

# Modoc Local Agency Formation Commission

## REGULAR MEETING AGENDA

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

Tuesday December 11, 2018 – 4:00 PM

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

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

Commissioners

Alternate Members

Jim Irvin, City Member, Chair  
Ned Coe, County Member  
Richard Read, Public Member  
Mark Steffek, City Member  
Kathie Rhoads, County Member

Richard Read, Public Member Alt.  
Geri Byrne, County Member Alt.  
Cheryl Nelson, City Member Alt

LAFCO Staff

John Benoit, Executive Officer  
Scott Browne, LAFCO Counsel  
Jackie Froeming, Clerk

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

**3. Election of a Vice-Chair to fill an unexpired term ending June 30, 2018**

*a) Election of a Vice-Chair for a term ending June 30, 2018*

**4. Correspondence**

**5. Consider Minutes for the October 9, 2018 LAFCo meeting**

*a. Approve minutes from the October 9<sup>th</sup> 2018 LAFCo 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. **Authorize payment of Claims for October 2018 and November 2018**
  - a. *Authorize payment of claims for October 2018 and November 2018.*

**Action Items:**

8. **Status of the Daphnedale CSD dissolution and consider the repeal of LAFCo Resolution 2018-0001 (Continued from the August and October 2018 LAFco meetings).**
  - a. *Consider repeal of LAFCo initiated resolution 2018-0001 calling for LAFCo to initiate proceedings for the dissolution of the Daphnedale CSD as a quorum of the Board of Directors has been established.*
9. **Update regarding the Lassen Modoc Flood Control and Water Conservation District (LMCFCWCD– Service Review (MSR) and Sphere of Influence (SOI))**
  - a. *Review Third Draft Lassen LAFCo Memo regarding changes to the LMCFCWCD MSR and SOI and provide comments to Lassen LAFCo (Lassen County being the principal County) regarding this MSR and SOI*
10. **Hold General Discussion regarding LAFCo’s Jurisdiction and Districts subject to LAFCo’s review - “definition of a district” and “change of organization”**
11. **Hold General Discussion regarding Municipal Service Reviews: Purpose, intent and content of Service Reviews.**
12. **Review and Discuss letter from the State Controller’s Office regarding the Dissolution of the Canby Community Services District as being an “inactive” district. Review the process set forth in SB 244 and mandated actions for LAFCo.**
13. **Set Regular Meeting Schedule for calendar year 2019.**
  - a) *Set regular meeting schedule for calendar year 2019*
14. **Executive Officer’s Report:**
  - a. *Surprise Valley Hospital District*
15. **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.*

16. **Adjourn to the next regular meeting 4:00 PM on February 12, 2019**

*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. 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 [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)