

REGULAR MEETING AGENDA

Del Norte Local Agency Formation Commission
Board of Supervisors Chambers
981 H Street, Suite 100, Crescent City, CA 95531
April 25, 2016 4:00 pm

1. Call to Order/Roll Call

A. Closed Session:

Public Comment on Closed Session items only

Conference with Legal Counsel- Existing litigation pursuant to Government code 54956.9(d)(1) *Bertsch-Ocean View Community Services District v. Del Norte Local Agency Formation Commission et. al* CVPT 16-1124

Report out on Closed Session

2. Public Hearings

- A. Gasquet CSD Municipal Service Review (MSR) and Sphere of Influence Update (SOI) (ATTACHMENT 2A)
- B. Big Rock CSD SOI Update (ATTACHMENT 2B)
- C. South County CSDs MSR & SOI Update – Hunter Valley CSD, Klamath CSD, Redwood Park CSD (ATTACHMENT 2C)
- D. Del Norte LAFCo FY 2016-17 Proposed Budget (ATTACHMENT 2D)

3. Regular Business

- A. Approval of February 22, 2016 Draft Minutes (ATTACHMENT 3A)
- B. Del Norte LAFCo Policy & Procedures Update (ATTACHMENT 3B)
- C. Countywide Fire Services MSR & SOI Resolution (ATTACHMENT 3C)

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.
- 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).
- 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.

5. Adjournment

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AGENDA ITEM 2A

MEETING DATE: April 25, 2016
TO: Del Norte Local Agency Formation Commission
FROM: George Williamson AICP, Executive Officer
SUBJECT: Gasquet CSD Municipal Service Review and Sphere of Influence Update

RECOMMENDATION

The following procedures are recommended with respect to the Commission's consideration of this item:

- Receive verbal report from staff;
- Open the public hearing and invite testimony; and
- Discuss item and - if appropriate - close the hearing and consider action on recommendation.

Staff recommends the Commission approve Resolution No.16-02 approving the Gasquet CSD Municipal Service Review and Sphere of Influence Update.

DISCUSSION

The Gasquet CSD provides water service for domestic use and fire protection to the unincorporated community of Gasquet. The District covers approximately 1.78 square miles and is located along U.S. Highway 199 within the Smith River National Recreation Area, and is entirely surrounded by the Six Rivers National Forest.

The District currently provides adequate water service to its existing connections. As water demand grows, the water treatment system is approaching its treatment capacity. Capacity challenges were documented in the District's 2009 Water Treatment Plant Capacity Report (WTPCR) and are summarized in the MSR. Some of the WTPCR recommendations have been implemented; other portions are currently being, or are scheduled for, implementation. Replacements and upgrades occur as needed. The District did not identify any immediate infrastructure needs at this time.

The District appears to consistently operate with a budget surplus which has allowed the District to build up capital and emergency reserve funds. The MSR recommends that the District continue to pursue implementation of the WTPCR, which addresses the District's infrastructure needs and provides for anticipated future growth and demand.

The SOI, amended by Del Norte County LAFCo Resolution 10-05 on December 6, 2010, extends west of the District boundary, encompassing an additional 67.5 acres designated for rural

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residential and visitor serving commercial uses (MSR Figure 1). The District currently has no expansion plans and does not anticipate serving areas outside of the current District boundary at this time. Based on the results of this MSR, no expansion or reduction to the Gasquet CSD's SOI is recommended.

ATTACHMENTS

Attachment 1: Gasquet CSD MSR & SOI Update

Attachment 2: Resolution 16-02 Approving the Gasquet CSD MSR & SOI Update

Gasquet Community Services District

Municipal Service Review & Sphere of Influence Update

DRAFT
April 2016



Del Norte
Local Agency Formation Commission

Del Norte Local Agency Formation Commission

Commissioners

Gerry Hemmingsen	Chair & County Member
Kathryn Murray	Vice Chair & City Member
Roger Gitlin	County Member
Blake Inscore	City Member
Duane (Sparky) Countess	Public Member
Martha McClure	Alternate County Member
Darrin Short	Alternate City Member
Judy Dobbs	Alternate Public Member

Staff

George Williamson, AICP, Executive Officer
Vanessa Blodgett, Services Analyst
Leslie Marshall, Assistant Analyst
Elizabeth Cable, Legal Counsel

Acknowledgements

LAFCo staff would like to thank the contributors to this Municipal Service Review. Input instrumental in completing this report was provided by Gasquet CSD General Manager Michael Morgan and District Engineer Michael Young. This report would not have been possible without the District's assistance.

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INTRODUCTION

This report is prepared pursuant to legislation enacted in 2000 that requires Local Agency Formation Commissions (LAFCOs) to conduct a comprehensive review of municipal services and update the spheres of influence (SOI) of all agencies under LAFCo's jurisdiction. This service review focuses on Gasquet Community Services District (Gasquet CSD or District).

Service Review Determinations

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Section 56000 et seq.) requires LAFCo to review and update spheres of influence not less than once every five years and to review municipal services prior to or in conjunction with sphere updates. The requirement for service reviews arises from the identified need for a more coordinated and efficient public service structure to support California's anticipated growth.

Effective January 1, 2008, Government Code Section 56430 requires LAFCo to conduct a review of municipal services provided in the county by region, sub-region or other designated geographic area, as appropriate, for the service or services to be reviewed, and prepare a written statement of determination with respect to each of the following topics:

- Growth and population projections for the affected area;
- The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence (effective July 1, 2012);
- Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies (including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence);
- Financial ability of the agency to provide services;
- Status of, and opportunities for, shared facilities;
- Accountability for community service needs, including governmental structure and operational efficiencies; and
- Any other matter affecting or related to effective or efficient service delivery, as required by Commission policy.

Uses of This Report

The service review process provides LAFCo with a tool to study current and future public service conditions and to evaluate organizational options for fostering orderly growth and development, promoting the efficient delivery of services, and encouraging the preservation of open space and agricultural lands. The potential uses of this report are described below.

Update Spheres of Influence

LAFCo will use this report as a basis to update the sphere of influence of the District. Markedly, spheres of influence designate the territory that LAFCo believes represents the affected agencies' appropriate future jurisdictions and service areas. All boundary changes, such as annexations, must be consistent with the affected agencies' spheres of influence with limited exceptions.

Consider Jurisdictional Boundary Changes

LAFCo is not required to initiate any boundary changes based on service reviews. However, LAFCo, local agencies, or the public may subsequently use this report together with additional research and analysis, where necessary, to pursue changes in jurisdictional boundaries.

Resource for Further Studies

Other entities and the public may use this report for further studies and analysis of issues relating to water services in Del Norte County. The District may use this report to support grant applications.

Review Methods

The agency reviewed as part of this service review process demonstrated full accountability in disclosure of information and cooperation with LAFCo. The following information was considered in the service review:

- Agency-specific data: responses to LAFCo requests for information, budgets, fee schedules, maps, and district plans.
- Demographic data: U.S. Census Bureau; Department of Finance.

Information gathered was analyzed and applied to make the required determinations for each agency. All information gathered for this report is filed by LAFCo for future reference.

GASQUET COMMUNITY SERVICES DISTRICT

Overview

The Gasquet CSD provides water service for domestic use and fire protection to the unincorporated community of Gasquet. The District is located along U.S. Highway 199, approximately 376 miles north of San Francisco, 22 miles south of the Oregon border and 21 miles east of Crescent City. Covering approximately 1.78 square miles, the District is located within the Smith River National Recreation Area, bisected by the Wild and Scenic Smith River, which encompasses the largest undammed Wild and Scenic River watershed in the U.S., and is entirely surrounded by the Six Rivers National Forest.

Formation

The Gasquet CSD was formed by Resolution of the Del Norte County Board of Supervisors in 1968. The special district was formed for the purpose of maintaining and operating water treatment, distribution, and connections within the District boundary.

Gasquet CSD Mission Statement
Gasquet Community Services District strives to provide an adequate supply of high quality water to residents of the District. Its goal is to provide this service at a reasonable cost and courteous manner for now and the future.

Boundary and Sphere of Influence

The Gasquet CSD covers approximately 1,140 acres (1.78 square miles). Figure 1 shows the District Boundary and current Sphere of Influence (SOI). The SOI, amended by Del Norte County LAFCo Resolution 10-05 on December 6, 2010, extends west of the District boundary, encompassing an additional 67.5 acres designated for rural residential and visitor serving commercial uses.

Figure 1. District Boundary and SOI

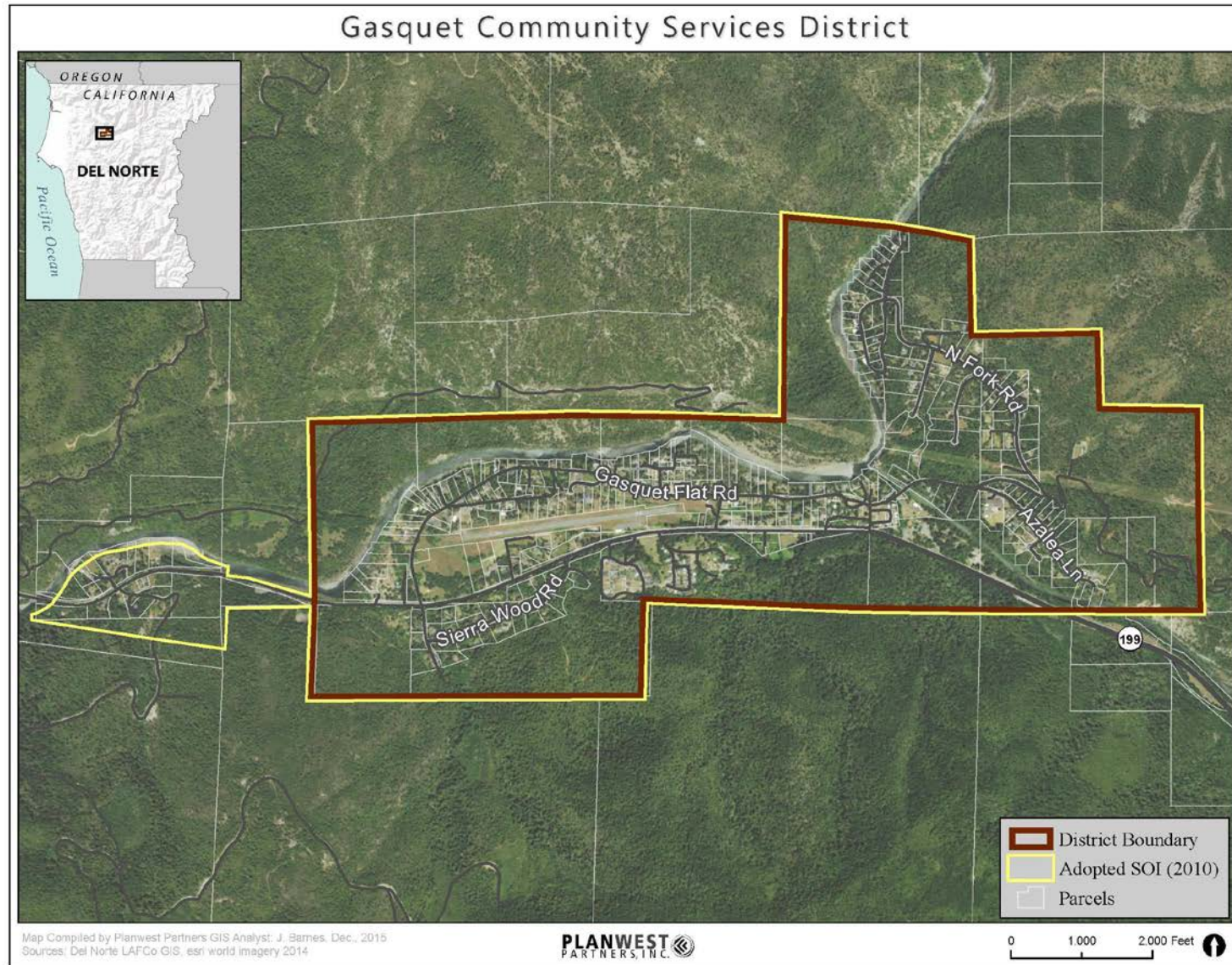


Table 1: Gasquet CSD Agency Profile

Formation	
Agency Name	Gasquet Community Services District
Date of Formation	September 6, 1968
Enabling Legislation	Community Service District Law, CA Government Code 61000
Contact	
Contact	Michael Morgan, General Manager
E-mail	mjmorgan2@gmail.com
Alternate Contact	Michael Young, Civil Engineer
E-mail	mjy17413@gmail.com
Website	n/a
Mailing Address	Gasquet CSD P.O. Box 86 Gasquet, CA 95543
Phone/ Fax/ Email	Phone: (707) 457-3124 Treatment Plant Phone: (707) 457-3107 Fax: same as treatment plant Email: gcsd@outlook.com
Services	
Services Provided	Water
Areas Served	Gasquet

Accountability and Governance

Gasquet CSD is governed by a five-member Board of Directors, elected at large by District residents to serve four year terms (Table 2). Board Members are compensated \$40 per meeting attended.

The Board meets on the second Monday of each month at the Mountain School Library, located at 55 Azalea Lane, Gasquet, CA 95543. Regularly scheduled meeting dates are noted on resident's monthly water bills. Agendas are posted 72 hours prior to the meetings at the Gasquet Post Office.

District Staff can be reached by phoning the District Plant, at the phone numbers provided in Table 1. The District currently employs four part-time staff members: a General Manager, a plant superintendent, a plant operator, and a secretary. Agency decisions are overseen by the Board of Directors upon consideration of public input and discussion.

Table 2: Gasquet CSD Board of Directors

Board Member	Title	Term Expiration
Samuel Rutledge	Director	12/1/2016
Richard Pickenpaugh	Director	12/1/2016
Ivan Bolen	Director	12/1/2018
Mark Dodd	Director	12/1/2018
Wally Borgeson	Director	12/1/2016

Population and Land Use

Land Use

The Del Norte County General Plan (2003) and Zoning Code guides land use decisions within the unincorporated portion of Del Norte County including the community of Gasquet. The Gasquet CSD generally contains rural residential and visitor serving commercial development, and is surrounded by and resource lands including the Six Rivers National Forest.

County Population and Growth

According to the Census, the total population in Del Norte County was 27,507 in 2000 and 28,610 in 2010. The population grew in Del Norte County at a rate of 4.0 percent between 2000 and 2010, or at an annual growth rate of 0.4 percent.

District Population and Growth

The Gasquet CSD estimates a District population of approximately 775. The District will likely continue to develop at or less than the current county-wide growth rate of 0.4 percent per year, putting the District population at approximately 822 in 2030.

Disadvantaged Unincorporated Communities

LAFCo is required to evaluate water service, sewer service, and structural fire protection within disadvantaged unincorporated communities as part of this service review, including the location and characteristics of any such communities. A disadvantaged unincorporated community (DUC) is defined as any area with 12 or more registered voters where the annual median household income is less than 80 percent of the statewide annual median household income (pursuant to Government Code Section 56033.5 and Water Code Section 79505.5).

According to the 2008-2012 American Community Survey 5-Year Estimates, the California median household income (MHI) is \$61,400. The Del Norte countywide MHI is \$39,626, which places it at 65% of the California MHI. With only one incorporated city, Crescent City, most of the County's population exists in unincorporated communities that qualify as "disadvantaged".

The California Department of Water Resources has mapped communities that are at or below 80 percent of the annual median household income by using census data for each county. According to this data, the communities of Smith River, Hiouchi, Gasquet, Klamath, and parts of the incorporated City of Crescent City are classified as disadvantaged within Del Norte County.

The Gasquet CSD provides one of the three basic services - water service – to areas that are considered disadvantaged. There are no sewer services within District boundaries, residents rely on private septic systems. Gasquet Fire Protection District provides fire protection services within all of Gasquet CSD.

Services & Infrastructure

Services Provided

The Gasquet CSD provides water service to a total of 352 residential and visitor serving commercial customers (connections) and maintains fire hydrants within the District boundary (DWR 2014).

Water Demand and System Capacity

Gasquet is a community where water demand varies widely with the seasons. There are significantly more visitors in the summer than in the winter, therefore peak summer demand is more than double typical winter demand. Water delivery totaled approximately 31.5 million gallons in 2014, with an average delivery of 2.63 million gallons per month, and a peak of 4.6 million gallons for the month of July (DWR 2014).

The District receives surface water from the Smith River at the confluence of the North Fork and Middle Fork. The District holds a Water Rights Permit to take up to 345 gallons per minute (gpm), with an annual withdraw limit of 135.9 million gallons (417 acre-feet). The District's contract Engineer prepared a Water Treatment Plant Capacity Report (WTPCR) in December 2009 (Young 2009). The purpose of the report was to "evaluate the water treatment plant capacity limitations in order to develop an improvement program to systematically meet the future system water demands." The need to meet future anticipated demands, along with the need for an adequate fire suppression supply, led the District to prepare its WTPCR.

Gasquet CSD estimated a total service capacity of 400 customers, which is currently limited by the system's treatment and delivery capacity as describe in the 2009 WTPCR and summarized below. The District's current Water Rights Permit limit is not anticipated to be reached until around 2034 (Young 2009). The District has no plans to significantly increase capacity as existing facilities can accommodate full County General Plan build out of the District.

Infrastructure Overview

Raw water is pumped by the Gasquet CSD from the Smith River to a water treatment plant located approximately 500 feet from the river. Upon treatment, the water enters into a

distribution system comprised of 6-inch, 8-inch and 4-inch mainlines, which has metered connections. There are two storage tanks, which total 350,000 gallons of storage.

The Gasquet CSD's existing water system, originally constructed in the late 1960s, has been modified somewhat over the years. The water system includes the following infrastructure:

- Two 5 horsepower (hp) submersible pumps;
- Two 3 hp submersible pumps;
- 6-inch, 8-inch, and 4-inch water distribution line throughout service area;
- Two storage tanks (150,000 and 200,000 gallons); and
- Water Treatment Plant:
 - Two adsorption clarifiers;
 - Four 5,000 gallon contact tanks;
 - 6,000 gallon "old" adsorption clarifier (serves as a contact tank);
 - Two 1,200 gallon "wet well" tanks;
 - Four booster pumps (7.5 hp, 10 hp, 15 hp, and 20 hp); and
 - Pressure and sand filter.

The below infrastructure summary is based on the 2009 Water Treatment Plant Capacity Report (Young 2009).

River Pumps

When functioning properly, the four river pumps, at 300 gpm total output, can meet estimated system demands until 2027. There doesn't appear to be any urgency to improve the pumping capacity at the river, except for the issue of system redundancy.

Adsorption Clarifiers

Each of the two clarifiers (rated for a total of 300 gpm) should be adequate until about 2027 based on estimated future demands. However, the redundancy issue remains. If one clarifier is out of service, the capacity is limited to 150 gpm, although it could probably be operated at a somewhat higher rate with the accompanying reduced efficiency. The 150 gpm limit, however, is below the present maximum daily demand and a third clarifier should be considered.

Contact Tanks

The contact tanks previously limited the plant's capacity. However, four 5,000 gallon tanks and the 6,000 gallon "old clarifier" are now in service. As a result, the capacity of the contact system now exceeds the Water Rights Permit limitation. The contact tanks are no longer a constraint on the system capacity.

Booster Pumps

All four booster pumps are from different manufacturers and have different output characteristics. When all four pumps are operating, output is estimated to be near 350 gpm. This does not allow for system redundancy. Should the largest single pump go out of service, the

remaining three pumps are estimated to be able to deliver approximately 240 gpm, which will meet estimated system demands until about 2016.

Sand Filter(s)

In 2009 the sand filter was the capacity limiting component, however the District purchased and installed three 85 gpm sand filters with the provision for a fourth future filter; in addition to the existing 150 gpm filter. It was recommended that the oldest 150 gpm filter be replaced with one or two 100 (+/-) gpm filters.

Control System

As new pumps are installed the WTPCR recommends the control system should operate the pumps sequentially, and on rotation, without having to rely on seasonal manual adjustments.

Infrastructure Needs and Deficiencies

The existing water delivery system is adequate to serve the Gasquet community. As water demand grows, the water treatment system is approaching its treatment capacity. Capacity challenges were documented in the District's 2009 Water Treatment Plant Capacity Report and are summarized above. Some of the WTPCR recommendations have been implemented; other portions are currently being, or are scheduled for, implementation. Replacements and upgrades occur as needed. The District did not identify any immediate infrastructure needs at this time.

Planned Upgrades

River Pumps

In regards to the issue of system redundancy, and as a matter of good engineering practice, a pumping system should be able to meet its design requirements with the largest single pump (unit) out of service. Standardizing equipment makes sense from a maintenance perspective, as it minimizes part inventory. The District's WTPCR recommends that when the time comes to replace the river pumps, the pumps are selected such that any three pumps working together are capable of delivering 345 gpm to the treatment plant. This means each of the four replacement pumps should be rated for 120 gpm.

Adsorption Clarifiers

In regards to the issue of system redundancy, the District's WTPCR suggests that a third 175 gpm clarifier be considered in the near future.

Booster Pumps

The existing booster pumps are adequate from the standpoint of capacity to meet present and future daily demands. However, for operation and maintenance reasons, related to system redundancy and standardization, the WTPCR suggests that as the existing pumps are replaced, they be standardized, that is, the same manufacturer and model. Also, the WTPCR recommends four equal sized fixed speed pumps, and as design details are developed, the potential inclusion of a variable speed pump.

Sand Filter(s)

The WTPCR also recommends that the existing 40-year old, 150 gpm filter be retired and replaced with one or two more additional 85-100 gpm filters.

Other Public Service Providers

The County of Del Norte provides general governmental services including social services, emergency services, planning, county roads and parks, etc. to the unincorporated areas of Del Norte County. Law Enforcement is provided by the Del Norte County Sheriff's Office and fire protection is provided by the Gasquet Fire Protection District and California Department of Forestry and Fire Protection (CAL FIRE). The California Department of Transportation (CalTrans) is responsible for the condition of U.S. Highway 199 that bisects the Gasquet CSD from east to west and serves as only one of three official Emergency Evacuation Routes for Del Norte County. California Highway Patrol Officers regularly operate inside the District.

Shared Facilities & Services

The Gasquet CSD uses the Mountain Elementary School's Library as a place for public meetings. The District does not currently contract with other districts to receive or provide shared services or facilities.

Budget

The District's primary revenue sources include water fees and service fees (standby and hook-up fees). The District's primary operational expenditures are salaries, utilities, professional fees, and loan repayment. The District currently has outstanding debt from a CA Department of Water Resources Davis Grunsky loan, with a balance of \$118,022 as of June 30, 2015. Table 5 below shows the Gasquet CSD's past three fiscal year budget summaries. The District has consistently operated with excess revenues which are budgeted towards system upgrades and saved in capital improvement and emergency reserve accounts.

Table 5: Gasquet CSD Budget Summary

Water	FY 2013/14	FY 2014/15	FY 2015/16
Total Revenue	\$ 177,950	\$ 165,550	\$ 166,860
Total Operating Expenses	\$ 121,676	\$ 114,614	\$ 117,989
Total Non-Operating Expenses	\$ 30,000	\$ 35,000	\$ 30,000
Total Expenditures	\$ 151,676	\$ 149,614	\$ 147,989
NET INCOME	\$ 26,274	\$ 15,936	\$ 18,871

Service Rates

Gasquet CSD Ordinance 95-5, as amended, establishes water service policy, rules, and regulations. The most recent amendment to water rates was approved by the Board of Directors and became effective on July 1, 2011.

Monthly rates include the first eight hundred (800) cubic feet (ft³) of water as measured at the meter for each connection. Monthly water use rates include a base rate, and if use exceeds 800ft³, an overage rate. Base rates for all service connections, other than R.V. spaces, is \$15.00 per month. The base rate for R.V. connections is \$5.00 per month. Overage rates for water used in excess of the 800 ft³ are \$2.20 per 100 ft³ of water. (One cubic foot of water equals 7.48 gallons.) The table below shows the District's fee schedule including connection fees and monthly rates.

Table 6: Gasquet CSD Fee Schedule

Size	Service Connection Fees	Monthly Service Rate
5/8" – 3/4"	\$4,220.00	\$15.00
1"	\$5,625.00	\$20.00
1-1/2"	\$8,435.00	\$28.00
2"	\$11,250.00	\$38.00
R.V. space	\$1,400.00	\$5.00

MUNICIPAL SERVICE REVIEW DETERMINATIONS

This chapter addresses the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code Section 56430). As part of the municipal service review process, LAFCo is required to make written statements of determinations in each of the categories listed below.

Growth and population projections

The Gasquet CSD has a permanent resident population of approximately 775. The District will likely continue to develop at or less than the current county-wide rates of 0.4 percent per year, putting the District population at approximately 822 in 2030.

The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the Sphere of Influence

The bulk of Del Norte County's population exists in unincorporated communities that qualify as disadvantaged including the community of Gasquet. Gasquet CSD provides one of the three basic services - water service - to areas that are considered disadvantaged.

Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies

The District currently provides adequate water service to its existing connections. The District will need to implement the 2009 Water Treatment Plant Capacity Report (WTPCR) to meet future water demand within the current regulatory limits. The capacity issues addressed in the WTPCR include:

Water Source

Based on present growth projections, the GCSD's Water Permit limit (345 gpm) will not be reached until about 2034 and is therefore, outside of the 5-year scope and review of this MSR. The allowable annual and instantaneous withdrawal limits, and how they relate to service demand vs. system capacity should continue to be periodically assessed.

Treatment Plant Capacity

The Plant's existing booster pumps are adequate from the standpoint of capacity, to meet present and future daily demands. However, for operational and maintenance reasons, it is recommended in the WTPCR that as they are replaced, they are standardized. The WTPCR also recommends that the existing 40-year old, 150 gpm filter be retired and replaced with one or two more additional 85-100 gpm filters.

Given the information above, it is recommended that the District continue to pursue implementation of the WTPCR, which appears to address the District's infrastructure needs and provides for anticipated future growth and demand.

Financial ability of agencies to provide services

The District appears to consistently operate with a budget surplus which has allowed the District to build up a capital and emergency reserve funds. Primary revenue sources are water and service fees; primary expenditures include salaries, utilities, professional fees, and loan repayment. While the District is capable of continuing to efficiently provide the current service offered, the existing infrastructure is aging and the service population is increasing. Therefore, it is recommended that the District pursue adoption of a Capital Improvement Program (CIP) which would address the financing of future infrastructure upgrades, as identified in the WTPCR.

Status of, and opportunities for, shared facilities

The Gasquet CSD uses the Mountain Elementary School's Library as a place for public meetings. The District does not currently contract with other districts to receive or provide shared facilities or services. There are limited opportunities for the District to share facilities with adjacent local agencies due to geographical constraints. The Gasquet FPD provides services with District boundaries and uses Gasquet CSD maintained fire hydrants as necessary.

Accountability for community service needs, including governmental structure and operational efficiencies

The Gasquet CSD board meets regularly in public meetings, which are noticed in compliance with the Brown Act. Board members are elected by District residents and hold four year terms of office. The current government structure is operating efficiently, and appears to have sufficient governance structure and operational capacity.

Any other matter related to effective or efficient service delivery, as required by commission policy

There are no further matters to report related to the municipal water service provided by the Gasquet CSD.

SPHERE OF INFLUENCE DETERMINATIONS

Sphere of Influence Status

Gasquet CSD's SOI was amended by Del Norte LAFCo Resolution 10-05 on December 6, 2010 to include 67.5 acres located adjacent to and west of the existing Gasquet CSD district boundary; designated in the Del Norte County General Plan as "Residential" and "Visitor Serving Commercial" (See Figure 1). The District currently has no expansion plans and does not anticipate serving areas outside of the current District boundary at this time. Based on the results of this MSR, no expansion or reduction to the Gasquet CSD's SOI are recommended.

Present and planned land uses in the area, including agricultural and open-space lands.

Lands within the District are primarily designated rural residential, residential neighborhood, visitor-serving commercial, and public facility, with a small portion of timberlands and state and federal lands. The District is surrounded by resource lands, mostly timber and state and federal lands. Land uses within the District are subject to the Del Norte County General Plan (2003) and Zoning Code. Little change in actual or designated land uses within the District is anticipated over the next 20 years.

Present and probable need for public facilities and services in the area.

The Gasquet CSD is meeting current water needs of its customers. The Gasquet CSD does not anticipate considerable growth within the District, or a significant increase in service demands as a result of population growth. Growth within the District and SOI is anticipated to occur as infill development. No out-of-district services are provided, nor have any services outside the District boundary been requested.

Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The District provides adequate services and has the capacity to provide the necessary water services to its customers. The District has sufficient water treatment capacity available and does not appear, in the current timeframe or in the foreseeable future, to be in short water supply. The District has no plans to significantly increase capacity. It is recommended that the District continue to pursue implementation of the WTPCR, which appears to address the District's infrastructure needs and provides for anticipated future growth and demand.

Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The District provides water service to the community of Gasquet. There are no other known communities of interest in the area.

For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere.

The bulk of Del Norte County's population exists in unincorporated communities that qualify as disadvantaged; Gasquet CSD provides water service to areas that are considered disadvantaged. There are no sewer services within District boundaries, residents rely on private septic systems. Structural fire protection services are the responsibility of the Gasquet Fire Protection District.

REFERENCES

Department of Water Resources (DWR) 2014. Public Water System Statistics for Gasquet CSD.

Del Norte LAFCo, 2010. *Gasquet Community Services District Municipal Service Review & Sphere of Influence Update*, Adopted December 6, 2010.

Gasquet Community Services District, 2015. *Municipal Service Review Questionnaire completed for Del Norte County LAFCo*. September 2015.

Young, Michael, 2009. *Gasquet CSD Water Treatment Plant Capacity Report (WTPCR)*, December 2009.

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**RESOLUTION 16-02
APPROVING THE GASQUET COMMUNITY SERVICES DISTRICT
MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE**

WHEREAS, the Del Norte Local Agency Formation Commission, hereinafter referred to as the "Commission", conducts studies of the provision of municipal services in conjunction with reviewing the spheres of influence of the local governmental agencies whose jurisdictions are within Del Norte County; and

WHEREAS, the Commission staff prepared a municipal service review to evaluate the availability and performance of governmental services provided by the Gasquet Community Services District (CSD), pursuant to California Government Code Section 56430; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner prescribed by law; and

WHEREAS, the Commission received a report and recommendations from its staff regarding the municipal service review and update of the District's sphere of influence in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all evidence presented at a public meeting on April 25, 2016; and

WHEREAS, the Commission has considered all the factors required by law under California Government Code Sections 56430 and 56425.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Pursuant to Government Code Sections 56425 and 56430, the Commission makes the statements of determinations included in the Gasquet CSD Municipal Service Review and Sphere of Influence Update, hereby incorporated by reference.
2. The Commission, as Lead Agency, finds that the Municipal Service Review and Sphere of Influence Update is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). This finding is based on the Commission determining with certainty the update will have no possibility of significantly affecting the environment given no new land use or municipal service authority is granted.

PASSED AND ADOPTED at a meeting of the Del Norte Local Agency Formation Commission, State of California, on the 25th day of April 2016, by the following vote:

AYES:	Commissioners:
NOES:	Commissioners:
ABSENT:	Commissioners:
ABSTAIN:	Commissioners:

Gerry Hemmingsen, Chair

Attest:

George Williamson, Executive Officer

**DEL NORTE
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Arcata, California 95521
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AGENDA ITEM 2B

MEETING DATE: April 25, 2016
TO: Del Norte Local Agency Formation Commission
FROM: George Williamson AICP, Executive Officer
SUBJECT: Big Rock CSD Sphere of Influence Update

RECOMMENDATION

The following procedures are recommended with respect to the Commission's consideration of this item:

- Receive verbal report from staff;
- Open the public hearing and invite testimony; and
- Discuss item and - if appropriate - close the hearing and consider action on recommendation.

Staff recommends the Commission approve Resolution No.16-03 approving the Big Rock CSD Sphere of Influence Update.

BACKGROUND

The Commission reviewed and approved the Big Rock CSD Municipal Service Review on November 30, 2015. The Sphere of Influence Update was not complete at that time due to LAFCo noticing requirements and the District's grant application timeline.

The Big Rock CSD provides water service to the unincorporated community of Hiouchi, located approximately ten miles northeast of Crescent City on Highway 199. The District currently provides adequate water service to its existing connections. The District's water system has sufficient capacity to serve the Hiouchi Flat area of the Jedediah Smith Redwoods State Park and is currently serving the Redwood National Park's Hiouchi Visitor Center. The Big Rock CSD is pursuing water system upgrades, including water tank replacements in order to meet long-term service needs within the District.

DISCUSSION

Big Rock CSD's boundary and SOI are coterminous, and both were expanded concurrently for annexation purposes in 2011. Given that the Smith River runs along the southern boundary, National and State park lands are located to the east and west of the District, and steep topography and resource lands to the north, there are no adjacent areas planned for growth that would warrant being added to the CSD SOI at this time. The District currently has no expansion plans and does not anticipate serving areas outside of the current District

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boundary. Based on the results of the adopted MSR (November 2015), no expansion or reduction to the Big Rock CSD's SOI are recommended.

ATTACHMENTS

Attachment 1: Big Rock CSD SOI Determinations

Attachment 2: Resolution 16-03 Approving the Big Rock CSD SOI Update

SPHERE OF INFLUENCE DETERMINATIONS

Sphere of Influence Status

Big Rock CSD's boundary and SOI are coterminous, and both were expanded concurrently for annexation purposes in 2011. Given that the Smith River runs along the southern boundary, National and State park lands are located to the east and west of the District, and steep topography and resource lands to the north, there are no adjacent areas planned for growth that would warrant being added to the CSD SOI at this time. The District currently has no expansion plans and does not anticipate serving areas outside of the current District boundary. Based on the results of the adopted MSR (November 2015), no expansion or reduction to the Big Rock CSD's SOI are recommended.

Present and planned land uses in the area, including agricultural and open-space lands.

Big Rock CSD generally contains rural residential and limited commercial development, and resource lands including the Jedediah Smith Redwood State Park Campground and the Redwood National Park Hiouchi Visitor Center. The Del Norte County General Plan (2003) and Zoning Code guides land use decisions within the unincorporated portion of Del Norte County including the community of Hiouchi. Little change in actual or designated land uses within the District is anticipated over the next 20 years.

Present and probable need for public facilities and services in the area.

The Big Rock CSD is meeting current water needs of its customers. Some District residents currently draw potable water from private wells or use surface water for irrigation. The Big Rock CSD does not anticipate considerable growth within the District, or a significant increase in service demands as a result of population growth. No out-of-district services are provided, nor have any services outside the District boundary been requested. The Township of Hiouchi is bounded on all sides by parks, a conservations easement, and the Smith River.

Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The District provides adequate services and has the capacity to provide the necessary water services to its customers. The Big Rock CSD is pursuing water system upgrades, including water tank replacements in order to meet long-term service needs within the District. The District has sufficient water treatment capacity available and does not appear, in the current timeframe or in the foreseeable future, to be in short water supply. The District has no plans to significantly increase capacity.

Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

The District provides water service to the community of Hiouchi; a resort community where water demand varies dramatically with the seasons. The Hiouchi Flat area of Jedediah Smith Redwoods State Park and the Redwood National Park's Hiouchi Visitor Center are located within the District.

For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere.

The bulk of Del Norte County's population exists in unincorporated communities that qualify as disadvantaged including the community of Hiouchi. Big Rock CSD provides one of the three basic services - water service – to areas that are considered disadvantaged. There are no sewer services within District boundaries, residents rely on private septic systems. Structural fire protection services are the responsibility of the Smith River Fire Protection District.

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**RESOLUTION 16-03
APPROVING THE BIG ROCK COMMUNITY SERVICE DISTRICT
SPHERE OF INFLUENCE UPDATE**

WHEREAS, the Del Norte Local Agency Formation Commission, hereinafter referred to as the "Commission", is authorized to establish, amend, and update spheres of influence for local governmental agencies whose jurisdictions are within Del Norte County; and

WHEREAS, the Commission staff prepared a municipal service review to evaluate the availability and performance of governmental services provided by the Big Rock Community Services District (CSD), pursuant to California Government Code Section 56430; and

WHEREAS, the Executive Officer gave sufficient notice of a public hearing to be conducted by the Commission in the form and manner prescribed by law; and

WHEREAS, the Executive Officer's report and recommendations on the sphere of influence update were presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all evidence presented at a public hearing on April 25, 2016; and

WHEREAS, the Commission considered all the factors required under California Government Code Section 56425.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This sphere of influence update has been informed by the Commission's earlier municipal services review on Big Rock CSD approved by the Commission on November 30, 2015.
2. Pursuant to Government Code Section 56425(e), the Commission makes written statement of determinations for the Big Rock CSD Sphere of Influence Update, hereby incorporated by reference.
3. The Commission, as Lead Agency, determines that the sphere of influence update is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). This finding is based on the Commission determining with certainty the update will have no possibility of significantly affecting the environment given no new land use or municipal service authority is granted.

PASSED AND ADOPTED at a meeting of the Del Norte Local Agency Formation Commission,
State of California, on the 25th day of April 2016, by the following vote:

AYES:	Commissioners:
NOES:	Commissioners:
ABSENT:	Commissioners:
ABSTAIN:	Commissioners:

Gerry Hemmingsen, Chair

Attest:

George Williamson, Executive Officer

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AGENDA ITEM 2C

MEETING DATE: April 25, 2016
TO: Del Norte Local Agency Formation Commission
FROM: George Williamson AICP, Executive Officer
SUBJECT: South County CSDs MSR & SOI Update

RECOMMENDATION

Continue Public Hearing for South County CSD MSR & SOI Update.

BACKGROUND

Commission staff has been preparing a South County Community Service District (CSD) Municipal Service Review (MSR) & Sphere of Influence (SOI) Update including Hunter Valley, Klamath, and Redwood Park CSDs. The Commission reviewed and approved the Hunter Valley and Redwood Park CSD MSR & SOI determinations in April 2015. Staff anticipated receiving requested capacity and budget information from Klamath CSD to finalize the applicable determinations. However, the District is still compiling the requested information and it has not been received as of the writing this staff report.

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AGENDA ITEM 2D

MEETING DATE: April 25, 2016
TO: Del Norte Local Agency Formation Commission
FROM: George Williamson AICP, Executive Officer
SUBJECT: FY 2016-2017 Proposed Budget

RECOMMENDATION

The following procedures are recommended with respect to the Commission's consideration of this item:

- Receive verbal report from staff;
- Open the public hearing and invite testimony; and
- Discuss item and - if appropriate - close the hearing and consider action on recommendation:
 - 1) Approve the proposed budget for fiscal year 2016-17, as provided in Attachment A, and
 - 2) Direct the Executive Officer to distribute the proposed budget to the City of Crescent City and the County, and schedule the final budget for a public hearing at the Commission's May meeting.

BACKGROUND

Local Agency Formation Commissions (LAFCoS) are responsible under State law for annually adopting a proposed budget by May 1st and a final budget by June 15th. State law specifies the proposed and final budgets shall - at a minimum - be equal to the budget adopted for the previous fiscal year unless LAFCo finds the reduced costs will nevertheless allow the agency to fulfill its prescribed regulatory and planning duties.

DISCUSSION

LAFCo Funding Sources:

Del Norte LAFCo's annual operating expenses are principally funded through appropriations from the county and City of Crescent City, in addition to application fees and interest earnings. Each fiscal year, after the Commission adopts the final budget, the County Auditor apportions the net operating expenses in the following manner: the County pays 1/2 of the net operating costs; and the City of Crescent City pays 1/2 of the net operating costs. Statutory authority provides mechanisms for the County Auditor to collect the amounts apportioned.

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Proposed Operating Expenses:

The proposed operating expenses reflect the anticipated staffing services for day-to-day operations and for conducting municipal service reviews and sphere of influence updates. The proposed FY 2016-17 operating expenses are \$1,805.00 less than the FY 2015-16 budget, a 2% reduction. The following adjustments were made in the proposed FY 2016-17 from last year's budget.

- Insurance and CALAFCO membership rates increased.
- Printing/postage and advertising/publications budgets increased.
- MSR/SOI preparation and application processing amounts remain the same based on the number of MSRs and SOIs scheduled for the coming year and the applications processed over the last several years.
- Professional Executive Officer/Administrative services costs were reduced based on proposed reduced number of meetings.
- Legal Counsel budget increased due to pending issues.
- The public member stipend was reduced from 12 meetings to 8 meetings at \$40.00 per meeting.

Proposed Operating Revenues:

As noted above there is an anticipated overall reduction in operating expenses; therefore operating revenues from City and County are proposed to be reduced. In addition, there is a remaining fund balance of \$8,824.16 as of January 31, 2016. Both the reduced operating expenses and use of the fund balance would reduce City and County contributions from \$39,640.63 to \$35,092.42; a difference of \$4,548.21 each or approximately 11%.

ATTACHMENTS

FY 2016-17 Proposed Budget

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DEL NORTE LAFCo
FY 2016-17 PROPOSED BUDGET

		FY 2015-16 FINAL	FY 2016-17 Proposed
Account	EXPENDITURES		
Line #	SERVICES & SUPPLIES		
20150	Insurance	\$2,000.00	\$2,100.00
20200	CALAFCO Membership	\$785.00	\$840.00
20221	Printing/ Postage	\$50.00	\$100.00
20230	Professional Services		
	MSR/SOI Preparation	\$24,500.00	\$24,500.00
	Application Processing	\$10,000.00	\$10,000.00
20231	Prof. Serv. Executive Officer/ Admin.	\$50,000.00	\$47,500.00
20232	Prof. Serv. Legal Counsel	\$1,000.00	\$1,500.00
20240	Advertising/Publications	\$250.00	\$400.00
	Conferences (CALAFCO when funds available)	\$0.00	\$0.00
70530	Interfund-Cost Plan	\$1,759.00	\$1,759.00
20233	Public Member Stipend (up to 8 mtgs @ \$40/mtg)	\$480.00	\$320.00
	TOTAL EXPENDITURES	\$90,824.00	\$89,019.00
	REVENUES		
91125	Project Revenue (Application Deposit)*	\$10,000.00	\$10,000.00
90300	Interest	\$10.00	\$10.00
90780	Del Norte County	\$39,640.63	\$35,092.42
90781	City of Crescent City	\$39,640.63	\$35,092.42
07100	Funds from Account #42801007100	\$1,532.74	\$8,824.16
	TOTAL REVENUES	\$90,824.00	\$89,019.00
	FUND BALANCE		
07100	Account #42801007100 (as of Jan.31 2016)	\$8,824.16	\$0.00

*Deposit paid by applicants to cover application processing. Projected amount for auditor use in issuing payment for expense claims.

REGULAR MEETING MINUTES

Del Norte Local Agency Formation Commission

February 22, 2016

Members present: Chairman Blake Inscore, Kathryn Murray, Sparky Countess, Roger Gitlin, and Gerry Hemmingsen

Members absent: None

Others present: Executive Officer George Williamson, County Counsel Elizabeth Cable, and Nicole Burshem, PS Business Services, Steve Paynter, Martha Rice, Michael Mazzei, Tom Cochran, Eric Wier.

1. Call to Order/Roll Call

Chairman Inscore called the meeting to order at 4:00 and Nicole Burshem took roll call.

A. Appointment of Chair and Vice Chair for 2016

On a motion by Commissioner Murray, seconded by Commissioner Gitlin, and unanimously carried on a polled vote, the Commission appointed Commissioner Hemmingsen as LAFCo Chair and appointed Commissioner Murray as the Vice-Chair for 2016.

2. Public Hearing – Continued from January 25, 2016

A. Crescent City Water Service Extension to the Martin Ranch (APN 115- 020-28) and Ocean Way Motel (APN 115-020-20) Properties (ATTACHMENT 2A)

Discussion was held in regards to the water service extension. Mr. Williamson commented that several items have been submitted for the record. Mr. Williamson commented that a CEQA addendum was prepared. He also responded to questions presented at the January meeting by the Bertsch Oceanview CSD (District). In the packet there is the CEQA addendum and staff response, updated resolution for action, findings, letter from the Elk Valley Rancheria responding to questions, and a chronology of action that goes back through the past. Mr. Williamson commented he received a phone call from Tom Cochran, to express the water that will be provided to the Rancheria will not affect the District. Martha Rice representing the City, commented currently the proposals are to use 27 single family units (SFUs) flow volume currently running through the District system. Ms. Rice noted the law only allows this project to use up to 70% of the unused water capacity. The law also provides that fair compensation be paid to District.

Chairman Hemmingsen asked if 27 SFUs is equivalent to what they want to transfer now. Ms. Rice commented the plan is for the use to access that capacity. Chairman Hemmingsen asked whether this capacity would be transferred or added at the Martin Ranch site and whether the Elk Valley Rancheria (EVR) is still using this capacity at other locations now and looking to use another 27 SFU capacity at Martin Ranch. Ms. Rice commented she is

not sure but that is a possibility and safe to assume. Commissioner Countess asked if they (EVR) are being charged for the additional single-family connections. Ms. Rice commented they are paying the City. Commissioner Countess asked if EVR is going to be paying for all of that. Ms. Rice commented the plan is for pumping it to the property and storing it and for a pump to be placed on site for water pressure. Commissioner Countess asked are they classified as a developer. Ms. Rice commented the extra infrastructure will be on the property itself and they are just wheeling water through to the District to the site. The District is required to come up with reasonable cost to wheel the water through District pipes. Commissioner Countess asked is there a regular (District) fee to charge new connections. Ms. Rice commented she is not sure what their ordinance is. Commissioner Gitlin asked if this will be the 27 SFU equivalence and what will be the impact on the sewer treatment plant and the homeowners for development. Ms. Rice commented there is enough City water to provide water there.

City Engineer Mr. Eric Wier commented it does have capacity in it and with this water wheeling agreement there is different capacities in each district. This is set fourth that you can't take more than 70% of the available capacity. Commissioner Countess asked is this going to require a holding tank of 100 gallons. Mr. Wier commented once the design is complete the demands will determine what the holding tank capacity will be. Commissioner Countess asked it would be at EVR expense. Mr. Wier commented it would be at the expense of the developer. Chairman Hemmingsen asked what 70% of capacity is. Mr. Wier commented he is not sure at this time. Commissioner Countess asked is there going to be a separate meter and what size is the line. Mr. Wier commented there would be a separate meter and it depends on the onsite development of the size of the water line. Ms. Rice commented the current plan is in the realm of a 500 gallon storage tank and it would be 200-250 gallon unused capacity per day.

District Counsel Mr. Michael Mazzei passed out a packet of materials. He noted he has an initial matter with regards to the cities annexation request filed this afternoon. He is not sure if it complies with the law or procedures. He commented that LAFCo procedure is that an application demonstrates an agreement is in place for a jurisdictional change. Mr. Mazzei questioned the policy and procedures. Mr. Mazzei asked if a fee has been submitted. Mr. Williamson commented no. Chairman Hemmingsen commented as to whether the Commission is annexing anything today or not. Mr. Williamson commented no. On the matter on intent to annex he has done some checking with other LAFCOs and there is a range of interpretation and some interpret intent as being in a Sphere of Influence (SOI) which the subject properties are. Being in the SOI can mean anticipation for annexation. The Martin Ranch and Oveanview Motel sites are in the City SOI and there is a letter. Mr. Williamson doesn't feel an application with fees is necessary.

Chairman Hemmingsen asked if there was an annexation application process. Mr. Williamson commented there is. This could be included the next time the City prepares a Local Coastal Program (LCP) amendment. Commissioner Murray asked that annexation wasn't the goal or even necessary or is it necessary. LAFCO Counsel Ms. Elizabeth Cable presented the law and the policy. Ms. Cable commented Mr. Williamson is saying they have complied.

with that section and as he researched it is a matter of interpretation of when that annexation is going to take place. Mr. Mazzei is arguing the annexation has to be filed with this. Commissioner Gitlin thanked Mr. Mazzei for the questions. Commissioner Gitlin asked Mr. Williamson and Ms. Cable if they have seen these (District) questions. Mr. Mazzei commented this is the 20 questions that we presented at the last meeting and he presented responses from the District to LAFCO answers. Commissioner Gitlin commented some of the questions are not even in our purview. Mr. Mazzei commented these are legal questions and in this response District was trying to address LAFCO response. Mr. Mazzei commented he expected to see a response from LAFCO. Commissioner Gitlin asked Ms. Cable if the questions are on our preview. Ms. Cable commented Mr. Williamson filed a response to all those questions. Ms. Cable commented some questions are for LAFCO and some are for EVR.

Mr. Mazzei commented we tried to explain our position. The problem is they are referring back to a 2004 water study. When we were engaged with the Rancheria we were directed to that 2004 water study. Mr. Mazzei expressed the District feels they still haven't gotten answers to their questions yet. Chairman Hemmingsen commented if the City has the equivalent to serve 27 SFUs that it is a zoning and building issue to find out if this is feasible to do. Mr. Williamson commented this is goes back to the key question, can water be extended to these properties so the City can wheel water. The property owner (EVR) has provided information of how they are going to store water and how it would flow through the District pipes. The matter before you today is to wheel water. Chairman Hemmingsen asked if wheeling the water is our issue. Mr. Williamson commented that there is an City and District agreement.

Mr. Mazzei presented the concerns and problems the District has for this issue. Mr. Mazzei presented a map of the Bertch-Oceanview District and there is a highlighted section where the City built the pipe without District consent. Mr. Mazzei commented the District is ok with this project as long as they go through the same process that they have gone through in the past, which is the annexation process. Commissioner Gitlin commented number one District is objecting to the process and second there is miscommunication of water capacity. The real need is many hundreds more than what was asked for. Commissioner Gitlin asked if there is capacity to serve this site. Mr. Mazzei commented it depends on the actual process. Mr. Mazzei noted the plan was that at some point they are going to have plans and specifications for District to look at, but we have not seen those plans yet. Chairman Hemmingsen commented what we were told was they couldn't take more than 70% of what is available. Mr. Williamson commented that there is capacity and there will be tanks in place to store water so as not to impact community services. Ms. Rice commented the water wheeling issue states that the state or agencies cannot deny if fair compensation is issued. Commissioner Countess asked how come the District hasn't made an agreement with the Rancheria. Ms. Rice commented the only position they are considering is annexation.

District Engineer Mr. Steve Paynter commented system resource of capacity was mentioned in the initial report. They are talking about moving the 27 SFU capacity from another site. Mr. Mazzei commented there are four conditions in the District materials submitted at this hearing and a CEQA issue has been

brought up. Mr. Mazzei stated we are willing to discuss this matter with the Rancheria, but last year in April or May it appeared they are going to go with a MOU they have with the City. Mr. Williamson commented that LAFCO would bring an application forward when is filed with the Commission. Chairman Hemmingsen commented Commission is here today to determine if this out of area service extension is ok or not ok to move forward with. District resident Tom Cochran asked who owns the lines. He stated the District own the lines, the City doesn't. Mr. Cochran commented it's his understanding EVR doesn't pay taxes in order to keep the water line going. He is having an issue with the City trying to do a wheeling agreement when the EVR won't step into agreement with the District. Mr. Cochran stated they don't come to any meetings or have a project scope. They want to cut off the Casino and switch them over to the development, but they don't want to pay any more fees. Mr. Cochran commented the District doesn't know what the scope of the project will be. The EVR doesn't want to pay their fair share. Chairman Hemmingsen asked if the EVR is going to pay the hook up fees. Ms. Rice commented they are going to pay the City for the water and they will pay a fair compensation to the District. Commissioner Murray stated these kinds of details needs to be taken care of when it goes in front of the planning commission.

The Public Hearing was closed.

Commissioner Inscore commented EVR is going to pay for hook ups. What he has read and been provided that year and after year there has not been an agreement to make this work. Commissioner Inscore commented it doesn't appear the EVR is necessarily getting out of paying, but paying someone else to get this done. Commissioner Inscore asked is this authorized under Law and State Code; we are obligated to abide by the codes and laws that were given. Commissioner Inscore commented we have to refer to the staff and legal council whether this is legal and authorized by law and State Code. Commissioner Gitlin asked if we continue this for more study; do we need to study this or do we have a resolution. Mr. Williamson commented the action of this commission could determine to extend water service to properties within the SOI. LAFCO has been advised the EVR wants to have out of the area service as stated in the City application. Mr. Williamson presented the Resolution to the commission with conditions. Ms. Rice commented that is true those charges would only apply to water that goes through a wheeling agreement. Commissioner Countess moved to include the four conditions proposed by the District as presented by Mr. Mazzei; there was no second to the motion.

On a motion by Commissioner Murray, seconded by Commissioner Inscore, the commission approved and adopted Resolution 16-01 Crescent City Water Service Extension to the Martin Ranch (APN 115- 020-28) and Ocean Way Motel (APN 115-020-20) Properties on a 3-2 vote (Commissioners Countess and Gitlin voting no)`.

3. Regular Business

A. Approval of January 25, 2016 Draft Minutes (ATTACHMENT 3A)

On a motion by Commissioner Inscore, seconded by Commissioner Murray, and unanimously carried, with Chairman Hemmingsen abstained, the Commission approved the January 25, 2016 minutes, as presented.

B. Del Norte LAFCO Policy & Procedures Update (ATTACHMENT 3B)

Mr. Williamson commented the policies and procedures are dated and could benefit from the update. He believes they can conduct a policy review and update with current scope with no monetary affects. Chairman Hemmingsen asked if this was already done previously. Mr. Williamson commented he did not recall policies being updated since he had been providing staffing services but would check minutes and agendas. To verify whether this has already been done. Mr. Williamson recommends bringing a policy document in chunks to review. The Commission directed staff to update the policies if needed.

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. Nothing to report

There were no reports at this time.

C. 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).

Commissioner Murray commented we are glad we got the Martin Ranch issue taken care of. Commissioner Countess commented it is a great project.

D. 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 person(s) addressed the Commission: None

5. Adjournment

There being no further business to come before the Commission, the Vice-Chairman adjourned the meeting at 5:30 p.m. until the next regularly scheduled meeting on April 25, 2016.

Respectfully submitted,

Nicole L. Burshem, Recording Secretary

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AGENDA ITEM 3B

MEETING DATE: April 25, 2016
TO: Del Norte Local Agency Formation Commission
FROM: George Williamson AICP, Executive Officer
SUBJECT: Policies and Procedures Update

RECOMMENDATION

Review and provide comments on draft Policies and Procedures Sections I and II.

BACKGROUND

In 2012-2013 the Commission began review of the Del Norte LAFCo Policies and Procedures which were last updated in 2004. It appears that the updates were never finalized and formally adopted by the Commission.

DISCUSSION

General updates to reflect current statutory requirements have been incorporated into the previously reviewed draft and appropriate government code sections are referenced and summarized instead of including entire G.C. sections verbatim. Additional revisions include: updates to the introduction; the fee schedule and application forms are proposed to be removed from the Policies and Procedures and approved separately by the Commission to allow for updates as necessary; and the overall formatting has been updated including adding a table of contents and numbering system throughout the document. The updated Policies and Procedures is proposed to include the following sections:

- Section I Introduction**
 - 1.1 Purpose of LAFCo
 - 1.2 Agencies Subject to Del Norte LAFCo Jurisdiction
 - 1.3 Conflict with State Statutes
- Section II Commission Membership, Meetings, and Budget**
 - 2.1 Purpose and Authority
 - 2.2 Membership
 - 2.3 Meetings
 - 2.4 Meeting Procedures
 - 2.5 Budget and Financial Procedures
 - 2.6 Public Disclosures
- Section III Policies and Procedures**
 - 3.1 Purpose and Authority
 - 3.2 General Application Policies and Procedures
 - 3.3 Environmental Compliance (CEQA)
 - 3.4 Spheres of Influence

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Section IV 3.5 Municipal Service Reviews
 Specific Application Policies and Procedures
 4.1 Extension of Services by Contract
 4.2 LAFCo Initiated Proposals
 4.3 Agreements with Adjoining Counties

ATTACHMENTS

Draft Del Norte LAFCo Policies and Procedures Sections I and II, updated April 2016.

Del Norte Local Agency Formation Commission

Policies and Procedures

SECTIONS I and II ONLY

DRAFT April 2016

Adopted _____

Del Norte LAFCo Policies and Procedures

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Section I Introduction

1.1 Purpose of LAFCo

Local agency formation commissions (LAFCos) were created by state law in 1963 to encourage the orderly formation of local government agencies, to preserve agricultural and open space land, and to discourage urban sprawl. Del Norte LAFCo has jurisdiction over changes in local government organization occurring within Del Norte County.

This law establishes LAFCo as an independent public agency within Del Norte County. LAFCo functions under applicable state statutes, and state and local policies relating to the organization of local government; specifically boundary changes for cities and most special districts (including sphere of influence, incorporations, reorganizations, annexations, detachments and other changes of organization). In this capacity, Del Norte LAFCo plans and regulates boundaries for cities and special districts within the County.

Proceedings for changes of organization of special districts or cities are subject to LAFCo review, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq. and 57000 et seq.).

A "change of organization" means any of the following:

- A city incorporation;
- A district formation;
- An annexation to, or detachment from, a city or district;
- A disincorporation of a city;
- A district dissolution;
- A consolidation of cities or special districts;
- A merger of a city and a district;
- Establishment of a subsidiary district; or
- The exercise of new or different functions or classes of services, or divestiture of the power to provide particular functions or classes of services, within all or part of the jurisdictional boundaries of a special district.

"Reorganization" means involving two or more of the above-listed changes of organization contained within a single proposal.

The following local government agencies are specifically excluded from LAFCo jurisdiction:

- A school district or a community college district;
- An assessment district or special assessment district;
- An improvement district;

- A community facilities district formed pursuant to the Mello-Roos Community Facilities Act of 1982;
- A permanent road division formed pursuant to Section 1160 of the Streets and Highways Code;
- An air pollution control district or an air quality maintenance district;
- A zone of any special district;
- A unified or union high school library district;
- A bridge or highway district;
- A joint highway district;
- A transit or rapid transit district;
- A metropolitan water district; and
- A separation of grade district.

The following local governmental agencies are not subject to LAFCO jurisdiction if the Commission determines that they are not a "district" or a "special district." If a determination is made that these agencies are not districts or special districts, conducting authority proceedings are held in accordance with the principal act that established the agency:

- A flood control district;
- A flood control and floodwater conservation district;
- A flood control and water conservation district;
- A conservation district;
- A water conservation district;
- A water replenishment district;
- A California water storage district;
- A water agency; and
- A county water authority or a water authority.

1.2 Agencies Subject to Del Norte LAFCo Jurisdiction

The Commission has jurisdiction over one municipality and 21 special districts. Some districts provide more than one type of service.

Cities

City of Crescent City

Fire Protection Districts

Crescent
Fort Dick
Gasquet
Klamath
Smith River

Community Services Districts

Bertsch-Ocean View
Big Rock
Church Tree
Gasquet
Klamath
Redwood Park
Smith River
HRC
Hunter Valley

Other Districts

County Service Area No. 1
Crescent City Harbor District
Del Norte County Fairgrounds
Recreation and Park District
Del Norte County Library District
Del Norte Healthcare District
Del Norte Resource Conservation District
Smith River Cemetery District

1.3 Conflict with State Statutes

If any conflicts occur between the adopted Del Norte LAFCo procedures and state statutes, the state statutes shall govern.

Section II

Commission Membership, Meetings, and Budget

2.1 Purpose and Authority

These rules are adopted pursuant to the authority vested in the Commission by Government Code (G.C.) Section 56375, permitting the Commission to make and enforce regulations for the fair and orderly conduct of Commission hearings.

2.2 Membership

Del Norte LAFCo shall consist of five regular members and three alternate members, appointed pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended.

All members of LAFCo are selected for staggered four-year terms that conclude on the first LAFCo meeting of the expiring year, or when the appointing body term has ended, whichever comes first. The length of a term shall not be extended more than once (G.C. Section 56334).

Any member may be removed at any time and without cause by the body appointing that member (G.C. Section 56334). If a county or city member ceases to hold office during his or her term as a commissioner, that member's seat on the Commission shall be considered vacant (Government Code Section 56337). Any vacancy in the membership of the Commission shall be filled for the unexpired term by appointment by the body which originally appointed the member whose office has become vacant. The alternate member in that category shall serve on the Commission until a new regular member has been appointed.

2.2.1 Composition of Del Norte LAFCo

Del Norte LAFCo consists of five members and three alternates: two members and an alternate representing the County of Del Norte; two members and an alternate representing the City of Crescent City; and one member and alternate representing the general public. The Commission may appoint two members and an alternate to represent special districts to serve on LAFCo if requested by independent special districts (G.C. Section 56332.5).

2.2.2 Selection and Appointment of Members

A. County Members and Alternate

The Del Norte County Board of Supervisors shall appoint two regular members and one alternate member from its membership to serve on the Commission. The annual appointments shall be made in accordance with the Board of Supervisors' appointment policies and procedures.

B. City Members and Alternate

The Crescent City Council shall appoint two regular members and one alternate member from its membership to serve on the Commission. The annual appointments shall be made in accordance with the City of Crescent City appointment policies and procedures.

C. Public Members and Alternate

A public member and an alternate public member shall be appointed by the other regular members of the Commission. Appointment of the public member and alternate shall be subject to the affirmative vote of at least one of the members appointed by each of the other appointing authorities (G.C. Section 56325). The public member/ alternate public member cannot be a current officer or employee of the county, city or special district located in Del Norte County.

2.2.3 Alternate Members

Each category of membership (county, city, and public) has an alternate member. Alternate members serve when a regular member, in the membership category he or she represents, is absent or chooses not to participate in a matter before the Commission. Alternate members are a valuable resource and are encouraged to attend and participate in Commission meetings and committees. Alternate members may provide comment on proposals coming before the Commission during public hearings on those proposals. Alternate members may participate in deliberations but may vote on proposals and participate in closed sessions of the Commission only when a regular member of the same category is absent or disqualifies him or herself from participating.

2.2.4 Member Vacancies

For the purposes of this policy, a vacancy is a position or office that is unfilled or unoccupied. A vacancy occurs if a commissioner resigns or otherwise leaves office during his or her term. Any vacancy in the membership of the Commission shall be filled for the unexpired term as follows:

A. County Members and Alternate

On behalf of the Commission, the Executive Officer shall notify the clerk of the Del Norte County Board of Supervisors requesting appointment of a replacement member to complete the term of office. The Executive Officer shall provide updated information to the Commission as to the status of the selection. Until a regular member is selected and qualified, the alternate member in that category shall serve on the Commission.

B. City Members and Alternate

On behalf of the Commission, the Executive Officer shall notify the clerk of the City of Crescent City requesting appointment of a replacement member to complete the term of office. The Executive Officer shall provide updated information to the Commission as to the status of the selection. Until a regular member is selected and qualified, the alternate member in that category shall serve on the Commission.

C. Public Member and Alternate

Unless the vacancy is announced at a Commission meeting, the Executive Officer shall place on the next Commission agenda consideration of filling the vacancy. The Commission shall direct staff to give notice of the vacancy to the clerk or secretary of the legislative body of each local agency within the county. The notice of vacancy shall include a summary of the qualifications for the position as specified in Government Code Section 56331 (e.g., can't be an officer or employee of the county, any city, or special district). The Executive Officer shall provide notice to at least one newspaper of general circulation and to community and other organizations, as is deemed appropriate. The Executive Officer shall also cause notice to be posted on or near the doors of the meeting room of the Commission.

The Executive Officer shall, unless otherwise directed by the Commission, establish an application period of 30 days from the date of the posting of the notice, for acceptance of applications. The Executive Officer shall review all applications received within the established time period, for completeness. The alternate public member may apply for the position of public member by submitting an application.

The Commission shall interview applicants and make an appointment subject to the affirmative vote of at least one of the members appointed by each of the other appointing authorities (G.C. Section 56325). If appropriate the Commission may appoint a screening committee to screen applications to reduce the number to be interviewed to a manageable number. The Commission shall not fill the vacancy prior to the end of the application period.

The public member may participate as a commissioner as soon as he or she has been qualified. Until the public member is selected and qualified, the alternate public member shall serve on the Commission.

2.2.5 Member Voting

A Commission member, or alternate member when sitting as a Commissioner, may not be disqualified from voting on any matter pertaining to his or her area or political jurisdiction (G.C. Section 56336). All Commissioners shall exercise their independent judgment on behalf of the interests of the residents, property owners, and the public as a whole and not solely the interests of the appointing authority (G.C. Section 56325.1).

2.2.6 Officers

The Chair and Vice Chair shall be elected by a majority vote of the Commission. Elections shall be held annually at the first regular Commission meeting of the calendar year. The offices of Chair and Vice Chair are one year terms.

The Chair shall preside at Commission meetings and shall conduct the business of the Commission in the manner prescribed by these rules. The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Commission. The Chair shall be permitted to participate in debate without surrender of the chair.

In the absence of the Chair or if the Chair is unable to participate in the proceedings, the Vice Chair shall preside with all the powers and duties of the Chair. In the absence of the Chair and Vice Chair or if the Chair and Vice Chair are unable to participate in the proceedings, the members of the Commission present shall, by an order entered in the minutes, select one of their members to act as Chair Pro Tem with all the powers and duties of the Chair.

Should the Chair or Vice Chair cease to be a member of the Commission, the Commission shall elect a successor to fill the unexpired term of the position at the next regular Commission meeting following the occurrence of the vacancy.

2.3 Meetings

2.3.1 Regular Meetings

Regular meetings of the Commission shall be held on the fourth Monday of each month, commencing at 4:00 p.m., unless modified by the Commission. If a regular meeting date falls on a holiday, the regular meeting shall be held on the preceding or succeeding Monday that does not fall on a holiday, unless modified by the Commission. If no matters have been set for a regular meeting and there is otherwise no business to transact, the Chair of the Commission, upon recommendation of the Executive Officer, may cancel the regular meeting and direct the Executive Officer to notify members of the Commission and those on the Commission's mailing list for meetings; notification of the cancellation will be posted on the Commission's website.

2.3.2 Special Meetings

Special meetings of the Commission may be called at the discretion of the Chair or upon request of a majority of the Commission members. The order calling a special meeting shall specify the time, date and place of the meeting and the business to be transacted. The time set for a special meeting shall be at least 24 hours after the order thereof is received by Commissioners. No business other than that specified in the order calling the meeting shall be considered at a special meeting. The Executive Officer shall cause notice of a special meeting to be delivered to Commission members and the news media in accordance with G.C. Section 54956.

2.3.4 Adjourned Meetings

The Commission may adjourn any meeting to a date and place certain. Any adjourned meeting shall be deemed a part of the original meeting so adjourned.

2.3.5 Location of Commission Meetings

Unless otherwise determined by the Commission, all Commission meetings are held in the Board of Supervisors Chambers at the County Administrative Center, 981 H Street, Suite 100 Crescent City, California. Committee meetings may be conducted in conference rooms at the same general location, if possible.

2.3.6 Agendas for Meetings

At least 72 hours before a regular meeting, an agenda will be posted both at the Commission's regular place of posting and on the Commission's website. The agenda will contain a brief description of each item of business to be transacted or discussed at the meeting.

2.3.7 Commission Mailing for Meetings

For each meeting, Commission staff will prepare an agenda, to be mailed, distributed personally, or e-mailed to Commissioners, depending on their preference, approximately one week before the meeting, to allow Commissioners opportunity for review. Also included in the mailing will be the Executive Officer's Reports, including recommendations, draft resolutions, if appropriate, other materials relating to matters to be considered at the meeting, and minutes of the previous regular meeting and any intervening special meeting.

Any writings or documents provided to a majority of the members of the Commission regarding any item on this agenda after the posting of the agenda and not otherwise exempt from disclosure will be made available for public review at the Commission office during normal business hours. If the supplemental materials are made available to the members of the Commission at the meeting, a copy will be available for public review at the office and at the Commission meeting itself.

2.4 Meeting Procedures

2.4.1 Rules of Order

Robert's Rules of Order is designated as the general guide for conducting meetings and will be used to resolve points of order, unless said rules conflict with provisions of the California Government Code concerning the meetings of public entities and agencies.

2.4.2 Quorum

Three members of the Commission shall constitute a quorum for the transaction of business. Alternate members, when seated in place of regular members, shall be considered a regular member for quorum determination. In the absence of a quorum, the Chair or Vice Chair, or if not present, the Executive Officer shall adjourn the meeting to a stated time and place.

2.4.3 Majority Vote

An affirmative vote of at least three members of the Commission, including alternate members when seated in place of regular members, shall be required to approve any proposal or other action.

2.4.4 Motions

The Chair or any other member of the Commission may introduce or second any motion.

2.4.5 Voting

The roll need not be called in voting upon a motion except when the matter involves the adoption of a Resolution, or a roll call vote is requested by a member of the Commission. If the roll is not called and no objection is raised by a member of the Commission, the Chair may order the motion unanimously approved.

2.4.6 Public Participation

All meetings of the Commission and its committees shall be open to the public. Property owners, registered voters, interested parties and members of the public are encouraged to attend Commission meetings and state their views.

- A. Any interested persons may address the Commission on any matter not on the agenda during the time allotted on the agenda for "Public Comment."
- B. The Chair will announce the opportunity for public comment during public hearings on items on the Commission's agenda.
- C. The Commission will hear and consider all oral or written comments presented by any affected agency or any interested person on any agenda item.
- D. The Chair may regulate the order of such presentations and may direct the focus of public comment for any given proposal.
- E. Comments of approximately three minutes per speaker are generally allowed. The Chair has full discretion and authority to impose time limits or grant additional time to any speaker. When the Commission considers a proposal, the Chair may allow more time to an applicant and/or his or her representative or proponent and/or to an organized opposition group.
- F. Persons wishing to speak to the Commission should approach the Commission and, upon being recognized by the Chair, are asked to state their name, geographical area of residence, and their interest in the matter under consideration for the record. All remarks shall be addressed to the Commission, as a body, and not to any member thereof.
- G. Only those issues that are brought up at the public hearing or in written correspondence delivered to the Commission at or prior to a meeting may be raised in any legal challenge to actions taken by the Commission.

2.4.7 Records of Proceedings

Proceedings of Commission meetings shall be reported in writing and shall be maintained in an appropriate Minutes File, which may be in digital form. A copy of the minutes of the preceding regular meeting and any intervening special meeting shall be mailed or otherwise distributed to each Commissioner along with the agenda. After Commission action, the approved minutes shall constitute the official record of the Commission.

2.5 Budget and Financial Procedures

2.5.1 Budget

The Commission shall prepare and adopt an annual budget in accordance with G.C. Section 56381. The Commission shall adopt, following noticed public hearings, a proposed budget by May 1 and a final budget by June 15 of each year. Copies of the proposed and final budgets will be provided to the County of Del Norte and the City of Crescent City for review and comment. The proposed and final budget shall be equal to the budget adopted for the previous fiscal year unless the Commission finds that reduced staffing or program costs will allow the Commission to fulfill the purposes and programs. The Commission shall approve all budgetary adjustments occurring during a fiscal year.

2.5.2 Funding

Funding for Del Norte LAFCo's operational needs shall be provided through a combination of appropriations from the County of Del Norte and the City of Crescent City, and application fees and charges.

Each fiscal year, after the Commission adopts the final budget, the County Auditor shall apportion the net operating expenses in the following manner: the County of Del Norte and the City of Crescent City will each pay 1/2 of the net operating costs in accordance with G.C. 56381 (b)(2). Statutory authority provides mechanisms for the Auditor to collect the amounts apportioned.

2.5.3 Budget Administrator

The Executive Officer shall serve as budget administrator to prepare, present, and transmit the budget to other agencies and to review, execute, and maintain the adopted budget.

2.5.4 Use of County Financial Functions

The Commission shall use the County Auditor for the following functions:

- A. Process claims and pay warrants.
- B. Collect county and city contributions to the LAFCo budget as required by Government Code Section 56381.
- C. Maintain the LAFCo trust fund.
- D. Deposit application fees and other revenues into the LAFCo trust fund.

2.5.6 Authorizations

It shall be the responsibility of the Executive Officer to authorize expenditures of funds within the framework and limitations of the budget adopted by the Commission. This responsibility shall include the power to enter into contracts on behalf of the Commission, provided that the Executive Officer shall obtain the concurrence of the Chair and consult with Legal Counsel prior to entering into any contract outside the scope of day-to-day business, including contracts for attorney, consultant, or other professional services. Staff

shall promptly notify the members of the Commission regarding establishment of contracts entered into on the Commission's behalf.

2.5.7 Fund Balance

The Commission shall determine the amount of an unreserved/ undesignated fund balance to be maintained, to provide for contingency needs of the Commission. If the fund balance amount exceeds the Commission's determination, near or at the end of a fiscal year, the Commission, upon recommendation of Commission staff, may use the fund balance in the next fiscal year.

2.5.8 Fees

- A. Each year, as part of the budget process, the Commission will review fees proposed by staff and adopt a fee schedule, for the purpose of recovering costs associated with proceedings taken pursuant to the Cortese-Knox-Hertzberg Act. With notice, the Commission may change fee amount charged at any time.
- B. Fees are a flat charge or a deposit towards the actual cost of staff time and auxiliary charges from outside vendors. When deposits are made, the Executive Officer shall issue to the applicant, upon completion of a project, a statement detailing all expenditures in excess of the deposit, or credits, if warranted. Excess funds shall be refunded to the applicant, as appropriate, and additional funds owed will be charged; all fee amounts owed must be paid prior to recordation of a certificate of completion for a project that the Commission has approved. Should fees be owed for a project denied or terminated, the outstanding amount must be paid within 90 days of the billing date or risk collections.
- C. In accordance with the Cortese-Knox-Hertzberg Act, the fees will not exceed the reasonable cost of providing the service.
- D. Applications submitted to the Commission must be accompanied by a non-refundable fee or deposit, as determined from the Fee Schedule in effect at the time the application is submitted. Unless other circumstances exist or other determinations have been made, processing will not begin until the application fee or required deposit is paid in full.
- E. The Commission may waive a fee if it finds that payment is detrimental to or contrary to the public interest.

2.6 Public Disclosures

2.6.1 Financial Disclosures

- A. Pursuant to G.C. Section 84308, regular members and alternate members are prohibited from accepting campaign contributions of \$250 or more from any person wishing to participate in proceedings by actively supporting or opposing an application that will come before the Commission. This prohibition begins 12 months preceding the date on which an application is before the Commission and continues

until three months after a final decision is rendered by the Commission. Any regular member or alternate member who has accepted such a contribution must disqualify himself or herself from the decision in the proceeding unless the regular member or alternate member returns that campaign contribution within 30 days of learning about the contribution and the fact that his or her contributor is a participant in the proceedings.

- B. Pursuant to G.C. Sections 56700.1, 57009, and 81000 et seq., any direct or indirect expenditures made for political purposes related to a proposal for a change of organization or reorganization that will be submitted to the Commission or for proceedings for a change of organization or reorganization that will be conducted by the Commission and contributions of \$1,000 or more in support of or in opposition to that proposal and/or that proceeding must comply with reporting and disclosure requirements of the California Political Reform Act of 1974, to the same extent and subject to the same requirements in that law as provided for local initiative measures.

Section III Policies and Procedures

Section IV Specific Application Policies and Procedures

**DEL NORTE
LOCAL AGENCY FORMATION COMMISSION**
1125 16th Street, Suite 202
Arcata, California 95521
TEL (707) 825-9301 FAX (707)825-9181
eo@delnortelaftco.org

AGENDA ITEM 3C

MEETING DATE: April 25, 2016
TO: Del Norte Local Agency Formation Commission
FROM: George Williamson AICP, Executive Officer
SUBJECT: Countywide Fire Services MSR & SOI Resolution

RECOMMENDATION

Approve Resolution No. 16-04 approving the Countywide Fire Services MSR and SOI Updates.

BACKGROUND

The Commission reviewed and approved The Countywide Fire Services MSR & SOI Update on June 22, 2015. However a Resolution was not formally approved at that time.

FIRE SERVICES UPDATE

LAFTCo staff created district fire maps and response areas for the Del Norte County Fire Services Automatic Mutual Aid Agreement. Used district maps to determine staging areas for the mutual aid agreement, and created an interactive fire services map to present to the district chiefs to aid in determining areas where mutual aid services are viable. Presented material at the March Del Norte Fire Chiefs meeting.

The district fire maps are also the basis for the mutual aid agreement currently being reviewed and accepted by in county districts and out of County districts. Out of county districts considering mutual or auto aid agreements include Harbor Oregon Fire District to north and Illinois Valley Fire District to east. The Orick CSD in Humboldt County, which provides fire services, is also considering mutual aid agreement with Klamath FPD.

ATTACHMENT

Resolution No. 16-04 Approving the Countywide Fire Services MSR & SOI

**DEL NORTE
LOCAL AGENCY FORMATION COMMISSION
1125 16th Street, Suite 202
Arcata, California 95521
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**RESOLUTION 16-04
APPROVING THE COUNTYWIDE FIRE SERVICES
MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE**

WHEREAS, the Del Norte Local Agency Formation Commission, hereinafter referred to as the "Commission", conducts studies of the provision of municipal services in conjunction with reviewing the spheres of influence of the local governmental agencies whose jurisdictions are within Del Norte County; and

WHEREAS, the Commission staff prepared a countywide municipal service review to evaluate the availability and performance of governmental services provided by the Crescent, Fort Dick, Gasquet, Klamath, and Smith River Fire Protection Districts, hereinafter referred to as the "Districts", pursuant to California Government Code Section 56430; and

WHEREAS, the Commission received a report and recommendations from its staff regarding the municipal service review and update of the District's spheres of influence in the manner provided by law; and

WHEREAS, a noticed public hearing on this matter was conducted on May 18, 2015 and continued to June 22, 2015; the Commission heard and fully considered all oral and written protests, objections, and evidence that was presented; and

WHEREAS, the Commission has considered all the factors required by law under California Government Code Sections 56430 and 56425.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Pursuant to Government Code Sections 56425 and 56430, the Commission approved and made the statements of determinations included in the Countywide Fire Services Municipal Service Review and Sphere of Influence Update on June 22, 2016, hereby incorporated by reference. However, a Resolution was not approved at that time.
2. The Commission, as Lead Agency, finds that the Municipal Service Review and Sphere of Influence Update is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). This finding is based on the Commission determining with certainty the update will have no possibility of significantly affecting the environment given no new land use or municipal service authority is granted.

PASSED AND ADOPTED at a meeting of the Del Norte Local Agency Formation Commission, State of California, on the 25th day of April 2016, by the following vote:

AYES:	Commissioners:
NOES:	Commissioners:
ABSENT:	Commissioners:
ABSTAIN:	Commissioners:

Gerry Hemmingsen, Chair

Attest:

George Williamson, Executive Officer