

KATE McKENNA, AICP
Executive Officer

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

Adopted on May 21, 2007

*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, April 23, 2007, 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 Commissioner Vice-Chair Rubio at 4:02 p.m. in the Monterey County Board of Supervisors Chambers. Vice-Chair Rubio led the Pledge of Allegiance.

ROLL CALL

Members Present

Chair Tom Perkins, *(Special District Member)*
Commissioner Rubio, Vice-Chair, *(City Member)*
Commissioner Darington, Alternate *(Public Member)*
Commissioner DiMaggio *(Public Member)*
Commissioner Donohue, *(City Member)*
Commissioner Shirrel, Alternate *(Special District Member)*

Members Not Present

Commissioner Armenta, Alternate *(County Member)*
Commissioner Calcagno, *(County Member)*
Commissioner Gourley, Alternate *(City Member)*
Commissioner McGowan *(Special District Member)*
Commissioner Potter, Interim for Commissioner Smith *(County Member)*

Staff Present

Kate McKenna, AICP, Executive Officer
Thomas A. McCue, AICP, Senior Analyst
Elliot Mulberg, Senior Analyst
Efren Iglesia, LAFCO Counsel
Rachelle Jones, LAFCO Clerk

Item 4: Minutes

4.a Approval of Minutes of the March 19, 2007 Special LAFCO Meeting.

Upon Motion of Commissioner Donohue, seconded by Commissioner DiMaggio, minutes of the March 19, 2007 special LAFCO meeting, were unanimously approved.

4.b Approval of Minutes of the March 26, 2007 Regular LAFCO Meeting.

Upon Motion of Commissioner Donohue, seconded by Commissioner DiMaggio, minutes of the March 26, 2007 regular LAFCO meeting, were unanimously approved.

Item 5: Public Comment:

None

Item 6: Commissioner Comment:

Commissioner Shirrel suggested the creation of a LAFCO mission statement. Vice-Chair Rubio added that he feels a LAFCO workshop or retreat would be helpful in defining the organization. Commissioner Donohue commented on LAFCO identity issues.

Item 7 (a-b): Consent Agenda:

Executive Officer McKenna provided staff report.

Commissioner Shirrel brought attention to consent item 7.b, Legislation report, and said that she would like to see legislation return to the 2000 letter of the law.

Upon Motion of Commissioner Donohue, seconded by Commissioner Perkins, consent agenda items: Accept Check Registers for March 2007, Accept Legislation Report, and Receive List of Anticipated Agenda Items were unanimously approved.

Item 8: Public Hearing

8.a Consideration of the Proposed “Spreckels-Standard Pacific” Sphere of Influence Amendment and Annexation of Approximately 19.09 Acres to the Spreckels Community Services District Including 73 Lots Owned by Standard Pacific, the Pump Station Lot, the Agricultural Buffer Easement, and the Detention Basin (LAFCO File 07-01).

Senior Analyst Mulberg provided staff report.

Vice-Chair Rubio opened this item to the Commission and then to the floor.

Public Comment

Jim Riley, President of the Spreckels Community Services District, raised questions regarding the need for the District to have two fire districts. Scott Hauffman, Standard Pacific Homes, thanked LAFCO and all involved with the proposal.

Vice-Chair Rubio closed item to the floor.

Commission Action

Upon Motion of Commissioner Donohue, seconded by Commissioner Shirrel, Consideration of the Proposed “Spreckels-Standard Pacific” Sphere of Influence Amendment and Annexation of Approximately 19.09 Acres to the Spreckels Community Services District Including 73 Lots owned by Standard Pacific, the Pump Station Lot, the Agricultural Buffer Easement, and the Detention Basin (*LAFCO File 07-01*), was unanimously approved, as recommended by staff.

Vice-Chair Rubio moved to the next item on the Agenda.

8.b Consideration of the Proposed “Yop” Annexation of Approximately 9.26 Acres to the City Of Greenfield and Detachment of the Territory from the Monterey County Resource Conservation District. The Proposed Annexation is at the Northwest Corner of Walnut Avenue and 2nd Street. The Subject Area is Designated on the General Plan of the City of Greenfield for Highway Commercial Land Uses with a Regional Commercial Center Design Overlay (*LAFCO File No. 06-13*).

Senior Analyst McCue provided staff report.

Vice-Chair Rubio opened this item to the Commission and then to the floor.

Public Comment

Geary Coats, Representing the Yop family commented regarding buffer zones.

Vice-Chair Rubio closed item to the floor.

Commission Comment and Action

Commissioner DiMaggio suggested removal of the condition of approval that would require an agricultural buffer zone.

Upon Motion of Commissioner DiMaggio, seconded by Commissioner Shirrel, the “Yop” Annexation of Approximately 9.26 Acres, located at the Northwest Corner of Walnut Avenue and 2nd Street and Designated on the General Plan of the City of Greenfield for Highway Commercial Land Uses with a Regional Commercial Center Design Overlay, to the City Of Greenfield and Detachment of the Territory from the Monterey County Resource Conservation District Area (*LAFCO File No. 06-13*) was unanimously approved, with omission of the condition of approval language shown in the draft resolution under Section 33.a, requiring a 100 foot minimum buffer zone.

8.c Continued Consideration of the Proposed Fiscal Year 2007-08 LAFCO Budget and Work Program.

Executive Officer McKenna provided staff report, and noted that the Budget & Finance Committee had met on April 23. She outlined the revised Committee recommendations to reduce expenditures by nearly \$100,000.

Vice-Chair Rubio opened this item to the Commission and then to the floor.

Public Comment

Craig Anthony, President Pebble Beach Community Service District, expressed that the District's concerns are regarding the proposed reserve amounts, and future budgets. Robert Van Nort, Interim City Manager, City of Greenfield, spoke in support of the recommended decrease in the litigation reserve item.

Vice-Chair Rubio closed item to the floor.

Commission Comment and Action

Commission discussed the proposed fiscal year 2007-08 budget. Issues such as a LAFCO fee study, percentages of costs for the various contributing entities, and reserve amounts were raised.

Upon Motion of Commissioner Donohue, seconded by Commissioner Perkins, Proposed Fiscal Year 2007-08 LAFCO Budget and Work Program with recommended decreases to overall proposed budget of approximately \$100,000, was unanimously approved.

9: Executive Officers Report

Executive Officer McKenna reported a reconsideration letter from Commissioner Calcagno.

Item 10: Correspondence

- a. Various Correspondence Relating to the Carmel Valley Incorporation Proposal (*LAFCO File No. 03-10*).
- b. 2007 CALAFCO Conference in Sacramento.

The above items were included in the meeting packet, as information.

Item 12: Closed Session

Vice-Chair Rubio called the meeting into closed session.

- a. **Public Employee Performance Evaluation pursuant to Gov. Code Section §54957. Position: LAFCO Executive Officer.**
- b. **Pursuant to Government Code Section 54956.9 (a) – Existing Litigation**

The Commission will Confer with Special Legal Counsel Regarding the Following Items:

- (1) “Carmel Valley Forum, Inc. (Petitioner) vs. Local Agency Formation Commission of Monterey County (Respondent),”
Superior Court Case Number M83394**
- (2) “William Sims, Mark Spindler, Sharon Waller, and Valley Volunteers, Inc. (Petitioners) VS. Monterey County Local Agency Formation Commission also known as LAFCO of Monterey County (Respondent),”
Superior Court Case Number M79069**

The meeting was reopened from Closed Session.

Reportable action from Closed Session:

12.a - The LAFCO Executive Officer’s evaluation was accepted.

12.b (1) and (2) – Commission provided direction to legal counsel.

Item 13: Adjournment

On motion of Vice-Chair Rubio, there being no objection, the meeting was adjourned at 6:23 p.m. to the next regular LAFCO meeting to be held on Monday, May 21, 2007 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