

MINUTES OF THE MEETING OF AUGUST 2, 2006

The Sacramento Local Agency Formation Commission met this second day of August, 2006, at 5:30 P.M. in Board Chambers, Sacramento County Administration Center, 700 H Street, Sacramento, California.

PRESENT: Chair Chris Tooker, Commissioners Elliot Mulberg, Charles Rose, Susan Peters, Robert King Fong, Illa Collin, Sophia Scherman; Alternate Commissioner Gay Jones.

Not Present: John Jachens, Roberta MacGlashan, Steve Mikilos, Kevin McCarty.

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

CONSENT CALENDAR

The Chair called the meeting to order at 5:41 P.M. and asked Commissioner Mulberg to lead the Pledge of Allegiance. Mr. Tooker announced the Board Chambers must be vacated at 7:30 P.M. for the County Board of Supervisors to resume their meeting.

Approval of the Consent Calendar [Minutes of June 7, 2006; Minutes of July 20, 2006; Claims dated July 28, 2006] was moved by Commissioner Rose, seconded by Commissioner Peters and unanimously passed.

Mr. Brundage announced the urgency of the proposed Gum Ranch II Annexation to Fair Oaks Water District (11-06) in light of the September 12 expiration of the conditionally approved tentative map and asked the Commission to direct him to work with Baker-Williams Engineering and County staff to prepare the matter for hearing and possibly a special meeting. A motion to approve staff's recommendation was moved by Commissioner Scherman, seconded by Rose, and unanimously passed.

PACIFIC FIRE PROTECTION DISTRICT - FRUITRIDGE FIRE PROTECTION DISTRICT CONSOLIDATION (05-06)

[CEQA: Exempt]

Mr. Brundage reviewed the proposed consolidation of the Pacific Fire District and Fruitridge Fire District. The Executive Officer recommended approval with no additional terms and conditions beyond those presented in the Districts' Resolutions of application. There was brief Commission discussion. Commissioner Rose moved approval of the consolidation; the motion was seconded by Commissioner Mulberg and unanimously passed.

Sacramento LAFCo Agriculture - Open Space Policy Workshop

Mr. Lockhart requested a continuance of this item to the Agenda of October 4, 2006.

Mr. Artie Zahedani, North State Building Industry Association, addressed the Commission. Mr. Zahedani stated, " The BIA will be actively engaged in this process; I urge you to continue." On a motion by Commissioner Peters, seconded by Commissioner Scherman, the Commission approved the continuance of the item to October 4, 2006.

**CITY OF SACRAMENTO SPHERE OF INFLUENCE AMENDMENT
AND REORGANIZATION OF GREENBRIAR PROPERTY (12-05)
[CEQA: Environmental Impact Report]**

Mr. Brundage stated this meeting is a noticed hearing for the Draft Environmental Impact Report for the Greenbriar project. Comments received by the Commission this evening will be responded to and reflected in the Final Environmental Impact Report. Mr. Gary Jacobs, EDAW, then made a presentation to the Commission on the Draft Environmental Impact Report.

Tom Buford, City of Sacramento, stated support for a continuance to October 4, 2006.

Ms. Alicia Guerro, Morrison-Forrester and Independent Counsel to the City of Sacramento, addressed the Commission. Ms. Guerro discussed the procedures for amending and/ or revising the Habitat Conservation Plan regarding the Greenbriar project. Ms. Guerro answered Commission questions.

Ms. Tina Thomas, Remy, Thomas, representing AKT and Woodside Homes, addressed the Commission. Ms. Thomas stated her clients support a public hearing this evening, a public workshop, not a continuance to October 4, 2006.

Thomas Rearey, Natomas Community Association, addressed the Commission. Mr. Rearey stated the Association requests a continuation "because people have not had time to read the Draft EIR. We do not want Workshops; we want to address our comments to the entire Commission. This Draft EIR fails to address flood control issues," stated Mr. Rearey. "We believe the Draft EIR is disingenuous in stating all flood control issues have been addressed. The Natomas Community Association opposes any annexation until flood issues have been addressed," concluded Mr. Rearey.

Jim Pahl, Environmental Council of Sacramento, Sierra Club, addressed the Commission. Mr. Pahl stated he requested a continuance "because the project is controversial and the appearance of trying to rush this through does not look good. People deserve time to read the Draft EIR and have face time with the Commission." Mr. Pahl addressed flood issues, stating the Draft EIR "assumes there is flood

protection. On July 20, the USA COE said it is withdrawing its 100 year flood FEMA protection status because the levees do not meet FEMA's requirements." Mr. Pachl then discussed the Habitat Conservation Plan and recommended that "the HCP process be done prior to rezoning."

Ms. Jude Lamare, Board Member, Environmental Council of Sacramento, addressed the Commission. Ms. Lamare reminded the Commission that "LAFCo is the body that looks at regional issues. This is a City project but it has been described as integral to our regional transportation system. This project has been used to justify light rail line; I don't think it justifies light rail or makes this line feasible. It will not affect people coming to and from the airport. This light rail line will draw resources away from areas that are already built that need transportation," concluded Ms. Lamare.

Gary Jacobs of EDAW responded to Ms. Lamare's comments stating "The EIR does address this issue. The EIR also states levees may be decertified. The EIR addresses mitigation measures."

There was Commission discussion regarding a continuance of the hearing to October 4. Commissioner Fong moved adoption of the date of August 30 for a special hearing on the Draft EIR for the Greenbriar project. Commissioner Scherman seconded the motion. The motion was unanimously passed. The Chair announced the date, time and place of the special meeting: Wednesday, August 30, 2006, 5:30 P.M., Board Chambers, Sacramento County Administration Center, 700 H Street, Sacramento, California.

City of Sacramento General Plan Outreach Effort

Due to the necessity of vacating chambers for the Board of Supervisors' continued meeting, the Commission did not have time to hear this item by Ms. Caitlin Camp. However, the Commission graciously congratulated the Student Intern and wished her well in her future college career. This item was received and filed.

Alternate Public Member Position on Sacramento LAFCo

The Clerk reported she has received only one application after extensively noticing the opening for the Alternate Public Member. The Commission directed the Clerk to extend the deadline and reissue the public notice.

There were no further reports. Commissioner Mulberg announced a Special District Advisory Committee meeting will be held on August 29. The meeting was adjourned at 7:17 P.M.

Respectfully submitted,

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

Marilyn Ann Flemmer
Commission Clerk

MAF
(Minutes August 2, 2006)