

MINUTES

Del Norte Local Agency Formation Commission Regular Meeting March 25, 2013

Members present: Vice-Chairman Roger Gitlin, Chairman Rick Holley, Public Member Duane 'Sparky' Countess, Kathryn Murray and Gerry Hemmingsen

Members absent: None

Others present: George Williamson, Executive Officer, Karen Phillips, PS Business Services, Elizabeth Cable, Counsel, Eileen Cooper and Donna Westfall

1. Call to Order/Roll Call

Chairman Holley called the meeting to order at 4:00 p.m. in regular session.

2. Public Hearings

A. Amend FY 2012-13 Budget with Public Member Stipend (ATTACHMENT 2A)

Chairman Holley opened the public hearing at 4:00 p.m. Staff noted that this was a noticed public hearing to add the public member stipend to the 2012-2013 budget for the remainder of the fiscal year (4 meetings). For the remainder of this fiscal year the stipend, if approved, would not cost any funds; the budget has as proposed has been amended to pay for the additional cost. No public comments were received. Commissioner Murray asked about attendance and whether or not the public member would receive the stipend if they did not attend the meetings. No payment would be given for not attending meetings. The public hearing was closed at 4:04 p.m. Discussion was held regarding the budget amendment.

On a motion by Commissioner Hemmingsen, seconded by Commissioner Gitlin, and unanimously carried on a polled vote, the Local Agency Formation Commission approved and adopted the 2012-2013 budget amendment as presented and Resolution 13-01, entitled, A RESOLUTION OF THE DEL NORTE LOCAL AGENCY FORMATION COMMISSION AMENDING FISCAL YEAR 2012-2013 BUDGET.

B. Draft FY 2013-14 Budget for Distribution (ATTACHMENT 2B)

Discussion was held regarding the draft FY 2013-2014 LAFCO budget. The public hearing was opened at 4:10 p.m. There is no staffing increase in this budget. There is a \$900 difference from last year's budget due to increases in the

CALAFCO membership, insurance and payment of a public member stipend. The budget total is \$78,276.00, which is about a 1% increase. Commissioner Gitlin stated "Great job on the budget" and he thanked Mr. Williamson. Commissioner Hemmingsen noted that it helps the funding agencies when the budgets are done ahead of time; he appreciates it. Donna Westfall asked for a copy of the budget, which was supplied to her by the recording secretary. Eileen Cooper noted that the last City Council meeting they discussed how they would handle the sewer rates. This is related to LAFCO because LAFCO is the oversight agency assisting other agencies in deciding how to charge fees equally and lawfully. She does not see development picking up in order to help pay the higher sewer rates the City had planned on. She feels that this agency could help the City. Staff noted that they could help and will bring information back at a future meeting if directed to do so. Ms. Westfall noted that the rates cannot be lowered in the way that they were written. Staff was asked to bring back options (this was rescinded below). Commissioner Gitlin wanted to know if there was any other basis that LAFCO serves. The City has hired a consultant to review and complete a rate study. Commissioners felt that the City is moving in the right direction and there have been no complaints from the users at this time for them to act upon, therefore staff will not take any action at this time.

Staff was directed to distribute the 2013-2014 LAFCO Budget and bring back for adoption in May.

3. Regular Business

A. Approval of February 25, 2013 Draft Minutes (ATTACHMENT 3A)

On a motion by Public Member Countess, seconded by Commissioner Hemmingsen, and unanimously carried on a polled vote, the Local Agency Formation Commission approved and adopted the minutes of the February 25, 2013 meeting as presented.

B. Review of Smith River Cemetery District Admin Draft MSR
(ATTACHMENT 3B)

Discussion was held regarding the Smith River Cemetery District administrative draft of the MSR. There were questions about this MSR in the past and it will be coming back to the Commission soon so staff took the opportunity to bring the suggested expansion of the sphere of influence forward. Staff has been doing research on cemetery districts and has included the information in the draft MSR. There is opportunity for expansion of the sphere of influence and staff is interested in direction from the Commission regarding this matter. Public Member Countess noted that the last time it came before the Agency it had holes in the area/boundaries. He would like to see it to include Nautical Heights and Surf Sound. It was also noted that the District has run in a deficit every year,

but they seem to get through it. If the sphere of influence is widened and more people use the cemetery, it could negatively impact the length of the life of the cemetery since they have noted that they have plots available for approximately the next nine years. Public Member Countess noted that expanding the sphere would help bring in more money to the District and the possibility of acquiring more property for burial plots needs to be discussed. Chairman Holley asked if there were taxes to support the district. No, there are not at this time. Staff will work with the District on expanding the sphere of influence and bring back the outcome of those discussions to the Agency. Public Member Countess wanted to have a report by at least two of the District board members regarding the MSR and district business. Commissioner Gitlin talked to Janice Hill of the Smith River Cemetery District; he was impressed that it was clean. Commissioner Gitlin also was given to understand that the District has an understanding that they will expand with friendly neighbors; he likes this model.

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.

The following topic was discussed: 1) as directed at the last meeting staff contacted the absent public member applicant Dr. Robert Sankus, M.D. He would like to apply for the alternate public member when that seat becomes available. The executive officer enjoyed sharing information with him about the community

- 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).

No reports, comments, or announcements were made.

- C. Public - Public comment on items of interest within LAFCo subject matter jurisdiction, and not otherwise appearing on the agenda. No action may be taken on any item not appearing on the agenda.

The following public comments were received: Donna Westfall noted that she received a letter to the editor regarding the City's sewer rate increase. The writer of the letter is upset about the increase. Ms. Westfall noted that they helped count the valid signatures on the sewer increase protest. She did not think that the former City Clerk counted the protest signatures correctly and they started a recall when the clerk quit. She wanted to know how many complaints the Commissioners would like to see, because there are lots of

people irate about the fee increase. Eileen Cooper noted that the matter is about how the City meets its obligation to provide service.

4. Adjournment

There being no further business to come before the Commission, Chairman Holley adjourned the meeting at 4:40 p.m., until the next regularly scheduled meeting on April 22, 2013.

Respectfully submitted,

Karen L. Phillips, Recording Secretary