

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

MINUTES
LOCAL AGENCY FORMATION COMMISSION
OF MONTEREY COUNTY

Adopted 1-23-17

Monday, December 5, 2016

4:00 p.m.

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

2016

Commissioners

Chair

Joe Gunter
City Member

Vice Chair

John Phillips
County Member

Fernando Armenta
County Member, Alternate

Sherwood Darington
Public Member

Matt Gourley
Public Member, Alternate

Maria Orozco
City Member, Alternate

Warren E. Poitras
Special District Member

Ralph Rubio
City Member

Simón Salinas
County Member

Steve Snodgrass
Special District Member
Alternate

Graig R. Stephens
Special District Member

Counsel

Leslie J. Girard
General Counsel

Staff

Kate McKenna, AICP
Executive Officer

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Roll Call

Members Present

Commissioner Gunter, Chair
Commissioner Gourley, (Alternate)
Commissioner Phillips, Chair Pro-Tem
Commissioner Orozco, (Alternate)
Commissioner Poitras
Commissioner Rubio
Commissioner Salinas
Commissioner Snodgrass
Commissioner Stephens

Members Absent (Excused Absences)

Commissioner Darington

Members Not Present (Presence Not Required)

Commissioner Armenta (Alternate)

Staff Present

Leslie J. Girard, General Counsel
Kate McKenna, AICP, Executive Officer
Darren McBain, LAFCO Senior Analyst
Thom McCue, LAFCO Senior Analyst
Gail Lawrence, Clerk to the Commission
Tiffany Hutchison, Administrative Assistant

Call to Order

The Local Agency Formation Commission was called to order by Chair Gunter at 4:00 p.m. in the Monterey County Board of Supervisors Chambers.

Pledge of Allegiance

Commissioner Salinas led the Pledge of Allegiance.

Public Comments

There were no Public Comments on items not on the Agenda.

Presentations

1. Consider Audit Report for Fiscal Year Ending June 30 2016.

Recommended Action: Receive presentation by Ms. Karen Campbell, CPA, Senior Audit Manager, Bianchi, Kasavan and Pope, LLP, and approve the Audit Report.

Executive Officer Kate McKenna introduced Ms. Campbell, who gave a presentation. The item was reviewed and recommended for approval by the LAFCO Budget and Finance Committee. Commissioner Snodgrass commented. Ms. Campbell commented and clarified information. There were no public comments.

Commission Action:

Upon motion by Commissioner Rubio, seconded by Commissioner Salinas, the Audit for Fiscal Year Ending June 30, 2016, was unanimously approved and accepted by those present. Absent: Commissioner Darington. Abstain: None. Motion Carried.

2. Consider Financial Statements for Period Ending June 30, 2016.

Recommended Action: Receive presentation by Mr. Mike Briley, CPA, Managing Partner, Hayashi Wayland Accounting and Consulting, LLP, and approve the Financial Statements.

Executive Officer Kate McKenna introduced Mike Briley, CPA, Managing Partner, Hayashi Wayland Accounting and Consulting, LLP, who gave a presentation. The item was reviewed and recommended for approval by the LAFCO Budget and Finance Committee. There were no public comments.

Commission Action:

Upon motion by Commissioner Rubio, seconded by Commissioner Stephens, the Financial Statements for Fiscal Year Ending June 30, 2016, were unanimously approved and accepted by those present. Absent: Commissioner Darington. Abstain: None. Motion Carried.

3. Consider Financial Statements for Period Ending September 30, 2016.

Recommended Action: Receive presentation by Mr. Mike Briley, and approve the Financial Statements.

Executive Officer Kate McKenna introduced Mike Briley, CPA, Managing Partner, Hayashi Wayland Accounting and Consulting, LLP, who gave a presentation. The item was reviewed and recommended for approval by the LAFCO Budget and Finance Committee. There was no public or Commissioner comments.

Commission Action:

Upon motion by Commissioner Rubio, seconded by Commissioner Stephens, the Financial Statements for Period Ending September 30, 2016, were unanimously approved and accepted by those present. Absent: Commissioner Darington. Abstain: None. Motion Carried.

Consent Agenda

4. Approve Draft Minutes from the August 22, 2016 LAFCO Regular Meeting.

Recommended Action: Approve minutes.

5. Accept Notes from the Budget and Finance Committee Meeting of November 4, 2016.

Recommended Action: Accept notes.

6. Approve Warrant Registers for the Months of September and October 2016.
Recommended Action: Approve registers.
7. Adopt a Schedule of Regular LAFCO Meetings for 2017.
Recommended Action: Adopt schedule.
8. Accept Report of Anticipated Future Agenda Items and Progress on Special Studies.
Recommended Action: Accept report.
9. Authorize Pay-Off of Pension Liability.
Recommended Action: Authorize expenditure from the Employee Benefits Account (FY 2016-2017 Budget) prior to June 30, 2017 to pay-off LAFCO's share of the CalPERS unfunded accrued pension liability, in an amount not to exceed \$23,818.
10. Accept Report on an Administrative Approval of an Out-of-Agency Service Extension Action (Monterey Regional County Sanitation District, Farmworker Housing Project, 252 Hitchcock Road, Salinas).
Recommended Action: Accept report.
11. Accept Report on an Administrative Comment Letter for a Notice of Preparation of a Draft Environmental Impact Report (City of Salinas, Salinas Truck Stop Proposal, De La Torre Street, Salinas).
Recommended Action: Accept report.

There were no public or Commissioner comments for the Consent Items.

Commission Action

Upon motion by Commissioner Salinas, seconded by Commissioner Phillips, the Consent Agenda items were unanimously approved by those present. Absent: Commissioner Darington. Abstain: None. Motion Carried.

Public Hearings

12. Consider the 2016 Municipal Service Review and Sphere of Influence Study for the Monterey Peninsula Airport District, the Moss Landing Harbor District, the Northern Salinas Valley Mosquito Abatement District and the Resource Conservation District of Monterey County.
Recommended Actions: Open a public hearing for this item and adopt a Resolution to:
 - (1) Find that the action is exempt from provisions of the California Environmental Quality Act (CEQA) as "information collection" under Section 15306 of the State CEQA Guidelines and based on the determination that this action does not have the potential for causing a significant effect on the environment (Section 15061(b)(3));
 - (2) Adopt the *2016 Municipal Service Review and Sphere of Influence Study* for the Monterey Peninsula Airport District, the Moss Landing Harbor District, the Northern Salinas Valley Mosquito Abatement District, and the Resource Conservation District of Monterey County, and
 - (3) Based on the Study's recommended determinations,
 - a. Affirm the current Sphere of Influence designations for the Monterey Peninsula Airport District and the Moss Landing Harbor District;
 - b. Expand the Northern Salinas Valley Mosquito Abatement District's currently designated Sphere of Influence to include all of Monterey County, and
 - c. Expand the Resource Conservation District of Monterey County's currently designated Sphere of Influence to include the cities of Monterey County as well as the unincorporated area.

Thom McCue, Senior Analyst, provided a report.

Chair Gunter opened the Public Hearing.

Public Comments

There were public comments from Russ Jeffries, Board President, Moss Landing Harbor District; Ken Klemme, General Manager, Northern Salinas Valley Mosquito Abatement District; Rebecca King, Board Vice-President, Resource Conservation District of Monterey County; Michael La Pier, General Manager, Monterey Peninsula Airport District.

Commissioners Poitras and Salinas commented..

Commission Action

Upon motion by Commissioner Salinas, seconded by Commissioner Phillips, the Commission approved and adopted a Resolution to:

- (1) Find that the action is exempt from provisions of the California Environmental Quality Act (CEQA) as "information collection" under Section 15306 of the State CEQA Guidelines and based on the determination that this action does not have the potential for causing a significant effect on the environment (Section 15061(b)(3));
- (2) Adopt the 2016 *Municipal Service Review and Sphere of Influence Study* for the Monterey Peninsula Airport District, the Moss Landing Harbor District, the Northern Salinas Valley Mosquito Abatement District, and the Resource Conservation District of Monterey County, and
- (3) Based on the Study's recommended determinations,
 - a. Affirm the current Sphere of Influence designations for the Monterey Peninsula Airport District and the Moss Landing Harbor District;
 - b. Expand the Northern Salinas Valley Mosquito Abatement District's currently designated Sphere of Influence to include all of Monterey County, and
 - c. Expand the Resource Conservation District of Monterey County's currently designated Sphere of Influence to include the cities of Monterey County as well as the unincorporated area.

Absent: Commissioner Darington. Abstain: None. Motion Carried.

13. Consider the 2016 Municipal Service Review and Sphere of Influence Study for the Pebble Beach and the Santa Lucia Community Services Districts.

Recommended Action: Continue the public hearing to January 23, 2017 for consideration of a Resolution to:

- (1) Find that the action is exempt from provisions of the California Environmental Quality Act (CEQA) as "information collection" under Section 15306 of the State CEQA Guidelines and based on the determination that this action does not have the potential for causing a significant effect on the environment (Section 15061(b)(3));
- (2) Adopt the 2016 *Municipal Service Review and Sphere of Influence Study* for the Pebble Beach and Santa Lucia Community Services Districts, and
- (3) Based on the Study's recommended determinations:
 - a. Affirm the current Sphere of Influence designation for the Pebble Beach and Santa Lucia Community Services Districts, and
 - b. Remove the designation of a "Future Study Area" on 603± acres adjacent to the Santa Lucia Community Services Districts' Sphere of Influence. This uninhabited open space is unlikely to warrant future annexation into the District.

Staff recommended that the Commission grant a continuance of this item to the January 23, 2017, meeting to allow for additional time to complete and present the draft study.

There were no public or Commissioner comments.

Commission Action

Upon motion by Commissioner Rubio, seconded by Commissioner Salinas, the Commission approved continuing the public hearing to January 23, 2017 for consideration of a Resolution to:

- (1) Find that the action is exempt from provisions of the California Environmental Quality Act (CEQA) as “information collection” under Section 15306 of the State CEQA Guidelines and based on the determination that this action does not have the potential for causing a significant effect on the environment (Section 15061(b)(3));
- (2) Adopt the *2016 Municipal Service Review and Sphere of Influence Study* for the Pebble Beach and Santa Lucia Community Services Districts, and
- (3) Based on the Study's recommended determinations:
 - a. Affirm the current Sphere of Influence designation for the Pebble Beach and Santa Lucia Community Services Districts, and
 - b. Remove the designation of a "Future Study Area" on 603+ acres adjacent to the Santa Lucia Community Services Districts' Sphere of Influence. This uninhabited open space is unlikely to warrant future annexation into the District.

Absent: Commissioner Darington. Abstain: None. Motion Carried.

Executive Officer's Report

14. Professional Development Activities:
 - a. CALAFCO Annual Conference.
 - b. County Counsels' Association, Land Use Study Section Conference.
 - c. Board Secretary/Clerk Conference and Certification.

The Commission received the Executive Officer's Report as information only.

Commissioner Comments

Commissioner Salinas provided comments.

Closed Session

Pursuant to Government Code section 54956.9 (d) (4) the Commission will meet in closed session with its General Counsel to discuss one matter of potential initiation of litigation.

The Commission convened to Closed Session at 4:45 p.m..

The Commission reconvened the Regular LAFCO meeting at 5:05 p.m. Legal Counsel, Les Girard stated there was no reportable action from the closed session.

Adjournment to the Next Meeting

Chair Gunter adjourned the meeting at 5:08 p.m.

The next Regular LAFCO Meeting is on Monday, January 23, 2017 at 4:00 p.m.