

**MAY 20, 2020  
REGULAR MEETING MINUTES**

**1. CALL TO ORDER**

The meeting was called to order at 9:02 a.m. via Zoom video conference with Chair Fennell presiding.

**2. FLAG SALUTE**

**3. ROLL CALL**

Members Present: Stephen Avis, Virginia Bass, Estelle Fennell, Debra Lake, Robert McPherson, Troy Nicolini, and Paul Pitino  
Members Absent: None  
Alternates Present: Skip Jorgensen  
Alternates Absent: David Couch, Sue Long and Mike Wilson  
Staff: Colette Metz Santsche, Executive Officer  
Ryan Plotz, Legal Counsel  
Krystle Heaney, Clerk/Analyst

**4. PUBLIC COMMENTS - None**

**5. CONSENT CALENDAR**

**A) Approval of April 29, 2020 Special Meeting Minutes**

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

**6. BUSINESS ITEMS**

**A) Professional Services Contract for Executive Officer**

Executive Officer Santsche provided an overview of the Executive Officer Services contract between Humboldt LAFCo and Planwest Partners. It is the same as the previous contract except for a change of some rates.

Commissioner Avis inquired about the availability of public office hours discussed in the contract. Executive Officer Santsche stated that staff will likely be returning to the office soon, however, public access may continue to be limited due to COVID-19. The intent of the contract is to have the office open for regular public access.

Commissioner Bass asked why the Senior Advisor rate was higher than the Executive Officer rate. Executive Officer Santsche stated that the rates are based on the Planwest rates. George Williamson acts as the Senior Advisor and is the Principal for Planwest while Executive Officer Santsche is a Senior Planner. The rates reflect their different levels and experience.

**Motion Lake/McPherson** to support the current staff and approve the contract between Planwest Partners and Humboldt LAFCo. Motion passed by 7-0-0 roll call vote.

### **B) Professional Services Contracts for Legal Counsel and Engineering**

Executive Officer Santsche provided a brief overview of the staff report for the Mitchell Law Firm and GHD professional services contracts. These contracts would extend services for an additional two years.

**Motion Avis/McPherson** to have Mitchell Law Firm continue to provide legal services and GHD to continue with engineering services. Motion passed by 7-0-0 roll call vote.

## **7. PUBLIC HEARING ITEMS**

### **A) Proposed Annexation of Fire Service Areas Served by Scotia, Redcrest, and Shively Volunteer Fire Companies to the Rio Dell Fire Protection District and Divestiture of Power to Provide Fire Protection Services by Scotia Community Services District**

Chair Fennell opened the Public Hearing and Executive Officer Santsche provided the staff report and a presentation on the annexation. This included an overview of the process to date including a multiyear planning process for sustainable fire services in Humboldt County. She also provided an overview of the annexation areas, the reasons for the annexation, and how annexed parcels would be affected financially.

Commissioner Pitino asked if there was any size designation for what is considered a lot for the special assessment. Executive Officer Santsche clarified that there is no size limitation and that assessment charges are on a per parcel basis.

Chair Fennell invited members of the public involved with the process to speak if they were willing. Chief Wilson of the Rio Dell Fire Department began with discussing the history of the process including original discussions with the Town of Scotia. Other areas were brought into the discussions in order to provide better funding for the fire departments. He stated that Rio Dell, Scotia, Redcrest, and Shively have been training together for years and that they respond to incidents in similar way and that consolidation of the districts could provide up to 10 to 15 minutes faster response. He also provided an overview of the District structure and response plan.

Frank Basik from the Town of Scotia, LLC expressed support for the merger. He provided a brief history of the Scotia fire department and stated that services are provided to the area at the cost of the TOS LLC. The company is now in Phase 3 of its subdivision plan and will be divesting of all assets, including the fire department. He stated that the company will be providing \$200,000 to Rio Dell FPD to help with a smooth transition of fire services in Scotia. He thinks that the new organization structure will be sustainable and that the individual volunteer companies will be able to keep their local identity.

Val Childs of the Redcrest VFD Board of Directors discussed options presented to the Board to provide for more sustainable services. The annexation to Rio Dell FPD made the most sense to them. They were concerned about individuals who are living on limited incomes. She stated that she conducted research about the potential

financial impact and found that fire insurance rates are likely to go down as a result of the annexation which will offset the cost of the special assessment. She stated that the Board fully supports annexation to Rio Dell FPD.

Chief Wilson wanted to clarify that a portion of the annexation area is near Ferndale. This was done to match up fire protection boundaries with the Ferndale FPD boundary. Both Districts met to discuss the boundary options and agreed on a set line along Price Creek.

Chief John Broadstock from Scotia VFD stated that if no merger were to occur then the Scotia fire department would go away. He also clarified that fire departments do a lot more than respond to fires, they also provide a wide range of emergency response and community outreach. The Scotia fire department is supportive of the annexation. Chair Fennell also stated that fire departments do a lot in the community and are a valuable service.

Chair Fennell brought the discussion back to the Commission and asked for additional comment. Commissioner Lake stated the benefit Fruitland Ridge has received from becoming a District and also stated that their District allows for exemption from the special tax fees based on income so that lower income individuals are not overly burdened. She was wondering if any such exemption was written into the Rio Dell assessment. Val Childs stated that her Board would like to continue conducting bake sales and other forms of community funding to help support the department and those who are unable to pay the assessment fee.

Commissioner Avis stated that he appreciates the time staff has taken to lay out the annexation process and feels confident in the process. He stated that the Commission did receive several comment letters which were read, and he understands that a protest hearing will take place. He also asked for clarification on the protest hearing timeline. Executive Office Santsche provided an overview of the process and stated that a new mailed notice will be sent to landowners and voters in the annexation area for the protest hearing. Individuals can submit a written protest of the Commission's action. If less than 25% of the population protests the action, then the action stands, if 25-50% protest then an election will be held, and if more than 50% protest then the annexation would be terminated. This protest hearing will likely be held via Zoom due to COVID-19. This is much different than usual as protest hearings are often held in the affected territory. The next step after the protest hearing is to work with the different departments on conditions compliance. Once all conditions of approval are met then the annexation will become final.

Commission McPherson also indicated that he read the comment letters received and was concerned about the use of Zoom as one letter stated it impaired the public's ability to participate. Legal Counsel Plotz responded stating that the Governor's Executive Order allows the Commission to hold meetings by Zoom and that Zoom allows for participation by internet connection and by phone as indicated on the front page of the agenda. Chair Fennell stated that the comment came from a property owner that resides in Arizona and that the Zoom platform actually allows for

more participation by those who are not local since they can connect via internet or call in.

Chief Wilson wanted to clarify that the District is not proposing to raise property taxes. They would only be gaining their share from the existing taxes levied by the County. The only increase would be the special assessment for the District. He also stated that SRA fees are no longer charged and that rural lands are charged a higher assessment fee due to a lack of readily available water.

Commissioner McPherson thanked everyone for the information provided on the District and the other departments. He stated that this was a good idea and that annexation makes sense as the departments already work together.

Frank Basik thanked LAFCo and County staff for all their hard work and commended them on their consistency throughout the process.

**Motion McPherson/Pitino** to adopt Resolution 20-02 approving the proposed Rio Dell FPD Annexation with conditions. Motion passed by 7-0-0 roll call vote.

#### **B) Final Budget for Fiscal Year 2020-21**

Executive Officer Santsche provided a brief overview of the Final Budget which is identical to the proposed budget approved by the Commission at the last meeting. Staff sent a mailed notice to all member agencies with a copy of the proposed budget and received no comments.

Commissioner McPherson asked about the reserve funds for the Commission. Executive Officer Santsche stated that the fund balance was used to prevent an increase in member contributions for a number of fiscal years. However, during the last couple of years staff has worked to maintain a balanced budget and hopes to continue building the reserves back up.

**Motion Avis/Pitino** to adopt Resolution 20-03 approving the Final Budget for FY 2020-21. Motion passed by 7-0-0 roll call vote.

### **8. INFORMATIONAL AND CONTINUING ITEMS**

#### **A) Status of Expiring Commissioner Terms**

Executive Office Santsche presented the staff report on expiring commissioner terms which has not changed since the last meeting in April. An additional update will be provided in July.

#### **B) Status of MSR Preparations**

Executive Officer Santsche presented the staff report for MSR Preparations which has not changed substantially since the last meeting. Staff is continuing to work with City and District staff to obtain information for the MSRs. Staff will be noticing an MSR for hearing at the next meeting.

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

Executive Officer Santsche presented the staff report for Current and Future Proposals. The report has been updated to show currently active proposals.

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

### **A) CALAFCO February 21,2020 Board of Directors Meeting**

Executive Officer Santsche provide a brief introduction for the last CALAFCO Board meeting and noted that Commissioner Couch was in attendance.

### **B) CALAFCO Daily Legislative Report (April 2020)**

Executive Officer Santsche provide a brief overview of the latest legislative report available on the CALAFCO website.

## **10. WRITTEN CORRESPONDENCE - None**

## **11. ADJOURNMENT**

The meeting was adjourned at 10:28 a.m. The next regular meeting of the Commission will be held on Wednesday, July 15, 2020, at 9:00 a.m. via Zoom video conference.

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