



**SAN LUIS OBISPO
LOCAL AGENCY FORMATION COMMISSION
SEPTEMBER 19, 2024, MEETING MINUTES**

Call to Order

The San Luis Obispo Local Agency Formation Commission (LAFCO) meeting was called to order at 9:00 a.m. on Thursday, September 19, 2024, by Chairperson Ochylski in the Board of Supervisors Chambers at the County Government Center, 1055 Monterey Street, San Luis Obispo, CA 93408.

Pledge of Allegiance

Roll Call

Present: Chairperson Marshall Ochylski, Vice Chair Steve Gregory, Commissioners Debbie Arnold, Robert Enns, Jimmy Paulding, and Ed Waage, and Alternate Commissioners Ed Eby and David Watson

Absent: Alternate Commissioners Dawn Ortiz-Legg and Carla Wixom

Staff: Rob Fitzroy, LAFCO Executive Officer
Imelda Marquez-Vawter, LAFCO Analyst
Morgan Bing, LAFCO Analyst
Brian Hamblet, LAFCO Legal Counsel

Approval of the Minutes: August 15, 2024

Chairperson Ochylski announced the consideration of approval of the August 15, 2024, Regular Meeting Minutes.

Chairperson Ochylski asked for Commissioner comments.

Chairperson Ochylski opened the item for public comment, announcing it was closed shortly after hearing none.

Chairperson Ochylski asked for a motion to approve the minutes.

Vice Chair Gregory motioned to approve the minutes.

Commissioner Waage seconded the motion.

AYES: Vice Chair Gregory, Commissioners Waage, Arnold, Enns, Paulding, Watson, and Chairperson Ochylski

NAYS: None

ABSTAINING: None

The motion passed.

Non-Agenda Public Comment Period

Chairperson Ochylski opened the item for public comment, announcing it was closed shortly after hearing none.

Consent Agenda

A-1: LAFCO File No. 4-R-24 | Notice of Submittal for Petition of Application for Annexation No. 32 to Nipomo Community Services District (Robins)

A-2: Budget Adjustment to Fiscal Year 2024-2025 Budget

Chairperson Ochylski asked if Commissioners would like to pull any item from the Consent Agenda and received no reply.

Chairperson Ochylski asked for Commissioner comments.

Chairperson Ochylski opened the item for public comment, announcing it was closed shortly after hearing none.

Chairperson Ochylski asked for a motion to approve the items on the Consent Agenda.

Commissioner Watson motioned to approve the Consent Agenda.

Commissioner Arnold seconded the motion.

AYES: Commissioners Watson, Arnold, Enns, Paulding, Waage, Vice Chair Gregory, and Chairperson Ochylski

NAYS: None

ABSTAINING: None

The motion passed.

Regular Matters

B-1: Study Session on the Annexation of Dana Reserve Specific Plan to Nipomo Community Services District

Chairperson Ochylski announced procedures for public comment.

Mr. Fitzroy presented the item.

Chairperson Ochylski opened the item for Commissioner questions.

Commissioner Arnold asked if it would be appropriate to set a date for hearing LAFCO File No. 4-R-22.

Mr. Fitzroy responded to questions and provided comment.

Commissioner Watson asked staff if there are any outstanding items needed prior to issuing a Certificate of Filing.

Mr. Fitzroy responded to questions and provided comment.

Chairperson Ochylski invited the applicant to present.

Elizabeth Worthen, from NKT Development LLC, provided a presentation on the proposal.

Chairperson Ochylski opened the item for Commissioner questions.

Commissioner Paulding asked if the Northern Cities Management Area had submitted a letter to LAFCO.

Mr. Fitzroy responded to questions and provided comment.

Commissioner Paulding inquired about the reference to the Housing and Infrastructure Framework in the staff report.

Mr. Fitzroy responded to questions, provided comment, and invited **James Worthley** to assist in answering questions.

James Worthley, Deputy Director of the San Luis Obispo Council of Governments, responded to questions.

Commissioner Paulding commented on the transportation efficiency of the project.

James Worthley provided comment.

Commissioner Paulding asked about data provided in line with LAFCO Policy 2.3.2.

Mr. Fitzroy responded to questions and provided comment.

Commissioner Paulding commented on available data.

Mr. Fitzroy responded to questions and provided comment.

Commissioner Watson inquired about affordable housing and funding for People’s Self-Help Housing.

Nick Tompkins, from NKT Development LLC, suggested **Ken Trigueiro** assist in answering questions.

Ken Trigueiro, President of People’s Self-Help Housing, responded to questions.

Commissioner Watson asked how the required ADUs would be developed and what the timing of the construction would be.

Andrew Fogg, the applicant’s attorney, responded to questions.

Commissioner Watson inquired about the down payment assistance program.

Nick Tompkins responded to questions.

Commissioner Watson asked for explanation of the water rate check ins.

Andrew Fogg provided comment.

Commissioner Watson asked a follow up question regarding rate payer rates.

Andrew Fogg responded to questions.

Commissioner Watson inquired about water supply for the project.

Andrew Fogg responded to questions.

Chairperson Ochylski opened the item for public comment and 29 speakers provided comment to the Commission.

Chairperson Ochylski closed public comment.

Mr. Fitzroy stated he had no additional comments.

Nick Tompkins stated he had no additional comments.

Chairperson Ochylski asked if there is a date set for a hearing for the item.

Mr. Fitzroy responded that no date has been set.

Commissioner Arnold suggested setting the hearing for the November 21, 2024, meeting.

Chairperson Ochylski provided comment.

Commissioner Arnold made a motion to direct staff to set the hearing date for the item for the November 21, 2024, meeting.

Chairperson Ochylski asked if staff had all information needed to bring the item to hearing.

Mr. Fitzroy replied that staff have all necessary information.

Commissioner Enns seconded the motion.

Commissioner Paulding stated there is a scheduling conflict for the Board of Supervisors for the November 21, 2024, meeting.

Commissioner Arnold asked if it would be possible to move the November 21, 2024, meeting to November 14, 2024.

Mr. Fitzroy responded to questions and provided comment.

Commissioner Arnold stated there is also a meeting scheduled for December 19, 2024.

Chairperson Ochylski stated he will no longer be on the Commission at the December 19, 2024, meeting.

Mr. Fitzroy commented on the unknown availability of the Board Chambers on November 14, 2024.

Chairperson Ochylski asked staff to inquire about Board Chambers availability and bring a response back after the Closed Session.

Commissioner Arnold tabled the motion.

Chairperson Ochylski and **Brian Hamblet**, LAFCO Legal Counsel, discussed reopening public comment.

Commissioner Paulding inquired about additional data requests for the item.

Chairperson Ochylski and **Brian Hamblet** suggested waiting until after Closed Session.

Closed Session

C-1: Public Employee Appointment Pursuant to Government Code Section 54957

Title: Legal Counsel

Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

Agency Representative: Executive Officer

Unrepresented Employee: Legal Counsel

Chairperson Ochylski introduced the Closed Session item and stated the Commission would reconvene in Open Session at 1:15 PM.

Chairperson Ochylski opened the item for public comment.

Chairperson Ochylski closed public comment and called the meeting into closed session at 11:45 AM.

At 1:15 PM; **Chairperson Ochylski** called the open session back into order.

Report on Closed Session: **Chairperson Ochylski** stated that there was no reportable action.

Regular Matters - Continued

B-1: Study Session on the Annexation of Dana Reserve Specific Plan to Nipomo Community Services District

Chairperson Ochylski stated the Commission would resume Item B-1 and asked staff about availability in the Board Chambers.

Mr. Fitzroy stated the Board Chambers is available on November 14, 2024.

Commissioner Arnold asked if the November 14, 2024, meeting is a special meeting or regular meeting.

Mr. Fitzroy provided comment.

Commissioner Arnold asked if a November 21, 2024, meeting would still be held.

Mr. Fitzroy replied no.

Commissioner Arnold, Chairperson Ochylski, and Brian Hamblet discussed reopening public comment.

Commissioner Arnold made a motion to reschedule the regular meeting for November 21, 2024, to November 14, 2024, and schedule the item for hearing on November 14, 2024.

Commissioner Enns seconded the motion.

Nick Tompkins provided comment regarding public outreach and confirmed availability to attend the November 14, 2024, meeting.

Chairperson Ochylski opened the item for public comment announcing it was closed shortly after hearing none.

Chairperson Ochylski opened the item for Commissioner comments and called for a voice vote on the motion.

The motion passed with a unanimous voice vote.

Commissioner Paulding commented on LAFCO Policy 2.3.2 and suggested that NCS D provide build-out data in line with the policy for the November 14, 2024, meeting.

Mr. Fitzroy responded to questions and provided comment.

Commissioner Arnold suggested including the supplemental data in the staff report.

Mr. Fitzroy agreed and provided comment.

Chairperson Ochylski suggested including the applicant in the conversation and suggested including an update at the October meeting.

Commissioner Comments: **Chairperson Ochylski** thanked the public for their participation.

Legal Counsel Comments: None

Executive Officer Comments: **Mr. Fitzroy** announced the tentative schedule for upcoming hearings.

Adjournment: With no further business before the Commission, the meeting adjourned at 1:24 p.m. until the next meeting of the Commission in the Board of Supervisors Chambers at the County Government Center in San Luis Obispo.

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,
Morgan Bing, LAFCO Analyst