

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

Minutes of December 9, 2014

1. Call to Order:

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

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

Pledge of Allegiance

2. Approval of Agenda

Commissioner Alves made the motion to approve the agenda as submitted; seconded by Commissioner Shea. In favor: Unanimous

3. Approval of Minutes

No minutes to approve at this time.

4. Correspondence

Executive Officer Benoit reported that many state agencies are transitioning to electronic submittals with the most recent agency being the Regional Water Quality Control Board. The State Board of Equalization has gone already electronic. However, the filings are still hard copy but are soon expected to all be electronic. Currently, Executive Office Benoit is amending the LAFCo application, which is a work-in-progress. The amended application will request that items be submitted electronically, with the understanding that not all of the some of the smaller districts do have the capacity to do so and will still be able to file hard copies.

5. Public Comment: None.

6. Ratify Claims for October 2014 and Authorize Payment of Claims for November 2014.

a. Approve payment of expenses for October 2014 and November 2014.

Commissioner Alves made the motion to approve payment of expenses for October 2014 and November 2014; seconded by Commissioner Allan. In favor: Allan, Alves, Shea and Irvin. Absent: Dederick.

7. Dissolution of the Surprise Valley RCD and Central Modoc RCD and Formation of the Modoc RCD.

a. Receive Executive Officer's Report and Conduct Public Hearing

b. Consider Resolution 2014-0008 Making Determinations and Approving the Dissolution of the Central Modoc Resource Conservation District and the Surprise Valley Conservation District and the Formation of the Modoc Resource Conservation District

Vice-Chair Irvin opens the public hearing at 4:10 p.m.

Executive Officer Benoit reported that an Executive Officer's report and draft resolution had been prepared for this item. A revised map was also been provided that is a cleaner version that illustrates the formation changes more clearly. At the last meeting a Municipal Service Review and a Sphere of Influence update were done which essential stated that the Surprise Valley RCD and Central Modoc RCD be consolidated into one Modoc RCD. As part of the Executive Officer's report, a review was completed to ensure that the consolidation would be consistent with state law and with the policies of the Modoc County LAFCo.

A concurrent resolution from both of the districts has been submitted to the Commission in support of the district consolidation, which allows the protest proceedings to be waived. Executive Officer Benoit recommended that the protest proceedings be waived because it can be a much longer process if they are not. The initiating LAFCo resolution includes the consolidation provisions requested by both of the districts. The signed and recorded serves as the guideline for how district will be organized and outlines such things as how many members will be on the Modoc RCD board with other provisions to provide direction for the consolidation process. In this case, the recommendation is to include all of the provisions requested by the RCD's. Bryan Hadwick, representing the RCD's, was present and commented that the resolution looked good and that the provisions requested had been included as previously discussed.

Executive Officer Benoit then recommended the approval of Resolution 2014-0008 making determinations and approving the dissolution of the Central Modoc RCD and the Surprise Valley RCD and the formation of the Modoc RCD. Commissioner Shea noted an error in the acreage of the territory on page 2 on the resolution in item 2 and that the correct acreage of the new Modoc RCD will be 1,485,906.8 acres, not 11,485.906.8 acres.

Vice-Chair Irving closes the public hearing at 4:16 p.m.

Commissioner Alves made the motion to adopt Resolution 2014-0008, with the correction as noted; seconded by Commissioner Shea. In favor: Allan, Alves, Shea and Irvin. Absent: Dederick.

Executive Officer Benoit stated for the process that the protest proceedings were waived and there is a 30-day reconsideration period. Once these times lapse, then a Certificate of Completion will be recorded with the County. Once the Certificate of Completion is recorded, the proper documents will be forwarded to the Modoc RCD and the affected agencies including Modoc County and the City of Alturas. Additionally, paperwork will also be sent to Lassen County as some portions of the Modoc RCD territory cross county boundaries. As a point of information, the Modoc RCD is a sponsor of the North Cal-Neva Resource Conservation & Development District (RC&D), which should also be notified on the district merger. Bryan

Hadwick offered to assist with getting the RC&D the needed information and also getting notification to the California Association of Resource Conservation Districts.

8. Discussion regarding the Calafco Conference in October.

a. Review and Discuss Conference.

Executive Officer Benoit reported that he had attended the Calafco Conference in Ontario in October. A portion of the session focused on groundwater. As a LAFCo, when approving a reorganization you must make sure that there is water supply to support the annexation. For example, with a city annexation it must be determined that adequate capacity exists in the water system to accommodate the new area. Several new faces and much change currently taking place within LAFCo. Many of the Calafco courses offer nuts and bolts types of discussions and Executive Officer Benoit recommends that LAFCo Commissioners attend at least once. Next year the Calafco Conference will be in Sacramento, so hopefully some Modoc LAFCo Commissioners can attend since it will be more centrally located.

With groundwater, Governor Brown has signed four bills that will affect groundwater management into the future. In Modoc County, on a statewide scale, Executive Officer Benoit stated that he didn't think that there were any critical groundwater basins or sub-basins located in the County as defined in State Bulletin 118. However, the State will be coming out with a list of identified critical groundwater basins that could change that. It's expected that changes to groundwater management will take a good deal of time.

9. Executive Officer's Monthly Report

Agreement between Likely and Madeline Fire Depts.

City of Alturas Annexation Request – Status

Southern Cascades CSD – Status

Mayers Healthcare District Annexation

Ethics Training October 17th

Tulelake Irrigation District MSR and SOI – February 10, 2015

New Website www.modoclafco.org

No news to report on the agreement between Likely and Madeleine Fire Departments. Executive Officer Benoit noted that he had been trying to get the City of Alturas Annexation request moving forward and outlined the next steps of the annexation process. He is looking forward to getting feedback from Joe Picotte with the City of Alturas and Chester Robertson with Modoc County on the status. An AB8 tax exchange process is involved which isn't done very often between the City and the County. The Southern Cascades CSD was set to expire in February of 2015 but was granted a 2-year extension by the Lassen County LAFCo on December 8, 2014. Clinton Davis gave an update that the supporters of the Southern Cascades CSD district are pursuing a special election to be held on May 12, 2015 and are sending out the required noticing. The Mayers Healthcare District annexation is moving slowly, mostly because this is a complicated process that may not have been anticipated by the district when beginning the process. Shasta County has a new LAFCo Executive Officer, Jan Lopez, diligently working on a about a ten-year backlog of applications. Good reviews have been received so far from the

ethics training which was held on October 17th. Comments were made that the training was well presented and moved quickly. The Tulelake Irrigation District MSR is almost complete and will like be ready for review at that February 10, 2015 meeting. There's a new website for the Modoc County LAFCo which is www.modoclafco.org which will allow more control of the website resulting in more frequent updates.

10. Commissioner Reports – Discussion

Commissioner Shea welcomed Kim Hunter back. It was also noted that John Schreiber, a former member and Chair of the Modoc County LAFCo, had recently passed away.

11. Adjourn to next regular meeting: February 10, 2015

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

With no further business the meeting adjourned at 4:47 p.m.