



DRAFT MINUTES FOR JANUARY 23, 2008 MEETING

COMMISSIONERS PRESENT: Commissioners Marty McClelland, Richard “Bud” Leonard, Roy Curless, Kevin McKenny, Bonnie Neely, Roger Rodoni and Alternates Jeff Leonard, Virginia Graziani and Bob McPherson.

COMMISSIONERS ABSENT: Commissioner Patrick Whitchurch and Supervisor Alternate Jill Geist.

STAFF PRESENT: George Williamson and Daniel Hamilton Contract Executive Officers; Amber Jamieson, Contract LAFCo Administrator; and Jeff Guttero, Legal Counsel.

The meeting was called to order at 9:00 a.m. in the Humboldt County Board of Supervisors Chambers, Chairman McClelland presiding.

APPROVAL OF MINUTES FOR DECEMBER 5, 2007

THE MOTION WAS MADE (Curless/ B. Leonard) to approve the December 5, 2007 minutes as submitted.

THE MOTION PASSED BY A VOTE OF 5-0-1. (Commissioner Rodoni abstained).

PUBLIC HEARING

5A. Staff Report and Resolution for the consideration of the Municipal Service Reviews for the Cities of Fortuna, Ferndale and Rio Dell; the Hydesville Water District, the Patrick Creek Community Services District; and the Ferndale, Rio Dell and Loleta Fire Protection Districts

George Williamson, Executive Officer, summarized Agenda Item 5A to adopt resolutions to approve the Municipal Service Reviews and Spheres of Influence for the Cities of Fortuna, Ferndale and Rio Dell; the Hydesville Water District, the Patrick Creek Community Services District; and the Ferndale, Rio Dell and Loleta Fire Protection Districts. The resolution would affirm the existing spheres with no service area extensions or boundary changes. Mr. Williamson recommended that the Commission review the staff report and take an action to adopt the resolution for each CSD.

Commissioner Kevin McKenny noted a correction needed for the Rio Dell MSR regarding flows.

George Williamson acknowledged the correction and said staff would change the MSR text.

Marty McClelland, Chairman, opened the MSRs for discussion and public comment.

There were no public comments.

Chairman McClelland noted that the Fortuna and Rio Dell spheres contain prime agricultural land and open space, and directed staff to address any loss of agricultural and open space lands due to the General Plan Amendments in environmental review. Marty also noted that on the second page of the resolutions, there is a reference to the December meeting, which should be changed to January.



Mr. Williamson explained that Fortuna had no plans to annex the Palmer Creek CSD and that the Manila CSD has not reported any service area extensions.

THE MOTION WAS MADE (Neely/ B. Leonard) to adopt resolutions 08-01 through 08-08 with the correction on page 2.

THE MOTION WAS PASSED BY A VOTE OF 6-0-1; Commissioner Curless abstained from Fortuna due to his property ownership within the sphere.

6. Scotia CSD formation application and Municipal Service Review Study Session

Daniel Hamilton, Contract Executive Officer, presented an informational staff report for the CSD formation application that was filed by the Pacific Lumber Company on November 27, 2007. Staff has reviewed the application documents, but the CSD application will remain incomplete until the EIR has been certified by the County. The Draft EIR public comment period ends February 25, 2008, and the Final EIR is expected in April or May, at which time the application will be brought back to the commission for CSD formation review. Daniel will comment on the Draft EIR for the Commission, once they are released by the County.

Arnie Herskovic, SHN Consulting Engineers, representing the Pacific Lumber Company CSD Application, addressed comments notifying the commission that the financial documents would be released within a week. Mr. Herskovic recommended the Commission hold a joint study session with the Humboldt County Planning Commission and a special meeting to adopt the Scotia CSD application.

Chairman McClelland directed staff to wait to conduct a study session on the Scotia CSD application until after the Final EIR is released and the Planning Commission makes their recommendation to the Board of Supervisors. Marty directed that staff conduct a full and equal discussion of the annexation to Rio Dell as a specific alternative to the CSD request, and requested that comments from the county on the Draft EIR be distributed to the commission members prior to the release of the Final EIR. He also asked LAFCo staff to distribute copies of the revised financial documents to the commission members once staff comments have been incorporated. Marty said that since the planning commission is only recommending general plan zoning, it would be more appropriate to have a session after the Board of Supervisors takes their action.

BY ORDER OF THE CHAIR, with the concurrence of the Commission, the report was received and filed as presented by Daniel Hamilton.

7. Budget Progress Report and Scotia CSD Task Order Amendment

George Williamson presented the budget progress report informing the commission that the County Auditor has collected county, city and district funds from taxes and has deposited those funds into the LAFCo account. George noted a line item for an administrative charge from County Planning, which staff has inquired about at the Auditor's office. George also notified the Commission that PMC has exhausted the \$15,000 initial deposit for the Scotia CSD application, and requested an additional \$15,000 to continue processing the application.

Chairman McClelland Chairman McClelland noted that for the 2007/08 budget, the commission did not have an agreement with the County to provide services under the adopted



budget and that it was inappropriate to apply the charge to the commission. Mr. McClelland also suggested that the task order amendment be increased to \$25,000.

THE MOTION WAS MADE (Neely/ J. Leonard) to amend the task order to the amount of 25,000 and approve the task order as amended.

THE MOTION WAS PASSED BY A VOTE OF 7-0.

8. Compliance Work Plan

George Williamson presented the Compliance Work Plan as submitted.

BY ORDER OF THE CHAIR, with the concurrence of the Commission, the report was received and accepted as presented by George Williamson.

9. Commission Member 700 Disclosure Forms

This informational item was presented to remind commission members of their responsibility to file the 700 forms with the Elections Department.

BY ORDER OF THE CHAIR, with the concurrence of the Commission, the report was received and filed.

10. Policy to Implement AB 745

George Williamson explained that the policy presented before the commission is a voluntary item that would disclose political expenditures.

Chairman McClelland noted that the policy would duplicate what the agency already requires.

THE MOTION WAS MADE (McKenny/ Neely) NOT to adopt the resolution for the policy.

THE MOTION WAS PASSED BY A VOTE OF 7-0.

11. December 2007 Cortese-Knox Hertzberg Update

George Williamson explained that there were some modifications to adopted procedures including expanded powers to LAFCo.

BY ORDER OF THE CHAIR, with the concurrence of the Commission, the report was received and filed.

12a. Commission Chair Appointment for Remainder of 2008

Chairman McClelland opened nominations of Commission Chair for Calendar Year 2008.

THE MOTION WAS MADE (Curless /B. Leonard) to nominate Commissioner Roger Rodoni as Commission Chair.

THE MOTION WAS PASSED BY A VOTE OF 7-0.

12b. Commission Vice Chair Appointment for Remainder of 2008

Chairman McClelland opened nominations of Commission Vice Chair.

THE MOTION WAS MADE (Curless /B. Leonard) to nominate Commissioner Patrick Whitchurch as Commission Vice Chair.



THE MOTION WAS PASSED BY A VOTE OF 7-0.

13. Inquiries and Pending Applications

George Williamson notified the commission that the Humboldt County Planning Commission has recently recommended approval of the Samoa Town Master Plan General Plan and Zoning Ordinance Amendments to the County Board of Supervisors, and that if the amendments are approved, the Town of Samoa may be subdivided, which would necessitate a change in service delivery. The Samoa Pacific Group is in discussion with Kurt Kramer, a Fairhaven property owner about service provider options they have available to them.

Chairman McClelland directed staff to review the option of sharing facilities with Manila CSD, in order to eliminate duplication of staffing and facilities.

Mr. Williamson discussed the phone inquiry from Eureka City staff, who has received a request to extend water services to the Indianola area, citing conditions for water quality. Discussions are also taking place with Humboldt Community Services District to address the issue.

Chairman McClelland noted that the area is located within an Urban Service Area that was established by the county and is expected to conduct an infrastructure analysis as part of the County's General Plan Update.

14. Public Appearances

There were no public appearances

15. Correspondence

George Williamson presented a letter of appreciation to Marty McClelland for his eleven years of service as Chairman to the Local Agency Formation Commission.

16. Adjournment

The meeting was adjourned at 9:45 AM.