Les Baugh
County Member

Larry Farr
City Member

James Yarbrough
City Member

Irwin Fust
Special District Alternate

Pam Giacomini
County Member Alternate

Brenda Haynes
Special District Member

Rick Bosetti
City Member Alternate

David Kehoe
County Member

Stephen Morgan
Special District Member

Dick Fyten
Public Member

Bob Richardson
Public Member Alternate

Jan Lopez
Executive Officer

MINUTES
Special Commission Meeting December 18th, 2014
Redding City Council Chambers

(These minutes are not intended to be a verbatim transcription of the proceedings and discussion associated with the business on the Commission's agenda; rather, what follows is a summary of the order of business and general nature of testimony, Commission deliberation, and action taken.)

1. CALL TO ORDER

a. Chairman Morgan called the meeting to order at 9:02 a.m. at the Redding City Council Chambers, 777 Cypress, Redding, California.
Present: Chairman Morgan, Vice-Chairman Farr, Commissioners Baugh, Fyten, Haynes, Kehoe, Yarbrough. Alternate Commissioner Fust and Richardson were in the audience.
Staff Present: Executive Officer Jan Lopez, Attorney Jim Underwood, Manager Kathy Bull, Clerk Linda Romig.
Absent: None.

b. Alternate Commissioner Yarbrough led the Pledge of Allegiance.

2. PUBLIC COMMENT

Chris Kobe from Mountain Gate thanked Jan Lopez and staff for holding the application until the Tax Exchange agreement is completed.

3. ADOPTION OF AGENDA

a. Additions/Changes to the Agenda – Commission Baugh had question as to why Item 7.g. (response to comments from 11/20/2014 meeting) was under correspondence for information only and not a discussion item as directed by the Board. Commissioner Farr stated the Executive Committee which handles the layout of the agenda did not remember that this was to be discussed and stated there was no problem in pulling it from correspondence. Commissioner Kehoe formally pulled it off the calendar for consent.

b. Business/Campaign Conflict Disclosures – No conflicts were disclosed.

4. SPECIAL PRESENTATIONS

None provided.

5. CONSENT CALENDAR

a. Approval of Minutes – None provided.

b. Financial Status Reports – None provided.

c. Notification/Status of pending and/or new applications, provided as informational only:

1) #2012-03 – Mayers Memorial HD/Annexation #1 – awaiting responses to circulated documents
2) #2013-03 – Mountain Gate CSD/Union School Road Reorganization – pending completion of Property Tax Exchange agreement
3) #2013-04 – Deschutes Reorganization – awaiting submittal of final documents and fees
4) #2014-01 – Shasta CSD/Foxwood #2 Reorganization – Property Tax Exchange time extended by request of County 12/5/2014
5) #2014-02 – Burney WD/Highmark Annexation – Property Tax Exchange time extended by request of County 12/5/2014

Motion to approve the consent calendar was presented by Commissioner Farr, seconded by Commissioner Kehoe and passed unanimously by the following votes:
Ayes: Baugh, Farr, Fyten, Haynes, Kehoe, Morgan, Yarbrough
Noes: None
Abstain: None
Absent: None

6. PAYMENT OF CLAIMS FY 2013-2014

a. Consulting Services Claims

1) LAFCO #2012-03: Annexation No. 1 – Mayers Memorial Healthcare District

Ms. Lopez presented an invoice regarding services provided to Mayers Memorial Healthcare District

Motion to approve the claim was presented by Commissioner Haynes, seconded by Commissioner Yarbrough and passed unanimously by the following votes:
Ayes: Baugh, Farr, Fyten, Haynes, Kehoe, Morgan, Yarbrough
Noes: None
Abstain: None
Absent: None

7. CORRESPONDENCE – information only

Commissioner Baugh stated the agenda packet did not include a letter from John Duckett, City Manager of the City of Shasta Lake, regarding the newly adopted Sphere of Influence for the City of Shasta Lake and asked to read the letter. Ms. Lopez stated the letter Commissioner Baugh was speaking about was only received the day prior to the meeting and would be included in the next meeting agenda for discussion. When questioned about discussing a letter not included on the agenda, Commissioner Baugh responded he only wanted to read the letter, not discuss it and proceeded to read the letter. Commissioner Baugh requested that this item be placed on the next agenda for reconsideration of the prior adoption of the Sphere of Influence for the City of Shasta Lake, and the Commission consented.

a. Letter from Shasta County re Foxwood 2 Reorganization/Shasta CSD
b. Letter from Shasta County re Highmark Annexation/Burney Water District
c. Letter from Fall River Mills FPD

d. Minutes from McArthur FPD
e. Article on Shasta LAFCO in the Record Searchlight
f. Editorial in Mountain Echo newspaper
g. Amended Staff Report: Response to Comments from 11/20/2014 Meeting
h. Letter from Bert Stead – CSA #6 – Jones Valley Resident

Mr. Underwood noted that the item pulled (7.g.) relates to agenda item 11.d. and the commission could consider discussion at this point or later and left it at the Commission's discretion.

As clarification, Commissioner Baugh mentioned he had requested at the December 4, 2014 to have an item (now listed as 7.g.) regarding Chief Hebrard in order to discuss response to comments made by Chief Hebrard at the November 6th meeting. Commissioner Baugh talked about a series of documents not provided to the rest of the commission, and made observations about the content of documents. He expressed concern about Chairman Morgan and Commission Clerk Romig contacting CAL Fire, and the Executive Officer responding to Chief Hebrard comments of November 6th, and noted that the board acts at the direction of the public by the majority of the board. Commissioner Kehoe thanked Commissioner Baugh for calling it to the Commission's attention.

Chief Hebrard requested to speak in response to the Executive Officer comments originally presented on December 4, 2015 and resubmitted for December 18, 2015. He discussed bullet point seven in a staff report presented on November 6, 2015 regarding the Fall River valley coordinated Fire Protection District Sphere of Influence and shared his concerns.

Commissioner Kehoe moved for a recess at 9:35 a.m. to determine the status of the Executive Officer. Chairman Morgan called the meeting back in session at 9:36 a.m. after the return of the Executive Officer.

8. SCHEDULED PUBLIC HEARINGS

a. Executive Officer report re scheduled hearings

Ms. Lopez provided brief information regarding the studies.

b. Continued SOI/MSR Update Hearings

1) CSA #13 - Alpine Meadows

Ms. Lopez gave a brief description of the formation of Alpine Meadows.

Hearing was open to the public. Pat Minturn, County Public Works Director stated he would answer any questions on behalf of the County. The public hearing was closed.

Commissioner Haynes had a question regarding the budget listed on page 6 with Pat Minturn providing answers.

Motion to approve the Municipal Service Review and Sphere of Influence for County Service Area #13 – Alpine Meadows was presented by Commissioner Haynes, seconded by Commissioner Baugh and passed unanimously by the following votes:
Ayes: Baugh, Farr, Fyten, Haynes, Kehoe, Morgan, Yarbrough
Noes: None
Abstain: None
Absent: None

2) CSA #14 – Belmont

Ms. Lopez provided information regarding the Belmont Sphere of Influence. The public hearing was opened. Commissioner Haynes had questions regarding a shortfall in revenue. Pat Minturn explained more money is needed when there is a storm issue and use fund balances for that. Public hearing was closed.

Motion to approve the Municipal Service Review and Sphere of Influence for County Service Area #14 – Belmont was presented by Commissioner Baugh, seconded by Commissioner Yarbrough and passed unanimously by the following votes:
Ayes: Baugh, Farr, Fyten, Haynes, Kehoe, Morgan, Yarbrough
Noes: None
Abstain: None
Absent: None

3) CSA #17 – Cottonwood

Ms. Lopez provided information regarding the Cottonwood Sphere of Influence.

Meeting was opened to the public. Pat Minturn stated the report was fairly accurate and spoke about the sewer system. Commissioner Baugh asked if the map reflected the addition of 3,930 acres mentioned on page seven. Pat Minturn stated looking at the red line on the boundary map, he believed it to be accurate. Meeting was closed to the public.

Motion to approve the Municipal Service Review and Sphere of Influence for County Service Area #17 – Cottonwood was presented by Commissioner Kehoe, seconded by Commissioner Farr and passed unanimously by the following votes:
Ayes: Baugh, Farr, Fyten, Haynes, Kehoe, Morgan, Yarbrough
Noes: None
Abstain: None
Absent: None

4) CSA #25 – Keswick

Ms. Lopez provided information regarding the Cottonwood Sphere of Influence. The public hearing was open to the public. Pat Minturn explained the County was operating the water system. Hearing was closed to the public.

Motion to approve the Municipal Service Review and Sphere of Influence for County Service Area #25 – Keswick was presented by Commissioner Kehoe, seconded by Commissioner Haynes and passed unanimously by the following votes:
Ayes: Baugh, Farr, Fyten, Haynes, Kehoe, Morgan, Yarbrough
Noes: None
Abstain: None
Absent: None

5) CSA #6 – Jones Valley

Ms. Lopez provided information regarding the Jones Valley Sphere of Influence. The public hearing was open to the public. Pat Minturn provided answers asked by the Commissioners.

Steve Boyd, a rater payer in CSA #6 Jones Valley Water and live in the Elk Trail Community. He shared his concerns regarding evidence of extreme water loss and asked that his written comment be added to the Jones Valley report.

Burt Stead, thanked the Commission for the job being done, and asked that his letter to LAFCO be included in the report.

Roy Vincent, shared his concerns regarding water loss of eleven million gallons of water loss between January and August of 2014.

Nancy Wallin, a volunteer on the CSA #6 Board since 2002, had been told by public work that a 24% water loss was normal. Later it was learned an amount of 20% water loss was not normal and the district has seen water loss as high as 40%.

Clydine Bucannon served as an officer on Elk Trail while trying to get water. She thanked the LAFCO board for all the hard work and supported approval of the Municipal Services Review.

Peter Scales shared his experience with the County Public Works in trying to get water to his property. Hearing was closed to the public.

There was discussion regarding the inclusion of public documents in the MSR/SOI reports as it had not been included in the past documents.

Motion to approve the Municipal Service Review and Sphere of Influence for County Service Area #6 – Jones Valley with corrections to include the letter of comment (Exhibit F) and remove one paragraph from page two was presented by Commissioner Haynes, seconded by Commissioner Farr and was defeated by the following votes:
Ayes: Fyten, Haynes, Morgan
Noes: Baugh, Farr, Kehoe, Yarbrough
Abstain: None
Absent: None

Motion to approve the Municipal Service Review and Sphere of Influence for County Service Area #6 – Jones Valley with the letter of comment (Exhibit F) removed with reference paragraph four on page eight; the reference to Southern Shasta County be corrected to Northern Shasta County was presented by Commissioner Baugh, seconded by Commissioner Kehoe and passed by the following votes:
Ayes: Baugh, Farr, Fyten, Kehoe, Morgan, Yarbrough
Noes: Haynes
Abstain: None
Absent: None

6) Bella Vista Water District

Ms. Lopez provided very brief information regarding the Bella Vista Water District. The public hearing was open to the public.

David Coxey, stated there was a correction needed on page four, asked that striking agricultural water from the document. The meeting was closed to the public.

Motion to approve the Municipal Service Review and Sphere of Influence for Bella Vista Water District was presented by Commissioner Kehoe, seconded by Commissioner Farr and passed unanimously by the following votes:
Ayes: Baugh, Farr, Fyten, Haynes, Kehoe, Morgan, Yarbrough
Noes: None
Abstain: None
Absent: None

The Commission took a recess beginning 11:03 a.m. and returned at 11:11 a.m.

7) City of Redding

Ms. Lopez provided information regarding the updates for the Sphere of Influence.

Hearing was opened to the public. Kent Manual, Planning Department, requested corrections to the report involving the budget, information regarding a query be removed. He also provided information regarding Buckeye Fire Protection District and stated his staff is looking into the boundaries.

Motion to approve the Municipal Service Review and Sphere of Influence for the City of Redding Sphere of Influence with corrections was presented by Commissioner Fyten, seconded by Commissioner Baugh and passed unanimously by the following votes:
Ayes: Baugh, Farr, Fyten, Haynes, Kehoe, Morgan, Yarbrough
Noes: None
Abstain: None
Absent: None

8) Buckeye Fire Protection District

Ms. Lopez stated this item should be continued to the February meeting as no enough information had been provided.

Public hearing was open to the public.

Jerry Gray, Deputy Fire Chief from City of Redding, stated they had not been discussion regarding annexation between the City and the Buckeye board.

The public hearing was left open and was continued to the February 19, 2015 meeting.

9) Fall River Valley Coordinated FPD SOI

There was lengthy discussion regarding the coordinated Sphere of Influence, with references to.

Public Hearing was opened to the public.

Jerry Monath, resident of Fall River Valley, talked about the fire districts work together in the valley, and a sphere of influence that combines all three fire districts would be a first step to coordination.

Michael Hebrard, Chief Shasta County Fire Department, shared concerns regarding the maps, boundaries and information that had been included in the report. He handed out a proposed map the Fall River Valley area.

Brent Cassidy, Executive Officer of Lassen FPD, provided information regarding the four fire departments, three Boards and three Chiefs, and shared concerns regarding the Sphere of Influence.

Joe Bruce explained the Sphere Of Influence should include the valley floor of Fall River Valley, and wasn't in favor of Cassel being included.

Greg Mayers, Chief of Soldier Mountain, provided information regarding the services provided. He stated that the Lassen National Park is sixty miles south of their location and is covered under the CAL Fire direct protection agreement, and do provide services to the Lassen National Forest.

Don Sanberg, Assistant Chief of Soldier Mountain provided information regarding the formation of Soldier Mountain. He shared his concerns regarding the Sphere of Influence.

Gene R. Rogers, volunteer at Soldier Mountain Fire Station stated the Sphere of Influence would be a road map to future changes and is concerned about mutual aid agreements.

Don Chaix, Cassel Fire Chief stated Exhibit B in the report shows Cassel within the boundaries of the Sphere of Influence. He stated Soldier Mountain was a great asset to the County.

Edie Balter, a Cassel resident, stated residents had not been notified that LAFCO had put Cassel inside the Sphere of Influence, and shared corrections that should be made to the report.

Barbara Briggs, commended the Commissioners and Ms. Lopez for handling the backlog of work that had been completed, and gave advantages to having the coordinated Sphere of Influence.

After lengthy discussion regarding various issues with the Sphere of Influence, continuing the hearing to a future date was discussed.

Motion to continue to February 5th presented by Commissioner Baugh, seconded by Commissioner Kehoe and passed unanimously by the following votes:
Ayes: Baugh, Farr, Fyten, Haynes, Kehoe, Morgan, Yarbrough
Noes: None
Abstain: None
Absent: None

10) Fall River Mills Fire Protection District

The District was discussed as part of the Fall River Valley Coordinated FPD.

c. Non-Functional CSA's Proposed for "Zero" SOI

Ms. Lopez explained the CSA's are non-functional and asked that the CSA's be consider as on unit, and to waive any publication fees necessary for dissolving the agencies.

1) *CSA #5 – Silverbridge (not completed; removed from consideration)*
2) CSA #9 – Whispering Oaks
3) CSA #10 – Shasta Lake Ranchos
4) CSA #12 – Holiday Acres
5) *CSA #16 – Termey Drain (not approved by LAFCO; removed from consideration)*
6) CSA #18 – Cairns Road
7) CSA #19 – River Oaks
8) CSA #21 – Anderwood
9) *CSA #22 - Ox Yoke (already dissolved; removed from consideration)*
10) CSA #24 – White Oak
11) CSA #26 – Knighton Road

Motion to approve the Zero Sphere of Influence for the County Services Area's (5, 9, 10, 12, 16, 16, 18, 19, 21, 22, 24, 26) was presented by Commissioner Fyten, seconded by Commissioner Baugh and passed unanimously by the following votes:
Ayes: Baugh, Farr, Fyten, Haynes, Kehoe, Morgan, Yarbrough
Noes: None
Abstain: None
Absent: None

9. NEW BUSINESS

a. Consider Renewal Building Rental Agreement
b. Consider Renewal of Legal Counsel Contract
c. Consider Renewal of Executive Officer Contract

Ms. Lopez asked the Commission to have these items set for the January agenda. The Commission agreed to have the items set for January 8, 2015.

10. OLD BUSINESS

a. Continued, non-hearing related matters - None provided.

b. Commission Committee Reports

1) Fiscal Committee – No report was provided.

2) Executive Committee Report – No report was provided.

3) Next Committee Meetings
   i. The next Fiscal Committee meeting will be held at 10:00 a.m. on December 29, 2014 at the Shasta LAFCO office. Both Commission Baugh and Fyten will not be available. The meeting will be skipped for December. The next Executive meeting will be on December 29, 2014 at 3:00 p.m. in the Shasta LAFCO office.
   ii. On January 26th, the Fiscal Committee will meet at 10:00 a.m. and the Executive Committee will meet at 3:00 p.m. with both meeting located at the Shasta LAFCO office.

11. EXECUTIVE OFFICER REPORT

a. Administrative & Operations

Ms. Lopez reported no changes other than updating the website with the newly adopted SOI's.

b. Master MSR/SOI Study Update

Ms. Lopez reported actions had been taken on sixty agencies in the past year. Mr. Underwood stated he thought LAFCO was in compliance with the completion of the MSR/SOI's as it pertained to a recent lawsuit.

12. CLOSED SESSION

None scheduled.

13. COMMISSIONER ANNOUNCEMENTS

Commissioner Haynes stated she would not be available for the February 5th meeting, and it was agreed to change the date to February 12, 2015.

14. STAFF ANNOUNCEMENTS

a. Conferences, meetings, and events of interest to Commissioners

None reported.

b. Next Meeting will be held on January 8, 2015 at 9:00 a.m. in the Anderson City Council Chambers.

c. Future Proposed Agenda Items

1) Continuation of MSR/SOI reviews – No information provided.

2) Presentation of applications as they mature to hearing stage – None provided.

15. ADJOURNMENT OF MEETING

There being no further business, Chairman Morgan adjourned the meeting at 1:37 p.m.

ATTEST:

Kathy Bull
Acting Clerk to the Commission

APPROVED:

Stephen Morgan
Chairman

DATE: 2/19/15

DATE: 2/19/15