

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

Minutes of August 11, 2015

1. Call to Order/Pledge of Alligiance:

Chair Dederick called the meeting to order at 4:07 p.m., in the City Council Chambers, Alturas City Hall. Commissioners Allan, Alves, Dederick, Shea and City Commissioner Alternate Nelson were present. Commissioner Irvin was absent.

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

Pledge of Allegiance

2. Election of Chair and Vice-Chair for Fiscal Year 2015-2016

Commissioner Dederick opened nominations for Chair and promptly nominated Commissioner Alves. No other nominations were received. In favor: Allan, Alves, Dederick, Nelson and Shea.

Nominations were then opened for the position of Vice Chair. Commissioner Allan was the only nomination. In favor: Allan, Alves, Dederick, Nelson and Shea.

3. Approval of Agenda

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

4. Approval of Minutes

Commissioner Shea made the motion to approve the minutes for the June 9, 2015 meeting as submitted; seconded by Commissioner Nelson. Commissioner Allan made the motion to approve the agenda as submitted; seconded by Commissioner Dederick. In favor: Allan, Alves, Dederick, Nelson and Shea.

5. Correspondence

No correspondence was received.

6. Public Comment

No public comment.

7. Ratify Claims for June 2015 and Authorize Payment of Claims for July 2015

a. Approve payment of expenses for June 2015 and July 2015.

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

PUBLIC HEARINGS

8. Service Review and Sphere of Influence Update for the Hafer Hills Estates County Service Area

- a. *Conduct Workshop on the Service Review and SOI for the Hafer Hills Estates County Service Area*

Executive Officer Benoit gave a brief overview of the Municipal Service Review and Sphere of Influence for the Hafer Hills Estates County Service Area (CSA). This CSA was established as a road maintenance mechanism for the private roads contained within the Hafer Hills Estate Subdivision. Through the CSD, road maintenance fees are collected from each Assessor's Parcel by the County. The amount of the parcel assessment is based on an analysis by the Road Department. Although the roads within the subdivision remain private, the County Road Department maintains the roads and is paid for the service with the collected fees. No issues of concern were identified regarding the capacity to provide services or the formation of the CSA. Currently this is the only CSA within Modoc County. The Sphere of Influence is coterminous with the boundaries of the CSA which are tied to the special assessment.

Kim Hunter provided some additional background on this CSA was formed. There was additional discussion regarding the function of CSA's work and the services that they can cover.

9. Executive Officer's Monthly Report

Ground Water Service Areas

Big Valley Water Users

Mayers Healthcare District Annexation

SB 88 Water District Consolidations:

Capistrano Taxpayers Assn. v. City of San Juan Capistrano

2014-2015 Grand Jury Report

Ground Water Service Areas: Concerns continue to surface regarding the Big Valley Groundwater Basin which is a shared basin between Modoc and Lassen Counties. One of the biggest issues is identifying a Groundwater Management Agency, or GSA, for this basin. The Lassen County Board of Supervisors has expressed interest in having the existing Lassen-Modoc Flood Control and Water Conservation District become the GSA. The Board of Directors of this District consists of the ten Supervisors from both Counties. However, it is likely that which ever direction is taking in choosing a GSA that a Joint Powers Agreement (JPA) will be needed between Modoc and Lassen Counties.

Big Valley Water Users: No news on this topic. Taking on watermaster services from the Department of Water Resources has proven to be a very difficult and expensive task. Executive Officer Benoit gave an example of the Honey Lake Valley Resource Conservation District (RCD) in the Susan River Watershed. Costs and liabilities have greatly exceeded expectations since this RCD took on the watermaster services.

Mayers Memorial Healthcare District Annexation: No news has been received on the proposed district annexation.

SB 88 Water District Consolidations: SB 88 was a trailer bill that was signed by Governor Brown Bill was signed despite much opposition. SB 88 could require that failing water districts are consolidated. For example, Daphnedale could be required to be annexed to Alturas. Currently a “clean-up” bill is proposed to clarify the legislation. In general, forced consolidations of water districts would be very difficult regarding LAFCo. Also, in rural areas could prove quite difficult to the large distances between districts.

Capistrano Taxpayers Assn. v. City of San Juan Capistrano: Appellate case that the California Supreme Court published (and refused to re-review it) which became law regarding Proposition 218 and water districts using tiered fees. Discussion followed on how this may affect the City of Alturas. Executive Officer Benoit suggested that the City consult with their City Attorney on this matter because it’s very difficult to assess.

2014-2015 Grand Jury Report: Pages included in the staff report affecting the Surprise Valley Healthcare District. Essentially, everyone will have to stay tuned because a response may be received. Healthcare districts in rural counties in the state are facing challenges and failing. Many are trying to identify ways to share services with nearby districts. The Grand Jury report contains recommendations and it will be interesting to see the response, if received.

10. Commissioner Reports – Discussion

No Commissioner reports or discussion.

11. Adjourn to next regular meeting – October 6, 2015

Executive Officer Benoit inquired if the next regular meeting could be held on October 6, 2015 rather than on the 13th. Chair Alves noted that she would not be present on the 6th. All other Commissioners were agreeable to the meeting date change.

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

With no further business the meeting adjourned at 4:50 p.m.