

## MINUTES

Del Norte Local Agency Formation Commission

February 27, 2012

4:00 pm

Members Present: Rick Holley, Gerry Hemmingsen, Leslie McNamer, Public Member Sparky Countess and Kelly Schellong

Members Absent: None

Others Present: George Williamson, Executive Officer, Karen Phillips, PS Business Services, County Counsel Gretchen Stuhr, Crescent Fire Protection District Chief Steve Wakefield, and City of Crescent City Manager Eugene Palazzo

1. Call to Order/Roll Call/ Commission Chair & Vice Chair Selections for 2012
  - A. Selection of Chair and Vice Chair for 2012
  - B. Certificates of Appreciation for Commissioners Murray & Slert

Commissioner McNamer, as the former Chairperson, called the meeting to order at 4:00 p.m., and requested nominations for new officers.

On a motion by Commissioner Countess, and seconded by Commissioner Schellong, Commissioner McNamer was nominated as Chair for 2012. Commissioner McNamer respectfully declined the nomination.

Commissioner McNamer nominated Commissioner Hemmingsen as Local Agency Formation Commission Chairman for 2012. The motion was seconded by Commissioner Schellong, and unanimously carried.

The gavel was passed to new Chairman Hemmingsen, who asked for nominations for Vice-Chair.

On a motion by Commissioner Holley, seconded by Commissioner McNamer, and unanimously carried, the Local Agency Formation Commission nominated and appointed Commissioner Schellong as Vice-Chairman for the 2012 year.

Certificates of Appreciation for City Commissioners Murray and Slert were read by the Executive Officer for the record and signed by the Chairman. The certificates are for contributions made by the two former members to the Local Agency Formation Commission. City Staff will present the certificate to former commissioner Murray

and LAFCo staff will mail the certificate to former commissioner Slert who could not be present.

## 2. Public Hearings

### A. MSR and SOI Updates for the Crescent, Fort Dick, and Smith River Fire Protection Districts (ATTACHMENT 2A)

The public hearings for the Crescent Fire Protection District, Fort Dick Fire Protection District and the Smith River Fire Protection District were opened at 4:10 p.m. All three (Smith River, Crescent and Fort Dick) hearings were held at one time. No public comments were received. Executive Officer Williamson noted that he met with all three of the Fire Protection Districts with regard to the MSR's and annexations of Crescent and Smith River areas, which are being expanded to acknowledge the work that is currently being done in those areas. The distance between the stations and response times were discussed and staff indicated that the Hiouchi area should possibly be attached to the Gasquet station due to the mileage from Smith River to respond to calls. Efficiency of service and what makes sense to the service area are things that staff review and make recommendations regarding. Staff felt tremendous support from the fire chiefs in this process. Personnel, availability, response time, etc. are all considered in the response area and current proposal to expand the districts. Chief Wakefield indicated that there are some firemen that live in the Parkway Drive area that would be closer to Hiouchi and there are issues with firemen being home to respond if they are coming from Gasquet. He also noted that an automatic response from all districts is being discussed for the entire county. Getting volunteers is a huge issue and the chiefs need to get together and work out a plan.

This MSR acknowledges the plan that is already in effect for the Smith River area. Tax revenue sharing agreements need to be in place before the annexation is in place. Hiouchi is in the Smith River assessment district, thus transferring the services to Gasquet would mean that the assessments would go to the Gasquet Fire Protection District. One of the things that staff pay attention to make the districts be solvent is an impact fee when new parcels are built or added to the district. The fee would be used for capital improvements and fire apparatuses. This is a common fee in other areas and staff is recommending that such a fee be introduced. Commissioner Schellong asked about the budget presented in the MSR only being through November of last year. Staff indicated that this was the last one submitted; it has taken a while to get all of the paperwork together and the public hearing set, etc.

Commissioner Holley asked about the reserve balance for equipment for the Crescent Fire District. Steve Wakefield noted that there is \$400,000 in the fund balance (reserve). Professional services are for the salaries and benefits for the secretary and the chief under the Crescent Fire budget. The County holds the reserve funds for all of the fire districts. Discussion was held regarding having all the fire districts report at the same time so that the discussion would be more complete since they have mutual aid agreements, etc. Staff will consider doing this next year. Commissioner Schellong asked if the removal of the Hiouchi area out of Smith River District would require that the MSR be reviewed again. Yes, staff indicated it would and they would bring it back as quickly as possible. Commissioner Countess asked who brought up the idea of taking Hiouchi out of the Smith River District. Smith River Fire Protection District staff initially suggested the change, according to staff. It was noted that the equipment at the Hiouchi station belongs to the Smith River Fire Protection District. Getting enough volunteers in the Hiouchi area has been a problem, and one that the districts will need to address. The public hearings were closed at 4:35 p.m.

On a motion by Commissioner Schellong, seconded by Commissioner Countess, and unanimously carried on a polled vote, the Local Agency Formation Commission approved and adopted: 1) the MSR and SOI Update for Crescent Fire Protection District and adopted Resolution No. 12-01, entitled, RESOLUTION OF THE DEL NORTE LOCAL AGENCY FORMATION COMMISSION APPROVING A BOUNDARY ADJUSTMENT, SPHERE OF INFLUENCE AMENDMENT, AND MUNICIPAL SERVICE REVIEW FOR THE CRESCENT FIRE PROTECTION DISTRICT; 2) the MSR for Fort Dick Fire Protection District and adopted Resolution No. 12-02, entitled, RESOLUTION OF THE DEL NORTE LOCAL AGENCY FORMATION COMMISSION APPROVING A BOUNDARY ADJUSTMENT, SPHERE OF INFLUENCE AMENDMENT, AND MUNICIPAL SERVICE REVIEW FOR THE FORT DICK FIRE PROTECTION DISTRICT; and 3) the MSR and SOI Update for Crescent Fire Protection District and adopted Resolution No. 12-03, entitled, RESOLUTION OF THE DEL NORTE LOCAL AGENCY FORMATION COMMISSION APPROVING A BOUNDARY ADJUSTMENT, SPHERE OF INFLUENCE AMENDMENT, AND MUNICIPAL SERVICE REVIEW FOR THE SMITH RIVER FIRE PROTECTION DISTRICT

3. Regular Business

A. Approval of November 28, 2011 Draft Minutes (ATTACHMENT 3A)

On a motion by Commissioner Countess, seconded by Commissioner McNamer, and carried on a 4-5ths vote, with Commissioner Schellong abstaining, the Local Agency Formation Commission approved the minutes of the November 28, 2011 meeting as presented.

#### B. FY 2011-12 Budget Status Report (ATTACHMENT 3B)

The Fiscal Year 2011-12 Budget was received and discussed. The budget is within its budgeted expenditures and revenues as noted. No action is necessary. Commissioner Schellong asked about the professional services line item and executive officer line item. Mr. Williamson noted that the line items pay for his services and those of his staff at PlanWest to carry out the duties of the Local Agency Formation Commission. No action was necessary.

#### C. Compliance Work Program for 2012 (ATTACHMENT 3C)

Mr. Williamson presented the Compliance Work Program for 2012. No action was necessary with regard to this matter. Staff noted that two community service district, Gasquet and Klamath, will be coming back to the Commission for approval. The HealthCare, Library and Smith River Cemetery Districts will also be coming back this year for approval.

#### D. Update on Regional Training Institute at HSU (ATTACHMENT 3D)

Mr. Williamson reported on the Regional Training Institute at Humboldt State University. No action is necessary on this matter. A range of courses are being offered through this program for CERT training, CPR, First Aid, Food Safety and others in disaster situations. Four trainings in Del Norte are being offered.

Chairman Hemmingsen asked staff to put items that require no action in the executive officer's report in the future to save time.

#### 4. Inquiries, Correspondence, Application Status and Referrals

A. Staff - The Executive Officer will provide a report of current projects, issues of interest, and pending legislation.

Legislation - SB 244 for Disadvantaged Communities (ATTACHMENT 4A)

Governor's Office of Planning and Research (OPR) Report on "LAFCOs, General Plans, and City Annexations" - URL:

[http://opr.ca.gov/docs/LAFCOs\\_GeneralPlans\\_City\\_Annexations.pdf](http://opr.ca.gov/docs/LAFCOs_GeneralPlans_City_Annexations.pdf)

Follow-up on Klamath CSD Board Inquiry

The executive officer's report consisted of the following topics: legislation, SB 244 interpretation by staff; 2) informational item regarding general plans and city annexations and a flow chart in 5 easy steps. Copies of the flow chart will be sent to the commissioners by staff.

Mr. Williamson received a call from a Klamath resident regarding the Klamath Community Service District and an alleged misuse of funds. Staff referred the caller to the Del Norte County Grand Jury.

Staff noted that he had spoken with former City Council Members and the City Manager and Del Norte County Administrative Officer regarding discussion of the annexation discuss being reopened. He did not feel that there was adequate support to pursue the matter at this time.

- B. Commission - On their own initiative, Commission members may make brief announcements or reports on their own activities. They may ask questions for clarification, make a referral to staff or request a business matter for a future agenda per Government Code Section 54954.2 (a).

The following Commissioners gave reports, announcements or requests: None.

- C. Public - Public comment on items of interest to the public within the subject matter jurisdiction of the Local Agency Formation Commission, and not otherwise appearing on the agenda. No action may be taken on any item not appearing on the agenda.

The following persons addressed the Commission: None.

#### 4. Adjournment.

There being no further business to come before the Commission, Chairman Hemmingsen, adjourned the meeting a 4:47 p.m. until the next regularly scheduled meeting on March 26, 2012.

Respectfully submitted,

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Karen L. Phillips, Recording  
Secretary