

# Modoc Local Agency Formation Commission

## REGULAR MEETING AGENDA

Website: [www.modoclafco.org](http://www.modoclafco.org)

**TUESDAY  
August 8, 2023**

City Council Chambers  
Alturas City Hall  
200 North Street, Alturas, CA 96101

**4: 00 PM**

*(All meeting materials are available on LAFCo's Website: [www.modoclafco.org](http://www.modoclafco.org))*

### 1. **Call to order / Pledge of Allegiance**

#### Commissioners

Cheryl Nelson, Vice-Chair, City Member  
Ned Coe, County Member

\_\_\_\_\_, Vice Chair Public Member

Paul Minchella, City Member

Kathie Rhoads, Chair, County Member

#### LAFCO Staff

John Benoit, Executive Officer

Scott Browne, LAFCO Counsel

\_\_\_\_\_, Clerk

#### Alternate Members

\_\_\_\_\_, Public Member Alt.  
Shane Starr, County Member Alt.  
Kelly Crosby, City Member Alt

Topic: Modoc LAFCo

Time: Aug 8, 2023 04:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88142352969?pwd=Ymw3MFhiV0duZDJKRVVVRVG5PR2dndz09>

Meeting ID: 881 4235 2969

Passcode: 751440

**One tap mobile**

**+16699006833,,88142352969#,,,,\*751440# US (San Jose)**

**+16694449171,,88142352969#,,,,\*751440# US**

**Dial by your location**

**• +1 669 900 6833 US (San Jose)**

**Find your local number: <https://us02web.zoom.us/j/88142352969>**

- 2. Approval of the Agenda (Additions and Deletions)**
- 3. Election of Chair and Vice-Chair for FY 2023-2024**
  - a. Election of Chair*
  - b. Election of Vice-Chair*
- 4. Correspondence:**
- 5. Consider appointment of a Public Member and Public Member alternate for LAFCo**
  - a. Appointment of Public Member*
  - b. Appointment of Public Member Alternate*
- 6. Consider Minutes for the June 13, 2023 LAFCo meeting**
  - a. Approve LAFCo minutes for the June 13, 2023 meeting*
- 7. Public Comment**

This is the time set aside for citizens to address the Commission on any item of interest to the public that is within the subject matter jurisdiction of the Commission. For items that are on the agenda, public comment will be heard when the item is discussed. If your comments concern an item that is noted as a public hearing, please address the Commission after the public hearing is opened for public testimony. The Chair reserves the right to limit each speaker to three (3) minutes. Please understand that by law, the Commission cannot make decisions on matters not on the agenda.
- 8. Consent Agenda**
  - a. Authorize payment of claims for June 2023 and July 2023*
- 9. Executive Officers Report Upcoming projects:**
  - a) Canby CSD Engineering Report*
  - b) Canby CSD and Canby Fire Merger*
  - c) Alturas City MSR and SOI*
  - d) Surprise Valley Healthcare*
  - e) Ethics Training 2pm Monday September 11<sup>th</sup>*
  - f) Webpage*
  - g) CALAFCO Conf.*
  - h) Lookout Pest Abatement District Dissolution*

## 10. Commissioner Reports - Discussion

*This item is placed on the agenda for Commissioners to discuss items and issues of concern to their constituency, LAFCO, and legislative matters.*

## 11. Adjourn to the next regular meeting on October 10, 2023

*Any member appointed on behalf of local government shall represent the interests of the public as a whole and not solely the interest of the appointing authority  
Government Code Section 56325.1*

*The Commission may take action upon any item listed on the agenda. Unless otherwise noted, items may be taken up at any time during the meeting.*

### Public Comment

Members of the public may address the Commission on items not appearing on the agenda, as well as any item that does appear on the agenda, subject to the following restrictions:

- Items not appearing on the agenda must be of interest to the public and within the Commission's subject matter jurisdiction.
- No action shall be taken on items not appearing on the agenda unless otherwise authorized by Government Code Section 54954.2 (known as the Brown Act, or California Open Meeting Law).

### Public Hearings

Members of the public may address the Commission on any item appearing on the agenda as a Public Hearing. The Commission may limit any person's input to a specified time. Written statements may be submitted in lieu of or to supplement oral statements made during a public hearing.

### Agenda Materials

*Materials related to an item on this agenda submitted to the Commission after distribution of the agenda area available for review for public inspection in the Modoc County Planning Department office located at on 203 W. 4<sup>th</sup> Street, Alturas CA. [such documents are also available on the Modoc LAFCO website ([www.modoc.lafco.ca.gov](http://www.modoc.lafco.ca.gov)) to the extent practicable and subject to staff's ability to post the documents prior to the meeting]*

### Accessibility

An interpreter for the hearing-impaired may be made available upon request to the Executive Officer 72 hours before a meeting.

The location of this meeting is wheelchair-accessible.

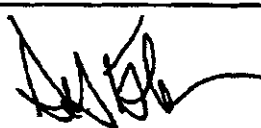
### Disclosure & Disqualification Requirements

Any person or group of persons acting in concert who directly or indirectly contribute \$1,000 or more in support of or in opposition to a change of organization or reorganization that has been submitted to Modoc LAFCO must comply with the disclosure requirements of the Political Reform Act of 1974 applicable to local initiative measures to be submitted to the electorate. These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals; they may be reviewed at Government Code §§56700.1 and 81000 *et seq.* Additional information about the requirements pertaining to local initiative measures to be presented to the electorate can be obtained by calling the Fair Political Practices Commission at (916) 322-5660. A LAFCO Commissioner must disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from the applicant, any financially interested person who actively supports or opposes the application, or an agency (such as an attorney, engineer, or planning consultant) representing the applicant or an interested party. The law (Government Code Section 84308) also requires any applicant or other participant in a LAFCO proceeding to disclose the contribution amount and name of the recipient Commissioner on the official record of the proceeding. Contact LAFCO Staff LAFCO staff may be contacted at (530) 619.5128 or by email at [j.benoit4@icloud.com](mailto:j.benoit4@icloud.com) Copies of reports to the extent feasible are located on gthe LAFCO webpage at: [www.modoclafco.org](http://www.modoclafco.org)

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TRINCERTIFICATE NO.

ISSUE DATE

18510 CO		<b>CERTIFICATE OF COVERAGE</b>			7/1/2023
Trindel Insurance Fund PO Box 2069 Weaverville, CA 96093		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BELOW. THIS CERTIFICATE OF COVERAGE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.			
		IMPORTANT: If the certificate holder is an ADDITIONAL INSURED and/or requesting a WAIVER OF SUBROGATION, the Memorandums of Coverage must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).			
		COVERAGE AFFORDED <b>A- Trindel Insurance Fund</b>			
<b>Member:</b> MODOC COUNTY 204 SOUTH COURT STREET, ROOM 100 ALTURAS, CA 96114		COVERAGE AFFORDED <b>B</b>			
		COVERAGE AFFORDED <b>C</b>			
		COVERAGE AFFORDED <b>D</b>			
<b>Coverages</b> THIS IS TO CERTIFY THAT THE MEMORANDUMS OF COVERAGE LISTED BELOW HAVE BEEN ISSUED TO THE MEMBER NAMED ABOVE FOR THE PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE COVERAGE AFFORDED BY THE MEMORANDUMS DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS, AND CONDITIONS OF SUCH MEMORANDUMS. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.					
CO LTR	TYPE OF COVERAGE	MEMORANDUM NUMBER	COVERAGE EFFECTIVE DATE	COVERAGE EXPIRATION DATE	LIABILITY LIMITS
A	<input checked="" type="checkbox"/> Excess General Liability	GLMOC-2023	07/01/2023	07/01/2024	\$ 1,000,000  Limits inclusive of the Member's Self-insured Retention of \$250,000
<b>Description of Operations/Locations/Vehicles/Special Items:</b> AS RESPECTS EVIDENCE OF COVERAGE ONLY.					
<b>Certificate Holder</b>  JOHN BENOIT P.O. BOX 2694 GRANITE BAY, CA, 95746			<b>Cancellation</b> SHOULD ANY OF THE ABOVE DESCRIBED MEMORANDUMS OF COVERAGES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE MEMORANDUMS OF COVERAGE PROVISIONS.		
			AUTHORIZED REPRESENTATIVE 		

**Local Agency Formation Commission of Modoc County  
Meeting Minutes  
June 13, 2023**

**1. Call to order / Pledge of Allegiance**

Chair Kathie Rhoads called the meeting to order at 4:00 p.m. at the City Council Chambers located at 200 W. North Street in Alturas, CA and via Zoom. Commissioner Minchella, Commissioner Nelson, Commissioner Coe and Chair Rhoads were present. Commissioner Starr, and Commissioner Crosby were absent. Public attending 3.

Staff Present: John Benoit, Executive Officer, and Macey Binning. Clerk.

**2. Approval of the Agenda (Additions and Deletions)**

Commissioner Coe would like to request making the consent agenda item #7a its own item since there aren't any other items in the consent agenda.

Commissioner Coe made the motion to approve the agenda with the requested change; seconded by Commissioner Nelson. In favor were Commissioners Coe, Nelson, Minchella, and Chair Rhoads.

Motion passed unanimous.

**3. Correspondence: None**

**4. Consider appointment of a Public Member and Public Member alternate for LAFCo**  
Executive Officer Benoit has not received any interest as of June 13, 2023. He will continue adding this item on the agenda until filled. Mr. Benoit encourages the Commissioners to recruit for these positions.

**5. Consider Minutes for the April 11, 2023 LAFCo meeting**  
Commissioner Coe made the motion to approve the April 11, 2023 LAFCo minutes: seconded by Commissioner Nelson. In favor were Commissioners Coe, Nelson, Minchella, and Chair Rhoads.

Motion passed unanimous.

**6. Public Comment – None**

**7. Authorize payment of claims for April 2023 and May 2023**  
Commissioner Coe noticed on the report provided it references different fiscal years and would like to see the correct fiscal year referenced.

Commissioner Coe made the motion to authorize the payment of claims for April 2023 and May 2023 with correct fiscal year referenced; seconded by Commissioner Minchella. In favor were Commissioners Coe, Nelson, Minchella, and Chair Rhoads.

Motion passed unanimous.

**8. Public Hearing – LAFCo File 2023-0001 Reorganization including Formation of a Countywide CSA (CSA 2 for unincorporated area only) for Pest and Weed Abatement and Dissolution of the Lookout Pest and Weed**

Chair Rhoads opened the public hearing at 4:07 p.m.

Executive Officer Benoit explained this item has been through the proper procedures to initiate the dissolution and start the formation process. Modoc County Board of Supervisors approved the Resolution. Mr. Benoit will continue following the procedures and the next step will be to conduct a protest hearing. Lookout will be the first benefit zone. Other benefit zones can be added and will be managed by Modoc County.

There being no further comments to come before the Commission, the public hearing was closed at 4:20 p.m.

Commissioner Coe made the motion to **Resolution 2023-0002** forming a Countywide CSA for Pest and Weed Abatement subject to terms and conditions; seconded by Commissioner Minchella. In favor were Commissioners Coe, Nelson, Minchella, and Chair Rhoads. Motion passed unanimous.

Commissioner Nelson made the motion to **Resolution 2023-0003** dissolving the Lookout Pest Abatement District subject to terms and conditions; seconded by Commissioner Minchella. In favor were Commissioners Coe, Nelson, Minchella, and Chair Rhoads. Motion passed unanimous.

**9. Public Hearing – LAFCO 2023-2024 Proposed Annual Budget**

Chair Rhoads opened the public hearing at 4:21 p.m.

Executive Officer Benoit provided the Commissioners with the proposed budget for FY 2023-2024 and explained there isn't any significant changes. The proposed budget amount is \$74,584.40.

There being no further comments to come before the Commission, the public hearing was closed at 4:26 p.m.

Commissioner Minchella made the motion to adopt **Resolution 2023-0004** adopting a final budget for fiscal year 2023-2024; seconded by Commissioner Nelson. In favor were Commissioners Coe, Nelson, Minchella, and Chair Rhoads. Motion passed unanimous.

**10. Upcoming projects:**

a. Canby CSD Engineering Report

Mr. Benoit reports a Request for Proposal (RFP) was advertised to receive an engineering report to complete the Canby water system structure through the REAP Grant. Nothing was received.

b. Canby CSD and Canby Fire Merger

Mr. Benoit needs to gather more information and direction on the structure of the merge before presenting to LAFCo.

c. Alturas City MSR and SOI

The City of Alturas Municipal Service Review and Sphere of Influence will need to be conducted.

**11. CALAFCo Action Items**

Executive Officer Benoit explains that the CALAFCo Annual Conference will be at the Hyatt Regency in Monterey, October 18 thru 20, 2023. Modoc County LAFCo will need to submit their Board of Directors Nominations, Achievement Awards Nominations, and vote on a voting delegate during the August 8, 2023 LAFCo meeting.

**12. Executive Officer's Report**

Mr. Benoit reports he hosted a workshop at the annual CALAFCo staff workshop located in Murphys, California April 26-28<sup>th</sup>.

**13. Commissioners Reports – Discussion – None**

**14. Adjourn to the next regular meeting on August 8, 2023**

There being no further business to come before the Commission. Motion made by Commissioner Coe to adjourn at 4:38 p.m.; seconded by Commissioner Nelson. In favor were Commissioners Coe, Nelson, Minchella, and Chair Rhoads.  
Motion passed unanimous.

Respectfully.

Macey Binning  
LAFCO Clerk

# Modoc Local Agency Formation Commission

Item 8

## CLAIMS

for

June 2023 – July 2023

### Authorize Claims for FY 2022-2023

July 1, 2023	Staff Svcs and Expenses June 2023	\$ 5,322.83
April 11, 2023	Meeting stipend June 13, 2023	\$ 400.00
June 25, 2023	Protest Hearing Notice LPCD	\$ 162.00

**TOTAL FY 22-23: \$ 5,884.83**

### Authorize Claims for FY 2023-2024

Aug 1, 2023	Staff Svcs and Expenses July 2023	\$ 1,851.12
July 1, 2023	Calafco Conf Registration	\$ 615.00
July 1, 2023	Calafco Dues for FY 23-24	\$ 1,285.00

**TOTAL FY 23-24: \$ 3,751.12**

**DATED: August 8, 2023**

**APPROVED: August 8, 2023**

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**Kathie Rhoads, Chair Modoc Local Agency  
Formation Commission**

Attest:

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**John Benoit  
Executive Officer**



Modoc LAFCo  
Expenditures and Revenue  
FY 2022-2023

Item	Account Number	File Scanning	Maintenance	Commutations	Office Exp.	Counsel	Staff Svcs	Chiefs Costs	Notice and	Travel & Travel	Commissions	TOTAL	
		4225	4226	4227	4219	4096	4094	4095	Funds 4030	4630	4634	4635	
		\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	
<b>Total Budgeted 2022-2023</b>													
Calicoe Svcs 22-23		\$ 3,000.00	\$ 1,146.00	\$ 1,000.00	\$ 500.00	\$ 2,000.00	\$ 26,000.00	\$ 720.00	\$ 600.00	\$ 4,200.00	\$ 12,500.00	\$ 4,900.00	\$ 67,506.00
Callioe Registration Paul Minchella													
Staff Svcs July 2022		\$ (10.00)	\$ (67.19)	\$ (33.50)	\$ (33.50)	\$ (2,562.50)	\$ (2,562.50)			\$ (655.00)		\$ (655.00)	\$ (2,703.19)
Aug 9 2022 Callow Payroll		\$ (10.00)	\$ (80.64)	\$ (13.99)	\$ (13.99)	\$ (3,750.00)	\$ (3,750.00)	\$ (20.00)		\$ (250.00)	\$ (600.00)	\$ (600.00)	\$ (4,224.63)
Staff Svcs Aug 2022		\$ (15.00)	\$ (80.63)	\$ (45.94)	\$ (45.94)	\$ (2,805.00)	\$ (2,805.00)	\$ (120.00)		\$ (666.20)	\$ (2,900.63)	\$ (2,900.63)	\$ (4,722.34)
Staff Svcs September 2022			\$ (67.80)	\$ (45.94)	\$ (45.94)	\$ (3,752.50)	\$ (3,752.50)	\$ (120.00)		\$ (1,038.07)	\$ (500.00)	\$ (500.00)	\$ (2,624.49)
Paul Minchella Calicoe Conf Reimb			\$ (74.49)			\$ (2,550.00)	\$ (2,550.00)			\$ (500.00)	\$ (500.00)	\$ (500.00)	\$ (500.00)
Staff Svcs Nov 2022										\$ (500.00)	\$ (500.00)	\$ (500.00)	\$ (500.00)
Oct 11, 2022 Payroll										\$ (243.36)	\$ (150.00)	\$ (150.00)	\$ (274.31)
Dec 13, 2022 Payroll										\$ (384.38)	\$ (600.00)	\$ (600.00)	\$ (4,936.87)
City Hall Council Chambers Rent 2023 - 6 meetings			\$ (74.45)	\$ (150.00)		\$ (2,422.50)	\$ (2,422.50)	\$ (20.00)	\$ (74.49)	\$ (243.36)	\$ (600.00)	\$ (600.00)	\$ (4,936.87)
January 23 Staff Services		\$ (7.00)				\$ (4,345.00)	\$ (4,345.00)	\$ (20.00)		\$ (384.38)	\$ (600.00)	\$ (600.00)	\$ (4,936.87)
December 2022 Staff Services			\$ (68.30)			\$ (2,040.00)	\$ (2,040.00)	\$ (120.00)		\$ (45.00)	\$ (2,238.30)	\$ (2,238.30)	\$ (2,238.30)
Feb 14, 2023 Comm Payroll		\$ (10.00)				\$ (2,892.50)	\$ (2,892.50)	\$ (20.00)		\$ (45.00)	\$ (3,005.69)	\$ (3,005.69)	\$ (3,005.69)
February 23 Staff Svcs		\$ (5.00)				\$ (4,260.00)	\$ (4,260.00)	\$ (20.00)		\$ (596.63)	\$ (500.00)	\$ (500.00)	\$ (5,055.91)
March 2023 Staff Svcs			\$ (67.84)	\$ (11.44)							\$ (96.00)	\$ (96.00)	\$ (96.00)
March Record Notice Prop 23-24 Budget											\$ (45.00)	\$ (45.00)	\$ (45.00)
April Staff Svcs 23-46 Modoc											\$ (96.00)	\$ (96.00)	\$ (96.00)
April 11, 2013 Payroll Siphonds Modoc											\$ (45.00)	\$ (45.00)	\$ (45.00)
Modoc Record Notice Public Member											\$ (96.00)	\$ (96.00)	\$ (96.00)
Modoc Record Final Budget											\$ (96.00)	\$ (96.00)	\$ (96.00)
Modoc Record Countywide CSA-L outlook											\$ (3,072.66)	\$ (3,072.66)	\$ (3,072.66)
May 2023 Staff Svcs			\$ (81.86)	\$ (15.80)		\$ (2,975.00)	\$ (2,975.00)				\$ (400.00)	\$ (400.00)	\$ (400.00)
Payroll June 13, 2023											\$ (5,322.63)	\$ (5,322.63)	\$ (5,322.63)
June 1-30 223 Staff Svcs			\$ (61.95)	\$ (24.96)		\$ (4,727.50)	\$ (4,727.50)	\$ (120.00)	\$ (162.00)	\$ (388.42)	\$ (400.00)	\$ (400.00)	\$ (1,62.00)
modoc Record Notice of a protest Hearing													

July 1, 2022 City Fund Campover		\$ 35,874.55											\$ 35,874.55
22-23 Actual CityCo Contributions		\$ 50,256.30											\$ 50,256.30
FY 2022-23 City Anticipated Funds Transf													
2022-23 County Funds Anticipated													
Funds received													
REVENUE FOR PROJECTS													
Interest													
Anticipated Funds received		\$ (50,025.12)											\$ (50,025.12)
Less Expenditures		\$ 36,185.73											\$ 36,185.73
<b>Actual Cash Balance</b>													

July 1, 2022 City Fund Campover		\$ 35,874.55											\$ 35,874.55
22-23 Actual CityCo Contributions		\$ 50,256.30											\$ 50,256.30
FY 2022-23 City Anticipated Funds Transf													
2022-23 County Funds Anticipated													
Funds received													
REVENUE FOR PROJECTS													
Interest													
Anticipated Funds received		\$ (50,025.12)											\$ (50,025.12)
Less Expenditures		\$ 36,185.73											\$ 36,185.73
<b>Actual Cash Balance</b>													

Index LAI Co  
Expenditures and Revenue  
FY 2023-2024

Item	136.81	File Scanning	Memberships	Supplies	Postage	Commissions/Sale	Office Exp.	Counsel	Legal Svcs	Cert Costs	Noticals and Public	Trav & Travel	MERS/SL Updates	Commissions	TOTAL
Account Number	4225	4226	4227	4228	4211	4221	4210	4604	4604	4605	4606	4639	4634	4603	
Total Budgeted 2023-2024	\$ 3,800.00	\$ 1,204.00	\$ 1,206.00	\$ (5.00)	\$ 300.00	\$ 1,000.00	\$ (32.20)	\$ 2,000.00	\$ 38,000.00	\$ 720.00	\$ 600.00	\$ 4,460.00	\$ 12,500.00	\$ 4,800.00	\$ 67,804.00
Calendar Yrs 21-24	\$ (1,285.00)														\$ (1,285.00)
Calendar Registration Paul Mitchell															\$ (6,500)
Start Svcs July 2023															\$ (85,112)

Total Expenditures to date	\$ (1,000)	\$ 1,195.00	\$ (5.00)	\$ (32.20)	\$ 300.00	\$ (71.42)	\$ (32.20)	\$ 2,000.00	\$ 34,557.50	\$ 720.00	\$ 600.00	\$ 3,785.00	\$ 12,500.00	\$ 4,800.00	\$ (3,751.12)
Total Budget Remaining	\$ (1,000)	\$ 1,195.00	\$ (5.00)	\$ (32.20)	\$ 300.00	\$ (71.42)	\$ (32.20)	\$ 2,000.00	\$ 34,557.50	\$ 720.00	\$ 600.00	\$ 3,785.00	\$ 12,500.00	\$ 4,800.00	\$ 64,052.88

unaudited July 1, 2023 City Fund Carryover \$ 36,105.12

Actual FY 2023-24 City Anticipated Funds Transfers received  
 2023-24 County Funds Anticipated REVENUE FOR PROJECTS Interest  
 Anticipated Funds received Less Expenditures  
 Actual Cash Balance \$ 32,354.00