

ATTACHMENT 3A

MINUTES

Del Norte Local Agency Formation Commission
March 28, 2011
4:00 pm

Members Present: Chairman Kathryn Murray, Vice-Chairman Leslie McNamer, Gerry Hemmingsen, Sparky Countess, Public Member and Charles Slert

Members Absent: None

Others Present: George Williamson, Executive Officer, Karen Phillips, PS Business Services, Heidi Kunstal, Deputy Director of Community Development, Jeannine Galatioto, Interim City Manager and County Director of Community Development Kevin Hamblin

1. Call to Order/Roll Call/ Election of Officers

Chairman Murray called the meeting to order at 4:02 p.m. and roll call was taken.

2. Public Hearings
None

3. Regular Business
A. Approval of February 28, 2011 Draft Minutes (ATTACHMENT 3A).

On a motion by Commissioner McNamer, seconded by Commissioner Slert, and unanimously carried, the Local Agency Formation Commission approved and adopted the minutes of the February 28, 2011 meeting as presented.

B. Budget Status Report (ATTACHMENT 3B).

The budget was discussed briefly. Since last meeting the Agency received an almost \$5,000 bill for LAFCo's share of the legal costs associated with Pacific Shores; however, the funds were budgeted and staff does not feel that there will be any other legal charges for this budget year. The line items are still under budget.

C. Commissioners Form 700 Filing (Forms Available at Meeting).

Executive Officer Williamson handed out the mandatory 700 filing forms to Commissioners. All of the forms are now filed and the commission is in compliance with the disclosure laws.

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. This will include a status

report on completing the City of Crescent City Municipal Service review (MSR) and Sphere of Influence Update. (ATTACHMENTS 4A & 4B).

The executive officers report included the following reports: 1) City MSA and Sphere of Influence update - The executive officer met with City and County staff to go over the issues addressed at the last meeting. City land uses were outlined at the meeting and the following suggestions were made from that meeting:

1) Martin Ranch (south of Crescent City) – pointed out that this land is being acquired by the Rancheria and as such is not subject to another governmental entity and should be designated as Bureau of Indian Affairs (BIA) as tribal trust lands for planning purposes; other lands are listed as “BIA” on the County General Plan map and those lands would also carry this or other designation for the City designation. The County uses the designation of BIA;

2) Some of the CSA boundaries are not accurately shown on the map on file with Del Norte LAFCo. County staff have provided the correct mapping and this correction will be made; and 3) the 199/101 interchange was reviewed for its mix of uses. Land uses in that area will be reviewed for potential development and services. Staff will move forward at the commission's direction with the corrections, etc. Chairman Murray asked who designates the terminology for the Native American property. The City makes the call in this case; however, the Local Agency Formation Commission can make suggestions.

Discussion was held regarding the designation of tribal lands as “BIA” or other name. The County and City would like to have similar terms to avoid confusion. BIA was the chosen designation for tribal trust lands by the Commission. The list of infrastructure for each of the areas was presented in the staff report. Staff now feels like there should be a meeting between the CSA districts also to discuss the mapping and other issues for clarification. There are definitely some service gaps in the area according to Mr. Williamson. Suggested development areas will be sent to the City and include mostly residential areas (designated on Figure 5 in the agenda). The map figure in the agenda packet includes areas to clarify what are in the assessment areas and service areas. The CSA2 boundary, based on Del Norte LAFCo maps, was not clear. There is a gap in service outside the city limits on Elk Valley Road. It is unknown who is serving that area.

Commissioner Countess left the meeting at 4:25 p.m.

Discussion continued regarding the area on Elk Valley Road and potential for planned projects in that area. Mr. Williamson will speak to City and County staff to get more information and to correct the discrepancy. Commissioner Slert asked about adjusting the CSA boundaries and making them coterminous. The scope has expanded a bit with the changes. Staff recommendations 1 and 2 are consistent with the discussion at prior meetings and CEQA documents. Mr. Williamson would like to get the CSA district boundaries cleared up as well as

the other recommendations made at the various meeting. The CSA service boundary near the airport will move west of Arlington somewhere.

Staff will bring back a recommendation for adjusting service area boundaries. Staff will expand their efforts for CSA 1 and 2 and the seamless service for the sphere of influence. CSA summary and conclusion information was presented including overlapping, shared and inconsistent service boundaries, such as the area just off Highway 101 on Elk Valley road, that staff is not sure which district serves them or if there is service provided. It was speculated that the harbor line is in the area of the lift station or the unserved area (characterized by County staff as "no man's land").

Mr. Williamson indicated that the former LAFCo Legal Counsel sent a letter that the Pacific Shores dissolution was complete and the actions were acted on in the Agency's favor, and it is now time to file the district dissolution with the Board of Equalization. Staff has been doing research with regard to state held funds and revenues that will be conveyed to the County. There appears to be a sum of funds held at the State Controller's office, according to Mr. Williamson's conversation with that office. The dissolution will be filed within the next 30 days, and staff will ask for disbursement of the funds to the County.

- 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 reports were made: Commissioner Slett asked when the follow-up work on the recommended action would be complete. Staff asked to cancel the April meeting and come back in May with the recommendations and completed work. By consensus the April meeting was cancelled.

- 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: None.

4. Adjournment

There being no further business to come before the Commission, the Chairman adjourned the meeting at 4:41 p.m. until the next regularly scheduled meeting of May 23, 2011.

Respectfully submitted,
Karen L. Phillips, Recording Secretary