

KATE McKENNA, AICP
Executive Officer

MINUTES OF THE
LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY
Adopted on September 22, 2008

An audio 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, August 21, 2008, 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 DiMaggio at 4:04 p.m. in the Monterey County Board of Supervisors Chambers. Chair Donohue led the Pledge of Allegiance.

ROLL CALL

Members Present

Commissioner DiMaggio, Chair (*Public Member*)
Commissioner Donohue, Vice-Chair (*City Member*)
Commissioner Calcagno (*County Member*)
Commissioner McGowan (*Special District Member*)
Commissioner Perkins (*Special District Member*)
Commissioner Rubio (*City Member*)
Commissioner Salinas (*County Member*)

Members Not Present, Presence Not Required

Commissioner Armenta, Alternate (*County Member*)
Commissioner Darington, Alternate (*Public Member*)
Commissioner Gourley, Alternate (*City Member*)

Staff Present

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

Item 4: Minutes

4.a Approval of Minutes of the June 23, 2008 Regular LAFCO Meeting.

Upon Motion of Commissioner Salinas, seconded by Commissioner Perkins, minutes of the June 23, 2008 regular LAFCO meeting, were unanimously approved.

4.b Approval of Minutes of the July 3, 2008 Special LAFCO Meeting.

Upon Motion of Commissioner Salinas, seconded by Commissioner Perkins, minutes of the July 3, 2008 special LAFCO meeting, were unanimously approved.

Item 5: Public Comment:

Hans Jongens spoke against Wal-Mart stores and commented on the financial state of our country.

Item 6: Commissioner Comment:

None

Item 7 (a-d): Consent Agenda:

Consent Items d and e Consider Resolution to Approve FY 2008-09 Budget Amendment Number 2 Transferring \$60,000 From Account Numbers 6002 and 6100 (Employee Salaries and Benefits) to Account 7249 (Outside Professional Services) for Temporary In-House Professional Services, with No Net Change in Total Expenditures and Amendment #1 to Professional Services Agreement with Golden State Planning and Environmental Consultants to Provide Analyst Staff Support on a Temporary, Part-time Basis, in an Amount Not to Exceed \$30,000 through December 31, 2008, With Option for Extension to June 30, 2009, were pulled from consent by Commissioner DiMaggio.

Upon Motion of Commissioner Salinas, seconded by Commissioner Rubio, Consent Agenda Items (a-c): Register of Checks Paid in June and July 2008; Legislation Status Report; and List of Anticipated Future Agenda Item, were unanimously approved.

Commissioner Comments and Action

Commissioner DiMaggio questioned why consultant staffing was being suggested rather than a part-time analyst. Executive Officer McKenna explained that this option would allow for greater flexibility in light of the current economic climate and litigation settlement costs.

Upon Motion of Commissioner DiMaggio, seconded by Commissioner Perkins, Consent Agenda Items (d and e): Consider Resolution to Approve FY 2008-09 Budget Amendment Number 2 Transferring \$60,000 From Account Numbers 6002 and 6100 (Employee Salaries and Benefits) to Account 7249 (Outside Professional Services) for Temporary In-House Professional Services, with No Net Change in Total Expenditures and Amendment #1 to Professional Services Agreement with Golden State Planning and Environmental Consultants to Provide Analyst Staff Support on a Temporary, Part-time

Basis, in an Amount Not to Exceed \$30,000 through December 31, 2008, With Option for Extension to June 30, 2009, were unanimously approved.

Item 8: Old Business

**8.a Accept Status Report on the Carmel Valley Incorporation Proposal.
(LAFCO File No. 03-10)**

Executive Officer McKenna provided staff report.

Chair Donohue opened this item for public comments.

Public Comments

Bob Sinotte, President of Save Carmel Valley, provided comments relating to the boundary lines of the proposed incorporation, and requested Commission to evaluate Commissioner McGowan's potential conflict of interest on boundary issues relating to the Monterey Peninsula Regional Park District. Frank Lunding, Attorney and President of Planning 20/20, requested a public hearing solely on the boundary issue, and spoke about concerns he has with the Update to the Comprehensive Fiscal Analysis for the proposed incorporation.

Chair Donohue closed this item to public comments.

Commissioner Comments and Action

Commission discussed the issues of the Update to the Comprehensive Fiscal Analysis and the boundary issues relating to the Carmel Valley Incorporation Proposal. Commissioner Calcagno requested LAFCO staff submit questions provided by Commissioners Rubio and DiMaggio to Lew Bauman, County Administrative Officer. General Counsel Girard notified the Commission that he will be providing a legal analysis concerning the boundaries of the proposed incorporation for the September 22 regular LAFCO meeting.

Upon Motion of Commissioner Rubio, seconded by Commissioner McGowan, Informational Status Report on the Carmel Valley Incorporation Proposal (*LAFCO File No. 03-10*), was unanimously accepted.

Item 9: Public Hearing

**9.a Consideration of the Proposed “Steiny” Sphere of Influence Update and Annexation of Approximately 1.57 Acres Along Delfino Place and Carmel Valley Road in Carmel Valley Village to County Service Area #52. The Proposal Would Provide Storm Drain Facilities to a County-Approved Commercial and Residential Mixed-Use Development.
(LAFCO File 08-04)**

Senior Analyst McCue provided staff report. Ed Muniz, County Public Works, provided additional information.

There was no public comment for this public hearing item.

Commission Action

Upon Motion of Commissioner Rubio, seconded by Commissioner Perkins, “Steiny” Sphere of Influence Update and Annexation of Approximately 1.57 Acres Along Delfino Place and Carmel Valley Road in Carmel Valley Village to County Service Area #52, Providing Storm Drain Facilities to a County-Approved Commercial and Residential Mixed-Use Development. (*LAFCO File 08-04*), was unanimously approved.

Item 10: Executive Officer’s Report

Executive Officer McKenna provided a report on the election progress for one regular and one alternate Independent Special District seat on LAFCO. She also reported on the status of the CALAFCO Executive Board seats. Commissioner Gourley has decided not to run for reelection, while Commissioner Salinas has decided to run for a County seat on the board.

Item 11: Correspondence

Executive Officer McKenna provided reported on letter dated August 8, 2008 nominating Rachelle Jones for the CALAFCO Outstanding Clerk Award.

Item 12: Adjournment

On motion of Commissioner Perkins, seconded by Commissioner McGowan, the meeting was unanimously adjourned at 4:40 p.m. to the next regular LAFCO Meeting to be held to be held on Monday, September 22, 2008 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