

MINUTES OF MARCH 2, 2005

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

PRESENT: Robert King Fong, Chair; Christopher Tooker, Vice-Chair; Commissioners Charles Rose, Susan Peters, Illa Collin, Elliot Mulberg and Sophia Scherman.

Not Present: Alternate Commissioners: John Jachens, Roberta MacGlashan, Steve Miklos, Gay Jones and 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 5:30 P.M. by Chair Robert King Fong. The Chair called for the Pledge of Allegiance The Clerk called the roll.

CONSENT CALENDAR

On a motion made by Commissioner Tooker, seconded by Commissioner Scherman, approval of the Minutes of February 2, 2005 and Claims dated February 25, 2005 was passed.

The Assistant Executive Officer introduced Mr. Michael Coleman, Special Consultant, League of California Cities, who presented a paper on Vehicle License in lieu Fee Impacts as related to Incorporations and Annexations in California. Mr. Coleman answered Commission questions.

Presentation to Commissioner Muriel Johnson

Commissioner Susan Peters presented a Sacramento LAFCo Resolution Honoring Muriel Johnson for her service on the Sacramento Local Agency Formation Commission. [Former Supervisor Muriel Johnson, now retired, is now State Director for the California Arts Council.]

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR DEL PASO MANOR WATER DISTRICT

The Executive Officer reviewed the MSR and recommended that the District Sphere of Influence remain at the current District boundary. There was Commission discussion; Mr. Brundage answered questions. Mr. Brundage stated the District currently operates efficiently with a staff of three persons; it does not appear that consolidation would result in substantial savings.

Commissioner Tooker stated he believed staff should develop recommendations of specific criteria for special district findings regarding adequate levels of service as well as accountability to ratepayers. Staff will prepare a report back.

Roger Nelson, General Manager, Del Paso Manor Water District, addressed the Commission. Mr. Nelson stated the process of creating the Municipal Services Review has brought "new life to an old dialogue regarding the concept of conjunctive use with neighboring water districts." Mr. Nelson stated Del Paso Manor Water District will continue discussions with Sacramento Suburban Water District regarding conjunctive use.

Rob Roscoe, General Manager, Sacramento Suburban Water District, addressed the Commission. Both Mr. Roscoe and Mr. Nelson stated their appreciation for LAFCo staff's work on the Municipal Service Review. Mr. Roscoe stated the Water Forum solution to groundwater overdraft is a good solution, one all districts are working toward, however, there are issues such as wet years and dry years to consider, stated Mr. Roscoe. He concluded stating "Sacramento Suburban is happy to be working with Del Paso Manor Water to bring surface water to the area."

Barbara Weiss, President, Del Paso Manor Homeowners' Association, addressed the Commission. Ms. Weiss stated the Del Paso Manor Water District provides excellent water quality, excellent service, has appreciably low rates, and actively participates with the Homeowners Association in providing information on conjunctive use. It is important to the Association that the District has reasonable rates, concluded Ms. Weiss.

Commissioner Rose moved approval of staff's recommendation for the Municipal Service Review and Sphere of Influence Update for the Del Paso Manor Water District. Commissioner Scherman seconded the motion which was unanimously passed.

Impartial Analysis
Proposed Freeport Annexation to City of Sacramento

Mr. Lockhart reviewed the staff prepared Draft Impartial Analysis for the ballot booklet for the special election to determine the proposed Freeport Annexation to City of Sacramento. Commissioner Collin asked some questions regarding election issues. There was some discussion. Commissioner Tooker moved approval of the Impartial Analysis as written. The motion was seconded by Commissioner Collin and unanimously approved.

Special District Advisory Committee
Confirmation of Representative from American River Flood Control District

On a motion by Commissioner Mulberg, seconded by Commissioner Tooker, and unanimously passed, Karolyn Simon, Trustee, American River Flood Control District, was confirmed as a representative to the Sacramento LAFCo Special District Advisory Committee.

Commission Counsel Opinion Re LAFCo Purview on Park Services in the City of Elk Grove

Commission Counsel stated that due to the fact that the Elk Grove Community Services District has filed litigation against the City of Elk Grove, she "did not wish to issue an opinion without clear parameters of direction given by your Commission." Ms. Miller reviewed the incorporation process, successful in 1999, wherein the proponents did not express desire to provide park services. However, a general law city, stated Ms. Miller, "has powers provided by statute. To the question can a CSD and city provide duplicate services, case law exists that states no, a city and special district may not provide duplicate services. The question of enhanced services has not been adjudicated by the courts," stated Ms. Miller. There was Commission discussion. It was Commission consensus that the matter should be left to the court's decision.

Sacramento Regional Transit District Legislative Update

Mr. Brundage reported that he met with Peter Detwiler, Senate Local Government, and Beverly Scott, Sacramento Regional Transit District, and the District Board has a subcommittee that is exploring options. All parties will continue to work together toward a solution, stated the Executive Officer.

Issuance of Final Program Completion Certification for City of Elk Grove Mitigation Monitoring Program

The Executive Officer recommended that the Commission direct him to issue the Certificate of Completion for Mitigation Measure No. 2, annexation to Sacramento Regional Transit District, in light of the Agreement between the City and the District. On a motion to approve the Executive Officer's recommendation, made by Commissioner Tooker, seconded by Commissioner Mulberg, the motion was unanimously passed.

Open Space Policy

Mr. Lockhart gave a brief update regarding public outreach and feed back received to date.

Monthly Budget Report

Mr. Brundage requested Commission approval for an appropriations transfer of funds as well as Executive Officer authority to shift funding between budget objects whenever necessary. On a motion made by Commissioner Tooker, seconded by Commissioner Scherman, the Executive Officer's recommendations were unanimously approved.

Work Plan Update

Mr. Lockhart gave a brief review, noting the new summary sheet format. There was brief Commission discussion regarding the proposed El Dorado Hills incorporation.

There was no further business. The meeting was adjourned at 7:26 P.M.

Respectfully submitted,

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

Marilyn Ann Flemmer
Commission Clerk

MAF
(Minutes March 2, 2005)