

## MINUTES OF MAY 26, 2010

### STATE OF CALIFORNIA, COUNTY OF EL DORADO

#### 1. CALL TO ORDER AND ROLL CALL

The meeting of the Local Agency Formation Commission held May 26, 2010 was called to order at 5:30 p.m. by Chair Humphreys in the meeting room, Building C of the Government Center, 2850 Fair Lane, Placerville, California. Regular Members present were: City Member Carl Hagen, District Members Ken Humphreys and Harry Norris, County Members Ron Briggs and James Sweeney, and Public Member Francesca Loftis. Others present were: Alternate Public Member Norm Rowett, Executive Officer José C. Henríquez, Policy Analyst Erica Sanchez, and LAFCO Counsel Andrew Morris.

#### **ROLL CALL - VOTING MEMBERS:**

Briggs, Hagen, Humphreys, Loftis, Norris, Sweeney

#### 2. CONSENT CALENDAR

- A. ADOPTION OF AGENDA
- B. MINUTES OF THE REGULAR MEETING OF APRIL 28, 2010
- C. APPROVAL OF CLAIMS
- D. APPROVE THE PROPOSED AMENDMENT TO THE CALAFCO BYLAWS REGARDING THE ELECTION OF CALAFCO BOARD OF DIRECTORS
- E. CANCEL THE JUNE AND JULY LAFCO MEETINGS
- F. AMEND THE POLICIES & GUIDELINES SECTION 1.9.3 REGARDING THE CONDUCT OF MEETINGS
- G. AMEND THE POLICIES & GUIDELINES SECTION 5 REGARDING MUNICIPAL SERVICE REVIEWS

By unanimous consent, the Commission granted LAFCO Counsel and Commissioner Sweeney's request to pull Item 2H from the Consent Calendar.

Chair Humphreys pulled the item from the Consent Calendar to be discussed separately.

#### **MOTION**

Commissioner Loftis moved to adopt the amended consent calendar, second by Commissioner Briggs.

#### **ACTION**

The motion was approved by the following vote:

AYES: Briggs, Hagen, Loftis, Norris, Sweeney, Humphreys  
NOES: None  
ABSTAIN: None  
ABSENT: Birdwell

#### 3. PUBLIC FORUM/PUBLIC COMMENT

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

**2H. APPROVE THE CONTRACT WITH UNICITY TECHNOLOGIES FOR INFORMATION TECHNOLOGY CONSULTING SERVICES**

Mr. Henriquez reviewed the staff report with the recommendation that the Commission approve the contract with Unicity Technologies to provide IT services to the LAFCO Office and authorize the Chair to sign the final document. He added the caveat to the recommendation is that Counsel requests the Commission approve the contract in concept because Counsel recommends changing some clauses in the contract that need to be clarified.

Commissioner Sweeney asked a few questions relating to the scope of services and pricing. He requested that the final contract include a "not to exceed" clause.

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

**MOTION**

Commissioner Briggs moved to authorize the contract, with the amendment that under item 3.3, it is stated, "not to exceed \$9,000 annually," second by Commissioner Loftis.

**ACTION**

The motion was approved by the following vote:

AYES: Briggs, Hagen, Loftis, Norris, Sweeney, Humphreys  
 NOES: None  
 ABSTAIN: None  
 ABSENT: Birdwell

**4. PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND THE ALTO REORGANIZATION INTO THE EL DORADO IRRIGATION DISTRICT AND EL DORADO HILLS COUNTY WATER DISTRICT (LAFCO PROJECT NO. 2009-10)**

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

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-2010-11, adding any additional conditions the Commission finds appropriate and approve the Alto 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.
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.

The Commission discussed the infrastructure needs and financing of the project and the appropriateness of altering the boundaries of the project to encompass additional parcels. Counsel and staff recommended against including any additional territory beyond the project as submitted.

Chair Humphreys opened the public forum.

During the public forum, the following comments were given.

Ms. Grace clarified that the standard language on all EID's Facility Improvement Letters informs the applicants that it is not a commitment to serve. She added the reason they are all specified like that is because until all of the agreements and fees are settled and a check is written to purchase the water, EID will not make the commitment to serve.

Sam Neasham, Counsel representing Alto LLC, submitted a handout, which was a letter from Mr. Sparks, a principal in the Alto LLC and a managing member. He commented that there are recorded easements that provide for road and utility purposes including, specifically, water utilities that run down through the Malcolm Dixon Estates property to the south of Alto and to Diamante.

On the question of whether he would object to having La Canada annexed with Alto, Mr. Joel Korotkin, representing La Canada, stated that he would not object; however, he was not authorized to speak on this matter.

**1<sup>ST</sup> MOTION**

Commissioner Hagen moved to approve the annexation with the addition of Item 45 (f), which is the fire fees and schedules from El Dorado Hills Fire Department, second by Commissioner Norris.

**1<sup>ST</sup> ACTION**

The motion was approved by the following vote:

- AYES: Briggs, Hagen, Norris, Sweeney
- NOES: Loftis, Humphreys
- ABSTAIN: None
- ABSENT: Birdwell

**2<sup>ND</sup> MOTION**

Commissioner Loftis moved to amend the first motion to condition the annexation based upon La Canada being approved, second by Chair Humphreys.

**2<sup>ND</sup> ACTION**

The motion failed by the following vote:

- AYES: Loftis, Humphreys
- NOES: Briggs, Hagen, Norris, Sweeney
- ABSTAIN: None
- ABSENT: Birdwell

**5. SELECTION OF THE PUBLIC MEMBER TO LAFCO**

Mr. Henriquez reviewed the staff report with the recommendation that the Commission select the Public Member to LAFCO.

**1<sup>st</sup> Vote**

	CITY		COUNTY		SPECIAL DISTRICTS		TOTAL
	Birdwell	Hagen	Briggs	Sweeney	Humphreys	Norris	
<i>Richard John Boylan</i>							0
<i>Aldon Robert Manard</i>			X				1
<i>Donald Louis Mette</i>		X		X	X		3
<i>Steven M. Noll</i>							0
<i>Michael James Preszler</i>							0
<i>Kris Ann Robnolte</i>							0
<i>Norman R. Rowett</i>						X	1
<b>NO VOTE</b>							0

2<sup>nd</sup> Vote

	CITY		COUNTY		SPECIAL DISTRICTS		TOTAL
	Birdwell	Hagen	Briggs	Sweeney	Humphreys	Norris	
<i>Aldon Robert Manard</i>			X				1
<i>Donald Louis Mette</i>		X		X		X	3
<i>Norman R. Rowett</i>					X		1
NO VOTE							0

3<sup>rd</sup> Vote

	CITY		COUNTY		SPECIAL DISTRICTS		TOTAL
	Birdwell	Hagen	Briggs	Sweeney	Humphreys	Norris	
<i>Aldon Robert Manard</i>							0
<i>Donald Louis Mette</i>		X		X	X	X	4
<i>Norman R. Rowett</i>			X				1
NO VOTE							0

Mrs. Sanchez tallied the votes and announced the appointment of Don Mette, which included one vote each from the county, city and special district commissioners.

**6. ELECTION OF NEW LAFCO VICE-CHAIR FOR 2010**

Mr. Henríquez notified the Commission they had to select a Vice-Chair to replace Commissioner Loftis, who stepped down from the Commission.

**MOTION**

Commissioner Sweeney moved to appoint Commissioner Briggs as Vice-Chair, second by Commissioner Hagen.

**ACTION**

The motion was approved by the following vote:

AYES: Briggs, Hagen, Loftis, Norris, Sweeney, Humphreys

NOES: None

ABSTAIN: None

ABSENT: Birdwell

**7. CONSIDER THE ADOPTION OF SECTION 2.9 TO THE POLICIES & GUIDELINES REGARDING PURCHASING AUTHORITY**

Mr. Henríquez reviewed the staff report with the recommendation that the Commission consider and approve the recommended language regarding the purchasing authority for goods and services.

**MOTION**

Commissioner Sweeney moved to adopt the Purchasing Policy, second by Commissioner Briggs.

**ACTION**

The motion was approved by the following vote:

AYES: Briggs, Hagen, Loftis, Norris, Sweeney, Humphreys

NOES: None

ABSTAIN: None

ABSENT: Birdwell

**8. PROVIDE DIRECTION TO STAFF REGARDING PURSUING A DIGITAL ARCHIVING CONSULTANT IN FISCAL YEAR 2010-2011**

Mr. Henriquez asked for direction to pursue digital archiving for LAFCO.

By unanimous consent, the Commission directed to staff was to hire a digital archive consultant.

**9. OTHER BUSINESS**

- A. LEGISLATION
- B. COMMISSIONER ANNOUNCEMENTS
- C. COUNSEL REPORT

Mr. Morris announced that staff was working with him to set up a free AB 1234 Ethics Training in Placerville, where every special district and city in the County would be invited.

- D. EXECUTIVE OFFICER REPORT

**10. ADJOURNMENT TO CLOSED SESSION**

Chair Humphreys adjourned to closed session. No reportable actions were taken.

**11. ADJOURNMENT**

**MOTION**

Commissioner Hagen moved to adjourn the meeting, second by Commissioner Norris.

**ACTION**

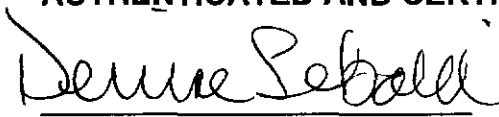
The motion was approved by the following vote:

- AYES: Briggs, Hagen, Loftis, Norris, Sweeney, Humphreys
- NOES: None
- ABSTAIN: None
- ABSENT: Birdwell

Chair Humphreys adjourned the meeting at 9:00 pm.

The next regularly scheduled LAFCO meeting will be August 25, 2010.

**APPROVED BY THE COMMISSION  
AUTHENTICATED AND CERTIFIED**

  
 \_\_\_\_\_  
 Interim Clerk to the Commission

  
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 Chairperson