

MINUTES OF MARCH 25, 2009

STATE OF CALIFORNIA, COUNTY OF EL DORADO

1. CALL TO ORDER AND ROLL CALL

The meeting of the Local Agency Formation Commission held March 25, 2009 was called to order at 5:30 p.m. by Chair Loftis in the meeting room, Building C of the Government Center, 2850 Fair Lane, Placerville, California and at the South Lake Tahoe City Council Chambers, 1901 Airport Road, South Lake Tahoe, California. Regular Members present were: City Members Jerry Birdwell and Carl Hagen, District Members Ken Humphreys and Harry J. Norris, County Members Ron Briggs and James Sweeney, and Public Member Francesca Loftis. Others present were: Alternate District Member Michael Cooper, Alternate Public Member Norm Rowett, Executive Officer José C. Henríquez, Policy Analyst Erica Sanchez, and LAFCO Counsel Andrew Morris.

Prior to roll call, pursuant to California Government Code Section 54953, Chair Loftis 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.

ROLL CALL - VOTING MEMBERS:

Birdwell, Briggs, Hagen, Humphreys, Loftis, Norris, Sweeney

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

- (1) Commissioner Birdwell confirmed he could hear Chair Loftis.
- (2) Commissioner Birdwell confirmed he could hear the proceedings occurring on the Placerville site.
- (3) Commissioner Birdwell confirmed he had a copy of the agenda.
- (4) *Commissioner Birdwell confirmed the LAFCO agenda was posted at his location.*
- (5) Commissioner Birdwell confirmed that his location was reasonably accessible to the public, such that any member of the public could participate in the teleconference from his location if he or she wished to do so.
- (6) Commissioner Birdwell 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 Loftis stated that the record should reflect that all Commissioners present had indicated that they were able to hear Commissioner Birdwell clearly.

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

2. CONSENT CALENDAR

- A. ADOPTION OF AGENDA
- B. MINUTES OF THE REGULAR MEETING OF FEBRUARY 25, 2009
- C. APPROVAL OF CLAIMS

MOTION

Commissioner Briggs moved to place Agenda items 4 and 6 to the Consent Calendar.

ACTION

After discussion, Commissioner Briggs withdrew his motion.

MOTION

Commissioner Sweeney moved to adopt the consent calendar, second by Commissioner Humphreys.

ACTION

The motion was unanimously approved by the Commission.

3. PUBLIC FORUM/PUBLIC COMMENT

Chair Loftis opened the public forum. No member of the public addressed the Commission at either location.

4. CONSIDERATION AND APPROVAL OF THE CONTRACT WITH SDRMA FOR GENERAL LIABILITY INSURANCE

Mr. Henriquez reviewed the staff report and with the recommendation that the Commission:

1. Consider contracting with the Special District Risk Management Association as LAFCO's general liability insurance carrier;
2. Open the public hearing on this matter;
3. Approve Resolution L-2009-03 to contract SDRMA for general liability insurance; and
4. Direct staff to adjust the final budget numbers and complete the application with SDRMA.

Commissioner Rowett inquired about the three-year participation requirement, which did not include a three-year rate lock-in. He questioned how significant that would be if SDRMA came back with a higher rate.

Mr. Henriquez replied that LAFCO has been enrolled in the Worker's Compensation program with SDRMA since 2004 and the rates have not increased by a significant percentage; history has shown that the fluctuation is almost non-existent. In addition, SDRMA would have to notify LAFCO of a rate change prior to its adoption.

MOTION

Commissioner Humphreys moved to approve Resolution L-2009-03 and authorize the execution of the contract, second by Commissioner Briggs.

ACTION

The motion was unanimously approved by the Commission.

5. CONSIDER AMENDING THE PERSONNEL POLICIES AND PROCEDURES RELATING TO CALPERS CONTRIBUTION BENEFITS

Mr. Henriquez reviewed the staff report with the recommendation that the Commission receive the information relating to a possible amendment to its Personnel Policies and Procedures on the employee benefit of LAFCO paying the employee share of the CalPERS contribution.

After some discussion on retirement plan options, the Commission directed staff to draft a new policy for new employees to pay their share (7%), set by CalPERS, and report back.

6. CONSIDER THE CANCELLATION OF THE MAY 27, 2009 MEETING

Mr. Henriquez reviewed the staff report with the recommendation that the Commission authorize the Chair to cancel the May 27, 2009 regular meeting if staff determines that there are no projects or items of substance expected to go before the Commission for that month.

MOTION

Commissioner Briggs moved to approve the cancellation of the May 27, 2009 meeting, second by Commissioner Sweeney.

ACTION

The motion was unanimously approved by the Commission.

7. OTHER BUSINESS

A. LEGISLATION

B. COMMISSIONER ANNOUNCEMENTS

Mr. Henriquez gave an update on the Special District representation. He stated the call for nominations has gone out and the special districts have until May 4 to nominate someone. After the receipt of all nominations, the ballots will be sent out on May 7, with the election closing on June 30.

C. COUNSEL REPORT

D. EXECUTIVE OFFICER REPORT

Mr. Henriquez stated there is some room in the budget for one to three people to attend the CALAFCO University class on Fire District Consolidation, which is \$225/person, including airfare. However, there is a concern about the mileage reimbursement (to and from the airport).

The Commission directed staff to send Mr. Henriquez and Commissioner Humphreys. In addition, they directed staff to communicate to CALAFCO that video conferences be considered in the future.

8. ADJOURNMENT

MOTION

Commissioner Hagen moved to adjourn the meeting, second by Commissioner Briggs.

ACTION

The motion was unanimously approved by the Commission.

Chair Loftis adjourned the meeting at 6:35 pm.

The next regularly scheduled LAFCO meeting will be April 22, 2009.

**APPROVED BY THE COMMISSION
AUTHENTICATED AND CERTIFIED**



Clerk to the Commission



Chairperson