

# Modoc Local Agency Formation Commission

## REGULAR MEETING AGENDA

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

### TUESDAY

### December 14, 2021 – 4:00 PM

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

*(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  
Marie Neer, Public Member  
Mark Steffek, Chair City Member  
Kathie Rhoads, County Member

##### LAFCO Staff

John Benoit, Executive Officer  
Scott Browne, LAFCO Counsel  
Macey Binning, Clerk

##### Alternate Members

\_\_\_\_\_, Public Member Alt.  
Geri Byrne, County Member Alt.  
Yolanda Lewis, City Member Alt

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

#### 3. Correspondence: *Letter from the State Controller's office*

#### 4. Consider Minutes for the August 10, 2021 and October 19, 2021 LAFCo meetings

- a. *Approve LAFCo minutes for the August 10<sup>th</sup> and October 19<sup>th</sup> 2021 meetings*

#### 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. Authorize payment of claims**

- a) *Authorize payment of claims for October 2021 and November 2021*

**7. Policies, Standards and Procedures Amendment regarding a Service Review followup policy**

- a) *Receive Executive Officer's Report*
- b) *First reading regarding a Service Review followup policy for Modoc LAFCo*

**8. Introduction to the Cedarville County Water District Service Review**

- a) *Review first draft document and schedule a workshop at the next LAFCo meeting*

**9. Set regular meeting for 2022.**

- a) *Set regular meeting schedule for 2022*

**10. Executive Officer's Report:**

- a) *New phone # 530.619.5128*
- b) *AB 361 signed by Governor Newsom: The provisions enacted by AB 361 provide flexibility to meet remotely during a proclaimed emergency will sunset on January 1, 2024. This is subject to change if a future Legislature and Governor elect to extend the sunset or make the provisions permanent.*
- c) *REAP Grant and MSR-SOI for Alturas and Alturas Municipal Sewer District, Adin and Canby update*

**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 February 15, 2022**

*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 the LAFCO webpage at: **[www.modoclafco.org](http://www.modoclafco.org)**



**BETTY T. YEE**  
California State Controller

November 4, 2021

John Benoit  
Modoc LAFCO  
P.O. Box 2694  
Granite Bay, CA, 95746

**SUBJECT: Notification of Inactive Special Districts in County**

Dear John Benoit:

Chapter 334, Statutes of 2017, also known as Senate Bill (SB) 448, added various provisions to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 regarding special districts that are inactive. It requires the State Controller's Office (SCO) to create a list of inactive special districts based on information in the special district's Financial Transactions Report (FTR), to publish the list of inactive special districts on its website annually, and to notify the local agency formation commission in the county or counties in which the inactive special district is located.

Pursuant to Government Code (GC) section 56042, an "inactive special district" must:

- Meet the definition set forth in GC section 56036;
- Have no financial transactions in the previous fiscal year; and
- Have no assets, liabilities, outstanding debts, judgments, litigation, contracts, liens, or claims.

Pursuant to GC 56879, within 90 days of receiving this notice, the Commission is required to initiate dissolution of inactive special districts by resolution, unless the Commission determines that a district does not meet the criteria set forth in GC 56042. Additionally, the Commission is required to notify SCO if it determines that district does not meet the dissolution criteria in GC 56042. Once the dissolution process is complete, please inform SCO using the contact information on page 2.

Enclosed is a copy of the list of inactive California special districts. The list is determined by financial data in each special district's fiscal year 2019-20 FTR. The list of inactive California special districts may also be found at: [https://www.sco.ca.gov/ard\\_local\\_rep\\_freq\\_requested.html](https://www.sco.ca.gov/ard_local_rep_freq_requested.html).

John Benoit  
November 4, 2021  
Page 2

If you have any questions or need to notify us of a special district's status, please contact Derek Miller by telephone at (916) 322-5579, or by email at [dmiller@sco.ca.gov](mailto:dmiller@sco.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip Pangilinan". The signature is fluid and cursive, with the first name "Phillip" and last name "Pangilinan" clearly distinguishable.

PHILLIP PANGILINAN  
Manager  
Local Government Reporting Section

Enclosure

California State Controller's Office  
 List of Inactive Districts per Chapter 334, Statutes of 2017 (SB 448)  
 Source: Special Districts Financial Transactions Reports, Fiscal Year 2019-20

#	District Name	City	County
1	Willow Springs Water District	Plymouth	Amador
2	County Service Area No. 5 (Calaveras)	San Andreas	Calaveras
3	County Service Area No. 6 (Calaveras)	San Andreas	Calaveras
4	County Service Area No. 7 (Calaveras)	San Andreas	Calaveras
5	County Service Area No. 10 (Calaveras)	San Andreas	Calaveras
6	County Service Area No. 11 (Calaveras)	San Andreas	Calaveras
7	County Service Area No. 3 (Colusa)	Colusa	Colusa
8	Century Ranch Water District	Colusa	Colusa
9	Hazel Court County Service Area (Colusa)	Colusa	Colusa
10	Kern Valley Resource Conservation District	Bakersfield	Kern
11	County Service Area No. 3 (Mendocino)	Ukiah	Mendocino
12	Canby Community Services District	Canby	Modoc
13	County Service Area No. 32 (Santa Barbara)	Santa Barbara	Santa Barbara
14	County Service Area for Library Services (CSA-1)	San Jose	Santa Clara
15	Fall River Valley Irrigation District	Redding	Shasta
16	Reclamation District No. 2034	San Ramon	Solano
17	Reclamation District No. 2043	Fairfield	Solano
18	Meridian Cemetery District	Yuba City	Sutter
19	County Service Area No. 60 (Tuolumne)	Sonora	Tuolumne
20	County Service Area No. 56 (Yuba)	Marysville	Yuba
21	County Service Area No. 57 (Yuba)	Marysville	Yuba
22	County Service Area No. 58 (Yuba)	Marysville	Yuba
23	River Highlands Community Service District	Marysville	Yuba
24	Royal Pines County Service Area (Yuba)	Marysville	Yuba