

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

MINUTES OF September 27, 2006

STATE OF CALIFORNIA, COUNTY OF EL DORADO

1. CALL TO ORDER AND ROLL CALL

The meeting of the Local Agency Formation Commission held September 27, 2006, was called to order at 5:30 p.m. by Chair Long in the meeting room, Building C of the Government Center, 2850 Fair Lane, Placerville, California. Regular Members present were: City Members Ted Long and Carl Hagen, District Member Gary Costamagna, County Member James R. Sweeney and Public Member Francesca Loftis. Others present were: Alternate City Member Roberta Colvin, Alternate Public Member Norm Rowett, Alternate District Member Robert Larsen, Executive Officer José C. Henríquez, Policy Analyst Erica Sanchez, Commission Clerk Allison Parsons and LAFCO Counsel Tom Gibson.

ROLL CALL - VOTING MEMBERS:

Long, Costamagna, Hagen, Larsen, Loftis, Sweeney

2. CONSENT CALENDAR

- A. ADOPTION OF AGENDA
- B. DISPOSITION OF MINUTES OF THE LOCAL AGENCY FORMATION COMMISSION MEETING OF AUGUST 23, 2006.
- C. APPROVAL OF CLAIMS
- D. CONTINUE THE PUBLIC HEARING TO CONSIDER THE ENVIRONMENTAL IMPACT REPORT AND THE MARBLE VALLEY REORGANIZATION (LAFCO PROJECT NO. 05-08)

MOTION

Commissioner Costamagna made the motion to adopt the amended consent calendar, second by Commissioner Larsen.

ACTION

The motion was supported unanimously.

3. PUBLIC FORUM/PUBLIC COMMENT

Chair Long opened the public forum. No member of the Public addressed the Commission.

4. PUBLIC HEARING TO CONSIDER THE CATEGORICAL EXEMPTION #19 AND THE PREACHER AND REAY ANNEXATION TO EID (LAFCO PROJECT NO. 05-15).

Mrs. Sanchez reviewed the staff report with the following recommendations:

1. Find that the project is exempt from provisions of the California Environmental Quality Act under Section 15319(a) of the Public Resources Act and direct staff to file the Notice of Exemption in compliance with CEQA and local ordinances implementing the same.
2. Adopt Staff's recommended list of findings and recommendations (as specified in Attachment D of the Executive Officer's report), adding any additional conditions the Commission finds appropriate and approve the Preacher and Reay Annexation to the El Dorado Irrigation District.
3. Waive the Conducting Authority Proceedings subject to Government Code §56663 and local policies.
4. Direct the Executive Officer to complete the necessary filings and transmittals as required by law.
5. Determine the effective date of the approval of this agreement to be five (5) working days after recordation by the County Recorder of the Executive Officer's Certificate of Completion once the imposed conditions are met.

Commissioner Rowett asked Mrs. Sanchez if staff had looked at any of the other parcels in the area that would also benefit from being annexed into EID. Mr. Henríquez explained that this project came before the Commission in October 2005 for an Out-of-Agency Service Agreement with the indication it will be annexed into the district in the future.

Commissioner Hagen stated it looked like LAFCO would be creating a peninsula with the parcel southeast of the project area and asked why staff didn't square off the boundary and bring in that parcel with the annexation. Mr. Henríquez repeated that the annexation was a condition of the Out-of-Agency Service Agreement and that LAFCO staff had not discussed the matter with the landowner of the other parcel.

Jack Vranes, representing Gold Country Homeowners Association, asked the Commission to postpone the decision to annex the parcel into EID until the Homeowners Association had a chance to review the data supplied by EID and determine that there will be no adverse effects to the Association.

Bob Warren, a homeowner on Gold Country Drive, voiced his concerns about the water pressure to his home after these parcels were annexed.

Chair Long stated that EID indicated in staff's report that they do not expect any negative impact to neighboring customers and included data to support their finding. He also asked Mr. Warren what would need to be done by LAFCO to make him feel more comfortable with this annexation.

Jack Vranes addressed the Commission again and stated he felt the reason EID is installing an 8-inch water line instead of a 6-inch water line is that they predict further development south of the project area.

Commissioner Sweeney stated the project applicants met all requirements and standards for annexation. He said LAFCO is not the agency to regulate the water system and advised Mr. Vranes to consult with the EID Board to discuss these issues.

MOTION

Commissioner Costamagna moved to adopt staff recommendations, second by Commissioner Sweeney.

ACTION

The Commission voted unanimously to approve the motion and adopted LAFCO Resolution L-2006-13.

5. OTHER BUSINESS**A. LEGISLATION**

Mr. Henríquez stated a copy of the bills in the Legislature that would affect LAFCO is in their packets, specifically Bill 3074, and wanted to inform the Commission about the status on these bills

B. COMMISSIONER ANNOUNCEMENTS

Mr. Henríquez notified the Commission that the Sacramento LAFCO will be sponsoring the 2007 CALAFCO Conference and CALAFCO is recruiting volunteers to serve on the planning committee. Commissioner Loftis expressed interest in volunteering.

Commissioner Sweeney voiced his concerns on Alternate Commissioners being shown as absent in the meeting minutes. He asked whether it is possible to list in the minutes either the Commissioners who were in attendance or only the Regular Members.

C. COUNSEL REPORT

None

D. EXECUTIVE OFFICER REPORT

Mr. Henríquez reported to the Commission that the actual fund balance from Fiscal Year 05-06 is not listed on the Profit and Loss statement. Staff is currently trying to determine how to input that data into QuickBooks without it being shown as a double deposit.

Mr. Henríquez stated he would like to start the election process for the Regular Special District member in December. The nomination period will most likely be extended due to the Holiday Season coming up.

Commissioner Costamagna let staff know his seat as a District Board member expires in November and as a result there will be two Regular Special District openings.

Commissioner Sweeney stated he would like to see a more proactive system in electing Special District Representatives. He would like to see a bylaw that allows a Member to serve until a replacement has been seated.

Mr. Henríquez stated that, if it is the wish of the Commission, it can direct staff to look at terms of LAFCO offices and terms of Elected Offices to ensure conformity. Any findings will be returned for Commission approval.

Mr. Henríquez notified the Commission of the deadline for the Water, Wastewater & Power RFP and mentioned that Commissioners are welcome to be present at the interview as well as any General Managers of the affected agencies. Commissioner Loftis expressed interest in participating.

Mr. Henríquez also informed the Commission he is in active discussions with a consultant for the IT RFP. For the audit RFP, staff is in the process of negotiating with other LAFCOs to agree to issue a joint RFP since the response to the audit RFP for El Dorado LAFCO was minimal.

Mr. Henríquez also recommended to the Commission that, since there are no projects or issues coming before the Commission in October, the meeting should be canceled. The next Commission meeting will be the December Meeting which is a joint meeting for November and December.

Commissioner Costamagna asked Mr. Henríquez if staff sends out a notice to special districts stating what their portion of the LAFCO budget would be. Mr. Henríquez replied they receive three notices with the last sent by the County Auditor-Controller that includes the calculated agency share.

6. ADJOURNMENT

Chair Long adjourned the meeting at 6:30 pm.

The next regularly scheduled LAFCO meeting will be December 6, 2006.

**APPROVED BY THE COMMISSION
AUTHENTICATED AND CERTIFIED**

Clerk to the Commission

Chairperson