

MINUTES OF DECEMBER 2, 2020

STATE OF CALIFORNIA, COUNTY OF EL DORADO

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting of the Local Agency Formation Commission held December 2, 2020 was called to order at 5:30 p.m. by Chair Frentzen 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/84518211690?pwd=ZjRCYThRWnpndjNuL2crT2h4NGpYUT09> or by telephone at 1-669-9000-9128, referencing Webinar ID: 845 1821 1690 and entering passcode 040968.

Regular Members present were: City Member Mark Acuna, County Members Shiva Frentzen and John Hidahl, District Members Holly Morrison and Tim Palmer and Public Member Michael Powell. Others present were: Alternate District Member Michael Saunders, 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 Frentzen 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 Frentzen 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 Zoom 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:**

Acuna, Hidahl, Morrison, Palmer, Powell, Frentzen

3. ADOPTION OF AGENDA**MOTION**

Commissioner Acuna moved to adopt the Agenda, second by Commissioner Palmer.

ACTION

The motion was approved by the following vote:

AYES: Acuna, Hidahl, Morrison, Palmer, Powell, Frentzen

NOES: None

ABSTAIN: None

ABSENT: Bass

4. CONSENT CALENDAR

- A. MINUTES OF THE REGULAR MEETING OF OCTOBER 28, 2020
- B. REVIEW OF CLAIMS
- C. APPROVE EXTENSION OF TIME FOR THE SUBMISSION OF APPLICATION MATERIALS FOR THE EL DORADO COUNTY FIRE PROTECTION DISTRICT ISLAND ANNEXATION (LAFCO PROJECT NO. 2020-01)

Mr. Henriquez informed the Commission that the extension of time request in Item 4C was no longer necessary.

MOTION

Commissioner Palmer moved to remove Item 4C and adopt the consent calendar, second by Commissioner Acuna.

ACTION

The motion was approved by the following vote:

AYES: Acuna, Hidahl, Morrison, Palmer, Powell, Frentzen

NOES: None

ABSTAIN: None

ABSENT: Bass

5. PUBLIC FORUM/PUBLIC COMMENT

Chair Frentzen 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. SELECTION OF THE ALTERNATE PUBLIC MEMBER TO LAFCO

Mr. Henriquez reviewed the staff memo, including the process for selecting a new Alternate Public Member and the recommended interview and voting procedures for a virtual meeting. Two applications were received, from Sita Burgess and Holly Morrison. The Commission opted to interview each candidate separately and to conduct a voice vote.

Chair Frentzen 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.

ACTION

The Alternate Public Member was selected by the following voice vote:

BURGESS: Hidahl
MORRISON: Acuna, Frentzen, Palmer, Saunders
ABSTAIN: None
NOT VOTING: Morrison, Powell
ABSENT: Bass

7. PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND THE MUNICIPAL SERVICES REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE EL DORADO IRRIGATION DISTRICT (LAFCO PROJECT NO. 2019-01)

SWALE consultant Kateri Harrison reviewed the staff report with the recommended that the Commission:

1. Receive and discuss the information related to the municipal services review and sphere of influence update for the El Dorado Irrigation 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-2020-14, adopting the Municipal Service Review and Sphere of Influence Update for the El Dorado Irrigation District; and
5. Direct staff to complete the necessary filings and transmittals as required by law.

Chair Frentzen opened the public forum and asked the Executive Officer if there were any speakers on this item.

Tim White, representing the El Dorado Hills County Water District, addressed the Commission regarding different revenue sources, property tax revenue vs rate payer revenue.

MOTION

Commissioner Palmer moved to adopt L-2020-14, adopting the EID MSR-SOI Update and approving Option #1 to affirm the current sphere, second by Commissioner Acuna.

ACTION

The motion was approved by the following vote:

AYES: Acuna, Hidahl, Morrison, Palmer, Frentzen
NOES: None
ABSTAIN: Powell
ABSENT: Bass

8. PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND THE MUNICIPAL SERVICES REVIEW AND SPHERE OF INFLUENCE UPDATE FOR COUNTY SERVICE AREA 9 (LAFCO PROJECT NO. 2018-04)

Mr. Henriquez reviewed the staff report and recommended that the Commission:

1. Receive and discuss the information related to the Municipal Service Review and Sphere of Influence Update for County Service Area 9;
2. Open the public hearing on this matter;
3. Accept statutory exemption §15061(b)(3) from environmental review as the appropriate environmental review;

4. Adopt Resolution L-2020-15, adopting the Municipal Service Review and Sphere of Influence Update for County Service Area 9; and
5. Direct staff to complete the necessary filings and transmittals as required by law.

Chair Frentzen 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 L-2020-15, adopting the CSA 9 MSR-SOI Update and affirming the current sphere, and directed staff to initiate discussions with the road services CSDs, CSA 2 and County staff to explore dissolution and formation of zones of benefit under CSA 9, second by Commissioner Acuna.

ACTION

The motion was approved by the following vote:

AYES: Acuna, Hidahl, Morrison, Palmer, Powell, Frentzen
NOES: None
ABSTAIN: None
ABSENT: Bass

9. **PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND THE MUNICIPAL SERVICES REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE TAHOE RESOURCE CONSERVATION DISTRICT (LAFCO PROJECT NO. 2019-06)**

Chair Frentzen 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.

Chair Frentzen continued the item to the January 27, 2021 meeting.

10. **PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND THE MUNICIPAL SERVICES REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE HICKOK ROAD COMMUNITY SERVICES DISTRICT (LAFCO PROJECT NO. 2020-03)**

Chair Frentzen 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.

Chair Frentzen continued the item to the January 27, 2021 meeting.

11. **APPROVE AMENDMENT TO THE EXECUTIVE OFFICER'S CONTRACT**

Ms. Subramanian, LAFCO General Counsel, reviewed the staff memo with the recommendation that the Commission authorize the Chair to execute the Thirteenth Amendment to the Executive Officer's Employment Agreement.

Chair Frentzen 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 Acuna moved to amend the Executive Officer's contract to set the new term to December 31, 2021, and to amend the Executive Officer performance evaluation process as recommended, second by Commissioner Palmer.

ACTION

The motion was approved by the following vote:

AYES: Acuna, Hidahl, Morrison, Palmer, Powell, Frentzen

NOES: None

ABSTAIN: None

ABSENT: Bass

12. OTHER BUSINESS

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

In Commissioner Announcements, the Commission expressed goodbyes and well wishes to outgoing Commissioners Frentzen and Acuna.

In the Executive Officer Report, Mr. Henriquez announced that the Special District Member selection will begin in January for a four-year seat and a two-year seat.

13. ADJOURNMENT

Chair Frentzen adjourned the meeting at 8:07 pm.

The next regularly scheduled LAFCO meeting will be January 27, 2021.

**APPROVED BY THE COMMISSION
AUTHENTICATED AND CERTIFIED**


Executive Officer


Chairperson