

### MINUTES OF MARCH 28, 2018

#### STATE OF CALIFORNIA, COUNTY OF EL DORADO

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#### 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting of the Local Agency Formation Commission held March 28, 2018 was called to order at 5:30 p.m. by Chair Frentzen in the Board of Supervisors Chambers, Building A of the Government Center, 330 Fair Lane, Placerville, California and at a teleconference location in the South Lake Tahoe City Council Chambers, 1901 Airport Road, South Lake Tahoe, California. Regular Members present were: City Members Mark Acuna and Brooke Laine, County Members Shiva Frentzen and Brian Veerkamp, District Member Ken Humphreys and Public Member Dyana Anderly. Others present were: Alternate District Member Holly Morrison, and Alternate Public Member Michael Powell, Executive Officer José C. Henriquez, Assistant Executive Officer Erica Sanchez, and LAFCO Counsel Kara K. Ueda.

Prior to roll call, pursuant to California Government Code Section 54953, Chair Frentzen made clear for the record of the meeting that one member of the Commission would be participating in the meeting by speaker phone. In accordance with the Brown Act, the teleconference location had been identified in the public notice and agenda for the meeting.

Chair Frentzen briefly went through some special procedures required by the Brown Act. Commissioner Laine made the following statements:

- (1) Commissioner Laine confirmed she could hear Chair Frentzen.
- (2) Commissioner Laine confirmed she could hear the proceedings occurring on the Placerville site.
- (3) Commissioner Laine confirmed she had a copy of the agenda.
- (4) Commissioner Laine confirmed the LAFCO agenda was posted at her location.
- (5) Commissioner Laine confirmed that her location was reasonably accessible to the public, such that any member of the public could participate in the teleconference from her location if he or she wished to do so.
- (6) Commissioner Laine indicated that there were no members of the public who wanted to participate in the public comment portion of the meeting, or otherwise address any agenda item for the meeting.

After confirming with the members in the Placerville location, Chair Frentzen stated that the record should reflect that all Commissioners present had indicated that they were able to hear Commissioner Laine clearly.

After confirming with the members present at the Placerville location, Chair Frentzen stated that the record should reflect that no Commissioner had expressed doubt that Commissioner Laine was the party participating by teleconference.

#### 2. ROLL CALL

##### **VOTING MEMBERS:**

Acuna, Anderly, Frentzen, Humphreys, Laine, Morrison, Veerkamp

**3. ADOPTION OF AGENDA****MOTION**

Commissioner Acuna moved to adopt the Agenda, second by Commissioner Humphreys.

**ACTION**

The motion was approved by the following vote:

AYES: Acuna, Anderly, Humphreys, Laine, Morrison, Veerkamp, Frentzen  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

**4. CONSENT CALENDAR**

- A. MINUTES OF THE REGULAR MEETING OF FEBRUARY 28, 2018
- B. REVIEW OF CLAIMS
- C. CANCEL THE APRIL 25, 2018 MEETING
- D. AMEND POLICIES & GUIDELINES SECTION 2.1.6

**MOTION**

Commissioner Morrison moved to adopt the consent calendar, second by Commissioner Acuna.

**ACTION**

The motion was approved by the following vote:

AYES: Acuna, Anderly, Humphreys, Laine, Morrison, Veerkamp, Frentzen  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

**5. PUBLIC FORUM/PUBLIC COMMENT**

Chair Frentzen opened the public forum. No member of the public addressed the Commission.

**6. CONSIDER AND APPROVE THE ENVIRONMENTAL REVIEW AND THE BASS LAKE NORTH ANNEXATION TO THE EL DORADO IRRIGATION DISTRICT (LAFCO PROJECT NO. 2017-05)**

Ms. Sanchez reviewed the staff report with the recommendation that the Commission approve the Bass Lake North Annexation into the El Dorado Irrigation District; LAFCO Project No. 2017-05, by taking the following actions:

1. Recognize that El Dorado County, as the lead agency for the project, has prepared an Addendum to the Bass Lake Road Study Area Program Environmental Impact Report and California Environmental Quality Act (CEQA) determinations which have been found to be adequate for the purposes of the annexation and direct staff to file a Notice of Exemption in compliance with CEQA and local ordinances implementing the same.
2. Adopt LAFCO Resolution L-2018-06, adding any additional conditions the Commission finds appropriate and approve the Bass Lake North Annexation to the El Dorado Irrigation District.
3. Waive the Conducting Authority Proceedings subject to Government Code §56663 and local policies.
4. Direct the Executive Officer to complete the necessary filings and transmittals as required by law.

5. Determine the effective date of the approval of this agreement to be five (5) working days after recordation by the County Recorder of the Executive Officer's Certificate of Completion once the imposed conditions are met.

Chair Frentzen opened the public forum.

Norm Brown, representing himself, commended LAFCO staff on their work and assistance they provided as this project moved along the LAFCO process.

Commissioner Anderly asked if there were going to be any changes to the plan.

Mr. Brown responded there might be a revision or two, but that the overall size of the project will remain roughly the same and not expected to change substantially.

#### **MOTION**

Commissioner Veerkamp moved to approve the Bass Lake North Annexation into the El Dorado Irrigation District and adopt Resolution L-2018-06, second by Commissioner Humphreys.

#### **ACTION**

The motion was approved by the following vote:

AYES: Acuna, Anderly, Humphreys, Laine, Morrison, Veerkamp, Frentzen  
NOES: None  
ABSTAIN: None  
ABSENT: None

### **7. CONSIDER AND APPROVE LAFCO RESOLUTION L-2018-07 SETTING THE LAFCO SALARIES FOR ALL POSITIONS**

Mr. Henríquez reviewed the staff report with the recommendation that the Commission consider and approve Resolution L-2018-07, setting the salaries for all LAFCO staff positions starting July 1, 2018.

Chair Frentzen opened the public forum.

Kevin Loewen, General Manager for El Dorado Hills CSD, stated although his agency does not have a seat on LAFCO, they are definitely supportive of staff being paid an appropriate fair competitive wage and benefits. Because there will be a direct impact from the funding for each district, he requests to be notified in advance what the impact to his agency's share of the special district contribution would be in future years.

Chair Frentzen stated that in the Budget Ad Hoc committee was mindful that there would be an impact on the agencies and tried minimizing it by phasing the salary increase across three years to ensure the impact would not be as significant.

#### **MOTION**

Commissioner Humphreys moved to approve the LAFCO Salaries for all positions and Resolution L-2018-07, second by Commissioner Anderly.

#### **ACTION**

The motion was approved by the following vote:

AYES: Acuna, Anderly, Humphreys, Laine, Morrison, Veerkamp, Frentzen  
NOES: None  
ABSTAIN: None  
ABSENT: None

**8. PUBLIC HEARING TO CONSIDER AND ADOPT THE PROPOSED WORK PLAN FOR FISCAL YEAR 2018-19**

Mr. Henríquez reviewed the staff report with the recommendation that the Commission receive and adopt the Proposed Work Plan for Fiscal Year 2018-19.

Chair Frentzen opened the public forum. No member of the public addressed the Commission.

**MOTION**

Commissioner Acuna moved to approve the Proposed Workplan for FY 2018-19, second by Commissioner Humphreys.

**ACTION**

The motion was approved by the following vote:

AYES: Acuna, Anderly, Humphreys, Laine, Morrison, Veerkamp, Frentzen

NOES: None

ABSTAIN: None

ABSENT: None

**9. PUBLIC HEARING TO CONSIDER AND ADOPT THE PROPOSED BUDGET FOR FISCAL YEAR 2018-19**

Mr. Henríquez reviewed the staff report with the recommendation that the Commission:

1. Receive the information related to the draft Proposed Budget for Fiscal Year 2018-2019;
2. Open the Public Hearing on this matter; and
3. Adopt the Proposed Budget for Fiscal Year 2018-2019.

Chair Frentzen opened the public forum. No member of the public addressed the Commission.

**MOTION**

Commissioner Veerkamp moved to approve the Proposed Budget for FY 2018-19, second by Commissioner Acuna.

**ACTION**

The motion was approved by the following vote:

AYES: Acuna, Anderly, Humphreys, Laine, Morrison, Veerkamp, Frentzen

NOES: None

ABSTAIN: None

ABSENT: None

**10. APPROVE CHANGES TO THE BUDGETARY CREATION PROCESS**

Mr. Henríquez reviewed the staff report with the recommendation that the Commission approve the manner in which applicant fees are calculated in the budget. Specifically, the new process calls for utilizing earned applicant fees in the budget, collected across a calendar year, approximately six months after collection.

Chair Frentzen opened the public forum. No member of the public addressed the Commission.

**MOTION**

Commissioner Acuna moved to approve the staff recommended changes to the budgetary process, second by Commissioner Veerkamp.

**ACTION**

The motion was approved by the following vote:

AYES: Acuna, Anderly, Humphreys, Laine, Morrison, Veerkamp, Frentzen  
NOES: None  
ABSTAIN: None  
ABSENT: None

**11. DISCUSSION ON THE CURRENT INTERNAL FRAUD PREVENTION CONTROL PROCEDURES**

Mr. Henríquez reviewed the staff report.

Commissioner Anderly stated she did not see any policies that address the disclosure of confidential or proprietary information or how to address instances where the Executive Officer is the subject of a fraud investigation.

Commissioner Laine recommended also adding policies that:

- Prohibit the use of debit cards and the use signature stamps,
- Prohibits the Executive Officer from “balancing the checkbook” to ensure there is a little bit of separation between authorization of payment and reconciling the finances,
- Tighten who can enter new vendors into the accounts payable system.

Kevin Loewen, General Manager for El Dorado Hills CSD, stated that there probably aren't many new vendors, but something could be submitted to the Commission for approval when there is a new one.

The Commission gave direction to staff to draft policies for their consideration that addresses these areas.

**12. OTHER BUSINESS****A. LEGISLATION**

Chair Frentzen opened the public forum. No member of the public addressed the Commission.

**MOTION**

Commissioner Veerkamp moved to send letters of support for AB 2258 and AB 3254, second by Commissioner Acuna.

**ACTION**

The motion was approved by the following vote:

AYES: Acuna, Anderly, Humphreys, Laine, Morrison, Veerkamp, Frentzen  
NOES: None  
ABSTAIN: None  
ABSENT: None

**B. COMMISSIONER ANNOUNCEMENTS****C. COUNSEL REPORT****D. EXECUTIVE OFFICER REPORT**

**13. ADJOURNMENT**

Chair Frentzen adjourned the meeting at 7:30 pm.

The next regularly scheduled LAFCO meeting will be May 23, 2018.

**APPROVED BY THE COMMISSION  
AUTHENTICATED AND CERTIFIED**

  
Interim Clerk to the Commission

  
Chairperson