

REGULAR MEETING AGENDA

Del Norte Local Agency Formation Commission
Board of Supervisors Chambers
981 H Street, Suite 100, Crescent City, CA 95531

January 26, 2009

4:00 pm

1. Call to Order/Roll Call
2. Appointment of Public Member
Del Norte LAFCo has received two applications for the vacant public member position. The Commission will consider those applications and make a selection.
3. Public comment on Closed Session Matters
4. Closed Session Conference with legal Counsel [Government Code Section 54957(b)(1)] one Matter:
 - A. Pacific Shores Subdivision California Water District v. Del Norte LAFCO, Del Norte Superior Court # CVPT08-1380
5. Report on Any Actions taken in Closed Session
 - A. Report on Pacific Shores Litigation
6. Public Hearing (ATTACHMENT)
 - A. Municipal Service Review and Sphere of Influence update hearings and resolutions for the following districts:

Special Districts	MSR Services	Sphere of Influence
Del Norte Resource Conservation District	Resource Management	No Change
Gasquet Fire Protection District	Fire & Emergency Response	No Change
Smith River Community Services District	Water, Streetlights	No Change

7. Regular Business
 - A. Approval of November 24, 2008 minutes (ATTACHMENT)
 - B. Budget Status (Attachment)
 - C. Municipal Services Review Compliance Status (ATTACHMENT)

Del Norte Local Agency Formation Commission

8. Reports

- A. Staff - The Executive Officer will provide a report of current projects, budget and issues of interest to the Commission.
- B. Commission - On their own initiative, Commission members may make brief announcements or reports on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda pursuant to Government Code Section 54954.2 (a).
- C. Public - Public comment on items of interest to the public within the subject matter jurisdiction of the Local Agency Formation Commission, and not otherwise appearing on the agenda. No action may be taken on any item not appearing on the agenda.

9. Adjournment

MINUTES
REGULAR MEETING AGENDA
Del Norte Local Agency Formation Commission
Board of Supervisors Chambers
November 24, 2008
4:00 pm

Commissioners Present: Leslie McNamer, Sparky Countess, Gerry Hemmingsen, Kathryn Murray (arrive during closed session) and Donna Westfall

Commissioners Absent: None

Others Present: George Williamson AICP LAFCo Executive Officer; Karen Phillips, PS Secretarial Services; Dohn Henion, LAFCo Counsel; Robert Black, City Counsel; and Kelly Schellong, City Mayor

1. Call to Order/Roll Call

Chairman McNamer called the meeting to order at 4:00 p.m.

2. Welcome New City Members Kathryn Murray and Donna Westfall

Commissioners welcomed new Commissioner Westfall.

3. Public comment on Closed Session Matters

Chairman McNamer asked for public comments regarding the closed session. There were no public comments regarding the closed session agenda.

4. Closed Session Conference with legal Counsel [Government Code Section 54957(b)(1)] one Matter:

A. Pacific Shores Subdivision California Water District v. Del Norte LAFCO, Del Norte Superior Court # CVPT08-1380

Chairman McNamer recessed the regular session at 4:01 p.m. and immediately convened in closed session. The closed session was adjourned at 4:21 p.m. Commissioner Murray joined the meeting during closed session.

5. Report on Any Actions taken in Closed Session

A. Report on Pacific Shores Litigation

Counsel reported that the following action was taken during closed session: On a motion by Commissioner Hemmingsen, seconded by Commissioner Murray, and unanimously carried, with Commissioner Countess abstaining, the Local Agency Formation Commission approved and authorized the Executive Officer to make a written request to the Del Norte County Counsel to act as the agencies general counsel and authorized a waiver of conflicts of interest relating to dual representation.

6. Regular Business

A. Approval of October 27, 2008 minutes (ATTACHMENT)

On a motion by Commissioner Hemmingsen, seconded by Commissioner McNamer, and unanimously carried, the Local Agency Formation Commission approved and adopted the minutes of the October 27, 2008 meeting, as presented.

B. Consideration of action to authorize the Executive Officer to make a written request to the Del Norte County Counsel to act as the agency's General Counsel and authorize execution of a waiver of conflicts of interest relating to dual representation.

George Williamson, Executive Officer, reported that the action requested under this item was taken during the closed session.

C. Update on Public member nomination process to fill vacancy

Executive Officer George Williamson reported on the public member nomination process pursuant to the Cortese-Knox Act. As of this afternoon there were two nominations including Mr. Countess' application. Applications received before December 1, 2008 will be brought to the Commission for review. Discussion was held regarding the fact that an appointee to a special district board cannot serve as the public member of the Local Agency Formation Commission.

D. Municipal Services Review Compliance Status (ATTACHMENT)

Executive Officer Williamson reported on the status of the MSR's, including all districts under the Commission's prevue. Mr. Williamson indicated that the list is accurate according to the previous executive officer. Updates are noted in the agenda materials. The updates should be fairly easy if there are no significant changes to the services provided with each particular district. There

are three special districts, two fire districts and two agencies that the Executive Officer has no record of them having filed an MSR.

7. Reports

A. Staff - The Executive Officer will provide a report of current projects, budget and issues of interest to the Commission.

George Williamson reported on the following topics: 1) Newsletter from Cal LAFCO "Sphere" - was presented to the commissioners; 2) Meeting Schedule - suggested change to cancel the meeting in December and make the following meeting January 26, 2009 at 4:00 p.m. He will also schedule the meeting for 2009 at that time; and 3) Letter to Smith River CSD - tank annexation and fee refund, letter sent to the special district.

B. Commission - On their own initiative, Commission members may make brief announcements or reports on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda pursuant to Government Code Section 54954.2 (a).

The following commissioners made reports/comments: None.

C. Public - Public comment on items of interest to the public within the subject matter jurisdiction of the Local Agency Formation Commission, and not otherwise appearing on the agenda. No action may be taken on any item not appearing on the agenda.

The following public made comments: None.

8. Adjournment

There being no further business to come before the Commission, the Chair adjourned the meeting at 4:33 p.m., until the next regularly scheduled meeting of January 26, 2008 at 4:00 p.m.

Respectfully submitted,

Karen L. Phillips, Recording
Secretary, LAFCO