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

James M. Underwood
Interim Executive Officer/
General Counsel

MINUTES
Commission Regular Meeting on April 2, 2015
Anderson City Council Chambers 1877 Howard Street, Anderson, California

(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.** Chairman Morgan called the meeting to order at 9 a.m. at the Anderson City Council Chambers 1877 Howard Street, Anderson, California

   a. **Present:** Chairman Morgan, and Commissioners Baugh, Farr, Fyten, Haynes, Kehoe and Weaver.
   Staff Present: Contract Executive Officer Jan Lopez, General Counsel Jim Underwood and Debbie Molnar were in attendance, and Alternate Commissioners Fust and Richardson were in the audience as well.
   Absent: Kathy Bull, Office Manager.

   b. The Pledge of Allegiance was conducted.

2. **PUBLIC COMMENT**

   Note: The temporary staff notes and recordings of this meeting do not reflect who spoke, therefore a list of speakers and comments are not available.

3. **ADOPTION OF AGENDA**

   a. Additions/Changes to the Agenda – No changes were presented.

   Motion to adopt the agenda was presented by Vice-Chairman Farr, seconded by Commissioner Haynes and passed by the following votes:
   Ayes: Baugh, Farr, Fyten, Haynes, Kehoe, Morgan and Weaver.
   Noes: None
   Abstain: None
   Absent: None

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

4. **SPECIAL PRESENTATIONS/APPOINTMENTS:**
   (a) The Commission appointed Bob Richardson (Alternate Public Member) to fill the vacancy on that Committee.

   Motion to appoint Mr. Richardson was presented by Commissioner Haynes, seconded by Vice-Chairman Farr and passed by the following votes with one dissention:
   Ayes: Baugh, Farr, Fyten Haynes, Kehoe, Morgan and Weaver.
   Noes: None
   Abstain: None
   Absent: None

5. CONSENT CALENDAR:
(a) The Executive Officer's "Financial Status Reports" were removed from Consent Calendar for Commission discussion.

The Commission approved the remaining consent Calendar items as presented, by motion of by Commissioner Baugh, seconded by Commissioner Haynes and passed by the following votes:
Ayes: Baugh, Farr, Fyten Haynes, Kehoe, Morgan and Weaver.
Noes: None
Abstain: None
Absent: None

(b) Commissioner Baugh questioned Ms. Lopez as to why the financial reports provided to the Commission were not current as of the meeting date and if current information was available. Ms. Lopez said that more current information was not available. Irwin Fust, speaking as a director of the Clear Creek Community Services District, publically commented that Ms. Lopez' report that the current year budget would be exceeded and that the FY 2015-16 would need to be significantly increased, with corresponding increased contributions from the county, the cities and special districts, was unacceptable.

6. PAYMENT OF CLAIMS FY 2014-2015: The Commission deferred action on the claims presented by Ms. Lopez concerning the Foxwood #2 Reorganization/Shasta CSD: #2014-01 and Highmark Annexation/Burney WD: #2014-02 7, projects.

Motion to defer payments was present by Commissioner Weaver, seconded by Commissioner Kehoe and passed by the following votes:
Ayes: Baugh, Farr, Fyten Haynes, Kehoe, Morgan and Weaver.
Noes: None
Abstain: None
Absent: None

7. CORRESPONDENCE: The presented correspondence was received with no formal action taken.

8. SCHEDULED PUBLIC HEARINGS

(a) The proposed Shasta Community Service District/Foxwood 2 Reorganization (#2014-01) consisting of annexation of territory to Shasta CSD; concurrent detachment of said territory from Centerville CSD and CSA #1; and adoption of a Negative Declaration pursuant to California Environmental Quality Act (CEQA), was presented by Ms. Lopez. This is a 100% consent landowner application. Mr. Koeper, Manager of the Shasta CSD, briefly commented.

The Commission approved the proposed resolution for the project as proposed, motioned by Commissioner Baugh, seconded by Commissioner Kehoe and passed by the following votes:
Ayes: Baugh, Farr, Fyten Haynes, Kehoe, Morgan and Weaver.
Noes: None
Abstain: None
Absent: None

(b) The proposed Burney Water District/Highmark Annexation (#2014-02) and adoption of a Negative Declaration pursuant to the California Environmental Quality Act (CEQA), was presented by Ms. Lopez. This is a 100% consent landowner application.

The Commission approved the proposed resolution for the project as proposed, motioned by Commissioner Weaver, seconded by Commissioner Fyten and passed by the following votes:
Ayes: Baugh, Farr, Fyten Haynes, Kehoe, Morgan and Weaver.
Noes: None
Abstain: None
Absent: None

(c) The proposed Fall River Valley Coordinated FPD Service Area SOI was further considered by the Commission. Ms. Lopez presented the Commission with a staff report and related comments. Counsel Underwood was asked to comment on and briefly discussed options for consideration of alternatives to the action proposed by staff in light of public notice and related considerations. Public comments were received from Edie Baltzer, Bret Gouvea, Greg Mayer, Jerry Monath, Jean Rodgers, Don Sandberg, Diana Rogers, Bernard Zornes, Larry Russell, Kathy Ontano, Brent Cassidy, Joe Bruce, and Terry Briggs.

The Commission approved the proposed resolution for the project as proposed, motioned by Commissioner Haynes, seconded by Commissioner Fyten and passed by the following votes:
Ayes: Farr, Fyten Haynes, and Morgan.
Noes: Baugh, Kehoe and Weaver.
Abstain: None
Absent: None

9. NEW BUSINESS: The Commission considered a request of the CSA #6 - Community Advisory Committee to attach information presented by that Advisory Committee concerning the Commission's prior SOI/MSR approval for CSA #6 – Jones Valley SOI/MSR. Counsel Underwood expressed concern about modifying the administrative record of proceedings after the fact.

Action requested: approve request for addition of background data presented.

The Commission determined to have the subject Advisory Committee comments included in the administrative record but not appended to the prior adopted MSR/SOI for CSA #6, by motion of Commissioner Fyten, seconded by Commissioner Hynes and failed by the following votes:
Ayes: Fyten and Haynes.
Noes: Baugh, Farr, Kehoe, Morgan and Weaver.
Abstain: None
Absent: None

10. OLD BUSINESS: No action was taken on a proposed agreement between Jan Lopez and Shasta LAFCO for an 18-month agreement to provide Executive Officer services as an Independent Contractor.

11. EXECUTIVE OFFICER REPORT: No report was given.

12. CLOSED SESSION: The Commission recessed to closed-session to (a) Confer With Legal Counsel Regarding Update on Existing Litigation Pursuant to Government Code Section 54956.9(a): (Shasta LAFCO v. Mickelson-Beadle); (b) Consider the performance of Executive Officer pursuant to Government Code Section 54957(b); and (c) Consider the Appointment or Employment of an Executive Officer Pursuant to Government Code Section 54957(b). At the conclusion of the closed-session, and when the open session was resumed, Counsel Underwood announced that there had been no

reportable actions taken, that the Commission had therefore continued action on possible appointment of Jan Lopez as Executive Officer to a possible future date.

13. COMMISSIONER ANNOUNCEMENTS. None.

14. STAFF ANNOUNCEMENTS. None.

15. ADJOURNMENT OF MEETING. There being no further business, Chairman Morgan adjourned the meeting at approximately 12:45 p.m.

ATTEST:

James. M. Underwood
Acting Clerk to the Commission

DATE: 8/6/15

APPROVED:

Stephen Morgan
Chairman

DATE: 8-6-2015