

LOCAL AGENCY FORMATION COMMISSION  
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**KATE McKENNA, AICP**  
Executive Officer

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

*Adopted on August 27, 2012*

**Monday, June 25, 2012**  
**4:00 p.m.**

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

**Call to Order**

The Local Agency Formation Commission was called to order by Chair Delgado at 4:07 p.m. in the Monterey County Board of Supervisors Chambers.

**Pledge Of Allegiance**

Chair Delgado led the Pledge of Allegiance.

**Roll Call**

**Members Present**

Commissioner Calcagno (Vice Chair)  
Commissioner Darington  
Commissioner Delgado (Chair)  
Commissioner Orozco  
Commissioner Salinas  
Commissioner Snodgrass  
Commissioner Stephens

**Members Absent**

Commissioner Donohue (Excused)

**Members Not Present** (Presence Not Required)

Commissioner Armenta

Commissioner Gourley

**Staff Present**

Kate McKenna, AICP, Executive Officer

Leslie J. Girard, LAFCO General Counsel

Thomas A. McCue, AICP, LAFCO Senior Analyst

D. A. Christoffersen, Interim LAFCO Clerk

**4. Special Business**

- a. Administer Oath of Office for Re-Appointment of City Member (Alternate) Commissioner Maria Orozco for a Term Ending May 2016.

There were no public comments for this item.

Chair Delgado administered the Oath of Office for Re-Appointment to City Member (Alternate) Commissioner Orozco for a Four-Year Term ending May 2016.

- b. Adopt a Resolution Declaring the May 2012 Selection Results of the Independent Special District Selection Committee.

Executive Officer McKenna provided a report.

There were no public comments for this item.

**Commission Action**

Upon motion by Commissioner Calcagno, seconded by Commissioner Darington, the Resolution Declaring the May 2012 Selection Results of the Independent Special District Selection Committee unanimously passed.

- c. Administer Oath of Office for Special District Member (Regular) Commissioner Stephen Snodgrass for a Term Ending May 2016.

There were no public comments for this item.

Chair Delgado administered the Oath of Office for Appointment to Special District Member (Regular) Commissioner Stephen Snodgrass for a Four-Year Term ending

May 2016.

- d. Consider a Resolution in Appreciation of Special District Member Commissioner Don Champion, PhD., for Dedicated and Outstanding Service to the Local Agency Formation Commission of Monterey County.

There were no public comments for this item.

Chair Delgado stated that Commissioner Don Champion was unable to be in attendance today to receive his Resolution. Chair Delgado further commented on the distinguished service of Don Champion to LAFCO and noted the various contributions Commissioner Champion made to LAFCO and other public and community associations in Monterey County.

## **5. Minutes**

- a. Adopt Draft Minutes of May 21, 2012 Regular LAFCO Meeting.

There were no public comments for this item.

### Commission Action

Upon motion by Commissioner Stephens, seconded by Commissioner Salinas, the Draft Minutes were adopted.

## **6. Public Comments**

There were no public comments.

## **7. Commissioner Announcements**

Commissioner Snodgrass stated he visited LAFCO Special District, Soledad Community Health Care District, and commented favorably on the facility. Chair Delgado thanked him for visiting this Special District.

## **8. Consent Items**

- a. Approve the Register of Checks Paid in May 2012.
- b. Accept List of Anticipated Future Agenda Items.
- c. Receive Report on Legislative Activities.
- d. Approve Draft Financial Statements for Period Ending April 30, 2012.

There were no public comments for these items.

#### Commission Action

Upon motion by Commissioner Calcagno, seconded by Commissioner Snodgrass, the consent items were unanimously approved and accepted.

### **9. Public Hearing**

- a. Consider Amendment expanding the Aromas Water District's Sphere of Influence by approximately 1,715 acres (238 existing parcels) and the approval of the **"Oakridge/Via Del Sol Annexation"** of approximately 421 acres (71 existing parcels) of this area to the District. The proposed annexation area includes contiguous properties along, or near, Oakridge Drive (off Dunbarton Road) and Via del Sol (off Echo Valley Road). The proposed Sphere of Influence amendment area extends north from the proposed annexation area to the District's existing Sphere of Influence at San Juan and Carpenteria Roads and the San Benito County line. (LAFCO File No. 12-02).

Executive Officer McKenna introduced Vicki Morris, General Manager of Aromas Water District; Rob Johnson, Chief, Monterey County Water Resources Management Agency; Mary Bannister, General Manager, Pajaro Valley Water Management Agency; and Thom McCue, LAFCO Senior Analyst. Mr. McCue presented the recommendation and report.

#### Commissioner Comments

Commissioners asked questions and offered comments.

Thom McCue and Vicki Morris answered Commissioner questions.

#### Public Comments

Several homeowners from the Oakridge/Via del Sol area offered comments. Those homeowners in favor of the proposed annexation are:

David Petersen, Susanne Petersen, Joan Chu, Judy Taylor, Terry Beers, Mark Sagal, Margaret Keith, Mohammed Yaqoob, Nick Pizzica, Joe Hickenbottom. Steve Dickey, a co-owner of a large parcel adjacent to the annexation area, stated that he would like to be included in the annexation.

Those homeowners in opposition of the proposed annexation are:

Steve Kusanovich, Bob Perry, Dorinda Monroe, Joe Rocha, Mary Hsia-Coron – not a

resident of Monterey County, Andy Hsia-Coron – not a resident of Monterey County.

Commissioners discussed scheduling the Protest Hearing on August 27 at 5:00 p.m. to accommodate working homeowners. Counsel Girard and Executive Officer McKenna recommended the Commission cancel the next Regular LAFCO meeting of August 27 and proceed with a Special Meeting at 5:00 p.m.

#### Commission Action

Upon motion by Commissioner Salinas, seconded by Commissioner Calcagno, the proposed Amendment expanding the Aromas Water District's Sphere of Influence by approximately 1,715 acres (238 existing parcels) and the approval of the "Oakridge/Via Del Sol Annexation" of approximately 421 acres (71 existing parcels) was approved.

In addition, the recommendation to cancel the next Regular LAFCO Commission meeting on August 27 at 4:00 p.m. and hold a Special LAFCO Commission Meeting on August 27 at 5:00 p.m. was approved.

Commissioner Mayor Orozco left the meeting at 5:29 p.m. and did not vote on the item.

### **10. New Business**

- a. Consider Host Committee Report on 2012 CALAFCO Annual Conference.

Executive Officer McKenna gave the status report.

Commissioner Salinas commented on the meeting with the planning committee and site tour. Commissioner Calcagno stated the conference was moving ahead nicely, and highlighted the Mobile Workshop Agricultural Tour that is planned for the conference attendees. Executive Officer McKenna commented that the invitation to Mrs. Sylvia Panetta to be a Keynote Speaker had been delivered by Commissioner Salinas.

There were no Commissioner comments on this item.

- b. Consider Report on Business Items for the CALAFCO 2012 Annual Conference.

- i. Authorize Attendance at 2012 Annual Conference.

Executive Officer McKenna gave the report, and commented that the Budget was in place for our Commissioners and staff to attend.

Commissioners Delgado, Calcagno, Salinas, Stephens expressed their desire to attend. Commissioner Darington will be out of town and not able to attend.

Staff to attend will be Executive Officer McKenna, Sr. Analyst Thom McCue, LAFCO General Counsel Girard and Interim Clerk.

Executive Officer McKenna stated the LAFCO office would contact those Commissioners not in attendance today and invite them to attend.

ii. Designate Voting Delegates to 2012 Annual Conference.

Executive Officer McKenna gave the report and asked the Commission to appoint the Voting Delegates.

Commissioner Delgado volunteered to be the Primary Voting Delegate. Commissioner Salinas volunteered to be the Alternate Voting Delegate.

Commission Action

Upon motion by Commissioner Calcagno, seconded by Commissioner Stephens, the Voting Delegates were chosen.

iii. Consider Nominations for CALAFCO Board of Directors.

Executive Officer McKenna gave the report.

Commission Action

There were no nominations to the CALAFCO Board of Directors.

iv. Consider CALAFCO Achievement Award Nominations.

Chair Delgado recommended Commissioner Darington be nominated for the 2012 CALAFCO Achievement Award.

Commission Action

Upon motion by Commissioner Calcagno, seconded by Commissioner Snodgrass, the motion to nominate Commissioner Darington for the 2012 CALAFCO Outstanding Commissioner Award was unanimously passed.

c. Consider Authorizing Executive Officer to Retain Special Counsel Services Regarding Anticipated Marina Coast Water District Sphere of Influence Amendment/Annexation of the CEMEX (Lonestar) Property, in an Amount Not to

Exceed \$10,000.

Executive Officer McKenna provided the report.

Counsel Girard commented that this could potentially be a matter of conflict of interest and County Counsel Charles McKee has stated Counsel Girard must recuse himself from assisting in this matter.

Commissioner Darington stated he would abstain from voting due to a potential conflict of interest at this time.

#### Commission Action

Upon motion by Commissioner Delgado, seconded by Commissioner Salinas, the motion passed by the following vote:

AYES: Commissioners Calcagno, Delgado, Salinas, Snodgrass, Stephens

NOES: None

ABSENT: Commissioners Donohue

ABSTAIN: Commissioner Darington

### **11. Closed Session**

- a. Public Employee Annual Performance Evaluation pursuant to Gov. Code section 54957. Position: LAFCO Executive Officer.

Chair Delgado announced adjournment to Closed Session and reconvened the meeting from Closed Session.

Pursuant to Government Code Section 54957, Chief County Counsel Girard reported out of closed session that the Commission met in closed session to provide a Performance Evaluation to Executive Officer Kate McKenna and there is no reportable action for this item.

### **12. Consider Extension of Executive Officer Employment Agreement (Continued from Regular LAFCO Meeting on May 21, 2012.)**

Counsel Girard reported that the Commission met in Closed Session to consider the extension of the Executive Officer Employment Contract. The parties have agreed to extend the Executive Officer contract for three years, with the term expiring on June 30, 2015, subject to the changes as described in the agreement. There was no public comment.

### Commission Action

Upon motion by Commissioner Salinas, seconded by Commissioner Stephens, the extension of the Executive Officer's Employment Contract unanimously passed.

Chair Delgado further commented that the Commission appreciates Executive Officer McKenna's continued excellent performance and looks forward to her continued service to LAFCO.

### **13. Executive Officer Announcements**

There were no announcements.

### **14. Adjournment To The Next Meeting**

Commissioner Snodgrass provided a remembrance Mr. Bruce Woolpert, President and CEO of Graniterock Company who had recently passed away.

Chair Delgado adjourned the meeting at 7:15 p.m. in Memory of Bruce Woolpert to the Special LAFCO Meeting – Monday, August 27, 2012 at 5:00 p.m.

Alternative Formats: If requested, the agenda will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC 12132) and the federal rules and regulations adopted in implementation thereof.