

**JANUARY 20, 2021  
MEETING MINUTES**

**1. CALL TO ORDER**

The meeting was called to order at 9:00 a.m. via Zoom video conference with Vice Chair Lake presiding.

**2. FLAG SALUTE**

**3. ROLL CALL**

Members Present: Stephen Avis, Virginia Bass, Ali Lee, Debra Lake, and Mike Wilson  
Members Absent: Troy Nicolini  
Alternates Present: David Couch\*, Skip Jorgensen, and Sue Long\*  
Alternates Absent: Michelle Bushnell  
Staff: Colette Santsche, Executive Officer  
Ryan Plotz, Legal Counsel  
Krystle Heaney, Clerk/Analyst

*\*Alternates seated as voting member*

**4. NEW APPOINTMENTS**

**A) Status of Commissioner Terms**

Executive Officer Santsche provided an overview of current commissioner terms. A new City member is to be selected at an upcoming City Selection Committee and new County members were selected at the last Board of Supervisors meeting which included Virginia Bass and Mike Wilson as regular members and Michelle Bushnell as alternate.

**B) Certificates of Appreciation for Estelle Fennell and Paul Pitino**

Executive Officer Santsche presented certificates of appreciation to outgoing county member and chair Estelle Fennell and outgoing city member Paul Pitino for their exemplary service on the Humboldt LAFCo Commission. Commissioners expressed their gratitude for the outgoing members service and dedication to upholding the CKH Act.

**5. PUBLIC COMMENT – none**

**6. CONSENT CALENDAR**

**A) Approval of September 16, 2020 Regular Meeting Minutes** – no changes were requested

**B) Approval of 2021 Meeting Calendar** – no changes were requested

**Motion Bass/Wilson** to approve consent calendar. Motion passed by 7-0-0 roll call vote.

**7. BUSINESS ITEMS**

**A) Designation of Chair and Vice Chair**

At the beginning of each calendar year, the Commission designates a Chair and Vice Chair among their members. Minimal discussion was held that covered the qualifications of potential candidates.

**Motion Wilson/Avis** to designate Virginia Bass as Chair and Debra Lake as vice Chair. Motion Passed by 7-0-0 role call vote.

**8. PUBLIC HEARING ITEMS**

**A) Proposed Creekside Homes Annexation to the City of Arcata**

Chair Bass presided. Executive Officer Santsche provided an overview of the background and history of the Creekside Homes development project located on the western boundary of the City of Arcata and within its current Sphere of Influence. The presentation included a summary of comments received during the referral process which were limited and were generally in support of the project.

After reviewing referral comments, including those submitted by the Humboldt County Department of Public Works during the EIR process, LAFCo staff choose to analyze a modified annexation boundary, as an option to the City proposal and elected to hold a public hearing for the process and notice landowners in the area.

The Executive Officer provided detail on the City proposed annexation boundary which included the Creekside Homes development, Ennes Park expansion parcel, Foster Avenue road right-of-way, and adjacent railroad right-of-way. Detail was also provided on the modified annexation area which included the length of Foster Avenue, from Q Street to Janes Road, the conservation easement parcel west of the Creekside Homes development, and four additional parcels to the south of Foster Avenue in addition to the originally proposed annexation areas. It was noted that the modified annexation boundary would allow for merger and/or dissolution of the Janes Creek Storm Water Management District which largely overlaps the City apart from the few parcels included as part of the modified annexation boundary.

The Executive Officer provided detail on the recommended conditions of approval for both the original annexation boundary and the modified annexation boundary as outlined in the draft resolutions provided as part of the staff report.

City of Arcata Community Development Director, David Loya, was provided an opportunity to comment on the proposal. Director Loya provided background on the decades of planning that has gone into the Creekside project and expansion of Ennes Park. He discussed the City's Greenbelt polices and agricultural preservation policies relative to the modified boundary presented by LAFCo staff.

Director Loya choose to address a comment letter from a landowner in the modified annexation boundary that opposes annexation of Ennes Park based on City of Arcata General Plan Policies. He clarified that the City has specific policies regarding the Ennes Park expansion parcel because the land was purchased by the City in 1971 with park bond funds. As such, other General Plan policies regarding annexation of agricultural land do not apply. This is a topic that was vetted in detail during the City's

EIR process and culminated in a recorded mitigation measure for a 22 acre conservation easement adjacent to the Creekside Homes development. Director Loya also stated that there are no plans for the park property at this time and the City will be working with the community to develop a plan for the area.

Chair Bass opened the hearing to public comment and received comment from Sean Armstrong, a landowner and farmer in the modified annexation boundary and former project manager for the Creekside Homes development. Mr. Armstrong stated strong opposition to the annexation of the Ennes Park expansion parcel and cited General Plan policy that conflicts with the annexation. He stated that the conservation easement does not have a nexus with the park property, that the City has current park infrastructure that is outdated and unmaintained indicating there is no capacity for the City to take on additional park lands, that there would be no positive or neutral fiscal impact from annexation, and that the parcel is outside of the current Urban Services Boundary. Based on these statements, annexation would be in conflict with General Plan Policy. Mr. Armstrong provided the Storie Index of the parcel (100) indicating this is prime agricultural land and discussed the adjacent Deep Seeded community farm. He also asked that the commission address the island of agricultural land that would be created by the annexation and the creeping pressures of development that would impact the island. He concluded by stating he is a long-time supporter of the housing development and encouraged the Commission to annex the development site and not the farmland.

Hearing no other requests for public comment, Chair Bass opened the hearing to discussion and comment from Commissioners. Discussion focused on the different protections the agricultural land would have under the City versus the County. Commissioners Wilson and Bass felt that stronger protections would be provided under the City than the County. Commissioners requested more information on the history of agricultural land annexation and development in the County and Executive Officer Santsche stated that in her eight plus years with LAFCo only one other annexation, for the City of Fortuna, included agricultural lands which were in part removed from the proposed annexation.

Further clarification was given on the City of Arcata's General Plan policies with reference to the City prepared EIR. Director Loya noted that parcels within the modified annexation boundary would be zoned AE consistent with the land use map if brought into the city. It was also clarified that if further development of the Ennes Park expansion parcel was proposed, such as regional park facilities, it would trigger additional City review, CEQA documentation, and City Council approval.

Commissioner Avis requested clarification on modifications to Foster Avenue and access to Deep Seeded Farm through Ennes Park. Director Loya stated that most improvements to Foster Avenue would take place east of the development and that trail improvements would be made along the separate railroad right-of-way. He also indicated that there is an easement along the Ennes Park parcel for access to the farm and would verify its existence.

Discussion was also held on the future impacts on fire protection services from the development which was clarified to be minimal and would be covered by existing taxes and assessments which are assessed on a per parcel basis. Additional discussion covered potential changes in developers, co-management of Foster Avenue if left in the County, and inability of LAFCo to directly regulate land use.

**Motion Long/Wilson** to adopt Resolution 21-01 approving the modified boundary for the Creekside Homes Annexation with conditions. Motion passed by 5-2-0 roll call vote.

AYES: Commissioners: Avis, Bass, Couch, Long, and Wilson

NOES: Commissioners: Lake and Lee

ABSTAIN: None

\*Chair Bass closed the public hearing and left the meeting after the vote. Vice Chair Lake presided for the rest of the meeting. Alternate Bushnell was not in attendance, so no additional member was seated for voting.

**B) Municipal Service Review and Sphere of Influence Update for the City of Fortuna (continued from September meeting)**

Clerk Heaney provided the staff report on the revisions made to the Fortuna MSR based on commissioner comments from the previous meeting. Revisions included an acknowledgement of tribal lands, additional information on housing policies, a discussion of changes in traffic impact analysis, an expanded discussion of traffic areas of concern in the city, and updates on emergency planning.

The Commissioners held a brief discussion on the revisions and Commissioner Lee asked that a minor discussion on population impacts from COVID-19 be added to the document. Commissioner Avis also requested that the hard copy posting of City agendas be added. Liz Shorey from the City of Fortuna was available for comment and stated that the MSR was comprehensive and accurate based on the current standing of the City. No other public comments were received.

**Motion Pitino/Wilson** to adopt Resolution 21-02 approving the City of Fortuna MSR and SOI Update, with noted changes. Motion passed by 6-0-0 roll call vote.

AYES: Commissioners Avis, Couch, Lake, Lee, Long, and Wilson

NOES: None

ABSTAIN: None

**C) Municipal Service Review and Sphere of Influence Update for the City of Trinidad**

Clerk Heaney provided the staff report on the City of Trinidad MSR and SOI Update. The City offers multiple city services including water, stormwater management, parks and recreation, and volunteer fire services. While the City does not have a community wastewater collection and treatment system, it does manage an onsite wastewater treatment system program that oversees individual systems within the City. Fire services are provided by the Trinidad Volunteer Fire Department with significant

support from CSA 4 CAL FIRE Trinidad Station during the fire and non-fire season. The nearby Westhaven Volunteer Fire Department also provides aid when needed. She also provided an overview of the proposed SOI changes which were minimal. The changes would better follow parcel lines and water service subareas as designated by the City.

Vice Chair Lake opened the hearing for Public comment. Richard Johnson, a homeowner adjacent to the Trinidad Rancheria, provided comment. Mr. Johnson asked why the Baker Ranch Road area was not included in the City water service area even though there is water line that runs across the property. Contract City Planner Trever Parker indicated this area is not proposed for inclusion in the water service area because there are no service connections within the area, and it would be difficult to annex this portion of land. Further discussion was held on how different boundaries are set and the availability of future water sources for the Baker Ranch area.

David Hankin, a board member for Westhaven CSD, also provided public comment and stated that the document was well researched and written. He inquired about the process for submitting comments as there were some corrections that needed to be made in the document.

The Commissioners held a discussion covering several MSR topics including provision of water service to the proposed Trinidad Rancheria hotel project and adequate provision of fire services in the area. Commissioner Wilson asked for a more robust discussion of provision of fire services to the Trinidad area. Executive Officer Santsche stated this is an ongoing topic of discussion with area fire service providers and the Board of Supervisors Ad Hoc Fire Services Subcommittee. The proposed Humboldt Bay Municipal Water District feasibility study for extension of water services to the Trinidad area was also discussed. The Commission directed staff to revise the MSR as discussed and bring a revised draft MSR to the next regular commission meeting in March.

**Motion Avis/Lee** to continue the public hearing for the City of Trinidad MSR and SOI update to the March 17, 2021 regular commission meeting. Motion passed by 6-0-0 roll call vote.

AYES: Commissioners Avis, Couch, Lake, Lee, Long, and Wilson

NOES: None

ABSTAIN: None

## **9. INFORMATIONAL AND CONTINUING ITEMS**

### **A) Status of MSR Preparations**

Executive Officer Santsche presented the staff report for MSR preparations. Staff is continuing to push forward on FY 2019-20 MSRs including the Big Lagoon and Westhaven CSDs. Work is also continuing on the FY 2020/21 MSRs.

## **B) Status of Current and Future Proposals**

Executive Officer Santsche presented the staff report for Current and Future Proposals. Executive Officer is working with Board of Equalization on final filing of the Rio Dell FPD boundary change.

Additional future applications include the McDaniel Slough for the City of Arcata and two for Humboldt CSD covering North McKay Ranch and Mid McKay Ranch. LAFCo is also continuing fire services coordination efforts with the County.

## **10. EXECUTIVE OFFICER'S REPORT**

### **A) CALAFCO 2021 Events Calendar**

Executive Officer Santsche stated that the Events Calendar is now available for 2021.

### **B) CALAFCO Bulletin Special LAFCo Messaging with Flyer**

Executive Officer Santsche introduced the bulletin and provided a brief overview of the special flyers prepared by CALAFCO.

### **C) CALAFCO Daily Legislative Report (January 2021)**

Executive Officer Santsche introduced the legislative report which is also available online.

## **11. WRITTEN CORRESPONDENCE**

None

## **12. ADJOURNMENT**

The meeting was adjourned at 11:30 a.m. The next regular meeting of the Commission will be held on Wednesday, March 17, 2021, at 9:00 a.m. via Zoom webinar.