



MINUTES FOR SEPTEMBER 24, 2008 MEETING

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

COMMISSIONERS ABSENT: City representative Patrick Whitchurch, 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, Vice Chairman Whitchurch presiding.

4. Approval of Minutes for July 23, 2008

THE MOTION WAS MADE (Leonard/Neely) to approve the July 23, 2008 minutes as submitted.

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

5. Municipal Service Reviews (MSRs) and Resolutions for the Big Lagoon, Briceland, Fieldbrook, Loleta, Carlotta, and Orleans Community Services Districts and the Garberville and Humboldt No. 1 Fire Protection Districts.

George Williamson presented the above listed MSRs to the commission, noting that the District representatives have been very helpful in providing staff with the information necessary to prepare the MSRs.

Chairman McClelland opened the item for public comment and directed staff to correct the Orleans CSD reference in the Briceland MSR. No additional comments were made.

THE MOTION WAS MADE (McKenny and Whitchurch) to adopt resolutions 08-20 to 08-27 approving the Big Lagoon, (corrected) Briceland, Fieldbrook, Loleta, Carlotta, and Orleans Community Services Districts and the Garberville and Humboldt No. 1 Fire Protection Districts.

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

6. Budget Status Report

George Williamson presented the Budget Status Report to the Commission, noting changes to the line item *Revenue Balance as of September 15, 2008*; the balance should be \$54,688.79 not \$42,857.19. The Budget Status Report indicated the total Remaining Amount Available is 41,308.11, and special district revenues will be added at the end of the calendar year.

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

7. Compliance Work Plan Update



George Williamson presented the updated work plan to the Commission noting that staff has made good progress on MSRs, and that the remaining MSRs are scheduled to be completed before the calendar year.

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

8. Pending Applications

8A. City of Rio Dell Annexations

George Williamson informed the commission that on September 23rd the Rio Dell City Council unanimously adopted a resolution to annex the Sawmill and Blue Slide areas adjacent to the City. The City has conducted an environmental review and has circulated an Initial Study/Draft Mitigated Negative Declaration. Additionally, the City has prepared a Plan for Services, Fiscal Impact Analysis and have adopted a resolution and ordinance to prezone the properties that are proposed for annexation. Daniel Hamilton of Pacific Municipal Consultants will be reviewing the project due to the relationship of Planwest with City of Rio Dell. Mr. Hamilton has already been consulted on this matter, and has requested a \$5,000 deposit to review the application materials. The City of Rio Dell has submitted a check for that amount. Once completed, all application materials will be forwarded to Mr. Hamilton for LAFCo review. On behalf of the City of Rio Dell, Mr. Williamson requested that the Commission hold a special meeting on October 29th to initiate the annexation procedure.

Chairman McClelland directed staff to verify that Daniel Hamilton can review the materials by that date, and if he can, then schedule the Board of Supervisors chambers.

Bonnie Neely asked if any of the Natural Resource or Open Space lands would be rezoned to allow development

Mr. Williamson clarified that the City has approved pre zoning for the annexation areas that would include increased density for some areas in the Blue Slide area, but that land in the Sawmill area has been designated NR and would remain protected.

Virginia Graziani requested staff to include zoning maps showing the proposed Rio Dell zoning changes at the October 29th meeting. Mr. Williamson agreed to bring a map showing all changes at the October meeting.

Jeff Pauli asked if fire protection services for the Sawmill annexation area have been solidified and if the Rio Dell FPD would be pursuing a separate annexation application to include the area within their district's boundaries.

Mr. Williamson noted that the City has requested the Rio Dell Fire Protection District (FPD) to serve the area, but that Fortuna FPD has indicated that they do not wish to have the Sawmill area detached from their district.

Marty McClelland noted that the FPD annexation issue would have to be evaluated in environmental document the City of Rio Dell is preparing for the Sawmill and Blue Slide annexations.

8B. Scotia CSD Formation



George Williamson notified the Commission that the Scotia LLC has been formed as a subsidiary of Marathon to manage the Town of Scotia and other company assets, and that LAFCo staff met with Frank Bacik, Vice President of Legal Affairs for the Scotia LLC. Mr. Bacik has been tasked with pursuing General Plan Amendments, Zoning Amendments, and the subdivision of the Town of Scotia.

Frank Bacik introduced himself to the Commission and noted that the intent of the Scotia LLC is to reactivate the LAFCo application that has been on hold pending certification of the environmental document. Mr. Bacik notified the Commission that they have reactivated the services of SHN Engineers, are responding to comments on the Draft Environmental Impact Report (EIR) and that the Scotia LLC will continue to explore alternatives.

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

9. Inquiries

9A. Samoa Peninsula Services

George Williamson acknowledged a letter that was received by the Manila CSD from the Samoa Pacific Group, inquiring about the extension of services to the Samoa Town and Fairhaven developments.

9B. North McKay Tract

Mr. Williamson notified the commission that LAFCo staff has provided the Humboldt CSD with information that was requested by Green Diamond. LAFCo materials that were forwarded to the Humboldt CSD include an application for annexation and a guide for preparing a Plan for Services.

9C. Kramer

George Williamson explained that beyond the Kramer representatives' initial inquiry to apply directly with LAFCo (without a resolution of support from the Humboldt CSD), that no additional activity has occurred on the Kramer (Mid McKay Tract) inquiry for annexation. To date, annexation application materials have been given to Kramer representatives, but no materials have been submitted to LAFCo.

9D. Rio Dell Fire Protection District letter to LAFCo

George Williamson informed the commission that the Rio Dell FPD Board has expressed an interest in serving the City of Rio Dell's proposed Sawmill annexation site, and that LAFCo staff will be providing them with application materials.

9E. City of Arcata Creek Side Homes Annexation

George Williamson informed the Commission that the pending Creek Side Homes annexation application has been pending for the past few years due to dioxin contamination of soils on the project site. Mr. Williamson noted that the dioxin contaminants are scheduled to be removed from the site, and that the project, which includes annexation, is expected to be reviewed by the Arcata City Council in the next few months.

9F. Fortuna Annexation



Mr. Williamson notified the Commission that the City of Fortuna is addressing issues raised by a damaged water tank and is working to resolve water storage and transmission issues. The City's annexation application is pending adoption of the General Plan Update. It is expected that the application may be completed over the next 30-60 days. LAFCo action would be prompted by the final certification of the EIR, which may be complete by the end of the calendar year.

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

10. Correspondence, Referral & Review Requests

10A. Orange County LAFCo Letter

George Williamson informed the Commission that Orange County LAFCo has sent a letter to all CALAFCo members regarding Senate Bill 375 stating their opposition to the regulation of air emissions. The letter requests LAFCos to write letters to the Governor to veto SB 375 until there is a full understanding of legislation consequences.

Bonnie Neely asked for additional information and encouraged the adoption of land use policy as a preemptive measure of addressing future air quality standards.

Mr. Williamson agreed to present a detailed report of this item to the next meeting.

10B. Humboldt County Association of Governments (HCAOG) – Regional Needs Plan

George Williamson notified the Commission that HCAOG is seeking input from regulatory agencies and citizen observers, which includes Humboldt LAFCo, for the Housing Needs Assessment to generate input in an advisory capacity.

10C. Grand Jury Phone Call

George Williamson informed the Commission that LAFCo staff received a call from Humboldt Grand Jury member Keith North, who indicated that they may be looking into the potential efficiencies of combining certain administrative and operational functions of special districts.

Marty McClelland noted that some districts already share staffing, facilities and equipment through mutual aid and other similar agreements.

11. Public Appearances

Charles Wilson, Orick resident, notified the commission that the service boundaries for the Orick CSD has islands, which does not conform to the goals of LAFCos. He noted that the district provides water to customers outside of the District boundary, including the Redwoods National Park South Operations Center. Mr. Wilson urged the commission to limit further development outside of the District's boundaries, since services are limited due to the rural location of the district and there are no transit or medical services provided in the area.

Chairman McClelland directed Mr. Wilson to work with the County through their General Plan Update to address the Urban Study Area boundaries and continue his efforts with the Orick CSD, who is responsible for identifying the areas appropriate for urban development.

Shane Wilson, Rio Dell FPD Chief, distributed a packet to commission members that contains detailed maps, distance equations and other facts in support of transferring fire protection



services in the Sawmill annexation area from Fortuna FPD to Rio Dell FPD. Mr. Wilson explained that the Rio Dell FPD has shorter response times to that area, and that his district has sufficient capacity to serve the area. Furthermore, he explained that the District plans to expand from 30 to 60 volunteers and plans to build two additional fire stations. Mr. Wilson expressed his concern to maintain the excellent relationship between the Rio Dell FPD and Fortuna FPD, but noted that their primary interest is to provide citizens with the best fire and emergency response services possible, which makes a life and death difference to those who have incurred severe injuries, especially since there have been nine calls to respond to the area within a three month time frame.

Bob McPherson asked what the response time difference is between Rio Dell and Fortuna FPDs.

Mr. Wilson explained that Rio Dell is first on scene for the area north of the City of Rio Dell that includes the annexation area. Fortuna FPD shows up approximately two minutes after the first on scene, and approximately four minutes behind the first engine on the scene.

Marty McClelland noted that if the Rio Dell FPD would like to initiate the annexation/detachment process for the Sawmill area, they would need to submit a petition to LAFCo for a change of boundary.

15. Adjournment