

Modoc Local Agency Formation Commission

REGULAR MEETING AGENDA

Website: www.modoclafco.org

TUESDAY

OCTOBER 10, 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)

Topic: Modoc LAFCo

Time: Oct 10, 2023 04:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81465413127?pwd=bUpNbFRSNGFibVJNVG9DbY9wNjFIUT09>

Meeting ID: 814 6541 3127

Passcode: 372413

One tap mobile

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+16694449171,,81465413127#,,,,*372413# US

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

Commissioners

Cheryl Nelson, City Member
Ned Coe, Vice Chair, County Member
_____, Public Member
Paul Minchella, Chair, City Member
Kathie Rhoads, County Member
LAFCO Staff

Alternate Members

_____, Public Member Alt.
Shane Starr, County Member Alt.
Kelly Crosby, City Member Alt

John Benoit, Executive Officer
Scott Browne, LAFCO Counsel
_____, Clerk

2. **Approval of the Agenda (Additions and Deletions)**
3. **Correspondence:**
4. **Consider appointment of a Public Member and Public Member alternate for LAFCo**
 - a. *Appointment of Public Member*
 - b. *Appointment of Public Member Alternate*
5. **Consider Minutes for the August 8, 2023 LAFCo meeting**
 - a. *Approve LAFCo minutes for the August 8, 2023 meeting*

6. **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.

7. **Consent Agenda**

- a. *Authorize payment of claims for August 2023 and September 2023*

8. **Progress Report: Alturas Service Review and Sphere of Influence Update**

- a. *General Discussion regarding items of Importance to be included in the Municipal Service Review and Sphere of Influence.*
- b. *Schedule workshop for the next LAFCo meeting: December 12, 2023*

9. **Canby CSD and Canby Fire Merger**

- a. *Discussion of LAFCo Requirements*

10. **Executive Officer's Report**

- a. *Canby CSD Engineering Report*
- b. *Surprise Valley Healthcare*
- c. *Ethics Training*
- d. *CALAFCO Conf.*

- e. *Finalize Lookout Pest Abatement District Dissolution with the State Board of Equalization*

11. 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.

12. Adjourn to the next regular meeting on December 12, 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 are available for review for public inspection in the Modoc County Planning Department office located at on 203 W. 4th Street, Alturas CA. [such documents are also available on the Modoc LAFCO website (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 Copies of reports to the extent feasible are located on the LAFCO webpage at: www.modoclafco.org

**OPENING FOR CITIZENS TO SERVE AS THE PUBLIC MEMBER AND
PUBLIC MEMBER ALTERNATE ON
THE LAFCO COMMISSION**

The Modoc Local Agency Formation Commission (LAFCO) has an opening for Modoc County citizens to serve on LAFCO as a Public Member and a Public Member Alternate to fill terms ending in May 2027. LAFCO is a distinct agency created by state legislation to ensure that changes in governmental organization occur in a manner, which provides efficient, quality services and preserves open space and agricultural land resources. LAFCO is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 in its decisions regarding annexations, incorporations, reorganizations, and other changes of local government. LAFCO's webpage is: www.modoclafco.org

LAFCO meets every other month at the City Council chambers or as otherwise necessary in Alturas.

The appointments are for a Public Member and a Public Member Alternate who resides anywhere within Modoc County including the Alturas city limits to sit as public members on the Commission. No officer or employee of the county or the city or district within Modoc County is allowed to sit as a Public Member on the Commission. LAFCO's Public Members, as are all other Commissioners, are paid a meeting stipend and is required to file an annual Statement of Economic Interest.

If you are interested, we invite you to send a letter or email describing your background and reasons for wanting to become the selected Public Member and (or) Alternate to serve on the Modoc Local Agency Formation Commission no later than Friday May 28th 2023. If you have any questions, please do not hesitate to call John Benoit, Executive Officer at (530) 619-5128 or email j.benoit4@icloud.com . Please mail your letter of interest describing your background to Modoc LAFCO, P.O. Box 2694 Granite Bay, CA 95746 or preferably email a letter of interest to j.benoit4@icloud.com Applicants will be invited to the June 23rd 2023 LAFCO meeting at 4:00 p.m. for an interview with the Commission at the Alturas City Council Chambers, 200 North Street in Alturas. Selection will take place following the interviews.

Dated: April 24, 2023

Modoc LAFCO
John Benoit
EXECUTIVE OFFICER

From: Laurie Pearce originalfootsteps@gmail.com
Subject: LAFCO
Date: August 8, 2023 at 7:48 PM
To: Kelly Crosby kellycrosbyrnpn@gmail.com, j.benoit4@icloud.com

Good evening, Kelly and John.

I am writing to you from my professional email, as I will no longer be using the Modoc Harvest email address in short order.

I am honored that you have asked me to consider joining the LAFCO board as a public member. I did a little research about LAFCOs and read the Board packet for today's meeting so I can understand better what a LAFCO does! It appears that the commission is a state-mandated entity that serves to review governmental structures. I would like to hear more about the role that our county's commission plays and what the responsibilities of a public member are.

I see that the next meeting is October 10th, by which time I will be more able to take on a new role. I am interested and would like to talk with you more. Thanks again!

--

Laurie Pearce Price, PLS (NV #31353)
Principal, Original Footsteps Surveying
PO Box 143
Cedarville, CA 96104
(530) 260-0193

Modoc Local Agency Formation Commission

MINUTES

August 8, 2023

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

The meeting was called to order at 4:04 PM

1. Call to order / Pledge of Allegiance

Commissioners Present

- Ned Coe, County Member
- Kelly Crosby, City Member Alt
- Paul Minchella, City Member
- Kathie Rhoads, Chair, County Member

LAFCO Staff

- John Benoit, Executive Officer

There were no members of the public via zoom in attendance.

2. Approval of the Agenda (Additions and Deletions)

A motion was made by Commissioner Crosby and seconded by Commissioner Coe and passed by a 4-0-1 vote.

3. Election of Chair and Vice-Chair for FY 2023-2024

- a. *It was moved by Commissioner Crosby and seconded by Commissioner Coe to elect Commissioner Minchella as the Chair for FY 2023-2024. The motion passed by all 4 members present.*
- b. *It was moved by Commissioner Minchella and seconded by Commissioner Crosby to elect Commissioner Coe as the Vice-Chair for FY 2023-2024. The motion passed by all 4 members present.*

4. Correspondence: No correspondence was introduced.

5. Consider appointment of a Public Member and Public Member alternate for LAFCo: No action was taken since there were no application for the Public Member and Public Member Alternate

6. **Consider Minutes for the June 13, 2023 LAFCo meeting:** *The June 13th 2023 minutes were introduced and a motion to approve the minutes was made by Commissioner Coe and seconded by Commissioner Rhoads. The minutes were approved by a 4-0-1 vote.*

7. **Public Comment**

No public Comment was received

8. **Consent Agenda**

a. *Commissioner Rhoads moved and Commissioner Coe seconded the authorization to pay the claims for June 2023 and July 2023. The motion was approved by a 4-0-1 vote.*

9. **Executive Officers Report Upcoming projects:**

- a) *Canby CSD Engineering Report: The County has contracted with PACE engineering to prepare the Engineering Report*
- b) *Canby CSD and Canby Fire Merger: E.O. Benoit stated he would prepare an updated resolution for approval by both the Canby CSD Board of Directors and the Canby Fire Protection District Board of Directors. He stated he would send it to Bonnie Sherer and Chester Robertson.*
- c) *Alturas City MSR and SOI: This is a work in progress research for data is ongoing*
- d) *Surprise Valley Healthcare: No action was taken except this MSR should be updated*
- e) *Ethics Training 2pm Monday September 11th : The ethics training will occur on Monday September 11th.*
- f) *Webpage: No action was taken*
- g) *CALAFCO Conf.: Paul Minchella will be attending on behalf of Modoc LAFCo*
- h) *Lookout Pest Abatement District Dissolution: E.O. Benoit mentioned this has been approved and will record the dissolution upon county approval of the Resolution establishing the lookout pest abatement benefit zone.*

10. **Commissioner Reports - Discussion**

No report was given

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

The meeting was adjourned at 4:35 upon motion by Commissioner Coe and Seconded by Commissioner Rhoads, which was approved by a 4-0-1 vote.

Modoc Local Agency Formation Commission

Item 7

CLAIMS

for

August 2023 – September 2023

Authorize Claims for FY 2023-2024

Sept 1, 2023	Staff Svcs and Expenses August 2023	\$ 4,445.19
Oct 1, 2023	Staff Svcs and Expenses September 2023	\$ 1,270.16
Aug 8, 2023	Meeting stipend Aug 8, 2023	\$ 400.00

TOTAL FY 23-24: \$ 6,115.35

DATED: Oct 10, 2023

APPROVED: Oct 10, 2023

Paul Minchella, Chair or Ned Coe, Vice-Chair
Modoc Local Agency Formation Commission

Attest:

John Benoit
Executive Officer

Model LAFCO
Expenditures and Revenue
FY 2023-2024

	\$	5,000.00	\$	1,284.00	\$	1,200.00	\$	300.00	\$	1,000.00	\$	2,000.00	\$	36,000.00	\$	720.00	\$	600.00	\$	4,400.00	\$	12,500.00	\$	4,800.00	\$	67,804.00	
Total Budgeted 2023-2024																											
Catalco Dues 23-24																											
Staff Svcs July 2023																											
Commissioner Payroll August 8th, 23																											
Staff Svcs August 2023 (03-74																											
Staff Svcs Sept 2023 (24-0010)																											

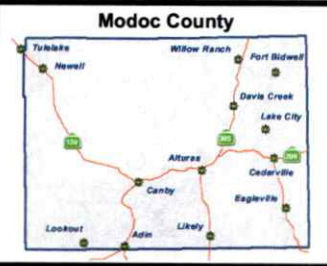
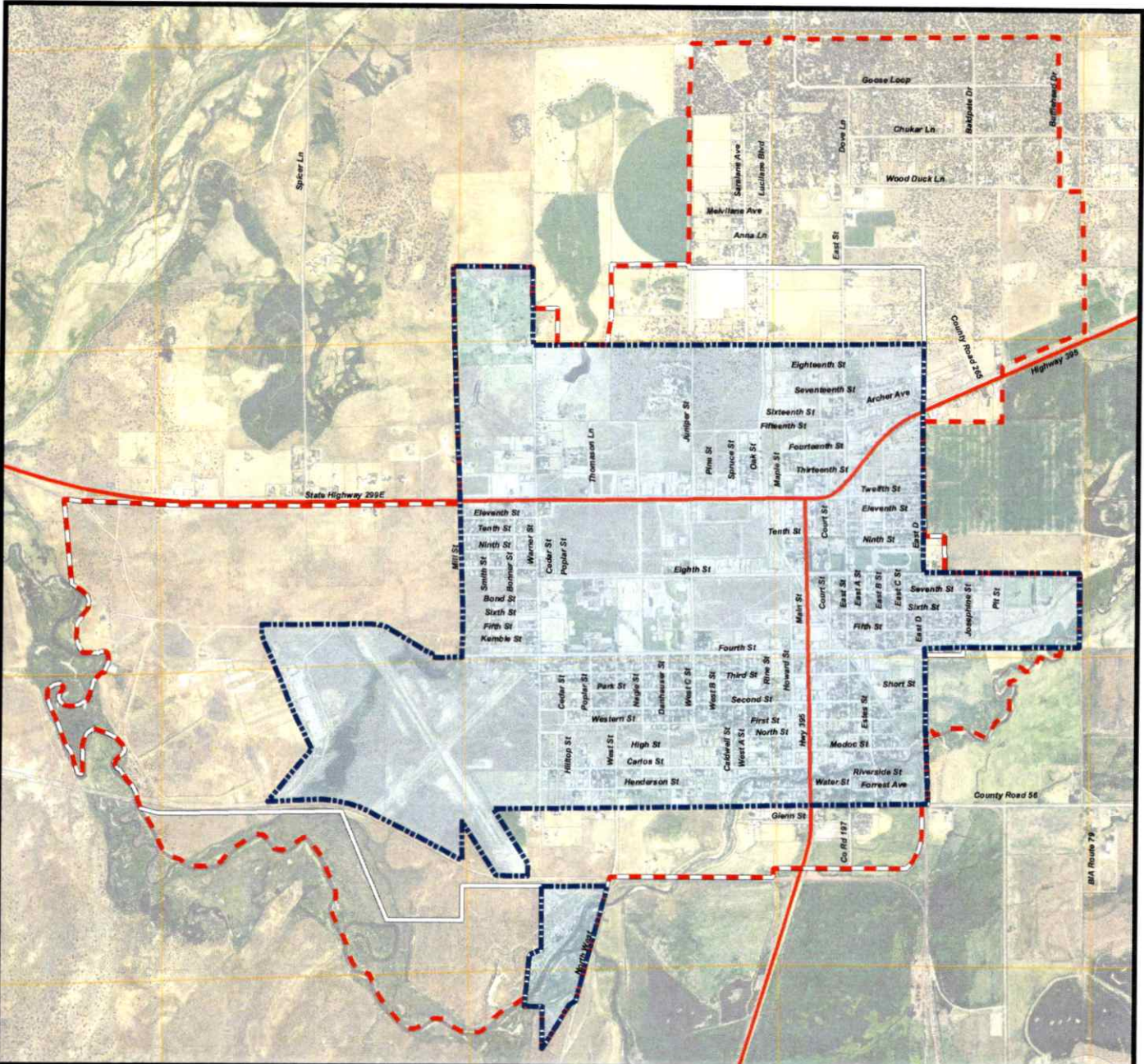
	\$	(1.00)	\$	1,172.50	\$	300.00	\$	300.00	\$	784.50	\$	(32.20)	\$	2,000.00	\$	25,105.00	\$	720.00	\$	600.00	\$	3,386.73	\$	12,500.00	\$	4,400.00	\$	57,937.53
Total Budget Remaining																												
July 1, 2023 City Fund Carryover																												
23-24 Actual City/Co Contributions																												
FY 2023-24 City Anticipated Funds Transf																												
2023-24 County Funds anticipated																												
Funds received																												
REVENUE FOR PROJECTS																												
Interest																												
Anticipated Funds received																												
Less Expenditures																												
Actual Cash Balance																												

MODOC LOCAL AGENCY FORMATION COMMISSION

CITY OF ALTURAS

R 12 E

T 42 N



Legend

- Communities
- Highways
- Parcels
- Sectional Grid (MDB&M)
- City of Alturas
- City of Alturas 0 - 10 Year Sphere of Influence
- City of Alturas 11 - 20 Year Sphere of Influence

N
 W E
 S

0 440 880 1,760 2,640 Feet

City of Alturas Boundary
 Resolution: 2015-0002
 Adopted: April 14, 2015

City of Alturas (SOI)
 Resolution: 2015-0001
 Adopted: April 14, 2015

Source: Modoc LAFCo Map Created 8/30/2016