

# ATTACHMENT 3A

MINTUES  
Del Norte Local Agency Formation Commission  
February 22, 2010  
4:00 pm

**Present:** Commissioners Leslie McNamer, Chair; Sparky Countess, Vice Chair; Kathryn Murray; Charles Slert; and Gerry Hemmingsen (arrived @ 4:05).

**Absent:** None

**Others Present:** George Williamson, Executive Director; Wilma Madden, PS Business Services, Recording Secretary; Chris Howard, Elk Valley Rancheria; Reweti Wiki, Elk Valley Rancheria; Michele Rambo, Crescent City Planner/Economic Development Specialist; Dohn Henion, LAFCo Legal Counsel; Kevin Hamblin, County of Del Norte Community Development Dept.; Rod Butler, Crescent City City Manager.

1. Call to Order/Roll Call

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

2. Public Hearing

A. Continuation of Municipal Service Reviews and SOI update hearings, staff reports and resolutions for the following districts (ATTACHMENT 2A):

| Districts                | MSR Services | Spheres of Influence             |
|--------------------------|--------------|----------------------------------|
| Bertsch-Ocean View CSD   | Water        | SOI Amendment/Expansion Proposed |
| County Service Area No.1 | Wastewater   | SOI Amendment/Expansion Proposed |

The continued public hearing for the Bertsch-Ocean View (BOV) CSD MSR was opened at 4:01 p.m. Mr. Williamson reported that the BOV CSD Sphere of Influence (SOI) expansion allows inclusion of the Martin Ranch property. Mr. Williamson indicated a letter had been received from Elk Valley Rancheria requesting a continuance of this hearing. Mr. Williamson stated that he had spoken to Bertsch-Ocean View CSD legal counsel, Michael Mazzei, and they are fine with the continuance. Chris Howard, representing Elk Valley Rancheria, indicated they are still in discussions with BOV CSD regarding service, and need the additional time to complete their discussions. He added that some of the items under discussion will require ordinance changes by BOV CSD, and those require a public hearing process. Commissioner Murray asked for clarification of the issues. Mr. Howard responded there is a possibility of another entity out there that would serve the Martin Ranch property. Commissioner Slert commented that he hoped the dialogue would continue and that they can resolve the issues. No other public comments were received.

The public hearing was closed at 4:10p.m.

Commissioner Countess recommended the Local Agency Formation Commission continue the public hearing. The other Commissioners concurred.

Mr. Williamson indicated he would report back at the March meeting and the Commission may consider the future continued public hearing date at that time.

The continued public hearing for the County Service Area No. 1 MSR and SOI expansion was opened at 4:10 p.m. The following was discussed: Mr. Williamson presented the staff report. Staff is recommending a SOI expansion to be coterminous with the urban boundary. Chris Howard indicated that the Rancheria concurs with the expansion of the SOI. Commissioner Slett confirmed that the CSA operates in a deficit. Mr. Williamson replied that was correct, but the amount of the deficit is reduced from prior years. The staff report does make the recommendation that the CSA review and potentially revise their service fees. No further comments were received from Commission or public.

The public hearing was closed at 4:15 p.m.

On a motion by Commissioner Countess, seconded by Commissioner Slett, and unanimously carried on a polled vote, the Local Agency Formation Commission adopted Resolution 10-04 approving the CSA#1 MSR and SOI amendment.

### 3. Regular Business

#### A. Approval of January 25, 2010 Minutes (ATTACHMENT 3A).

On a motion by Commissioner Slett, seconded by Commissioner Countess, and unanimously carried, the Local Agency Formation Commission approved and adopted the minutes of the January 25, 2010 meeting, as presented.

#### B. Election of LAFCo Chair and Vice Chair: The Commission will appoint one member as Chairperson and another member as Vice Chairperson, each to serve a one-year term (NO ATTACHMENT).

The following nominations were made for Chairman for 2010:

Commissioner Murray nominated Commissioner Slett. Commissioner Hemmingsen seconded the nomination. Commissioner Slett declined the nomination for personal reasons.

Commissioner Countess nominated Commissioner Hemmingsen as 2010 Chairman of the Local Agency Formation Commission. Commissioner Murray seconded the nomination, which carried unanimously by polled vote.

The following nomination was made for Vice-Chairman for 2010:

Commissioner Slett nominated Commissioner Murray for Vice-Chairman. Commissioner Hemmingsen seconded the nomination, which carried unanimously by polled vote.

Newly elected Chairman Hemmingsen took the gavel and conducted the remainder of the meeting.

#### C. Report on court action for Pacific Shores Water District Dissolution (ATTACHMENT 3C).

The report on the Pacific Shores Water District dissolution court action was discussed. Mr. Williamson indicated the Commission may receive and file the report; or, if they wish to discuss the report, they will need to do so as a closed session item. The closed session item could be added to the next agenda or could be added to this meeting as an urgency item that arose subsequent to posting of agenda, if the Commission took such action.

Commissioner Countess made a motion to receive and file the report. Commissioner McNamer seconded the motion, which carried unanimously.

- D. Municipal Services Review Compliance Status (ATTACHMENT 3D).  
Report to Commission on meetings with Crescent City staff.

Mr. Williamson reported on meeting with Rod Butler, City Manager, and Michele Rambo, City Planner/Economic Development Specialist.

- E. Budget Status Report for 2009-10 (ATTACHMENT 3E).

The budget status report was reviewed. The LAFCo costs are within budget for the year to date.

#### 4. Inquiries, Correspondence, Application Status and Referrals

- A. Staff - The Executive Officer will provide a report of current projects, issues of interest, and pending legislation.

The following staff report was made: Mr. Williamson reported on his meeting with Mr. Hamblin, County of Del Norte Community Development Director, on County items.

- 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 request a business matter be placed on a future agenda per Government Code Section 54954.2 (a).

The following Commissioners made reports: Commissioner Countess commented that the Commission members need to advise Mr. Williamson as to whether or not they will attend the meeting and that the members also need to let him know if they are missing any portions of their agenda packet before the meeting. Commissioner Murray thanked Commissioner McNamer for her year of chairmanship. Commissioner Slert concurred, as did Commissioner Hemmingsen, who added that it was actually two years. Commissioner Slert welcomed Mr. Hamblin.

- 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 persons addressed the Commission: No comments were received from the public.

5. Adjournment

There being no further business to come before the Commission, Chairman Hemmingsen adjourned the meeting at 4:26 p.m. until the next regularly scheduled meeting on March 22, 2010.

Respectfully submitted,

Wilma Madden, recording secretary