

MINUTES OF MEETING OF FEBRUARY 2, 2005

The Sacramento Local Agency Formation Commission met this second day of February, 2005, at 5:30 P.M. in Board Chambers, Sacramento County Administration Center, 700 H Street, Sacramento, California.

PRESENT: Christopher Tooker, Vice Chair; Commissioners Charles Rose, Elliot Mulberg, Illa Collin, Susan Peters, Sophia Scherman, Robert King Fong.
Alternate Commissioner John Jachens.

NOT PRESENT: Roberta MacGlashan, Steve Miklos, Gay Jones, Kevin McCarty.

STAFF: Peter Brundage, Executive Officer; Donald Lockhart, Assistant Executive Officer; Nancy Miller, Commission Counsel; Marilyn Ann Flemmer, Commission Clerk.

The meeting was called to order at 5:35 P.M. by Vice Chair Tooker who welcomed the two new Commissioners, Susan Peters and Robert King Fong, and announced the new Alternate Commissioners are Roberta MacGlashan (County) and Kevin McCarty (City of Sacramento). The Clerk called the roll.

Commission Chairmanship

On a motion moved by Commissioner Mulberg, seconded by Commissioner Collin, the Commission unanimously seated Robert King Fong as the new Commission Chair.

CONSENT CALENDAR

Commissioner Tooker moved, Commissioner Scherman seconded, approval of the Minutes of January 5, 2005 and Claims dated January 28, 2005. The motion was unanimously approved.

SOI AMENDMENT AND REORGANIZATION OF FAIR OAKS AND SYLVAN CEMETERY DISTRICTS (15-04)

[CEQA: Exemption]

Donald Lockhart reviewed the staff report on the Sphere of Influence Amendments and proposed Reorganization of the Fair Oaks Cemetery District and the Sylvan Cemetery District. The three proposal areas comprise a total of 2,225 acres to be reorganized in the following manner: Area 1: Detachment from Sylvan Cemetery District; Annexation to Fair Oaks Cemetery District. Area 2: Detachment from Sylvan Cemetery District; Annexation to Fair Oaks Cemetery District. Area 3: Detachment from Fair Oaks Cemetery District; Annexation to Sylvan Cemetery District.

There was Commission discussion. Commissioner Tooker moved adoption of the CEQA Exemption as adequate and complete for the project and approval of the Reorganization. The motion as seconded by Commissioner Scherman and unanimously passed. [Commissioner Rose absent for this vote.]

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR HERALD FIRE PROTECTION DISTRICT (18-04)

The Executive Officer briefly reviewed changes for congruence in the Municipal Service Review and recommended adoption of the MSR AND SOI Update. On a motion made by Commissioner Tooker, seconded by Commissioner Scherman, the Municipal Service Review and Sphere of Influence Update for the Herald Fire Protection District was unanimously adopted. [Commissioner Rose absent for this vote.]

Confirmation of Special District Advisory Committee Members

On a motion moved by Commissioner Mulberg, seconded by Commissioner Collin, and unanimously passed [Commissioner Rose absent for this vote], Steve Eggert, Ted Costa and Hal Morris were confirmed as members of the Special District Advisory Committee.

Resolution Honoring Commissioner Muriel Johnson

On a motion moved by Commissioner Tooker, seconded by Commissioner Scherman, the Commission unanimously approved the draft Resolution Honoring Commissioner Muriel Johnson. [Commissioner Rose absent for this vote.]

Commissioner Charles Rose arrived.

Open Space Policy Report Back

The Assistant Executive Officer briefly reviewed the status of the Open Space Policy process. Staff reported that there is a growing list of interested parties and groups to which information is forwarded. Mr. Lockhart announced that the LAFCo website has been updated to create an easy-access dedicated page for this topic. The Commission discussed the item but took no action.

Property Tax Policy Report Back

Mr. Brundage reviewed his discussion paper on potential Commission policy regarding the negotiation process for property tax exchange agreements. Mr. Brundage recommended the Commission make no changes to current Commission policy. There was Commission discussion. Commission Counsel addressed the Commission. Ms. Miller stated that the Government Code states the Commission's role is to act as a facilitator but Commission staff cannot take a role in the negotiation process for a property tax exchange agreement. Commissioner Mulberg moved that the Commission adopt the policy that states: it is the goal of the Commission that a special district will be able to continue service to the residents of territory not included within an annexation proposal. Commissioner Tooker seconded the motion.

Commissioner Collin dissented; there was continued discussion. The Clerk was asked to call the roll; the motion failed. [Those voting for the motion were C. Rose, E. Mulberg, and S. Scherman. Those voting against the motion were S. Peters, I. Collin, C. Tooker, and R.K. Fong.]

Freeport Reorganization Status Report

The Assistant Executive Officer reported that the Registrar of Voters has determined that the Freeport Reorganization requires an election and that the City of Sacramento has requested that the County Registrar of Voters conduct the election.

Monthly Budget Report

The Executive Officer reported that the Commission's expenditures vs. revenue are on track. "I expect a larger rollover than originally predicted," stated Mr. Brundage. Mr. Brundage then requested that the Commission appoint a Budget Sub-Committee. Charles Rose and Chris Tooker volunteered to serve on the Budget Sub-Committee.

Work Plan Update

There was brief Commission discussion on the mandated program of Municipal Service Reviews and Sphere of Influence Updates.

Reports

Mr. Brundage stated he has requested Commission Counsel's opinion on the matter of the Elk Grove Community Services District park service and the City of Elk Grove's park service. Commission Counsel stated she would have it available for the March 2, 2005 meeting. Mr. Brundage announced that Sacramento LAFCo will host a LAFCo 101 Workshop on March 3, 2005, 6:00 PM in Board Chambers. Commissioner Tooker then announced the CALAFCo annual Conference in Monterey September 6-9, 2005. There was no further business; the meeting was adjourned at 6:36 P.M.

Respectfully submitted,

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

Marilyn Ann Flemmer
Commission Clerk

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