

JULY 21, 2021
ADOPTED 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, Debra Lake, Ali Lee, Mike Losey, Troy Nicolini, and Mike Wilson
Members Absent: None
Alternates Present: David Couch, Gordon Johnson, and Skip Jorgensen
Alternates Absent: Michelle Bushnell
Staff: Colette Santsche, Executive Officer
Krystle Heaney, Clerk/Analyst
Ryan Plotz, Attorney

4. PUBLIC COMMENT – None

5. CONSENT CALENDAR

A) Approval of May 19, 2021 Regular Meeting Minutes

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

6. BUSINESS ITEMS

A) CALAFCO Annual Conference Items

Executive Officer Santsche introduced the conference items. It will be the 50th anniversary and the first since the start of the Covid-19 pandemic. Commissioners will need to appoint voting delegates, provide board nominations, and may wish to put forward nominations for award recipients.

Commissioners discussed potential attendance at the conference and Commissioners Avis, Bass, Couch, and Lake expressed interest in attending. Commissioner Lake was chosen as the primary voting delegate and Commissioner Bass will act as alternate. Discussion was held on whether or not the entire commission would be able to discuss and provide recommendations to the voting delegate on proposed actions. Executive Officer Santsche stated that the meeting agenda is typically provided a month in advance so that discussions can be held.

Commissioner Couch is currently serving on the CALAFCO Board and his term will be ending this year. Executive Officer Santsche has spoken with Commissioners Bass, Couch, and Lake about running for the open position. Commissioner Couch indicated that he would not like to run again as he may have work conflicts coming up over the next two years which could prevent him from traveling to Sacramento for

meetings. Commissioner Lake indicated interest in running for the open seat as she was previously on the Board.

Motion Avis/Nicolini to recommend Commissioner Lake as a CALAFCO Board candidate. Motion passed by no objection.

Executive Officer Santsche provided an overview of the new award nomination categories for the annual CALAFCO awards presented at the conference. She looked into nominating former Commissioner and Chair Estelle Fennell for the Outstanding Commissioner category but unfortunately does not qualify as she left before the nomination timeframe.

Executive Officer Santsche also recommended that the Rio Dell FPD reorganization be nominated for the Mike Gotch Excellence in Public Service Award under efficient and effective delivery of municipal services. The Rio Dell reorganization is an excellent example of collaboration and innovation that led to more efficient provision of services and a higher level of support and service to the affected communities. Commissioners briefly discussed the unprecedented reorganization of the District and agreed with the nomination. They felt that discussion and presentation of this project at the conference would help encourage other districts to look at potential reorganization and consolidation as well.

Motion Wilson/ Avis to nominate the Rio Dell FPD Reorganization for recognition at the annual CALAFCO conference. Motion passed by no objection.

7. PUBLIC HEARING ITEMS

A) Proposal Metropolitan Road Annexation to the City of Rio Dell

Executive Officer Santsche introduced the proposed Metropolitan Road Annexation. The proposal as discussed in the staff report would include the City's wastewater disposal field and adjacent Highway 101 right of way. She discussed the boundary of the annexation including land use and zoning maps for the area which has been rezoned by the City as Public Facility. She also discussed comments received from the Humboldt County Department of Public Works regarding inclusion of the Metropolitan Road right-of-way in the annexation boundary. While adjacent road rights-of-way are generally included in annexation areas, LAFCo staff is recommending that the road remain within the County as there is unlikely to be any further development in the area, there will be no extension of services, and the remainder of Metropolitan Road is in the County.

Commissioners discussed proposal elements including reasons for the proposal and current land use and zoning designations. The primary reason for annexation of the area is so the City can save money on property taxes. By annexing the area they would not have to pay county taxes on it. The current land use for the area is public facility, conservation floodway and undesignated. As indicated by Humboldt County GIS, parcel APN 205-111-039 has an associated use code of 3004 which is for "Vacant, rural Residential, 20+ to 40 ac. LAFCo staff was previously unaware of this use code and can check in with County on its meaning. This may have been a designation or mapping error since the parcel is known to be used by the City as a wastewater disposal field and was designated Public Facility in the last Humboldt County General Plan update.

Commissioner Lake noted that when City boundaries change this can create a problem for postal addresses. Should the area be annexed and maintain its Fortuna address, it could create difficulties in the future when applying for various permits and other permissions.

Additional discussion was held on whether Metropolitan Road should be included as part of the annexation. It was argued that the agricultural lands are principally permitted for residential uses and may be developed in the future. As such, the road should be annexed now so that the matter is not brought up again during a later hearing. Additionally, the County is in the process of assessing roads for abandonment and should this road be abandoned the City may have to take on maintenance to ensure continued access to the area. It was suggested that the City and County enter into some sort of agreement for maintenance and access similar to what has been done in the City of Arcata.

It was noted that the wastewater disposal field is highly regulated by the State Water Resources Control Board and will likely remain open space due to these regulations. It is very unlikely that the area would ever be developed for housing as the City is already using it for another vital purpose.

It was recommended that a memorandum of understanding for access and maintenance along Metropolitan Road be added as a condition of approval for the annexation.

Motion Wilson/Avis to adopt Resolution 21-12, as amended to include a MOU for road access and maintenance, approving the Metropolitan Road Annexation to the City of Rio Dell. Motion passed by 6-1-0 roll call vote.

AYES: Commissioners: Avis, Bass, Lake, Lee, Losey, Nicolini

NOES: Commissioner Wilson

ABSTAIN: None

8. INFORMATIONAL AND CONTINUING ITEMS

A) Status of MSR Preparations

Clerk Heaney introduced the staff report for MSR preparations. Staff will be working on the McKinleyville CSD MSR which will hopefully be presented to the commission at the September meeting. Staff has also started preliminary research on Manila and Riverside CSDs. Other MSRs are planned as noted in the staff report. Staff may hold off on starting the planned Humboldt Bay Municipal Water District MSR until District water services planning activities are complete.

B) Status of Current and Future Proposals

Executive Officer Santsche presented the staff report for Current and Future Proposals. There is currently one active proposal for the Rio Dell annexation discussed previously and two proposals, City of Arcata Creekside Annexation and Humboldt CSD annexation, that are still undergoing conditions compliance.

Currently there is a lot of effort going into fire services planning including updating district boundary files and discussion regarding potential reorganization and/ or formation of districts along the Avenue of the Giants.

9. EXECUTIVE OFFICER'S REPORT

A) CALAFCO-U Series: Fire & EMS Services Flier

Executive Officer Santsche discussed the learning series and stated that staff is willing to help commissioners with registration if they are interested in attending the four part series.

B) CALAFCO 2021 Calendar (updated June 15, 2021)

Executive Officer Santsche introduced the updated calendar which is also available online.

C) CALAFCO Daily Legislative Report (July 2021)

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

Additional discussion was held regarding in person meetings. The commission will generally follow the direction of the County Board of Supervisors and may return to in person meetings in September 2021. Discussion was held regarding hybrid meetings. The commissioners appreciate the increased public access provided by virtual meetings and would like to continue providing the access if possible. However, they understand that it will take additional staff time and effort as well as different technological set up which may be burdensome. LAFCo will work towards holding hybrid meetings as long as it is feasible with current staffing constraints. It was also noted that Brown Act restrictions on virtual meetings may be changing as a result of Covid-19 accommodations. Assembly bills are being introduced which may make virtual attendance for commissioners and staff easier.

10. WRITTEN CORRESPONDENCE

None

11. ADJOURNMENT

The meeting was adjourned at 10:12 a.m. The next regular meeting of the Commission will be held on Wednesday, September 15, 2021, at 9:00 a.m. via Zoom webinar or in person as current safety levels and regulations allow.