

**AGENDA ITEM 5A**

**MAY 19, 2021  
DRAFT MEETING MINUTES**

**1. CALL TO ORDER**

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

**2. FLAG SALUTE**

**3. ROLL CALL**

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

*\*Alternates seated as voting member*

**4. PUBLIC COMMENT – None**

**5. Informational Items**

**A) Regional Early Action Planning (REAP) Grants Program Presentation from HCAOG**  
Executive Officer Santsche introduced Oona Smith, Senior Planner with Humboldt County Association of Governments (HCAOG). Smith provided an overview of the Regional Early Action Planning (REAP) Grants Program that is aimed at supporting planning efforts to increase housing development. REAP funding will be used for multiple efforts in the county including completion of CEQA requirements to support a Qualified Regional Climate Action Plan that will include a Vehicle Miles Traveled model. Commissioners received the information and commented that the presentation was very useful to help inform other regional planning efforts.

**6. CONSENT CALENDAR**

**A) Approval of March 17, 2021 Regular Meeting Minutes**

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

**7. BUSINESS ITEMS**

**A) Mitchell Road Annexation to Humboldt Community Services District**

Executive Officer Santsche explained that the annexation is not a public hearing item because there is 100% property owner consent. She then introduced the annexation proposal for the area located at the end of Mitchell Road off of Myrtle Avenue which consists of 37 acres over two parcels. She also clarified that Humboldt Community Services District (CSD) currently provides water, wastewater, and streetlighting

services and not recreation services as noted in staff report. The current annexation is only for provision of water services as both properties are severed by onsite septic systems. LAFCo staff prepared and sent out a referral to potentially affected agencies in the area and received comments from the Humboldt County Planning Department indicating they wanted clear evidence in the administrative record that annexation will not detract from Timberland use. There is an existing Joint Timber Management Plan including both properties and no further expansion of residential uses is proposed. There is an existing water connection to one of the parcels and both parcels have existing residential structures.

The item was opened for Commission discussion and public input. Discussion included clarification of property owner consent, ability to provide water service based on current infrastructure, and potential impacts from accessory dwelling units (ADUs). Executive Officer Santsche explained that consent was obtained from the owners of the two parcels included in the annexation. The surrounding property owners did not need to provide written consent, and most are already within the District boundary. Representatives from Humboldt CSD stated that there is an 8-inch water main that serves Mitchell Road properties and an existing fire hydrant. As such, there is ample infrastructure capacity to service both properties and only a lateral will be constructed to service the one parcel.

Commissioner Wilson led a discussion regarding the potential for ADUs on the properties which could further impact timber resources in the area and explained that curtilage limits are often included in such areas in order to prevent spread out residential development on the property. While LAFCo is not able to directly regulate land use, Commissioners did agree that this issue should be captured in the official record of the annexation for future reference by County Planning staff should an application be made for construction of an ADU on either property.

**Motion Avis/Couch** to adopt Resolution 21-08 approving the Mitchell Road Annexation to the Humboldt CSD and waving protest proceedings, with modifications as discussed. Motion Passed by 7-0-0 roll call vote.

## **8. PUBLIC HEARING ITEMS**

### **A) Final Budget for FY 2021-22**

Executive Officer Santsche introduced the proposed Final Budget for FY2021/22 which is the same as the draft budget reviewed during the March Commission meeting. Staff prepared and sent a notice to all member agencies under LAFCo and received no comments on the proposed budget.

**Motion Wilson/Jorgenson** to adopt Resolution 21-09 approving the final budget for FY2021-22. Motion passed by 7-0-0 roll call vote.

### **B) Municipal Service Review and Sphere of Influence Update for the Westhaven Community Services District (continued from March meeting)**

Clerk Heaney introduced the Westhaven CSD MSR/SOI update which was previously presented at the March regular Commission meeting. Minor edits were made to the document that included clarification of the Humboldt Bay Municipal Water District (HBMWD) water line feasibility study for the Trinidad Rancheria and clarification on Westhaven CSD staffing levels and benefits.

The Public Hearing was then opened for Commission discussion and public input. Minor discussion was held by Commissioners regarding the impacts of the District's DUC status on future annexation requests and HBMWD feasibility study. It was requested that the Trinidad Rancheria line extension discussion be further clarified for the final document.

District Manager Paul Rosenblatt and District Board Member David Hankin were available for question and comment. No further public comment was received on the MSR.

**Motion Losey/Avis** to adopt Resolution 21-10 approving the Westhaven CSD MSR/SOI Update, with changes as discussed. Motion passed by 7-0-0 roll call vote.

**C) Municipal Service Review and Sphere of Influence Update for the Willow Creek Community Services District**

Clerk Heaney provided the staff report on the Willow Creek CSD MSR/SOI Update. Willow Creek CSD currently provides water, parks and recreation, and street lighting services to the community of Willow Creek.

The Public Hearing was then opened for Commission discussion and public input. Discussion items included clarification of water storage capacity, provision of wastewater services, and inactive water connections in the District.

As noted in the MSR, Willow Creek CSD has just over one million gallons in water storage which is less than the daily average demand during the summer. It was clarified that the District is in the process of obtaining funding for construction of a 450,000 gallon tank, with the tank site location secured by the District. The funding will be provided by a State program and there were concerns at the State level that a larger tank is not supported by the population numbers of the area. As such, the District may look into supplementing the funding with District reserves in order to construct a larger 650,000 gallon tank that would better support summer needs. It was also noted that Willow Creek has ample flow year round and regular supply is not likely to be an issue.

Discussion regarding construction of the wastewater system focused on the service area and when the system would be completed. The District is working to complete final designs based on last minute changes and will likely be bidding in the fall. Construction is anticipated to take up to two years. Once construction is started, the District will work with LAFCo on activation of wastewater powers. It was noted that activation of powers was previously pursued but it is unknown if the process was completed.

District Manager Susan O'Gorman was available for question and comment. No other public comment was received on the item.

**Motion Losey/Avis** to adopt Resolution 21-11 approving the Willow Creek CSD MSR/SOI update with corrections as noted. Motion passed by 7-0-0 roll call vote.

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

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

Heaney introduced the staff report for MSR preparations. Staff is holding on MSR preparation until the new fiscal year and will begin with the McKinleyville CSD MSR in July.

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

Executive Officer Santsche presented the staff report for Current and Future Proposals. There are currently two active proposals including the City of Arcata Creekside Annexation which is going through conditions compliance and the Humboldt CSD Mitchell Road Annexation which was heard earlier.

Other efforts include fire services planning along the Avenues which may result in the formation of a new Salmon Creek Fire Protection District. The coordination with the County and Fire Chiefs Association has been vital in moving forward with fire services planning for Humboldt County.

Executive Officer Santsche is also working with fire services partners on a potential legislative proposal that would alter California Fire Protection District Law by removing the exemption for commercial timber lands. This would make the law more consistent with other special district laws that allow for the provision of fire protection services including County Service Area Law and Community Services District Law. Staff will be meeting with the California Special Districts Association to discuss next steps.

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

### **A) CALAFCO Board of Directors Meeting Report Out (April 30, 2021)**

Executive Officer Santsche stated that the CALAFCO Board met in April and information is available online. Commissioner Couch, a current CALAFCO Board member, commented that expenses have increased due to the shift in employee structure. CALAFCO is also working on non-performing water district legislation that would require annexation of the non-performing district into another other district by way of a LAFCo process.

### **B) CALAFCO Daily Legislative Report (May 2021)**

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

### **C) CALAFCO University: Financial Health Indicators for Cities and Districts**

Executive Officer Santsche noted the upcoming CALAFCO-U session. Commissioner Avis inquired if non LAFCo members can participate. Staff will inquire about attendance and follow up as needed.

Additional discussion was held on the potential return to in-person meetings. It is unknown when further direction will come from the Governor's office, but staff will stay up to date on the matter and coordinate with County staff. Commissioners discussed that while hybrid meetings would allow easier participation by the public,

implementation of the hybrid approach may be difficult and potentially burdensome on staff.

Commissioners Nicolini and Wilson left the meeting at 10:37am before discussion was concluded. The next regular Commission meeting may be virtual or in person as safety and State/ County direction allows.

**11. WRITTEN CORRESPONDENCE**

None

**12. ADJOURNMENT**

The meeting was adjourned at 10:40 a.m. The next regular meeting of the Commission will be held on Wednesday, July 21, 2021, at 9:00 a.m. via Zoom webinar or in person as current safety levels and regulations allow.

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