



MEETING MINUTES
Wednesday, September 1, 2004

Approved at 10/6/04 meeting

Board of Supervisors Meeting Room
575 Administration Drive, Room 102A
Santa Rosa, CA 95403
2:00 P.M.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a LAFCO meeting, please contact the LAFCO Clerk at 707.565.2577. Notification at least 48 hours prior to the meeting will assist LAFCO staff in assuring that reasonable accommodations are made to provide accessibility to the meeting.

COMMISSIONERS

Present H. E. Boyett, Chair
Absent Valerie Brown
Present Tim Smith
Present Debora Fudge
Present Lisa Schaffner
Absent Raymond Brunton
Present William Massey

ALTERNATE COMMISSIONERS

Absent Bob Jabs
Absent Jean A. Kapolchok
Present Paul Kelley
Present Pamela Torliatt

STAFF

Present Steven Sharpe, Executive Officer
Present Carole Cooper, Assistant Executive Officer
Present David Hurst, Legal Counsel
Absent Sally McGough, Legal Counsel
Present Nora Guy, Clerk

To speak on an item under discussion by the Local Agency Formation Commission on this agenda, you may do so upon receiving recognition from the Chair. Please step up to the rostrum, located in the center of the room, and sign in. State your name, for the record, before making your presentation. All hearings are taped. Time limitations on public testimony may be imposed at the discretion of the Chair.

1. **CALL TO ORDER BY THE CHAIR:** Chair Boyett called the meeting to order at 2:01pm.
2. **APPROVAL OF MINUTES OF July 7, 2004, MEETING:** Approved as distributed.
3. **GENERAL ANNOUNCEMENTS:** Steve Sharpe pointed out that both of LAFCO's city members are currently mayors. Former Alternate Commissioner Dawn Mittleman presented flowers to Assistant Executive Officer, Carole Cooper, in appreciation for staff's support of her tenure on the Commission.
4. **GENERAL PUBLIC COMMENT:** None

5. **Consent Calendar:** Action items on the Consent Calendar will be taken in one motion. Any person wishing to comment on a consent item should request that the item be removed from the consent calendar at this time.

- 5.1 File 04-04: Sebastopol Reorganization No. 04-01 (Zimpher) Involving Annexation to the City of Sebastopol and Detachment from the Gold Ridge Fire Protection District and County Service Area No. 41 (Multi-Services)

Applicant: Zimpher Family Partnership

Env. Document: Categorical Exemption

Proposal: Reorganization request for two parcels, totaling .88 +/-acres, involving annexation to the City of Sebastopol and detachment from the Gold Ridge Fire Protection District and County Service Area No. 41 (Multi-Services)

Location: Generally located west of Highway 116, just east of Bella Vista Drive, in northwest Sebastopol

Prezoning: RSF-2: Single Family Residential

Action: Approved as recommended by staff

Fudge: aye Schaffner: aye Massey: aye Kelley: aye Smith: aye Boyett: aye
Ayes: 6 Noes: 0 Absent/Abstain: 0

- 5.2 File 04-05: Northeast Santa Rosa Reorganization No. 2-86 (Kenaston) Involving Annexation to the City of Santa Rosa and Detachment from the Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)

Applicant: Clair and Joann Kenaston

Env. Document: Categorical Exemption

LAFCO Agenda

Proposal: Reorganization request for one parcel, totaling .6 +/-acres, involving annexation to the City of Santa Rosa and detachment from the Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)
Location: Generally located at the southeast corner of Middle Rincon Road and Hansen Drive, in northeast Santa Rosa
Prezoning: Rural Residential

Action: Approved as recommended by staff
Fudge: aye Schaffner: aye Massey: aye Kelley: aye Smith: aye Boyett: aye
Ayes: 6 Noes: 0 Absent/Abstain: 0

6. PUBLIC HEARINGS

6.1 File 04-03: Southeast Santa Rosa Reorganization No. 2-02 (Leepin) Involving Annexation to the City of Santa Rosa and Detachment from the Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)

Applicant: Russ Leepin
Env. Document: Categorical Exemption
Proposal: Reorganization request for 28 parcels, totaling 10.56 +/- acres, involving annexation to the City of Santa Rosa and detachment from the Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)
Location: Generally located south of Channel Drive and east of Violetti Road, and including Bader and Pepperwood Roads, in Southeast Santa Rosa
Prezoning: Rural Residential

Carole Cooper gave the staff report and answered Commissioners' questions. At staff's recommendation, the Commission amended the annexation boundary to include one parcel (APN: 031-232-011) that had been inadvertently left off the parcel listing in the City's pre-zoning ordinance as well as a narrow strip of land extending from Violetti Road to Montgomery Drive.

Action: Approved as recommended by staff
Fudge: aye Schaffner: aye Massey: aye Kelley: aye Smith: aye Boyett: aye
Ayes: 6 Noes: 0 Absent/Abstain: 0

6.2 File 04-10: Amendment No. 1 to the Marin-Sonoma Mosquito and Vector Control District Sphere of Influence and Annexation No. 1 to the Marin/Sonoma Mosquito and Vector Control District

Applicant: Marin/Sonoma Mosquito and Vector Control District
Env. Document: Mitigated Negative Declaration
Proposal: Reorganization request to amend the sphere of influence of the Marin/Sonoma Mosquito and Vector Control District and to annex to the District all territory in Sonoma and Marin Counties outside present District boundaries
Location: Sonoma and Marin Counties

Carole Cooper provided the staff report and recommended approval of the proposal. She noted that a sentiment survey conducted on behalf of the District in the affected territory supported the proposal. The City of Cloverdale responded in favor of the proposal; the City of Healdsburg responded in opposition, indicating that problems relating to mosquitoes do not exist in the city.

In response to questions from Alternate Commissioner Kelley, staff indicated that, if the Commission approves the annexation and the subsequent protest hearing yields insufficient protest, the annexation would be contingent on property owners in the affected territory approving the proposed benefit assessment, which would be described on the ballot to be mailed out. Further, both Cloverdale and Healdsburg would be invited to appoint representatives to the District board, and the unincorporated areas of both Marin and Sonoma Counties would continue to have two representatives each.

Alternate Commissioner Kelley commented that the area to be annexed is significant, will double the size of the district, and will, he believed, have a positive effect, to provide benefits to the communities which will receive the District's services.

LAFCO Agenda

Alternate Commissioner Torliatt asked Commissioner Schaffner whether the letter staff received from Healdsburg was sent by the city manager or by the council and whether the proposal was heard by City Council. Commissioner Schaffner replied that the city manager had spoken in advance to council members, and District representatives had come to a meeting in the City at which no one showed up. Commissioner Schaffner stated that the City believes there is no concern regarding mosquitoes and the city does not want to be annexed; she noted that she had lived in Healdsburg her whole life and had never heard a concern about mosquitoes there. She questioned how the district plans to double its size and yet serve the area with only four staff. She stated that the city does not feel it would get coverage nor does it feel it would need it.

Alternate Commissioner Torliatt stated that recently the District had provided assistance to the City of Petaluma when a dead bird, which had West Nile Virus, was found there. She expressed appreciation that District representatives, who met with City Council, were willing and available to handle telephone calls and inquiries that City staff might not have been able to resolve. Commissioner Fudge noted that a bird infected with West Nile Virus had been found in Windsor, not far from Healdsburg; she stated that, after study, she believed it was a good idea to progress with the annexation. Chair Boyett stated that West Nile Virus had so far been found in 52 of the 58 counties in California; he also noted that the MSMVCD was the first multi-county district with which LAFCO had worked and the MSR conducted was the first completed for a district.

Chair Boyett opened the public hearing.

Laura Barnhouse, a resident of Windsor and a County employee who works with the Infectious Disease Task Force, spoke in support of the annexation, saying she believed it was vital to public health. She stated that the Task Force has been working for two years to prepare for the approach of West Nile Virus. She stated that mosquitoes don't know district boundaries, and it is important to protect all citizens.

Jim Wanderscheid, manager of the District, discussed issues that Healdsburg raised, stating that mosquito control is not the District's only concern; vectors, such as mice, rats and other vermin and yellow jackets, are also controlled by the District. The work done by the District is site-specific; technicians are assigned a large area but travel only to those areas where there are problems and where people are actually living, not the whole territory. Although more definite information will be available when they get in, the District has a good idea of what they will find. In Healdsburg, more than 196 mosquito source areas have been found, and the District receives phone calls daily from the public inquiring about mosquito and vector control. The District believes that it can provide a high level of services.

Chair Boyett said he felt staffing was a concern, given the territory to cover. Mr. Wanderscheid responded that each District employee has 125-140 square miles to cover, and they routinely check their known sources, such as roadside ditches or standing water under houses. Further, there are seven to ten thousand known sources of vectors in Marin and Sonoma Counties, and the District is preparing a program, in the affected territory, to respond to them. Beyond that, they will respond to calls for services. In California, mosquito control is done by site-specific application, and District staff deal with that habitat – treat the area and attempt to determine the reason for the mosquitoes there. He stated that viruses are here in nature; the reason that they are not spreading is because Mosquito Control keeps the level and population of mosquitoes under control. There have been dead birds found in almost every city in both Marin and Sonoma counties, including four in Tomales alone. There are 22 species of mosquitoes.

Chair Boyett and Commissioner Schaffner asked about the plan to liquidate the District's debt service. Mr. Wanderscheid responded that the District carried over \$3.1 million in revenues this year, which will be reduced to \$800,000 by year's end, but \$1.3 of the \$3.1 million is for debt service that will be liquidated by that time. In addition, this year, the District cut its benefit assessment for property owners in the present District from \$9.75 to \$5.00; he anticipates that it will remain at that level for two-four years because the District, in anticipating an annexation action, started saving for this several years ago. He indicated that he wished the City of Healdsburg had contacted him directly with questions relating to the District's financial situation.

Mr. Wanderscheid said that the District had hired Shilts Consulting to coordinate a mail ballot that would be sent to property owners. John Gless, Shilts Consulting, stated that, if the Commission approves the annexation proposal, under Proposition 218 procedure, property owners would receive ballots in the mail with the proposed assessment of \$19 per parcel per year outlined. No minimum number of ballots needs to be returned. Over a 45-day balloting period, 50 percent plus one of the weighted returned ballots must be returned with a vote in favor of the assessment for the annexation to be completed.

There was no additional public comment. Chair Boyett closed the public hearing, and the Commission acted on the proposal

Action: Approved as recommended by staff

Fudge: aye Schaffner: no Massey: aye Kelley: aye Smith: aye Boyett: aye
Ayes: 5 Noes: 1 Absent/Abstain: 1

7. INFORMATION/DISCUSSION/ACTION ITEMS

7.1 Municipal Service Reviews – Update

Chair Boyett noted that the consultant, Economic & Planning Systems (EPS) has been working on the Municipal Service Review (MSR) project for about a year. Walter Kieser from EPS reported on the progress of the project, which is long-term, over a three-year period; EPS is mid-course, at this time. The water and sewer draft MSR has been completed and will be discussed at the October meeting, in line with the anticipated schedule. EPS estimates that MSRs for the fire districts will be completed before June 2005 and will likely be “policy-rich;” they hope to complete MSRs for cities by the end of the following fiscal year. Anticipating meeting those dates, Mr. Kieser said Sonoma LAFCO would be within the “highest echelon” of LAFCOs. Mr. Kieser noted that his staff had received great cooperation from districts and LAFCO staff, and he anticipates that this will continue. In response to questions from Commissioner Torliatt, Mr. Kieser stated that a goal is to include district map layers within GIS, with technical issues needing to be resolved as to maintenance of the data. Carole Cooper mentioned that the water and sewer MSRs were being printed and would be sent to agencies for comment; copies will be included in the packet for the October meeting. Mr. Kieser added that EPS had discussed the draft MSRs with the agencies involved. Chair Boyett asked about additional efforts required to prepare sphere of influence updates. Mr. Keiser responded that much data has been documented but spheres are policy-based. Agencies and LAFCO should be in a much better position to determine spheres at that time. Commissioner Kelley reiterated the Commission’s commitment to complete MSRs within the timeframe allowed.

7.2 Personnel Committee Report – LAFCO Staffing

Chair Boyett congratulated Steve Sharpe on his recent appointment as interim Director of the Regional Parks Department. Alternate Commissioner Kelley noted that Steve is going through the recruitment process. He added that the Personnel Committee wished to make other Commissioners aware of what is happening and noted that he felt the Commission would continue to operate smoothly during this period. Chair Boyett said the Personnel Committee felt the Commission should do some pre-planning in case of change and wanted to obtain information about staffing and workload. Selected other LAFCOs would be contacted for salary information and staffing requirements, which will be evaluated by the Committee. Staff was directed to proceed.

7.3 Budget Committee Report

Committee Chair Fudge reported on final expenditures and revenues for the 2003-04. About 92% of salaries and benefits were expended and 106% of services and supplies. Overall, LAFCO expended 97% of the 2003-04 budget. One hundred percent of funds from agencies was received, and 87% of anticipated application fees were collected in 2003-04. The ending fund balance was @\$70,000; of that the Commission had voted to use \$35,000 as credit to the county, cities, and special districts for 2004-05. Chair Boyett noted that the 2004-05 budget is \$20,000 greater than 2003-04 actuals.

CONFIRM SPECIAL MEETING WEDNESDAY, SEPTEMBER 22, 2004 Sonoma County Permit & Resource Management Department Hearing Room, 2550 Ventura Avenue, Santa Rosa, 2:00pm

CONFIRM NEXT REGULAR MEETING WEDNESDAY, OCTOBER 6, 2004

8. ADJOURNMENT: The meeting was adjourned at 3:00pm.