

APPROVED MINUTES

**Del Norte Local Agency Formation Commission
VIDEO/TELECONFERENCE MEETING
March 28, 2022 4:00 pm**

REMOTE MEETING:

The Legislature approved as an urgency matter AB 361, which was signed by the Governor on September 16, 2021, which amends the Brown Act to allow continued public meetings flexibility following the Governor's Executive Orders expiration. The AB 361 modified meeting rules allowing remote meeting access can only be used in the event there is a Governor issued state of emergency. The Governor's COVID-19 state of emergency satisfies this requirement.

Members present: Darrin Short (County Member & Chair), Blake Inscore (City Member & Vice Chair), Valerie Starkey (Alternate County Member), Jason Greenough (City Member), and Judy Dobbs (Alternate Public Member)

Members absent: None

Others present: George Williamson (Executive Officer); Colette Santsche (Clerk/Administrator)

1A) Call to Order/Roll Call

Vice Chairman Short called the meeting to order at 4:00 p.m. A voice roll call was taken.

1B) Pledge of Allegiance

Commissioner Inscore led the Pledge of Allegiance.

1C) Acknowledgement of any new Commissioners: County Supervisors or City Council

Alternate Commissioner Starkey will continue to sit in as Alternate until a new District 5 Supervisor is appointed or a new appointment is made.

1D) Certificate of Appreciation to Supervisor Berkowitz's Family

A signed Certificate of Appreciation will be sent to Supervisor Berkowitz's Family

1E) Public Member Appointment

Two Candidates submitted information for Public Member Appointment Lyle Armstrong and Daniel Schmidt.

At Lyle Armstrong's request, the Executive Officer Read the following into Record:

LAFCo Members:

I apologize for not being able to join you for your meeting on March 28, 2022. I am launching my raft with friends for a 21-day trip on the Colorado River through the Grand Canyon, a chance of a lifetime. As such, I will be off the grid and not be able to participate in the meeting.

I have asked Mr. Williamson, that if he felt it appropriate, to read this letter to you when you come to Attachment 1 A on your agenda. Having lived in Del Norte County for over seven years I try to participate where I can to make our County a better place to live. I would like you to know that I would very much like to participate on the LAFCo team and feel that I have experience that could assist the team in its mission.

My precious experience as a Fire Chief included working with national consensus codes and working with various agencies including Planning and Zoning. This experience has allowed me to gain insight into working to ensure proper growth and services to the public in a professional, efficient, and fiscally responsible manner.

My last department budget was 6.25 million dollars. That budget included 1.5 million dollars for an aerial apparatus of which I had procured a grant for a 50% match. I

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understand how agencies need to plan, budget, and seek outside grants to meet their mission and goals. I would appreciate your consideration of allowing me to be a part of your team.

-Sincerely, Lyle Armstrong

Executive Officer Williamson noted prior public member Sparky Countess' long-standing service on the Commission. Due to the vacancy, staff distributed notices of vacancy and received two nominations. Executive Officer Williamson read a letter into record from Mr. Armstrong. Mr. Schmidt was recognized as being in attendance and available for questions. Commissioner Starkey asked whether there are any minimum qualifications including length of residency; Williamson confirmed there is a residency requirement but no length requirement.

Mr. Daniel Schmidt expressed his interest in the position and discussed his background and qualifications. He noted that he has a natural curiosity of local government and community services; has some LAFCo application experience in San Bernardino County; current editor of Del Norte Triplicate.

Commissioner Greenough noted it's important for the public member to represent the interests of the community and that its difficult as a new resident. Chair Short disclosed that Mr. Armstrong is an acquaintance of his through the fire service and believes he is an excellent pick, well qualified, and community minded. The Commission discussed qualifications of both candidates and appreciation for their interest in being part of the Commission.

On a motion by Commissioner Greenough, seconded by Commissioner Starkey and carried by a 5-0 vote the Commission appointed Lyle Armstrong as public member for the 2022-2026 term. This included affirmative votes from both City and County members.

1F) General Counsel Introduction

Executive Officer Williamson introduced Jim Underwood as new General Counsel. The Commission welcomed Mr. Underwood and he expressed appreciation for being able to assist the Commission.

2) Public Hearings

2A) Continued - South County Community Services Districts MSR/SOI Update

The Commission received a staff report. Executive Officer Williamson noted remaining items that were incorporated into final draft to make it complete. He noted a sphere expansion for Klamath CSD is proposed to the south to include service connections outside boundaries.

Vice-Chair Short opened the public hearing.

Commissioner Inscore asked about leaking tank for Klamath CSD and whether there is any risk to adequately provide this service in the next five years or imminent failure that could impact being able to provide services. Williamson noted that the tank had storm damage that has been since fixed but that they are hoping to construct a new tank in the next year. There is also ongoing testing and monitoring.

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On a motion by Commissioner Inscore, seconded by Commissioner Greenough and carried by a 5-0 vote the Commission approved the South County Community Services Districts MSR/SOI Update by Resolution 22-02.

2B) Fiscal Year 2022-2023 Draft Budget

The Commission received a staff report. Staff is proposing the increase in expenses be drawn from contingency funds so that city and county member contributions can remain the same.

Vice-Chair Short opened the public hearing.

Commissioner Starkey asked when the last time member contributions were increased. Commissioner Inscore noted that costs have been managed well over the years and have remained largely consistent.

On a motion by Commissioner Greenough, seconded by Commissioner Starkey and carried by a 5-0 vote the Commission approved the Fiscal Year 2022-2023 Draft Budget and directed staff to distribute the draft budget to member agencies by Resolution 22-03.

3) Regular Business

3A) Draft Minutes January 24, 2022

On a motion by Commissioner Inscore, seconded by Commissioner Starkey and carried by a 5-0 vote the Commission approved the January 24, 2022 Minutes.

3B) SB 938 Support Letter

The Commission received a staff report. Chair Short asked for clarification on the protest thresholds. Commissioner Inscore noted that this is a cleanup of the protest proceedings, which has been a difficult lift.

On a motion by Commissioner Inscore, seconded by Commissioner Greenough and carried by a 5-0 vote the Commission approved send a letter of support for SB 938.

4) Inquiries, Correspondence, Application Status and Referrals

4A) Staff - The Executive Officer will provide a report of current projects, issues of interest, and pending legislation.

The Executive Officer Read into Record:

AB 361 allows legislative bodies to continue to utilize remote/virtual platforms for meetings during a declared state of emergency by the Governor via Government Code §54953(e) et seq. AB 361 requires the Commission to continually evaluate the COVID-19 emergency and determine if remote teleconference meetings will continue due the circumstances of the state of the emergency and facts related to the potential risks to the health and safety of meeting attendees.

Executive Officer Williamson asked for direction from the Commission regarding the return to in person vs zoom teleconference. Inscore expressed that the Commission lends itself well to remote participation but not wanting to take advantage of AB 361 for personal gain. The Commission discussed the possibility of a hybrid meeting to allow public participation. Commission directed staff to hold next meeting May 23, 2022 in person with a hybrid option if feasible.

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- 4B) 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).**

Alternate Public Member Dobbs asked about the Alternate Public Member term that ends at the end of 2022. Staff to confirm this.

Commissioner Inscore recommended taking advantage of CALAFCO U-Courses, whether it be scheduled as a commission workshop in order for Commissioners to participate and become more familiar with LAFCo.

Commissioner Inscore noted he will absent May 23. The Commission discussed holding a special meeting to allow full participation considering the Fire MSR will be considered. Commission scheduled a special meeting on June 13th. Executive Officer to send a calendar invite.

- 4C) 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.**

None

5) Adjournment

Meeting adjourned at 5:20 PM. Next Special Meeting: June 13, 2022 (special meeting).