

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

**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

John Phillips
County Member

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

132 W. Gabilan Street, #102
Salinas, CA 93901

P. O. Box 1369
Salinas, CA 93902

Voice: 831-754-5838
Fax: 831-754-5831

**MINUTES
LOCAL AGENCY FORMATION COMMISSION
OF MONTEREY COUNTY
Adopted August 22, 2016**

**Monday, June 27, 2016
4:00 p.m.**

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

Roll Call

Members Present

Commissioner Darington, Chair
Commissioner Gourley
Commissioner Gunter, Chair Pro-Tem
Commissioner Phillips
Commissioner Orozco
Commissioner Poitras
Commissioner Rubio
Commissioner Salinas
Commissioner Snodgrass

Members Absent (Excused Absences)

Commissioner Stephens

Members Not Present (Presence Not Required)

Commissioner Armenta

Staff Present

Leslie J. Girard, General Counsel
Darren McBain, LAFCO Senior Analyst
Gail Lawrence, Clerk to the Commission
Tiffany Hutchison, Administrative Assistant (Temporary)

Call To Order

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

Pledge of Allegiance

Commissioner Gourley led the Pledge of Allegiance.

Public Comments

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

Special Business

1. Administer the Oath of Office for Re-Appointment of City Member (Alternate) Commissioner Orozco.

Recommended Action: LAFCO Chair Darington will administer the Oath of Office.

Chair Darington administered the Oath of Office to City Member Orozco (Alternate). The Commissioner took her seat on the dais.

2. Adopt Resolutions Declaring the April and May 2016 Selection Results of Special District Member (Regular) Commissioner Poitras and Special District Member (Alternate) Commissioner Snodgrass.

Recommended Action: Adopt resolutions.

Commission Action: Upon motion by Commissioner Gunter, seconded by Commissioner Phillips, the recommended Resolutions declaring the results of the Special District Member Selection were unanimously approved by those present. Abstain: None. Absent: Commissioner Stephens. Motion Carried.

3. Administer the Oath of Office for Special District Members Poitras and Snodgrass.

Recommended Action: LAFCO Chair Darington will administer the Oath of Office.

Chair Darington administered the Oath of Office to Special District Member (Regular) Commissioner Poitras and Special District Member (Alternate) Commissioner Snodgrass. The Commissioners took their seats on the dais.

4. Select the LAFCO Chair and Chair Pro Tempore for a Period Ending in May 2017.

Recommended Action: Conduct the selection process.

Public Comments

There were no Public Comments.

Commission Action

Upon motion by Commissioner Rubio, seconded by Commissioner Phillips, Commissioner Joe Gunter was nominated as Chair for a period ending in May 2017. The motion was unanimously approved by those present. Absent: Commissioner Stephens. Abstain: None. Motion Carried.

Commission Action

Upon motion by Commissioner Salinas, seconded by Commissioner Rubio, Commissioner John Phillips was nominated as Chair Pro-Tempore for a period ending May 2017. The motion was unanimously approved by those present. Absent: Commissioner Stephens. Abstain: None. Motion Carried.

Consent Agenda

5. Approve Draft Minutes from the April 25, 2016 LAFCO Regular Meeting.

Recommended Action: Approve minutes.

6. Accept Notes from the May 4, 2016 Budget and Finance Committee Meeting.

Recommended Action: Accept meeting notes.

7. Accept Report on Anticipated Future Agenda Items.
Recommended Action: Accept report.
8. Approve Registers of Checks for April and May 2016.
Recommended Action: Approve registers.
9. Accept Report of Draft Financial Statements for Period Ending March 31, 2016.
Recommended Action (by Budget and Finance Committee): Accept report.
10. Approve Year-End Budget Encumbrance of any Funds Remaining in Human Resources Professional Services on June 30, 2016 for use in Special Projects in Fiscal Year 2016-2017.
Recommended Action (by Budget and Finance Committee): Adopt resolution.
11. Accept Report on Activities of the California Association of Local Agency Formation Commissions.
Recommended Action: Accept report.
12. Approve Amendment to Agreement for Professional Services with the Office of County Counsel, County of Monterey, for General Legal Services.
Recommended Action: Approve amendment.

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

Public Hearing

13. Carmel Area Wastewater District:
 - Consider the Draft *2016 Municipal Service Review and Sphere of Influence Study*, and
 - Consider the District's proposed Sphere of Influence Amendment and annexation totaling approximately 3,040 acres (approximately five square miles), primarily in portions of Carmel Valley, the Carmel Hills area near the mouth of the valley, and lands in and near the Point Lobos State Natural Reserve (LAFCO File #16-01).

Recommended Actions: Conduct a public hearing and consider a resolution to:

- a) Find the Draft *2016 Municipal Service Review and Sphere of Influence Study* exempt from the California Environmental Quality Act (CEQA) under Sections 15306 and 15061(b)(3) of the CEQA Guidelines;
- b) Approve the *2016 Municipal Service Review and Sphere of Influence Study*;
- c) Consider the Negative Declaration that the District adopted in 2015, pursuant to CEQA, to address the potential environmental effects of the proposed Sphere of Influence Amendment and annexation;
- d) Approve the District's proposed Sphere of Influence Amendment and annexation, and
- e) Authorize the Executive Officer to set Monday, August 22, 2016 at 4:00 PM in the Board of Supervisors Chambers as the Conducting Authority ("protest") hearing for this proposal.

Darren Mc Bain, LAFCO Senior Analyst, presented a report.

Chair Gunter opened the Public Hearing.

Public Comments

Public comments were made by Drew Landers, Principal Engineer, Carmel Area Wastewater District.

Chair Gunter closed the Public Hearing.

Commissioner Comments

Commissioners Phillips and Poitras provided comments.

Commission Action

Upon motion by Commissioner Phillips, Seconded by Commissioner Poitras, the Resolution for the Carmel Area Wastewater District was unanimously adopted by those present to:

- a) Find the Draft 2016 *Municipal Service Review and Sphere of Influence Study* exempt from the California Environmental Quality Act (CEQA) under Sections 15306 and 15061 (b) (3) of the CEQA Guidelines;
- b) Approve the 2016 *Municipal Service Review and Sphere of Influence Study*;
- c) Consider the Negative Declaration that the District adopted in 2015, pursuant to CEQA, to address the potential environmental effects of the proposed Sphere of Influence Amendment and annexation;
- d) Approve the District's proposed Sphere of Influence Amendment and annexation, and
- e) Authorize the Executive Officer to set Monday, August 22, 2016 at 4:00 PM in the Board of Supervisors Chambers as the Conducting Authority ("protest") hearing for this proposal.

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

Executive Officer's Report

None.

Commissioner Comments

None.

Correspondence

None.

Adjournment to the Next Meeting

Chair Gunter adjourned the meeting at 4:28 p.m.

The next Regular LAFCO Meeting is on Monday, August 22, 2016 at 4:00 p.m.

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