

REGULAR MEETING MINUTES
Del Norte Local Agency Formation Commission
October 27, 2008
4:00 pm

Members Present: Leslie McNamer, Mike Scavuzzo, Gerry Hemmingsen and Rich Enea

Members Absent: Sparky Countess, Alternate Public Member

Others Present: Alan Barron, Karen Phillips, George Williamson, and Attorney Ed Grutzmacher (via telephone during closed session)

1. Call to Order/Roll Call

Chairman McNamer called the meeting to order in regular session at 4:00 p.m. and introduced George Williamson to those persons present. The recording secretary took roll.

2. Closed Session pursuant to Government Code Section 54957(b)(1)

A. Conference With Legal Counsel---Existing Litigation
(Subdivision (a) of Section 54956.9)

Name of Case: Pacific Shores Subdivision California Water District v. Del Norte LAFCO and Del Norte County, Del Norte County Superior Court Case No. CVPT 08-1380.

Chairman McNamer asked for public comments regarding the closed session items listed, there being none, the regular session was recessed at 4:00 p.m. and immediately convened in closed session to discuss the above listed closed session item. The closed session was adjourned at 4:29 p.m. and the meeting was immediately reconvened in regular session.

3. Open Session and announcements from Closed Session

A. Report on Pacific Shores Litigation

Immediately after reconvening in regular session, George Williamson reported that the commission conferred with outside counsel during the closed session and no action was taken.

4. Regular Business

A. Approval of September 29, 2008 minutes (ATTACHMENT)

On a motion by Commissioner Enea, seconded by Commissioner Scavuzzo, and unanimously carried the Local Agency Formation Commission approved and adopted the minutes of the September 29, 2008 meeting, as presented.

B. Staffing Services Contract (ATTACHMENT)

George Williamson commented on the contract with his agency, Planwest Partners, Inc., to provide executive director services to the Local Agency Formation Commission. Mr. Williamson thanked the commission for agreeing to engage their services for LAFCO. Payment per month was proposed as an average monthly rate of \$3,750.00 for 50 hours of work not the amount reflected in the agreement currently in the agenda packet. This amount will be amended to reflect the \$3,750.00 as was proposed. Commissioner Scavuzzo asked about item #12 of the contract regarding insurances because he wanted to make sure that all of requested insurance would be paid out of the monthly compensation to Planwest. Mr. Williamson assured the commission that the insurance would be paid from the monthly compensation. He also indicated that most all of the records have been transferred from the former executive officer to Planwest. However, due to the recent move of Mr. McElfresh's office, Mr. Williamson will be checking back to make sure that all of the records were transferred from storage. Commissioner Scavuzzo asked about how an agency would contact LAFCO staff to apply for an annexation, for instance, since they have no local office. So far, Mr. Williamson indicated that the public has been able to contact his office with no problem. The LAFCO website has all the current office information to direct the public to their office. The website is provided through Cal LAFCO.

On a motion by Commissioner Enea, seconded by Commissioner Hemmingsen, and unanimously carried on a polled vote, the Local Agency Formation Commission approved and adopted the contract with Planwest Partners as corrected to reflect the monthly compensation of \$3,750.00 for 50 hours of work.

C. LAFCO Legal Counsel representation for Pacific Shores Litigation

No action; this item was covered under the closed session above.

D. Public member nomination process to fill vacancy (ATTACHMENT)

George Williamson reported on the nomination process to fill the vacant public member seat on the Local Agency Formation Commission. No action was taken by the previous executive officer prior to his leaving LAFCO so Mr. Williamson suggested that he be given direction to follow through with the process to get a person on board as soon as possible. By consensus, the commission gave direction to Mr. Williamson to post the vacancy.

E. Municipal Services Review Compliance Status (ATTACHMENT)

George Williamson reported on the Municipal Services Review (MSR) documents and provided a spreadsheet showing the status of each of the special district MSR's according to his research. The former executive officer informed Commissioner Hemmingsen that all of the MSR's were all done. There appears to be some confusion surrounding whether or not some of the district MSR's were completed. Mr. Williamson

will work through the issues and figure out if some of the districts still exist. A report will be made at the next meeting regarding the status of the MSR's. Mr. Williamson indicated that he will try to get as many MSR's done within the monthly allotment of fifty (50) hours, but that MSR preparation costs may exceed the monthly fee..

5. Reports

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

The Executive Officer's report included the following topics: 1) Phone inquiry – Smith River Community Service District called regarding annexation of water tank. Discussion was held regarding whether or not the survey needs to be completed and a credit back to the district for previous fees; 2) Phone inquiry - Hussey Ranch consider annexation of Garry Slaughter Subdivision into Hussey Ranch (Carol Leuthold called Mr. Williamson regarding the 62 acre parcel off North Bank Road); 3) Miscellaneous – Mr. Williamson is working through all the LFACO files, the website has been updated.

- B. Commission - On their own initiative, Commission members may make brief announcements or brief 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: Commissioner Hemmingsen welcomed George Williamson. Commissioner Scavuzzo also welcomed Mr. Williamson. Commissioners asked about having a meeting every other month instead of every month. Discussion will be held at the next meeting regarding whether or not to hold monthly meetings.

- 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 comments were made: None.

6. Adjournment

There being no further business to come before the Commission, Chairman McNamer adjourned the meeting at 4:59 p.m. until the next regularly scheduled meeting of November 24, 2008 at 4:00 p.m.

Respectfully submitted,

Karen Phillips, Recording Secretary