

Modoc Local Agency Formation Commission

REGULAR MEETING AGENDA

Website: www.modoclafco.org

Tuesday February 10, 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 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
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: August 12, 2014; October 7, 2014; and December 9, 2014

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 December 2014 and Authorize Payment of Claims for January 2015**
 - a. *Approve payment of expenses for December 2014 and January 2015.*

PUBLIC HEARING

7. **Workshop: Tule Lake Irrigation District MSR and SOI**
 - a. *Receive Executive Officer's Report and Conduct Workshop*
 - b. *Schedule Public Hearing for April 14, 2015*
8. **Approve Regular Meeting Schedule for 2015**
 - a. *Review and Discuss and approve regular meeting schedule*
9. **Authorize staff to attend the Calafco Staff Workshop: April 15-17 in Grass Valley**
 - a. *Authorize Staff to attend the Calafco Staff Workshop*
10. **Executive Officer's Monthly Report**

*700 Forms Due April 1, 2015
Policy Update
City of Alturas Annexation Request – Status
Southern Cascades CSD – Status
Big Valley Water Users
Mayers Healthcare District Annexation
New Website www.modoclafco.org
RCD Consolidation Completion*

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 next regular meeting: April 14, 2015**

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 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: www.modoclafco.org

**Local Agency Formation Commission
Of Modoc County
Regular Meeting**

Minutes of August 12, 2014

1. Call to Order:

Chairman Dederick called the meeting to order at 4:00 pm, in the City Council Chambers, Alturas City Hall. Commissioners Allan, Alves, Shea, Irvin, and Dederick were present. Commissioner Alternate Davis is also present.

Staff Present: John Benoit, Executive Officer. Clerk Wellemeyer is absent.

Pledge of Allegiance

2. Approval of Agenda

Commissioner Shea made the motion to approve the agenda as submitted; seconded by Commissioner Alves. In favor: Unanimous

3. Election of LAFCo Chair and Vice-Chair for Fiscal Year 2014-2015

Election of LAFCo Chair

Election of LAFCo Vice-Chair

Commissioner Allan made the motion approve of retaining the current Chair and Vice-Chair for Fiscal Year 2014-2015, seconded by Commissioner Alves. In favor: Unanimous.

4. Approval of Minutes

Commissioner Alves made the motion to approve the agenda as submitted; seconded by Commissioner Allan. Commissioner Shea points out a clarification in the minutes. In favor: Unanimous.

5. Correspondence

Executive Officer Benoit reports he has our certificate of insurance through the CSAC EIA.

6. Public Comment

None.

PUBLIC HEARING:

7. Public Hearing regarding a Service Review and Sphere of Influence Update for the Central Modoc, Surprise Valley, Goose Lake, Lava Beds-Butte Valley and the Pit Resource Conservation Districts

- a) Conduct Public Hearing, Consider Executive Officer's Report, and Consider Resolution 2014-0006 adopting a Service Review for RCD Services.*
- b) Conduct Public Hearing, Consider Executive Officer's Report, and Consider Resolution 2014-0007 adopting a Sphere of Influence for the Goose Lake, Lava Beds-Butte Valley and the Pit Resource Conservation Districts and the combined Central Modoc and Surprise Valley RCD's (the Modoc RCD)*

Chairman Dederick opens the public hearing.

Executive Officer Benoit drafted a service review and sent it to the five RCDs to solicit comments. Four of them replied with various comments, but he heard nothing from Goose Lake. He drafted a Sphere map of the RCDs in the county with a consolidation of Central Modoc and Surprise Valley. The recommendation would be to adopt the MSR and the Sphere of Influence. He did also provide some history on the RCD stating they started in the 1930s due to the Great Depression and the Dust Bowl. They worked with the Soil Conservation Service and work on things like range management, though they do work on different issues and are not identical.

Dick Mackey reports that RCDs are the connection between the private and the public sector that is really critical. Bryon Hadwick states that they are the local sounding boards to the federal agencies. Commissioner Allan asks about the members on Surprise Valley. Mr. Mackey states the plan is to consolidate Central Modoc with Surprise Valley and have representatives from that area so it would make Surprise Valley active again. They have met with the members and have a consolidation agreement to proceed with the consolidation.

Commissioner Shea asks about the consolidation and asks if there is some concern about the lack of activity with Goose Lake RCD. Mr. Hadwick states they used to be very active and they did talk to them about coming into the consolidation at the same time. However, they are at this point planning to stay as an individual RCD but the discussion may come again down the road. Surprise Valley has not been active for at least three years and has not had a meeting so they are looking at another way to do business through this consolidation.

Executive Officer Benoit states that the recommendation is to approve the two Resolutions as drafted on the agenda.

Opponents: None.

Chairman Dederick closes the public hearing.

Commissioner Shea made the motion to adopt Resolution 2014-0006, adopting a Service Review for RCD Services; seconded by Commissioner Irvin. In favor: Unanimous.

Commissioner Alves made the motion to adopt Resolution 2014-0007, adopting a Sphere of Influence for the Goose Lake, Lava Beds-Butte Valley and the Pit Resource Conservation Districts and the combined Central Modoc and Surprise Valley RCD's (the Modoc RCD); seconded by Commissioner Shea. In favor: Unanimous.

8. Consider a waiver of LAFCo fees for the Consolidation of the Surprise Valley and the Central Modoc Resource Conservation Districts.

a) Consider a waiver or partial waiver of the required fee deposit of \$2,000.00

Executive Officer Benoit reports they have a joint Resolution from both districts to combine and that does allow LAFCo to proceed without a notice and hearing. He has been trying to get a copy of the original boundary descriptions of these districts. He doesn't see this as a very controversial consolidation.

Commissioner Dederick asks what the cost would be for LAFCo to do the consolidation. Executive Officer Benoit thinks this would be a fairly easy consolidation so he would say about \$1000, but our normal fee is \$2000. They would like to consolidate the two and call it the Modoc RCD and he doesn't anticipate this being controversial.

Commissioner Allan reports we know this is the smart and prudent thing to do. How does it factor in that we know Surprise Valley doesn't have any money. Executive Officer Benoit reports that they don't have a lot of money which is another factor to consider. RCDs are funded in two separate ways. One of which is tax based, but theirs is fees for service and other contracted work. So, right now the funding they have is money left over from grants.

Commissioner Dederick asks how they will decide who will be the Directors. Mr. Mackey reports Directors are appointed by the Board of Supervisors. They usually send a recommendation to the Board and they appoint. Mr. Hadwick reports they currently have seven members but they have one vacancy and they felt that Darrell DePaul could be appointed to fill that vacancy.

Commissioner Shea made the motion to waive the fee for this consolidation; seconded by Commissioner Allan. In favor: Unanimous.

9. Ratify Claims for June 2014 and Authorize Payment of Claims for July 2014.

a. Approve payment of expenses for June 2014 and July 2014

Commissioner Alves made the motion to approve payment of expenses for April 2014 and May 2014; seconded by Commissioner Allan. In favor: Unanimous.

10. 2014 Biennial Conflict of Interest Code Review.

a. Review Conflict of Interest Code for Modoc LAFCo and authorize Executive Officer to sign the 2014 Local Agency Biennial Notice and return to the County Clerk.

Executive Officer Benoit reports that we adopted a code about six or seven years ago. We have had a couple of biennial reviews but there have been no changes to it so we would just file the notice of no updates.

Commissioner Alves made the motion to authorize Executive Officer to sign the 2014 Local Agency Biennial Notice and return to the County Clerk; seconded by Commissioner Shea. In

favor: Unanimous.

11. Calafco Achievement Awards Nominations

a. Consider a Calafco Achievement Award Nomination

Executive Officer Benoit reports Calafco has its annual conference and every year they have numerous awards that they offer. He doesn't think we have ever done one though we are not obligated to do so and he doesn't have any recommendations.

Commissioner Allan would nominate Executive Officer Benoit. He states he would have to decline. Commissioner Shea would nominate Commissioner Dederick for outstanding Commissioner. Commissioner Dederick doesn't know if he has done anything outstanding though he has been here for a long time. He will decline as well, though he appreciates the sentiment.

12. Nominations for Calafco Board of Directors

a. Consider a nomination of a City or Public Member to the Calafco Board

Executive Officer Benoit states there is more importance to this and you would need to get elected to the Northern Region and would then serve on the Calafco Board for two years. We have never had anyone run for this.

Commissioner Dederick asks how often they meet. Executive Officer Benoit states they meet four times a year but it can be done by conference call and the local LAFCo would pay for expenses.

13. Authorize Commissioners and Staff to attend the Calafco Annual Conference in Ontario on October 15-17, 2014

a. Authorize Commission and Staff to attend the Calafco Annual Conference in Ontario on October 15-17.

Executive Officer Benoit is attending this conference though his heart really isn't in it this year. It is a good idea to go, maybe not this particular one, though next year it is in Sacramento. They will be discussing water which he has already given his two cents on. He doesn't have an agenda but if anyone is interested he can provide that to them.

Commissioner Allan made the motion to authorize Executive Officer Benoit to attend the Calafco Annual Conference in Ontario on October 15-17, 2014; seconded by Commissioner Alves. In favor: Unanimous.

14. Appoint Voting Member and Alternate Voting Member to vote on behalf of Modoc LAFCo at the 2014 Annual CALAFCo Conference in Ontario.

Commissioner Shea made the motion to appoint Executive Officer Benoit as the voting member to vote on behalf of Modoc LAFCo at the 2014 Annual Calafco Conference in Ontario; seconded

by Commissioner Allan. In favor: Unanimous.

15. Executive Officer's Monthly Report

*Agreement between Likely and Madeline Fire Depts.
City of Alturas Annexation Request – Status
Southern Cascades CSD - Status
Meyers Healthcare District Annexation
Ethics Training*

Executive Officer Benoit states he always puts on the agreement between Likely and Madeline but he hasn't heard anything. Commissioner Alves reports she has spoken to County Counsel on this but it keeps getting put aside as more important issues keep coming up. She has also spoken to Allan Albaugh and has sent out twelve letters and agreements but there seems to be a lack of interest. Likely had signed the agreement but since then Lassen had wanted one item changed so they would have to start all over again. Executive Officer Benoit reports that Lassen has a new County Counsel so maybe we can have someone talk to him.

Next on the list is the City of Alturas annexation request and he understands there are some delays there as well. Everyone seems to know what they want; it just needs to get done. Commissioner Dederick states they have had a meeting but there was some confusion on the AB8 rates and he doesn't believe they received some clarification on that. Executive Officer Benoit states he has to go to the Auditor's Office tomorrow so he may ask about that as well.

The Southern Cascades CSD is hoping to go to a mail ballot. They had misquoted the LAFCo term and condition in a previous Resolution which is a dual commitment to form the district as long as the tax passes because they need a financing source. They had hoped to get on the November ballot, but he suggested a mail ballot.

The Mayers Healthcare District annexation would annex portions of Modoc and Shasta into the district to help with the bond indebtedness. The Board of Supervisors here is the only one that has a real hammer here by refusing to negotiate the tax agreement unless they say the people have the opportunity to vote on this. He will work with the Board and Chester Robertson on this when it comes up. There is a meeting next week and he has invited a few people from Big Valley to attend as well so they can hear from them first hand.

Finally he discusses Ethics Training. We had it two years ago and had a firm come up here to do the training. He has spoken to them again and they are willing to do it again. He will speak with Stephanie Wellemeyer on this as she helped coordinate the event and can do so again.

16. Commissioner Reports – Discussion

Commissioner Allan states that the hospital in Surprise Valley has been borrowing money to make payroll. He believes that Kevin Kramer has been very candid with them and he implored

him and one very strong board member to get to the point and work through the issues. Some of the staff over there had been making significant amounts of money in comparison to Modoc Medical Center. We'll see how it goes because meetings can get pretty ugly over there with the public and staff trying to take over.

Executive Officer Benoit asks if Kevin is helping them out. Commissioner Allan reports he is going over there one day a week and they are paying a portion of his salary. There is also a woman helping out with financials as well.

17. Consider changing meeting date from October 14, 2014 to October 7, 2014 at 4:00 PM CITY HALL, CITY OF ALTURAS

Executive Officer Benoit would like to change the meeting date for October. He will also have Counsel here that day so they should prepare any legal questions for him that day.

Commissioner Allan made the motion to change the meeting date from October 14, 2014 to October 7, 2014; seconded by Commissioner Irvin. In favor: Unanimous.

There being no further business to come before this Commission; Commissioner Alves made the motion to adjourn the meeting; seconded by Commissioner Allan. In favor: Unanimous

Meeting adjourned at 5:10 p.m.

**Local Agency Formation Commission
Of Modoc County
Regular Meeting**

Minutes of October 7, 2014

1. Call to Order:

Chairman Dederick called the meeting to order at 5:00 pm, in the City Council Chambers, Alturas City Hall. Commissioners Allan, Shea, Irvin, and Dederick were present. Commissioner Alternate Davis is also present. Commissioner Alves is absent.

Staff Present: John Benoit, Executive Officer and Stephanie Wellemeyer, Clerk.

Pledge of Allegiance

2. Approval of Agenda

Commissioner Allan made the motion to approve the agenda as submitted; seconded by Commissioner Irving. In favor: Commissioners Allan, Dederick, Irvin & Shea. Motion carries.

3. Approval of Minutes

Item number three is tabled until the next meeting.

4. Correspondence

None to report at this time.

5. Public Comment

None.

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

a. Approve payment of expenses for August 2014 and September 2014.

Commissioner Shea made the motion to approve payment of expenses for August 2014 and September 2014; seconded by Commissioner Allan. In favor: Commissioners Allan, Dederick, Irvin & Shea. Motion carries.

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

Commissioner Dederick welcomes Mr. Browne. He thanks them and is glad to be here. He came up with Executive Officer Benoit to meet everyone at no charge because he wanted to meet everyone and check out the area. He would like to come up at least once a year.

8. Discussion regarding Groundwater legislation recently signed by the Governor

a. Review and Discuss Legislation

Executive Officer Benoit reports three bills were signed by the Governor. There is a really extensive program of mandates in California that will be occurring over the next several years. There are a series of timelines that go out to 2025. He isn't sure how Modoc County is going to handle this because there are three tiers of water basins.

Commissioner Allan reports we have water basins in Newell and Big Valley which will be the focal points for us. The County is in the process of completing an ad hoc committee pertaining to this issue and they are trying to include all entities involved. They did receive grant money through Cal OES to help with this, the bulk of which will help pay for some sophisticated software. They signed a contract with VESTRA out of Redding and they will be helping on this project. He asks Mr. Browne if he would agree that this will end up before the Supreme Court of the State of California. Mr. Browne thinks it will, but he believes they will uphold the plan to preserve our groundwater.

Commissioner Dederick adds that we may have until 2020 to come up with a plan, but that is if we have any water left. He explains that the Refuge is having some serious concerns already.

Mr. Browne thinks the smaller counties like Modoc will solve the problem at the local level, whereas the larger county will require State action.

Executive Officer Benoit reports the State will designate some of these basins by next March and then the County will have to move forward from there. RCRC has taken an active role on this as well.

9. Executive Officer's Monthly Report

Agreement between Likely and Madeline Fire Depts.

City of Alturas Annexation Request – Status

Resource 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

Executive Officer Benoit received a message from Supervisor Alves regarding the fire departments and stating it's not completely dead; it is still in the works. The problem is this has been in the works for three years and it should have taken 60 days. Commissioner Allan reports that Tim Holabird would be willing to help on this issue, and suggests Executive Officer Benoit touch base with him on this issue.

Executive Officer Benoit reports on the annex request. He spoke to both Chester Robertson and Joe Picotte today and it seems that everything is ready to go. He just needs a Resolution adopted. He asks that they review this and make sure the draft looks good.

He would like to put the RCD consolidation on the next agenda. This would be between Central Modoc and Surprise Valley. They have already adopted the sphere so we are good there.

Commissioner Allan asks for the status on the Southern Cascades CSD. Commissioner Alternate Davis states it is still not formed. Executive Officer Benoit states that is due to funding.

He discusses the Mayers Memorial annexation and will have another meeting in January. What came to light for the district is what is involved in this whole process and they'd like to have another meeting to go over everything and how to fill out the application form. He thinks from that point of view this meeting today was very helpful. Commissioner Alternate Davis states he saw the deer in the headlights look a view times because they didn't realize what all was required to accomplish this. Executive Officer Benoit thinks they need to do some due diligence to review all of the issues that need to be addressed. Mr. Browne states one of the key issues will be the tax exchange. Commissioner Allan asks if he would have anything to say to the Board about this. Mr. Browne states the Board needs to decide if this is a priority since they have so many requests on the limited tax dollars.

Executive Officer Benoit discusses the Tulelake Irrigation District (TID) and reports we have done the MSR and Sphere for both Hot Springs and South Fork, next would be TID. He has been working on the sphere and received some information back from them. He once again is having issues with maps and is looking into that. Commissioner Allan suggests that he get ahold of AJ McQuarrie pertaining to his needs for maps. He states that he has found that OES doesn't have as detailed maps as he needs, because he needs them down to the parcel but he can talk with her about this so we can all share our data. He had met with the County Assessor and they reviewed tax rate areas and he now has a better map that he can share with the County Registrar of Voters.

Lastly, he discusses a new website. Calafco offered to host a website for counties. Ours is not the greatest website so he has re-done it and will have control of what goes on there. It will also be a lot more functional and he can add our maps as well which will save lots of copying and mailing. Commissioner Irvin asks what his target date is to get it up and running. He thinks he will have it up in about a week and it will be modoclafco.org.

Commissioner Shea states he might need to skip ethics training. Executive Officer Benoit just reminds everyone that it is October 17th at 3 p.m. at the Veterans Hall. If they have any questions, they can talk to Stephanie.

10. Commissioner Reports – Discussion

Commissioner Irvin received an item from SCED, reporting that they and the CALED will be hosting a training on private party partnerships if anyone is interested. Executive Officer Benoit will also be going to the Calafco conference and will bring back information as well.

Commissioner Dederick asks about the groundwater committee, stating he read the material and thinks it was to be formed by October 14th and asks if the City needs to come up with a representative before then. Commissioner Allan thinks it was pushed back due to budget hearings.

11. Adjourn to next regular meeting: December 9, 2014

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: Commissioners Allan, Dederick, Irvin & Shea. Motion carries.

Meeting adjourned at 5:44 p.m.

**Local Agency Formation Commission
Of Modoc County
Regular Meeting**

Minutes of December 9, 2014

1. Call to Order:

Vice-Chair Irvin called the meeting to order at 4:01 pm, in the City Council Chambers, Alturas City Hall. Commissioners Allan, Alves, Shea, and Irvin were present. Commissioner Alternate Davis was also present. Commissioner Dederick was absent.

Staff Present: John Benoit, Executive Officer and Kim Hunter, Clerk.

Pledge of Allegiance

2. Approval of Agenda

Commissioner Alves made the motion to approve the agenda as submitted; seconded by Commissioner Shea. In favor: Unanimous

3. Approval of Minutes

No minutes to approve at this time.

4. Correspondence

Executive Officer Benoit reported that many state agencies are transitioning to electronic submittals with the most recent agency being the Regional Water Quality Control Board. The State Board of Equalization has gone already electronic. However, the filings are still hard copy but are soon expected to all be electronic. Currently, Executive Office Benoit is amending the LAFCo application, which is a work-in-progress. The amended application will request that items be submitted electronically, with the understanding that not all of the some of the smaller districts do have the capacity to do so and will still be able to file hard copies.

5. Public Comment: None.

6. Ratify Claims for October 2014 and Authorize Payment of Claims for November 2014.
a. Approve payment of expenses for October 2014 and November 2014.

Commissioner Alves made the motion to approve payment of expenses for October 2014 and November 2014; seconded by Commissioner Allan. In favor: Allan, Alves, Shea and Irvin. Absent: Dederick.

7. Dissolution of the Surprise Valley RCD and Central Modoc RCD and Formation of the Modoc RCD.

a. Receive Executive Officer's Report and Conduct Public Hearing

- b. *Consider Resolution 2014-0008 Making Determinations and Approving the Dissolution of the Central Modoc Resource Conservation District and the Surprise Valley Conservation District and the Formation of the Modoc Resource Conservation District*

Vice-Chair Irvin opens the public hearing at 4:10 p.m.

Executive Officer Benoit reported that an Executive Officer's report and draft resolution had been prepared for this item. A revised map was also been provided that is a cleaner version that illustrates the formation changes more clearly. At the last meeting a Municipal Service Review and a Sphere of Influence update were done which essential stated that the Surprise Valley RCD and Central Modoc RCD be consolidated into one Modoc RCD. As part of the Executive Officer's report, a review was completed to ensure that the consolidation would be consistent with state law and with the policies of the Modoc County LAFCo.

A concurrent resolution from both of the districts has been submitted to the Commission in support of the district consolidation, which allows the protest proceedings to be waived. Executive Officer Benoit recommended that the protest proceedings be waived because it can be a much longer process if they are not. The initiating LAFCo resolution includes the consolidation provisions requested by both of the districts. The signed and recorded serves as the guideline for how district will be organized and outlines such things as how many members will be on the Modoc RCD board with other provisions to provide direction for the consolidation process. In this case, the recommendation is to include all of the provisions requested by the RCD's. Bryan Hadwick, representing the RCD's, was present and commented that the resolution looked good and that the provisions requested had been included as previously discussed.

Executive Officer Benoit then recommended the approval of Resolution 2014-0008 making determinations and approving the dissolution of the Central Modoc RCD and the Surprise Valley RCD and the formation of the Modoc RCD. Commissioner Shea noted an error in the acreage of the territory on page 2 on the resolution in item 2 and that the correct acreage of the new Modoc RCD will be 1,485,906.8 acres, not 11,485.906.8 acres.

Vice-Chair Irving closes the public hearing at 4:16 p.m.

Commissioner Alves made the motion to adopt Resolution 2014-0008, with the correction as noted; seconded by Commissioner Shea. In favor: Allan, Alves, Shea and Irvin. Absent: Dederick.

Executive Officer Benoit stated for the process that the protest proceedings were waived and there is a 30-day reconsideration period. Once these times lapse, then a Certificate of Completion will be recorded with the County. Once the Certificate of Completion is recorded, the proper documents will be forwarded to the Modoc RCD and the affected agencies including Modoc County and the City of Alturas. Additionally, paperwork will also be sent to Lassen County as some portions of the Modoc RCD territory cross county boundaries. As a point of information, the Modoc RCD is a sponsor of the North Cal-Neva Resource Conservation & Development District (RC&D), which should also be notified on the district merger. Bryan

Hadwick offered to assist with getting the RC&D the needed information and also getting notification to the California Association of Resource Conservation Districts.

8. Discussion regarding the Calafco Conference in October.

a. Review and Discuss Conference.

Executive Officer Benoit reported that he had attended the Calafco Conference in Ontario in October. A portion of the session focused on groundwater. As a LAFCo, when approving a reorganization you must make sure that there is water supply to support the annexation. For example, with a city annexation it must be determined that adequate capacity exists in the water system to accommodate the new area. Several new faces and much change currently taking place within LAFCo. Many of the Calafco courses offer nuts and bolts types of discussions and Executive Officer Benoit recommends that LAFCo Commissioners attend at least once. Next year the Calafco Conference will be in Sacramento, so hopefully some Modoc LAFCo Commissioners can attend since it will be more centrally located.

With groundwater, Governor Brown has signed four bills that will affect groundwater management into the future. In Modoc County, on a statewide scale, Executive Officer Benoit stated that he didn't think that there were any critical groundwater basins or sub-basins located in the County as defined in State Bulletin 118. However, the State will be coming out with a list of identified critical groundwater basins that could change that. It's expected that changes to groundwater management will take a good deal of time.

9. Executive Officer's Monthly Report

Agreement between Likely and Madeline Fire Depts.

City of Alturas Annexation Request – Status

Southern Cascades CSD – Status

Mayers Healthcare District Annexation

Ethics Training October 17th

Tulelake Irrigation District MSR and SOI – February 10, 2015

New Website www.modoclafco.org

No news to report on the agreement between Likely and Madeleine Fire Departments. Executive Officer Benoit noted that he had been trying to get the City of Alturas Annexation request moving forward and outlined the next steps of the annexation process. He is looking forward to getting feedback from Joe Picotte with the City of Alturas and Chester Robertson with Modoc County on the status. An AB8 tax exchange process is involved which isn't done very often between the City and the County. The Southern Cascades CSD was set to expire in February of 2015 but was granted a 2-year extension by the Lassen County LAFCo on December 8, 2014. Clinton Davis gave an update that the supporters of the Southern Cascades CSD district are pursuing a special election to be held on May 12, 2015 and are sending out the required noticing. The Mayers Healthcare District annexation is moving slowly, mostly because this is a complicated process that may not have been anticipated by the district when beginning the process. Shasta County has a new LAFCo Executive Officer, Jan Lopez, diligently working on a about a ten-year backlog of applications. Good reviews have been received so far from the

ethics training which was held on October 17th. Comments were made that the training was well presented and moved quickly. The Tulelake Irrigation District MSR is almost complete and will like be ready for review at that February 10, 2015 meeting. There's a new website for the Modoc County LAFCo which is www.modoclafo.org which will allow more control of the website resulting in more frequent updates.

10. Commissioner Reports – Discussion

Commissioner Shea welcomed Kim Hunter back. It was also noted that John Schreiber, a former member and Chair of the Modoc County LAFCo, had recently passed away.

11. Adjourn to next regular meeting: February 10, 2015

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

With no further business the meeting adjourned at 4:47 p.m.

Modoc Local Agency Formation Commission #6

CLAIMS

for

December 2014 and January 2015

Authorize the following claims for FY 2014-3015

Jan 1, 2015	Staff Services Dec. 2014	\$ 3,014.91
December 9, 2014	Commissioner Stipends	\$ 500.00
December 31, 2014	SCCSD legal notice Modoc Record	\$ 103.50
	TOTAL:	\$ 3,618.41
Feb 1, 2015	Staff Services Jan 2015	\$ 3,569.21
	TOTAL:	\$ 3,569.21
DATED:	Feb 10, 2015	
APPROVED:	Feb 10, 2015	

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

Attest:

**John Benoit
Executive Officer**

Modoc LAFCO
Expenditures and Revenue
FY 2014-2015

	\$	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
Total Budgeted 2014-2015																				
Staff Svcs June 2014 Inv #53																				
Calafco Dues 14-15 Inv 2014-27																				
Modoc Record MSR.Sol notice 7.17.14																				
Staff Svcs for July 2014																				
Comm Stipend Aug 12, 2014																				
Staff Svcs for August 2014																				
Staff Svcs for September 2014																				
Staff Svcs for October 2014																				
Comm stipend for October 2014																				
Modoc Record RCD consolidation Notice																				
Staff Svcs for November 2014																				
Modoc Record SCSGD Encore -Big Valley																				
Staff Svcs January 2015																				
Comm Stipend for December 2014																				

Total Expenditures	\$	1,254.21	\$	435.24	\$	374.80	\$	380.92	\$	3,200.00	\$	12,348.75	\$	535.00	\$	357.00
Total Budget Remaining	\$	745.79	\$	764.76	\$	1,125.20	\$	619.08	\$	2,800.00	\$	23,651.25	\$	365.00	\$	243.00

	Audited	July 1, 2014 City Fund Carryover
14-15 Actual City/Co. Contributions		\$ 42,848.97
FY 2014-2015 City Anticipated Funds Transf		
2014-2015 County Funds anticipated		\$41,585.90
Funds received		
REVENUE FOR PROJECTS		
Interest		\$ -
Anticipated Funds received		
Less Expenditures		\$ (32,259.96)
Actual Cash Balance		\$ 10,569.01

John Benoit

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

Invoice number: 2015-0013
Invoice date: 1-Feb-15

Vender 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	38.75	Jan 1-31, 2015	\$3,293.75
Kim Hunter		December 2014 minuetes	\$ 120.00

Total activity cost: \$3,413.75

Materials / Other Expenses	Reason / Vendor	Amount
Reproduction Costs	Misc Copy & Tule Lake MSR	\$75.89
Postage	Misc re: Water Master	\$0.70
Phone & Communications	General Comm per contract	\$ 78.87
Office Supplies		
Mileage within County		
Transportation and Travel		

Total materials cost: \$155.46

Total billing: \$ 3,569.21

MODOC LAFCO**2015 Regular Meeting Schedule****February 10, 2015****April 14, 2015****June 9, 2015****August 11, 2015****October 13, 2015****December 15, 2015**

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.