

# EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

APPROVED

## MINUTES OF AUGUST 27, 2014

STATE OF CALIFORNIA, COUNTY OF EL DORADO

### 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting of the Local Agency Formation Commission held August 27, 2014 was called to order at 5:30 p.m. by Chair Humphreys in the Board of Supervisors Chambers, Building A of the Government Center, 330 Fair Lane, Placerville, California. Regular Members present were: District Members Shiva Frentzen and Ken Humphreys, County Members Ron Briggs and Ron "Mik" Mikulaco, and Public Member Dyana Anderly. Others present were: Alternate County Member Brian Veerkamp, Alternate Public Member Niles Fleege, Executive Officer José C. Henríquez, Policy Analyst Erica Sanchez, and LAFCO Counsel Kara K. Ueda.

### 2. ROLL CALL

#### **VOTING MEMBERS:**

Anderly, Briggs, Frentzen, Mikulaco, Humphreys

### 3. ADOPTION OF AGENDA

#### **MOTION**

Commissioner Briggs moved to adopt the Agenda, second by Commissioner Frentzen.

#### **ACTION**

The motion was approved by the following vote:

AYES: Anderly, Briggs, Frentzen, Mikulaco, Humphreys

NOES: None

ABSTAIN: None

ABSENT: Laine, Patton

### 4. CONSENT CALENDAR

- A. MINUTES OF THE REGULAR MEETING OF JUNE 25, 2014
- B. REVIEW OF CLAIMS
- C. RATIFY RESOLUTION L-2014-06; RESOLUTION OF APPRECIATION FOR DON METTE
- D. 2014 LOCAL AGENCY BIENNIAL NOTICE

#### **MOTION**

Commissioner Mikulaco moved to adopt the consent calendar, second by Commissioner Frentzen.

#### **ACTION**

The motion was approved by the following vote:

AYES: Briggs, Frentzen, Mikulaco, Humphreys

NOES: None

ABSTAIN: Anderly

ABSENT: Laine, Patton

### 5. PUBLIC FORUM/PUBLIC COMMENT

Chair Humphreys opened the public forum. No member of the public addressed the Commission.

Commissioner Fleege arrived to the meeting at 5:40 pm.

6. **PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND THE MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE STUDY FOR THE EL DORADO HILLS COUNTY WATER DISTRICT AND THE LATROBE FIRE PROTECTION DISTRICT (LAFCO PROJECT NO. 2014-05)**

Mr. Henríquez reviewed the staff report with the recommendation that the Commission:

1. Receive and discuss the information related to the municipal services review and sphere of influence update for the Latrobe Fire Protection District and the El Dorado Hills County Water District;
2. Open the public hearing on the matter;
3. Accept statutory exemption §15061(b)(3) from environmental review as the appropriate environmental review;
4. Adopt Resolution L-2014-07 adopting the municipal service review and sphere of influence study for the Latrobe Fire Protection District and the El Dorado Hills County Water District; and
5. Direct staff to complete the necessary filings and transmittals as required by law.

Chair Humphreys opened the public forum.

Richard Ross, representing himself and other El Dorado Hills citizens, stated:

1. His concern that El Dorado Hills citizens will be asked to dilute their asset base to support Latrobe. The force will be, basically, volunteers after 6:00 pm. The 2010 Citygate report stated that hiring "volunteers" is not the way to go to have an adequately staffed group that will protect the citizens and firefighters.
2. His contention that the additional \$273,000 that will be allocated from the General Fund will be primarily absorbed by the salary and benefits of one administrative captain, a new promotional position for someone from El Dorado Hills Fire.
3. His assertion that the Plan of Operation, submitted by EDH Fire Board says they are going to build a new station down the road and that the money coming from the General Fund will be insufficient to cover the cost.

Herb Stone, a Latrobe resident representing himself, stated it would be hard to get anyone from Latrobe elected to the El Dorado Hills board. He suggested that the County should give Latrobe the 17% tax increment and "let them handle their own money and do what they have for about 50-75 years."

Jeff Nicholson, a Latrobe resident representing himself, stated he attended the first meeting and asserted that his initial question of, "Why are we trying to fix their round hole solution with a square peg by annexing Latrobe just because our percentage is so out of step with reality in terms of cost requirements?" was unanswered by any of the panelists. He added he was very concerned about being annexed into "the conglomerate of El Dorado Hills" because of additional taxes/fees and rules that they are not under currently and may come under.

Chief Chris Couper, representing Latrobe FPD, addressed some concerns and clarified some items that arose.

1. He stated that the increase to 17% of property tax revenues is not just to keep services in Latrobe level, but also to provide a set of services that they cannot provide today
2. He stated that a volunteer district with a low mass like Latrobe "cannot possibly" adhere to the current standards that the government has put forth. When the district was formed 35 years ago, they could and they "could do it with 5% of property tax revenues, but not today."

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5. He stated that a fire department cannot be run without a chief or without certified, credentialed supervision. They have a limited amount of supervision during the day (not full-time), which has caused them problems in the past. Part of the package plan that El Dorado Hills has put together is to fulfill the district's needs for that supervision. When they are staffed, there will be a qualified captain who not only will be able to supervise what happens in the district, but allow for planning, training and assisting the volunteers to be more protective and credentialed as well.
6. He addressed stability for Latrobe in the future; he wanted to be sure that Latrobe community is locked and well-represented, well-funded, well-established and well-coordinated. He felt that this reorganization is the best way to get there.
7. Additionally, he summarized the AB8 process and restrictions under the law for the benefit of Mr. Nicholson and others in the audience.

Chief Roberts, representing El Dorado Hills Fire, responded to Mr. Ross that the captain they are proposing to put in Latrobe is a paramedic; therefore, they will be able to staff ALS (Advanced Life Support) response during the daytime in Latrobe in order to have a faster response time for medical emergencies. He further stated that El Dorado Hills Fire is committed to getting the Latrobe personnel trained up so they will be able to cover all shifts. Finally, he stated that El Dorado Hills Fire will also be supplementing approximately \$70,000 annually, in addition to the additional property tax revenue given by the Board of Supervisors, but they viewed it as a partnership with Latrobe and the County.

#### **MOTION**

Commissioner Frentzen moved to adopt the Municipal Service Review and Sphere of Influence for the El Dorado Hills County Water District and the Latrobe Fire Protection District and Resolution L-2014-07, second by Commissioner Briggs.

#### **ACTION**

The motion was approved by the following vote:

AYES: Anderly, Briggs, Frentzen, Mikulaco, Humphreys  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Laine, Patton

### **7. PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND THE SPHERE OF INFLUENCE UPDATE FOR THE EL DORADO COUNTY FIRE PROTECTION DISTRICT (LAFCO PROJECT NO. 2014-06)**

Mr. Henríquez reviewed the staff report with the recommendation that the Commission:

1. Consider the information relating to the need to update the sphere of influence for El Dorado County Fire Protection District;
2. Open the public hearing on the matter;
3. Accept statutory exemption §15061(b)(3) from environmental review as the appropriate environmental review;
4. Adopt Resolution L-2014-08 adopting the updated sphere of influence study for the El Dorado County Fire Protection District; and
5. Direct staff to complete the necessary filings and transmittals as required by law.

Chair Humphreys opened the public forum. No member of the public addressed the Commission.

**MOTION**

Commissioner Frentzen moved to adopt the Environmental Review and Sphere of Influence for the El Dorado County Fire Protection District and Resolution L-2014-08, second by Commissioner Briggs.

**ACTION**

The motion was approved by the following vote:

AYES: Anderly, Briggs, Frentzen, Mikulaco, Humphreys  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Laine, Patton

**8. PUBLIC HEARING TO CONSIDER THE ENVIRONMENTAL REVIEW DOCUMENT AND THE DISSOLUTION OF THE LATROBE FIRE PROTECTION DISTRICT (LAFCO PROJECT NO. 2014-03) AND THE REORGANIZATION OF THE LATROBE FIRE PROTECTION DISTRICT AND ITS SPHERE OF INFLUENCE INTO EL DORADO HILLS COUNTY WATER DISTRICT AND EL DORADO COUNTY FIRE PROTECTION DISTRICT (LAFCO PROJECT NO. 2014-04)**

Mrs. Sanchez reviewed the staff report with the recommendation that the Commission:

1. Find that the project is exempt from provisions of the California Environmental Quality Act under Categorical Exemption §15320 and direct staff to file the Notice of Exemption in compliance with CEQA and local ordinances implementing the same.
2. Adopt LAFCO Resolutions L-2014-09 approving the Dissolution of the Latrobe Fire Protection District and L-2014-10 approving the Reorganization of the Latrobe Fire Protection District and Sphere of Influence to the El Dorado Hills County Water District and El Dorado County Fire Protection District (APN 087-300-80), adding any additional conditions the Commission finds appropriate.
3. Set the Conducting Authority proceedings for this proposal on October 22, 2014 and direct the Executive Officer to open the protest period and notify the appropriate parties, pursuant to Government Code §57000 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.

Chair Humphreys opened the public forum.

Herb Stone, a Latrobe resident representing himself, stated most of the items he was concerned with had been addressed except for the issue of a lack of commitment on:

1. What would be done with the station in Latrobe and
2. The types and levels of service El Dorado Hills Fire will provide to the area

Commissioners Briggs and Humphreys explained to Mr. Stone that LAFCO could not make or enforce that type of commitment because it would exceed its authorization under the law. LAFCO's power was limited on the type of oversight it has over the daily functions of a local government.

Mr. Henríquez added that the Boards of Directors of the Latrobe FPD and El Dorado Hills Fire adopted a Service Plan. This is a legally binding contract between the two districts that commits to certain levels of service to Latrobe at the initial phase, should the annexation be approved.

Mr. Walter Jukes, a Latrobe resident representing himself, shared his perspective as a former Latrobe volunteer firefighter, later chief, and as a current employee of the El Dorado Hills fire department. He added that this is the very best, most thorough proposal to address the needs of the Latrobe community.

### **1<sup>st</sup> MOTION**

Commissioner Briggs moved to approve the dissolution of the Latrobe Fire Protection District and adopt Resolution L-2014-09, second by Commissioner Frentzen.

### **1<sup>st</sup> ACTION**

The motion was approved by the following vote:

AYES: Anderly, Briggs, Frentzen, Mikulaco, Humphreys  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Laine, Patton

### **2<sup>nd</sup> MOTION**

Commissioner Mikulaco moved to approve the reorganization of the Latrobe Fire Protection District and Sphere of Influence into the El Dorado County Water District and adopt Resolution L-2014-10, second by Commissioner Briggs.

### **2<sup>nd</sup> ACTION**

The motion was approved by the following vote:

AYES: Anderly, Briggs, Frentzen, Mikulaco, Humphreys  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Laine, Patton

Commissioner Veerkamp left the dais at 7:30 pm.

## **9. PUBLIC HEARING TO CONSIDER THE ENVIRONMENTAL REVIEW DOCUMENT AND THE DIAMANTE ESTATES REORGANIZATION INTO THE EL DORADO IRRIGATION DISTRICT AND EL DORADO HILLS COUNTY WATER DISTRICT (LAFCO PROJECT NO. 2014-01)**

Mrs. Sanchez reviewed the staff report with the recommendation that the Commission:

1. Recognize that El Dorado County, as the lead agency for the project, has prepared a Mitigated Negative Declaration and CEQA determinations which have been found to be adequate for the purposes of the reorganization and direct staff to file a Notice of Determination in compliance with CEQA and local ordinances implementing the same.
2. Adopt LAFCO Resolution L-2014-11, adding any additional conditions the Commission finds appropriate and approve the Diamante Estates Reorganization to the El Dorado Irrigation District and El Dorado Hills County Water 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. 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.

Chair Humphreys opened the public forum. No member of the public addressed the Commission.

**MOTION**

Commissioner Briggs moved staff's recommendation to approve the Diamante Estates Reorganization into the El Dorado Irrigation District and the El Dorado Hills County Water District and to adopt Resolution L-2014-11, second by Commissioner Mikulaco.

**ACTION**

The motion was approved by the following vote:

AYES: Anderly, Briggs, Frentzen, Mikulaco, Humphreys

NOES: None

ABSTAIN: None

ABSENT: Laine, Patton

**10. DESIGNATION OF VOTING DELEGATES TO THE CALAFCO CONFERENCE AND RECEIVE INFORMATION ON THE CALAFCO BOARD NOMINATIONS**

The Commission discussed the possibility of nominating Commissioner Veerkamp as a candidate to the CALAFCO Board of Directors.

Commissioner Briggs expressed his discomfort with the idea; not because he does not think Commissioner Veerkamp is an excellent choice, but because no one had asked Commissioner Veerkamp if this was something he wanted to do. He felt it was not right to nominate Commissioner Veerkamp without his input on the matter.

**MOTION #1**

The Commission nominated Commissioner Veerkamp as a candidate to the CALAFCO Board, contingent upon his acceptance.

**ACTION #1**

The motion was approved by the following vote:

AYES: Anderly, Frentzen, Mikulaco, Humphreys

NOES: Briggs

ABSTAIN: None

ABSENT: Laine, Patton

**MOTION #2**

Commissioner Frentzen nominated Chair Humphreys as the voting delegate at the CALAFCO Conference and Commissioner Anderly as the alternate, second by Commissioner Briggs.

**ACTION #2**

The motion was approved by the following vote:

AYES: Anderly, Briggs, Frentzen, Mikulaco, Humphreys

NOES: None

ABSTAIN: None

ABSENT: Laine, Patton

**11. OTHER BUSINESS**

- A. LEGISLATION
- B. COMMISSIONER ANNOUNCEMENTS
- C. COUNSEL REPORT
- D. EXECUTIVE OFFICER REPORT

**12. ADJOURNMENT**

**MOTION**

Commissioner Frentzen moved to adjourn the meeting, second by Commissioner Briggs.

**ACTION**

The motion was approved by the following vote:

- AYES: Anderly, Briggs, Frentzen, Mikulaco, Humphreys
- NOES: None
- ABSTAIN: None
- ABSENT: Laine, Patton

Chair Humphreys adjourned the meeting at 8:12 pm.

The next regularly scheduled LAFCO meeting will be October 22, 2014.

**APPROVED BY THE COMMISSION  
AUTHENTICATED AND CERTIFIED**

  
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Interim Clerk to the Commission

  
\_\_\_\_\_  
Chairperson