

MINUTES OF JULY 1, 2021 SPECIAL MEETING

STATE OF CALIFORNIA, COUNTY OF EL DORADO

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The special meeting of the Local Agency Formation Commission held on July 1, 2021 was called to order at 5:30 p.m. by Chair Palmer by video and teleconference, pursuant to California Governor's Executive Order N-29-20, issued on March 17, 2020, with no physical location available. Members of the public were able to access and participate in the meeting by joining the Zoom webinar at <https://us02web.zoom.us/j/85991078452?pwd=cytGVUVYc0c3WVY2eWtVYVpvLzNUZz09> or by telephone at 1-669-900-9128, referencing Webinar ID: 859 9107 8452 and entering passcode 366833.

Regular Members present were: City Members Cody Bass and Jackie Neau, County Members John Hidahl and Wendy Thomas, District Member Tim Palmer and Public Member Michael Powell. Others present were: Alternate City Member Patricia "Patty" Borelli, Alternate District Member Michael Saunders, Alternate Public Member Holly Morrison, Executive Officer José C. Henríquez, Assistant Executive Officer Erica Sanchez, and LAFCO Counsel Malathy Subramanian.

Prior to roll call, pursuant to California Government Code Section 54953, Chair Palmer made clear for the record of the meeting that members of the Commission would be participating in the meeting by teleconference. In accordance with the Brown Act and Executive Order N-29-20, the teleconference phone number for public participation had been identified in the public notice and agenda for the meeting.

Chair Palmer asked staff to briefly go through some special procedures required by the Brown Act, including the following statements regarding changes to the meeting procedures due to the COVID-19 pandemic. Staff confirmed:

- There was no physical location for this meeting; the meeting was by virtual teleconference only, consistent with the Governor's Executive Order N-29-20.
- Commissioners would join the meeting via Zoom video conference and all actions would be taken by roll call vote.
- Members of the public had access to the meeting via Freeconferencecall.com and could listen to the meeting live by phone. The phone number and access to the meeting was provided on the meeting agenda.
- Members of the public wishing to make a comment on an item should notify the Executive Officer, who would take down their name and introduce them at the appropriate time. Once called, the member of the public should identify themselves by their name.

2. ROLL CALL

VOTING MEMBERS:

Bass, Hidahl, Neau, Powell, Saunders, Thomas, Palmer.

3. ADOPTION OF AGENDA

MOTION

Commissioner Thomas moved to adopt the Agenda, second by Commissioner Hidahl.

ACTION

The motion was approved by the following vote:

AYES: Hidahl, Neau, Powell, Saunders, Thomas, Palmer

NOES: None

ABSTAIN: None

ABSENT: Bass

4. CONSENT CALENDAR

A. MINUTES OF THE REGULAR MEETING OF MAY 26, 2021

B. REVIEW OF CLAIMS

C. CANCEL THE JULY 28, 2021 REGULAR MEETING

MOTION

Commissioner Hidahl moved to adopt Items 4A and 4B of the consent calendar and to continue 4C until after Item 9, second by Commissioner Saunders.

ACTION

The motion was approved by the following vote:

AYES: Borelli, Hidahl, Neau, Powell, Saunders, Thomas, Palmer

NOES: None

ABSTAIN: None

ABSENT: None

5. PUBLIC FORUM/PUBLIC COMMENT

Chair Palmer opened the public forum and asked the Executive Officer if there were any speakers on this item. Staff confirmed no member of the public requested to address the Commission on this item.

6. CONSIDERATION AND APPROVAL OF THE CONTRACT WITH PLANWEST PARTNERS, INC. FOR THE COMPLETION OF THE MUNICIPAL SERVICES REVIEW AND SPHERE OF INFLUENCE STUDY FOR THE SMALL TO MEDIUM WATER AGENCIES IN EL DORADO COUNTY

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

1. Approve the contract with Planwest Partners, Inc. to prepare and present the Small to Medium Water Agency Municipal Service Review and Sphere of Influence Study at a cost of \$29,858.
2. Authorize the Chair to sign the final agreement. The cost will be covered by the allocated funds in the Professional Services – MSR Outsourcing account of the El Dorado LAFCO Fiscal Year 2021-2022 Budget.

Commissioner Bass arrived at 6:50 PM.

By unanimous consent, the Commission decided the MSR review committee, consisting of Chair Palmer and Commissioner Saunders, would continue to assist staff in reviewing the Small-Medium Water Agency MSR, as available.

Chair Palmer opened the public forum and asked the Executive Officer if there were any speakers on this item. Staff confirmed no member of the public requested to address the Commission on this item.

MOTION

Commissioner Hidahl moved to adopt Resolution L-2021-12 approving the contract with Planwest Partners, Inc. for completion of the Small-Medium Water Agency MSR, second by Commissioner Thomas.

ACTION

The motion was approved by the following vote:

AYES: Bass, Hidahl, Neau, Powell, Saunders, Thomas, Palmer
NOES: Powell
ABSTAIN: None
ABSENT: None

7. PROVIDE STAFF WITH ANY ADDITIONAL GUIDANCE ON FACTORS TO BE USED TO DEVELOP THE NEXT MSR PROJECT PLAN

Mr. Henríquez reviewed the staff report with the recommendation that the Commission receive the information regarding the previous MSR Project Plans and provide staff with any additional guidance or factors to consider when drafting the Fourth MSR Project Plan.

Mr. Henríquez summarized the factors that were used to develop the Third Cycle MSR Project Plan (2013-2021), including implementing an 8-year plan instead of 5-year, and a score rating ranked on a two-factor model (previous issues and activity level) used to determine which agencies should be reviewed and when. Recommended factors to consider in the Fourth Cycle Project Plan include:

1. Further definition of municipal services;
2. Identification and removal of services that are not necessary to study;
3. Adopting a more refined definition of “issues”; and
4. Separating SOIs from periodic MSRs.

The Commission discussed staff’s recommendations and addressed various concerns, including insufficient revenue for road maintenance CSDs; challenges in determining successor entities to continue the provision of road services; the legality and process of abandoning public roads; LAFCO’s oversight role and responsibility to dissolve dysfunctional districts; public safety and liability concerns over the current conditions of public roads; and the need to revisit the public workshop process to determine the most efficient way to comply with statutory requirements with LAFCO’s limited resources.

Chair Palmer opened the public forum and asked the Executive Officer if there were any speakers on this item. Staff confirmed no member of the public requested to address the Commission on this item.

With input from the rest of the Commission and by unanimous consent, Commissioner Hidahl proposed a strategic planning process at a public hearing, after LAFCO staffing is stabilized. Mr. Henriquez also recommended to define the priority of the MSR project plan in relation to other projects, to address long-term consistency across Commissions.

8. ADJOURNMENT TO CLOSED SESSION

- A. Public Employee Performance Evaluation
Government Code section 54957
Position Title: Executive Officer
- B. Public Employee Appointment
Government Code section 54957
Position Title: Interim Executive Officer
- C. Conference with Labor Negotiators
Agency Designated Representatives: Chair Palmer
Position Title: Interim Executive Officer

9. REPORT OUT OF CLOSED SESSION

Chair Palmer was authorized to negotiate with an individual for the Interim Executive Officer position.

CONSENT CALENDAR – 4C

Chair Palmer reconvened the meeting to Open Session.

Consent Calendar Item 4C, cancellation of the July 28, 2021 meeting, was brought back up for discussion and action.

Chair Palmer opened the public forum and asked the Executive Officer if there were any speakers on this item. Staff confirmed no member of the public requested to address the Commission on this item.

MOTION

Commissioner Hidahl moved to delete Item 4C from Consent, second by Commissioner Powell.

ACTION

The motion was approved by the following vote:

AYES: Bass, Hidahl, Neau, Powell, Saunders, Thomas, Palmer
NOES: None
ABSTAIN: None
ABSENT: None

10. OTHER BUSINESS

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

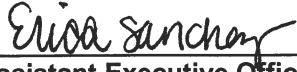
Ms. Sanchez updated the Commission on Governor Newsom's signing of Assembly Bill 1581, the annual CKH Omnibus bill, rendering staff's recommendation in the staff memo to approve a letter requesting the Governor's signature unnecessary.

11. ADJOURNMENT

Chair Palmer adjourned the meeting at approximately 7:15 PM.

The next regularly scheduled LAFCO meeting will be July 28, 2021.

**APPROVED BY THE COMMISSION
AUTHENTICATED AND CERTIFIED**



Assistant Executive Officer



Chairperson