

REGULAR MEETING MINUTES

Del Norte Local Agency Formation Commission
March 27, 2017 4:00 pm

Members present: Blake Inscore (Vice-Chair), Roger Gitlin (Chairman), Jason Greenough, Bob Berkowitz, Sparky Countess

Members absent: none

Others present: Executive Officer George Williamson, County Counsel Elizabeth Cable, and Nicole Burshem, PS Business Services, Klamath Fire Protection District Board President Eloisa Gaboni, Yurok Tribe Council Vice Chairman David Gensaw, Yurok Tribe Executive Director Troy Ralstin.

1. Call to Order/Roll Call

Pledge of Allegiance – The Pledge of Allegiance was conducted by Commissioner Greenough

Welcome new regular County Member Bob Berkowitz (present) and alternate County Member Lori Cowan (not present) - Chairman Gitlin introduced the new County members and welcomed them.

Certificate of Appreciation for former County Member Gerry Hemmingsen - Mr. Williamson presented the certificate of appreciation and read the letter for Mr. Hemmingsen.

2. Closed Session

Public Comment on Closed Session items only: There was no public comment on closed session items. The Commission went into closed session at 4:30 p.m. and came out of closed session at 4:45 p.m. Elizabeth Cable, Legal Counsel stated there was nothing to report out of closed session

Conference with Legal Counsel- Existing litigation pursuant to Government Code § 54956.9(d)(1) *Bertsch-Ocean View Community Services District v. Del Norte LAFCo et. al* CVPT 16-1124

3. Public Hearings

A. FY 2017-18 Proposed Budget (ATTACHMENT 3A) – Chairman Gitlin opened public hearing at 4:50 p.m. Mr. Williamson reported each year the Commission considers a proposed budget. Based upon the action there is a budget distributed to the City and County. There is a follow-up budget hearing at the May 22nd meeting. The budget is exactly the same as last year with the only difference that the fund balance was to be over \$8,000, but turned out only to be \$4,500. In unrestricted funds this year we have an increase in CALAFCO membership, but the Staffing services are the same. We were anticipating a little increase in legal counsel fees and insurance. Mr. Williamson recommends approving the budget to send out and have the matter scheduled for

the May meeting. Commissioner Berkowitz asked what the advertising is in publications. Mr. Williamson responded it's for the use of noticing public hearings and the periodic budget in the Daily Triplicate. The commission posts hearing notices in the newspaper, posts (on website), and accounts for those cost accordingly. Commissioner Countess reported last year we requested to approach the City and County for funding and thinks we are early enough to approach the City and County for this year. Mr. Williamson responded if you look on the budget itself we had to reduce the City and County contribution to make this year's budget. We are looking to increase that this year. Chairman Gitlin asked where the 50/50 agreement came from. Mr. Williamson responded it is a ratio that was set up when LAFCO was formed. It has been applied across the board throughout California. Most LAFCO's pay 50%, but ones with several members in a special district pay 1/3 across the board.

Mr. Williamson reported that in Humboldt County, there are seven cities that pay 1/3, and 58 special districts that pay 1/3 and the County pays 1/3. It is also determined on the size of the district or city and the auditor figures out who can pay what based on budget, size, and function. This is a customary practice and not the only way. If you want to take action on the proposed budget on this amount to move us forward; staff is willing to do some research to bring back to the Commission what the City and County will contribute. Commissioner Inscore likes the idea of the special districts serving on the commission. Commissioner Berkowitz asked what the advantage is to have special districts part of the commission. Mr. Williamson responded it would bring representation of a group that is directly affected by LAFCO. It would lead to greater understanding and fuller participation in Municipal Reviews (MSRs) and Sphere of Influence updates.

On a motion by Commissioner Inscore, seconded by Commissioner Berkowitz, and unanimously carried the Del Norte Local Agency Formation Commission approved FY 2017-18 proposed budget.

4. **Regular Business**

A. Approval of January 23, 2017 Draft Minutes (ATTACHMENT 4A) –

On a motion Commissioner Greenough, seconded by Commissioner Countess, and unanimously carried the Del Norte Local Agency Formation Commission approved the January 23, 2017 draft minutes, as presented.

B. Budget Transfer Request (ATTACHMENT 4B) – Mr. Williamson reported this shows that all funds are in the right accounts. We have invoices from County Council in amount of \$9,055. The City did provide a check for \$6,558 and so your action today would be to approve the funds going into general council budget so Ms. Cable could continue to

represent LAFCO. Chairman Gitlin asked if this be a 50/50 basis. Mr. Williamson responded this is part of the application for the City to provide water to Elk Valley Rancheria. The City and the Rancheria will pay for the costs. The County will have to pay nothing.

On a motion by Commissioner Greenough, seconded by Commissioner Berkowitz, and unanimously carried on a polled vote the Del Norte Local Agency Formation Commission approved the Budget Transfer Request.

C. Klamath Fire Protection District Update

Discussion was held in regard to Klamath Fire Protection District. Introduction were made for: Klamath Fire Protection District Board President Eloisa Gaboni, Yurok Tribal Council Vice Chairman David Gensaw, and Yurok Tribe Executive Director Troy Ralstin. Mr. Williamson reported at the January meeting. There was a request to provide an update on the progress of the Klamath Fire Protection District compliance with MSR conditions. We looked at all the fire districts and we made a number of findings and determinations. Dealt with response and other determinations for their ability to provide services. After that there was a joint meeting of Yurok Tribe, Klamath Fire Protection District and Del Norte LAFCo, that was productive.

Del Norte LAFCo staff has been continuing to work with the tribe and the district. The tribe was provided a letter outlining the MSR and the importance of moving forward. Both Yurok Tribal Council Vice Chairman David Gensaw, and Yurok Tribe Executive Director Troy Ralstin addressed the commission on this topic. The Fire Protection District board was responsive and we talked about the implementation plans for the Redwood Casino and Hotel Agreement. Eloise and Troy met and scheduled a follow up meeting. The meeting was conducted on March 7th. There was a good turn out and an implementation plan was drawn out. A follow up meeting is scheduled on April 4th to get into the details of the Agreement implementation plan. One of the key activities is recruitment to get volunteers to respond to emergencies. There are some opportunities to the south with Humboldt and in Crescent City for training. Mr. Williamson is encouraged by the commitment made by the tribe. There is still work to do and we need some recruitment and also some fundraising.

Discussions include working with the County and exploring the potential for a benefit assessment increase. The existing assessment is not sufficient and we are going to work with the board and the district to see about going through a promotion program. Chairman Gitlin commented that was excellent news. Commissioner Berkowitz asked when the implementation plan will be available. Mr. Williamson responded the plan will be emailed out after April 4th. Commissioner Berkowitz asked about increasing the budget this year. Mr. Williamson

responded mostly public outreach and education. Just in the last couple of years we have been successful with Fortuna, Rio Dell, and both those cases we got together with the County, the district, and community with meetings, public information, website, mailings. The reason we were successful is people felt they were informed and it was equitable, and cost was necessary. We gave several different options in the community and asked them what they could support. We took their opinion to heart and did what the community asked for. We believe with outreach and letting the community set the level that is the greatest opportunity for success. Commissioner Berkowitz asked if this involved the Amador plan. Mr. Williamson responded it is an expensive option and can be done. We talked to everyone and asked flat out what would it take to staff the Klamath Glenn Station year-round with CalFire personnel. We believe it can be healthy and more responsive other ways.

Commissioner Inscore shared his appreciation for all his work on this. Commissioner Inscore reported Mr. Williamson has gone above and beyond LAFCo scope of work. This speaks volumes of what Mr. Williamson does for our communities. Commissioner Inscore thanked Mr. Williamson for all the work he has done. Chairman Gitlin reported that one of the components is allowing the volunteers to leave their place of employment and then return when needed. Troy, Yurok Tribe responded it is in place and allowing that has been allowed for a number of years. The issue is the lack thereof of volunteers. The tribe made that decision and the hard part is how to recruit and determine whether it's our employees or community members. Our employees aren't apart of the Klamath District. Our public works department is set up with the OES management. At the meeting that was held there was some concerns and there will be some work to do and commitment. It will be a work in progress for a while. Chairman Gitlin asked what is the next step, what can we expect, and when. Mr. Williamson responded he will update the Commission next month and talk about how to proceed with increased assessment.

5. **Inquiries, Correspondence, Application Status and Referrals**

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

Crescent City and Smith River CSD MSR Updates Initiated – Mr. Williamson reported we have been in touch with the MSR SOI updates and have been in touch with City manager for that update. There is a new general manager and Mr. Williamson has sent him the information. There is good progress and hope to bring back to the Commission at the July meeting.

CSDA Sponsored Legislation to Promote Special District Representation on LAFCo. Mr. Williamson reported the CSDA has been instrumental in

introducing bill 979. It's cosponsored by the special district and by CALALFCO. It simplifies the process and allows special districts to vote on a meeting they would conduct and would be able to participate in election process. 30 out of the 58 LAFcos have already been participating. 979 insures local decision making process for special districts. There's a location for information on the bills. Mr. Williamson has a lot of support and expects it to be very helpful and encourages them to consider it. Mr. Williamson will keep the Commission posted and this is moving forward. Chairman Gitlin would the Yurok Nation to have the opportunity to be on the board for special district. Mr. Williamson responded this would not include tribal governments.

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

The following Commissioners commented on the following:

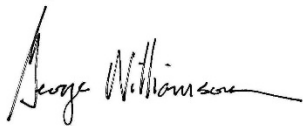
Commissioner Berkowitz requested that no speak in acronyms.

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

The following person(s) addressed the Commission: none

6. **Adjournment**

There being no further business to come before the Commission, the Chairman adjourned the meeting at 5:19 p.m. until the next regularly scheduled meeting on May 22, 2017 at 4:00 p.m.



Respectfully submitted,