



Solano Local Agency Formation Commission

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Solano County Government Center
Board of Supervisors Chambers
675 Texas Street
Fairfield, CA 94533

April 10, 2023 10:00 A.M.
In-Person Only

MINUTES

1. CALL TO ORDER AND SALUTE TO THE FLAG

10:00 am

2. ROLL CALL

Present:

Commissioners: Ron Kott, John Vasquez, Steven Bird
Alternate Commissioners: Robert Gurrero, (Alma Hernandez – not vote)

Not Present:

Commissioners: Nancy Shopay, Mitch Mashburn
Alternate Commissioners: Wanda Williams

Staff:

Rich Seithel, Executive Officer; Christina Love, Deputy Executive Officer; Aaron Norman, Analyst II; Mala Subramanian, Lead Legal Counsel

3. REORGANIZATION OF THE COMMISSION

Re-appointment Public Member – Commissioner Shopay

4. CHANGES AND APPROVAL OF THE AGENDA

There were no changes made to the agenda. Com. Vasquez moved to approve the agenda as posted. Com. Bird seconded.

AYES: Kott, Vasquez, Bird, Gurrero
NOES: None
ABSENT: Shopay, Mashburn
ABSTAIN: None

Commissioners

Nancy Shopay, Chair • Ron Kott, Vice-Chair • John Vasquez • Mitch Mashburn • Steve Bird

Alternate Commissioners

Robert Guerrero • Alma Hernandez • Wanda Williams

Staff

Rich Seithel, Executive Officer • Christina Love, Deputy Executive Officer • Aaron Norman, Analyst II •
Mala Subramanian, Lead Legal Counsel

5. PUBLIC COMMENT

None.

6. PUBLIC COMMENT ON CONSENT ITEMS

None.

7. CONSENT ITEMS

Acting Chair Kott moved to approve. Com. Vasquez seconded.

AYES: Kott, Vasquez, Bird, Gurrero
NOES: None
ABSENT: Shopay, Mashburn
ABSTAIN: None

Commissioner Vasquez requested point of clarification on voting. There are 5 present commissioners, however, 3 are city representatives (Ron Kott, Steve Bird, and Alt. Alma Hernandez) and city representatives only have 2 voting rights at any meeting. Therefore, Alt. Alma Hernandez does not have a vote during this meeting.

Quorum is still met with the remaining 4 commissioners because representatives of each voting group (Solano County, Cities, and public at large) are present.

8. PUBLIC HEARING

A. LAFCO Project No. 2022-13: 7717 W Ranch Lane Annexation to the Rural North Vacaville Water District – Staff presented the project and findings, with a recommendation to approve the annexation request so that property can have new water connection for residential ADU and fire suppression. No commission or public comments.

Com. Vasquez moved to approve. Com. Bird seconded.

AYES: Kott, Vasquez, Bird, Gurrero
NOES: None
ABSENT: Shopay, Mashburn
ABSTAIN: None

Com. Vasquez asked a question related to RNVWD service review and sphere of influence, and spoke to the formation uses and limited service connections the system was engineered and designed for and for fire-suppression services, and mentioned that accessory dwelling units (ADUs) were not contemplated or considered in the infrastructure design. Com. Vasquez explained a concern about how far a connection is from a fire hydrant and how the water pressure can be affected by distance and number of connections. Supported/directed staff to start taking a hard look at future annexations into RNVWD in consideration of water pressure and access.

Executive Officer Seithel responded to say that Commission will be presented with some updates on the RNVWD MSR and sphere of influence in June. Including staff's requests for new and updated information to review RNVWD services and water pressure requirements. Staff will also provide updates and status on MSR conditions.

Com. Vasquez thanked staff for the early information. Also continued to explain the importance and historical process – including law suites related to fire suppression services and benefits conferred on properties. But also explained the concern of more connections and pipe extensions.

- B. LAFCO Project No. 2023-01: Dissolution of Reclamation District 2134** – Staff presented the staff report, findings, and recommendation to dissolve the inactive district of RD 2134 – consistent with state law and instructions. No commission comments or public comments.

Com. Bird moved to approve. Com. Vasquez seconded.

AYES: Kott, Vasquez, Bird, Gurrero
NOES: None
ABSENT: Shopay, Mashburn
ABSTAIN: None

- C. LAFCO Fee Schedule Amendment for Fire Protect Service Contract** – Staff presented the need to a new fee within the fee schedule related to Fire Contracts under 56134. This is directly related to ongoing changes in the rural fire districts and staff's time spent in reviewing new contracts – such as Fairfield-Cordelia Fire District contract.

Alt. Com. Alma requested more clarification as to what is in a fire application under 56134.

EO Seithel explained the various elements and complexities of an application required for submittal, and must be reviewed by staff. EO Seithel also responded to Alt. Com. Alma's follow question about the length of the application processing by explaining the fee is a one-time fee, not recurring/annual.

Acting Chair Kott asked why fee is not higher, with understanding the explanation of time and complexities.

EO Seithel explained that he feels this is a reasonable fee after researching other LAFCO's.

No public comments.

Com. Vasquez moved to approve. Com. Gurrero seconded.

AYES: Kott, Vasquez, Bird, Gurrero
NOES: None
ABSENT: Shopay, Mashburn
ABSTAIN: None

9. BUSINESS ITEMS

A. LAFCO Meeting Policy Considerations for Potential By-Law Amendments to Change the Date and Time of Meetings and Provide Direction on Whether to Provide for Teleconferencing

– Staff and lead counsel presented the findings related to surveys of availability for moving standard LAFCO meetings – finding that the only date and time to meet quorum is the existing date and time, therefore recommends not changes.

Com. Bird thanked staff for the research and follow-up he requested because of his conflicts from the Feb 2023 meeting and understood keeping the existing schedule if necessary.

Acting Chair Kott directs staff to keep schedule and make no changes.

Staff and lead counsel presented the findings related to continued hybrid meetings based on new state laws and explained new policies and how they may affect and impact LAFCO and Commission. Staff requested direction on how to proceed – return to in-person meetings or draft new policies and fiscal impacts in related to complying with new Brown Act laws for hybrid meetings.

Com. Vasquez commented that the prior and still current Brown Act still makes for considerations for Commissioner to remote in while traveling for work/business. He did not see a need to change policies.

Com. Bird stated reasons he supports allowing remote access under new Brown Act because of busy schedules – but understands this is still allowed.

Lead Counsel Mala explained/clarified that Com. Bird is correct and can still remote while away on business – with noticing stipulations. The difference is if Commission wanted to allow remote access while not away for business – ie sick, family emergency... which would require new policies and costs.

Acting Chair Kott asked for detailed calcification that “status quo” of in-person only still allows for remote access if away on business with noticing stipulations. Also, clarify that this Commission has alternates, so do not have to be at every meeting.

Commissioners continued to give personal examples. Commission directed staff to take no further action, rely on the standard Brown Act, and return to in-person-only meetings.

B. LAFCO Project No. 2021-09: New Contract for Solano Irrigation District Municipal Service Review and Sphere of Influence Study

– Staff presented the scope for services for Milani to work on SID MSR and SOI and requested Commission grant EO authority to enter into contract.

Acting Chair Kott asked if staff would have to return to request/inform Commission if scope or fees change. EO Seithel responded yes.

Com. Vasquez expressed support of Milani because of the depth of analysis and review they do versus past service reviews that were very simple.

No public comment.

Com. Bird moved to approve. Com. Gurrero seconded.

AYES: Kott, Vasquez, Bird, Gurrero
 NOES: None
 ABSENT: Shopay, Mashburn
 ABSTAIN: None

C. Draft Proposed Budget & Work Plan Fiscal Year 2023-2024 – Staff presented proposed budget and workplan, as recommended by the Budget Committee. Highlights of the budget and workplan were: new anticipated high-profile projects and delayed projects that will require substantial consultant work; and personnel turn-over and the need for means of retaining staff by approval a cost of living adjustment (COLA) which staff has not received in more than 10 year. Proposed budget includes funding for COLAs for all staff members, as well as 5% step increase. Proposed budget is slightly less than prior year, no new reserve money is required, and breakdown for County and cities is same as last year.

Com. Vasquez asked about the significant increase in the County GIS fees, specifically why.

EO Seithel explained that staff had a meeting with County GIS supervisor, IT Director, CAO, and Assistant CAO to discuss fees and why so high and what does LAFCO get for it. The result of the meeting was a decrease in the fee from \$30,000 to \$15,000 – with an understanding and desire that better coordination and collaboration is needed.

Staff presented proposed workplan and major projects – primarily City MSRs and Fire Re-organization.

All commissioners shared in lengthy discussion of concerns with rural fire protection district services and need for an answer, but no clear direction on how or what.

Com. Vasquez moved to adopt with no modifications. Com. Bird seconded.

AYES: Kott, Vasquez, Bird, Gurrero
 NOES: None
 ABSENT: Shopay, Mashburn
 ABSTAIN: None

10. EXECUTIVE OFFICER UPDATES

Updates addressed in presentation of Workplan in previous item. Additionally:

- Updates on Admin/Clerk position and interviews
- Office relocation still pending internet broadband connections
- Special District Election process underway
- Fairfield Island Annexations
- Several SID detachments
- Suisun MSR and project EIR

11. CLOSED SESSION

None.

12. REPORT OF CLOSED SESSION

None.

13. ADJOURNMENT

11:41 am