

Modoc Local Agency Formation Commission

SPECIAL MEETING AGENDA

NOTE DAY AND TIME CHANGE: 5:00 PM

Tuesday October 7, 2014 – 5:00 PM

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

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

Commissioners

David Allan, County Member
Jim Irvin, City Member, Vice-Chair
T.J. Jerry Shea, Public Member
John Dederick, City Member, Chair
Kathie Alves, County Member

LAFCO Staff

John Benoit, Executive Officer
Scott Browne, LAFCO Counsel
Stephanie Wellemeyer, Clerk

Alternate Members

Clinton Davis, Public Member Alt.

Geri Byrne, County Member Alt.
Cheryl Nelson, City Member Alt.

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

3. **Approval of the Minutes**

4. **Correspondence**

5. **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.

6. **Ratify Claims for August 2014 and Authorize Payment of Claims for September 2014.**

a. *Approve payment of expenses for August 2014 and Septemeber 2014.*

7. **Discussion with Scott Browne, Modoc LAFCo Legal Counsel regarding matters of Importance to Modoc LAFCo**

8. **Discussion regarding Groundwater legislation recently signed by the Governor**

a. *Review and Discuss Legislation*

9. **Executive Officer's Monthly Report**

*Agreement between Likely and Madeline Fire Depts.
City of Alturas Annexation Request – Status
Resouce Conservation District Consolidation – December 2014
Southern Cascades CSD - Status
Meyers Healthcare District Annexation
Ethics Training October 17th 3:00 PM Veterans Hall
Tulelake Irrigation District MSR and SOI
New Website*

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 next regular meeting: December 9, 2014***

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. 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) 233-9625 or by email at lafco@modoc.lafco.ca.gov Copies of reports to the extent feasible are located on the LAFCO webpage at: modoc.lafco.ca.gov

Modoc Local Agency Formation Commission

CLAIMS

for

August and September 2014

Authorize the following claims for FY 2014-3015

Sept 1, 2014	Staff Services Aug 2014	\$ 4,380.44
August 12, 2014	Commissioner Stipends	\$ 500.00

TOTAL: \$ 4,880.44

Oct 1, 2014	Staff Services Sept 2014	\$ 2,501.87
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TOTAL: \$ 2,501.87

DATED: October 7, 2014

APPROVED: October 7, 2014

**John Dederick or Jim Irvin, Vice-Chair Modoc
Local Agency Formation Commission**

Attest:

**John Benoit
Executive Officer**

John Benoit

P.O. Box 2694
Granite Bay, CA 95746
Tel: (530) 257-0720
Fax (530) 797-7631

Invoice number: 2014-0083

Invoice date: 1-Oct-14

Vendor ID #

Client name: Modoc LAFCO c/o City of Alturas
Address: 200 W. North Street
City, state, postal code: Alturas, CA 96101

Telephone: 530-233-6024
Fax:
PO number:

Lafco Staff	Hours	Start / End Date	Amount
John Benoit	28.50	Sept 1-30, 2014	\$2,422.50
Stephanie Wellmeyer			

Total activity cost: \$2,422.50

Materials / Other Expenses	Reason / Vendor	Amount
Reproduction Costs	Misc Printing-Packets	\$15.00
Postage		
Phone & Communications	General Comm per contract	\$ 54.12
Office Supplies	Website Memory	\$10.25
Mileage within County		
Transportation and Travel		

Total materials cost: \$79.37

Total billing: \$ 2,501.87

2014 ETHICS TRAINING

MODOC LAFCO

Ethics Training (AB 1234) designed for Special District and Local Government Boards and Staff within Modoc County

WHEN: Friday, **October 17, 2014:** 3:00 PM until 5:00 PM

WHERE: **Veterans Hall at 500 S. Main Street, Alturas CA**

COST: This training is sponsored by Best Best and Krieger, LLP and Modoc LAFCO with the Modoc County Clerk to the Board of Supervisors, Stephanie Wellemeyer at no cost to local agencies.

It is the goal of the Modoc Local Agency Formation Commission (LAFCO) to sponsor training for special districts and agencies within Modoc County.

The session will cover the Brown Act, the Public Records Act, conflicts of interest, and general ethics principles, and will satisfy your AB 1234 training requirements for this year. Josh Nelson of Best Best and Kreiger will be providing the training.

If you are interested in attending, please RSVP to Stephanie Wellemeyer, Clerk to the Modoc Board of Spervisors by email at stephaniewellemeyer@co.modoc.ca.us at (530) 233-6201. We will look forward to seeing you.

Please see the attached Memo from Josh Nelson of Best Best and Krieger, LLP for more information.

BEST BEST & KRIEGER

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Joshua Nelson
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TO: MODOC COUNTY PUBLIC AGENCIES AND OFFICIALS
FROM: BEST BEST & KRIEGER LLP
RE: AB 1234 MANDATORY ETHICS TRAINING REQUIREMENTS

Local elected officials and some public agency employees in California are required to receive at least two hours of training, every two years, in general ethics principles and ethics laws relevant to their public service. (This is sometimes known as AB 1234 training.) For most affected officials and employees, 2014 is a year in which this training is required.

Although this training can be completed online, we have found that receiving the training from a live presenter is helpful, because it allows officials and employees to ask questions and hear the questions and experiences shared by other people. Because we recognize the financial strains currently affecting many public agencies, we would like to invite the officials and employees from every public agency in Modoc County to attend a completely free ethics training session, to be conducted on Friday, October 17, 2014. The training session will be conducted at the Veterans Hall 500 S. Main St, Alturas, CA from 3:00 PM until 5:00 PM. The session will cover the Brown Act, the Public Records Act, conflicts of interest, and general ethics principles, and will satisfy your training requirements for this year. Along with the training, we will also provide certificates of participation, all free of charge.

Our firm acts as city attorneys for more than 30 cities in California, general counsel or special counsel for more than 40 special districts, and we have conducted dozens of ethics training sessions, so we should be able to answer most questions you have during the training session.

This training is being offered jointly by Modoc LAFCo, and by our firm. If you are interested in attending, please contact Stephanie Wellemeyer at (530) 233-6201 or email her at stephaniewellemeyer@co.modoc.ca.us to RSVP. You may also contact me at (916) 325-4000 with any questions, and we will look forward to seeing you.

Josh Nelson
for BEST BEST & KRIEGER LLP
Public Policy & Ethics Group