

SHASTA LAFCO

Report to the Shasta Local Agency Formation Commission

From: Jan Lopez, Executive Officer

Meeting Date: December 4, 2014

Agenda Item #: 11.b.

Subject: SOI/MSR Update Studies: Future Scheduling *(Information; Possible Action)*

Background and Discussion

On November 20, 2014, the Commission wished to discuss future scheduling of the remaining SOI/MSR studies. However the topic had not been agendized for that meeting and the Commission requested a response from the Executive Officer and its Counsel for this meeting. Working together, the following point are presented by that staff:

Background

- There was a significant backlog of SOI/MSR studies and update work that the Commission identified and resolved to proceed to address by the end of 2014;
- A consistent schedule providing for completion of the SOI/MSR update work was incorporated into a settlement agreement in the Briggs Et Al. v. Shasta LAFCO case that was settled early this year, with some limited timing flexibility in the event of extraordinary circumstances out of the control of LAFCO;
- There have been some changes with regard to the timing and phasing of individual local agency SOI/MSR studies, and resulting Commission action;
- These historic facts, together with challenges affected agencies have had in timely responding to LAFCO staff requests for information with limited local agency staff and a constrained LAFCO completion schedule, have resulted in a less than “ideal” SOI/MSR drafting and agency consultation and review process, but the process has generally worked out with minimal disruption;
- The Commission asked that the issue of the remaining SOI/MSR study hearings and related issues be agendized for discussion; and
- Due to noticing requirements, the Commission authorized publishing notice of the December 18, 2014 hearings for consideration of the remaining local public agencies’ sphere of influence.

Options

- The options should be viewed in light of the status of the remaining SOI/MSR studies, and now-scheduled public hearings, as summarized on the updated attached schedule;
- LAFCO staff, based on ongoing discussions with affected agency staff, expects all of the remaining SOI/MSRs studies to be completed by the special meeting of December 18th;
- LAFCO counsel can advise of the kinds of “extraordinary circumstances” that might arise, either on December 4th or at the noticed December 18th meeting, that could be continued to the Commission’s January meeting, if determined appropriate

Conclusions and Recommendations

In light of the foregoing, subject to what might arise at the December 4th's scheduled public hearing or those set for the December 18th meeting, it is recommended by Counsel that the previously established SOI/MSR schedule be maintained, but that the Commission consider possible future schedule changes on a case by case basis with the input of staff and advice of legal counsel.

Attachments: None