



**MINUTES OF MEETING
Wednesday, August 3, 2005**

Board of Supervisors Meeting Room
575 Administration Drive, Room 102A
Santa Rosa, CA 95403

COMMISSIONERS

Present H. E. Boyett, Chair
Present Paul Kelley
Present Mike Kerns
Present Debora Fudge
Present Lisa Schaffner
Present Ray Brunton
Present Gary Helfrich

ALTERNATE COMMISSIONERS

Absent Valerie Brown
Present Albert Giordano
Present Jean Kapolchok
Present Pamela Torliatt

STAFF

Present Steven Sharpe, Executive Officer
Present Carole Cooper, Assistant Executive Officer
Present David Hurst, Legal Counsel
Present Cynthia Olson, Clerk

1. **CALL TO ORDER BY THE CHAIR** at 2:00 p.m.
2. **APPROVAL OF MINUTES OF MEETING:** The minutes of the July 6, 2005 meeting were approved as distributed with one abstention from Commissioner Kern, who was not present at the July meeting.
3. **GENERAL ANNOUNCEMENTS:** Carole Cooper stated that two letters from the Rincon Valley Fire Protection District relating to the items on the agenda had been provided to Commissioners; the contents would be discussed upon the Commission's consideration of the items. She also noted that Alternate Commissioner Albert Giordano had been sworn in and was present at the meeting.
4. **GENERAL PUBLIC COMMENT:** None
5. **CONSENT CALENDAR:**

5.1 File 04-07: Northeast Santa Rosa Reorganization No. 6-04 (Evans) 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: Charles Evans

Environmental Document: Negative Declaration

Proposal: Reorganization request for three parcels, totaling 4.32+/- 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 west side of Brush Creek Road, east of Manzanita Avenue, and south of Montecito Blvd, in northeast Santa Rosa

Rezoning: RR-20 (Rural Residential) District and RR-20-SR (Rural Residential-Scenic Combining) District

Carole Cooper reviewed a letter from the Rincon Valley Fire Protection District requesting that an address for one property in the annexation area be changed to conform to other addresses on that side of the street; she recommended that LAFCO notify the City to resolve the issue. The Commission agreed.

Action: Approved as recommended by staff

Kelley: aye Kerns: aye Fudge: aye Schaffner: aye Brunton: aye Helfrich: aye Boyett: aye

Ayes: 7 Noes: 0 Absent/Abstain: 0

- 5.2 File 05-14: Southeast Santa Rosa Reorganization No. 2-04 (Calvary Catholic Cemetery) Involving Annexation the City of Santa Rosa and Detachment from the Bennett Valley Fire Protection District, Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)

Applicant: Calvary Catholic Cemetery; Gregory and Mary Stone

Environmental Document: Categorical Exemption

Proposal: Reorganization request for portions of two parcels, totaling .63 +/- acres, involving annexation to the City of Santa Rosa and detachment from the Bennett Valley Fire Protection District, Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services)

Location: Generally located at the northern edge of 3536 Holland Rive, south of Bennett Valley Road, in southeast Santa Rosa

Prezoning: P.I. (Public Institutional) District

Carole Cooper reviewed a letter from the Rincon Valley Fire Protection District indicating that the proposed annexation would create an "orphan parcel," separate from all other District territory, and recommended that the entire parcel be included in the annexation. After discussion, the Commission approved the proposal, as recommended, and directed staff to send a letter to both Bennett Valley and Rincon Valley FPDs as well as to the City of Santa Rosa requesting that one or more of the agencies act to resolve this situation.

Action: Approved as recommended by staff

Kelley: aye Kerns: aye Fudge: aye Schaffner: aye Brunton: aye Helfrich: aye Boyett: aye
Ayes: 7 Noes: 0 Absent/Abstain: 0

6. REGULAR CALENDAR PUBLIC HEARING

- 6.1 File 05-15: Northwest Santa Rosa Reorganization No. 2-04 (Ataiyan) Involving Annexation to the City of Santa Rosa and Detachment from County Service Area No. 40 (Fire Services) and County Service Area No. 41 (Multi-Services)

Applicant: Younes J. Ataiyan

Environmental Document: Negative Declaration

Proposal: Reorganization request for six parcels totaling 4.3+/- acres, involving annexation to the City of Santa Rosa and detachment from County Service Area No. 40 (Fire Services) and County Service Area No. 41 (Multi-Services)

Location: Generally located along the east side of Ridley Avenue, north of West College Avenue and south of Guerneville Road in northwest Santa Rosa

Prezoning: R-1 (Single Family Residential) District

Carole Cooper reviewed the staff report and recommended that the Commission approve the reorganization as proposed, certify review and consideration of the Negative Declaration prepared by the City of Santa Rosa, and schedule a protest hearing on September 14, 2005.

Chair Boyett opened the public hearing. John Flaherty (1427 Manhattan Way) stated his opposition to the annexation.

Seeing no one else rise, Chair Boyett closed the public hearing. Commissioner Kelly pointed out the health and safety issues of the failing septic systems in the annexation area and indicated that approval would eliminate a County island and moved to approve the proposal. Commissioner Schaffner seconded the motion.

Action: Approved as recommended by staff

Kelley: aye Kerns: aye Fudge: aye Schaffner: aye Brunton: aye Helfrich: aye Boyett: aye
Ayes: 7 Noes: 0 Absent/Abstain: 0

7. INFORMATION/DISCUSSION/REPORT

7.1 Legislative Changes: Carole Cooper reviewed proposed legislative bills and their impacts on LAFCO. AB 1746 is an omnibus bill clarifying and changing various aspects of LAFCO law, one of which is an extension of the deadline for review and update of agencies' spheres of influence, as necessary, from January 1, 2006, to January 1, 2008. In addition, the bill proposes changes in how vacancies in public member positions are handled. SB 135 is a re-write of the Community Services District law, consolidating many sections and identifying services that CSDs may provide. Any powers and facilities that a district did not provide before January 1, 2006, would become latent powers and would require LAFCO approval to be activated.

7.2 Update on Cities' MSRs: Staff stated that the consultant, EPS, has completed the preparation of preliminary draft MSRs for six of eight cities to be reviewed. Chair Boyett asked staff to confirm the status of the Final Report of the MSR for the Fire Districts.

8. CONFIRM: SPECIAL MEETING, WEDNESDAY, AUGUST 24, 2005, 2:00 P.M.: PRMD HEARING ROOM

9. CONFIRM: MEETING WEDNESDAY, September 14, 2005, 2:00 p.m; Budget Committee: 1:30 p.m.

10. ADJOURNMENT at 2:32 p.m.