

# Modoc Local Agency Formation Commission

## SPECIAL MEETING AGENDA

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

**Tuesday December 15, 2015 – 4:00 PM**

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

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

Commissioners

David Allan, County, Vice-Chair, Member  
Jim Irvin, City Member,  
T.J. Jerry Shea, Public Member  
John Dederick, City Member  
Kathie Rhoads, County Member, Chair  
LAFCO Staff  
John Benoit, Executive Officer  
Scott Browne, LAFCO Counsel  
Kim Hunter, 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:      October 6<sup>th</sup> , 2015**

**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 October 2015 and Authorize Payment of Claims for November 2015**
  - a. *Approve payment of expenses for October 2015 and November 2015.*
  
7. **Service Review and Sphere of Influence Update for the Newell County Water District**
  - a. *Review status of MSR and SOI*
  
8. **Southern Cascades CSD formation**
  - a. *Review Executive Officer's report regarding the formation of the So Cascades CSD and timeline*
  
9. **Set regular meeting schedule for Calendar Year 2016**
  - a) *Set regular meeting schedule for Calendar Year 2016*
  
10. **Discussion regarding the State Sustainable Groundwater Management Act (SGMA)**
11. **Executive Officer's Monthly Report**
12. **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.

13. ***Adjourn to next meeting: February 9<sup>th</sup>, 2016***

*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) 233-9625 or by email at [lafco@modoc.lafco.ca.gov](mailto:lafco@modoc.lafco.ca.gov) Copies of reports to the extent feasible are located on the LAFCO webpage at: [www.modoclafco.org](http://www.modoclafco.org)

**Local Agency Formation Commission of Modoc County  
Special Meeting**

**Minutes of October 6, 2015**

**1. Call to Order/Pledge of Allegiance:**

Chair Rhoads called the meeting to order at 4:00 p.m., in the City Council Chambers, Alturas City Hall. Commissioners Allan, Dederick, Irvin, Rhoads, Shea were present. Public Member Alternate Clinton Davis was also present.

Staff Present: John Benoit, Executive Officer

Pledge of Allegiance

**2. Approval of Agenda**

Commissioner Dederick made the motion to approve the agenda as submitted and seconded by Commissioner Irvin. In favor: Allan, Dederick, Irvin, Rhoads and Shea.

**3. Approval of Minutes**

Commissioner Shea noted that a minor wording change was needed on page 2. Commissioner Dederick made the motion to approve the minutes for the August 11, 2015 with corrections as noted seconded by Commissioner Allan. In favor: Allan, Dederick, Irvin, Rhoads and Shea.

**4. Correspondence**

Executive Officer Benoit distributed some information, which he obtained at the Calafco Annual Conference. No other correspondence was received.

**5. Public Comment**

No public comment.

**6. Ratify Claims for August 2015 and Authorize Payment of Claims for September 2015**

*a. Approve payment of expenses for August 2015 and September 2015.*

Commissioner Shea made the motion to approve payment of expenses for August 2015 and September 2015; seconded by Commissioner Irvin. In favor: Allan, Dederick, Irvin, Rhoads and Shea.

**PUBLIC HEARING**

**7. Service Review and Sphere of Influence Update for the Hafer Hills Estates County Service Area**

- a. *Conduct Hearing on the Service Review and Sphere of Influence for the Hafer Hills Estates County Service Area and consider Resolution 2015-0007 adopting a Service Review and Resolution 2015-0008 adopting a Sphere of Influence for the Hafer Hills CSA.*

Executive Officer Benoit noted that a workshop had taken place at the August 11<sup>th</sup> meeting to review of the Municipal Service Review and Sphere of Influence for the Hafer Hills Estates County Service Area (CSA). This CSA was established by the County as a road maintenance mechanism for the private roads contained within the Hafer Hills Estates Subdivision. It is recommended that the Sphere of Influence be coterminous with the boundaries of the CSA.

Chair Rhoads closed the Public Hearing at 4:12.

Through the CSA, road maintenance fees are collected from each Assessor's Parcel by the County. The amount of the parcel assessment is based on an analysis by the Road Department. Although the roads within the subdivision remain private, the County Road Department maintains the roads and is paid for the service with the collected fees. No issues of concern were identified regarding the capacity to provide services or the formation of the CSA.

Discussion followed on the wide variety of services that a CSA can fund and how they can be best utilized. Executive Officer Benoit also noted that in the file there had been confusion between CSA's and Community Service Districts (CSD's), which are different things. Currently this is the only CSA within Modoc County.

Commissioner Dederick made the motion to approve and adopt Resolutions 2015-0007 and 2015-0008; seconded by Commissioner Allan. Commissioner Shea made the motion to approve payment of expenses for June 2015 and July 2015; seconded by Commissioner Allan. In favor: Allan, Rhoads, Dederick, Irvin and Shea.

## **8. Southern Cascades CSD Formation**

Executive Officer Benoit provided the Commissioners a copy of the initiating document for the Southern Cascades CSD formation. Both the Modoc and Lassen County Board of Supervisors must approve initiating resolutions to begin the process. A public hearing date for the Lassen LAFCo is set for December 14, 2015. Lassen LAFCo is the lead on this item because the majority of assessed value is within Lassen County. There have been ongoing discussions on the election arrangements and cost but nothing has been determined at this time. It is clear that ambulance service is needed in Big Valley. The last election was lost by only four votes.

Public Member Alternate Davis gave additional background on the issue. Since the last election, some influential community members have come onboard to help campaign and bring attention to the need for ambulance service. Also, there have been some sad events where the long wait for ambulance service has resulting in tragedy. Some Big Valley residents continue to believe that the medical helicopter can land at or near where they live. This is not true, and the patient needs to be transported by ambulance to where the helicopter can land so the lack of ambulance service still has an effect. Emergency ambulance service from Mayers Memorial in Fall River is

quickly degrading in level of service, which further compounds the issue. Further discussion regarding this issue took place.

## **9. Discussion of Annual Calafco Conference in Sacramento**

Executive Officer Benoit and Public Member Alternate Davis attended the Calafco Conference in Sacramento in early September. Executive Officer Benoit gave an overview of the sessions which he attending, which included a session focusing on the Sustainable Groundwater Management Act and the development of groundwater sustainability areas. He also attended the regional meeting, which allows for networking and the prioritization of goals for the next year. Goals which were identified included: efforts to expand LAFCo's power over JPA's, simplification of protest provisions, Proposition 218 and vehicle license fees. Also, there was a review on various bills that are on the desk of Governor Brown to be signed. Next year's conference will be in Santa Barbara.

Commissioner Dederick requested to be excused from the meeting.

Public Member Alternate Davis reported that he attended a LAFCo101 session, which really shed light on the purpose of LAFCo and was very helpful. He also attended a session on expanding broadband service in rural communities, which is very important in our area to retain businesses.

## **10. Executive Officer's Monthly Report**

*Groundwater Service Areas:* This topic was previously discussed.

*Surprise Valley HC District:* District is functioning and a JPA is in place. Commissioner Allan offered his views of the situation.

*Big Valley Water Users:* No news on this topic.

*Mayers Memorial Healthcare District Annexation:* No news on this topic.

*SB 88 Water District Consolidations:* This topic was previously discussed.

## **11. Commissioner Reports – Discussion**

No Commissioner reports or discussion.

## **12. Adjourn to next regular meeting – December 15, 2015**

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

With no further business the meeting adjourned at 4:46 p.m.

# Modoc Local Agency Formation Commission

## CLAIMS

for

October-November 2015

Authorize the following Claims for FY 2015-2016

Nov 1, 2015	Staff Services October 2015	\$ 3,232.97
Dec 1, 2015	Staff Svcs November 2015	\$ 3,050.33
Nov 5, 2015	Public Notice SCCSD ModocRecord	\$ 103.50
Oct 6, 2015	Commission Stipend Oct 6, 2015	\$ 600.00

**TOTAL: \$ 6,986.80**

**DATED: Dec 15, 2015**

**APPROVED: Dec 15, 2015**

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**Kathie Rhoads, Chair or David Allan, Vice-Chair  
Modoc Local Agency Formation Commission**

Attest:

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**John Benoit  
Executive Officer**

Modoc LAFCo  
Expenditures and Revenue  
FY 2015-2016

Item	Account Number	Insurance	Memberships	copies	postage	Communications	Office Exp.	Counsel	Staff Svcs	Sherk Costs	Agribus and Public
		4140	4420	4210	4211	4221	4240	4008	4004	4006	4360
<b>Total Budgeted 2015-2016</b>		\$ 1,000.00	\$ 769.00	\$ 1,500.00	\$ 500.00	\$ 1,000.00	\$ 400.00	\$ 3,200.00	\$ 36,000.00	\$ 900.00	\$ 600.00
Calafco Dues 2015-2016											
July 2015 Staff Svcs				\$ (27.00)	\$ (12.04)	\$ (63.61)			\$ (2,000.00)		
Aug 2015 Staff Svcs.				\$ (78.74)	\$ (20.80)	\$ (64.35)			\$ (2,000.00)		
Sept 2015 Staff Svcs.				\$ (10.00)	\$	\$ (63.65)			\$ (2,550.00)		
Modoc Record Hafer Hills MSR - SOI Legal											
Conf Reimb Sept 2-4, 15 Clinton Davis											
Comm Stipends Aug 11, 2015											
Comm Stipends Oct 6, 2015											
Staff Svcs October 2015											
SCCSD Public Notice Dec 14, 2015				\$ (50.95)	\$ (11.36)	\$ (65.66)			\$ (2,985.00)	\$ (120.00)	\$ (103.50)
Staff Svcs November 2015				\$ (10.00)	\$	\$ (65.33)			\$ (2,975.00)		
											\$ (66.00)
<b>Total Expenditures to date</b>		\$ (785.00)	\$ (176.69)	\$ (443.20)	\$ (322.60)	\$ 677.40	\$ 400.00	\$ 3,200.00	\$ (12,510.00)	\$ (120.00)	\$ (169.50)
<b>Total Budget Remaining</b>		\$ (16.00)	\$ 1,323.31	\$ 455.80	\$ 677.40	\$ 677.40	\$ 400.00	\$ 3,200.00	\$ 23,490.00	\$ 780.00	\$ 430.50

Audited	July 1, 2015 City Fund Carryover
15-16 Actual City/Co Contributions	\$ 32,227.53
FY 2014-2015 City Anticipated Funds Transf	\$
2014-2015 County Funds Anticipated	\$
Funds received	\$
REVENUE FOR PROJECTS	\$
Interest	\$
Anticipated Funds received	\$
Less Expenditures	\$ (19,979.72)
<b>Actual Cash Balance</b>	<b>\$ 12,247.81</b>





**MODOC LAFCO**

**2016 Regular Meeting Schedule**

**February 9, 2016**

**April 12, 2016**

**June 14 2016**

**August 9, 2016**

**October 18, 2016**

**December 13, 2016**

Regular meetings of the Commission are scheduled for the second Tuesday of every other month at 4:00 p.m. in the City Council Chambers, 200 North Street, Alturas, California. The Commission may, at its own discretion, meet at a different time or place from time to time, provided that public notice of such time and place is given in accordance with the Ralph M. Brown Act, Government Code Section 54954 et. seq. and applicable provisions of the LAFCO Act.