

MINUTES OF MARCH 26, 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 March 26, 2014, was called to order at 5:30 p.m. by Chair Mette in the Board of Supervisors Chambers, Building A of the Government Center, 330 Fair Lane, Placerville, California and at a teleconference location in the South Lake Tahoe City Council Chambers, 1901 Airport Road, South Lake Tahoe, California. Regular Members present were: City Members Brooke Laine and Carol A. Patton, District Members Shiva Frentzen and Ken Humphreys, County Members Ron Briggs and Ron "Mik" Mikulaco, and Public Member Don Mette. Others present were: Alternate Public Member Niles Fleege, Executive Officer José C. Henríquez, Policy Analyst Erica Sanchez, and LAFCO Counsel Kara K. Ueda.

Prior to roll call, pursuant to California Government Code Section 54953, Chair Mette made clear for the record of the meeting that one member of the Commission would be participating in the meeting by speaker phone. In accordance with the Brown Act, the teleconference location had been identified in the public notice and agenda for the meeting.

Chair Mette briefly went through some special procedures required by the Brown Act. Commissioner Laine made the following statements:

- (1) Commissioner Laine confirmed she could hear Chair Mette.
- (2) Commissioner Laine confirmed she could hear the proceedings occurring on the Placerville site.
- (3) Commissioner Laine confirmed she had a copy of the agenda.
- (4) Commissioner Laine confirmed the LAFCO agenda was posted at her location.
- (5) Commissioner Laine confirmed that her location was reasonably accessible to the public, such that any member of the public could participate in the teleconference from his location if he or she wished to do so.
- (6) Commissioner Laine indicated that there were no members of the public who wanted to participate in the public comment portion of the meeting, or otherwise address any agenda item for the meeting.

After confirming with the members in the Placerville location, Chair Mette stated that the record should reflect that all Commissioners present had indicated that they were able to hear Commissioner Laine clearly.

After confirming with the members present at the Placerville location, Chair Mette stated that the record should reflect that no Commissioner had expressed doubt that Commissioner Laine was the party participating by teleconference.

2. ROLL CALL

VOTING MEMBERS:

Briggs, Frentzen, Humphreys, Laine, Mette, Mikulaco, Patton

3. ADOPTION OF AGENDA**MOTION**

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

ACTION

The motion was approved by the following vote:

AYES: Briggs, Frentzen, Humphreys, Laine, Mikulaco, Patton, Mette

NOES: None

ABSTAIN: None

ABSENT: None

4. CONSENT CALENDAR

- A. MINUTES OF THE REGULAR MEETING OF FEBRUARY 26, 2014
- B. REVIEW OF CLAIMS
- C. CANCEL THE APRIL 23, 2014 REGULAR MEETING
- D. REQUEST FOR TIME EXTENSION – LA CANADA ANNEXATION TO THE EL DORADO IRRIGATION DISTRICT (LAFCO PROJECT NO. 2010-03)

MOTION

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

ACTION

The motion was approved by the following vote:

AYES: Briggs, Frentzen, Humphreys, Laine, Mikulaco, Patton, Mette

NOES: None

ABSTAIN: None

ABSENT: None

5. PUBLIC FORUM/PUBLIC COMMENT

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

6. PUBLIC HEARING TO CONSIDER THE ENVIRONMENTAL REVIEW DOCUMENT AND THE MALCOLM DIXON ESTATES REORGANIZATION INTO THE EL DORADO IRRIGATION DISTRICT (LAFCO PROJECT NO. 2013-01)

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-2014-03, adding any additional conditions the Commission finds appropriate and approve the Malcolm Dixon Road 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.
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 Mette opened the public forum. No member of the public addressed the Commission.

MOTION

Commissioner Mikulaco moved to adopt the Malcolm Dixon Estates Reorganization and to adopt LAFCO Resolution L-2014-03, second by Commissioner Patton.

ACTION

The motion was approved by the following vote:

AYES: Briggs, Frentzen, Humphreys, Laine, Mikulaco, Patton, Mette

NOES: None

ABSTAIN: None

ABSENT: None

7. PUBLIC HEARING TO CONSIDER THE ENVIRONMENTAL REVIEW DOCUMENT AND THE PORTER ANNEXATION INTO THE EL DORADO IRRIGATION DISTRICT (LAFCO PROJECT NO. 2013-02)

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-2014-04, adding any additional conditions the Commission finds appropriate and approve the Porter 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.

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

MOTION

Commissioner Briggs moved to adopt the Malcolm Dixon Estates Reorganization and to adopt LAFCO Resolution L-2014-03, second by Commissioner Mikulaco.

ACTION

The motion was approved by the following vote:

AYES: Briggs, Frentzen, Humphreys, Laine, Mikulaco, Patton, Mette

NOES: None

ABSTAIN: None

ABSENT: None

8. PUBLIC HEARING TO CONSIDER AND ADOPT THE FINAL BUDGET FOR FISCAL YEAR 2014-15

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

1. Receive the information related to the adopted Proposed Budget for Fiscal Year 2014-2015;
2. Open the Public Hearing on the matter;
3. Adopt LAFCO Resolution L-2014-05 approving the Final Budget for Fiscal Year 2014-2015, which reflects the Commission's priorities for the coming fiscal year; and

APPROVED

4. Direct staff to transmit the Final Budget to the funding agencies and others as specified in Government code §56381.

Commissioner Fleege asked if LAFCO has to do an audit every year.

Mr. Henriquez replied that it is in the Commission's Policies and stated that he had floated the idea in the past of conducting an audit every other year. He added that from a transparency standpoint, especially from a government standpoint, conducting an audit every year reassures everyone that all of the Commission's finances are above board; however, he would do research to see if there are alternatives.

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

MOTION

Commissioner Humphreys moved to adopt the Final Budget for Fiscal Year 2014-2015 and to adopt LAFCO Resolution L-2014-05, second by Commissioner Frentzen.

ACTION

The motion was approved by the following vote:

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

9. CONSIDER AND ADOPT POLICY ON ESTABLISHING AND MAINTAINING A LAFCO RESERVE

Mr. Henriquez reviewed the staff report with the recommendation that the Commission consider the information on the establishment of a LAFCO Reserve, adopt the Reserve policy and direct staff to implement it.

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

Commissioner Frentzen asked staff to research and bring back information on a line of credit for informational purposes.

MOTION

Commissioner Patton moved to adopt the Reserve policy with a cap of 5%, second by Commissioner Frentzen.

ACTION

The motion was approved by the following vote:

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

10. OTHER BUSINESS

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

11. ADJOURNMENT

Chair Mette adjourned the meeting at 6:40 pm.

The next regularly scheduled LAFCO meeting will be May 28, 2014.

APPROVED

**APPROVED BY THE COMMISSION
AUTHENTICATED AND CERTIFIED**



Interim Clerk to the Commission



Chairperson