



MEETING MINUTES
Wednesday, December 8, 2004

Approved February 2, 2005 meeting

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

COMMISSIONERS

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

ALTERNATE COMMISSIONERS

Present Bob Jabs
Present 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

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 2:01 p.m.
2. **APPROVAL OF MINUTES OF MEETING:** The Chair announced that the minutes of the November 8, 2004, meeting would be available for the February 2, 2005, meeting.
3. **GENERAL ANNOUNCEMENTS:** Carole Cooper announced that staff had provided for Commissioners correspondence received just prior to the meeting: letters from Paul Stutrud, the O.W.L. Foundation, and Weston Benschopf Rochefort Rubalcava MacCuish LLP, commenting on groundwater levels in the Rohnert Park area and the Municipal Service Review on Water and Sewer District Providers. Ms. Cooper introduced Cynthia Olson as the new LAFCO Secretary.
4. **GENERAL PUBLIC COMMENT:** None. The Chair determined that comments from John King, Penngrove, would be taken later in the meeting; Mr. King agreed.

5. **CONSENT CALENDAR**

5.1 Municipal Service Review: Water and Sewer District Providers

Although the public hearing on this matter was closed, Chairman Boyett proposed to move the item to the Regular Calendar, so that those wishing to comment on revisions to the document could have an opportunity to do so. There were no objections.

6. **REGULAR CALENDAR**

6.1 Municipal Service Review: Water and Sewer District Providers

Chairman Boyett asked for public comments.

John King, Penngrove, objected to deletion of a reference, in the Final MSR, to the depression of the water table in the vicinity of Rohnert Park, noting document conflicts and the continuing failure of wells in the area. Mr. King referred to the May 2000 EIR for the City's General Plan, indicating depression of the water basin, the County Department of Transportation and Public Works draft EIR for Canon Manor West Assessment District, indicating that additional residential construction will have a significant impact on the water supply in the area, and the City's recent water supply assessment indicating adequate water supply for the proposed additional construction. He urged the Commission not to adopt the MSR until after a full review of documents and additional public comments.

H.R. Downs, President, O.W.L. Foundation, Penngrove, noted that in years of record rainfall and after all the Rohnert Park wells had been completely shut down to conduct the water supply assessment report in compliance with SP 610, the water table in the Rohnert Park area had not returned to "normal historical highs" as outlined in State Department of Water Resources Bulletin 118. He stated that his organization has challenged the City's water assessment report and supplied additional information refuting its conclusions

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and recommended that the language in the original draft MSR be retained at least until the City Council of Rohnert Park acts on acceptance of the assessment, scheduled for January 2005.

Chair Boyett noted, for the record, that the public comments at this meeting were not part of the public hearing but were being allowed as a courtesy.

Commissioner Kelley referred to the extensive discussion at and after the public hearing conducted in October, indicating that he felt the changes to the document properly reflected the Commission's discussion and the importance of moving forward as it relates to the MSR. He stated that it would be incumbent on agencies involved to complete more in-depth studies and analyses to resolve issues. Commissioner Kelley moved acceptance of the Water and Sewer District Providers MSR.

Commissioner Fudge stated her discomfort with the Rohnert Park city manager's comments at the October meeting and objected to the motion, suggesting that the sentence being discussed be revised to indicate that there is information available regarding the sustained capacity of these major aquifers that may be contradictory.

Commissioner Smith seconded the motion.

Action: Accepted as recommended by staff

Fudge: no Schaffner: aye Brunton: aye Jabs: aye Smith: aye Kelley: aye Boyett: aye
Ayes: 6 Noes: 1 Absent/Abstain: 0

7. REGULAR CALENDAR PUBLIC HEARING (PROTEST HEARING)

- 7.1 File No. 04-17: Southeast Santa Rosa Reorganization No. 1-04 (Kalbfell) Involving Annexation to the City of Santa Rosa and Detachment from Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)

Applicant: Judith Kalbfell

Environmental Document: Negative Declaration

Proposal: Reorganization request for seven parcels, totaling 2.57+/- acres, involving annexation to the City of Santa Rosa and detachment from Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)

Location: Generally located along the east side of Linwood Avenue, southeast of Aston Avenue and east of Petaluma Hill Road, in southeast Santa Rosa

Pre-zoning: Rural Residential

Carole Cooper gave the staff report. Because not all property owners had given their written consent to the reorganization, the Commission is required to conduct a protest hearing after having approved the proposal. She indicated that staff had sent notice of the protest hearing to all affected property owners, along with protest forms, and had received no protests to date.

Chair Boyett opened the public hearing. Seeing no one rise, he closed the public hearing.

Commissioner Smith moved to accept staff's recommendation, finding insufficient protest and ordering the reorganization. Commissioner Schaffner seconded the motion. There was no discussion.

Action: Adopted as recommended by staff

Fudge: aye Schaffner: aye Brunton: aye Jabs: aye Smith: aye Kelley: aye Boyett: aye
Ayes: 7 Noes: 0 Absent/Abstain: 0

8. INFORMATION/DISCUSSION/REPORT ITEMS

- 8.1 Results of Marin-Sonoma Mosquito and Vector Control District Election

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Carole Cooper reported that 61.2% of property owners in the affected territory in Marin and Sonoma Counties approved annexation to the District and the levy of a special benefit assessment on all parcels annexed to the District.

8.2 Special District Representative: Status of Filling Vacancy

Carole Cooper reported that staff sent letters to all independent special districts on November 22, 2004, notifying them of the vacancy resulting from Commissioner Massey's resignation, and requesting nominations. Candidates must submit a completed application and resume to the LAFCO office by January 11, 2005. Staff will conduct a mail-in ballot election, which will take approximately six weeks.

8.3 Municipal Service Review Update: Fire Services

Carole Cooper reported that the consultant is working on a preliminary draft MSR for fire districts, which she anticipated would be made available to districts by mid-January. A study session with representatives of fire districts is planned for early February, with submission of the final draft to the Commission projected for late spring. She also noted that she and Steve Sharpe recently attended a dinner meeting of the Sonoma County Fire Districts Association and made a presentation about the MSR.

Steve Sharpe noted his attendance at the dinner meeting and commented that it was satisfying to note that the Fire District Association was very familiar with the MSR and LAFCO issues. Fire district representatives to LAFCO are effectively communicating on LAFCO actions to their respective organizations.

8.4 Chair Boyett announced that he would appoint Alternate Commissioner Jean Kapolchok to chair the Policy Committee, replacing Commissioner Massey.

9. **CONFIRM MEETING, WEDNESDAY, February 2, 2005, 2:00 p.m.; CONFIRM BUDGET COMMITTEE MEETING: WEDNESDAY, February 2, 2005, 1:30 p.m.**

10. **ADJOURNMENT:** The meeting was adjourned at 2:20 p.m.