



## **AUGUST 20, 2025 SPECIAL MEETING ADOPTED MEETING MINUTES**

### **1. CALL TO ORDER**

The special meeting was called to order at 9:00 a.m. in the City of Eureka Council Chambers and via Zoom video conference with Chair Madrone presiding.

### **2. FLAG SALUTE**

### **3. ROLL CALL**

|                     |                                                                                                          |
|---------------------|----------------------------------------------------------------------------------------------------------|
| Members Present:    | Heidi Benzonelli, Michelle Bushnell, Steve Madrone, Meredith Matthews, Troy Nicolini, and Elaine Weinreb |
| Members Absent:     | Cheryl Kelly                                                                                             |
| Alternates Present: | None                                                                                                     |
| Alternates Absent:  | David Couch, Debra Garnes, Gordon Johnson, and Mike Wilson                                               |
| Staff:              | Colette Santsche, Executive Officer<br>Krystle Brogna, Clerk/Analyst<br>Ryan Plotz, Attorney             |

### **4. PUBLIC COMMENT**

No public comment was received.

### **5. CONSENT CALENDAR**

#### **A) Approval of May 21, 2025 Regular Meeting Minutes**

**Motion Matthews/Nicolini** to approve the consent calendar. Motion passed by 6-0-0 voice vote.

### **6. PUBLIC HEARING ITEMS**

#### **A) Reconsideration of Kneeland Fire Protection District Goodwill Annexation**

Executive Officer (EO) Santsche presented the staff report on the reconsideration request submitted by legal counsel for Humboldt Redwood Company (HRC). The request asked that all of HRC-owned parcels be removed from the Kneeland Fire Protection District (FPD or District) Goodwill Annexation area previously approved by the Commission.

EO Santsche explained the distinction between wildland fire suppression, which is the exclusive jurisdiction of CALFIRE and other types of emergency responses such as structure fires, vehicle accidents, medical aid and hazardous materials incidents that are the responsibility of local agencies like Kneeland FPD. Other items discussed as part of the staff report included an overview of the District's recently adopted special tax (Measure D), the *Mendocino Redwood Company v. County of Mendocino*, case, relevant Health and Safety Code provisions, and LAFCo's statutory mandate to promote logical boundaries and efficient service delivery.

The Commission was advised of options: (1) deny the reconsideration request and reaffirm Resolution No. 25-01, (2) approve the reconsideration with modifications, or (3) continue the hearing for no more than 35 days.

Commissioners engaged in extensive discussion on the inclusion of commercial timberlands, particularly those owned by HRC, in fire district boundaries. Commissioners and counsel reviewed legal precedents involving Mendocino Redwood Company. Counsel Plotz explained that while the Court of Appeal confirmed that §13811 excludes commercial timberlands in SRAs from fire district boundaries, the decision was limited in scope and did not address issues related to rights-of-way or non-wildland services.

Commissioners expressed concern that pursuing inclusion of HRC parcels could expose LAFCo and the District to litigation, as HRC has stated its position that the law does not allow their lands to be included or taxed, whether unimproved or improved with structures. HRC's representatives reiterated their support for the community through donations but emphasized that statutory restrictions preclude annexation.

The Commission also discussed the broader policy implications. Several Commissioners noted the contradiction between LAFCo's mandate under the Cortese-Knox-Hertzberg Act to create logical, efficient boundaries and the statutory exclusion of timberlands under §13811. Concerns were raised about fairness, with smaller landowners subject to taxation while large timber companies are exempt. Commissioners also considered whether the issue should be resolved at the state level, noting CALAFCO and CSDA previously indicated that legislative reform would require sponsorship and broad-based support. Commissioners acknowledged that existing reimbursement policies for wildfire response do not cover the range of local emergency services districts provide, leaving gaps if timberlands remain excluded.

Public Comment: HRC's legal counsel, Stephen Johnson, reaffirmed that the law is clear and exclusion is mandatory. A local landowner expressed frustration about being included and taxed while larger companies are exempt. Lindsay Green of Kneeland Fire Protection District emphasized their desire to move forward with annexation despite the setback, noting the stress and potential loss of tax revenue caused by delays and the limited financial impact of excluding HRC parcels.

Following discussion, Commissioners weighed the risks of litigation, potential delays in tax revenue, and the need for long term legislative reform. While some emphasized the inequity of exempting large landowners, others expressed the importance of allowing Kneeland's annexation to proceed without further risk or delay.

**Motion Bushnell/ Matthews** to adopt Resolution No. 25-06, approving the reconsideration request, including all 17 HRC parcels, and rescinding prior resolution 25-03. Motion died by 3-2-1 roll call vote as follows:

AYES: Commissioners Bushnell, Matthews, and Nicolini

NOES: Commissioners Benzonelli and Madrone

ABSTAIN: Commissioner Weinreb

**Motion Nicolini/ Matthews** to continue the public hearing to a special meeting within 35 days. Motion approved by 5-1-0 roll call vote, with Commissioner Bushnell opposed.

**8. BUSINESS ITEMS - None**

**9. INFORMATIONAL AND CONTINUING ITEMS - None**

**10. EXECUTIVE OFFICER'S REPORT - None**

**11. WRITTEN CORRESPONDENCE - None**

**12. ADJOURNMENT**

The meeting was adjourned at 10:35 am. The next regular meeting of the Commission will take place on September 17, 2025 at 9:00am at the City of Eureka Council Chambers located at 531 K Street, Eureka, CA 95501.