

Modoc Local Agency Formation Commission

REGULAR MEETING AGENDA

Website: www.modoclafco.org

Tuesday February 9, 2016 – 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: December 15th, 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 December 2015 and Authorize Payment of Claims for January 2016

a. *Approve payment of expenses for December 2015 and January 2016.*

7. Authorize Chair to sign letter regarding the Service Review and Sphere of Influence Update for the Newell County Water District

a. *Authorize Chair to sign letter to be sent to the Newell County Water District*

8. Work Program for FY 2016-2017 – Develop and Discuss

a. *Develop and Discuss work program for the upcoming fiscal year.*

9. Authorize staff to attend the Calafco Annual Staff Workshop in Los Angeles.

a. *Authorize staff to attend the Calafco Staff Annual Workshop in Los Angeles.*

10. Executive Officer's Monthly Report

- a. *700 Forms are due April 1st*
- b. *Annexation to the HSVWD*

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 meeting: March 12th , 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. 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

Special Meeting

Minutes of December 15, 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 Dederick, 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 Shea made the motion to approve the agenda as submitted and seconded by Commissioner Dederick. In favor: Dederick, Rhoads and Shea.

3. Approval of Minutes

Commissioner Shea noted that a minor wording change was needed on page 2. Commissioner Shea made the motion to approve the minutes for the October 6, 2015 LAFCo meeting with correction to item #3 to include the June 9, 2015 minutes as being approved. In favor: Dederick, Rhoads and Shea.

4. Correspondence

Executive Officer Benoit indicated he received a letter from Kan We Help regarding the Lassen Modoc Flood Control and Water Conservation District. No other correspondence was received.

5. Public Comment

No public comment.

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.

Commissioner Shea made the motion to approve payment of expenses for October 2015 and November 2015 in the amount of \$6,986.80; seconded by Commissioner Dederick. In favor: Dederick, Shea and Rhoads.

7. Service Review and Sphere of Influence Update for the Newell County Water District

Executive Officer Benoit noted that a Service Review and Sphere of Influence Update were in progress for the Newell County Water District. At issue is the district is not communicating with LAFCo. Without responding to the request for information from LAFCo staff, LAFCo is unable to prepare a complete Service Review and stated the findings in the MSR and SOI would reflect the non-cooperation of the District. Commissioner Rhoads asked if the district was told that they would receive an incomplete MSR and SOI? Executive Officer Benoit responded not yet. Executive Officer Benoit stated he would continue to work with the District to obtain the necessary information.

8. Southern Cascades CSD Formation

Executive Officer Benoit provided an update for the Southern Cascades CSD Formation that Lassen LAFCo approved a resolution and the formation at its December 14, 2015 LAFCo meeting. Commissioner Davis spoke about the overall purpose of the new district is to provide Advanced Life Support (ALS). Commissioner Dederick asked for clarification of how the ALS was going to be provided. Commissioner Davis responded the goal is to provide full time on call ALS support 24-7. Commissioner Davis spoke of the some of the challenges to provide ALS. An election will be required. Commission expressed a concern that a revenue budget was not included in the report and if he were in the area he would like to see the revenue budget.

9. Set Regular Meeting Schedule for calendar year 2016

Executive Officer Benoit presented the regular meeting schedule for calendar year 2016. The regular meeting schedule was approved upon motion of Shea and seconded by Dederick. In favor: Dederick, Shea and Rhoads.

10. Discussion regarding the State Sustainable Groundwater Management Act (SGMA)

Executive Officer Benoit gave a power point presentation explaining the purpose, timelines and options for Counties and Water District's have in implementing the SGMA. It was stated that Lassen County staff was questioning the logic used by the California Department of Water Resources in making a determination of Big Valley being a medium priority water basin. Executive Officer Benoit stated that the Lassen and Modoc Counties are still looking for a meeting date for a joint meeting to discuss a Groundwater Sustainability Area in Big Valley. Commission Rhoads will ask the Clerk to the Board to place LAFCo on the list to receive minutes of the Modoc County Water Committee. Executive Officer Benoit said he would post the power point presentation on the Modoc LAFCo webpage.

11. Executive Officer's Monthly Report

*Work on the lighting District MSR in the near future
Continue Working on the Newell MSR - SOI*

12. Commissioner Reports.– Discussion

No Commissioner reports or discussion.

13. Adjourn to next regular meeting – February 9, 2016

There being no further business to come before this Commission Commissioner Shea moved and seconded by Commissioner Dederick to adjourn to February 9, 2016. In favor: Dederick, Shea and Rhoads.

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

Modoc Local Agency Formation Commission

CLAIMS

for

December 2015 and January 2016

Authorize the following Claims for FY 2015-2016

Jan 1, 2016	Staff Services December 2015	\$ 2,363.64
Feb 1, 2016	Staff Sves January 2016	\$ 1,775.76
Oct 6, 2015	Commission Stipend Dec 15, 2015	\$ 400.00
Dec 15, 2015	Alturas Facility Usage Fee – 6 meetings	\$ 300.00
	TOTAL:	\$ 4,839.40

DATED: Feb 9, 2016

APPROVED: Feb 9, 2016

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

Attest:

**John Benoit
Executive Officer**

MODOC LOCAL AGENCY FORMATION COMMISSION

February 9, 2016

Board of Directors
Newell County Water District
405 5th Avenue
Tule Lake, CA 96134

RE: District Municipal Service Review and Sphere of Influence Update

Dear Members of the Board of Directors:

The Modoc Local Agency Formation Commission (LAFCO) has initiated a municipal service review (MSR) and update to the sphere of influence (SOI) of each agency within Modoc County. Most of the MSR's and SOI's have already been completed. The MSR and SOI for the Newell County Water District is not yet complete. LAFCO is undertaking this MSR and SOI in response to California mandated legislation (AB 2838) requiring each LAFCO: 1) to conduct comprehensive reviews of municipal services and 2) to update SOIs for all agencies under LAFCO's jurisdiction. The legislation requires LAFCO to update the MSR and SOI every five years or as necessary. A MSR and SOI update for the Newell County Water District has never been completed. The project involves a of domestic water services provided by the district. Anticipated completion for this MSR and SOI is Spring 2016.

Our staff has twice requested the information as included in the attached questionnaire. This is a formal request by the Commission pursuant to Government Code section 56386(a) to furnish the information to LAFCo as requested in the attached questionnaire and documentation by Friday, March 11th, 2016.

Please mail your responses and relevant documents to John Benoit, Executive Officer at P.O. Box 2694 Granite Bay 95746 or email them to Johnbenoit@surewest.net.

We consider the preparation of service reviews to be a cooperative effort involving the staff of local agencies and our office. In addition to responding to LAFCo requests for information as required under Government Code §56386 (a), your agency will be invited to review the draft document once prepared and to participate in LAFCo's public hearing.

LAFCo intends to make its best effort to minimize the burden of this project on our local agencies. We sincerely look forward to collaborating with and learning more about your agency's needs through this process. Should you have any questions or require further assistance regarding this request, please feel free to contact the LAFCo office at (530) 233.9625.

Sincerely,

Kathie Rhoads
Chair, Modoc Local Agency Formation Commission

Enc:

MODOC LAFCO
John Benoit, Executive Officer
PO Box 2694, Granite Bay CA 95746
Fax 916.797.7631 and phone 530.233.9625

Municipal Service Review—Newell County Water District

Date:

1. Agency Address: 405 5th Ave., Tule Lake CA 96134
2. Agency Telephone: 530-664-2267
3. Agency Website: None, no internet for district

4. Administrator Name and Title:
5. Administrator's e-mail address:

6. Date of formation:

7. Anticipated Expansion:

8. Governing Body: Meeting Date, time and place for Governing Body:

9. Names of Governing Board and terms:

10. Total Number of Employees involved in Services:

11. Total population within Agency Jurisdictional Boundaries;
12. Total registered voters within Agency Jurisdictional Boundaries:

13. Describe the facilities including water lines, sewer lines, water storage, and water and wastewater treatment facilities

14. What improvements to the facilities are planned?

15. How will new or upgraded infrastructure be financed?

16. Can any facilities be shared with other agencies?

17. Please attach the following regarding Services:
 1. Most Recently Adopted Budget, Bylaws and Policies
 2. Most Recently Completed Financial Audit Report
 3. Capital Improvement Plans for sewer and water systems
 4. Waste Discharge Requirements from the Regional Water Quality Control
 5. Fee Schedule for sewer and water service, number of connections for sewer and water service.
 6. Consumer Confidence Report for Water System (State Health Dept.)

Attachment A

MSR and SOI Status as of Feb 2016

Agency Name	Date MSR Adopted	Date Sphere of Influence Adopted
Agencies that provide Water and Sewer		
Cedarville County Water District	11-Dec-07	11-Dec-07
Canby CSD	22-Oct-13	22-Oct-13
California Pines CSD	9-Feb-10	9-Feb-10
Daphnedale CSD	12-Apr-11	10-Apr-12
Newell County Water District		
Likely County Water District		
Adin CSD	10-Apr-12	10-Apr-12
City of Alturas	14-Dec-10	14-Dec-10
Fire and Emergency Medical Services		
Adin FPD	13-Apr-10	11-Oct-11
Alturas Rural Fire	13-Apr-10	11-Oct-11
California Pines CSD fire	13-Apr-10	11-Oct-11
Canby FPD	13-Apr-10	11-Oct-11
Cedarville FPD	13-Apr-10	11-Oct-11
Davis Creek FPD	13-Apr-10	11-Oct-11
Eagleville FPD	13-Apr-10	11-Oct-11
Fort Bidwell FPD	13-Apr-10	11-Oct-11
Lake City FPD	13-Apr-10	11-Oct-11
Likely FPD	13-Apr-10	11-Oct-11
Lookout FPD	13-Apr-10	11-Oct-11
Tule Lake Multi County FPD	13-Apr-10	11-Oct-11
Willow Ranch FPD	13-Apr-10	11-Oct-11
Alturas City Fire	13-Apr-10	11-Oct-11
Cemetery Districts		
Adin Cemetery	10-Aug-10	10-Aug-10
Alturas Cemetery	10-Aug-10	10-Aug-10
Bidwell Cemetery	10-Aug-10	10-Aug-10
Davis Creek Cemetery	10-Aug-10	10-Aug-10
Cedarville Cemetery	10-Aug-10	10-Aug-10
Eagleville Cemetery	10-Aug-10	10-Aug-10
Lake City Cemetery	10-Aug-10	10-Aug-10
Likely Cemetery	10-Aug-10	10-Aug-10
Lookout Cemetery	10-Aug-10	10-Aug-10
Willow Ranch Cemetery	10-Aug-10	10-Aug-10
Healthcare Districts		
Last Frontier Healthcare Dist	10-Apr-12	10-Apr-12
Surprise Valley Healthcare District	10-Apr-12	10-Apr-12
Meyers Healthcare District	Responsibility of Shasta LAFCo	Responsibility of Shasta LAFCo
Agricultural Water and Irrigation Districts		
South Fork ID	15-Apr-14	15-Apr-14
Hot Springs Valley Water Dist	21-Aug-12	12-Feb-13
Tule Lake Irrigation District	6/9/15	6/9/15
Resource Conservation Districts		
Goose Lake RCD	12-Aug-14	12-Aug-14
Surprise Valley RCD	12-Aug-14	12-Aug-14
Lava Beds RCD	12-Aug-14	12-Aug-14
Central Modoc RCD	12-Aug-14	12-Aug-14
Pit River RCD	12-Aug-14	12-Aug-14
Fall River RCD	Responsibility of Shasta LAFCo	Responsibility of Shasta LAFCo
Flood Control and Water Conservation		
Davis Creek Water Conservation Dist		
Lassen-Modoc Flood Control		
Owl Creek Flood Control		
Street Lighting Districts		
Canby Highway Lighting District		
Cedarville Highway Lighting District		
Eagleville Highway Lighting District		
Fort Bidwell Highway Lighting District		
County Service Areas		
Hafer Hills (Road Maintenance) CSA	6-Oct-15	6-Oct-15
Park and Recreation Districts		
Modoc Park and Recreation District	11-Dec-12	11-Dec-12
Pest Abatement Districts		
Lookout Pest Abatement District		
Stonghold-Newell Pest Abatement Dist.		