



MINUTES FOR MAY 28, 2008 MEETING

COMMISSIONERS PRESENT: Commissioners, Patrick Whitchurch, Richard “Bud” Leonard, Kevin McKenny, Bonnie Neely, Johanna Rodoni and Alternates Virginia Graziani and Bob McPherson.

COMMISSIONERS ABSENT: City Alternate Jeff Leonard and Supervisor Alternate John Woolley.

STAFF PRESENT: George Williamson, Contract Executive Officer; Amber Jamieson, Contract LAFCo Staff; 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 Whitchurch presiding.

4. A moment of silence was held in remembrance of Commissioner Roger Rodoni.

5. Approval of Minutes for March 26, 2008

THE MOTION WAS MADE (Leonard, Neely) to approve the March 26, 2008 minutes as submitted.

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

6. Commissioner vacancies and appointments

George Williamson, Executive Officer, notified the Commission that three commission terms expired in May of 2008 including the public member, a city member and a district member.

Public Member. Pursuant to the Cortese Knox Hertzberg Act, public notice and nomination period requirements have been met to initiate the public member nomination process. Six candidates will be interviewed by a three member selection committee made up of one county, city and special district LAFCo representative from the Commission.

City Member. A Mayor’s Selection Committee was convened by the Humboldt County Association of Governments (HCAOG), and Bud Leonard was selected for an additional four-year term on the Commission.

District Member. LAFCo staff has mailed nomination forms to all of the Special Districts in Humboldt County, and will be mailing out ballots once the nomination period closes on May 31, 2008. Ballots must be submitted to the LAFCo office no later than July 7, 2008; the candidate receiving the most votes will then be announced at the July 23rd LAFCo meeting.

BY ORDER OF THE CHAIR, with the concurrence of the Commission, the report was received and filed as presented by staff. The Commission accepted the HCAOG committee appointment of Bud Leonard.

PUBLIC HEARING

7A Municipal Service Review Staff Report and Resolutions for the City of Trinidad; Loleta, and Willow Creek Community Services Districts, and Revised Humboldt Community Services District.



George Williamson, summarized the staff report for the Municipal Service Reviews (MSRs) and Spheres of Influence for the City of Trinidad; Loleta, and Willow Creek Community Services Districts, and the Revised Humboldt CSD. The MSR for the Humboldt CSD was revised to remove language that described conditions outside of the District's sphere. George Williamson recommended that the Commission review the staff report and take an action to adopt the resolutions affirming the existing spheres with no service area extensions or boundary changes.

Patrick Whitchurch, Commission Chair, opened the item for public Comment.

Marcus Drumm, District Manager for Loleta CSD requested that the Commission not take action on the Loleta MSR at this time, to allow the District to work with LAFCo staff to amend the Sphere of Influence boundary to include the water treatment plant, and other areas within the District boundary.

Kevin McKenny stated that the purpose of the MSR process is to establish baseline conditions, it is not intended for annexation, and that if an agency's MSR was not updated by January 2008, no changes can be made to the district boundaries, and no additional service connections can be extended beyond the adopted district boundary. He explained that annexations require a separate application process, which can be done concurrently with an MSR.

George Williamson agreed to pull the Loleta MSR Resolution from action in May and bring this matter back to the commission for review at the July meeting.

THE MOTION WAS MADE (McKenny/ Neely) to close the public comment period, and adopt resolutions 08-13, 14 and the amended resolution 08-10 approving the City of Trinidad, Willow Creek CSD and the Revised Humboldt CSD MSRs. (No action was taken on the Loleta CSD MSR)

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

7B Fiscal Year 2008-09 Budget Adoption

George Williamson presented the Commission with the proposed budget for Fiscal Year 2008-09. The budget reflects all the funds that have been carried over from the previous year, including a separate fund for the Pacific Lumber Company application to form a Scotia CSD. Costs to member organizations will be increased by a total of \$500. The overall budget has increased by 6% from the previous year, due to inflation and other increased costs.

Patrick Whitchurch opened the item for public Comment.

THE MOTION WAS MADE (Leonard/ Rodoni) to adopt resolution 08-15, approving the Proposed FY 2008-09 Budget.

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

8. Budget Status Report

George Williamson presented the budget status report to the commission, which are the most current figures as provided by the County Auditor's office.



Kevin McKenny asked how ongoing application fees are handled, and requested that staff request that the County Auditor track application fees as a separate line item on future budget reports.

George Williamson explained that application fees and deposits are held by the Auditor in a LAFCo account, and that funds in those accounts are only available for the costs of processing those applications. He agreed to request a separate account to track PALCo funds.

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

9. Compliance Work Plan Update

George Williamson presented the compliance work plan to the Commission, which shows the status and scheduled actions for MSR and Sphere of Influence updates for all of the Humboldt LAFCo member agencies.

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

10. New C-K-H MSR Requirements & 2008-2009 Work Plan

George Williamson summarized new provisions under the 2007 Update of the Cortese Knox Herzberg Act, which specifies six Municipal Service Review Determinations, rather than nine. The staff report also included a list of MSRs that are scheduled to be completed to comply with the MSR requirements.

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

11. Contract Extension for Staffing Services

George Williamson recommended that the Commission authorize the extension of the Master Services Agreement with Planwest Partners for a two year period and authorize Task Orders 1 & 2 as described in the Master Services Agreement, which would authorize Planwest to continue providing LAFCo staffing services.

THE MOTION WAS MADE (Neely/Leonard) to approve the two year contract extension, of the Master Services Agreement between Humboldt LAFCo and Planwest Partners.

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

12. 2008 Conflict of Interest Code Review and Resolution

George Williamson requested approval for a conflict of interest code, pursuant to the Political Reform Act, which requires local agency commissioners, officers, staff and legal counsel to file disclosures to biannually report all investments in business entities, sources for income and gifts, and all interests in real property located in Humboldt County or land owned or used by the County of Humboldt.

THE MOTION WAS MADE (McKenny/ Leonard) to adopt resolution 08-18, approving the Humboldt LAFCo conflict of interest code policy.

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

13. Inquiries and Pending Applications

George Williamson presented an update on pending applications and inquiries that have been forwarded to LAFCo staff. The Scotia CSD formation application is pending until a ruling is made on the PALCo bankruptcy; the Southern Humboldt Fire Chiefs met to discuss various organizational options to generate more stable funding for fire protection services; LAFCo staff met with Honeydew Volunteer Fire Department to discuss the possibility of annexation or district formation; Samoa representatives met to discuss service provider options; Green Diamond representatives have indicated future plans to annex portions of the North McKay Tract into either Humboldt CSD or to the City of Eureka; LAFCo staff has fulfilled a request from Tim Gill for all correspondence related to the MSR that was prepared for the Humboldt CSD.

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

14. Correspondence, Referrals & Review Requests

George Williamson presented the commission with referrals and memorandums for LAFCo related projects. The following referrals were received by LAFCo staff from the County of Humboldt: the McKay Tract General Plan Amendment Petition, an agricultural preserve referral for Andy and Sandy Westfall, a response for the Perras Tentative Map in Campton Heights, and a notice for the City of Fortuna for the General Plan Update Draft Program EIR. The Board of Supervisors action on the General Plan Petition for the Mid McKay Tract, filed by Kurt Kramer was continued until their June 17th meeting. Prior LAFCo action for the Perras property was taken by resolution LAF-04-01 in response to a request from the City of Fortuna. The current referral that has been made by the County is for service to two lots. The county has requested a response from LAFCo regarding existing water connections already serving the two parcels.

Marty McClelland noted that if the commission makes a determination to provide a response to the County as to any LAFCo action needed for services related to the Perras Tentative Map, then the action must be taken at a publically noticed meeting.

BY ORDER OF THE CHAIR, with the concurrence of the Commission, the report was received and filed as presented by staff. Staff was directed to notice and bring back the Perras application at the July 23, 2008 meeting.

15. Meeting Schedule

George Williamson prepared presented a meeting schedule for Fiscal Year 2008-09, which includes meetings scheduled in the Board of Supervisors Chambers for 9 a.m. on July 23, September 24, and December 3.

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

16. Public Appearances

There were no public appearances.

17. Adjournment

The meeting was adjourned at 10:22 a.m.