



**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.

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Respectfully submitted,  
Morgan Bing, LAFCO Analyst