

# LAFCO of Monterey County

## LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

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### Counsel

Reed Gallogly  
*General Counsel*

### Executive Officer

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## MEMORANDUM

DATE: April 5, 2024

TO: Eligible Members of the Independent Special District Selection Committee  
Castroville Cemetery District      Monterey County Mos. Abatement District  
Gonzales Cemetery District      Monterey County Regional FPD  
Gonzales Rural FPD      Monterey Peninsula Regional Park District  
Greenfield Cemetery District      Moss Landing Harbor District  
Greenfield FPD      Salinas Valley Health  
Greenfield Memorial District      Soledad Cemetery District  
Greenfield Recreation District      Soledad Community Health Care District  
King City Cemetery District      Soledad-Mission Recreation District  
Mission-Soledad Rural FPD      Spreckels Memorial District

FROM: Kate McKenna, AICP, Executive Officer



SUBJECT: Second Notice/Call for Nominations for the Selection of a Primary and Alternate Special District Representative on the Countywide Redevelopment Agency Consolidated Oversight Board (Due May 10, 2024)

### Introduction

Since Warren "Pete" Poitras' term as a Board Member for Monterey County Regional Fire District ended on March 1, 2024, he is no longer able to serve as a Board Member for the Consolidated Oversight Board for the County of Monterey as the primary Special District Representative. Therefore, there are currently two Special District Representative vacancies for the Consolidated Oversight Board, one for the primary representative (previously held by Pete Poitras) and one for the alternate representative (previously unfilled). This is a call for nominations for candidates to fill the primary and alternate independent special district representative vacancies on the Consolidated Oversight Board.

On July 1, 2018, more than 400 redevelopment agency (RDA) oversight boards in California were consolidated into just one oversight board per county. Prior to this deadline, eligible members of the Independent Special District Selection Committee were granted the authority to appoint special district representatives to that county's respective oversight board. In 2018, Pete Poitras was appointed to be the Special District Representative on the Oversight Board by eligible special districts.

Your agency has been identified as one of the 18 districts eligible to nominate and elect primary and alternate board member representatives on the Consolidated Oversight Board for the County of Monterey. If eligible members of the Independent Special District Selection Committee do not fill the respective vacancies by June 2024, the Governor is authorized to make the appointment on the Committee's behalf.

The Local Agency Formation Commission of Monterey County has been identified to assist in this process. Therefore, we request that you forward this letter and attachment to qualified candidates serving on your Board of Directors or Trustees. No Board action is required for a nomination. Interested candidates must return the completed nomination form no later than May 10, 2024 at 5:00 p.m.

## Call for Nominations

The purpose of this memo is to call for nominations for candidates to fill the primary and alternate Independent Special District representative vacancies on the Countywide Consolidated Oversight Board. As you may know, the State of California approved Senate Bill No. 107 in September 2015. SB 107 guides the final technical steps in the dissolution of local redevelopment agencies. The legislation required counties with multiple oversight boards to be consolidated into only one oversight board. Pursuant to SB 107, in 2018, the existing 10 oversight boards in Monterey County were consolidated into one and became staffed by the county auditor-controller.

The Consolidated Oversight Board has the authority to oversee and direct the successor agencies to wind down activities and expeditiously liquidate the assets of the former redevelopment agencies. Pursuant to Health and Safety Code Section 34179(j), as amended by SB 107, the Consolidated Oversight Board is appointed as follows:

1. **County Seat:** One member appointed by the County Board of Supervisors
2. **City Seat:** One member appointed by the City Selection Committee
3. **District Seat:** One member appointed by the Independent Special District Committee (for the types of special districts that are eligible to receive property tax revenues pursuant to HSC Section 34188)
4. **School Seat:** One member appointed by the County Superintendent of Education
5. **College Seat:** One member appointed by the Chancellor of the CA Community Colleges
6. **Public Seat:** One member of the public appointed by the County Board of Supervisors
7. **Union Seat:** One member appointed by the recognized employee organization representing the largest number of successor agency employees in the county

In accordance with state law, LAFCO shall administer an election process for selecting primary and alternate special district representatives to the Countywide Consolidated Oversight Board. Interested board members from the 18 eligible districts must return the completed nomination form no later than May 10th. No Board action is required for a nomination. Once candidates are determined, all Board of Directors/Trustees will be requested to vote and return a ballot signed only by the presiding officer or designee from each of the eligible districts.

### Eligibility Criteria

Health & Safety Code Section 34188 specifies that independent special districts that are part of the successor agency property tax roll and receive residual payments from the Redevelopment Property Tax Trust Fund are eligible for nomination and election. LAFCO staff coordinated with the Auditor-Controller Office to determine the number of independent special districts within each previous oversight board. Of the 10 previous oversight boards in Monterey County, the following 18 independent special districts are eligible for nomination and election.

Independent Special Districts Eligible for Nomination & Election	
Castroville Cemetery District	Monterey County Mosquito Abatement District
Gonzales Cemetery District	Monterey County Regional Fire Protection District
Gonzales Rural Fire Protection District	Monterey Peninsula Regional Park District
Greenfield Cemetery District	Moss Landing Harbor District
Greenfield Fire Protection District	Salinas Valley Health
Greenfield Memorial District	Soledad Cemetery District
Greenfield Recreation District	Soledad Community Health Care District
King City Cemetery District	Soledad-Mission Recreation District
Mission-Soledad Rural Fire Protection District	Spreckels Memorial District

To ensure the Consolidated Oversight Board maintains a quorum for each meeting, LAFCO staff recommends the appointment of a primary and alternate member to serve on the oversight board in the event that the primary representative is unavailable. Alternates appointed will have the same voting and participation rights as the primary appointee.

## Candidate Duties & Responsibilities

Interested candidates should recognize that oversight boards have a fiduciary responsibility to the holders of legally enforceable debt of the former redevelopment agencies and to the taxing entities that will benefit from the wind down of the agencies. Duties of the Consolidated Oversight Board include a detailed review of the Recognized Obligation Payment Schedule and directing the successor agencies to dispose of unencumbered assets. State law does not describe terms of office for members of the oversight board. Each member of the Consolidated Oversight Board shall serve at the pleasure of the entity that appointed such member. However, the oversight board may establish bylaws describing terms of office or other conditions. In addition, oversight board members shall serve without compensation or reimbursement for expenses.

Time commitments will vary based on the size and complexity of winding down the affairs of the former RDAs. Two meeting dates for the Consolidated Oversight Board were scheduled in 2024, one in January and one in September. Back up meeting dates are scheduled in case the meetings need to be continued, which does not typically occur. There are also special meetings that can occur during the year if the Oversight Board requests a meeting.

## Selection Process and Schedule

State law does not specify the appointment process for representation on the countywide board. Therefore, LAFCO will generally follow the rules of the Independent Special District Selection Committee as guidelines during this special election process. Enclosed is the nomination and candidate statement form. Interested candidates must return the completed nomination form no later than May 10th. No Board action is required for a nomination.

After the close of the nomination period, the LAFCO office will prepare a ballot listing the qualified candidates. Each Eligible Independent Special District will receive a mail-in ballot and voting instructions in mid-April. All Board of Directors/Trustees will be requested to vote and return a ballot signed only by the presiding officer or designee from each of the eligible districts. The candidate with the most votes will be selected as the Primary representative. The candidate with the second most votes will be selected as the Alternate representative. The new representatives will be seated after LAFCO adopts a resolution declaring the election results. The following table shows the schedule for the mail-in ballot nomination and election process.

Nomination and Election Process	
<b>LAFCO Actions</b>	
Call for Nomination Letter sent to Eligible Independent Special Districts	March 11
Second Notice/Call for Nomination Letter sent to Eligible Independent Special Districts	April 5
Receive Nominations (extended 30-day deadline)	May 10
Send Mail-in Ballots to Eligible Independent Special Districts (Voting Period Begins)	May 13
Receive Signed Ballots (Voting Period Ends)	June 12
Adopt LAFCO Resolution declaring Election Results	June 24
Notification of Election Results to Districts and Interested Parties ( <i>including Dept. of Finance</i> )	June 25
<b>State Actions</b>	
Appointment of Vacant District Seat by Governor ( <i>if not elected by Selection Committee</i> )	June-July

Please contact me if you have questions or need more information about the selection process or qualifications. Thank you for your assistance.

Attachment: Nomination Form and Candidate Statement

cc: Monterey County Auditor-Controller Office  
Special Districts Association of Monterey County