

## ***MINUTES OF MEETING OF DECEMBER 6, 2006***

The Sacramento Local Agency Formation Commission met this sixth day of December, 2006, at 5:30 P.M. in Hearing Room #2, Sacramento County Administration Center, 700 H Street, Sacramento, California.

PRESENT: Chris Tooker, Chair; Commissioners Robert King Fong, Sophia Scherman and Gay Jones.

ABSENT: Commissioners Susan Peters, Illa Collin, Charles Rose.

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

### **CONSENT CALENDAR**

The meeting was called to order by the Chair at 5:50 P.M. The Clerk called the roll. Chairman Tooker reported on the subcommittee meeting to appoint an Alternate Public Member Commissioner. Commissioner Tooker stated, "The subcommittee will provide a recommendation at the Commission meeting of February 7, 2006." On a motion made by Commissioner Fong, seconded by Commissioner Jones, the Minutes of November 1, 2006 and Claims dated December 1, 2006 were unanimously approved.

### **GALT JOINT UNION HIGH SCHOOL DISTRICT TEMPORARY OUT OF SERVICE CONTRACT FOR WATER/FIRE FLOW WITH CITY OF GALT FOR CONSTRUCTION OF ESTRELITA CONTINUATION HIGH SCHOOL (14-06) [CEQA: Exempt]**

Mr. Lockhart reviewed the proposal that requests authority for the Galt Joint Union High School District to contract with the City of Galt for temporary municipal water service during the construction of Estrelita Continuation High School (outside Galt City Limits). Mr. Lockhart reported no objections have been filed with staff; he recommended approval of the temporary out of service contract. Commissioner Fong moved approval for the proposed contract; the motion was seconded by Commissioner Scherman and unanimously approved.

**SACRAMENTO SUBURBAN WATER DISTRICT**  
**SPHERE OF INFLUENCE AMENDMENT AND**  
**ANNEXATION OF ANTELOPE RESERVOIR**  
*(10-06) [CEQA: Exempt]*

Mr. Brundage reviewed the proposal stating the Antelope Reservoir is owned by Sacramento Suburban Water District but within the service territory of the California American Water Company. The Company has filed the sole objection to the proposal at the same time acknowledging that the annexation will have no financial or operational impact on the Company's ability to serve the remainder of its service territory. Mr. Brundage reported that the Public Utilities Commission has provided no written comment on this matter. Sacramento Suburban Water District wishes to place district owned property within the district (public agency) boundary. Commissioner Fong moved approval of the proposal; Commissioner Scherman seconded the motion which was passed unanimously.

**COMMISSION COUNSEL REPORT BACK**  
**Agriculture and Open Space Policies**

Commission Counsel stated she had no full report to give but would provide a status report and she would address the issue before a full Commission on February 7, 2007. Ms. Miller stated the Sacramento Local Agency Formation Commission has the authority to adopt policies to protect agriculture and open space lands beyond those protections currently provided in Cortese-Knox-Hertzberg. "The CEQA process will apply to the adoption of such policies," stated Ms. Miller. She further stated she met with three environmental representatives who were not allowed to address the Commission at its last meeting. She stated she recommends that the Commission allow the presentations to go forward at the February 7, 2007, Commission meeting and that the Commission schedule the discussion and adoption of policies at a later Commission hearing. There was brief Commission discussion.

Mr. Jim Pachel, Friends of Swainson's Hawk, addressed the Commission. Mr. Pachel stated he urged the Commission to support Counsel's recommendation. "Presentations will address matters of importance in preserving open space," stated Mr. Pachel.

**Motion to Adopt Counsel's Recommendation**

Commissioner Fong moved to hear presentations on February 7, 2007 that were not allowed at the previous meeting. The motion was seconded by Commissioner Jones and unanimously passed.

**Resolutions Honoring Former Commissioners**

Commissioner Scherman moved adoption of Resolutions 1334, 1335, and 1336, to be framed and presented to the honorees at the meeting of February 7, 2007. The motion was seconded by Commissioner Jones and unanimously passed.

**Closed Session**  
**Conference with Legal Counsel on Existing Legislation**

At the end of the Closed Session, Commission Counsel reported "LAFCo has received a Judgment in our favor in the *Citrus Heights Infrastructure Pay As You Go v. City of Citrus Heights, Sacramento Local Agency Formation Commission and Does 1-20* case."

**LAFCo Budget**

Peter Brundage stated costs of litigation for the Rancho Cordova lawsuit and underestimated salaries for staff may potentially impact the Commission's Final Budget adopted last June. He stated existing reserves will cover the shortfall of salary costs; he will monitor the situation and report back.

**LAFCo Work Plan**

Mr. Lockhart reported that work on Agriculture-Open Space Policies and the CEQA requirements to process them is an unbudgeted item. He will report back.

There were no further reports. The meeting was adjourned at 6:20 P.M.

Respectfully submitted,

***SACRAMENTO LOCAL AGENCY FORMATION COMMISSION***

Marilyn Ann Flemmer  
Commission Clerk

Maf  
(Minutes December 6, 2006)