

LASSEN COUNTY LOCAL AGENCY FORMATION COMMISSION
Board of Supervisors Chambers 707 Nevada Street Susanville, CA 96130

REGULAR MEETING
August 14, 2017 - 3:30 p.m.

Meeting was called to order at 3:40 p.m. by Chairperson Eid.

Roll call of members present: Jeff Hemphill, Brian Wilson and Chairperson Todd Eid.

Staff Present: John Benoit, Executive Officer, John's Assistant, and Gwenna MacDonald, Clerk.

2. Election of Chair and Vice-Chair for FY 2017-2018

Motion by Commissioner Wilson to appoint Todd Eid as Chairperson for FY 2017-2018; Commissioner Hemphill provided a second and the motion carried. Ayes: Wilson, Hemphill and Eid. Absent: Franco and Gallagher.

Motion by Commissioner Hemphill to appoint Joe Franco as Vice-Chair; Commissioner Wilson provided a second and the motion carried. Ayes: Hemphill, Wilson and Eid. Absent: Franco and Gallagher.

At 3:42 p.m. Commissioner Gallagher entered and assumed his seat on the dais.

3. Approval of Agenda

Motion by Commissioner Hemphill to approve the agenda as submitted; Commissioner Wilson provided a second and the motion carried. Ayes: Hemphill, Wilson, Gallagher and Eid. Absent: Franco.

4. Correspondence None.

5. Minutes

Motion by Commissioner Wilson to approve the minutes of the June 12, 2017 meeting; Commissioner Hemphill provided a second and the motion carried. Ayes: Wilson, Hemphill, Gallagher and Eid. Absent: Franco.

6. Public Comments No comments.

7. Continued Public Hearing: City of Susanville Sphere of Influence Update

Mr. Benoit explained that the Commission reviewed Lassen LAFCO Policies regarding Sphere of Influence Plans, general policies and contents of Sphere Policies, as well as soils, Williamson Act and Farmland Security zone lands in or near the City's recommended Sphere of Influence. The maps provided include a map that includes the existing Susanville Sanitary District boundary and adopted Sphere, and the existing City boundaries as its adopted Sphere of Influence. The second map shows existing City boundaries and the proposed near and long-term Sphere of Influence area, as well as the Sanitary District boundary and both near and long-term Sphere of Influence.

Mr. Benoit explained that the third map illustrates the existing City boundary, the proposed City near-term Sphere of Influence and proposed Area of Concern in place of the City long-term Sphere. The City's Sphere of Influence was adopted in 2007 and the Sanitary District's Sphere of Influence was adopted in February 2013. This was consistent with the General Plan at that time, and since 2007 the City has experienced slow growth. LAFCO Policy requires the Commission to make a positive determination that

the City's Sphere is consistent with its historical and expected growth rates. The recommendation in 2007 prior to the adoption of the Sphere of Influence was that the City and County collaborate and develop an update to the Susanville Area Plan. This has not occurred. Mr. Benoit recommended that Sphere Policies be established to be included in the City's sphere of influence document, with the proposed long-term sphere identified as an Area of Concern. Mr. Benoit stressed the importance of joint City/County planning for the region, and that the establishment of a sphere should be rooted in studies that are developed and included in the City's General Plan document. Absent that study and planning, he recommended that the SOI policies be added to the Sphere document, in addition to the Soils, Williamson Act Maps, to open the Public Hearing, provide direction to staff to revise these documents as recommended and continue the public hearing to the October 16th meeting for consideration of the final documents.

Chairperson Eid opened the Public Hearing at 4:00 p.m. and requested comments from the public.

Mike Bartley stated that he owns 900 acres outside of the City limits and he does not want his property to be included in the City or annexed to the City.

Mr. Benoit explained that the Area of Concern is simply an area where it is important for the City and County to work together to develop plans and long-term development goals for the region, and it is not a proposed annexation. An annexation of property to the City involves a lengthy process including public noticing requirements, the development of a tax sharing agreement, and there is a protest hearing opportunity for residents.

Richard Egan, Lassen County CAO, clarified for those present that the opportunity to protest an annexation is not the same as possessing Veto power over the Commission.

The Commission discussed annexations and the consideration given to Fire Protection districts, when property located on one District is transferred to another, particularly when the rural districts rely heavily on a volunteer force.

Commissioner Gallagher commented that he would like to see the larger agricultural areas left out of the Area of Concern, and to take another look at the map. There is enough other land in the area for future growth without having to incorporate productive agricultural land as ever being an area to develop. He asked if there was a legal definition of Area of Concern.

Mr. Benoit responded that it is not a legal term, and that the Area of Concern could be anyplace that was determined to be significant to future growth, but not included in the Sphere of Influence.

There was a general discussion regarding the presentation of the map, and a request to include overlays to add additional reference information and remove areas of Williamson Act Land. Mr. Benoit explained that the purpose of the Sphere of Influence is to identify the area of probable growth in the next five years by establishing a boundary through the adopted Sphere of Influence. The area in the long-term sphere would be identified through an Area of Concern, but would not be included in the Sphere. There would be no ability for an annexation to occur if the area is not first located within the Sphere of Influence.

Jared Hancock, City Administrator, spoke regarding the advantages of including property within the City's Sphere of Influence, most notable being the City's ability to provide services to those areas. He gave the example of the water system in Johnstonville which the City recently acquired. If the residential well systems in the Johnstonville area were to become unusable based upon State water quality regulations,

the City would not be able to provide water service through the water system, based upon the area not being located within the Sphere of Influence. The City does not have any immediate plans to annex any property, and the importance of educating the public, hearing their concerns and conducting the outreach so that the decisions being made to include a property within the Sphere, or not, are understood and accepted by the community.

It was the consensus that Mr. Benoit would be working on developing Sphere Policies, amend the maps to depict identifiable locations, shift the focus towards Johnstonville and bring back to consideration at the next meeting.

At 5:31 p.m. Chairperson Eid continued the Public Hearing to October 16, 2017.

8. Calafco Annual Conference * October 24-27, 2017 Mr. Benoit indicated that the annual Calafco Conference was scheduled for San Diego on October 24-27th, adding that it was a valuable opportunity for the Commissioners who may want to attend. It is normally included in the budget for two Commissioners and himself to attend the conference. It was the consensus of the Commission that Commissioner Hemphill would attend, with Chairperson Gallagher to serve as the alternate.

Motion by Commissioner Gallagher to authorize Commissioner attendance at the Annual Conference as discussed; Commissioner Wilson provided a second and the motion carried. Ayes: Gallagher, Wilson, Hemphill and Eid. Absent: Franco.

9. Calafco Achievement Award Nominations

It was the consensus of the Commission that there would be no nominations.

10. Calafco 2017-2017 Nominations for the Calafco Board of Directors

Mr. Benoit reported that the Board of Directors was seeking nominations to fill County member and Special District members. It was the consensus of the Commission that no nominations would be put forth.

11. Designation of Voting Delegate for Annual Calafco Conference

Motion by Commissioner Gallagher to appoint Commissioner Hemphill as voting delegate; Commissioner Wilson provided a second and the motion carried. Ayes: Gallagher, Hemphill, Wilson and Eid. Absent: Franco.

12. Authorize Payment of Claims for June and July 2017 Mr. Benoit reviewed the claims presented for June and July 2017.

Motion by Commissioner Hemphill to approve the claims for June and July 2017 in the amount of \$9,356.09, and Calafco Conference registration in the amount of \$490.00; Commissioner Wilson provided a second and the motion carried unanimously. Ayes: Gallagher, Hemphill, Wilson and Eid. Absent: Franco.

13. Executive Officer's Monthly Report Mr. Benoit discussed issues related to the Southern Cascades Community Services District, and stated that he has a meeting with the County to discuss issues relevant to the Lassen/Modoc Flood Control District.

14. Commissioner Reports No business.

Motion by Commissioner Hemphill, second by Commissioner Gallagher to adjourn until October 16, 2017; motion carried. Ayes: Hemphill, Gallagher, Wilson and Eid. Absent: Franco.

The meeting adjourned at 5:46 p.m.

Todd Eid, Chairperson

Gwenna MacDonald, Recording Secretary

Approved _____