

Les Baugh  
County Member

Larry Farr  
City Member

Stan Neutze  
City Member

Francie Sullivan  
City Member Alternate

Irwin Fust  
Special District Member

Mary Rickert  
County Member Alternate

Brenda Haynes  
Special District Member



Dick Fyten  
Public Member

David Kehoe  
County Member

Vacant  
Special District Alternate

Bob Richardson  
Public Member Alternate

George Williamson  
Executive Officer

James M. Underwood  
General Counsel

Kathy Bull  
Office Manager

## **MINUTES**

### Regular Commission Meeting February 2, 2017 City of Anderson Council Chambers

*(These minutes are not intended to be a verbatim transcription of the proceedings and discussion associated with the business on the Commission's agenda; rather, what follows is a summary of the order of business and general nature of testimony, Commission deliberation, and action taken.)*

#### 1. CALL TO ORDER

- a. Vice-Chairman Fust called the meeting to order at 9:00 a.m. at the City of Anderson Council Chambers, 1887 Howard Street, Anderson, California.

**Present:** Vice-Chairman Fust; Commissioners, Baugh, Farr, Fyten, Haynes, Kehoe, and Neutze. Alternate Commissioners Sullivan and Richardson were present in the audience.

**Staff Present:** Executive Officer George Williamson, General Counsel Jim Underwood and Office Manager Kathy Bull

**Absent:** Alternate Commissioner Rickert

- b. Commissioner Dick Fyten led the Pledge of Allegiance.  
c. Vice-Chairman Fust acknowledged Stan Nuetze as a new member, David Kehoe as a returning member and Mary Rickert as an Alternate member.  
d. Vice-Chairman Fust requested nominations for Chairman and Vice-Chairman.

**Motion** was presented by Commissioner Kehoe to nominate Irwin Fust as Chairman and Larry Farr as Vice-Chairman, seconded by Commissioner Baugh and passed by the following votes:

**Ayes:** Baugh, Farr, Fust, Fyten, Haynes, Kehoe, Neutze

**Noes:** None

**Abstain:** None

**Absent:** None

#### 2. PUBLIC COMMENT

No public comment was provided.

#### 3. AGENDA ADOPTION

- a. Agenda Additions/Changes

Commissioner Fyten requested item 5.c. 2<sup>nd</sup> Quarter Budget pulled from the consent calendar.

- b. Business/Campaign Conflict Disclosures

No conflicts were disclosed.

#### 4. SPECIAL PRESENTATIONS

No special presentations were provided.

#### 5. CONSENT CALENDAR

- a. Minutes from December 6, 2016 Commission meeting

- b. Fiscal Information – November and December bank statements, reconciliations, disbursements

**Motion** to approve consent calendar items a. and b. was presented by Commissioner Kehoe, seconded by Commissioner Haynes and passed by the following votes:

**Ayes:** Baugh, Farr, Fust, Fyten, Haynes, Kehoe, Neutze

**Noes:** None

**Abstain:** None

**Absent:** None

- c. 2<sup>nd</sup> Quarter Budget Information/mid-year budget review – Commissioner Fyten stated there was a discrepancy of \$395 between the Planwest document and the budget document due to a payment made in January. It was also noted that Planwest was under budget at this time.

Mr. Williamson explained the discrepancy was a matter of when the invoice was submitted the end of the 1<sup>st</sup> quarter and payment was made in 2<sup>nd</sup> quarter. There may be a possibility to amend the MSR/SOI budget.

It was noted to place budget information as a regular business item in order to discuss at future meetings.

**Motion** to approve consent calendar item c. was presented by Commissioner Haynes, seconded by Commissioner Baugh and passed by the following votes:

**Ayes:** Baugh, Farr, Fust, Fyten, Haynes, Kehoe, Neutze

**Noes:** None

**Abstain:** None

**Absent:** None

6. CORRESPONDENCE

- a. CalPERS Letter – Mr. Williamson provided that himself, Ms. Bull and Mr. Underwood work as contractors and doesn't believe are subject to CalPERS. He explained CalPERS wanted to do a contract monitoring review.

Commissioner Fyten brought it the Commissions attention that the CalPERS letter stated LAFCO could be charged with additional costs for the review process. Mr. Underwood stated the letter had routine language that's authorized by statute. He also mentioned this should be a summary audit with not much information to be provided and reviewed and doesn't expect that authority to be evoked.

Vice-Chairman Farr asked Mr. Underwood to explain the portion of the letter that states to review an agency with an inactive rate plan. Mr. Underwood explained LAFCO previously had CalPERS employees with a contract in place for W-2 employees, and LAFCO has transitioned from W-4 employees to contract employees which may have triggered the letter.

7. SCHEDULED PUBLIC HEARINGS

No public hearings were scheduled.

8. NEW BUSINESS

- a. SB 1266 Enactment – Mr. Williamson provided information regarding the new enactment regarding Joint Powers Authorities. LAFCO will serve as a depository for any associated filings received.
- b. FY2017/2018 Budget Schedule – Information was provided regarding the budget practices, and the Commission was informed a draft budget will be provided at the April meeting and then provided to member organizations. A final budget will be provided in the June meeting.
- c. Authorization to Open Savings Account with US Bank – Mr. Williamson provided that the L.A.I.F. account had been closed. Staff is requesting a savings account within same bank as checking account.

Commissioner Baugh had the question as to why two different bank accounts. Mr. Williamson provided there is a slight cumulative interest at the beginning of the fiscal year when funds are received. Ms. Bull stated the current interest rate is .01 percent. Commissioner Neutze suggested looking into other banks for possible savings in service charges. Staff agreed to to check into other banks as to services charges.

**Motion** to authorize staff to open a savings account with US Bank was presented by Commissioner Baugh, seconded by Commissioner Kehoe and passed by the following votes:

**Ayes:** Baugh, Farr, Fust, Fyten, Haynes, Kehoe, Neutze

**Noes:** None

**Abstain:** None

**Absent:** None

## 9. OLD BUSINESS

Mr. Williamson suggested moving Item 9.d. before Item 9.a. which the Commission agreed to move.

- d. Information regarding City of Redding MSR/SOI Update Resolution as presented December 18, 2014 – Mr. Williamson explained the MSR/SOI update had been adopted in December 2014, but staff noted there completed resolution had not been done. In order to have a clear record of action taken, it is customary to include a draft resolution with the MSR/SOI update. This Resolution is to acknowledge previous action taken.

Mr. Diaz, asked the Commission that LAFCO rescind the previously approved City of Redding MSR/SOI and a future evaluation be taken to determine a more realistic boundary for the City of Redding.

There was discussion regarding the requested change of boundaries which was in opposition to the previously approved MSR/SOI Update. Commissioner Baugh stated an old action was before the Commissioner which requires confirmation by the Resolution. Commissioner Farr provided that if action was taken today, it does not shut the door, and there are other ways to make changes.

Commissioner Kehoe asked if Alternate Commissioner Sullivan was will to provide a statement as no other City of Redding employees were present. Alternate Commissioner Sullivan provided the City of Redding was in agreement with the updated MSR/SOI adopted in 2014.

**Motion** to continue this item to a future meeting to allow time for staff to work with Mr. Diaz and City of Redding was presented by Commissioner Haynes, seconded by Commissioner Fyten and failed by the following votes:

**Ayes:** Fyten, Haynes

**Noes:** Baugh, Farr, Fust, Kehoe, Neutze

**Abstain:** None

**Absent:** None

**Motion** to approve staff recommendation was presented by Commissioner Baugh, seconded by Commissioner Farr and passed by the following votes:

**Ayes:** Baugh, Farr, Fust, Kehoe, Neutze

**Noes:** Fyten, Haynes

**Abstain:** None

**Absent:** None

Chairman Fust announced both Items a. and b. were discussed together as one item.

- a. Executive and Fiscal Committee Meeting Policy/Procedure
- b. Policy and Procedures Update – Chapters 1 & 2 including Committee Policies

Information was provided as to updates to Policies. Staff was directed to provide a few changes to the Policy and Procedures update and bring back to the Commission at the next meeting.

There was discussion regarding the authority of the Executive Committee versus the Fiscal Committee. The Executive Committee is listed as the authority in previous Policies and Procedures.

**Motion** to establish authority established in 4.1 and 4.2 of the Policies and Procedures Chapter 1, minus an alternate as was presented by Commissioner Baugh, seconded by Commissioner Kehoe and passed by the following votes:

**Ayes:** Baugh, Farr, Fust, Fyten, Haynes, Kehoe, Neutze  
**Noes:** None  
**Abstain:** None  
**Absent:** None

- c. Commissioner Terms of Office

Information was provided regarding the terms of Office for seven regular commission members and four alternate commission members.

- d. Invoices from Planwest Partners, George Williamson for November and December 2016

**Motion** to approve the Planwest invoices was presented by Commissioner Baugh, seconded by Commissioner Haynes and passed by the following votes:

**Ayes:** Baugh, Farr, Fust, Fyten, Haynes, Kehoe, Neutze  
**Noes:** None  
**Abstain:** None  
**Absent:** None

#### 10. EXECUTIVE OFFICER REPORT

- a. Initiate Performance Review – Mr. Williamson provided information regarding the process of the Executive Officer Review.

- b. CALAFO and Status of Future Proposals/Pre-Application Agreements – Mr. Williamson provided updates for potential pre-application agreements that will be coming before the Commission at a future date.

#### 11. CLOSED SESSION

Pursuant to Government Code Section 54956.9, the Commission entered into closed session at 10:30 a.m.

Return from closed session to open session at 11:50 a.m. Chairman Fust stated there were no reportable actions.

12. STAFF ANNOUNCEMENTS


- a. Next Regular Meeting is scheduled for April 6, 2017 at 9:00 a.m. located at the City of Shasta Lake Council Chamber, 4488 Red Bluff Street, Shasta Lake, California.

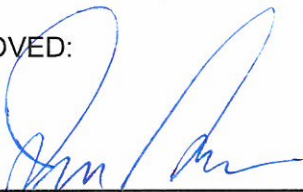
13. ADJOURNMENT

There being no further business, Chairman Fust adjourned the meeting at 11:55 a.m.

ATTEST:

APPROVED:

  
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Kathy Bull  
Acting Clerk to the Commission

  
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Irwin Fust  
Chairman

DATE: 4/6/2017

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