

AGENDA ITEM 5A

**MAY 23, 2024
DRAFT MEETING MINUTES**

1. CALL TO ORDER

The meeting was called to order at 9:03 a.m. in the City of Eureka Council Chambers and via Zoom video conference with Chair Bushnell presiding.

2. FLAG SALUTE

3. ROLL CALL

Members Present: Michelle Bushnell, Debra Lake, Ali Lee, Mike Losey, Steve Madrone, and Troy Nicolini
Members Absent: Steve Ladwig
Alternates Present: None
Alternates Absent: Heidi Benzonelli, Gordon Johnson, Jack West, and Mike Wilson
Staff: Colette Santsche, Executive Officer
Krystle Heaney, Clerk
Ryan Plotz, Attorney

4. PUBLIC COMMENT

No public comment was received.

5. CEREMONIAL ITEMS

A) Certificate of Appreciation for Debra Lake, Ali Lee, and Mike Losey

Three (3) Commissioners have terms that end on June 30, 2024. Executive Officer (EO) Santsche provided an overview of their service and gave thanks for their dedication to LAFCo. Commissioners Lake, Lee, and Losey noted their appreciation for the opportunity to serve and gave thanks to staff for their efforts over the years.

6. CONSENT CALENDAR

A) Approval of March 20, 2024 Regular Meeting Minutes

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

7. BUSINESS ITEMS

A) Professional Services Contract for Executive Officer and Support Staff

EO Santsche introduced the staff report and noted that this item was discussed at the last commission meeting. The current staff report includes the draft contract with Planwest Partners. No further discussion was held.

Motion Nicolini/ Losey to approve the contract with Planwest Partners for Fiscal Years 2024-25 and 2025-26. Motion passed by 6-0-0 roll call vote.

B) Professional Services Contract for Legal Counsel

EO Santsche introduced the staff report and noted that this item was discussed at the March 20, 2024 meeting. The current staff report includes the draft contract

amendment for legal services with Mitchell Law Firm. It is the same as previous contracts except for the updated rates. Commissioners noted that these business items were discussed in full at the previous meeting which is why limited discussion was being held.

Motion Losey/ Lake to approve the contract with Mitchell Law Firm for Fiscal Years 2024-25 and 2025-26. Motion passed by 6-0-0 voice vote.

8. PUBLIC HEARING ITEMS

A) Orick Community Services District Municipal Service Review and Sphere of Influence Update

Clerk Heaney introduced the staff report and provided an overview of the District. Details included the current district boundary and sphere of influence (SOI). The CSD has an all services SOI that is coterminous with the Districts boundary and a fire-only services SOI that extends over 120 square miles. The District is also planning to provide wastewater services and is currently working with LACO Associates on design. Regarding financials, of the five fiscal years reviewed, the District saw a loss for three. This was largely due to water operating expenses exceeding water revenues.

The public hearing was opened and Commissioners were invited to provide comment. Extensive discussion was held regarding District services. Commissioners ask for clarification on District finances including a large jump in general fund revenues from Measure Z funds in FY 2016-17. Concerns were also raised about the ability of the planned wastewater system to operate during power outages.

Substantial discussion was held regarding levee maintenance. Flooding is a major concern in the low-lying Orick valley. A recent storm even brought Redwood Creek three feet from the top of the levee. There is ongoing discussion about removing 1,000 feet of the levee at the mouth of the creek in order to improve ecology of the creek.

Commissioner Nicolini offered to meet with staff from Orick CSD to discuss design and funding options since Peninsula CSD is a little bit further ahead in the wastewater design process. He would also like to speak with them about setting up an emergency response plan for potential flooding emergencies.

Commissioners asked if it would be possible to activate levee maintenance services for Orick CSD. While it would be possible to active those powers, due to the ongoing planning efforts for wastewater services and limited staff capacity, as well as the complexity and cost of levee operations and maintenance services that is currently a responsibility of the County, it would not be advised to active additional levee powers for the District at this time.

Additional discussion was held regarding fire services planning in the area. There are limited services in the area from Trinidad north to the County border. There are ongoing coordination efforts with CSA #4, Trinidad VFD, Westhaven VFD, CAL FIRE, and Orick CSD. There may be changes coming in the next several years that will help improve fire services in the area. It was also noted that keeping the term 'fire' in the title when discussing emergency response services as it helps with funding efforts. The hearing was opened to public comment and no comment was received.

Motion Lee/ Nicolini to continue the public hearing to the next regular commission meeting on July 17, 2024. Motion passed by 6-0-0 roll call vote.

B) Final Budget and Work Plan for Fiscal Year 2024-25

EO Santsche introduced the staff report for the final budget which includes a small increase of 3% to member contributions. The final budget is the same as the proposed budget which was sent out to member agencies for review and comment. No comments were received. The hearing was opened for public comment and no comment was received.

Motion Losey/ Lee to adopt Resolution No. 24-04, approving the Final Budget for FY2024-25. Motion passed by 6-0-0 roll call vote.

9. INFORMATIONAL AND CONTINUING ITEMS

A) Status of Expiring Commissioner Terms

EO Santsche introduced the staff report and provided a brief summary of expiring commissioner terms in 2024. The City Selection Committee will be convened in early July. Staff will be reaching out to the various City Councils and conducting additional outreach prior to the meeting to help garner more interest. It is likely that all three city seats will be appointed. The Special District ballots were mailed out and are due at the end of the month. Staff have sent out reminder emails and phone calls which has resulted in numerous ballots being returned. It is hoped that a quorum will be reached by the end of the balloting period. However, if a quorum is not reached, the balloting period will be extended to allow more time for ballots to be returned and counted.

The Regular Public Member seat will be expiring and staff has sent out public notices to several news outlets. The notice was picked up by Lost Coast Outpost which has garnered additional interest. Several applications have been received so far. EO Santsche requested that the Public Member Selection Committee be appointed so that interviews can be conducted prior to the July LAFCo Meeting.

Commissioners Madrone, Losey, and Nicolini were appointed to the Public Member Selection Committee. EO Santsche will follow up with the Committee in the upcoming weeks.

B) Status Municipal Service Review Preparations

Clerk Heaney introduced the staff report and provided an overview of current MSR preparations. Staff appreciates the prior discussion held regarding the Orick CSD MSR/SOI Update. Comments received from the Commission and any interested public members will be incorporated into the document which will be presented at the July Commission meeting for final review and potential adoption.

Staff will begin working on the Orleans CSD MSR/SOI Update again and plans to bring a draft document forward at the July Commission meeting. Work has also started on the City of Eureka MSR/SOI Update including a review of the City's finances and its existing jurisdictional boundary.

Commissioners held a brief discussion on the status of MSRs. It was noted that the Karuk Tribe has been doing more in the Orleans area and it would be good to reach out to them in regards to future projects. EO Santsche will follow up with Commissioner Madrone, who is the County Supervisor for the area, to obtain contacts for the Tribe.

It was also noted that the Orleans Volunteer Fire Department is separate from the Orleans CSD. However, a discussion of fire services will be included in the Orleans CSD

MSR/SOI Update to document the range of options including the CSD activating its latent power to provide fire services for the CSD or forming a new FPD with sustainable funding through a parcel tax to help fund fire services in the area. Commissioners noted that the Orleans VFD was provided funding through Measure Z for a new fire hall and new engines.

C) Status of Current and Future Proposals

EO Santsche introduced the staff report and provided a brief summary of current applications. The Arcata FPD annexation was approved at the March Commission meeting. The EO scheduled a protest hearing for May 1st which was unattended by the public although several protests were received by mail prior to the hearing. Since the LAFCo office relocation occurred during the protest period and there were some issues with the mailing address, EO Santsche decided to extend the protest period. This is to ensure that all landowners or registered voters who wish to protest may have the opportunity to do so. Since the extension, no additional inquiries or protests have been received.

Fire services planning is continuing throughout the County as was mentioned during previous discussions. Humboldt CSD is still working on their annexation application. It is staff's understanding that they are reaching out to the County regarding property tax exchange.

10. EXECUTIVE OFFICER'S REPORT

A) CALAFCO Daily Legislative Report (May 2024)

B) CALAFCO Staff Workshop (April 2024)

EO Santsche noted that the current legislative list was included in the packet for Commission review. Staff are continuing to track potential legislation that may affect LAFCo. EO Santsche and Clerk Heaney both attended the recent CALAFCO staff workshop that was held in Pleasanton. Sessions included fire services consolidation, GIS mapping, clerking, and website ADA compliance.

11. WRITTEN CORRESPONDENCE - None

12. ADJOURNMENT

The meeting was adjourned at 10:18am. The next meeting of the Commission will take place on July 17, 2024 at 9:00am at the City of Eureka Council Chambers located at 531 K Street, Eureka, CA 95501.