

## **RESPONSE TO INCORPORATION QUESTIONS FOR CARMEL VALLEY INCORPORATION**

**Question 1. Would the future city be fiscally viable, i.e., expected revenue sufficient to provide public services and facilities and a reasonable reserve during the first three to ten years of incorporation?**

The best and most complete data covering this issue are in the Comprehensive Fiscal Analysis (CFA) and the Revenue Neutrality Agreement (RNA) documents, available at the Carmel Valley Incorporation page of the LAFCO website. These are the two legally required documents which the framers of the current incorporation legislation (the Cortese-Knox-Hirschberg Act) established in an effort to assure that a newly incorporated town would have adequate resources on the one hand, and that the County involved would not fiscally suffer on the other. The CFA's primary purpose is to provide the data and analysis to support a conclusion that a new town is fiscally viable. The RNA serves to protect the County's fiscal position. The CFA creates a budget for the new town for the next ten years; the costs as provided by the County for those activities assumed by the new town, together with the cost for various line items for other towns of similar profile, giving a detailed financial picture of the town's ability to make the payments to the County required by the RNA.

Both CFA and RNA studies have been updated and approved by LAFCO and/or County staffs, the LAFCO Commission and for the RNA, the Board of Supervisors. Both studies were challenged, however, by Attorney Franklin Lunding, who filed suit against the County charging the RNA agreement was a waste of public funds. The suit against the County was dismissed with prejudice.

The data and analysis and timeliness of the CFA were prepared by a leading firm in the field with wide experience and a CALAFCO award for excellence. The breakdown of costs for the services being assumed by the new town was reviewed by the County's fiscal officers for the departments affected, and all the data were updated in November 2008 for another review by County and LAFCO officers. Since neither of the two principle parties at interest in the incorporation (the County and the petitioners) have challenged the findings of fiscal viability, and the claims of the one individual who did challenge them have been dismissed, we must proceed on the assumption that the findings are valid and in conformance with the legal requirements.

Recession Impact: Town revenues are comprised of hotel tax, sales tax and portion of property tax. For the 2008-09 tax year hotel taxes were down 11.5%, sales taxes were down 12.7%, and property taxes are estimated by the Assessor to drop slightly. This would appear to imply a revenue drop of less than 10%, a manageable amount.

**Question 2. If the proposed area of incorporation provides more revenue to the County than it received in services, what would be the impact of incorporation on future County revenues?**

From the calculations of the costs of services which the new town would take over from the County vs. the revenue payments by the town to the County, the County is better off, at least for the period of payments - about 10-11 years. Beyond this period it would depend on the growth of the tax bases of the town and of the County; if the Town's tax base grows, the County participates in that growth.

In creating the requirement for the Revenue Neutrality Agreement, the Legislature was not relying on fiscal analysis to protect the County fiscal position, but on political reality: no elected County official is likely to approve any agreement which could reasonably be portrayed as giving away County revenues. This has proven to be a potent weapon in the hands of County negotiators in all incorporation efforts since it was established. The Lunding suit against the County arguing the RNA was a giveaway of taxpayers' funds was dismissed with prejudice.

These considerations argue that the impact on future County revenues of the RNA was given careful consideration by the Supervisors who agreed to it. If it was arguably adverse, it would be a major political issue.

**Question 3. How adequate are existing public services compared to proposed services; i.e., police protection, road maintenance, flood control, other safety issues, etc.?**

<b>CURRENT COUNTY SERVICES</b>	<b>NEW TOWN SERVICES</b>
<b>Administration:</b> County Bd. of Supervisors  County Administrative Officer	5 elected Town Council members- unpaid  Yr 1: Town Manager hired Yr 2: Town Clerk hired Finance Dept. Yr 1: Dir. Admin Services, P/T C.P.A. and P/T accounting tech hired Yr 2: F/T accounting tech hired Yr 3: F/T accountant hired Human Resources/Information Services – 1-year contract Computer hardware and software Startup expense est. \$50,000 Estimated expenses for all admin functions forY1 <u>\$150,000.</u> Attorney/law firm 1-year contract \$218,000
<b>Police Protection:</b> Monterey County Sheriff  Coastal Station Office Beats 7, 8A, and 8B; Community Field Offices in Crossroads and Village	Yr 1: contract with Co Sheriff;  Town Council will decide any change in level of police protection
<b>Traffic Control:</b> CHP	Yr 1: contract with CHP No significant initial startup costs
<b>Public Works/Engineering:</b> Monterey County Public Works	Yr 1: contract w/ County Public Works/maintenance/engineering. At some point Town Council may approve a Town Engineer, a P/T director, P/T admin assistant, capital improvements, road maintenance, landscaping, engineering, review of all development proposals. When County contract expires, Town Council can renew or increase Town staff or use private consulting

	engineers/ contractors.
<b>Planning</b>	Yr 1: contract w/County Planning
<b>Animal Control:</b> County	County contract; Town Council may decide to build new shelter.
<b>Library Services:</b> Monterey County Free Libraries Carmel Valley Village	No change
<b>Wildfire control:</b> CALFIRE	State Response Areas and Garland Park covered by CALFIRE M.O.U; new Town becomes a Local Response Area (LRA) and can contract with CALFIRE for small wilderness areas within Town boundaries. Entire Garland Park is now included in Town boundaries.
<b>Fire Control and Emergency Response:</b> Cypress Fire District, Carmel Valley Fire District and Salinas Rural Fire Protection District (for 6 dwellings and 800 acres in upper Los Laureles area*).  Funded by property taxes and assessment Districts	Cypress Fire District and CVFD (which includes Mid-Valley Fire Dept) continue per M.O.U.s; SRFPD area* to be covered by new contract with CVFD  These fire districts are first responders for fire, traffic accidents and medical emergencies (paramedics/ambulance). Additional staffing, equipment and facilities, if any, to be determined by CVFD and Cypress Fire District.
<b>Parks and Recreation Services:</b> Monterey County Regional Parks District (Garland Park), Monterey Peninsula Parks Dept., Carmel Valley Park, and Recreation District supported by assessment fees.	Same districts would continue; possible expansion of CV Park would require increased assessment for that limited covered district.
<b>Sewage and Wastewater Treatment:</b> Carmel Area Wastewater District for Lower CV (to Quail Lodge); Cal-Am, a private corporation, serves Carmel Valley Ranch and environs.	Contracts with CAWD and Cal-Am remain unchanged. Septic tanks serve remainder of dwellings and businesses.
<b>Community Service Districts:</b> Santa Lucia Community Service District—the sole independent full-services provider to the private Santa Lucia Preserve of homes, services, and environs.  11 existing <u>County Service Areas</u> (CSAs) within proposed town; state law provides that all CSAs to be dissolved in incorporated areas but allows for mutual agreements between County and new town.	SLCSD and Preserve will be removed from incorporation boundaries of new Town.  CSAs handle street lighting, some storm drainage and road maintenance. Two CSAs, # 47 and # 50, extend beyond new Town geographical limits; CSA 50 also provides flood control for Lower Carmel Valley and Mission Fields. CSA 47 includes areas of Carmel Views 1,2,3,4 and Mar Vista, some of which lie outside the new Town geographical boundaries. [See pp.52 – 66 of LAFCO 2008 Draft Update: Service Plan of Proposed Town of Carmel Valley for maps and discussion of boundary changes and related issues.

	All CSAs would continue after negotiations between Monterey County Public Works and Town Council.
<p>SUMMARY: Services to be provided by the new Town of Carmel Valley will initially be administrative functions. All others will be contracted through the County, as permitted by law, or will be ongoing District-funded services: fire and emergency response, wastewater treatment [except for CV Ranch's private Cal-Am contract].</p> <p>References:</p> <ol style="list-style-type: none"> <li>1. 2008 Draft Update: Service Plan of Proposed Town of Carmel Valley at <a href="http://www.co.montereyca.us/lafco/2008">www.co.montereyca.us/lafco/2008</a></li> <li>2. <a href="http://www.carmelvalleyassociation.org">www.carmelvalleyassociation.org</a></li> <li>3. <a href="http://www.townofcarmelvalley.org">www.townofcarmelvalley.org</a></li> </ol>	

**Question 4. Are the boundaries logical, e.g., do not conflict with Spheres of Influence of other jurisdictions; no County islands; consistent with County area plans and lot lines; geography, etc.?**

The attached map shows the boundaries of the proposed town of Carmel Valley. In general, the town extends eastward from Highway 1 on the west, along Carmel Valley Rd to, but not including, Sleepy Hollow. It is consistent with the Carmel Valley Master Plan Boundary with the following exceptions:

Added: Garland Ranch Regional Park

Excluded: Santa Lucia Community Services District, Tehama, Salinas Rural Fire Protection District, Coast Ranch, 1.2 Acre State Park parcel

Bisected parcels/roads contained within the Carmel Valley Master Plan have been adjusted so that the town boundary does not bisect a parcel. The most significant parcel adjustments are in the northeast section with lots nearer Laureles Grade Rd being removed and inclusion of complete parcels on the northeast corner of the proposed town. There are no county "islands" within the town boundaries. However, if the valley's ridgeline is considered, then there are two areas that are isolated, Tehama and Santa Lucia Community Services District.

30 requests were made to LAFCO to adjust the initial boundaries. 5 were approved (see above list). An additional adjustment was made subsequently to remove Tehama. A large number of the requests were from commercial entities at the mouth of Carmel Valley (17 of 30). An additional 10 requests came from properties between the mouth of the valley and Robinson Canyon Road. When examining the requests for exclusion from the town, there is a clear division in the number of properties that requested removal from the proposed town in the most western third of the proposed town and the area to the east.

The full analysis of the town's boundaries can be found in Attachment F of the November 25, 2008 LAFCO executive report to the County Board of Supervisors. (Map of proposed boundaries attached).

**Question 5. Would incorporation have significant environmental impacts that cannot be mitigated per the California Environmental Quality Act (CEQA).**

Changes in organization of local agencies are exempt under CEQA (Section 15320). However, in an abundance of caution, LAFCO prepared a negative declaration that found the project would not have a significant impact on the environment. One year later, LAFCO decided that an environmental impact report was required. This finding was litigated by the proponents of incorporation. The judge ruled that LAFCO had abused its discretion and found that a negative declaration was an appropriate document.

**Question 6. Are County land use decisions in compliance with area plans and the County General Plan?**

<b>Project</b>	<b>County Procedures/Policies</b> Numbers in ( ) refer to policies following table	<b>Action</b>
September Ranch-95 unit subdivision	Moratorium on subdivisions	Processed after moratorium was implemented indicating it was the same project as submitted prior to moratorium. Project was significantly changed.
	Water supply; traffic; loss of Monterey Pines Policies (2) (18)and (33)	Twice approved with inadequate EIR. Loss of over 4000 trees. Primary issues are water and traffic. New EIR being prepared. Lombardo allowed to write staff reports.
Rancho Canada Village-319 unit subdivision	Moratorium on subdivisions	GPU5 amends CVMP to allow project
Bernardus Lodge-original permit and recent 16 room expansion	Original project approved with administrative permit. CVMP limits units to 250; 272 visitor units already approved Policy (23)	Approved
Mirabito Self Storage	Policies (1), (18)	Approved
Safeway Expansion, Kline mixed use, Merrill Lynch bldg. 15,000 sq. ft. building near Brinton's	Traffic cumulative impact exceeds CV traffic triggers and LOS C standard. Policies (12), (24), (33)	Approved
Carmel Valley Ranch	Approved with phantom water supply; affordable housing Policies (1), (18), (31), (33)	Approved without permanent water source; employee housing never built
Berta Ranch (8 lots) Robles Del Rio Hotel (24 new units) Steiny (Mixed use)	LOS C standard Policy (33)	Approved adding to cumulative traffic impact in Village
Carmel Cottages	Easement required through Brinton's parking lot for access	Grading and foundation permits issued without easement being recorded

Quail Lodge – 44 new hotel units	Cumulative traffic Policy (33)	Approved
Tehama (90+ units) and Rancho San Carlos	Cumulative traffic Policy (33) Tehama stormwater runoff Policy (3)	Approved
Fiskdale Ranch (14 lots)	Cumulative traffic; scarring of hillside Policies (19), (32), (33)	Approved
Barnyard repainting	Repainted in pastels Policies (22), (26)	Approved
Crist and Holman Ranch Projects	Cultivation on steep slopes prohibited by CVMP (37)	Enforcement action required
<b>Other Land Use Related Issues</b>		
Rio Rd tie-back levy to be used as second entrance to RCV	Built in wrong direction	Constructed
Traffic	GPU5 effectively lowers LOS standard by changing methodology. Eliminates subdivision moratorium	Pending
Developments on Rio Rd.	Buildings will increase velocity of floods/ raise base flood elevations Policy (12)	Projects approved without hydrology reports
Rebuilt Bridge after 1995 floods	Base elevation on eastside of Hwy 1 raised 9 inches. May increase flooding at mouth of Valley	Constructed
Updated FEMA maps of Carmel River	Lower velocity used rather than what was recorded in recent floods. Reduces flood plain area. CV Fire Department and MPWMD recommend use of older FEMA maps	Approved by County indicating that lower cfs is within the “statistical comfort range”.
Appeal fees	Fees in 1998-99- \$150 Today – over \$5,000	Approved
Affordable Housing Overlay	390 units in Mid-valley proposed in GPU5	Pending

### CVMP Goals and Policies

- (1) Goal 1. To preserve the rural character of Carmel Valley.
- (2) Goal 3. To protect all natural resources with emphasis on biological communities, agricultural lands, the Carmel River and its riparian corridor, air quality and scenic resources.
- (3) Policy 3.1.10. In addition to required on-site improvements for development projects, the County shall impose a fee to help finance the improvement and maintenance of drainage facilities as identified in the Master Drainage Plan for Carmel Valley. **Not done.**
- (4) Policy 3.1.12. A comprehensive drainage maintenance program should be established by the formation of either sub-basins or valley-wide watershed zones through the cooperation of the County Department of Public Works, the Monterey County Flood Control and Water Conservation District and the Monterey Peninsula Water Management District. **Not done.**

- (5) Policy 6.1.5. The Carmel Valley Master Plan contains policies which encourage development of water reclamation, conservation, and new source production. This development could create additional water for the area. While the additional water and its development are, in part, controlled by the Monterey Peninsula Water Management District and the Board of Supervisors water allocation priorities, it is also imperative that this future development be allowed only with strict adherence to the Carmel Valley Master Plan goals for maintaining ecological and economic environment and rural character. **Largely ignored.**
- (6) Policy 7.2.1.1. In order to preserve soil stability and wildlife habitat, the chaparral community shall be maintained in its natural state to the maximum extent feasible consistent with fire safety standards.
- (6) Policy 7.2.1.3. Plant materials shall be used to integrate the man-made and natural environments, to screen or soften the visual impact of new developments, and to provide diversity in developed areas.
- (8) Policy 7.2.2.5. The County shall discourage the removal of healthy, native oak and madrone and redwood trees in the Carmel Valley Master Plan Area. A permit shall be required for the removal of any of these trees with a trunk diameter in excess of six inches, measured two feet above ground level. Where feasible, trees removed will be replaced by nursery-grown trees of the same species and not less than one gallon in size. A minimum fine, equivalent to the retail value of the wood removed, shall be imposed for each violation. In the case of emergency caused by the hazardous or dangerous condition of a tree and requiring immediate action for the safety of life or property, a tree may be removed without the above permit, provided the County is notified of the action within ten working days. Exemptions to the above permit requirement shall include tree removal by public utilities, as specified in the California Public Utility Commission's General Order 95, and by governmental agencies.
- (9) Policy 9.1.2.3. The County shall provide seed money and establish a mitigation fund which assesses individual fees (based on total acreage developed and other factors such as location, type of development, and types of habitats affected) to help fund areawide ecological planning and management. This planning will address areawide impacts resulting from cumulative development such as impacts on wildlife migration and access routes, foraging habitat, and nesting sites. **Not done.**
- (10) Policy 12.1.9.1. The archaeological sensitivity map shall be updated by a professional archaeologist every two years. **Not done.**
- (11) Policy 12.1.10.1. Known historic, historical archaeological sites and ethnographic or ethnohistoric sites shall be coded into the County Planning Department data base through the use of Assessor's Parcel Numbers. Categorical and ministerial exemptions, grading, mechanical clearing, and all other activities under County permitting authority which might be destructive to these known sites shall be reviewed for appropriate conditions by the County Planning Department. **Not done.**
- (12) Policy 16.2.11. The County of Monterey supports a proposed Flood Mitigation Project for the Lower Carmel River. New development in the flood prone area shall be restricted until the flood hazard is controlled.
- (13) Policy 16.2.12. Development may be transferred from the floodway fringe to other locations on the same property that are not otherwise constrained by Plan policies, e.g., 30% or greater slope. **Never used.**

- (14) Policy 17.4.16. Where feasible, proposed trail easements in high and extreme fire hazard areas shall be designed to provide effective firebreak zones and shall be designed for access to Laureles Grade, Tierra Grande and other roads for emergency vehicle access. **Not done.**
- (15) Policy 21.3.6. The Carmel Valley aquifer may be susceptible to contamination from development in unsewered areas. Projects shall be carefully reviewed for proper siting and design of sewage disposal facilities so as to meet the standards of the Carmel Valley Wastewater Study. This Study is hereby incorporated into this Plan by reference. **Not done.**
- (16) Policy 21.3.8. A program of monitoring the quality of underground water throughout the Valley, similar to that recently undertaken by the County Health Department and the Monterey Peninsula Water Management District, shall be continued and expanded where appropriate. **Not done.**
- (17) Policy 21.3.9. Septic tank locations should be permanently marked in a manner as directed by the Health Department. **Not done.**
- (18) Policy 26.1.21. It is intended that the Carmel Valley remain rural residential in character.
- (19) Policy 26.1.25. The visible alteration of natural landforms caused by cutting, filling, grading, or vegetation removal shall be minimized through sensitive siting and design of all improvements and maximum possible restoration including botanically appropriate landscaping.
- (20) Policy 26.1.27. No off-site outdoor advertising is allowed in the Plan area.
- (21) Policy 26.1.29. Design and site control shall be required for all new development throughout the Valley, including proposals for existing lots of record, utilities, heavy commercial and visitor accommodations but excluding minor additions to existing development where those changes are not conspicuous from outside of the property. The design review process shall encourage and further the letter and spirit of the Master Plan.
- (22) Policy 26.1.31. Materials and colors used in construction shall be selected for compatibility with the structural system of the building and with the appearance of the buildings natural and man-made surroundings.
- (23) Policy 27.3.5. The Carmel Valley development limit shall consist of the existing 572 buildable lots of record, plus 738 additional lots which shall be subject to the quota and allocation system and the policies of this Plan governing deduction from the quota for additional units, caretakers, senior citizen, and low and moderate income units. This constitutes the 20-year buildout allowed by this Plan. The existing lots of record shall include the remaining 150 lots in the amended Carmel Valley Ranch Specific Plan.
- (24) Policy 28.1.12. Landscaping of commercial projects should include large-growing street trees. Parking areas shall be screened with exclusive use of native plants or compatible plant materials. Land sculpturing should be used where appropriate.
- (25) Policy 28.1.17. Overall landscaping concepts should be developed and implemented for each commercial area in the valley.
- (26) Policy 28.1.20. Development should follow a rural architectural theme with design review. This would encourage a visual coherence which is now lacking.
- (27) Policies 28.1.22 – 24. The County Planning Commission shall immediately appoint a planning advisory committee whose responsibility shall be, in coordination with County Staff, to refine the policies in this plan regarding the Carmel Valley Village



- commercial core and adjacent residential areas. The Committee shall address an appropriate architectural theme, design review policies, traffic circulation, parking, street lighting, signing and any other pertinent matters. 28.1.23 (CV) The village should consist of a concentrated commercial core having adjacent moderate-density residential uses as a transition to the more rural peripheral area. A direct integration of residential and commercial uses should be encouraged. 28.1.24 (CV) Development of the village should follow a rural architectural theme with design review. This would encourage a visual coherence which is now lacking. **Not done.**
- (28) Policy 28.1.27. There shall be a maximum of 250 additional visitor accommodation units approved east of Via Mallorca, including units at Carmel Valley Ranch. In no case shall the overall density be in excess of 10 units per acre, except where higher densities may be appropriate. Bed and breakfast facilities shall be counted as visitor accommodation units and be limited to a maximum of 5 units clustered on 5 acres in accord with County Code Section 15.20.060M unless sewered by public sewers, see also policy 34.1.1.1(CV) of this Plan.
  - (29) Policy 34.1.7.1. An assessment district, consisting of all land within the Carmel Valley Master Plan boundaries, may be formed to purchase the development rights of agricultural land and/or open space areas. The land should remain in private ownership and be zoned and taxed as agricultural land and/or open space. **Not done.**
  - (30) Policy 35.1.3. Development shall be so designed that additional runoff, additional erosion or additional sedimentation will not occur off of the development site. Storm drainage facilities shall be designed to accommodate runoff from the 10-year or 100-year storms as recommended by the Monterey County Flood Control and Water Conservation District.
  - (31) County ordinance requiring proof of long-term water supply.
  - (32) Policy 39.2.8. No roads should cross slopes steeper than 30% unless factors of erosion and visible scarring can be mitigated.
  - (33) Policy 39.3.1.5. To accommodate existing and future traffic volumes at level of service C, the following road improvements are recommended pursuant to Monterey County General Plan policies 37.2.1 and 39.1.4: **Extensive policies follow.**
  - (34) Policy 40.2.1.3. Development (including buildings, fences, signs and landscaping) shall not be allowed to significantly block views of the viewshed, the river or the distant hills as seen from key public viewing areas such as Garland Ranch Regional Park, and such obstructions should be discouraged along both Carmel Valley Road and Laureles Grade Road. This applies to commercial and private parcels and to both developments and existing lots of record. The removal of existing solid fences and rows of Monterey Pine trees which block views of the river and the mountains is encouraged.
  - (35) Policies 51.2.7-14. Recreation in lieu fees obtained from minor and standard subdivisions should be used to acquire or develop land for active recreation uses. 51.2.8 (CV) A county service area or other appropriate governmental mechanism should be formed to provide for maintenance of recreation areas. 51.2.9 (CV) Existing school facilities should be used as a nucleus for expansion of recreational uses. Land next to the Carmelo and Middle Schools should be considered for recreational uses. 51.2.10 (CV) Areas for barbecue picnicking and group play should be developed for the valley residents. 51.2.11 (CV) Active neighborhood recreation areas should be located at or within close access to the three development areas. All valley residents should have nearby access to hiking and riding trails and small

neighborhood open areas or parks. Even though the Master Plan area contains two large regional parks, there should be constant consideration of the acquisition of additional areas. Land on the south side of the valley near the village is highly suitable for a mixture of active and passive uses, and should be seriously considered in conjunction with growth around the village area. 51.2.12 (CV) Provision should be made for more recreational outlets for the youth of Carmel Valley.

51.2.13 (CV) Equestrian-oriented recreational activities shall be encouraged when consistent with the rural character of the valley. 51.2.14 (CV) Existing X or Camp and O or Open Space districts shall be retained. **Not done.**

- (36) Policy 54.1.10. The County shall increase monitoring efforts in the Carmel Valley Village and Mid-Valley Areas to: identify existing groundwater quality or other impacts from septic systems; o verify the data assumptions and predictions contained in the Carmel Valley Wastewater Study for these areas; and determine the need for community sewerage facilities or other improvement in waste disposal practices. **Not done.**
- (37) All developments should consider establishing community gardens and orchards, and, where appropriate, should site them to enhance the visual character of the Valley, while avoiding 30% or greater slopes or removal of native vegetation to do so. Also prohibited under Title 21.

**Question 7. Do advantages of the proposed division of government outweigh disadvantages?**

***Advantages***

Background: Under the County the area of Carmel Valley has steadily lost influence over the years. At one time Carmel Valley actually had two supervisors: Willard Branson lived in the Valley and represented the 5th District, and Loren Smith lived over the hill in Monterey representing the 4th District, which at that time lapped over into the upper Valley, where he also had a second home. In those days considerable deference was paid to the wishes of supervisors on issues in their district; e.g., a big development opposed by the people of a district and their supervisor would not be approved by a majority of the supervisors from outside that district—unlike today. Now the Valley has become a cash cow for the County, which seldom turns down a big developer with the resources to wage a major PR campaign—praising the jobs and other benefits his project will bring—and to hire high-powered consultants and planners to provide impressive mitigations which often turn out to be illusory. The only option available now to frustrated local residents is to file a lawsuit; self-government has to offer a better way.

Here are ways in which incorporation would provide more local control:

1. Governmental decisions are made by representatives actually elected by the residents themselves, unlike today, when decisions are made by a majority of supervisors from other districts.
2. If residents do not like the decisions made by their elected representatives, they can vote them out of office at the next election.
3. Residents would be more likely to know their council members, town staff, etc., enabling them to discuss issues in an agreeable manner before they become adversarial.

4. Residents no longer have to go over the hill to Salinas to testify at hearings, get permits, etc. They no longer have to deal with the traffic and parking problems currently faced, a great saving of time as well as physical and psychic energy.
5. As Carmel Valley is largely built out because of infrastructure limitations, the town will need only a modest staff, saving time and money over the huge bureaucracy in Salinas.
6. Most of the special districts will continue as they are, because their boundaries and funding are already prescribed.
7. Carmel Valley has an educated, activist population that will support community-minded candidates for office, not demagogues. The Valley had one of the first master plans in the state created by its own residents. It was updated in the 70s and again in the 80s (really one long process interrupted by a lawsuit, but it involved two different committees), showing that the people of the Valley are capable of managing their own civic interests.

In addition to local control, residents of Carmel Valley would have an opportunity to more directly participate in regional governments that influence the lives of all county populations. These agencies includes the Air Pollution Control District, Monterey Regional Water Pollution Control Agency, Transportation Agency for Monterey County, the Association of Monterey Bay Area Governments, etc.

### ***Disadvantage***

The primary disadvantage is that residents would have an additional government to follow possibly making citizen participation more time consuming and complex.

### **Question 8. Is there a community of common interest within the boundaries of the proposed city?**

No truly unbiased public polls have been conducted on the incorporation of Carmel Valley to gauge whether or not there is a community of interest in the area proposed for incorporated. One possible way to understand if there is a community of interest in the Valley, especially with respect to land use issues, is to look at the June 2007 election in which there were several initiatives/referenda on the ballot relating to the County's General Plan. Measure A asked if the voter supported or not a proposed community or citizen written general plan and Measure C (a referendum) asked if one supported the Board of Supervisors proposed general plan. Measure B asked if the adopted 2006 General plan should be repealed. A confusing vote was the result because all three measures in the countywide vote were rejected by about the same percentage ~45% yes to 55% no. However, as related to the Carmel Valley Precincts, the following table details the results<sup>1</sup> (Table 1). The measure B vote outcome was generally in the opposite sense as the result for Measure C. Precincts #1-4 generally are at the mouth of the valley, with the #6-9 extending, sequentially, eastward. Except for Precinct #1, those voting, voted over 60% in favor of the citizen proposed general plan. All voted to reject the supervisor's plan by over 60%, suggesting that the community and the board are not of like minds, with the supervisors efforts to address the land use concerns of the community being rejected and the citizen plan supported. It is a distinctly different result than what the overall county results show.

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<sup>1</sup> [http://www.montereycountyelections.us/statements/SOV\\_June\\_2007.pdf](http://www.montereycountyelections.us/statements/SOV_June_2007.pdf)

**Table 1: 2007 County Measures, Results for Carmel Valley****Measure A (General Plan Citizen proposed)**

	<b>Registered</b>	<b>Voted</b>	<b>% voting</b>	<b>Yes</b>	<b>%</b>	<b>No</b>	<b>%</b>
CV #1	1161	765	65.89	443	<b>57.90</b>	318	41.56
CV #2,3,4	759	499	65.74	324	<b>64.92</b>	175	35.07
CV #5	1165	759	65.15	460	<b>60.60</b>	295	38.86
CV #6	1239	811	65.45	491	<b>60.54</b>	319	39.33
CV #7	1171	750	64.04	477	<b>63.6</b>	272	36.26
CV #8	859	534	62.16	334	<b>62.54</b>	198	37.078
CV #9	1027	590	57.44	372	<b>63.05</b>	218	36.94

**Measure C (2006 General Plan)**

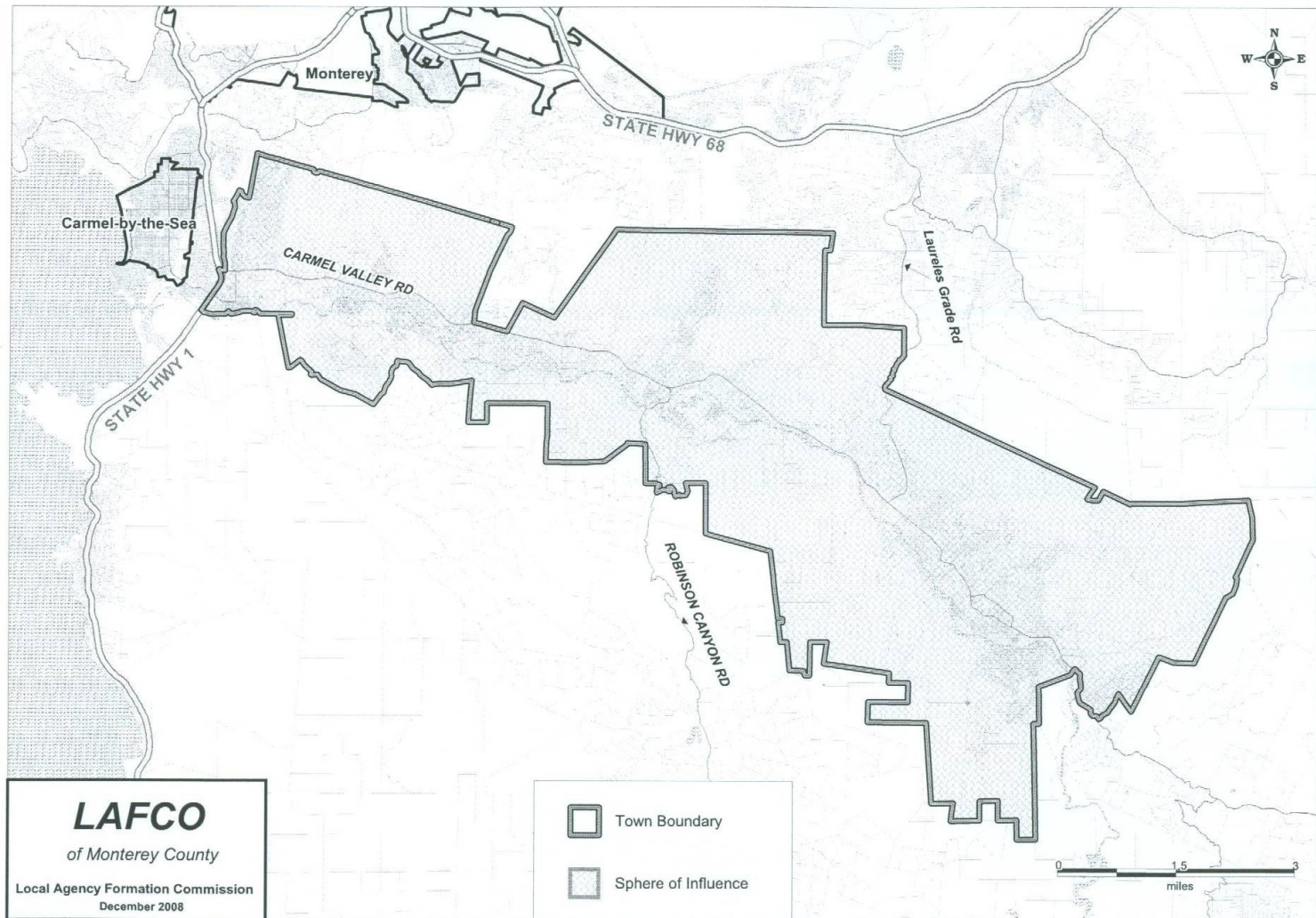
CV #1	1161	765	65.89	259	33.85	494	<b>64.57</b>
CV #2,3,4	759	499	65.74	156	31.26	334	<b>66.93</b>
CV #5	1165	759	65.15	239	31.48	506	<b>66.66</b>
CV #6	1239	811	65.45	287	35.38	514	<b>63.37</b>
CV #7	1171	750	64.047	226	30.13	513	<b>68.4</b>
CV #8	859	534	62.16	158	29.58	371	<b>69.47</b>
CV #9	1027	590	57.44	181	30.67	402	<b>68.13</b>

**Vote % for all of Monterey County**

Measure A	43.78	43.67	56.33
Measure C	43.78	45.06	53.26

It is subjective as to whether or not there is a community of common interest. On the one hand, the proposed town primarily follows the boundaries of the Carmel Valley Master Plan, which has been guiding the development of the area for decades and the community's ideas on land use. On the other hand, there is a distinct pattern to the requests that did not want to be included in the town.

**Exhibit A to Resolution 08-27  
Town of Carmel Valley Incorporation Proposal  
Town Boundary and Sphere of Influence  
Approved by LAFCO on December 1, 2008**



**LAFCO**  
of Monterey County  
Local Agency Formation Commission  
December 2008

Economic & Planning Systems, Inc.

Monterey County Information Technology GIS Team

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