

Les Baugh
County Member

Irwin Fust
Special District Alternate

Larry Farr
City Member

Pam Giacomini
County Member Alternate

James Yarbrough
City Member

Brenda Haynes
Special District Member



Rick Bosetti
City Member Alternate

David Kehoe
County Member

Stephen Morgan
Special District Member

Dick Fyten
Public Member

Bob Richardson
Public Member Alternate

Jan Lopez
Executive Officer

DRAFT MINUTES
Commission Meeting November 6th, 2014
Shasta County Board of Supervisor Chambers

(These minutes are not intended to be a verbatim transcription of the proceedings and discussion associated with the business on the Commission's agenda; rather, what follows is a summary of the order of business and general nature of testimony, Commission deliberation, and action taken.)

1. CALL TO ORDER

- a. Chairman Steve Morgan called the meeting to order at 9:00 a.m. at the Shasta County Board of Supervisor Chambers, 14500 Court Street, Redding, California.

Present: Chairman Morgan, Vice-Chairman Farr, Commissioners Baugh, Haynes, Yarbrough, Alternate Commissioners Giacomini and Richardson. Alternate Commissioner Fust was present in the audience.

Staff Present: Executive Officer Jan Lopez, Attorney Jim Underwood, Officer Manager Kathy Bull, Clerk Linda Romig.

Absent: Commissioner Fyten, Kehoe.

- b. Alternate Commissioner Richardson led the Pledge of Allegiance.

2. PUBLIC COMMENT

Public comments were not offered.

3. ADOPTION OF AGENDA

- a. Additions/Changes to the Agenda

Motion to approve the Agenda was presented by Commissioner Baugh, seconded by Commissioner Haynes and passed unanimously by the following votes:

Ayes: Baugh, Farr, Giacomini, Haynes, Morgan, Richardson, Yarbrough

Noes: None

Abstain: None

Absent: Fyten, Kehoe

- b. Business/Campaign Conflict Disclosures

No conflicts were disclosed.

4. SPECIAL PRESENTATIONS

None provided.

5. CONSENT CALENDAR

- a. Approval of Minutes
 - 1) October 2, 2014 Meeting
- b. Financial Status Report for 1st Quarter FY 2014/15
 - 1) Revenue Statement
 - 2) Budget v. Actual
 - 3) Financial Statement
 - 4) Balance Sheet
- c. Notification/Status of pending and/or new applications
 - 1) #2012-03 – Mayers Memorial HD/Annexation #1;
 - 2) #2013-03 – Mountain Gate CSD/Union School Road Reorganization
 - 3) #2013-04 – Deschutes Reorganization
 - 4) #2014-01 – Shasta CSD/Foxwood #2 Reorganization
 - 5) #2014-02 – Burney WD/Highmark Annexation

Minutes to be corrected regarding Commissioner Fust voting.

Motion to approve the Consent Calendar Items was presented by Commissioner Haynes, seconded by Commissioner Yarbrough and passed unanimously by the following votes:

Ayes: Baugh, Farr, Giacomini, Haynes, Morgan, Richardson, Yarbrough

Noes: None

Abstain: None

Absent: Fyten, Kehoe

6. PAYMENT OF CLAIMS FY 2013-2014

- a. Consulting Services Claims
 - 1) 2012-03 – Annexation #1 Mayers Memorial Healthcare District

Included in the agenda packet was a Statement of Services invoices with a summary of project expenses pertaining to the Mayers Memorial Healthcare District annexation for consultant work completed by Ms. Lopez.

Motion to approve the Claim was presented by Commissioner Yarbrough, seconded by Alternate Commissioner Richardson and passed unanimously by the following votes:

Ayes: Baugh, Farr, Giacomini, Haynes, Morgan, Richardson, Yarbrough

Noes: None

Abstain: None

Absent: Fyten, Kehoe

7. CORRESPONDENCE

Information on the following was provided for via the agenda packet;

- a. CALAFCO correspondence

- b. CALAFCO University Calendar of Training Programs

8. SCHEDULED PUBLIC HEARINGS

- a. Continued SOI/MSR Update Hearings

- 1) Burney Water District

The hearing was continued from the October 2, 2014 meeting with the public hearing portion remaining open. With no further public comment, the public hearing was closed.

Commissioner Baugh asked if any new information was provided by the District, and Ms. Lopez replied there was not.

Motion to approve the Burney Water District SOI/MSR was presented by Commissioner Baugh, seconded by Commissioner Yarbrough and passed unanimously by the following votes:

Ayes: Baugh, Farr, Giacomini, Haynes, Morgan, Richardson, Yarbrough

Noes: None

Abstain: None

Absent: Fyten, Kehoe

- 2) Burney Fire Protection District

The hearing was continued from the October 2, 2014 meeting. Ms. Lopez explained the Burney Fire Chief met with Shasta County Fire and came to an agreement regarding the sphere of influence. Commissioner Baugh asked specifically what the agreement was. Ms. Lopez replied Shasta County Fire and the landowner looked at and discussed the map and were happy with the boundary as established. Nothing else was changed and the technical report remained the same.

Commissioner Haynes read a portion of page four of the report, *"The Lassen National Forest surrounds the District, presenting an additional potential fire hazard"*. Commissioner Haynes went on to say that the national forest are a severe and serious threat to public health and would like to see LAFCO acknowledge that in the report.

Chairman Morgan continued with the hearing to the public which was left open from the previous meeting. Shasta County Fire Chief Mike Hebrard wanted to clarify what the Executive Officer had stated regarding the map. Chief Hebrard said he met with Chief Schechla and land owners regarding an enlarged sphere of influence so the boundary didn't follow highway 89 and thought it would make better sense.

Commissioner Baugh questioned if the map on Exhibit A was reflective of changes since the last presentation? Ms. Lopez responded, yes.

Motion to approve the Burney Fire Protection District SOI/MSR was presented by Alternate Commissioner Giacomini, seconded by Commissioner Baugh and passed unanimously by the following votes:

Ayes: Baugh, Farr, Giacomini, Haynes, Morgan, Richardson, Yarbrough

Noes: None

Abstain: None

Absent: Fyten, Kehoe

3) Mayers Memorial Healthcare District

Ms. Lopez stated there were no changes and no change in information, the boundaries remained the same and are consistent with the current application.

Alternate Commissioner Giacomini asked if the folks in Adin had met regarding this service. Ms. Lopez briefly explained the meeting that took place back in October.

The public hearing was reopened and there being no comments, the hearing was closed to the public.

Motion to approve the Mayers Memorial Healthcare District SOI/MSR was presented by Alternate Commissioner Giacomini, seconded by Commissioner Yarbrough and passed unanimously by the following votes:

Ayes: Baugh, Farr, Giacomini, Haynes, Morgan, Richardson, Yarbrough

Noes: None

Abstain: None

Absent: Fyten, Kehoe

4) City of Shasta Lake

Ms. Lopez explained the original sphere of influence update was going to be coterminous with the City boundary, however, there had been a new development to the east site of the project site. Spoke with the City Manager John Duckett and he didn't have any problem adding that in. The main issue, the Government Code Section 56133 says, an agency cannot extend services beyond its boundary without coming first to LAFCO.

The hearing was opened to the public. John Duckett, City Manager of the City of Shasta Lake thanked the Commission for extending the review period for the municipal service review and sphere of update. 3M is going through a draft environmental impact report process, and had applied to the city for electric service on a parcel owned by 3M within the City of Shasta Lake. The City of Shasta Lake does supply some service points outside the city limits and the sphere of influence. They are still requesting coterminous sphere of influence contiguous with the city limit.

Commissioner Farr asked for clarification on the law regarding pointed services provided outside of the agencies boundary. Ms. Lopez explained extending services, even older ones, realistically should eventually be annexed into the city. Mr. Duckett commented that some of the services were within the City of Redding. Ms. Lopez explained if you have a parcel inside a district, you "can't pony it out" to an outside facility. There shouldn't be future services outside of boundaries without some type of plan or agreement and a sphere of influence permits all the parties to talk about it. Public hearing was closed.

Motion to approve the City of Shasta Lake SOI/MSR was presented by Commissioner Farr, seconded by Commissioner Haynes and passed unanimously by the following votes:

Ayes: Baugh, Farr, Giacomini, Haynes, Morgan, Richardson, Yarbrough

Noes: None

Abstain: None

Absent: Fyten, Kehoe

5) Centerville Community Services District

This was a continued hearing from September 4, 2014. Ms. Lopez provided updated information to the commission.

Hearing was opened to the public. With no public comments, the hearing was closed to the public.

Motion to approve the Centerville Community Services District SOI/MSR was presented by Commissioner Baugh, seconded by Alternate Commissioner Richardson and passed unanimously by the following votes:

Ayes: Baugh, Farr, Giacomini, Haynes, Morgan, Richardson, Yarbrough

Noes: None

Abstain: None

Absent: Fyten, Kehoe

b. SOI/MSR Update Hearings

1) Shasta Lake Fire Protection District

The District asked for an amendment to the boundary map which was provided to the commission. Commissioner Baugh asked how this would affect the existing draft environmental report that is in circulation. Ms. Lopez responded with none what so ever. Commissioner Baugh asked for clarification on notification and responses to and from affected property owners and adjacent existing agencies. Ms. Lopez stated there were not responses and stated no legal notifications to property owners on a sphere, that is done for an annexation or boundary change. The notice was published 21 days in advance. Commissioner Baugh stated that there is one major property owner that will be affected and asked if that property owner was notified and asked to explain the map provided with the SOI report. Ms. Lopez provided clarification.

Public hearing was opened. Adrian Rogers, Shasta Lake Fire Chief thanked the commission for their consideration in this matter. He stated unless something major changes, they would be the first agency to respond in an emergency. Hearing was closed to the public.

Motion to approve the Shasta Lake Fire Protection District SOI/MSR was presented by Commissioner Haynes, seconded by Alternate Commissioner Richardson and passed unanimously by the following votes:

Ayes: Baugh, Farr, Giacomini, Haynes, Morgan, Richardson, Yarbrough

Noes: None

Abstain: None

Absent: Fyten, Kehoe

2) Fall River Valley Coordinated FRV Services Area

Ms. Lopez explained this was a project that the fire districts up in that area had been working on for many years. Three independent fire districts in that valley struggle to complete the same audits, have the same costs and have talked about options of joining forces administratively as one district, and can individually service their areas. The McArthur Fire District and Northwest Lassen Fire District agreed to initiate proceedings to merge through reorganization. There have been communications with Fall River Mills Fire District.

Commissioner Baugh had several questions regarding the report format, the participation of affected districts, and circulation of the report. Hearing was open to the public.

Mike Hebrard, Shasta County Fire Chief shared some concerns about the proposed coordinated sphere of influence boundary for the independent Fall River Valley Fire Protection District.

Don Chaix, Fire Chief of Cassel shared concerns with the boundary on the proposed coordinated sphere of influence which could change medical responses.

Don Sandberg, Assistant Fire Chief of Soldier Mountain shared concerns with timing of receiving documents and medical protection.

Larry Lees, Shasta County CEO shared his appreciation for LAFCO in making the effort to be in compliance with the SOI/MSR studies and stated his understanding that the sphere of influence was for fire protection only. He also commented on the timing of receipt of documents to affected agencies. Public hearing was closed.

The commission asked for guidance which Mr. Underwood provided options for the commission, and after much discussion a motion to continue was made.

Motion to continue the Fall River Valley Coordinated FRV Services Area was presented by Alternate Commissioner Giacomini, seconded by Alternate Commissioner Richardson and passed unanimously by the following votes:

Ayes: Baugh, Farr, Giacomini, Haynes, Morgan, Richardson, Yarbrough

Noes: None

Abstain: None

Absent: Fyten, Kehoe

Absent: Kehoe

9. NEW BUSINESS

a. Renew Building Rental Agreement

LAFCO is in discussions with the current landlord regarding the rental agreement.

10. OLD BUSINESS

a. Continued, non-hearing related matters - None provided.

b. Commission Committee Reports

1) Fiscal Committee Report – Commissioner Haynes reported back on the Fiscal Committee meeting which is comprised of Commissioner Baugh, Fyten and Haynes. Commissioner Baugh was not able to attend, however, Commissioner Fyten and Haynes met with staff and discussed the current financial figures which are within budget.

2) Executive Committee Report – Chairman Morgan reported back for the Executive Committee meeting which is comprised of Commissioner Farr, Kehoe and Morgan. Commissioner Farr and Kehoe was not able to attend. The LAFCO Commission meeting agenda is the result of the meeting.

3) Next Committee Meetings

The next Fiscal Committee meeting is scheduled for Monday, October 20, 2014 at the Shasta LAFCO office at 10:00 a.m., with the Executive Committee meeting being held at 3:00 p.m.

11. EXECUTIVE OFFICER REPORT

a. Administrative & Operations

Ms. Lopez stated the office has gotten organized.

b. Master MSR/SOI Study Update

Ms. Lopez stated the update was provided in the packet.

c. CALAFCO Annual Conference

Ms. Lopez provided information regarding a CALAFCO member not realizing the Fish and Wildlife fees could be reduced.

12. CLOSED SESSION

a. Pursuant to Government Code Sections 54956.9(c), the Commission entered into closed session at 10:54 a.m.

1) Pursuant to Government Code Section 54956.9(c): Potential Litigation (one matter).

2) Pursuant to Government Code Section 54956.9(c): Potential Litigation (one matter).

b. Return from closed session to open session at 11:05 a.m. Chairman Morgan stated there were no reportable actions.

13. COMMISSIONER ANNOUNCEMENTS

Chairman Morgan thanked Alternate Commissioners Giacomini and Richardson for their service, and stated he will not attend the November 20th meeting. He announced a waffle breakfast with the Shasta Lake Fire Protection District, followed up with a Veteran's Parade and a lunch at the Veteran's Hall.

Commissioner Yarbrough announced a Veteran's Appreciation Dinner on Friday night, free of charge at Anderson City Hall.

Commissioner Baugh announced supporting the senior's at the Veteran's Hall in City of Redding.

14. STAFF ANNOUNCEMENTS

a. Conferences, meetings, and events of interest to Commissioners – None provided.

b. Next Meeting – November 20, 2014 at 9:00 a.m. in the Anderson City Council Chambers.

c. Future Proposed Agenda Items

1) Continuation of MSR/SOI reviews – None provided.

2) Presentation of applications as they mature to hearing stage – None provided.

15. ADJOURNMENT OF MEETING

There being no further business, Chairman Morgan adjourned the meeting at 11:08 a.m.

ATTEST:

APPROVED:

Kathy Bull
Acting Clerk to the Commission

Steve Morgan
Chairman

DATE: _____

DATE: _____