



APPROVED MINUTES FOR SEPTEMBER 26, 2007 MEETING

COMMISSIONERS PRESENT: Commissioners Marty McClelland, Patrick Whitchurch, Richard “Bud” Leonard, Roy Curless, Kevin McKenny, Bonnie Neely and District Alternate Virginia Graziani.

COMMISSIONERS ABSENT: Supervisor Roger Rodoni, Supervisor Alternate Jill Geist and Commissioner Alternates Jeff Leonard and Bob McPherson.

STAFF PRESENT: George Williamson, Contract Executive Officer; 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 JULY 25, 2007

THE MOTION WAS MADE (Curless/ Leonard) to approve the July 25, 2007 Minutes with a revision to the fourth line in item 6E: council shall be changed to Counsel.

THE MOTION PASSED BY A VOTE OF 4-0-2. (Commissioners Whitchurch and McKenny abstained).

PUBLIC HEARING

5A. Staff Report and Resolution for the Adoption of Sphere of Influence Boundaries for Big Lagoon, Carlotta, Manila, McKinleyville, Orleans, Palmer Creek, Patrick Creek, Riverside, Westhaven, and Willow Creek Community Service Districts; Alderpoint County, Humboldt Bay Municipal and Jacoby Creek Water Districts; Blue Lake, Ferndale, Garberville, Loleta, Myers Flat, Redway and Willow Creek Fire Protection Districts; Fortuna and Petrolia Cemetery Districts; Humboldt County Resource Conservation District; Northern Humboldt Park and Recreation District; Resort Improvement District No. 1; Southern Humboldt Healthcare District; CSA No. 4 Trinidad; and Trinidad Volunteer Fire Department

George Williamson summarized the staff report to adopt resolutions affirming with no changes the Sphere of Influence boundaries for the above mentioned Districts. The agencies have determined either through direct contact or through staff research that there are no changes to their Spheres of Influence. Mr. Williamson recommended that the Commission review the staff report and take an action to adopt a resolution for each agency.

Virginia Graziani noted that the Bear River Casino was listed as one of the major facilities in the Myers Flat Fire Protection District. The Bear River Casino will be removed from the Myers Flat Fire Protection District.

THE MOTION WAS MADE (Whitchurch/ Neely) to adopt resolutions 07-12 through 07-38 as recommend by staff.

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

NEW BUSINESS:

6A. Budget Progress Report

George Williamson provided a status report on the LAFCo budget item: all payment requests have been submitted, and sufficient funds are available in the account to carry out LAFCo functions.

Amber Jamieson further explained that LAFCo staff has made a request for funds from the Pacific Lumber Company, to cover the cost of the Municipal Service Review for the formation Scotia Community Services District, and a deposit of \$15,000 to cover initial costs is expected to be sent out to LAFCo on Thursday September 27, 2007.

Chairman McClelland asked that more revenue detail be provided.

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

6B. Status Report on Task Orders 1 and 2 and Summary of Contacts to Member Organizations

George Williamson informed the Commission that the contact summary table has been updated to reflect the actions taken in item 5A, affirming the Sphere of Influence boundaries for organizations with no change. The schedule in attachment 6B shows the dates that LAFCo staff plans to present the remaining Sphere of Influence boundaries to the Commission for review and action. Mr. Williamson proposed to hold a special meeting in October to bring another group of organizations to the Commission for a similar action approving their existing Sphere of Influences.

Chairman McClelland suggested the Commission take action on all of the remaining Sphere of Influence Boundaries at the regularly scheduled meeting in December, since there was no major controversy.

6C. Status Report on Creek Side Homes (Formerly Foster Avenue) Annexation to the City of Arcata

Amber Jamieson explained that the Creek Side Homes Annexation project was pulled from the September 19, 2007 Arcata City Council meeting due to a letter received by the Regional Water Quality Control Board (RWQCB) requesting further investigation of the site. Once additional ground water sampling, analysis of petroleum hydrocarbons and dissolved metals, and soil tests for dioxin have been conducted, the project will be rescheduled for review by the Arcata City Council.

Chairman McClelland explained that the City will be conducting a study session on annexation under their current General Plan, which will outline the City's plans for future annexations, which will clarify the City's policies concerning annexations and extensions.

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

6D. Status Report on Scotia Community Services District Formation Application: Municipal Service Review

George Williamson presented brief staff report to the Commission, which included brief excerpts from the Municipal Service Review that has been prepared for the CSD formation.

Arnie Herskovic, SHN lead consultant for the Pacific Lumber Company on the Scotia CSD application gave a brief overview of the status of the project. On April 30, the subdivision and

tentative map was submitted to the County. SHN has prepared a Draft Municipal Services Review, prepared a financial summary of impacts of operations of the first five years of operation of the district, prepared an Initial Study and Draft Negative Declaration. The County has requested that an Environmental Impact Report be prepared, which is being finalized. A historic assessment study has been prepared based on the Comments from the Community Development Department. Additionally, SHN is negotiating with the Rio Dell Fire Protection District, coordinating with PG&E on utilities, and has worked with Sydney Vergis of PMC. The Draft EIR is expected to be released in the first week of October and County Public works comments on the subdivision and tentative map are expected by the end of the week. The plan for services has been coordinated with LAFCo staff, and is expected to be ready for distribution in the next two weeks. Furthermore, the Rio Dell MSR report is underway.

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

6E. Status Report on Fortuna

George Williamson discussed the status on the Fortuna General Plan Update. There is a policy document out for review, the Planning Commission has conducted a review of that draft policy document, and has forwarded their recommendation on to the City Council who is now conducting deliberations and public hearings on the draft policy document. Their next meeting is scheduled for October 2, 2007.

Commissioner Patrick Whitchurch clarified that the City of Fortuna is only considering changes to the Planning Area, and no changes to the Sphere of Influence are proposed at this time. Once the General Plan is adopted, some annexations within the Sphere may come to LAFCo. He requested that a map of Fortuna's existing boundaries be presented at the next meeting to confirm that the City's proposed actions will not need LAFCo approval.

Chairman McClelland explained the difference between Planning Areas and Spheres of influence, and that LAFCo would not approve changes to the Planning Areas, only Sphere of Influence changes and annexations.

Further discussions ensued.

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

6F. Inquiries and Pending Applications

George Williamson announced that there were no pending applications, and no inquiries that have gone beyond the discussion phase.

Amber Jamieson added that the Beginnings Volunteer Fire Department has requested information to incorporate into a District, and that a packet has been sent out.

Chairman McClelland directed LAFCo staff to consider water issues when analyzing any Beginnings Fire Department request. Furthermore, a question was asked about the status of the King Salmon Harbor District and Rohnerville Airport District inquiries.

George Williamson explained LAFCo staff has not heard from either district since the packets explaining district formation requirements were sent out.

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



6G. Additional Meeting for October 31, 2007

George Williamson proposed an additional meeting in October. However, the Commission decided that LAFCo will not hold an additional meeting on October 31, 2007; instead the Commission will hear and take action on those items at the December 5, 2007 meeting.

The Commission heard the request from LAFCo staff. No action necessary.

6H. Update on LAFCo Staffing Services

Amber Jamieson notified the Commission that a 150 square foot office space at the Gross Building, which was considered as a permanent office location has become available, and that it has been offered to LAFCo at a cost of \$350.00 per month, which includes all utilities and janitorial service. She also notified the Commission that the insurance application has been completed and submitted to SDRMA. The coverage will begin on October 1, 2007, to coincide with County coverage termination.

Commissioner Kevin McKenny commended LAFCo staff on the level work that has been done, and expressed concern that if the office location changed that the Commission would not continue to receive the level of support they have been receiving.

Commissioner Whitchurch agreed that a separate office location in Eureka should not be obtained until LAFCo hires permanent staff and an executive officer. Further discussion on the matter should be considered with next year's budget in March.

George Williamson noted an additional staffing change with PMC; Sydney Vergis has resigned and her proposed replacement, Daniel Hamilton, has submitted qualification materials which includes extensive LAFCo experience. Based on his qualifications, LAFCo staff recommends Daniel for work to be done under the PMC contract.

Discussion ensued regarding the existing contract between LAFCo and PMC, and it was determined that the contract is with the firm, and not with any specific employee.

Chairman McClelland asked LAFCo staff to relay to Mr. Hamilton that he can begin working on the project once the deposit request of \$15,000.00 is received from the Pacific Lumber Company.

BY ORDER OF THE CHAIR with concurrence of the commission, the motion was made to receive and file the report.

Amber Jamieson gave a brief overview of the CALAFCo conference and notified the Commission that they can access the conference study sessions online.

Bonnie Neely explained her perception of the conference and recommended people go in the future.

Chairman McClelland requested that staff add a link to the CALAFCo conference materials on the Humboldt LAFCo website.

7. Public Appearances

George Rhodes, of Eureka offered his services to the Commission as a rainmaker.

8. Correspondence

Amber Jamieson distributed a copy of *The Sphere*, a Journal of the California Association of Local Agency Formation Commissions, to each Commission member.

The meeting was adjourned at 9:42 AM.