

MINUTES OF January 30, 2008

STATE OF CALIFORNIA, COUNTY OF EL DORADO

1. CALL TO ORDER AND ROLL CALL

The meeting of the Local Agency Formation Commission held January 30, 2008, was called to order at 5:30 p.m. by Chair Long in the meeting room, Building C of the Government Center, 2850 Fair Lane, Placerville, California. Regular Members present were: City Members Ted Long and Carl Hagen, District Members Ken Humphreys and Harry J. Norris, County Member James R. Sweeney and Public Member Francesca Loftis. Others present were: Alternate Public Member Norm Rowett, Alternate District Member Michael Cooper, Executive Officer José C. Henríquez, Policy Analyst Erica Sanchez, Commission Clerk Allison Moroso and LAFCO Counsel Andrew Morris.

ROLL CALL - VOTING MEMBERS:

Long, Loftis, Hagen, Humphreys, Norris, Sweeney

2. CONSENT CALENDAR

- A. ADOPTION OF AGENDA
- B. MINUTES OF THE MEETING OF DECEMBER 5, 2007
- C. APPROVAL OF CLAIMS
- D. CONTINUE PUBLIC HEARING FOR THE CONSIDERATION AND ADOPTION OF THE ENVIRONMENTAL REVIEW AND SPHERE OF INFLUENCE UPDATE FOR GREENSTONE COUNTRY AND SHOWCASE RANCHES CSDS
- E. AMENDMENT TO THE ADOPTED POLICY RELATING TO THE DISCLOSURE OF POLITICAL CONTRIBUTIONS AND EXPENDITURES FOR LAFCO PROCEEDINGS

MOTION

Commissioner Sweeney moved to adopt the consent calendar, second by Commissioner Hagen.

ACTION

The motion was approved by the following vote:

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

3. PUBLIC FORUM/PUBLIC COMMENT

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

4. ELECTION OF LAFCO OFFICERS FOR 2008

Commissioner Long nominated Commissioner Loftis for the position of Chair.

MOTION

Commissioner Sweeney moved to close nominations and cast a unanimous ballot.

ACTION

The motion was approved by the following vote:

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

Commissioner Long nominated Commissioner Humphreys for the position of vice chair.

MOTION

Commissioner Sweeney moved to close nominations and cast a unanimous ballot.

ACTION

The motion was approved by the following vote:

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

Commissioner Norris nominated Commissioner Hagen to be the third Commissioner authorized to have signature authority over the LAFCO bank account.

MOTION

Commissioner Long moved to close nominations and cast a unanimous ballot, second by Commissioner Sweeney.

ACTION

The motion was approved by the following vote:

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

5. PUBLIC HEARING TO ADOPT THE FINAL MUNICIPAL SERVICES REVIEW FOR WATER, WASTEWATER AND POWER SERVICES

Mr. Henriquez reviewed the staff report with the following recommendations:

1. Open the Public Hearing to receive comments on the Draft Water, Wastewater and Power Services Municipal Services Review.
2. Incorporate any additional comments received not already included in the report.
3. Adopt the Environmental Review, the Final Water, Wastewater and Power Services Municipal Services Review and its enclosed determinations addressing the nine factors of a municipal service review in accordance with Government Code §56425.

Carolyn Schaffer from Dudek made a presentation for the Water, Wastewater and Power Municipal Services Review.

Chair Loftis opened item to public comment. No member of the public addressed the Commission.

MOTION

Commissioner Long moved to adopt the Water, Wastewater and Power Municipal Services Review with an asterisk next to "build out", second by Commissioner Humphreys.

ACTION

The motion was approved by the following vote:

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

6. PUBLIC HEARING TO CONSIDER THE DRAFT MUNICIPAL SERVICES REVIEW FOR GENERAL GOVERNMENT SERVICES I

Mr. Henriquez reviewed the staff report with the following recommendations:

1. Open the Public Hearing to receive comments on the Draft General Government Services I Municipal Services Review.
2. Continue the Public Hearing until the February meeting to allow sufficient time and opportunity for the governing boards of the agencies and the public to review and comment on the Municipal Services Review. Staff will return this item in February for final action and adoption.

Daniel Hamilton from PMC made a presentation for the General Government Services I Municipal Services Review.

Chair Loftis opened the public comment period.

Hope Leja, general manager of Cameron Estates CSD, requested clarification of the financial stability statement of Cameron Estates CSD as written in the MSR.

MOTION

Commissioner Long moved to open the public hearing and continue until February 27, 2008, second by Commissioner Humphreys.

ACTION

The motion was approved by the following vote:

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

7. PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND THE BRIGGS REORGANIZATION TO THE CITY OF PLACERVILLE (LAFCO PROJECT 05-13)

Mrs. Sanchez reviewed the staff report with the following recommendations:

1. Recognize that City of Placerville, as the lead agency in consultation with LAFCO, has prepared a Negative Declaration of Environmental Impact, an accompanying Addendum and CEQA determinations, which have been found to be adequate and complete for the purposes of this reorganization.
2. Adopt LAFCO Resolution L-2008-02 (Attachment D), adding any additional conditions the Commission finds appropriate and approve the Briggs Reorganization to the City of Placerville; LAFCO Project No. 05-13.
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 Loftis opened the item to public comment. No member of the public addressed the Commission.

MOTION

Commissioner Sweeney moved to adopt staff recommendations, second by Commissioner Humphreys.

ACTION

The motion was approved by the following vote:

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

8. PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND UPDATES TO THE SPHERES OF INFLUENCE FOR GRIZZLY FLATS COMMUNITY SERVICES DISTRICT

Mr. Henríquez reviewed the staff report with the following recommendations:

1. Receive and discuss the information related to the update of the sphere of influence (SOI) for Grizzly Flats Community Services District by making the SOI almost coterminous with district boundaries.
2. Open the public hearing on this matter.
3. Accept the statutory exemption from environmental review as the appropriate environmental review.
4. Adopt the update to the sphere of influence for Grizzly Flats CSD.
5. Direct staff to complete the necessary filings and transmittals as required by law.

Chair Loftis opened the item to public comment. No member of the public addressed the Commission.

MOTION

Commissioner Humphreys made the motion to adopt staff recommendations, second by Commissioner Long.

ACTION

The motion was approved by the following vote:

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

9. PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND UPDATES TO THE SPHERES OF INFLUENCE FOR FIVE AGENCIES

Mr. Henríquez reviewed the staff report with the following recommendations:

1. Receive and discuss the information related to the update of the spheres of influence (SOIs) for five agencies.

2. Open the public hearing on this matter.
3. Accept the statutory exemption from environmental review as the appropriate environmental review.
4. Adopt the updates to the spheres of influence for these five agencies.
5. Direct staff to complete the necessary filings and transmittals as required by law.

MOTION

Commissioner Norris moved to defer action on Cameron Estates CSD, second by Commissioner Long.

ACTION

The motion was approved by the following vote:

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

MOTION

Commissioner Hagen moved to defer action on the entire item.

After some discussion by the Commission, Commissioner Hagen withdrew his motion.

MOTION

Commissioner Sweeney moved to approve the resolutions regarding the spheres of influence for Arroyo Vista CSD, CSA #2 striking the section referencing drainage services, Lakeview CSD, and South Tahoe PUD, and directing staff to move the recitals regarding active and latent powers, if applicable to the determinations section of the resolution, second by commissioner Long.

ACTION

The motion was approved by the following vote:

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

10. PUBLIC HEARING TO CONSIDER AND ADOPT THE PROJECT PLAN FOR THE NEXT CYCLE OF MUNICIPAL SERVICES REVIEWS

Mr. Henriquez reviewed the staff report with the following recommendations:

1. Receive the following information regarding possible ways to fund the next cycle of municipal service reviews.
2. Receive information regarding adding to the list of determinations that must be covered in the next round of MSR's.
3. Provide direction for staff on the Commission's preference, if any, on the following recommendations:
 - Staff is directed to conduct studies on a "per agency" basis for the next cycle of MSR's
 - The Commission retains the discretion of requiring applicants to pay for the full costs of an MSR/SOI if their proposals require "moving up" an agency's MSR/SOI ahead of schedule
 - Staff is directed to calculate an incremental MSR/SOI fee that will be added to applications for changes of organization that impact the following agencies:
 - El Dorado Irrigation District
 - Cameron Park Community Services District

- El Dorado Hills Community Services District
- All fire districts
- The City of Placerville
- A "Study Reserve Fund" would be established that would be incrementally funded each budget year and used in case the Commission needs to outsource a study and direct the budget ad hoc committee to recommend the appropriate annual funding level and/or limit to the fund
- Establish any additional determination what would be covered in each new MSR

MOTION

Commissioner Sweeney moved to ratify items set forth as process, scope and timing and add an item that the budget for the MSRs should deal with in the same fashion as LAFCO's regular budget, second by Commissioner Long.

ACTION

The motion was approved by the following vote:

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

Mr. Henríquez discussed the change in determinations for the Municipal Services Review and asked the Commission to decide what the sixth determination should be. Staff recommended adding "The potential effect of agency services on agricultural and open space lands" as the sixth MSR Determination.

MOTION

Commissioner Long moved to adopt staff recommendations, second by Commissioner Humphreys.

ACTION

The motion was approved by the following vote:

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

11. OTHER BUSINESS**A. LEGISLATION**

Mr. Henríquez reviewed the staff report and asked for direction from the Commission on SB301.

MOTION

Commissioner Sweeney moved to oppose SB301.

After some discussion by the Commission, Commissioner Sweeney withdrew his motion.

The Commission decided to remain neutral on this bill.

B. COMMISSIONER ANNOUNCEMENTS

Mr. Henríquez announced to the Commission that the hearing room is not available on December 10, 2008.

The Commission chose to hold the December meeting on December 17, 2008.

Mr. Henríquez announced to the Commission that the alternate public member seat will be up for re-election in May 2008 and asked the Commission for direction on when or if to advertise

for nominations. The Commissioner directed staff to begin advertising immediately.

C. COUNSEL REPORT

Andrew Morris introduced himself to the Commission as LAFCO's new counsel.

D. EXECUTIVE OFFICER REPORT

Mr. Henriquez informed the Commission that the MSR invoices for work performed in the current fiscal year cannot be back dated to last fiscal year. The budget report will appear that the Commission is over budget but is not so. The funds are in the bank account, they were appropriated last fiscal year.

12. CLOSED SESSION

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

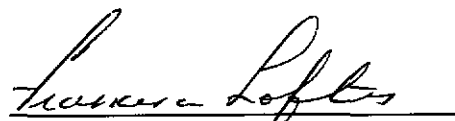
13. ADJOURNMENT

Chair Loftis adjourned the meeting at 9:33 pm.

The next regularly scheduled LAFCO meeting will be February 27, 2008.

**APPROVED BY THE COMMISSION
AUTHENTICATED AND CERTIFIED**


Clerk to the Commission


Chairperson