



**SAN LUIS OBISPO
LOCAL AGENCY FORMATION COMMISSION
NOVEMBER 18, 2021, MEETING MINUTES**

Call to Order

The San Luis Obispo Local Agency Formation Commission (LAFCO) meeting was called to order at 9:02 a.m. on Thursday, November 18, 2021, by Chairperson Robert Enns pursuant to the COVID-19 provisions of the Governor's Executive Order AB 361.

Roll Call

Present: Chairperson Robert Enns, Vice-Chair Ed Waage, Commissioners Debbie Arnold, Lynn Compton, Steve Gregory, Heather Jensen, Marshall Ochylski, and Alternate Commissioners Ed Eby and John Peschong.

Absent: Alternate Commissioner Charles Bourbeau.

Staff: Rob Fitzroy, LAFCO Executive Officer
Brian Pierik, LAFCO Legal Counsel
Imelda Marquez, LAFCO Analyst
Celine Vuong, LAFCO Commission Clerk

Approval of Minutes

Chairperson Enns announced the consideration of approval for the October 21, 2021, Meeting Minutes.

Chairperson Enns asked for comments or a motion to approve the Meeting Minutes.

Commissioner Ochylski motioned to approve the minutes.

Commissioner Waage seconded the motion.

Chairperson Enns asked for any public comment, announcing it was closed after hearing none.

Chairperson Enns asked **Ms. Vuong** for a roll call vote.

AYES: Commissioners Ochylski, Waage, Arnold, Compton, Gregory, Jensen, and Chairperson Enns

NAYS: None

ABSTAINING: None

The motion passed with a unanimous roll call vote.

Non-Agenda Public Comment Period

Chairperson Enns announced non-agenda public comment period and asked if there were any written or live comments.

Ms. Marquez announced there were none.

Chairperson Enns thanked **Ms. Marquez** then closed the public comment period.

Consent Agenda

A-1: Resolution Regarding Commission Meetings Held by Teleconference as Provided by AB 361 (Consider Approval of Resolution)

A-2: 2022 Annual Meeting Schedule (Recommend Review and Approve)

Chairperson Enns announced public comment period and asked if there were any written or live comments.

Ms. Marquez announced there were none.

Chairperson Enns thanked **Ms. Marquez** then closed the public comment period.

After closing public comment, brought it back for a motion.

Commissioner Arnold motioned to the consent Agenda item.

Commissioner Waage seconded the motion.

Chairperson Enns asked **Ms. Vuong** for a roll call vote.

AYES: Commissioners Arnold, Waage, Compton, Gregory, Jensen, Ochylski, and Chairperson Enns

NAYS: None

ABSTAINING: None

The motion passed with a unanimous roll call vote.

Regular Matters

B-1: Annexation #90 and Sphere of Influence Amendment to the City of Paso Robles (Gateway) LAFCO File No. 3-R-21 (Recommend Review and Approve)

Ms. Vuong announced **Commissioner Compton**'s recusal from the agenda item because of a conflict of interest being that the City of Paso Robles donated to her campaign. That said, **Alternate Commissioner Peschong** stepped in for her.

Mr. Fitzroy introduced and presented the item.

Chairperson Enns announced public comment period and asked if there were any written or live comments.

Ms. Marquez announced there were none.

Chairperson Enns thanked **Ms. Marquez** then closed the public comment period. After hearing none, introduced the start of Commissioner comments.

Chairperson Enns opened the floor to Commissioner comments of staff to which multiple Commissioners had questions.

Commissioner Ochylski had a general question regarding if the layout of the project had changed since the last study session.

Warren Frace, City of Paso Robles Director of Community Development answered the question and revealed there were no changes to the site plan.

Commissioner Waage had a question about the process to approve the sphere of influence and annexation. He was also curious about if the Sphere of Influence resolution needs approval since it did not include approval, was wondering if he was missing something.

Mr. Fitzroy answered the requests and made a revised amendment to the resolution so that the sphere of influence and annexation are now included, and that they should be included for the record.

Commissioner Waage had another curiosity that because we have to prove the annexation, will we need this in two parts?

Mr. Fitzroy responded by saying that the two parts can be approved simultaneously over one resolution.

Chairperson Enns had a question about the groundwater wells in Paso Robles.

Mr. Fitzroy directed the question to **Christopher Alakel**, City of Paso Robles Director of Public Works to answer.

Christopher Alakel responded to the questions asked of him.

Chairperson Enns followed up with more questions about the state of the wells in the future.

Christopher Alakel countered to the questions asked of him.

Chairperson Enns thanked **Mr. Alakel** for his responses but had one more question to ask about the unused wells.

Mr. Alakel replied to the question about unused wells to the best of his abilities.

Chairperson Enns thanked **Mr. Alakel** for his time and his answering of questions before asking if there were any written or live comments.

Ms. Marquez announced there were none.

Chairperson Enns thanked **Ms. Marquez** then closed the public comment period. After hearing none, introduced the start of Commissioner comments.

Commissioner Arnold started by thanking everyone involved in the project, and gave praise to the project.

Commissioner Waage commended the project for being well-thought out and reiterated our need for economic development in that area.

Commissioner Gregory extended his thanks to the Furlotti family, to the City of Paso Robles staff, and to **Mr. Fitzroy**.

Alternate Commissioner Peschong additionally thanks the staff at LAFCO for organizing the presentation, the City of Paso Robles for their efforts, and to the Furlotti family.

Chairperson Enns brought it back to the board for a motion on both actions.

Commissioner Gregory made a motion to approve the first action.

Alternate Commissioner Peschong seconded the motion.

Chairperson Enns asked for any other Commissioner comments, seeing none, asked for a roll call vote.

Chairperson Enns asked **Ms. Vuong** for a roll call vote.

AYES: Commissioners Gregory, Peschong, Arnold,
Jensen, Ochylski, Waage, and Chairperson Enns

NAYS: None

ABSTAINING: None

The motion passed with a unanimous roll call vote.

Chairperson Enns moved towards asking for motions on action two.

Mr. Pierik shared his recommendation for the action which is to approve the resolution as contained in Attachment A to include the proposed sphere of influence and annexation to the City of Paso Robles and adopt the findings and factors shown in the agenda in the Staff Report with the conditions also contained in the Staff Report.

Commissioner Gregory made a motion approve the second action.

Alternate Commissioner Peschong seconded the motion.

Chairperson Enns asked **Ms. Vuong** for a roll call vote.

AYES: Commissioners Gregory, Peschong, Arnold, Jensen,
Ochylski, Waage, and Chairperson Enns

NAYS: None

ABSTAINING: None

The motion passed with a unanimous roll call vote.

B-2: Sphere of Influence Amendment for the City of Morro Bay (Panorama Lots)
LAFCO File No. 1-S-21

Chairperson Enns announced the agenda item and directed the subject matter to **Mr. Fitzroy** to talk about the topic.

Alternate Commissioner Peschong voiced his stepping out to bring **Commissioner Compton** back in as regular Commissioner and him as alternate.

Mr. Fitzroy noted that due to hearing noticing issue and consultation with legal counsel the item was recommended for continuance, and that the item needed to be completely re-noticed.

Mr. Fitzroy continued by letting Commissioners know that they had to decide when to hear the item; followed by providing the Commissioners with a few hearing date options December 16, 2021, January 20, 2022, and February 17, 2022.

Chairperson Enns turned the decision over to the board to decide which day is best for them.

Commissioner Arnold asked for clarification about if there will be room on the December 16, 2021, agenda to talk about the item.

Mr. Fitzroy answered her question by letting her know that there is space.

Commissioner Arnold followed up by asking if there is room on the January 20, 2022, agenda to discuss the item.

Mr. Fitzroy answered her question and let her know space can be provided.

Commissioner Arnold posed one more question and asked if the item was time sensitive.

Mr. Fitzroy conveyed his communication with the City, noting that they understand the issue and that there is not necessarily a time target for sensitivity, other than just wanting to get it to the Commission.

Commissioner Arnold thanked **Mr. Fitzroy** for his timely answers.

Commissioner Gregory asked a question if the item was scheduled for December, would there be adequate time to deal with the responses?

Mr. Fitzroy answered by saying that there would be enough time.

Chairperson Enns opened the floor to public comment.

Ms. Marquez announced the receipt of public comments that were sent to the Commissioners by email, and with two live public comment requests asking **Chairperson Enns** if he wanted her to start with live comments to which his response was yes.

Carole Truesdale, resident of Morro Bay, spoke up about the recommended continuance days and requested that the item be continued for the January 20 date.

Kristen Headland, resident of Morro Bay, also announced her suggestion to move the recommended continuance item to the January 20 or February 17 dates.

Chairperson Enns asked **Ms. Marquez** if there were any public comments requests, after hearing none, brought it back to the Board to make a motion.

Commissioner Arnold announced her motion to request and move the Sphere of Influence Amendment to the City of Morro Bay (Panorama Lots) to the January 20, 2022, Hearing.

Commissioner Waage seconded the motion.

Chairperson Enns asked for any other Commissioner comments after hearing the approval from both Commissioners.

Commissioner Gregory announced that he was in favor of the recommended continuance of the agenda item.

Chairperson Enns asked for any other Commissioner comments, after hearing none, asked **Ms. Vuong** for a roll call vote.

AYES: Commissioners Arnold, Waage, Gregory, Compton, Jensen, Ochylski, and Chairperson Enns

NAYS: None

ABSTAINING: None

The motion passed with a unanimous roll call vote.

Commissioner Comments: Ed Waage disclosed his recusal on attending the Special Meeting item scheduled after the regular meeting because of a conflict of interest.

Legal Counsel Comments: None

Executive Officer Comments: None

Adjournment: With no further business before the Commission, the meeting adjourned at 10:08 a.m. until the next meeting of the Commission pursuant to Governor's Executive Orders, depending upon the progression of the COVID-19 pandemic.

THESE MINUTES ARE NOT OFFICIAL NOR ARE THEY A PERMANENT PART OF THE RECORD UNTIL THEY ARE APPROVED BY LAFCO COMMISSIONERS AT THE NEXT REGULAR MEETING.

Respectfully submitted,
Celine Vuong, LAFCO Commission Clerk