Total Accounts Payable</b>	<b>7,220.70</b>
<b>Credit Cards</b>	
WFB Visa X1065 (Kate)	389.85
<b>Total Credit Cards</b>	<b>389.85</b>
<b>Other Current Liabilities</b>	
2010 · Deferred Fees Revenue	26,653.77
2220 · Accrued Leave	83,565.91
2410 · Post Retirement (GASB 75)	102,716.00
2200 · Payroll Liabilities	168.00
2601 · Current Portion Lease Oblgat.	28,452.05
<b>Total Other Current Liabilities</b>	<b>241,555.73</b>
<b>Total Current Liabilities</b>	<b>249,166.28</b>

**LAFCO of Monterey County**  
**Balance Sheet**  
**As of June 30, 2024**

08/28/24  
Accrual Basis

	<u>Jun 30, 24</u>
<b>Long Term Liabilities</b>	
2400 · Net Pension Liability/(Asset)	105,833.03
2500 · Deferred Inflow-GAB68 Actuarial	39,984.22
2505 · Deferred Inflows-OPEB Actuarial	43,426.00
2600 · Operating Lease Liability	99,129.80
<b>Total Long Term Liabilities</b>	<u>288,373.05</u>
<b>Total Liabilities</b>	537,539.33
<b>Equity</b>	
3700 · Invested in Capital Assets	843.92
3710 · Encumbered Funds	16,404.02
3800 · Reserve for Litigation	271,821.40
3810 · Reserve for Contingency	276,614.00
3850 · Unreserved Fund	563,835.69
Net Income	-111,764.10
<b>Total Equity</b>	<u>1,017,754.93</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>1,555,294.26</u></u>

**DRAFT**

**LAFCO of Monterey County**  
**Profit & Loss**  
**July 2023 through June 2024**

**Attachment 2.2**

08/28/24  
 Accrual Basis

	Jul '23 - Jun 24
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
4000 · Fees	
4005 · Project	29,874.04
4007 · Project Fees CY Refunded	-4.75
<b>Total 4000 · Fees</b>	29,869.29
4205 · County Contributions	363,784.00
4210 · City Contributions	363,783.99
4220 · District Contributions	363,785.00
4249 · FORA Admin Revenue	5,215.50
4300 · Interest	22,822.43
<b>Total Income</b>	1,149,260.21
<b>Expense</b>	
7300 · Depreciation	3,607.38
6000 · Employee Salaries	
6002 · Regular Earnings	570,541.59
6004 · FORA Admin Earnings	1,786.41
<b>Total 6000 · Employee Salaries</b>	572,328.00
6100 · Employee Benefits	
6013 · Post Retirement Healthcare	-2,691.00
6010 · Accrued Leave	3,146.59
6007 · Management Expense Allowance	
6011 · Management Car Allowance	4,800.00
6007 · Management Expense Allowance - Other	600.00
<b>Total 6007 · Management Expense Allowance</b>	5,400.00
6102 · Workers Compensation Insurance	2,543.54
6101 · Payroll Expenses	9,766.82
6103 · Employee Memberships	374.00
6104 · Deferred Comp Plan Contribution	35,484.50
6105 · PERS Retirement	0.00
6106 · PERS Retirement - GASB 68	169,416.76
6110 · PERS Health	
6111 · Med ER Non-Ele	7,392.00
6112 · Med ER Pre Tax	105,235.74
6110 · PERS Health - Other	425.56
<b>Total 6110 · PERS Health</b>	113,053.30
6130 · Insurance	
6139 · STD	1,112.72
6131 · LIFE	1,502.40
6132 · ADD	98.52
6133 · Dental	9,214.80
6134 · Vision	1,485.60
6135 · LTD	4,801.76
<b>Total 6130 · Insurance</b>	18,215.80
7294 · Accrued Leave Reserve	16,121.60
6100 · Employee Benefits - Other	4,750.00
<b>Total 6100 · Employee Benefits</b>	375,581.91

**LAFCO of Monterey County**  
**Profit & Loss**  
**July 2023 through June 2024**

08/28/24  
 Accrual Basis

	Jul '23 - Jun 24
7000 · Postage and Shipping	5,733.92
7010 · Books and Periodical	770.72
7030 · Copy Machine	5,949.22
7060 · Office Supplies	4,049.80
7080 · Computer Hardware/Peripherals	3,447.85
7085 · Computer Support Svc Fixed Cost	14,951.50
7090 · Computer Support Svc Variable	3,120.00
7100 · Computer Software	559.85
7105 · Meeting Broadcast Services	9,250.00
7110 · Property and Gen Liability Ins	8,379.28
7140 · Travel	4,921.70
7150 · Training, Conferences & Wrkshps	12,298.11
7160 · Vehicle Mileage	305.37
7170 · Rental of Buildings	34,212.12
7200 · Telephone Communications	4,080.01
7242 · Outside Prof Svc-Accounting	65,500.01
7242 A · Gen Admin Svcs & HR Assistance	4,800.00
7248 · Outside Prof Svc-Annual Audit	20,000.00
7245 · General Legal Services	30,278.69
7250 · Miscellaneous Office Expense	1,065.17
7260 · Legal Notices	2,230.00
7280 · LAFCO Memberships	9,839.00
7290 · Litigation Reserve	56,394.70
<b>Total Expense</b>	<b>1,253,654.31</b>
<b>Net Ordinary Income</b>	<b>-104,394.10</b>
<b>Other Income/Expense</b>	
<b>Other Expense</b>	
8100 · Prior Year Encumbered Funds	
8113 · E/F - Human Resources	7,370.00
<b>Total 8100 · Prior Year Encumbered Funds</b>	<b>7,370.00</b>
<b>Total Other Expense</b>	<b>7,370.00</b>
<b>Net Other Income</b>	<b>-7,370.00</b>
<b>Net Income</b>	<b>-111,764.10</b>





**LAFCO of Monterey County**  
**Balance Sheet**  
As of July 31, 2024

Attachment 2.3

08/28/24  
Accrual Basis

	Jul 31, 24
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
1007 · Wells Fargo Checking	109,419.59
1010 · Cash Co. Treasury	
1012 · Designated Cash Litigation Resv	271,821.40
1013 · Designated Cash - Accrued Leave	82,803.41
1014 · Designated Cash-Post Retirement	102,716.00
1015 · Designated Cash-Contingency	282,764.00
1010 · Cash Co. Treasury - Other	1,013,917.04
<b>Total 1010 · Cash Co. Treasury</b>	<b>1,754,021.85</b>
<b>Total Checking/Savings</b>	<b>1,863,441.44</b>
<b>Accounts Receivable</b>	
1237 · A/R Fiscal Year Ending 6/2025	129,828.41
<b>Total Accounts Receivable</b>	<b>129,828.41</b>
<b>Other Current Assets</b>	
1400 · Prepaid Insurance	11,195.86
1405 · Prepaid Expenses	10,112.44
<b>Total Other Current Assets</b>	<b>21,308.30</b>
<b>Total Current Assets</b>	<b>2,014,578.15</b>
<b>Fixed Assets</b>	
1500 · Equipment	2,185.00
1525 · Computer Equipment	15,099.37
1530 · Office Furniture	40,517.62
1550 · Accumulated Depreciation	-57,049.07
<b>Total Fixed Assets</b>	<b>752.92</b>
<b>Other Assets</b>	
1800 · Deferred Outflows-PERS Contrib	219,515.31
1805 · Deferred Outflows-Actuarial	180,786.40
1810 · Deferred Outflows-OPEB Contrib	1,848.00
1815 · Deferred Outflow-OPEB Actuarial	24,393.00
1900 · Operating Right of Use Asset	123,177.81
<b>Total Other Assets</b>	<b>549,720.52</b>
<b>TOTAL ASSETS</b>	<b>2,565,051.59</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
2000 · Accounts Payable	13,003.23
<b>Total Accounts Payable</b>	<b>13,003.23</b>
<b>Credit Cards</b>	
WFB Visa X1065 (Kate)	739.70
<b>Total Credit Cards</b>	<b>739.70</b>
<b>Other Current Liabilities</b>	
2220 · Accrued Leave	82,803.41
2410 · Post Retirement (GASB 75)	102,716.00
2200 · Payroll Liabilities	168.00
2601 · Current Portion Lease Obligat.	28,452.05
<b>Total Other Current Liabilities</b>	<b>214,139.46</b>
<b>Total Current Liabilities</b>	<b>227,882.39</b>

**LAFCO of Monterey County**  
**Balance Sheet**  
**As of July 31, 2024**

08/28/24  
Accrual Basis

	<u>Jul 31, 24</u>
<b>Long Term Liabilities</b>	
2400 · Net Pension Liability/(Asset)	105,833.03
2500 · Deferred Inflow-GAB68 Actuarial	39,984.22
2505 · Deferred Inflows-OPEB Actuarial	43,426.00
2600 · Operating Lease Liability	96,803.34
<b>Total Long Term Liabilities</b>	<u>286,046.59</u>
<b>Total Liabilities</b>	513,928.98
<b>Equity</b>	
3700 · Invested in Capital Assets	752.92
3710 · Encumbered Funds	16,404.02
3800 · Reserve for Litigation	271,821.40
3810 · Reserve for Contingency	282,764.00
3850 · Unreserved Fund	557,776.69
3900 · Retained Earnings	-111,764.10
Net Income	1,033,367.68
<b>Total Equity</b>	<u>2,051,122.61</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>2,565,051.59</u></u>

**DRAFT**

**LAFCO of Monterey County**  
**Profit & Loss**  
**July 2024**

Attachment 2.4

08/28/24  
 Accrual Basis

	Jul 24
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
4205 · County Contributions	371,898.00
4210 · City Contributions	371,898.00
4220 · District Contributions	371,897.94
4300 · Interest	1.21
<b>Total Income</b>	1,115,695.15
<b>Expense</b>	
7300 · Depreciation	91.00
6000 · Employee Salaries	
6002 · Regular Earnings	45,208.00
6004 · FORA Admin Earnings	0.00
<b>Total 6000 · Employee Salaries</b>	45,208.00
6100 · Employee Benefits	
6013 · Post Retirement Healthcare	157.00
6010 · Accrued Leave	-762.50
6007 · Management Expense Allowance	
6011 · Management Car Allowance	400.00
6007 · Management Expense Allowance - Other	50.00
<b>Total 6007 · Management Expense Allowance</b>	450.00
6102 · Worker's Compensation Insurance	236.84
6101 · Payroll Expenses	700.04
6103 · Employee Memberships	340.00
6104 · Deferred Comp Plan Contribution	2,802.91
6105 · PERS Retirement	5,335.37
6110 · PERS Health	
6111 · Med ER Non-Ele	628.00
6112 · Med ER Pre-Tax	6,502.09
6110 · PERS Health - Other	32.59
<b>Total 6110 · PERS Health</b>	7,162.68
6130 · Insurance	
6139 · STD	96.06
6131 · LIFE	125.20
6132 · ADD	8.21
6133 · Dental	619.20
6134 · Vision	110.20
6135 · LTD	446.02
<b>Total 6130 · Insurance</b>	1,404.89
7294 · Accrued Leave Reserve	0.00
<b>Total 6100 · Employee Benefits</b>	17,827.23
7000 · Postage and Shipping	89.97
7010 · Books and Periodical	238.00
7030 · Copy Machine	118.80
7060 · Office Supplies	106.70
7080 · Computer Hardware/Peripherals	300.00
7100 · Computer Software	159.99
7110 · Property and Gen Liability Ins	654.15
7170 · Rental of Buildings	2,851.01
7200 · Telephone Communications	466.62
7242 · Outside Prof Svc-Accounting	5,900.00
7280 · LAFCO Memberships	8,316.00
<b>Total Expense</b>	82,327.47
<b>Net Ordinary Income</b>	1,033,367.68
<b>Net Income</b>	1,033,367.68

# LAFCO of Monterey County Balance Sheet-DRAFT

Accrual Basis

As of August 31, 2024

	Aug 31, 24
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
1007 · Wells Fargo Checking	143,954.09
1010 · Cash Co. Treasury	
1012 · Designated Cash Litigation Resv	271,821.40
1013 · Designated Cash - Accrued Leave	81,858.66
1014 · Designated Cash-Post Retirement	102,716.00
1015 · Designated Cash-Contingency	282,764.00
1010 · Cash Co. Treasury - Other	906,657.20
<b>Total 1010 · Cash Co. Treasury</b>	<b>1,645,817.26</b>
<b>Total Checking/Savings</b>	<b>1,789,771.35</b>
<b>Accounts Receivable</b>	
1237 · A/R Fiscal Year Ending 6/2025	88,033.00
<b>Total Accounts Receivable</b>	<b>88,033.00</b>
<b>Other Current Assets</b>	
1400 · Prepaid Insurance	10,304.87
1405 · Prepaid Expenses	10,426.92
<b>Total Other Current Assets</b>	<b>20,731.79</b>
<b>Total Current Assets</b>	<b>1,898,536.14</b>
<b>Fixed Assets</b>	
1500 · Equipment	2,185.00
1525 · Computer Equipment	15,099.37
1530 · Office Furniture	40,517.62
1550 · Accumulated Depreciation	-57,139.07
<b>Total Fixed Assets</b>	<b>662.92</b>
<b>Other Assets</b>	
1800 · Deferred Outflows-PERS Contrib.	219,515.31
1805 · Deferred Outflows-Actuarial	180,786.40
1810 · Deferred Outflows-OPEB Contrib	1,848.00
1815 · Deferred Outflow-OPEB Actuarial	24,393.00
1900 · Operating Right of Use Asset	120,757.89
<b>Total Other Assets</b>	<b>547,300.60</b>
<b>TOTAL ASSETS</b>	<b>2,446,499.66</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
2000 · Accounts Payable	159.81
<b>Total Accounts Payable</b>	<b>159.81</b>
<b>Other Current Liabilities</b>	
2220 · Accrued Leave	81,858.66
2410 · Post Retirement (GASB 75)	102,716.00
2200 · Payroll Liabilities	168.00
2601 · Current Portion Lease Obligat.	28,452.05
<b>Total Other Current Liabilities</b>	<b>213,194.71</b>
<b>Total Current Liabilities</b>	<b>213,354.52</b>

09/17/24

Accrual Basis

**LAFCO of Monterey County**  
**Balance Sheet-DRAFT**  
As of August 31, 2024

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	<u>Aug 31, 24</u>
<b>Long Term Liabilities</b>	
2400 · Net Pension Liability/(Asset)	105,833.03
2500 · Deferred Inflow-GAB68 Actuarial	39,984.22
2505 · Deferred Inflows-OPEB Actuarial	43,426.00
2600 · Operating Lease Liability	94,468.88
	<hr/>
<b>Total Long Term Liabilities</b>	283,712.13
	<hr/>
<b>Total Liabilities</b>	497,066.65
	<hr/>
<b>Equity</b>	
3700 · Invested in Capital Assets	662.92
3710 · Encumbered Funds	16,404.02
3800 · Reserve for Litigation	271,821.40
3810 · Reserve for Contingency	282,764.00
3850 · Unreserved Fund	557,866.69
3900 · Retained Earnings	-111,764.10
Net Income	931,678.08
	<hr/>
<b>Total Equity</b>	1,949,433.01
	<hr/>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>2,446,499.66</u></b>

DRAFT

LAFCO of Monterey County  
 Profit & Loss-DRAFT  
 July through August 2024

	Jul - Aug 24
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
4205 · County Contributions	371,898.00
4210 · City Contributions	371,898.00
4220 · District Contributions	371,897.94
4300 · Interest	2.61
<b>Total Income</b>	1,115,696.55
<b>Expense</b>	
7300 · Depreciation	181.00
6000 · Employee Salaries	
6002 · Regular Earnings	113,726.80
6004 · FORA Admin Earnings	0.00
<b>Total 6000 · Employee Salaries</b>	113,726.80
6100 · Employee Benefits	
6013 · Post Retirement Healthcare	314.00
6010 · Accrued Leave	-1,707.25
6007 · Management Expense Allowance	
6011 · Management Car Allowance	800.00
6007 · Management Expense Allowance - Other	100.00
<b>Total 6007 · Management Expense Allowance</b>	900.00
6102 · Worker's Compensation Insurance	473.68
6101 · Payroll Expenses	1,757.10
6103 · Employee Memberships	340.00
6104 · Deferred Comp Plan Contribution	7,051.07
6105 · PERS Retirement	13,450.46
6110 · PERS Health	
6111 · Med ER Non-Ele	1,256.00
6112 · Med ER Pre Tax	13,004.18
6110 · PERS Health - Other	57.03
<b>Total 6110 · PERS Health</b>	14,317.21
6130 · Insurance	
6139 · STD	192.12
6131 · LIFE	250.40
6132 · ADD	16.42
6133 · Dental	1,233.40
6134 · Vision	215.40
6135 · LTD	892.04
<b>Total 6130 · Insurance</b>	2,799.78
7294 · Accrued Leave Reserve	0.00
6100 · Employee Benefits - Other	700.00
<b>Total 6100 · Employee Benefits</b>	40,396.05
7000 · Postage and Shipping	169.59
7010 · Books and Periodical	238.00
7030 · Copy Machine	541.72
7060 · Office Supplies	106.70
7080 · Computer Hardware/Peripherals	300.00
7100 · Computer Software	159.99
7110 · Property and Gen Liability Ins	1,308.30
7120 · Office Maintenance Services	375.00
7170 · Rental of Buildings	5,702.02
7200 · Telephone Communications	669.20
7242 · Outside Prof Svc-Accounting	11,100.00
7245 · General Legal Services	498.60

LAFCO of Monterey County  
**Profit & Loss-DRAFT**  
July through August 2024

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	<u>Jul - Aug 24</u>
7260 · Legal Notices	229.50
7280 · LAFCO Memberships	<u>8,316.00</u>
<b>Total Expense</b>	<u>184,018.47</u>
<b>Net Ordinary Income</b>	<u>931,678.08</u>
<b>Net Income</b>	<u><u>931,678.08</u></u>

DRAFT

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

KATE McKENNA, AICP  
Executive Officer

LOCAL AGENCY FORMATION COMMISSION  
P.O. Box 1369  
Salinas, CA 93902  
Telephone (831) 754-5838

132 W. Gabilan Street, Suite 102  
Salinas, CA 93901  
[www.monterey.lafco.ca.gov](http://www.monterey.lafco.ca.gov)

DATE: September 23, 2024  
TO: Chair and Members of the Formation Commission  
FROM: Kate McKenna, AICP, Executive Officer  
PREPARED BY: Jonathan Brinkmann, Senior Analyst  
SUBJECT: **Public Employee Annual Performance Appraisal Program Process Review Ad Hoc Committee Appointments**  
CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378.

**SUMMARY OF RECOMMENDATION:**

Confirm the Chair's nominations for the Public Employee Annual Performance Appraisal Program Process Review Ad Hoc Committee: Chair Kimbley Craig, Vice Chair Wendy Root Askew, and Public Member Mike Bikle.

**EXECUTIVE OFFICER'S REPORT:**

Pursuant to Section 18 of the LAFCO Bylaws, standing or ad hoc committees of the Commission may be established from time to time. At its June 24 meeting, the Commission established a temporary Ad Hoc Committee to review the existing procedures, consider options, and present their findings and make recommendations to the Commission on how Annual Performance Appraisals are conducted.

The Commission's practice is to make appointments through nominations by the Chair with confirmation by the Commission. This process is consistent with the LAFCO Bylaws. LAFCO Chair/Mayor Kimbley Craig has been consulted in the preparation of this agenda item.

Chair Craig's Ad Hoc Committee nominations are Commissioner Craig (Chair), Commissioner Root Askew (Vice Chair), and Commissioner Bikle (Public Member).

Respectfully Submitted,



Kate McKenna, AICP  
Executive Officer



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## LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

KATE McKENNA, AICP  
Executive Officer

LOCAL AGENCY FORMATION COMMISSION  
P.O. Box 1369  
Salinas, CA 93902  
Telephone (831) 754-5838

132 W. Gabilan Street, Suite 102  
Salinas, CA 93901  
www.monterey.lafco.ca.gov

DATE: September 23, 2024  
TO: Chair and Members of the Formation Commission  
FROM: Kate McKenna, AICP, Executive Officer  
PREPARED BY: Jonathan Brinkmann, Senior Analyst  
SUBJECT: Report on Activities of the California Association of Local Agency Formation Commissions (CALAFCO)  
CEQA: Not a Project under California Environmental Quality Act Guidelines Section 15378.

### SUMMARY OF RECOMMENDATION:

Accept this report for information only.

### EXECUTIVE OFFICER'S REPORT:

#### CALAFCO Board of Directors Activities

Supervisor/Commissioner Wendy Root Askew serves on the CALAFCO Board as a Coastal Region representative and is supported by staff. The CALAFCO Board met on July 19 and took action on several business items, as summarized below.

#### Rescission of a Government Code Section 56133 Legislative Proposal

The CALAFCO Board unanimously rescinded its approval of the 56133 Proposal. The proposal, primarily advocated by San Diego LAFCO, was attempting to address lack of reporting/involvement of LAFCO in out-of-agency service extensions by some cities and special districts. Monterey LAFCO is in support of the Board's action, having expressed opposition to this proposal over the past two years.

#### Realignment of CALAFCO's Legislative Model

The Board approved the Ad Hoc Modernization Committee's recommendations to rescind and replace Policy 4.5 to change CALAFCO's Legislative Model structure to one similar to the California State Association of Counties (CSAC). Board actions included: (1) replacing the existing Legislative Committee of 16 members with a Legislative Policy Committee of four Board Members each representing a CALAFCO region; (2) adopting a CALAFCO Legislative Platform, and (3) approving an agreement for legislative advocacy services with Hurst, Brooks, and Espinosa. The result of these actions is intended to shift legislative efforts from a current committee model to professional advocacy driven by the Legislative Platform and implemented by a legislative consultant. The changes are supported by Monterey LAFCO staff because it will streamline and modernize CALAFCO's legislative functions.

The Board's action has been challenged by volunteer staff to the CALAFCO Board and four CALAFCO Board Members. In August, the CALAFCO Executive Officer and three Regional Deputy Executive Officers sent a letter to the CALAFCO Board of Directors expressing concerns with the approval of the legislative model realignment. In September, four CALAFCO Board Members transmitted a letter to CALAFCO Chair Margie Mohler requesting a Special Meeting of the CALAFCO Board to reconsider the approval and fully reinstate the previous legislative policy. While Monterey LAFCO staff are in support of the change, the change does not seem to have broad support from CALAFCO's membership. The Board's approval will likely be reversed.

### Approval of a Bylaws Amendment Proposal regarding Director Attendance

The Board approved a proposed change in Bylaws regarding the number of meetings that a CALAFCO Board member can miss from three (current) to two (proposed). CALAFCO members will need to vote to adopt this Bylaws proposal at the CALAFCO Conference Annual Business Meeting next month.

### **Legislative Activities**

The CALAFCO-sponsored bill SB 1209 (Cortese), which would give LAFCOs explicit authority to require indemnification as part of the LAFCO application process, passed the State Legislature on August 26, 2024. As the next step in the process, the bill now awaits signature by Governor Gavin Newsom. In support of this legislation, Monterey LAFCO transmitted a letter requesting signature by Governor Newsom (Attachment 1).

### **Annual Conference**

CALAFCO will hold its 2024 Annual Conference at Tenaya Lodge in Yosemite starting at 1:30 pm on Wednesday, October 16, and ending at noon on Friday, October 18. Registration details have been arranged for attending Commissioners, staff and counsel. Two pre-conference activities happening on Wednesday morning include a LAFCO 101 program at the conference site and a Mobile Workshop focused on collaboration between government agencies within Yosemite National Park. Since a number of Commissioners signed up to participate in the Mobile Workshop as part of their conference registration, the Mobile Workshop flyer is included for information under Attachment 2.

Respectfully Submitted,



Kate McKenna, AICP  
Executive Officer

### Attachments:

1. SB 1209 Letter Requesting Signature to Governor Newsom dated August 27, 2024
2. 2024 CALAFCO Annual Conference Mobile Workshop Flyer

## LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

**2024**

August 27, 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  
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Voice: 831-754-5838

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

The Honorable Gavin Newsom  
Governor, State of California  
1021 O Street, Suite 9000  
Sacramento, CA 95814

Re: **SB 1209** (Cortese): Local agency formation commission: indemnification -  
**REQUEST FOR SIGNATURE**

Dear Governor Newsom,

I am writing on behalf of the Monterey County Local Agency Formation Commission (LAFCO) to respectfully request your signature on **SB 1209**, which would authorize a LAFCO to require an applicant to indemnify the LAFCO, its agents, officers, and employees from and against any claim, action, or proceeding that may stem from a LAFCO decision to approve an application.

Specifically, SB 1209 adds new language to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (The Act) that authorizes LAFCOs to enter into indemnification agreements with applicants. Counties and cities are already empowered to enter into, and require, indemnification and routinely do so with respect to discretionary land-use approvals. SB 1209 will provide LAFCOs with a similar authority in this situation.

This bill is in response to a 2022 decision of the Second District Court of Appeals, which found that existing State law does not provide LAFCOs with the explicit authority needed to require indemnification. Absent an indemnification authority - and because LAFCO funding is statutorily required from the county, cities, and special districts within a county - any costs to defend litigation end up being absorbed by a LAFCO's funding agencies. Consequently, SB 1209 will allow LAFCOs to use indemnification agreements which, in turn, will ensure they can meet their statutory obligations and make decisions without being hindered by the potential costs of defending lawsuits.

Thus, for the above reasons, Monterey County LAFCO respectfully requests that you sign SB 1209.

Yours sincerely,



Kate McKenna, AICP  
Executive Officer

cc: Honorable Dave Cortese, California State Senate  
Brady Borcharding, Deputy Legislative Secretary to the Governor

# 2024

## CALAFCO

### Annual Conference

WEDNESDAY, October 16<sup>TH</sup> 7:30 A.M. – 12:30 P.M.



#### Mobile Workshop



## THE ROAD TO GLACIER POINT: Mariposa County & Yosemite National Park's Collaborative Service Provision

Learn how Mariposa County and Yosemite National Park are collaborating on service provision through intergovernmental efforts and the engagement of local stakeholders.

This unique half-day mobile workshop will take you on a journey into Yosemite National Park, passing through Fish Camp, Historic Wawona, and Yosemite West before reaching Glacier Point, where you will witness breathtaking views of Half Dome, Yosemite Valley, and the Clark Range. Throughout the tour, you will learn about the collaborative efforts of Mariposa County, Yosemite National Park, and local citizens to tackle issues regarding water provision, solid waste and wastewater management, and emergency services for private and public lands. We will also delve into discussions on related jurisdictional situations, including the Mariposa County - LAFCO relationship.

The workshop will conclude with a boxed lunch at famed Glacier Point.

Don't miss out. Join us for a day of exploration, learning, and enjoyment amid the grandeur of Yosemite National Park!



**COST: \$105** (\$10 EB Discount to July 31)  
(Includes transportation, YNP Park Entrance and box lunch)

Limited to the first 50 registrants  
7:15 a.m. – Bus loads outside the hotel  
7:30 a.m. – Bus departs PROMPTLY  
12:30 p.m. – Return to the hotel

Dress in layers and wear closed-toe, closed-back flat shoes, as light walking is required.

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LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

LOCAL AGENCY FORMATION COMMISSION  
P.O. Box 1369                      132 W. Gabilan Street, Suite 102  
Salinas, CA 93902                      Salinas, CA 93901  
Telephone (831) 754-5838                      [www.monterey.lafco.ca.gov](http://www.monterey.lafco.ca.gov)

KATE McKENNA, AICP  
Executive Officer

DATE:                      September 23, 2024  
TO:                      Chair and Members of the Formation Commission  
FROM:                      Kate McKenna, AICP, Executive Officer  
PREPARED BY:                      Jonathan Brinkmann, Senior Analyst  
SUBJECT:                      LAFCO Annual Work Program Implementation Status Report  
CEQA:                      Not a Project under California Environmental Quality Act Guidelines Section 15378

**SUMMARY OF RECOMMENDATION:**

It is recommended that the Commission receive a report from the Executive Officer for information only or provide general direction.

**EXECUTIVE OFFICER’S REPORT:**

The purpose of this item is to apprise the Commission about the implementation status of municipal service reviews and sphere of influence studies (MSRs) and other items, as directed by LAFCO’s adopted Annual Work Program.

**1. City of Gonzales’ Gloria Road Agricultural Cooler Annexation**

In September 2023, the Commission approved the 49-acre annexation, known as the City of Gonzales’ Gloria Road Agricultural Cooler Annexation, allowing future development of a planned 315,000-square-foot agricultural processing facility. In August 2024, the City of Gonzales met the terms and conditions of the annexation approval, including dedication of a permanent agricultural conservation easement of at least 44.8 acres. Upon this confirmation, LAFCO finalized the annexation by recording a Certificate of Completion with the County Recorder’s Office. The annexation proposal is now complete.

**2. Anticipated October and December Agenda Items**

Staff anticipates bringing two final draft MSR studies – for the Seven Monterey Peninsula Cities, and San Lucas and San Ardo Water Districts – to the October 2024 meeting for the Commission’s consideration. Staff also anticipates presenting an extension of time request for the City of Soledad’s Miramonte Annexation for Commission consideration at the October or December Commission meeting.

Study for Seven Monterey Peninsula Cities

Staff met with the City representatives this summer, prepared an initial draft study, and provided it to the cities for review and comment. Staff is currently revising the draft to reflect the agencies’ feedback.

### Study for San Lucas and San Ardo Water Districts

As part of LAFCO's FY 2024-2025 Adopted Annual Work Program, staff initiated a draft study in August for the San Lucas and San Ardo Water Districts. Staff has been meeting with district representatives and drafting the study for review and comment by the districts.

### City of Soledad's Miramonte Sphere Amendment and Annexation

In December 2022, the Commission approved the City of Soledad's proposed 654-acre Miramonte sphere of influence amendment and annexation. The City and its developer are working diligently to address the Commission's agricultural mitigation condition of approval to finalize the annexation. The City and developer intend to submit a new ag mitigation proposal in the coming months. To date, staff have not received a request for an extension of time, but the request will be necessary if the condition of approval will not be satisfied by December 19, 2024.

### **3. Soledad and Greenfield Area Special Districts Follow-up**

The Commission adopted two Studies for public agencies in the Soledad and Greenfield areas over the past year identifying corrective measures needed by the Soledad Cemetery District and three special districts (Memorial, Recreation, and Cemetery Districts) in the Greenfield area. This report provides an update on progress being made by these districts.

#### Soledad Cemetery District Status

The 2024 Study of three Soledad area special districts authorized the Executive Officer to coordinate with the Soledad Cemetery District to ensure completion of corrective measures. The purpose of the corrective measures is to address lack of compliance with state legal requirements and best practices.

On July 22, 2024, LAFCO staff provided a Board Orientation presentation to the new Soledad Cemetery District Board of Trustees. The previous Board of Trustees has been completely replaced with new Trustees over the past year. During the training, the District Board expressed a commitment to making improvements to the District's operations. Staff reviewed state laws governing cemetery districts, the District's Bylaws, and the recommendations from LAFCO's 2024 Study.

As authorized through the Commission's approval of the Study, LAFCO staff coordinated with District representatives on compliance progress-review in September 2024. As recommended by the Study, the District hired legal counsel from County Counsel's Office, a new General Manager, and a new Grounds Keeper. The District is working with County Counsel to obtain District financial records from the previous bookkeeper. Remaining first priority actions include adopting a current Fiscal Year (FY) 2024-2025 budget and hiring a firm to complete financial audits for FY 2022-2023 and 2023-2024. Remaining second priority actions are completion of required Form 700 filings, ethics and harassment prevention training, and a District website that meets state laws requirements.

The District has made satisfactory progress for this reporting period. Staff will continue to monitor progress and provide additional status reports to the Commission until compliance is met with state legal requirements and best practices.

#### Three Greenfield Area Special Districts Status

As part of the 2023 Study of five Greenfield area public agencies, the Executive Officer was authorized to continue to coordinate with the Greenfield Memorial, Public Recreation, and Cemetery Districts. The purpose of our continued involvement is to ensure implementation of corrective measures to address lack of compliance with state legal requirements and best practices.

All three districts have retained legal counsel services from the County of Monterey. LAFCO staff met with Deputy County Counsels Shane Strong and Robert Brayer in April 2024 to receive an update on completion of the identified corrective measures. Coordination with counsel is on-going.

As of this writing, the three Districts adopted FY 2023-2024 budgets and FY 2024-2025 budgets. The Recreation and Cemetery Districts hired a firm to complete financial audits for FY 2020-2021 and 2021-2022 at their June meetings. The Memorial District hired an auditing firm to complete financial audits for the same time periods in December 2023. All three districts are targeting completion of financial audits by the end of 2024. All three districts now meet website requirements and adopted Bylaw amendments that promote compliance with training requirements. The Districts are nearing completion of required Form 700 filings and required trainings for ethics and harassment prevention.

For next steps, LAFCO staff will continue to monitor completion of required corrective measures by the districts. We will also schedule a meeting among representatives of the City of Greenfield and the three special districts to discuss preparation of a district-funded feasibility study. The study would evaluate and recommend service delivery improvements such as the successful City-Fire District service agreement model.

#### 4. Other Future Anticipated Agenda Items

##### Proposals on File and In Progress

1. Mission Soledad Rural Fire Protection District: Sphere amendment and annexation of Paraiso Springs Resort (portion). Application status is incomplete.

The County approved the Paraiso Springs project in 2019, and a portion of the site needs to be annexed to the local fire district to comply with a County condition of approval. LAFCO received the District's application in January 2022 and determined that the application is incomplete.

The application has been inactive for more than six months. However, after staff communicated pending next steps to move toward termination of the inactive application per LAFCO policy, the District began re-engaging to address items in the completeness letter. LAFCO reserves the ability to implement its policy on termination of inactive applications if progress is not made by the District in the next month to complete the application.

##### Potential Applications Under Discussion (Pre-Application)

1. City of Gonzales: Vista Lucia and Puente del Monte potential annexation projects, and Corda Road potential out-of-agency service extension.
  - (a) Vista Lucia and Puente del Monte projects: Annexation of some or all of an approximately 1,300-acre area placed in the City's sphere in 2014. In total, the two projects would approximately double the existing City limits.

City and LAFCO staff met in April 2024 to confer about LAFCO's comment letter on a Draft Environmental Impact Report (EIR) for the Vista Lucia project (Fanoe-owned lands of approximately 768 acres). The City anticipates submitting an annexation application for the Vista Lucia project by spring 2025. Staff will prepare an MSR study for the City of Gonzales to coincide with the City's anticipated Vista Lucia annexation application. The timing will depend upon when we receive the application with information needed for the study.

The City is also working on a specific plan and an EIR for the Puente del Monte project (Jackson- and Rianda-owned lands, approximately 547 acres). There is no anticipated timeline for receiving an annexation application.

- (b) Corda Road existing farmworker housing: Potential out-of-agency service extension seeking to connect to the City's water system. The site is located at the intersection of Corda Road and Alta Street approximately three-quarters of a mile northwest of the City.

This site is not anticipated to be part of a future LAFCO annexation application since it is located outside of the City's sphere of influence and permanent agricultural edge, which was

established through the 2014 City-County Memorandum of Agreement. Preliminary coordination among the City and the property owner is underway.

2. Monterey Peninsula Airport District: Detachment from the City of parcels owned by the Monterey Peninsula Airport District. Most Airport District-owned parcels are in the unincorporated County. Several outlying parcels along Highway 68 are in the City of Monterey. The District is interested in detaching these parcels from the City to eliminate a split in underlying city-county jurisdictions as the airport develops new facilities according to its master plan. LAFCO staff are participating in coordination meetings with Airport, City, and County representatives, most recently in January 2024.
3. Marina Coast Water District: Potential sphere of influence and annexation of approximately 47 parcels comprising several thousand acres. Areas under discussion for potential inclusion in an application include: MCWD's Armstrong Ranch property (north of the Marina Municipal Airport), a portion of the Bureau of Land Management (BLM) Fort Ord National Monument, Fort Ord Dunes State Park, and approximately a dozen areas within the jurisdictional boundaries of Marina, Seaside, and the County of Monterey on the former Fort Ord.  
  
The potential application is intended to include areas that MCWD owns, MCWD currently serves, or MCWD has an agreement to serve, contain MCWD infrastructure, and would be consistent with MCWD's plans and policies. LAFCO staff met with MCWD representatives, most recently in September 2024, and continue to coordinate with them to refine the future proposal's scope.
4. City of Soledad: Potential sphere of influence amendment and annexation of a 4.4-acre parcel (Britton site) at the corner of San Vicente Road and Gabilan Drive, adjacent to existing city limits. The site, which is currently in agricultural production, is within the area designated for future growth in the 2016 City-County memorandum of agreement.

Respectfully Submitted,



Kate McKenna, AICP  
Executive Officer

Attachment: Adopted Annual Work Program for Fiscal Year 2024-2025



# LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

## ADOPTED WORK PROGRAM

FISCAL YEAR 2024-2025

Adopted: On March 25, 2024

1. APPLICATION PROCESSING FUNCTIONS		
TASK	STATUS	COMMENTS
Process applications for boundary changes in a responsive, professional and efficient manner. For a current list, please see the monthly Executive Officer's Reports on Anticipated Agenda Items and Special Studies.	Ongoing	Priority fast-tracking is given to applications for economic development, affordable housing, public health and safety, or other urgent needs.
Provide Commission with legally defensible recommendations and alternatives, and alert to litigation risks, liabilities and alternatives associated with potential actions.	Ongoing	Current litigation is with MPWMD related to a 2022 Commission action.

2. MUNICIPAL SERVICE REVIEWS AND SPHERE OF INFLUENCE STUDIES		
TASK	STATUS	COMMENTS
<p>Prepare updated LAFCO studies (Municipal Service Reviews / Sphere of Influence Studies) for local agencies. Priorities for FY 24-25:</p> <ol style="list-style-type: none"> <li>1. Completion of LAFCO studies for Soledad-area local agencies and the seven Monterey Peninsula cities (carryover from the FY 23-24 work program, as needed).</li> <li>2. Update LAFCO studies for: <ul style="list-style-type: none"> <li>• Cities of Gonzales, Salinas, and King City</li> <li>• Water districts: San Lucas, San Ardo</li> <li>• Wastewater (sanitation) districts: Boronda, Pajaro, Seaside County, and Monterey Regional County (a function of MIW)</li> <li>• Monterey Regional Waste Management District</li> <li>• County Service Areas (all)</li> </ul> </li> <li>3. Update LAFCO studies for other agencies, as time permits</li> </ol>	Ongoing	<p>State law requires periodic LAFCO review of all local agencies' services and spheres of influence.</p> <p>Priorities and schedule are flexible to accommodate agencies' needs and other work program tasks, such as the processing of City, County, or District applications.</p>
Develop a local policy on Disadvantaged Urban Communities (DUCs) to support the Commission's work on municipal service reviews, spheres of Influence and annexations.	New	
Coordinate with local agencies and oversight agencies to follow up on LAFCo study determinations and recommendations	As Needed	Compliance follow-up is underway for Greenfield - area agencies (per a 2023 LAFCO study)
Develop and update Commission policies, procedures, applications, maps and flowcharts for spheres of influence, annexations, reorganizations, and other boundary changes for cities and districts.	As Needed	

### 3. GOVERNMENT AND COMMUNITY RELATIONS

TASK	STATUS	COMMENTS
Respond to daily requests for information and assistance from public and public agencies	Ongoing	
Continue to coordinate with Santa Cruz and Monterey County stakeholders on issues related to the new Pajaro Valley Health Care District.	As needed	Issues of boundaries, services and operations will affect North County residents and Salinas Valley Health.
Post public information on the LAFCO website. Review website layout, graphics, and content for an improved public experience and ADA compliance. Also review and update brochures and fact sheets.	Ongoing	
Initiate informal meetings to discuss budget and policy issues with Cities, Special Districts and County. Provide timely notice of issues and opportunities to participate in LAFCO process.	Ongoing	
Attend meetings as requested by the County of Monterey. Provide support for appointment of County members to LAFCO.	As needed	
Attend meetings as requested by Cities, the City Managers Group, and Mayors Association. Provide support for the appointment of City members to LAFCO.	As needed	
Attend meetings as requested by individual special districts. Attend quarterly Special Districts Association meetings. Attend quarterly Special Districts General Managers' Group meetings. Provide support for the nomination and election of special district LAFCO members.	Quarterly and as needed	
Provide support for appointment of public members to LAFCO.	As needed	
Encourage and initiate early LAFCO participation in sphere of influence updates, City general plan updates, City-County-District dialogues, and environmental review activities that affect government boundaries & services.	Ongoing	For example, LAFCO staff is participating in community meetings about the Salinas General Plan update process.
Participate in regional activities for which LAFCO has indirect or direct responsibilities, as required by State law.	Ongoing	For example, LAFCO staff engages in AMBAG processes for regional housing, growth forecasts, and transportation planning issues.
Participate in community and statewide educational opportunities to promote understanding and dialogue.	Ongoing	For example, the Civil Grand Jury requests an annual LAFCO presentation. Also, the EO presented at the California American Planning Association conference in 2023.
Facilitate constructive discussions with small cities & districts seeking options for governance and the efficient, effective delivery of services. LAFCO is a clearinghouse for technical, financial and legal resources.	Ongoing	In recent years, LAFCO has assisted agencies in Greenfield, Soledad, Spreckels, North Monterey County areas.

4. COMMISSION AND COMMITTEE FUNCTIONS		
TASK	STATUS	COMMENTS
Provide support to ten regularly scheduled Commission meetings, special meetings as needed, and Committee meetings, including the provision of public notices, agenda packets, meeting broadcasts, minutes and resolutions.	Ongoing	Commission and Committee meetings are held in-person, with in-person and remote options for the public.
Hold agenda review sessions with Chair.	Ongoing	
Conduct new Commissioner election, appointment, and orientation processes.	As needed	
Continue to participate in CALAFCO conferences, workshops, and courses. Continue to support Monterey LAFCO's representative on the CALAFCO Board of Directors. Continue to participate in the CALAFCO legislative process to ensure that local interests are coordinated with policies and activities of the statewide organization. Continue to monitor state legislation. Continue to provide feedback to legislators and CALAFCO. Continue to provide monthly CALAFCO report to Commission. Continue to update local policies and procedures for consistency with approved legislation.	Ongoing	
Support all required Commissioner needs for bi-annual ethics/harassment training and annual economic interests reporting.	As needed	Primary responsibility is for Public Members.

5. ADMINISTRATIVE AND HUMAN RESOURCES MANAGEMENT		
TASK	STATUS	COMMENTS
Maintain the staff timekeeping, cost tracking, and invoicing for applications.	Ongoing	
Conduct review of Policies and Procedures for all LAFCO administrative and human resources functions.	Annual	
Identify and support staff training needs and opportunities, including professional certification, technical training, and ethics/harassment compliance.	Ongoing	
Conduct a periodic review of job classifications and salary ranges.	As needed	
Conduct a periodic review and continue implementation of LAFCO's Records Management Policy, including conversion of paper records to searchable electronic format. This multi-year task is carried out by in-house staff.	As needed	Policy update is underway in FY 23-24. Completed conversion project for 60 years of files.

## 6. FINANCIAL MANAGEMENT

TASK	STATUS	COMMENTS
Review and update the application-processing fee schedule and hourly staffing rates.	As needed	Update is underway in FY 23-24.
Compile financial policies into a chapter of the LAFCO administrative policies and procedures.	As needed	Update is underway in FY 23-24.
Continue to coordinate with the County Auditor to obtain local agency contributions to LAFCO.	Annual	
Complete audit for Fiscal Year 2023-2024.	Annual	LAFCO has received the highest possible audit rating each year since 2005.
Conduct review of Benefits, Services and Supplies with the goal of continuing to control costs.	Annual	
Develop a three-year financial forecast to project upcoming needs and to provide the resources to meet these needs.	Annual	This tool is for informal use by the Budget & Finance Committee.

## LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

KATE McKENNA, AICP  
Executive Officer

LOCAL AGENCY FORMATION COMMISSION  
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Salinas, CA 93902  
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Salinas, CA 93901  
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DATE: September 23, 2024  
TO: Chair and Members of the Formation Commission  
FROM: Kate McKenna, AICP, Executive Officer  
BY: Darren McBain, Principal Analyst  
SUBJECT: City of Greenfield – Apple Avenue annexation of approximately 18.7 acres for public facilities (LAFCO file #17-02)

### SUMMARY OF RECOMMENDATIONS:

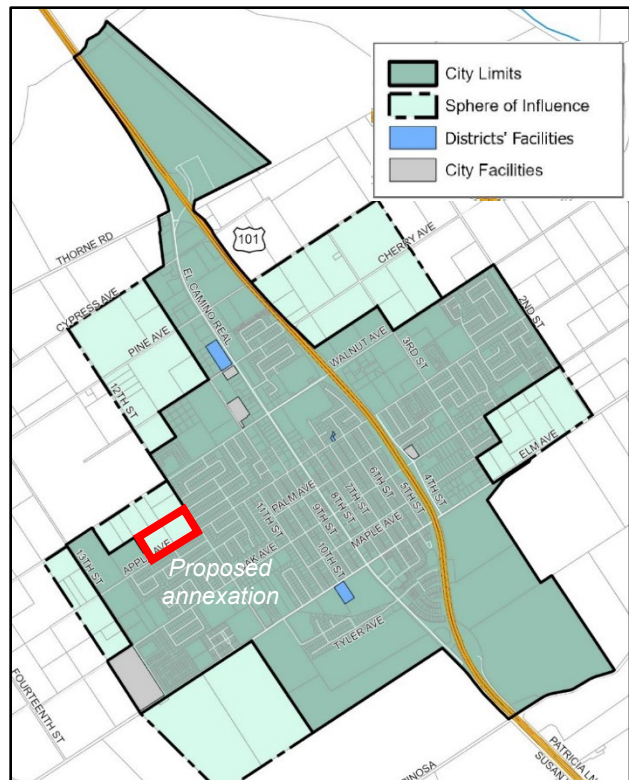
It is recommended that the Commission:

- a) Receive a report from the Executive Officer,
- b) Open the public hearing and receive any public comments,
- c) Provide for questions or follow-up discussion by the Commission, and
- d) Move to approve a resolution (Attachment 1) to:
  - 1. Consider the mitigated negative declaration and subsequent addendum that the City prepared, pursuant to CEQA, to address the proposal's potential environmental effects,
  - 2. Approve the City's proposed annexation and related special district detachments; and
  - 3. Waive Conducting Authority ("protest") proceedings for this proposal, as authorized by State law

### EXECUTIVE OFFICER'S REPORT:

#### Overview and Recommended Action

The City of Greenfield is proposing annexation of approximately 18.7 acres for public facility uses (an existing public school and a planned community recreation center and public park). Standard related actions are detachment from the Greenfield Fire Protection District and the Resource Conservation District of Monterey County. The annexation area is within the city's sphere of influence as designated by LAFCO in 2013. Staff recommends approval of the proposal.



The proposed annexation area consists of two parcels. The western parcel is developed with the Greenfield Union School District's Arroyo Seco Academy K-6 elementary school. The undeveloped parcel to the east is owned by the city and is the future location of a new community center and park.

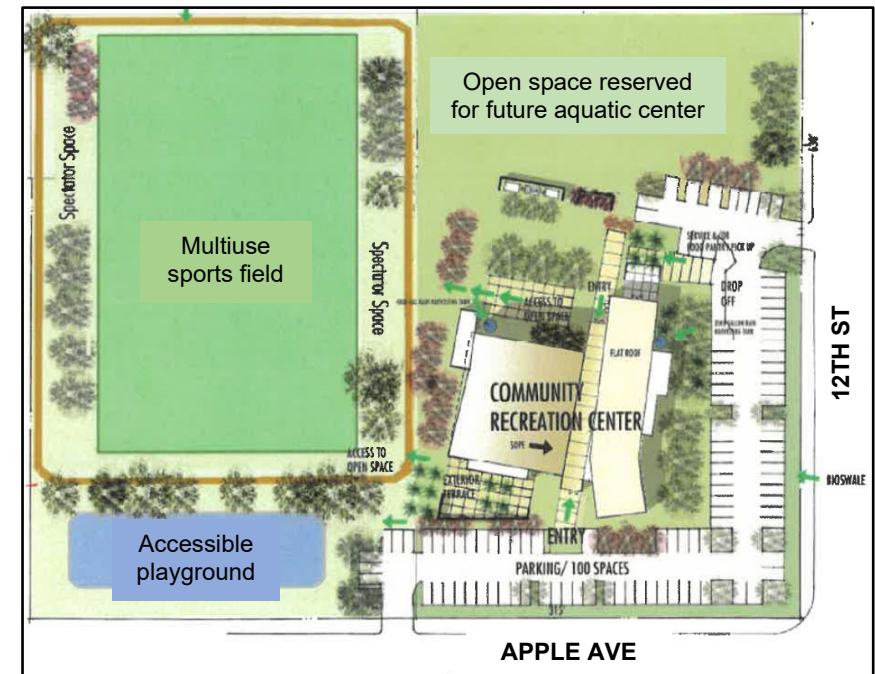
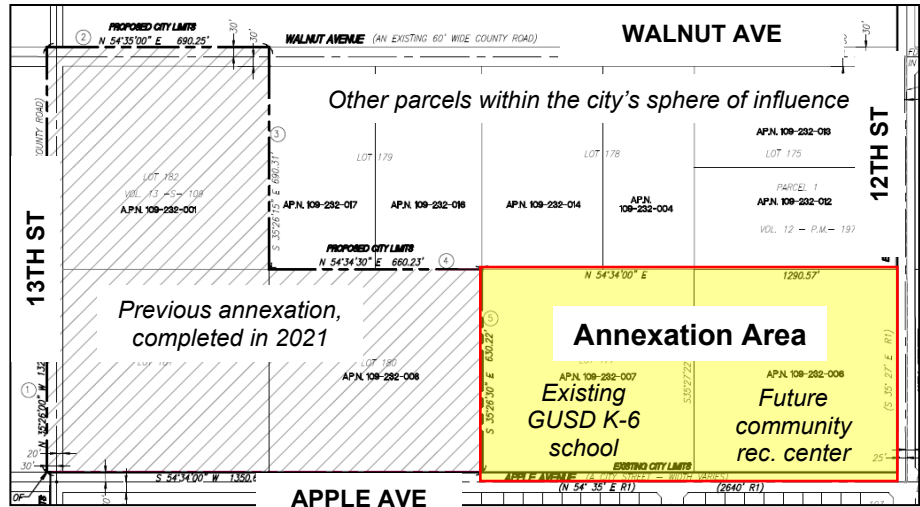
The City originally filed an annexation proposal for these parcels in February 2017. At that time, both parcels were vacant and undeveloped. In 2017, the school district had not yet built the Academy, and a former private property owner was planning residential development on the parcel that the city now owns.

Beginning immediately after the city filed the 2017 proposal, there was significant disagreement, between city and county staff, as to whether agricultural mitigation should be required for the proposal under the terms of the 2013 City-County Memorandum of Agreement. Agricultural considerations are further discussed on the next page.

In May 2017, LAFCO approved an out-of-agency extension of city water and sewer services to the School District-owned parcel, allowing construction and occupancy of the school to proceed. With that immediate need addressed, the residential development component and the annexation proposal became inactive, but the application was not withdrawn.

The City purchased the eastern parcel from the private property owner in 2021 to develop a community center and park. The State of California is partially funding the community center under a Proposition 68 grant. The City submitted a revised and updated annexation proposal in mid-July 2024.

Public Agency Referrals, Agency Comments, and Public Notice



Per standard procedures, LAFCO staff referred the City's July 2024 revised proposal to affected local agencies for review and comment. The Greenfield Union School District and the Greenfield Fire Protection District responded in support of the proposed annexation. Staff consulted with the County of Monterey regarding agricultural considerations and other aspects of this updated/resubmitted annexation proposal. County staff expressed that the County has no concerns or objections. Staff also informed the Resource Conservation District about the proposed detachment of these parcels from the RCD, which is a routine action for city annexations.

Staff published a public hearing notice in the Salinas Valley Tribune local newspaper, mailed notices to property owners and registered voters within 300 feet of the annexation area, and provided notifications to affected local public agencies. Staff also posted notices on the LAFCO website, at the County Government Center, and at the LAFCO office. Based on these measures, LAFCO has met all requirements and procedures for public agency referrals and public noticing. As of this writing, staff has received no comments in opposition to the proposal.

### **California Environmental Quality Act (CEQA) Compliance**

The City of Greenfield is the CEQA lead agency for this proposal. In November 2008, the City approved a mitigated negative declaration (MND) for the Greenfield Villages project. That project and its MND anticipated development of the entire double-sized city block bounded by Walnut, 12<sup>th</sup>, Apple, and 13<sup>th</sup>, including the current Mira Monte project site. In October 2021, the City approved an addendum to the Villages MND to specifically examine the annexation project's potential environmental effects. The City's addendum determined that the prior MND adequately addressed the new project's impacts.

As a responsible agency under CEQA, LAFCO is required, when approving a boundary change, to consider the findings made by the lead agency. The City's CEQA documents referenced above are provided as Attachment 2.

### **Analysis of the Proposal**

The proposal complies with the Cortese-Knox-Hertzberg Act and with the Commission's locally adopted policies, as detailed in the draft resolution's written determinations (Attachment 1). Annexation into the city will facilitate development of a city-owned community recreation center and park, a valuable public asset. The annexation will facilitate street frontage improvements along Apple Avenue and 12<sup>th</sup> Street, thereby enhancing walkability and public safety (including, particularly, pedestrian access to and from the existing Arroyo Seco Academy elementary school). Public safety will also be aided by bringing the school into the city limits and reducing the current amount of split City-County agency jurisdiction within this block.

The City of Greenfield's municipal services and facilities have capacity to meet the needs of existing and planned development on the two parcels being annexed.

There are no agricultural land uses or farmlands on, or adjacent to, the area being annexed. The large city block in which the annexation area is located has been gradually transitioning out of agricultural uses over the last 20 to 30 years. Very little, if any, of the overall block remains in active cultivation. The California Department of Conservation's Important Farmland Map identifies the two annexation parcels as grazing land (a non-farmland designation). Therefore, these parcels are not subject to requirements of the Commission's adopted policy for Preservation of Open-Space and Agricultural Lands, including the recently added (February 2024) Agricultural Mitigation Guidelines, which apply to parcels designated as Prime Farmland or Farmland of Statewide or Local Importance. At one time, these two parcels were designated as Prime Farmland, and were farmed. However, agricultural uses ended sometime before 2010, and the State undesignated these sites as farmland in late 2016 or early 2017, around the same time the annexation proposal was originally submitted to LAFCO (the exact timing of the mapping change is unclear).

### **Reconsideration**

After the Commission has adopted a resolution making determinations, any person or affected agency may file a written request with the LAFCO Executive Officer requesting amendments to, or reconsideration of, the resolution. The person or agency shall file the written request within 30 days of the adoption of the resolution. Pursuant to State law (the Cortese-Knox-Hertzberg Act, Section 56895), “The request shall state the specific modification to the resolution being requested and shall state what new or different facts that could not have been presented previously are claimed to warrant the reconsideration.”

### Waiver of Protest Proceedings

For annexations that full consent of the involved property owners, State law allows LAFCOs to waive subsequent Conducting Authority (“protest”) proceedings, unless written opposition is received prior to the public hearing for this proposal. Staff has received no indications of any opposition.

### Conclusion

As reflected in the draft resolution, LAFCO staff’s analysis of the proposed reorganization finds it to be in the public interest and consistent with the requirements of State LAFCO law and locally adopted LAFCO policies. It is also consistent with fundamental LAFCO objectives of encouraging the orderly development of local government agencies and efficiently providing local government services. Staff therefore recommends approval of the proposal.

### Alternative Actions

In lieu of the recommended actions, the Commission may act to deny the District’s Sphere/annexation proposal, or adopt a modified version of the proposal. Substantial changes to the draft Resolution would require a continuation of the agenda item, with direction to the Executive Officer to prepare a new draft Resolution based on the Commission’s findings.

Respectfully Submitted,



Kate McKenna, AICP

Attachments:

1. Draft resolution
2. Mitigated Negative Declaration Addendum, by City of Greenfield pursuant to CEQA

Note: The original, 2008 Greenfield Villages Mitigated Negative Declaration (MND), which the City’s 2021 Addendum supplements, is available on LAFCO’s webpage for the 9/23/2024 meeting: [www.countyofmonterey.gov/government/government-links/lafco/current-agenda-and-meeting-packet](http://www.countyofmonterey.gov/government/government-links/lafco/current-agenda-and-meeting-packet)



LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

RESOLUTION NO. 24 – xx

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION APPROVING THE CITY OF GREENFIELD APPLE AVENUE ANNEXATION, AND RELATED DETACHMENTS FROM THE GREENFIELD FIRE PROTECTION DISTRICT AND THE RESOURCE CONSERVATION DISTRICT OF MONTEREY COUNTY (LAFCO FILE 17-02), AND WAIVING CONDUCTING AUTHORITY (PROTEST) PROCEEDINGS**

WHEREAS, an application for proposed actions consisting of annexation of approximately 18.7 acres of land to the City of Greenfield and detachment from the Greenfield Fire Protection District and the Resource Conservation District of Monterey County (the “Proposal”) was heretofore filed and accepted for filing by the Executive Officer of this Local Agency Formation Commission; and

WHEREAS, in 2013, the City and the County approved an agreement entitled “Greater Greenfield Memorandum of Agreement” (the MOA); and

WHEREAS, the area of the proposed reorganization is within the City’s existing designated Sphere of Influence as finalized by the Greater Greenfield MOA; and

WHEREAS, the Executive Officer, pursuant to Government Code section 56658, set September 23, 2024 as the hearing date on this proposal and provided public notice as required by law; and

WHEREAS, the Executive Officer, pursuant to Government Code section 56665, has reviewed this proposal and prepared a report, including recommendations thereon, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, this Commission, on September 23, 2024 heard from interested parties and considered the proposal and the report of the Executive Officer, and considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, factors specified in Government Code section 56668; and

WHEREAS, the City of Greenfield, as the Lead Agency, has approved environmental clearance pursuant to the California Environmental Quality Act (CEQA) for this proposal by use of an addendum to the previously approved Greenfield Villages mitigated negative declaration for development of the proposal site with both already-existing and planned future public facilities; and

WHEREAS, the City of Greenfield and the Monterey County Board of Supervisors approved a property tax transfer agreement for this proposal on March 26, 2024 and August 13, 2024, respectively;

NOW, THEREFORE, the Local Agency Formation Commission of Monterey County does **HEREBY RESOLVE, DETERMINE, AND ORDER** as follows:

Section 1. The forgoing recitals are true and correct.

Section 2. The Commission has considered the mitigated negative declaration that the City prepared in 2008 for development of this site, as well as the City’s 2021 addendum that finds there are no altered circumstances or new information of substantial importance since approval of the mitigated negative declaration.

Section 3. The Commission has considered the factors set forth for changes of organization in the Cortese-Knox-Hertzberg Act, Government Code § 56668 and found the proposal to be consistent with these factors as outlined below:

- a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of

significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years: *The proposed 18.7-acre annexation to the City will support and complement residential development occurring near the proposal area, as well as the existing community. The site is within the city's sphere of influence (designated future growth area) and is in the logical direction of orderly city growth.*

- b) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas: *The City has prepared a service plan to support the proposed annexation. The City has adequate water, wastewater, public safety, and other relevant services and facilities for the proposal's anticipated land uses. The proposal will facilitate development of a valuable public asset (community recreation center and park).*
- c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county: *The proposal will promote efficient service provision by contributing to city-centered growth and development.*
- d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377. [Note: Government Code Section 56377 pertains to directing development away from open-space and agricultural land, unless this would be detrimental to the promotion of the planned, orderly, efficient development of an area]: *The proposal is consistent with, and will support, adjacent development patterns. The site is neither designated nor used as farmland. There appear to be no agricultural land uses remaining within this double-sized city block, all of which is within either city limits or the city's sphere of influence.*
- e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands: *Please see response "d," above.*
- f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries: *The proposal's boundaries are definite and certain.*
- g) A regional transportation plan adopted pursuant to Section 65080: *The 2008 Greenfield Villages CEQA document (mitigated negative declaration) for development on this site identified significant impacts to transportation and circulation. The identified transportation and circulation impacts would be reduced to less-than-significant levels with mitigation. Per the CEQA mitigation requirements for this project, the project may be required to provide fair-share contributions for road improvements into a regional transportation improvement fund.*
- h) The proposal's consistency with city or county general and specific plans. *This city-initiated proposal is consistent with the city's General Plan land use designations and applicable policies.*
- i) The Sphere of Influence of any local agency which may be applicable to the proposal being reviewed: *The proposal is consistent with adopted Spheres of Influence for local agencies. LAFCO staff has consulted with and notified the two special districts from which the subject territory will detach when the site annexes to the city.*
- j) The comments of any affected local agency or other public agency: *The Greenfield Union School District and the Greenfield Fire Protection District informally (via email) expressed support for the proposal. Staff has received no other comments as of this writing.*
- k) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change: *The City already serves the area surrounding the proposal site and is financially stable with*

*expenses generally in line with revenues, and with a growing tax base.*

- l) *Timely availability of water supplies adequate for projected needs as specified in Section 65352.5: The City of Greenfield is the municipal water provider within city limits. As such, the City is required to periodically prepare Urban Water Management Plans for submittal to the State Water Resources Board. The City's CEQA clearance for the proposal documents that the proposal will not have a significant effect regarding water supply.*
- m) *The extent to which the proposal will affect a City or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments: The proposal will not affect the housing supply. The City of Greenfield has several hundred acres of other developable sites within city limits.*
- n) *Any information or comments from the landowner or owners, voters, or residents of the affected territory: LAFCO staff conducted outreach, including mailed notice to property owners and registered voters within 300 feet of the proposal site, and has received no inquiries or correspondence.*
- o) *Any information relating to existing land use designations: The proposal will implement the City's existing land use designations.*
- p) *The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services: The proposal would have no identified effect on issues related to environmental justice.*
- q) *Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal: The proposal area is not within a fire hazard severity zone.*

Section 4. The proposal is consistent with the Commission's adopted Policies and Procedures. Of most relevance, the proposal is consistent with policies relating to Economics, Service Delivery and Development Patterns (Section 4.4.6), in that the proposal will provide for services in response to a demonstrated need. The proposal is consistent with (i.e., does not trigger requirements of) the Commission's adopted policies for agricultural preservation and mitigation, in that the annexation area is not designated or used as farmland.

Section 5. The proposal is approved subject to the following terms and conditions. The Certificate of Completion for the reorganization (annexation and detachments) shall not be issued until all terms and conditions are met.

- a. Payment of the State Board of Equalization's required mapping fee (\$800) and acceptance of maps and/or property descriptions, as needed, by the State Board of Equalization;

Section 6. The applicant shall agree, as a condition of the approval of this application to defend at its sole expense any action brought against LAFCO, the Commission and its staff, because of the approval of this application. The applicant will reimburse LAFCO for any court costs and attorneys' fees which may be required by a court to pay as a result of such action. LAFCO may, at its sole discretion, participate in the defense of any such action; but such participation shall not relieve applicant of his obligations under this condition. The obligation on the part of the applicant to indemnify LAFCO is effective upon the adoption of this resolution and does not require any further action.

Section 7. If a Certificate of Completion for a change of organization or reorganization has not been filed within one year after the Commission approves a proposal for that proceeding, the proceeding shall be deemed abandoned unless prior to the expiration of that year the Commission authorizes an extension of time for that completion. The extension may be for any period deemed reasonable to the

Commission for completion of necessary prerequisite actions by any party. If a proceeding has not been completed because of the order or decree of a court of competent jurisdiction temporarily enjoining or restraining the proceedings, this shall not be deemed a failure of completion and the one-year period shall be tolled for the time that order or decree is in effect. [Government Code section 57001]

Section 8. The proposed annexation to the City of Greenfield, and detachments from the Greenfield Fire Protection District and the Resource Conservation District of Monterey County are hereby approved as described in Exhibit "A," attached hereto and made a part hereof. The reorganization is assigned the following distinctive short form designation: "City of Greenfield – Apple Avenue Reorganization."

Section 9. The annexation area will not be taxed for any existing bonded indebtedness of the City. The regular tax roll shall be used.

Section 10. Protest proceedings for this proposal are hereby waived, in accordance with Government Code Sections 57000 et seq.

Section 11. The effective date for the annexation and detachments shall be the filing of the Certificate of Completion.

Section 12. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner and as provided in Section 56882 of the Government Code.

UPON MOTION of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the forgoing resolution is adopted this 23rd day of September, 2024 by the following vote (Voice/Roll Call):

AYES: Commissioners:  
NOES: Commissioners:  
ABSENT: Commissioners:  
ALTERNATES: Commissioners:  
ABSTAIN: Commissioners:

By: \_\_\_\_\_  
Kimbley Craig, Chair  
Local Agency Formation Commission of Monterey County

ATTEST: I certify that the within instrument is a true and complete copy of the original resolution of said Commission on file within this office.

Witness my hand this \_\_\_ day of \_\_\_\_\_, 2024

By: \_\_\_\_\_  
Kate McKenna, AICP, Executive Officer

# EXHIBIT A

Legal Description  
Greenfield Unified School District/Thorp Annexation

That certain real property situated within a portion of Lot 177 of the Clark Colony as shown on that certain map filed in Volume 1 of Cities and Towns at Page 64, County of Monterey, State of California, being more particularly described as follows:

BEGINNING at a point on the northwesterly right of way line of Apple Avenue, a City Street, on the line common to Lots 177 and 180, as they are shown on the map entitled "Clark Colony" being recorded in Volume 1 of Cities and Towns at Page 64; thence from said Point of Beginning along the common boundary line of said Lots 177 and 180

1. North 35° 26' 30" West for a distance of 630.22 feet to the corner common to Lots 177, 178, 179, and 180 of said map; thence leaving said common corner of said Lots 177 and 180, following the common boundary lines of Lots 177 and 180 of said map
2. North 54° 34' 30" East for a distance of 660.28 feet to the corner common to Lots 175, 176, 177 and 178, thence leaving the corner common to Lots 177, 178, 179 and 180, following the common boundary lines of Lots 177 and 178 of said map
3. South 35° 27' 22" East for a distance of 630.13 feet to the intersection of the northeasterly right of way line of Apple Avenue with the common corner of Lots 176 and 177; thence leaving said corner of Lots 175, 176, 177 and 178, following the common boundary lines of Lots 177 and 176
4. South 54° 34' 00" West a distance of 660.44 feet to the POINT OF BEGINNING.

Containing an area of 18.671 acres, more or less.

The aforesaid parcel is shown on the Exhibit Map which is attached hereto and made a part hereof.

Prepared by:



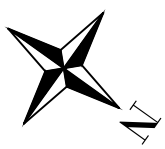
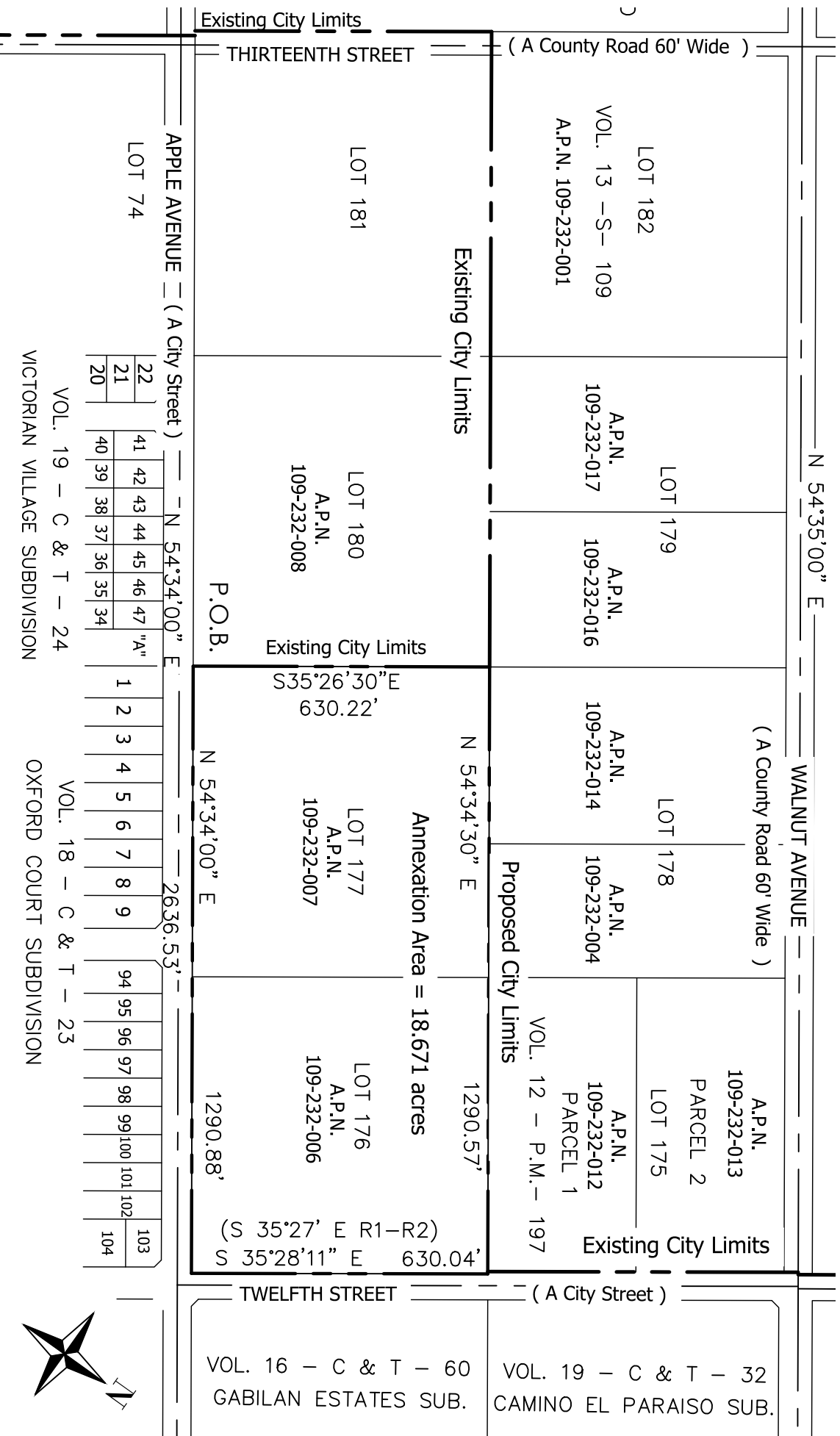
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Lynn A. Kovach P.L. S. 5321  
Date: April 24, 2024



# EXHIBIT MAP

Tunzi Annexation to the City of Greenfield,  
Lots 176 & 177 of the Clark Colony Vol. 1 of Cities & Towns Pg. 36,  
City of Greenfield, MONTEREY COUNTY, CALIFORNIA



PREPARED BY:  
*POLARIS LAND SURVEYING*  
P.O. BOX 1378  
CARMEL VALLEY, CA 93924

SCALE: 1" = 300' VIEW: Plat DATE: 4-24-24  
FILE NAME: CD Tunzi Annexation.dwg

**GREENFIELD COMMUNITY RECREATION CENTER  
ADDENDUM TO THE 2016 ADDENDUM ENVIRONMENTAL  
REPORT PREPARED FOR THE GREENFIELD UNION SCHOOL  
DISTRICT/THORP ANNEXATION PROJECT (ADOPTED BY THE  
GREENFIELD CITY COUNCIL ON OCTOBER 12, 2021)**

**Purpose of the Addendum**

The City of Greenfield adopted, via Resolution 2008-103, The Villages Planned Development (PD) and Annexation Project Initial Study/Mitigated Negative Declaration (MND), on November 25, 2008, this being the benchmark CEQA document that addresses annexation of a 76-acre block to the City of Greenfield, and that includes the approximately 7-acre project site for the Greenfield Community Recreation Center (Rec Center), that is subject of this Addendum. The project site is a portion of the 9.11-acre Thorp Property (APN: 109-232-006), for which a vesting tentative map (VTM) for a 58-lot single-family residential development was approved by the City in 2008.

Subsequent to the adoption of the MND for the Villages Project, the City and the region suffered an economic downturn that derailed the development of the various projects on properties within the Annexation Area, including the Thorp VTM, which was not developed. Other individual developments within the Annexation Area have more recently been proposed, for which additional environmental review has been undertaken. In the interim, a Memorandum of Agreement (MOA) between the County and the City of Greenfield, executed in June 2013, which addressed mitigation requirements for agricultural lands preservation. A Supplemental MND for a VTM for a residential development on the Tunzi Property (APN 109-232-007), which is adjacent to and to the west of the Thorp Property was adopted in January 2016, but this residential development also did not proceed to construction. Instead, the Tunzi Property was earmarked for the site of a new school, and later in 2016, the City of Greenfield prepared and certified an Addendum to the 2008 Thorp VTM EIR and the 2016 Tunzi VTM Supplemental Mitigated Negative Declaration as the environmental review for the Greenfield Union School District/Thorp Annexation project, which covered both the Tunzi Property and the Thorp Property and which was termed the Addendum Environmental Report or AER.

This document is an Addendum to 2016 AER for the development of the Tunzi Property for a new school and Thorp Property for a 58-lot residential subdivision. The Addendum to the 2016 AER has been prepared in accordance with Section 15164 of the State Guidelines for the Implementation of CEQA (CEQA Guidelines), to address changes and environmental impacts associated with the previously-certified EIR or Negative Declaration. Section 15164(a) of CEQA Guidelines establishes that the preparation of an Addendum to a previously-certified CEQA document is appropriate if some changes or additions are necessary, and that none of the conditions in Section 15162 that would require the preparation of a Subsequent CEQA document are met. Section 15164 (c) of the CEQA Guidelines provides that the Addendum need not be circulated for public review by can be included in or attached to the Final EIR or adopted negative declaration. Pursuant to Section 15164(e) of the CEQA Guidelines, this Addendum

provides an analysis and explanation documenting the City's decision that preparation of a Subsequent EIR or Negative Declaration is not required, and that an Addendum will suffice. As prescribed in CEQA Guidelines Section 15164(d), the decision-making body, in this case, the Greenfield City Council, shall consider the Addendum with the previously certified CEQA document, in this case the 2016 AER.

### **Project Description and Environmental Setting**

The project site is located in the municipality of Greenfield in Monterey County, California, at the northwest corner of Apple Avenue and 12<sup>th</sup> Street as seen below in Figure 1. The proposed Community Recreation Center would be constructed on a 6.94-acre area on the southern portion of the 9.11-acre Thorp property (Assessor's Parcel Number 109-232-006). The remaining portion of the Thorp property would left undeveloped. The site plan is depicted in Figure 2, below.

**Figure 1. Project Location in Greenfield, California**



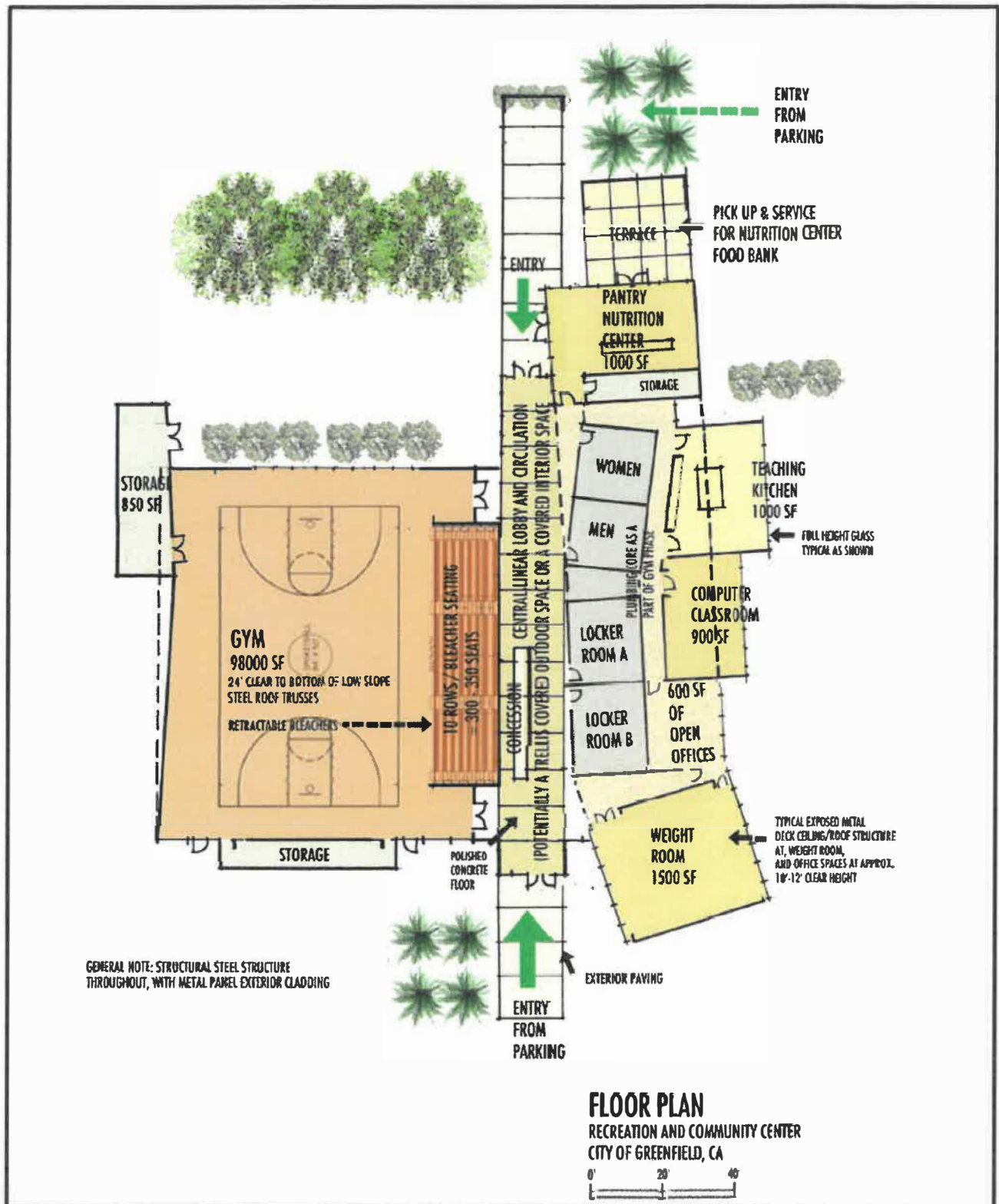
The project proposes the construction of a new 22,613-SF facility for recreation uses, including a gym, weight room, nutrition center, computer center, and locker rooms. Also proposed are a 210-ft by 360-ft multi-use play field, a 200-ft by 40-ft (approximately 8,000-SF), a 100-space parking area, landscaping, and a bioswale (see Figure 2). There would be a 6-ft wide decomposed granite running/walking path around the play field. The Community Recreation Facility would be owned and operated by the City of Greenfield and open to the public. The northern portion of the property would be left as open space and potentially used for future aquatic center uses. The conceptual floor plan for the facility is depicted in Figure 3.



Figure 2. Site Plan



Figure 3. Conceptual Floor Plan



## **Existing Conditions and Surrounding Land Uses**

The project site is currently undeveloped and has historically been used for various agricultural purposes. To the north of the site is a private agricultural area. To the west of the facility is the Arroyo Seco Academy school. To the east and south of the facility are neighborhoods comprised of single and multi-family housing.

## **General Plan Consistency and Existing Zoning**

The property is currently in the jurisdiction of Monterey County and is currently zoned by Monterey County as "Agriculture." The City would need to purchase the property and would develop the Rec Center working with County Planning staff, or alternatively, could complete the annexation and change the pre-zoning to the Public and Quasi-Public Zoning District, which would allow the proposed community center, park, and playground uses. The City's General Plan Land Use Element currently designates the property as Low-Density Residential, so an amendment of the City's Land Use Map would also be required.

## **Proposed Annexation**

As noted above, the proposed Rec Center property could be annexed into the City, or it could remain in County jurisdiction but owned and operated by the City. The proposed project is located entirely within the City's Sphere of Influence (SOI) approved in March 2007 by the Monterey County Local Agency Formation Commission (LAFCO).

## **Evaluation of Environmental Effects**

The following environmental analysis supports a determination that approval and implementation of the proposed project would not result in any previously undisclosed significant impacts, or a substantial increase in the severity of previously disclosed impacts, or additional significant environmental impacts beyond those previously discussed in the 2016 AER for the Greenfield Union School District/Thorp Annexation project.

The following is an analysis of the environmental impacts of the proposed Rec Center project in comparison to Greenfield Union School District/Thorp Annexation project. Also presented herein are the required CEQA discussion of Greenhouse Gas Emissions. Tribal Cultural Resources are discussed under Cultural Resources.

## **Aesthetics**

The Rec Center project would develop less of the Thorp Property than the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER. In addition, approximately 90% of the project site is reserved for a play-field, playground area, parking, and landscaping. The 22,613-SF Rec Center facility would result in a much smaller building footprint than that anticipated for the 58 single-family residences. As such, the aesthetic impacts of the proposed Rec Center project would be substantially less than the

impacts of the previously-reviewed Thorp VTM. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required.

### **Agriculture**

The Rec Center project would develop a 6.94-acre area in the southern portion of the 9.11-acre Thorp property. This is approximately 24% less land area than that for the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER. The Rec Center facility would disturb less acreage than the Thorp VTM residential development. As such, the agriculture-related impacts of the proposed Rec Center project would be substantially less than the impacts of the previously-reviewed Thorp VTM. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required.

### **Air Quality**

The Rec Center project develops 24% less of the Thorp Property than the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER. As such, construction-phase air emissions including dust generation would be substantially less than that evaluated in the 2016 AER. The Rec Center would primarily serve the community of Greenfield, with shorter vehicle trips than that anticipated for a 58-lot single-family residential development. Transportation-related emissions would be substantially less than that anticipated for the Thorp VTM residential development. In addition, the Rec Center facility will incorporate sustainable design strategies and features to minimize energy consumption; conserve resources; minimize adverse effects on the environment and to improve occupant productivity, health, and comfort. The facility will seek LEED certified Silver Rating. Overall, both construction-phase and operational phase air emissions would be substantially less than those anticipated for the previously-reviewed Thorp VTM residential development. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required.

### **Biological Resources**

The project site has historically been under agricultural production. It is devoid of plant and animal species of concern. A September 2021 site visit noted no significant changes to the site and its habitat value since the certification of the 2016 AER. The Rec Center project develops 24% less of the Thorp Property than the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER. As such, potential impacts to biological resources would be substantially less than that evaluated in the 2016 AER. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required.

### **Cultural Resources and Tribal Cultural Resources**

The project site has historically been under agricultural production. The Rec Center project develops 24% less of the Thorp Property than the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER and overall, requires much less grading than the

58-lot residential development. In addition, the City's standard conditions for construction projects would be applied, including those for protection of cultural resources. As such, potential impacts to cultural resources and tribal cultural resources would be substantially less than that evaluated in the 2016 AER. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required.

## **Geology and Soils**

The project site has historically been under agricultural production. The Rec Center project develops 24% less of the Thorp Property than the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER. As such, potential impacts to geology and soils resources would be incrementally less than that evaluated in the 2016 AER. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required.

## **Greenhouse Gas Emissions**

The State of California is subject to a State mandate to reduce Greenhouse Gas Emissions (GHG) through Assembly Bill (AB) 32. AB 32 requires reducing GHG emissions to 1990 levels by 2020 and represents an initial step toward achieving the longer-term goal of Executive Order S-3-05, which calls for reducing GHG emissions to 80% below 1990 levels by 2050; this equates to less than 2 metric tons of GHGs per capita.

In 2007, through the adoption of Senate Bill (SB) 97, California's lawmakers identified the need to analyze greenhouse gas emissions as a part of the CEQA process. Even in the absence of adopted CEQA thresholds for GHG emissions, lead agencies are required to analyze the GHG emissions of proposed projects and must reach a conclusion regarding the significance of those emissions. In Monterey County, because the Monterey Bay Air Resources District (MBARD) has not developed a GHG Emissions Threshold, the MBARD recommends that the thresholds for San Luis Obispo County Air Pollution Control District (SLOAPCD) be used to provide guidance for lead agencies. The SLOAPCD GHG Emission Threshold is 1,150 MTCO<sub>2</sub>/year, or 4.9 MT per resident/employee per year.

The most common greenhouse gases are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFC), perfluorocarbons (PFC) and sulfur hexafluoride (SF<sub>6</sub>). Of these, fossil fuel combustion is by far the dominant source of CO<sub>2</sub>; greenhouse gas emissions of all types are commonly analyzed in terms of equivalent emissions of carbon dioxide (CO<sub>2</sub>E).

The criteria for identifying a significant impact related to GHG emissions are met if the project would either or both:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? Or,

- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

For the proposed Rec Center, neither of these criteria are met, and the project would result in a less than significant impact for Greenhouse Gases. The emissions analysis in the 2016 AER would suffice, and emission levels for both the construction and operational phases would be less than that for the larger 58-home Thorp VTM residential development. No new mitigation measures are required.

### **Hazards and Hazardous Materials**

The Rec Center project develops 24% less of the Thorp Property than the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER. No buildings are present on the site, so the potential for encountering building-related hazardous materials such as asbestos material and lead-based paint is very low. Potential construction-phase impacts related to hazards and hazardous materials would be incrementally less than that evaluated in the 2016 AER. For the operational phase, potential impacts related to hazards and hazardous materials would be similar as those evaluated in the 2016 AER. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required.

### **Hydrology and Water Quality**

The Rec Center project develops 24% less of the Thorp Property than the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER. As such, potential impacts to hydrology and water quality would be incrementally less than that evaluated in the 2016 AER. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required.

### **Land Use and Planning**

As discussed above, the City could either develop the Rec Center under County jurisdiction or annex the property, which would allow for a pre-zoning to Public Quasi Public. The recreational facility would be operated by the City and would be open to the public to serve the Greenfield Community. The property is surrounded by existing and future residential land uses, existing agricultural uses, and a school to the west. The play field would be sited towards the western interior of the site closest to the existing school and away from the existing residential uses. A recreation center and a park are complimentary uses to the surrounding uses, and no significant land use impacts are anticipated. The development of additional parks and recreational facilities is consistent with the City's General Plan. No new mitigation measures are required.

### **Mineral Resources**

The Greenfield General Plan EIR determined that no known mineral resources, which would be of value to the region or state, were located within the General Plan Area. No new mitigation measures are required.

## **Noise**

The Rec Center project develops 24% less of the Thorp Property than the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER. As such, construction-phase noise would be incrementally less than that evaluated in the 2016 AER. The project would comply with the City's Standard Conditions of Approval for Construction, which set forth requirements and limitations on noise-generating construction activities. For the operational phase, most of the activities supported by the Rec Center building would be conducted indoors. For the play field and play-ground, these would be sited towards the western portion of the site closest to the existing school. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required.

## **Population and Housing**

The Rec Center is a non-residential project and would have no impact on population and housing. No impacts to population and housing would occur, and no new mitigation measures are required.

## **Public Services**

The Rec Center is a non-residential project and would have not increase population-related public services. Impact on public services would be less than those associated with the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER. The Rec Center would provide park space and would help the City maintain an acceptable balance of parkland to population. Police and Fire services would be incrementally less than that anticipated for the Thorp VTM Residential Subdivision evaluated in the 2016 AER. No new mitigation measures are required.

## **Recreation**

The Rec Center would provide parkland space and recreation opportunities that would help the City maintain an acceptable balance of parkland to population. This is a beneficial impact. No new mitigation measures are required.

## **Transportation/Traffic**

The Rec Center project would be a non-residential development in contrast to the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER. The Rec Center would primarily serve the community of Greenfield, with shorter vehicle trips than that anticipated for a 58-lot single-family residential development. Transportation and traffic-related impacts would be less than that anticipated for the Thorp VTM residential development. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required.

## **Utilities and Service Systems**

The City's wastewater treatment facility has a permitted capacity of 2.0 million gallons per day (MGD). The current wastewater flow is approximately 1.0 MGD. Development of the Rec Center would have a similar water demand and sanitary sewer generation in comparison with the 58-lot Thorp VTM Residential Subdivision evaluated in the 2016 AER. Impacts related to utilities and service systems would be similar as that evaluated in the 2016 AER. The applicable mitigation measures identified in the 2016 AER would be applied. No new mitigation measures are required.

## **Mandatory Findings of Significance**

Per the 2016 AER, the then proposed residential project had potentially significant environmental impacts and had mitigation measures adopted to reduce the impacts to a less than significant level. The change from a residential development to a Community Recreational Center would not have substantially different environmental impacts, and the developed area would be smaller than that proposed for the Thorp VTM. The proposed Rec Center would not have a substantial adverse effect on the environment. With the implementation of the Mitigation Measures set forth in the 2016 AER for the Greenfield Union School District/Thorp Annexation project, potential environmental impacts will be mitigated to a less-than-significant level, and no new mitigation measures are required.



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).