AGENDA ITEM NO. 4.a

LAFCO *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 — Fax (831) 754-5831
www.monterey.lafco.ca.gov

KATE McKENNA, AICP
Executive Officer

DRAFT MINUTES
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

***An audio/video recording of this meeting is available at the LAFCO office. Please contact us at (831) 754-5838 to arrange a time to listen or to order a copy*.**

Regular Meeting

Monday, June 28, 2010, 4:00 p.m.

Board of Supervisors Chambers
Monterey County Government Center
168 West Alisal, First Floor
Salinas, California

The meeting of the Local Agency Formation Commission (LAFCO) of Monterey County was called to order by Chair Salinas at 4:08 p.m. in the Monterey County Board of Supervisors Chambers. Commissioner Champion led the Pledge of Allegiance.

ROLL CALL

Members Present

Commissioner Salinas, Chair– START OF MEETING *(County Member)*
Commissioner Champion, Chair– FOLLOWING ITEM 5 *(Special District Member)*
Commissioner DiMaggio, Vice-Chair– FOLLOWING ITEM 5 *(Public Member)*
Commissioner Calcagno *(County Member)*
Commissioner Darington, Alternate *(Public Member)*
Commissioner Gourley, Alternate *(City Member)*
Commissioner Rubio *(City Member)*
Commissioner Stephens *(Special District Member)*

Members Not Present

Commissioner Donohue *(City Member)*

Members Not Present, Presence Not Required

Commissioner Armenta, Alternate *(County Member)*
Commissioner Moore, Alternate *(Special District Member)*

Staff Present

Kate McKenna, AICP, Executive Officer
Thom McCue, AICP, Senior Analyst
Leslie Girard, LAFCO General Counsel
Rachelle Jones, LAFCO Clerk

Item 4: Special Business

4.a Administer Oath of Office for Re-Appointment of Public Member Commissioner Vince DiMaggio for a Term Ending in May 2014 (Administered by Chair Salinas).

Chair Salinas administered the Oath of Office to reappointed LAFCO Public member, Commissioner Vince DiMaggio, to which Commissioner DiMaggio agreed. His present term will expire in May 2014.

There were no public comments for this item.

Item 5: Selection of Chair and Chair Pro Tempore

5.a Select the Chair and Chair Pro Tempore for a One-Year Period Ending in May 2011 and, if Deemed Appropriate, Include in the Motion the Adoption of a Resolution to Temporarily Suspend Provisions of Section 10 of the LAFCO Hearing Rules and Regulations Relating to an Annual Rotation Policy.

There were no public comments for this item.

Commission Action

Upon Motion of Commissioner Gourley, seconded by Commissioner Stephens, Commissioner Champion was selected as Chair and Commissioner DiMaggio as Chair Pro Tempore for a Term Ending in May 2011, unanimously.

Item 6: Minutes

6.a Accept Draft Meeting Notes of May 20, 2010 LAFCO Budget and Finance Committee Meeting.

There were no public comments for this item.

Commission Action

Upon Motion of Commissioner Gourley, seconded by Commissioner Calcagno, Meeting Notes of the May 20, 2010 LAFCO Budget and Finance Committee Meeting, were unanimously accepted.

6.b Consider and Approve Draft Minutes of May 24, 2010 Regular LAFCO Meeting.

There were no public comments for this item.

Commission Action

Upon Motion of Commissioner Gourley, seconded by Commissioner Calcagno, Minutes of the May 24, 2010 Regular LAFCO Meeting, were unanimously adopted.

6.c Accept Draft Meeting Notes of June 16, 2010 LAFCO Sphere of Influence and Annexation Committee Meeting.

There were no public comments for this item.

Commission Action

Upon Motion of Commissioner Gourley, seconded by Commissioner Calcagno, Meeting Notes of the June 16, 2010 LAFCO Sphere of Influence and Annexation Committee Meeting, were unanimously accepted.

Item 7: Public Comment:

Bill Carrothers requested that individual Commission members express whether or not they were interest in reading materials provided by him.

Item 8: Commissioner Comment:

None

Item 9: (a - h): Consent Agenda:

Items 9.g (Authorize Comments on the Initial Study and Negative Declaration for Aromas Water District's Sphere of Influence Amendment in San Benito County) and 9.h (Approve Appointment of Special District Member to Budget and Finance Committee) were pulled from the Consent Agenda.

Consent Items 9 (a-f) were considered by the Commission.

There were no public comments for these items.

Commission Action

Upon Motion of Commissioner Gourley, seconded by Commissioner Stephens, Consent Agenda Items 9(a-f): Registers of Checks Paid in May 2010, Financial Statements for Period Ending March 31, 2010, Report on Legislative Activities of the California Association of Local Agency Formation Commissions, List of Anticipated Future Agenda Items, Progress Report on LAFCO's Comprehensive Program for Municipal Service Reviews and Sphere of Influence Updates, Agreement with Bianchi, Kasavan and Pope, LLP to Provide Professional Audit Services, were unanimously accepted, adopted, or approved.

9.g Authorize Comments on the Initial Study and Negative Declaration for Aromas Water District's Sphere of Influence Amendment in San Benito County.

Vicki Morris, General Manager of the Aromas Water District, addressed the Commission regarding this item, and provided changes she requested to the comment letter. She added that the comment period has been extended from July 9th to the 21st in order to allow additional time for review and comments.

Chair Champion opened this item for public comment.

Public Comment

Margie Kay, North Monterey County resident, urged inclusion of language encouraging further CEQA review in the comment letter.

Chair Champion closed public comment period for this item

Commission Comments and Action

Commission discussed the comment letter with General Counsel Girard.

> Upon motion of Commissioner Rubio, seconded by Commissioner Gourley, Item 9.g was trailed to item 13 on the Agenda in order to allow General Counsel Girard time to modify the comment letter prior to Commission Action.

9.h Approve Appointment of Special District Member to Budget and Finance Committee.

Chair Champion announced his recommendation of Commissioner Tom Moore as the Special District member on the Budget and Finance Committee

There was no public comment for this item.

Commission Action

> Upon motion of Commissioner Stephens, seconded by Commissioner Salinas, Commissioner Tom Moore was appointed as the Special District member on the LAFCO Budget and Finance Committee, by the following vote:
>
> AYES: Commissioners Stephens, Salinas, Calcagno, Champion, Darington, Gourley, and Rubio
> NOES: Commissioner DiMaggio
> ABSENT: Commissioner Donohue
> ABSTAIN: None

Item 10: New Business

10.a Consider Resolution to Adopt Miscellaneous Revisions to Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization, Including a Finding that the Revisions are not a Project for Purposes of the California Environmental Quality Act *(Recommended by the Sphere of Influence and Annexation Policy Committee on June 16, 2010).*

Executive Officer McKenna provided a report. Committee Chair DiMaggio briefly expanded on the report adding that efforts were made by Executive Officer McKenna to keep the community informed of the proposed revisions and additions to the policies and procedures relating to Spheres of Influence and changes of organization and reorganization.

Chair Champion opened this item for public comment.

Public Comments

Steve McHarris, Community Development Director, City of Soledad, said that the cities agree with the clean up revisions to the policies. However, they have concerns with the revised preliminary Sphere of Influence review policy & the new policy on Housing and Jobs.

Amy White, Executive Director, Landwatch, spoke in favor of the new policies and early involvement as part of the application process.

Bill Farrell, Community Development Director, City of Gonzales, on behalf of Rene Mendez, City Manager, expressed concerns over the preliminary Sphere of Influence and Housing/Jobs policies.

Vanessa Vallarta, Attorney, City of Salinas, requested time for further review by the public and the LAFCO Sphere of Influence and Annexation Policy Committee.

Chair Champion closed public comment period for this item.

Commission Comments and Action

Commissioner Calcagno, discussed benefits of early involvement with LAFCO as part of the application process. He said that he would support a continuance of this item to work on modification of language, but that he is not willing to remove the language.

Commissioner Gourley, requested continuation of this item to one or two Policy Committee meetings with increased involvement with the cities in the process.

Commissioner Rubio, requested continuance of this item to allow more time for Policy Committee to interact with the cities, address their concerns, and allow them to provide suggestions for modified language.

Commissioner Stephens, addressed concerns with cities' staffing constraints.

Commissioner Salinas, requested passing the non-substantive changes, at this time, and continuing the new policies for further discussion and involvement with the cities.

Commissioner Calcagno, respectfully disagreed with Commissioner Salinas and asked that the non-substantive revisions not be taken separately.

Commissioner Darington added that he supports providing guidance to cities as part of early involvement with the application process.

> Upon motion of Commissioner Calcagno, seconded by Commissioner Rubio, this item was referred back to the LAFCO Sphere of Influence and Annexation Policy Committee to primarily discuss the preliminary Sphere of Influence review and Housing/Jobs policies, allowing the cities a further opportunity to participate and work on language that will bring LAFCO and the cities to a mutual understanding.

Item 11: Executive Officer's Report

Executive Officer McKenna reported on the upcoming 2010 CALAFCO Annual Conference.

There were no public comments for this informational item.

Item 12: Correspondence

There was one item of correspondence included with the meeting packet - Letter from Tom Carvey, President/CEO of the Salinas Valley Chamber of Commerce – May 14, 2010.

There were no additional items of correspondence or public comments for this informational item.

Item 13 – Continuation of Item 9.g Pulled from Consent Agenda

Authorize Comments on the Initial Study and Negative Declaration for Aromas Water District's Sphere of Influence Amendment in San Benito County.

Chair Champion requested General Counsel Girard to provide his recommendations for modification of the comment letter.

> Upon motion of Commissioner Gourley, seconded by Commissioner Calcagno, the comment letter as revised by General Counsel Girard was unanimously approved.

Item 14 Adjournment

On motion of Chair Champion, there being no objection, the meeting was unanimously adjourned at 5:50 p.m. to the next Regular LAFCO Meeting to be held on Monday, August 23, 2010 at 4:00 p.m. in the Board of Supervisors Chambers, 168 W. Alisal St., First Floor, Salinas, California.

Respectfully Submitted,

Rachelle Jones
LAFCO Clerk