

**Local Agency Formation Commission
Of Modoc County
Regular Meeting**

Minutes of April 14, 2015

1. Call to Order:

Chair Dederick called the meeting to order at 4:01 p.m., in the City Council Chambers, Alturas City Hall. Commissioners Allan, Alves, Dederick, Irvin, and Shea were present. Commissioner Alternate Davis was also present.

Staff Present: John Benoit, Executive Officer and Kim Hunter, Clerk.

Pledge of Allegiance

2. Approval of Agenda

Commissioner Allan made the motion to approve the agenda as submitted; seconded by Commissioner Shea. In favor: Allan, Alves, Dederick, Irvin and Shea.

3. Approval of Minutes

Commissioner Irvin noted corrections in the first paragraphs of page 2. Commissioner Shea made the motion to approve the minutes for the meeting February 10, 2014 with corrections; seconded by Commissioner Allan. In favor: Allan, Alves, Dederick, Irvin and Shea.

4. Correspondence

One item of correspondence was noted which was included in the staff report. This item was a copy of the February 26, 2015 letter to the Shasta Local Agency Formation Commission sent by Executive Officer Benoit on behalf of the Modoc LAFCo regarding the proposed annexation by Mayers Healthcare District. Per this letter, the Modoc LAFCo has gone on record requesting review of any hearing notices, agendas and Executive Officer's reports. It is also noted that a tax sharing agreement must be approved by the Modoc County Board of Supervisors prior to the issuance of a certificate of filing for annexation of territory within Modoc County.

5. Public Comment: None.

6. Ratify Claims for February 2015 and Authorize Payment of Claims for March 2015.

a. Approve payment of expenses for February 2015 and March 2015.

Commissioner Shea made the motion to approve payment of expenses for February 2015 and March 2015; seconded by Commissioner Allan. In favor: Allan, Alves, Dederick, Irvin and Shea.

7. LAFCo File 2014-0001 Alturas Millsite and Wastewater Treatment Plan Sphere of Influence Amendment and Reorganization Thereby amending the City's Sphere of

Influence to include 22 additional acres and removing 285 acres from the Alturas Rural Fire Protection District Sphere of Influence and Annexing 285 acres to the City of Alturas, Removing 285 acres from the Alturas Rural Fire Protection District.

- a. *Receive Executive Officer's Report and Conduct Public Hearing*
- b. *Consider Resolution 2015-0001 approving a Sphere of Influence amendment hereby adding 22 acres more or less to the City of Alturas's Sphere of Influence and removing 22 acres more or less from the Alturas Rural Fire Protection District's Sphere of Influence.*
- c. *Consider Resolution 2015-0002 approving an annexation of 285 acres to the City of Alturas and detaching 285 acres from the Alturas Rural Fire Protection District.*

Chair Dederick opened the workshop at 4:05 p.m.

Executive Officer Benoit gave a brief overview of the "Millsite" annexation request by the City of Alturas which was noted as having been a long annexation process. The request is to annex 285-acres, more or less, of territory located south and west of the City. This action will also require that the 285-acre territory concurrently be detached from the Alturas Rural Fire Protection District. The annexation involves only public lands and includes the Alturas Airport, Millsite and Wastewater Treatment Facility properties. The City also initiated a Sphere of Influence amendment consisting of 22 more or less acres. Executive Officer Benoit noted that this project had been on hold until the tax sharing agreement was approved the County Board of Supervisors and Alturas City Council. Staff recommended approval of the proposed actions.

Chair Dederick closed the public hearing at 4:14 p.m.

(Item 7b.) Commissioner Allan asked for more information on the location of the areas to be annexed. Executive Officer Benoit provided a map and identified the properties to be annexed. He then explained that even though the Wastewater Treatment Facility property was actually not contiguous to the City boundaries, that the statute allows it to be annexed as the site is a public facility owned by the City. Commissioner Shea made the motion to adopt Resolution 2015-0001 making determination and approving a Sphere of Influence amendment; seconded by Commissioner Irvin. In favor: Allan, Alves, Dederick, Irvin and Shea.

(Item 7c.) Commissioner Allan made the motion to adopt Resolution 2015-0002 making determinations for reorganization; seconded by Commissioner Alves. In favor: Allan, Alves, Dederick, Irvin and Shea. Executive Benoit noted for the record that all Commissioners voted in the affirmative for Resolutions 2015-0001 and 2015-0002.

Chair Dederick asked how long it would take for the annexation process to be finalized. Executive Officer Benoit stated that there was a 30-day reconsideration period and the City of Alturas would need to be LAFCo fees. The process will be finalized once it's recorded.

8. Proposed LAFCo FY 2015-2016 Budget

- a. *Review and Discuss proposed 2015-2016 LAFCo Budget*

- b. *Consider Resolution 2015-0003 adopting a proposed Modoc LAFCo Budget for FY 2015-2016.*

Chair Dederick noted a slight decrease in the overall budget. Executive Officer Benoit explained the specific areas of change in the budget. The bottom line numbers have decreased. However there was an increase in the membership portion of the budget for Calafco membership fees. The contributions from the County and City have gone down a few dollars. The Commission is working within its budget and is consistent. Executive Officer Benoit noted that the budget has been decreased for MSR/SOI work as progress has been made in completing the updates. A few smaller districts remain to be completed, but most have been done. There is a carryover from the FY 2014-2015 budget will be added as appropriate with an update around the end of May. Also, the annual Calafco conference will be in Sacramento, which will reduce travel costs for those wishing to attend.

Commissioner Shea made the motion to approve Resolution 2015-0003 adopting the proposed Modoc LAFCo budget for FY 2015-2016; seconded by Commissioner Allan. In favor: Allan, Alves, Dederick, Irvin and Shea.

9. Executive Officer's Monthly Report

Southern Cascade CSD – Status

Big Valley Water Users

Mayers Healthcare District Annexation

New Website www.modoclafco.org

Tulelake ID MSR and SOI – June 9, 2015

Prior to getting into the Executive Officer Benoit's report, Chair Dederick inquired about the Big Valley Water Users Association and their upcoming meeting later in the week regarding their district. Executive Officer Benoit explained that currently legislation has been sponsored by State Assemblyman Brian Dahle's office to address the district's services. If that legislation does not progress, than it is likely that the Modoc LAFCo will see an application from the district. There are two medium priority groundwater basins in Modoc County, one of these is within the Big Valley area on the border with Lassen County. This groundwater basin will need to meet the state's requirements for monitoring and management but a entity to take on that responsibility has yet to be identified. Further discussion took place regarding the location of the district and the complexities of which LAFCo will have jurisdiction over a potential application. Executive Officer Benoit noted that the court order originated in Modoc County. However, there are too many unknowns to make any conclusions at this time and currently the focus needs to be on the proposed legislation.

Southern Cascade Community Service District (CSD) formation: The election for the approval of the CSD and the new board members is set for May 5, 2015. Since the formation of the CSD involves a special tax, special care has been taken to ensure that everything has been done correctly.

Mayers Memorial Healthcare District Annexation: This item was previously discussed under correspondence. It was stated that Jan Lopez is no longer the Executive Officer for the Shasta LAFCo.

10. Commissioner Reports – Discussion

Alternate Commissioner Davis reported on the status and recent happenings regarding the May 5th vote for the Southern Cascade Community Service District.

11. Adjourn to next regular meeting: June 9, 2015

There being no further business to come before this Commission; Commissioner Allan made the motion to adjourn the meeting; seconded by Commissioner Shea. In favor: Allan, Alves, Dederick, Irvin and Shea.

With no further business the meeting adjourned at 4:35 p.m.