

# LOCAL AGENCY FORMATION COMMISSION

## MINUTES FOR APRIL 25, 2007

### COMMISSIONERS PRESENT:

Supervisors Roger Rodoni, Commissioners Richard "Bud" Leonard, Marty McClelland, Patrick Whitchurch, Kevin McKenny & Alternates Virginia Graziani, & Bob McPherson

### COMMISSIONERS ABSENT:

Supervisor Bonnie Neely, Commissioner Curless, Alternate Leonard

**STAFF PRESENT:** Michael Wheeler, LAFCo Staff; Sharyn Lodes, LAFCo Clerk; Kirk Girard, Community Development Director

The meeting was called to order at 9:00 AM in Conference Room A, County Courthouse, Chairman McClelland presiding.

### APPROVAL OF MINUTES OF April 4, 2007

**THE MOTION WAS MADE** (LEONARD/McKENNY) to approve the April 4, 2007 Minutes as revised by the clerk.

**THE MOTION PASSED BY A VOTE OF 6-0.**

### AGENDA MODIFICATIONS:

1. LAFCo Facilities & Staffing Transition Sub-committee Report and Consideration of Staffing/Office Options for LAFCo Operations will be heard together.
2. Budget Progress Report and Consideration & Adoption of Proposed FY 2007-08 Budget will be heard together.

### NEW & CONTINUED BUSINESS:

1. LAFCo Facilities & Staffing Transition Sub-committee Report and Consideration of Staffing/Office Options for LAFCo Operations

**Chairman McClelland** summarized the sub-committee's report and established the parameters discussed at the previous meeting.

**Loretta Nickolaus**, County Chief Administrative Officer, presented an alternative proposal submitted by the City Managers and Administrative Office personnel. This proposal envisions hiring an Executive Officer who would provide oversight of consulting contracts, review reports submitted by consultants and run day-to-day operations. Office space would be sublet from an existing public agency which would provide clerical support as needed, conference room space as well as use of office equipment. Greg Foster, Redwood Region Economic Development Commission (RREDC) Director, has been contacted and would present a LAFCo proposal to RREDC.

**Alternate Graziani**, also a RREDC Commissioner, considered RREDC office space a good venue.

**Commissioner McKenny** asked about payroll services, independent accounting and audit issues.

**Ms. Nickolaus** stated RREDC had payroll services which could be utilized and yes an independent audit would be necessary.

BY ORDER OF THE CHAIR, this report was received and accepted.

2. Budget Progress Report and Consideration & Adoption of Proposed FY 2007-08 Budget will be heard together.

A Budget Progress Report was not reviewed.

**Stephanie Larsen**, County Assistant Administrative Officer, explained the nuances between the three proposed budget scenarios for Fiscal Year 2007-08. The proposals included the Transition Subcommittee's plan, the City/County Managers' proposal with a half-time LAFCO Executive Officer, and the City/County Managers' proposal with a full-time Executive Officer. She also stated the 2007-08 budget may be amended at a later date.

**Commissioner McKenny** asked about Commissioner insurance and Error and Omission insurance. **Ms. Larsen** concurred with the inclusion of this type of insurance in the Sub-committee Plan Budget. The Commission asked for line item detail.

The Commission discussed the pros and cons of hiring an Executive Officer. This proposal was viewed as a future goal.

**Tom Marking**, McKinleyville CSD manager, suggested putting a 15% contingency fund in the budget.

**Chairman McClelland** asked about the recruitment for legal counsel. **Carolyn Ruth**, LAFCo Counsel, reported the sole local applicant was Jeffrey Guttero and recommended the Commission contract with this local counsel.

**Dennis Wood**, PALCo representative, encouraged the Commission in its budget decision.

**Carol Rische**, Humboldt Bay Municipal Water District Manager, spoke in favor of the Executive Officer plan.

**THE MOTION WAS MADE** (McKenny/Whitchurch) to contract for professional consulting services with Planwest Partners Inc. and PMC, to contract with Planwest as the Executive Officer position, to adopt the Sub-committee Plan budget proposal including a 15% contingency reserve, and to formally request the County provide Commission insurance.

**THE MOTION PASSED BY A VOTE OF 4-2.** (Supervisor Rodoni and Commissioner Leonard voted no.)

**A MOTION OF INTENT WAS MADE** (Whitchurch/Leonard) to pursue alternative staffing support by way of RREDC or other public agencies during the course of the next few months and into the fiscal year with the long term goal of having permanent staffing and a public location for the agency.

**THE MOTION PASSED BY A VOTE OF 6-0.**

The Commission discussed the implementation of the motion.

**Chief Glen Zeimer**, Humboldt Fire District 1, suggested tasking Planwest with the recruitment of an Executive Officer plus finding alternative staffing and a public location.

**THE MOTION WAS MADE** (Graziani/Whitchurch) to contract with all other recommended specialty on-call service agreements.

**THE MOTION PASSED BY A VOTE OF 6-0.**

**THE MOTION WAS MADE** (McKenny/Whitchurch) to contract with Jeffrey Guttero as the agency routine legal counsel.

**THE MOTION PASSED BY A VOTE OF 6-0.**

The next meeting will be scheduled for June 13<sup>th</sup> providing sufficient time to notice the intent to adopt a final budget. Please note, the consideration of a proposed budget was not noticed.

**Chairman McClelland** asked if the proposed budget included the Commissioner expenses or the Calafco dues. **Ms. Larsen** indicated that it did not. At the Chair's suggestion and general concurrence of the Commission (no vote was taken), these items are to be included in the final budget. **Ms. Larsen** noted, with the addition of the insurance line item and the 15% contingency, the final budget will be nearing the \$100,000 mark.

### **PUBLIC APPEARANCES**

No one appeared.

### **CORRESPONDENCE**

**Chairman McClelland** disclosed emails received about on-call conflict engineering firms.

### **ADJOURNMENT**

The meeting adjourned at 10:07AM.

**LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified Copy of Portion of Proceedings, Meeting of April 25, 2007

**SUBJECT:      RECORD OF ACTION**  
                  **Approval of the April 4, 2007 Minutes**

**ACTION:      Approve the Minutes from the April 4, 2007 meeting.**

**By motion of Commissioner Leonard, second by Commissioner McKenny, by the following vote:**

AYES:           Graziani, Leonard, McClelland, McKenny, Rodoni & Whitchurch

NAYS:

ABSENT:       Neely

ABSTAIN:

STATE OF CALIFORNIA    )  
COUNTY OF HUMBOLDT   )

I, KIRK GIRARD, Executive Officer of the Local Agency Formation Commission of the County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Local Agency Formation Commission at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand  
and affixed the Seal of said Local Agency Formation  
Commission

KIRK GIRARD

Executive Officer of the Local Agency Formation  
Commission of the County of Humboldt, State of  
California

By \_\_\_\_\_  
Sharyn Lodes, Deputy

DATE:           May 24, 2007

**LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified Copy of Portion of Proceedings, Meeting of April 25, 2007

**SUBJECT: RECORD OF ACTION  
Facilities & Staffing Transition Sub-committee Report and Consideration of  
Staffing/Office Options.**

**ACTION: Receive and accept the Transition Sub-committee Report.**

**BY ORDER OF THE CHAIR, with no objection from the Commissioners, the item was  
accepted.**

STATE OF CALIFORNIA )  
COUNTY OF HUMBOLDT )

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Executive Officer of the Local Agency Formation  
Commission of the County of Humboldt, State of  
California

By \_\_\_\_\_  
Sharyn Lodes, Deputy

DATE: May 24, 2007



**LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified Copy of Portion of Proceedings, Meeting of April 25, 2007

**SUBJECT: RECORD OF ACTION**

**Pursue alternative staffing support in the next fiscal year with the long-term goal of having permanent staffing and a public location for the agency.**

**ACTION: Motion of intent to pursue alternative staffing support by way of RREDC or other public agencies during the course of the next few months and into the fiscal year with the long-term goal of having permanent staffing and a public location for the agency.**

**By motion of Commissioner Whitchurch, second by Commissioner Leonard, by the following vote:**

AYES: Graziani, Leonard, McClelland, McKenny, Rodoni & Whitchurch

NAYS:

ABSENT: Neely

ABSTAIN:

STATE OF CALIFORNIA    )  
COUNTY OF HUMBOLDT   )

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KIRK GIRARD

Acting Executive Officer of the Local Agency Formation Commission of the County of Humboldt, State of California

By \_\_\_\_\_  
Sharyn Lodes, Deputy

DATE: May 24, 2007

**LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified Copy of Portion of Proceedings, Meeting of April 25, 2007

**SUBJECT: RECORD OF ACTION**

**To contract with other specialty on-call service providers.**

**ACTION: To contract with all other recommended specialty on-call service agreements.**

**By motion of Alternate Graziani, second by Commissioner Whitchurch, by the following vote:**

AYES: Graziani, Leonard, McClelland, McKenny, Rodoni & Whitchurch

NAYS:

ABSENT: Neely

ABSTAIN:

STATE OF CALIFORNIA    )  
COUNTY OF HUMBOLDT   )

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By \_\_\_\_\_  
Sharyn Lodes, Deputy

DATE: May 24, 2007

**LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**

Certified Copy of Portion of Proceedings, Meeting of April 25, 2007

**SUBJECT: RECORD OF ACTION**

**To contract with a local legal counsel.**

**ACTION: To contract with Jeffrey Guttero as the agency routine legal counsel.**

**By motion of Commissioner McKenny, second by Commissioner Whitchurch, by the following vote:**

AYES: Graziani, Leonard, McClelland, McKenny, Rodoni & Whitchurch

NAYS:

ABSENT: Neely

ABSTAIN:

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COUNTY OF HUMBOLDT   )

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KIRK GIRARD

Acting Executive Officer of the Local Agency Formation Commission of the County of Humboldt, State of California

By \_\_\_\_\_  
Sharyn Lodes, Deputy

DATE: May 24, 2007